

AGENDA/KAUPAPA



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MEMBERSHIP: Her Worship the Mayor Rehette Stoltz (Chair), Josh Wharehinga (Deputy Chair), Colin Alder, Andy Cranston, Larry Foster, Debbie Gregory, Ani Pahuru-Huriwai, Rawinia Parata, Aubrey Ria, Rob Telfer, Teddy Thompson, Rhonda Tibble and Nick Tupara

SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee

DATE: Thursday 8 May 2025

TIME: 9:00AM

AT: Te Ruma Kaunihera (Council Meeting Room), Awarua, Fitzherbert Street, Gisborne

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Sustainable Tairāwhiti / Toitū Tairāwhiti

| | |
|----------------------------|---|
| Reports to: | Council |
| Chairperson: | Mayor Rehette Stoltz |
| Deputy Chairperson: | Deputy Mayor Josh Wharehinga |
| Membership: | Mayor and Councillors |
| Quorum: | Half of the members when the number is even and a majority when the membership is uneven. |
| Meeting frequency: | Six weekly (or as required). |

Purpose

To develop, approve, review and recommend to Council (where applicable) statutory and non-statutory policy, plans, bylaws, strategies and decisions to:

- Develop a vision and a pathway for the future of the district.
- Sustainably manage resources in the region.
- Identify and promote community aspirations.
- Define and deliver on Council's roles.
- Integrate an all-of-wellbeing approach to strategy, plan and policy development.
- Have effective statutory plans and bylaws to protect community and environmental needs.

Terms of Reference

- To develop and review Resource Management Act 1991 and Local Government Act 2002 strategies, plans and policies across the Council relating to community, environment, and infrastructure.
- Make recommendations to Council to ensure the effective implementation of plans, processes, research, monitoring and enforcement to satisfy the requirements of the Resource Management Act 1991, National Policy Statements, National Environmental Standards and associated legislation.
- To lead the development of Council's draft Long Term Plan, Annual Plan and all other policies required to be included in the Long Term Plan as specified in the Local Government Act 2002 (including but not limited to the Infrastructure Strategy and Financial Strategy). This includes the ability to approve draft versions for consultation, and make recommendation to Council following consultation.
- Hear submissions to Council's Long Term Plan or amendments.
- Oversee the development and review of Council's Resource Management Act 1991 plans.

- Oversee any development of unitary/spatial plan, integrated plans or major catchment plans.
- Consider and recommend to Council strategies, policies, rules and other methods for inclusion into the Tairāwhiti Resource Management Plan and other associated plans.
- Monitor and report on environmental performance trends and the effectiveness of and compliance with Council's resource management responsibilities and activities associated with policy implementation.
- Receive and review State of the Environment monitoring reports to assist in future activity planning and policy development.
- Bylaw development – make any decisions leading up to consultation on a proposal relating to a bylaw. This includes approval of a draft bylaw and/or proposal for consultation (and recommending the appointment of a Hearing Panel to the Bylaw Submissions Hearings Panel).
- Establish, implement and review the operational policy and planning framework for decision making that will assist in achieving the strategic priorities and outcomes
- Monitor, review and develop Council responses, strategies, plans and policy in relation to Iwi and Māori commitments.
- Prepare submissions on any matter that is within its role and terms of reference for Council.
- Approve or change a proposed policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA).
- Make decisions that are required to be made by resolution, except those that are not legally able to be delegated.

Power to Act

To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

To establish subcommittees, working parties and forums as required.

To appoint non-voting advisory members (such as tangata whenua representatives) to assist the Committee.

Power to Recommend

To Council and/or any Council committee as it deems appropriate.

3.1. Confirmation of non-confidential Minutes 26 February 2025

MINUTES

Draft & Unconfirmed



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

P O Box 747, Gisborne, Ph 867 2049 Fax 867 8076
Email service@gdc.govt.nz Web www.gdc.govt.nz

MEMBERSHIP: Her Worship the Mayor Rehette Stoltz (Chair), Josh Wharehinga (Deputy Chair), Colin Alder, Andy Cranston, Larry Foster, Debbie Gregory, Ani Pahuru-Huriwai, Rawinia Parata, Aubrey Ria, Tony Robinson, Rob Telfer, Teddy Thompson, Rhonda Tibble and Nick Tupara

MINUTES of the SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee

Held in Te Ruma Kaunihera (Council Meeting Room), Awarua, Fitzherbert Street, Gisborne on Wednesday 26 February 2025 at 1:00PM.

PRESENT:

Her Worship the Mayor Rehette Stoltz, Colin Alder, Andy Cranston, Larry Foster, Debbie Gregory, Ani Pahuru-Huriwai, Rawinia Parata, Tony Robinson, Rob Telfer, Daniel Thompson, Josh Wharehinga.

IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines Tim Barry, Director Internal Partnerships & Protection James Baty, Director Engagement & Maori Partnerships Anita Reedy-Holthausen, Chief Financial Officer Pauline Foreman, Director Sustainable Futures Jo Noble, Intermediate Policy Planner Makarand Rodge, Acting Democracy & Support Services Manager Teremoana Kingi and Committee Secretary Jill Simpson.

The meeting commenced with a prayer/karakia.

Secretarial Note: Director Lifelines Tim Barry attended the meeting via audio visual link.

1. Apologies

MOVED by Cr Wharehinga, seconded by Cr Pahuru-Huriwai

That the apologies from Cr Parata, Cr Ria, Cr Tibble, and Cr Tupara be sustained.

CARRIED

2. Declarations of Interest

There were no interests declared.

3. Confirmation of non-confidential Minutes

3.1 Confirmation of non-confidential Minutes 27 November 2024

MOVED by Cr Wharehinga, seconded by Cr Foster

That the Minutes of 27 November 2025 be accepted.

CARRIED

3.2 Action Register

Noted.

3.3 Governance Work Plan

Noted.

4. Leave of Absence

There were no leaves of absence.

5. Acknowledgements and Tributes

There were no acknowledgements or tributes.

6. Public Input and Petitions

There were no public input or petitions.

7. Extraordinary Business

There was no extraordinary business.

8. Notices of Motion

There were no notices of motion.

9. Adjourned Business

There was no adjourned business.

10. Reports of the Chief Executive and Staff for DECISION

10.1 25-33 Local Alcohol Policy - Approval to Consult

Director Sustainable Futures Jo Noble and Intermediate Policy Planner Makarand Rodge attended.

Following discussions, it was decided that submissions would be heard by the full Hearings Submission Panel and a recommendation then taken to full Council. Cr Alder will be added to the Hearings Panel. Cr Foster will not form part of the Hearings Submission Panel for this Hearing.

MOVED by Cr Wharehinga, seconded by Cr Thompson

That the Sustainable Tairāwhiti /Toitū Tairāwhiti:

1. Adopts the Statement of Proposal including the draft amended clause 3.1 of the Kaupapa Waipiro ā rohe o Te Tairāwhiti 2024 / Tairāwhiti Local Alcohol Policy 2024 in Attachment 2 for consultation using the Special Consultative Procedure.
2. Receives submissions from the public in relation to the proposed amendments to clause 3.1 of the Kaupapa Waipiro ā rohe o Te Tairāwhiti 2024 / Tairāwhiti Local Alcohol Policy 2024.
3. Conducts public hearings and hear any oral submissions from the public in relation to the proposed amendments to clause 3.1 of the Kaupapa Waipiro ā rohe o Te Tairāwhiti 2024 / Tairāwhiti Local Alcohol Policy 2024.
4. Deliberates on any matters arising from the analysis of the submissions received.
5. Alternatively, resolves to delegate the activities listed in resolutions 2 to 4 to a Hearings Panel that will subsequently make recommendations to Council on the adoption of an amended Kaupapa Waipiro ā rohe o Te Tairāwhiti 2024 / Tairāwhiti Local Alcohol Policy 2024.
6. Delegates the Chief Executive to edit the Statement of Proposal if directed by Council, to reflect the preferred option of Council and/or the discussions at this meeting.

CARRIED

11. Close of Meeting

There being no further business, the meeting concluded at 1.15pm.

Rehette Stoltz
MAYOR

3.2. Governance Work Plan

| 2025 Sustainable Tairāwhiti | | | | | | Meeting Dates | | | |
|-----------------------------|----------------------|--|--|-----------------|--------------------------------|---------------|-------|--------|---------|
| HUB | Activity | Name of agenda item | Purpose | Report type | Owner | 26-Feb | 8-May | 31-Jul | 11-Sept |
| Sustainable Futures | Strategy and Science | TRMP Workshop | To discuss the 3 remaining masterplans for the District Plan Change. City centre, Awapuni and Elgin. | Workshop | Shane McGhie / Desire du Plooy | | | | |
| Sustainable Futures | Strategic Planning | 25-114 Local Alcohol Policy (Sensitive Sites Provisions) Adoption Report | | Decision (D) | Makarand Rodge | | | | |
| Sustainable Futures | Strategic Planning | 25-121 Draft Urban Plan Change - Decision to send Draft to Iwi Authorities | | Decision (D) | Shane McGhie | | | | |
| Sustainable Futures | Strategic Planning | 25-101 Resource Management Reform Update | | Information (I) | Charlotte Knight | | | | |

10. Reports of the Chief Executive and Staff for DECISION



25-98

Title: 25-98 Local Alcohol Policy (Sensitive Sites) Adoption
Section: Strategic Planning
Prepared by: Makarand Rodge - Intermediate Policy Advisor
Meeting Date: Thursday 8 May 2025

| | | |
|-----------|---------------|-----------------------------|
| Legal: No | Financial: No | Significance: Medium |
|-----------|---------------|-----------------------------|

Report to SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI for decision

PURPOSE - TE TAKE

This report provides recommendations for adopting amendments to the sensitive sites provisions of the Local Alcohol Policy 2024.

SUMMARY - HE WHAKARĀPOPOTOTANGA

On 27 June 2024, Gisborne District Council (Council) adopted the Local Alcohol Policy 2024. Staff were directed to undertake a targeted review of the sensitive sites provisions contained in clause 3.1 of the policy (report [24-189](#)).

On 26 February 2025, Sustainable Tairāwhiti received feedback provided during early engagement undertaken between 18 October and 18 November 2024, and adopted a statement of proposal to seek feedback on two options (report [25-33](#)):

- Option 1: retain clause 3.1 with minor wording improvements; or
- Option 2: amend clause 3.1 to exempt new licence applications within the central business district (CBD) and enable the District Licensing Committee to consider exemptions outside the CBD.

Formal consultation was open from 28 February 2025 to 28 March 2025. 207 written submissions were received – 137 in support of Option 1, 69 in support of Option 2 and one submitter was unsure.

On 29 April 2025, the Hearings Submission Panel received all submissions and information to support Panel deliberations (report [25-97](#)). Nine submitters spoke at the Panel hearings held on that date. One walk-in attendee from NZ Police, a tri-agency partner, also provided verbal comments, though they did not submit in writing. The Panel deliberated on the options immediately following the hearings.

Based on the submitters' feedback, reasoning included in the statement of proposal and deliberations by the Panel members, the Panel recommends adoption of option 2. The Panel recommends a minor amendment to the definition of sensitive sites, in response to the feedback received from Ngāi Tāwhiri and others, to clarify that it includes Council-maintained cemeteries (urupā). The proposed amendments to clause 3.1 of the Local Alcohol Policy 2024 based on the Panel's recommendations is attached in attachment 1.

The decisions or matters in this report are considered to be of **Medium** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Sustainable Tairāwhiti /Toitū Tairāwhiti:

- 1. Adopts the attached proposed amendments to clause 3.1 of the Local Alcohol Policy 2024.**
- 2. Notes that the revised policy will take effect upon public notification, in accordance with section 90 of the Sale and Supply of Alcohol Act 2012.**
- 3. Council makes a minor amendment to the definition of sensitive sites to clarify that it includes Council-maintained cemeteries (urupā).**

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: Local Alcohol Policy, LAP, alcohol, sensitive sites

BACKGROUND - HE WHAKAMĀRAMA

1. The [Local Alcohol Policy 2024](#) gives direction to the District Licensing Committee and Alcohol Regulatory and Licensing Authority when they make decisions on new licence applications in Tairāwhiti, including consideration of the proximity of new licence applications to sensitive sites (clause 3.1). Sensitive sites are educational facilities, marae, spiritual facilities and recreational facilities. No new licenses except cafes, restaurants and special licences are to be granted within 150 metres of an existing sensitive site.
2. When the policy was adopted in June 2024, Council directed staff to undertake a targeted review of clause 3.1 (refer to report [24-189](#)), in response to submissions received during the consultation process seeking exemption of the central business district (CBD) from the sensitive sites provisions.
3. To support this review, early engagement on the sensitive sites provisions was undertaken. Between 18 October and 18 November 2024, staff engaged targeted stakeholders and partners through the 'Participate' platform and the Council's Facebook page. A summary of this engagement is included in report [25-33](#), and Attachment 1 to that report.
4. During early engagement, Council received 62 submissions and over 1,067 votes. The feedback reflected a wide range of views, from removing the sensitive sites provisions entirely to making it more lenient for licence applicants or more restrictive to better protect sensitive sites. 82% disagreed with the current sensitive sites provisions while the remaining 18% agreed.
5. In response, staff developed a set of options, which were sent to the Medical Officer of Health (National Public Health Services), the Chief Licensing Inspector, and the Alcohol Harm Prevention Sergeant of Gisborne Police—collectively referred to as the “tri-agency” – for feedback. The tri-agency preferred Option 1, which is maintaining status quo.
6. On 26 February 2025, Sustainable Tairāwhiti adopted a statement of proposal to seek feedback on two options:
 - a. [Option 1](#): retain clause 3.1 with minor wording improvements; or
 - b. [Option 2](#): amend clause 3.1 to exempt new licence applications within the CBD and enable the District Licensing Committee to consider exemptions outside the CBD.
7. Consultation opened on 28 February 2025 and closed on 28 March 2025. 207 submissions were received.
8. The Hearings Submission Panel received all submissions and information to support deliberations in report [25-97](#). Hearings were held by the Panel on 29 April 2025, immediately followed by the Panel's deliberations. Nine submitters spoke to their submissions at the hearings, plus a walk-in who did not submit a written submission (NZ Police).
9. Council recognises the CBD as a mixed-use environment, where hospitality venues can support vibrancy and amenity, provided they are appropriately located and managed.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

Submissions received

10. All submissions received are in Attachment 1 of report [25-97](#). Of the submissions received, 137 supported Option 1 and 69 supported Option 2 and one submitter was undecided.
11. The submissions analysis provided to the Panel showed that submissions in support of Option 1 were made by individual community members, iwi and hapū, Māori wardens, churches health providers, alcohol harm reduction advocacy groups, and the education sector. This option was also endorsed by the tri-agencies involved in development and implementation of local alcohol policies: NZ Police, National Public Health Service, and the Chief Licensing Inspector. Reasons given for supporting this option included concerns around community wellbeing, protection of tamariki and rangatahi, reduction in alcohol-related harm, and safeguarding spiritual and culturally significant sites.
12. Submissions in support of Option 2 were made by Supported by some early engagement participants but fewer public submitters. The Wharf Bar and Grill, Restaurant Association NZ, Waikanae Holdings Ltd, Cranswick Enterprises, Licensees and commercial operators and private individuals. Reasons for supporting this option included potential benefits for economic revitalisation of the CBD and hospitality sector growth, economic revitalisation of the CBD, and greater business flexibility.

Options analysis

13. The options analysis provided to Sustainable Tairāwhiti when considering the statement of proposal included that:
 - a. Option 1
 - i. attempts to strike a balance between enabling businesses which provide alcohol as part of their product or service and managing the negative impacts of alcohol use;
 - ii. provides a consistent approach across the whole region; and
 - iii. is supported by the tri-agencies.
 - b. Option 2
 - i. may reduce perceived barriers to licensing within the CBD and encourage hospitality business investment and development;
 - ii. was supported by 87% of participants in early engagement; and
 - iii. is not supported by the tri-agencies.
14. The full options analysis and statement of proposal can be found in report [25-33](#).

Panel deliberation and recommendations

15. The Panel heard from ten submitters at the hearing including a walk-in attendee from NZ Police. Although the Police representative did not submit in writing, their verbal feedback was considered alongside the wider community sentiment, and with alignment and feedback and strategic implications for the district

16. The Panel carefully balanced the need to protect community wellbeing, in line with section 78(2) of the Sale and Supply of Alcohol Act 2012, with Council's strategic objective to revitalise the Central Business District (CBD). It recognised that different types of licensed activities in the CBD have varying impacts on health, safety, and urban place-making. They recognised that not all alcohol licences have the same impact. For example, a daytime café may be less likely to raise concerns than a late-night bar. The Panel supports keeping a case-by-case approach through the District Licensing Committee to manage these differences fairly and responsibly.
17. The Panel noted examples from other regions where local authorities apply discretion for licensing within CBDs to support urban revitalisation. These examples showed that allowing flexibility for activities and aligning place-making outcomes can contribute positively to urban amenity and vitality, while maintaining a strong focus on community wellbeing.
18. Following deliberations, the Panel recommends that Council adopt Option 2 as presented in **Attachment 1**. This approach introduces exemptions within the CBD while maintaining discretionary control through the District Licensing Committee (DLC) for licence applications outside the CBD.
19. The Panel recommends a minor amendment to the definition of sensitive sites, in response to the feedback received from Ngāi Tāwhiri and others, to clarify that this definition includes Council-maintained cemeteries (urupā). This is not a change to the current application of the definition.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

Overall Process: **Low** Significance

This Report: **Low** Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: **Low** Significance

This Report: **Low** Significance

Inconsistency with Council's current strategy and policy

Overall Process: **Medium** Significance

This Report: **Medium** Significance

The effects on all or a large part of the Gisborne district

Overall Process: **High** Significance

This Report: **High** Significance

The effects on individuals or specific communities

Overall Process: **High** Significance

This Report: **High** Significance

The level or history of public interest in the matter or issue

Overall Process: **High** Significance

This Report: **High** Significance

20. The decisions or matters in this report are considered to be of **Medium** significance in accordance with Council's Significance and Engagement Policy.

TREATY COMPASS ANALYSIS

Kāwanatanga

21. For Council, Kāwanatanga in the context of the sensitive site provisions would mean exercising its governance role to protect community wellbeing by regulating the location of alcohol outlets near sensitive sites. This may involve setting clear rules that minimise alcohol related harm, while ensuring decisions are informed by evidence, public feedback, and Treaty obligations. It also requires balancing the interests of businesses and the broader community with a commitment to prioritising health, safety, and cultural values, particularly those of Māori.

Rangatiratanga

22. During the pre-engagement, iwi and hapū partners were contacted via email to seek their feedback on the current sensitive site provisions. The email included consultation materials, which were partially translated into Te Reo Māori to support meaningful engagement.
23. Similarly, iwi and hapū partners were approached prior to formal consultation, seeking feedback on the proposed changes.

Oritetanga

24. Council have sought to remove barriers to tangata whenua to participate in shaping the provisions of the Policy, by inviting tangata whenua to participate in early engagement for this review at the same time as the stakeholders most directly affected by the Policy. This was undertaken before the wider public are consulted.
25. A similar approach will be taken prior to formal consultation.

Whakapono

26. Iwi and hapū partners were contacted prior to formal consultation to allow opportunity for reviewing and providing feedback on the draft Policy changes if they wished.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

27. Pre-engagement emails were sent to iwi and hapū partners on 18 February 2025. Formal submissions were received from: Ngāi Tāwhiri (via email, supporting Option 1) Rongowhakaata Iwi Trust, Te Aitanga-a-Māhaki Trust, Te Kura Kaupapa Māori o Hawaiki Hou, Tūrehou Māori Wardens Trust, Te Aroha Kanarahi Trust. All submissions received are in **Attachment 1**.
28. These submissions highlighted significant cultural and community safety issues that helped guide the Panel's thinking and understanding of the wider impact.
29. Ngai Tāwhiri responded to the pre-engagement email, expressing support for Option 1 and noting the need for greater clarity around the definition of "sensitive areas." Ngai Tāwhiri's feedback recommended the explicit inclusion of Council-maintained urupā.

30. Connie Maynard from Rongowhakaata Iwi Trust (submission 136) submitted feedback via the public consultation process, and their Chair asked to speak at the hearing. Multiple submissions were received from individuals associated with Te Kura Kaupapa Māori o Hawaiki Hou (submissions 57, 62, 70, 205) and Tūrehou Māori Wardens Trust (submissions 95, 96). Te Aitanga-a-Māhaki Trust (submission 154) and Te Aroha Kanarahi Trust (submission 135) also submitted formal feedback. All of these submissions supported Option 1. All submissions received are provided in **Attachment 2**.
31. Engagement was also undertaken in developing the options (see Attachment 1 to report [25-33](#)).

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

32. Before starting formal consultation, Council engaged with iwi and hapū partners, the hospitality sector, tri-agencies (NZ Police, Public Health Service, and the Chief Licensing Inspector), and the wider community. Feedback was received from iwi, community groups, Health Organisations, hospitality businesses, and individuals. A summary of this engagement is included in report Attachment 1 [25-33](#)).
33. Community engagement followed the special consultative procedure under the Local Government Act 2002. Consultation was widely promoted with approximately 300+ private individuals and local businesses and community groups emailed. The Chamber of Commerce and the tri-agencies were also advised the consultation was opening and were offered the opportunity to speak at the hearings. The National Public Health Service and NZ Police took up that opportunity.
34. Direct communication helped reach both urban and rural submitters. A public notice was also placed in the Gisborne Herald to notify of the community consultation. Targeted community engagement was undertaken in developing the options (see Attachment 1 to report [25-33](#)).

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

35. There are no climate change impacts or implications arising from the proposal.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

36. There are no financial or budget considerations arising from the proposal.

Legal

37. Section 78 of the Sale and Supply of Alcohol Act 2012 sets out the matters that Council must have regard to when developing a Local Alcohol Policy, this list is not exclusive – in other words, the Council can take other matters into consideration:
- (a) the objectives and policies of its district plan
 - (b) the number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises
 - (c) any areas in which bylaws prohibiting alcohol in public places are in force
 - (d) the demography of the district's residents
 - (e) the demography of people who visit the district as tourists or holidaymakers
 - (f) the overall health indicators of the district's residents
 - (g) the nature and severity of the alcohol-related problems arising in the district.
38. The matters listed in section 78 were considered when the draft policy was developed.
39. Council has complied with the special consultative procedure requirements of the Local Government Act 2002, as required by section 97 of the Sale and Supply of Alcohol Act 2012 when reviewing a local alcohol policy.
40. The Hearing Panel gave priority to community health and wellbeing, as required by section 78(2) of the Sale and Supply of Alcohol Act 2012. Business competition and other commercial factors were not considered, in line with the law.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

41. If the Panel's recommendation is adopted, the Local Alcohol Policy 2024 will be updated to reflect the adoption of Option 2, exempting new licence applications within the Central Business District (CBD) and allowing the District Licensing Committee discretion to consider exemptions outside the CBD.
42. There are planning implications associated with this decision, particularly in relation to Council's wider objectives to revitalise and support a vibrant, safe, and economically resilient CBD. The updated policy settings will contribute to shaping the long-term urban environment by managing the cumulative effects of alcohol availability while enabling activities that align with place-making and investment goals.

43. The current Tairāwhiti Resource Management Plan (district plan provisions) contains the following objectives for the inner commercial zone (central business district) that are of particular relevance to this kaupapa:
- DD2.3.2.3 Maintain a vibrant and sustainable Inner Commercial zone, where the quality and functioning of the environment and the amenity values are maintained and enhanced.
 - DD2.3.3.1 Maintain and enhance the Inner Commercial zone as the focus of specialist retail and other commercial activity in the district.
 - DD2.3.3.2 To ensure that the importance of the Inner Commercial zone as a centre for business, entertainment and community activities is recognised and provided for as a means of maintaining the value of Gisborne's heritage building resource.
44. However, there remains a strategic risk that if licensing decisions are not carefully managed, misalignment could occur between the Local Alcohol Policy and broader urban regeneration initiatives. Such misalignment could potentially impact Council's efforts to enhance community wellbeing, urban amenity, and economic vitality.
45. Accordingly, careful and ongoing alignment between the adopted policy position and Council's planning frameworks will be required. Monitoring of licensing outcomes and integration with urban development initiatives will be critical to supporting place-making objectives and safeguarding community wellbeing across Tairāwhiti.

RISKS - NGĀ TŪRARU

46. With significant numbers of submissions supporting both options and strong feelings in the community on both sides, there is a risk that those favouring either Option 1 or Option 2 will express disappointment publicly. Given previous media attention on sensitive sites, reactive media releases have been prepared to support the adoption decision of option 2, explain the outcome, and respond to any public or media enquiries in a timely and consistent manner.

NEXT STEPS - NGĀ MAHI E WHAI AKE

| Date | Action/Milestone | Comments |
|---------------|---|--|
| May 2025 | Public Notice of final policy | A public notice of the final policy must be issued. |
| May/June 2025 | Policy in force | Date to be confirmed based on public notice and Sustainable Tairāwhiti timing. |
| August 2030 | Review of Local Alcohol Policy 2024 due to be completed by this date. | As required by legislation |

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1- Statement of Proposal and Draft LAP for consultation [25-98.1 - 16 pages]
2. Attachment 2 - Submissions [25-98.2 - 22 pages]

Statement of Proposal: Draft amendments to the sensitive sites provisions of the Tairāwhiti Local Alcohol Policy 2024

Gisborne District Council (Council) is proposing to update the part of the [Kaupapa Waipiro ā rohe o Te Tairāwhiti 2024 / Tairāwhiti Local Alcohol Policy 2024](#) (the current policy) that addresses the proximity of businesses licensed to sell alcohol to sensitive sites. Council is seeking to understand community views on the use of sensitive site provisions within the current policy.

Reason for the proposal

The current policy was recently reviewed and came into effect on 26 August 2024. After hearing submissions from the community, Council decided that the policies applying to sensitive sites may need changing.

The proposals referred to in this document consider how to protect sensitive sites from alcohol harm, whilst ensuring that community needs and aspirations are taken into account.

This document is the Statement of Proposal for the purposes of Section 83(1)(a) of the Local Government Act 2002 and Section 97 of the Sale and Supply of Alcohol Act 2012.

Background

Under the [Sale and Supply of Alcohol Act 2012](#) (the Act), Council can make a local alcohol policy to influence the location, number and trading hours of businesses licensed to sell alcohol. Council's Policy can influence:

- where new alcohol licences can be established
- how many new alcohol licences are allowed
- when bars, restaurants and nightclubs can be open
- when bottle shops and supermarkets can sell alcohol
- when clubs (for example, sports clubs, RSAs) can sell alcohol.

The overall aim of the current policy is to encourage the responsible sale, supply and consumption of alcohol and reduce the potential for alcohol related harm. The stated objectives of the current policy are to:

- Balance a healthy and safe Tairāwhiti with a vibrant and prosperous Tairāwhiti;
- Encourage licensed environments that foster positive, responsible drinking behaviour and minimise alcohol related harm; and
- Reflect the views of local communities as to the appropriate location, number, hours and conditions.

The current policy gives direction to the District Licensing Committee (DLC) and the Alcohol Regulatory and Licensing Authority (ARLA) when they make decisions on new licence applications.

The current policy includes the consideration of the proximity of new licence applications to sensitive sites. Sensitive sites are educational facilities, marae, spiritual facilities and recreational facilities under the current policy.

The existing sensitive site provisions within the Local Alcohol Policy 2024

Sensitive sites are addressed in Clause 3.1 of the current policy: Location and Density of Licensed Premises. This section states the following:

- 3.1.1. No new licences, except cafes, restaurants and special licences, are to be granted within 150 metres of existing sensitive sites.
- 3.1.2. Applications for new off-licences are exempt from the requirement to be located 150 metres from a sensitive site providing the applicant can demonstrate they will have no significant impact on the sensitive site. This can be done using measures such as restricting opening hours and prohibiting external advertising.
- 3.1.3. Sensitive sites are defined as areas, premises or facilities that are considered more sensitive to alcohol related harm. These are educational facilities, marae, spiritual facilities and recreational facilities. Educational facilities include schools, childcare facilities and tertiary institutions, spiritual facilities are primarily places for public and private worship, recreation facilities include parks, reserves, libraries.

Under the current policy:

- Educational Facilities are defined as early learning and child-care facilities, primary, secondary and tertiary institutions and institutions delivering educational services for vulnerable groups such as unemployed, youth or disabled group.
- Spiritual Facilities are defined as a building or part of a building used primarily for public and private worship, or for religious purposes, including ceremonies, services, instruction or education, or for meetings or social functions directly related to the work of a religious organisation, and includes all land which is held for any of the foregoing purposes.
- Recreational facilities are defined as including parks, reserves, skate parks, youth centres and libraries.

Summary of the proposed changes

Council is proposing to amend the sensitive site provisions in its Local Alcohol Policy 2024 and wants to hear what the community thinks about the changes.

The proposals are summarised as follows:

Option 1: Status Quo: Keep the current sensitive site policies

This option means no changes to Clause 3.1.1 and 3.1.2, which relate to sensitive sites and minor changes to improve the readability of Clause 3.1.3 (the definition of sensitive sites).

Option 2: Change the sensitive site policies

This option includes changes to the sensitive site provisions to:

- Exempt all new licence applications within the CBD area from complying with the Clause 3.1.1 (the sensitive sites policy for on-licences).
- Enable the District Licensing Committee (DLC) to consider exemptions to Clause 3.1.1 for any new licence applications for premises outside the CBD.
- Minor wording improvements for Clause 3.1.3 (the definition of sensitive sites).

For more details on the options considered by Council, see the report from the meeting on 26 February 2025 [\[link\]](#).

Have your say

- **Online:** ([Local Alcohol Policy 2024 draft amendment | Drafts | Participate](#))
- **Email:** Email to policyreview@gdc.govt.nz with “**Review on Sensitive sites**” in the subject line.
- **Phone:** Phone **0800 653 800** and one of our friendly team will take your feedback.
- **Post:** Feedback forms can be collected at Awarua, 15 Fitzherbert Street and send to PO Box 747, Gisborne 4040.
- **In person:** if you would like to speak to your submission, please indicate this and provide your contact details. We will be in touch to let you know the date and time for in person submissions.

Please note that all submissions are considered public under the Local Government Official Information and Meetings Act. Your name and feedback will be available to the public via our reports and website. All other personal details you provide will remain private.

Key dates

Consultation period begins: 28 February 2025

Closing date for submissions: 28 March 2025

Next steps

If you have requested to present your submission in person

All feedback received will be summarised and reported back to the Panel of Elected Members who will deliberate on the information provided and make a recommendation to Council on the proposal.

Early Engagement

Early engagement responses have indicated that majority of the targeted stakeholders did not support the approach to sensitive sites as it currently stands, but feedback from the NZ Police, National Public Health Service and the Chief Licencing Inspectorate, and some members of community, including operators of sensitive sites, were in support of maintaining the current approach around sensitive sites, as these are considered as useful policy tools for managing alcohol harm.

Proposal

The following tables describe what Council is proposing, what the proposal means, the reason for the proposal, and Council's preferred option.

| | |
|-------------------------|--|
| Proposal One | <p>Status Quo: Keep the current sensitive site policies</p> <p><i>This means no changes to Clause 3.1.1 and 3.1.2, which relate to sensitive sites and minor changes to improve the readability of Clause 3.1.3 (the definition of sensitive sites).</i></p> |
| What this means? | <p>Under the current policy, sites / premises that are sensitive are identified as educational institutions, spiritual facilities, marae, and recreational facilities. Any new licence applications (within or outside the CBD area), with the exception of restaurants, cafes, and special licences, are not permitted within 150 metres of sensitive sites.</p> <p>However, applicants may still apply, and the District Licensing Committee (DLC) has the discretion to consider if the sensitive site in question is sensitive to alcohol-related harm or already experiencing greater levels of alcohol related harm than other areas.</p> <p>Exceptions apply to off-licences, where the applicant can demonstrate that the premises will not have a significant impact on sensitive sites.</p> <p>Clause 3.1.3 will be rewritten to improve readability while the meaning and intent of this clause remains the same.</p> |
| Reasoning | <p>This approach attempts to strike a balance between enabling businesses which provide alcohol as part of their product or service and managing the negative impacts of alcohol use.</p> <p>It exempts cafes, restaurants and special licences from the sensitive site provisions, and gives flexibility for off-licences that can demonstrate that they will have no significant impact on sensitive sites.</p> <p>However, any other licences are not provided an exemption.</p> <p>This option would provide clear, district-wide uniform approach, treating all sensitive sites equally while maintaining strong protections for sensitive sites across all areas (including the CBD).</p> <p>With respect to Clause 3.1.3, the definition of sensitive sites is not as clear as it could be. Under this option we would rewrite clause 3.1.3, but the meaning and intent of the clause will remain the same.</p> |

| | |
|-------------------------------------|---|
| Proposal Two (preferred) | <p>Change the sensitive site policies</p> <p>This includes changes to the sensitive site provisions to:</p> <ul style="list-style-type: none"> • Exempt all new licence applications within the CBD area from complying with the Clause 3.1.1 (the sensitive sites policy for on-licences). • Enable the District Licensing Committee (DLC) to consider exemptions to Clause 3.1.1 for any new licence applications for premises outside the CBD. • Minor wording improvements for Clause 3.1.3 (the definition of sensitive sites). |
| What this means? | <p>This option would exempt new licences for premises within the CBD from the sensitive site provisions.</p> <p>Outside the CBD, this option would further enable the DLC (at its discretion) to consider exemptions from the sensitive site provisions for any new licence applications.</p> <p>Exemptions for new cafés, restaurants, and special licenses will remain unchanged, both within and outside the CBD.</p> <p>The existing exemption for new off-licences will continue, provided that applicants can demonstrate that their proposed hours of operation, alcohol-related signage, and/or business activities will not have a significant impact on sensitive sites (as per clause 3.1.2 of the current policy).</p> <p>This approach would allow a wider range of new licenced premises in the CBD and would create a different standard for that area. It will also require a definition of the CBD area.</p> <p>Clause 3.1.3 will be rewritten to improve readability while the meaning and intent of this clause remains the same.</p> |
| Reasoning | <p>This option reduces perceived barriers to licensing in the CBD and encourage hospitality business investment and development.</p> <p>A more permissive approach to licensed premises in the CBD was supported by many, although not all, during early engagement.</p> <p>In locations outside the CBD, where local conditions may be less suitable for licensed premises, the sensitive sites provisions will continue to apply. The DLC may consider an exemption to the 150-metre policy on a case-by-case basis to allow for local contextualisation of what may or may not be appropriate based on factors including: the type of sensitive site, other licensed premises within the area and the applicant's description of how they will minimise or mitigate the effects of alcohol harm to users of the sensitive site.</p> <p>With respect to Clause 3.1.3, the definition of sensitive sites is not as clear as it could be. Under this option we would rewrite clause 3.1.3, but the meaning and intent of the clause will remain the same.</p> |

Table 1: Comparison between the current policy and proposal two

| Current Policy | Tracked change version | Proposed new wording |
|---|--|--|
| 3. Our policy | 3. Our policy | 3. Our policy |
| 3.1. Location and Density of Licensed Premises | 3.1. Location, and Density <u>and Proximity to Sensitive Sites of Licensed Premises</u> | 3.1. Location, Density and Proximity to Sensitive Sites |
| 3.1.1 No new licence of any type, except for restaurants or cafes and special licences, to be granted for locations within 150 metres of sensitive sites existing at the time of the application for a licence. This clause will not apply to an application for a new licence made because of a change of ownership of the premises, provided the licence type and scope of the new licence are the same as the existing licence for the premises. | 3.1.1 No new licence of any type, except for restaurants, or cafes and special licences, to may be granted for where the proposed licensed locations is within 150 metres of <u>a</u> sensitive sites existing at the time of the application for a licence. <u>This clause will not apply to an application:</u> a) for a new licence made because of following a change of ownership of the premises, provided the licence type and scope of the new licence are the same as the existing licence for the premises; <u>or</u> b) <u>for a licence where the premises is located within the CBD area; or</u> c) <u>for an off-licence where the DLC has granted an exemption in accordance with clause 3.1.2; or</u> d) <u>for a licence outside the CBD area where the DLC has granted an exemption in accordance with clause 3.1.5.</u> | 3.1.1 No new licence of any type, except for restaurants, cafes and special licences, may be granted where the proposed licensed location is within 150 metres of a sensitive sites existing at the time of the application for a licence. This clause will not apply to an application: a) for a new licence made following a change of ownership of the premises, provided the licence type and scope of the new licence are the same as the existing licence for the premises; or b) for a licence where the premises is located within the CBD area ¹ ; or c) for an off-licence where the DLC has granted an exemption in accordance with clause 3.1.2; or d) for a licence outside the CBD area where the DLC has granted an exemption in accordance with clause 3.1.5. |
| 3.1.2 Applications for new off-licences are exempt from clause 3.1.1 where the applicant can demonstrate to the DLC that the hours, alcohol-related signage, and/or operation of the premises will have no significant impact on sensitive sites and/or persons using sensitive sites. In relation to that test, provided the Applicant demonstrates how the conditions for off-licences listed in 3.4.3.1 will be achieved, the following shall be considered to have no significant impact: e) The hours of an off-licence where there is no external display of alcohol advertising; and f) The operation of an off-licence where the licensee implements an ID 25 policy. Nothing in this clause affects the operation of sections 105 (1) (h) and (i) and section 106 of the Act. | No change | No change |

¹ A map of the CBD zone has been attached to the policy document as Annexure 1.

| | | |
|--|--|---|
| <p>3.1.3 For the purpose of clauses 3.1.1 and 3.1.2, sensitive sites are defined as areas, premises or facilities that are either considered more sensitive to alcohol-related harm or are already experiencing greater levels of alcohol related harm than other areas as determined by the DLC. Such sites are educational institutions, spiritual facilities, marae and recreational facilities.</p> | <p>3.1.3 For the purpose of clauses 3.1.1, and 3.1.2 <u>and 3.1.5</u>, sensitive sites are <u>educational institutions, spiritual facilities, marae and recreational facilities that are either considered more sensitive to alcohol-related harm or are already experiencing greater levels of alcohol related harm than other areas as determined by the DLC defined as areas, premises or facilities that are either considered more sensitive to alcohol-related harm or are already experiencing greater levels of alcohol related harm than other areas as determined by the DLC. Such sites are educational institutions, spiritual facilities, marae and recreational facilities</u></p> | <p>3.1.3 For the purpose of clauses 3.1.1, 3.1.2 and 3.1.5, sensitive sites are educational institutions, spiritual facilities, marae and recreational facilities that are either considered more sensitive to alcohol-related harm or are already experiencing greater levels of alcohol related harm than other areas as determined by the DLC.</p> |
| <p>3.1.4 Applicants should be aware that the DLC will consider whether an area is a high crime area when making decisions on licensing applications.</p> | <p>No change</p> | <p>No change</p> |
| <p>New clause 3.1.5</p> | <p><u>3.1.5 Applicants for new licences, outside the CBD area, may apply to the DLC for an exemption to clause 3.1.1 where they are able to demonstrate that:</u></p> <ul style="list-style-type: none"> a) <u>the users of the sensitive site are unlikely to be directly exposed to the sale or supply of alcohol and its related activities; and</u> b) <u>risk of exposure can be mitigated by the applicant to a minor or less than minor extent.</u> <p><u>Prior to exercising its discretion to grant an exemption under this clause, the DLC must consider any or all of the following:</u></p> <ul style="list-style-type: none"> a) <u>the hours of operation of both the proposed licensed premises and the sensitive site(s).</u> b) <u>the number and density of licensed premises and/or sensitive sites within proximity to the proposed location.</u> c) <u>the expected impact on the sensitive site(s).</u> d) <u>any measures the applicant will implement to mitigate negative impacts on the sensitive site(s).</u> <p><u>Any application considered for an exemption under this clause shall be processed in accordance with the relevant provisions of the act.</u></p> | <p>3.1.5 Applicants for new licences, outside the CBD area, may apply to the DLC for an exemption to clause 3.1.1 where they are able to demonstrate that:</p> <ul style="list-style-type: none"> a) the users of the sensitive site are unlikely to be directly exposed to the sale or supply of alcohol and its related activities; and b) risk of exposure can be mitigated by the applicant to a minor or less than minor extent. <p>Prior to exercising its discretion to grant an exemption under this clause, the DLC must consider any or all of the following:</p> <ul style="list-style-type: none"> a) the hours of operation of both the proposed licensed premises and the sensitive site(s). b) the number and density of licensed premises and/or sensitive sites within proximity to the proposed location. c) the expected impact on the sensitive site(s). d) any measures the applicant will implement to mitigate negative impacts on the sensitive site(s). <p>Any application considered for an exemption under this clause shall be processed in accordance with the relevant provisions of the act.</p> |

Kaupapa Waipiro ā rohe o Te Tairāwhiti 2024
Tairāwhiti Local Alcohol Policy 2024

DRAFT

Made by Gisborne District Council

Resolution of Council dated **27 June 2024 & 8 August 2024**

Effective date **26 August 2024**

Review before **26 August 2030**

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| <u>3.</u> | <u>OUR POLICY</u> | <u>12</u> |

DRAFT

1. **Introduction**

- 1.1. The Sale and Supply of Alcohol Act 2012 (the Act) is the primary legislation regulating the sale and supply of alcohol in New Zealand. The aim of the Act is that:
 - The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
 - The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
- 1.2. The Act allows a territorial authority to adopt its Local Alcohol Policy (LAP) in consultation with its community, about the sale and supply of alcohol in its geographical area. Gisborne District Council has decided to adopt this LAP for its district and to set different restrictions and conditions for identified areas and licence types within the district.
- 1.3. The LAP must be read in conjunction with the Act and relevant regulations.
- 1.4. The Council's District Licensing Committee (DLC) and the Alcohol Regulatory Licensing Authority (ARLA) must have regard to the LAP when deciding licence applications in the District.
- 1.5. A LAP may include policies about the:
 - Location and density of licensed premises;
 - Number of licensed premises of different types;
 - Hours of operation of licensed premises;
 - Discretionary conditions that may be imposed on licences including one-way door conditions.

2. **Objective of this Policy**

- 2.1. The Gisborne District LAP provides guidance for the DLC so that licensing decisions:
 - Balance a healthy and safe Tairāwhiti with a vibrant and prosperous Tairāwhiti;
 - Encourage licensed environments that foster positive, responsible drinking behaviour and minimise alcohol-related harm; and
 - Reflect the views of local communities as to the appropriate location, number, hours and conditions that should apply to licensed premises within their communities.
- 2.2. Indicators and measures for monitoring the effectiveness of the Policy will be identified at the implementation phase.

3. Our policy

3.1. Location, ~~and Density~~ and Proximity to Sensitive Sites of Licensed Premises

3.1.1. No new licence of any type, except for restaurants, ~~or~~ cafes and special licences, ~~to may~~ be granted for locations within 150 metres of sensitive sites existing at the time of the application for a licence.

This clause will not apply to an application:

- a) ~~for a new licence made because of following~~ a change of ownership of the premises, provided the licence type and scope of the new licence are the same as the existing licence for the premises; or
- b) ~~For a license where the premises is located within the CBD area;~~ or
- c) ~~For an off-licenses where the DLC has granted an exemption in accordance with Clause 3.1.2;~~ or
- ~~a)d)~~ F
~~or a license outside the CBD area where the DLC has granted an exemption in accordance with Clause 3.1.5-~~

3.1.2. Applications for new off-licences are exempt from clause 3.1.1 where the applicant can demonstrate to the DLC that the hours, alcohol-related signage, and/or operation of the premises will have no significant impact on sensitive sites and/or persons using sensitive sites. In relation to that test, provided the Applicant demonstrates how the conditions for off-licences listed in 3.4.3.1 will be achieved, the following shall be considered to have no significant impact:

- The hours of an off-licence where there is no external display of alcohol advertising; and
- The operation of an off-licence where the licensee implements an ID 25 policy. Nothing in this clause affects the operation of sections 105 (1) (h) and (i) and section 106 of the Act.

3.1.3. For the purpose of clauses 3.1.1, ~~and~~ 3.1.2 and 3.1.5, sensitive sites are ~~defined as areas, premises or facilities that are either considered more sensitive to alcohol-related harm or are already experiencing greater levels of alcohol related harm than other areas as determined by the DLC. Such sites are~~ educational institutions², spiritual facilities³, marae and recreational facilities⁴ that are either considered more sensitive to alcohol-related harm or are already experiencing greater levels of alcohol related harm than other areas as determined by the DLC.

3.1.4. Applicants should be aware that the DLC will consider whether an area is a high crime area when making decisions on licensing applications.

² Educational Facilities are defined as early learning and child-care facilities, primary, secondary and tertiary institutions and institutions delivering educational services for vulnerable groups such as unemployed, youth or disabled group.

³ Spiritual Facilities are defined as a building or part of a building used primarily for public and private worship, or for religious purposes, including ceremonies, services, instruction or education, or for meetings or social functions directly related to the work of a religious organisation, and includes all land which is held for any of the foregoing purposes.

⁴ Recreational facilities are defined as including parks, reserves, skate parks, youth centres and libraries.

⁴ As per Regulation 6 of Sale and Supply of Alcohol (Fees) Regulations 2013:

Class 1 restaurant means a restaurant that has or applies for an on-licence and—

(a) has, in the opinion of the territorial authority, a significant separate bar area; and

(b) in the opinion of the territorial authority, operates that bar area, at least 1 night a week, in the manner of a tavern.

Class 2 restaurant means a restaurant that has or applies for an on-licence and—

(a) has, in the opinion of the territorial authority, a separate bar; and

(b) in the opinion of the territorial authority, does not operate that bar area in the manner of a tavern at any time.

Class 3 restaurant means a restaurant that has or applies for an on-licence and that, in the opinion of the territorial authority, only serves alcohol to the table and does not have a separate bar area

⁵ Chartered Clubs are not subject to licensing under the District Licensing Committee, unless they operate outside the rules of their charter so are exempt from this Policy.

3.1.4.3.1.5.A

pplicants for new licences, outside the CBD area, may apply to the DLC for an exemption to clause 3.1.1 where they are able to demonstrate that:

- a) the users of the sensitive site are unlikely to be directly exposed to the sale or supply of alcohol and its related activities; and
- a)b) risk of exposure can be mitigated by the applicant to a minor or less than minor extent.

Prior to exercising its discretion to grant an exemption under this clause, the DLC must consider any or all of the following:

- a) the hours of operation of both the proposed licensed premises and the sensitive site(s).
- b) the number and density of licensed premises and/or sensitive sites within proximity to the proposed location.
- c) the expected impact on the sensitive site(s).
- d) any measures the applicant will implement to mitigate neactive impacts on the sensitive site(s).

Any application considered for an exemption under this clause shall be processed in accordance with the relevant provisions of the act.

3.2. Maximum Licensed Operating Hours

| OFF-LICENCE | | | |
|---|-------------------------|---------------|---------------|
| Off-licence types | Maximum operating hours | Trading days | Location |
| Supermarkets, wineries, taverns, bottle stores, grocery stores, clubs | 7 am – 9 pm | Monday-Sunday | District-wide |

| ON-LICENCE | | | |
|--|--|---------------|---------------|
| On-licence types | Maximum operating hours | Trading days | Location |
| Restaurants ⁴ , cafes, wineries, taverns (including nightclubs), BYO, entertainment centres | 10 am – 2 am One-way door from 1 am for taverns including night clubs | Monday-Sunday | District-wide |

| CLUB LICENCE | | | |
|--|---|-------------------|---------------|
| Club licence types ⁵ | Maximum operating hours | Trading days | Location |
| All Clubs including sports and other (including RSA) | 10 am – 11 pm | Sunday-Thursday | district-wide |
| | 10 am – 12 midnight | Friday - Saturday | |
| | Clubs holding commemorative Anzac celebratory services are permitted to open at 6 am on Anzac Day | | |

3.3. Special Licences

- 3.3.1. Non-licensed premises will not be issued a special licence beyond 2 am.
- 3.3.2. Licensed premises applying for a special licence will not be permitted to operate beyond 3 am.
- 3.3.3. All Class 1 special licences shall be exercised by a person holding a Manager's Certificate under the Act.
- 3.3.4. Any special licence for a series of events should not be for a period exceeding six months.
- 3.3.5. No premises should have more than 20 events under special licence in any 12-month period.

3.4. Conditions

- 3.4.1. The DLC may issue any licence subject to any reasonable conditions not inconsistent with the Act.
- 3.4.2. A combination of conditions that are appropriate to the operating context of the licensee (both mandatory conditions as defined by the Act, and discretionary conditions) will add effect to licensing decisions and contribute towards meeting the object of the Act. It is important that conditions are consistent and adhered to across operations with similar scope and type of licence for greatest impact.
- 3.4.3. Where the DLC is satisfied that one or more of the following matters are relevant to an application and is not satisfied that the applicant has adequately addressed that matter (or matters), the DLC may include (among other things) the following discretionary conditions as applicable.

3.4.3.1. Conditions related to the following matters may be appropriate for all Licences:

- Display of safe and responsible drinking messages/material.
- External alcohol advertising at liquor stores to be ceased.
- Appropriate management: such as certified staff required.
- Application of the principles of Crime Prevention Through Environmental Design where they achieve the following outcomes:

Lighting

- Internal lighting inside the premises enables passive surveillance by staff and active surveillance by CCTV.
- Lighting allows customers to be seen as they enter the premises.
- Lighting allows staff to check identification.
- External areas such as car parks and loading bays are well lit, subject to the requirements of any resource consent or a District Plan rule.

CCTV

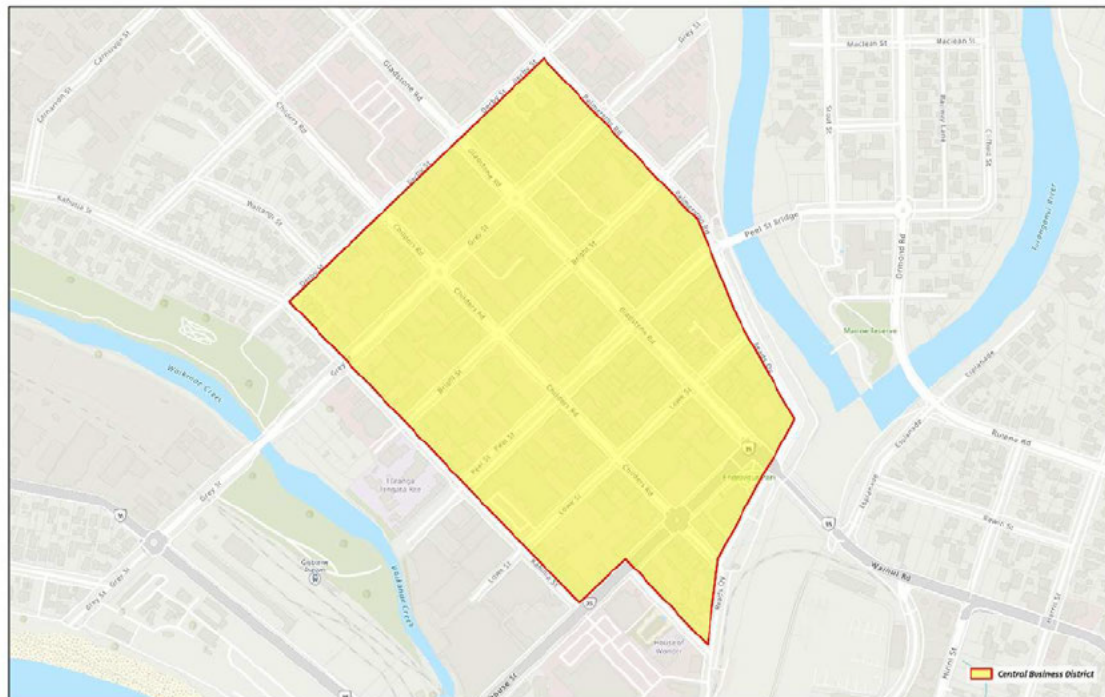
- CCTV is installed in suitable locations to monitor areas which are not easily or not continuously monitored by staff.
- Customers are aware of the CCTV system.

3.4.3.2. In addition to the general matters in 3.4.3.1, the following conditions may be appropriate for on-licences and special licences:

- Number of door staff and provision of additional appropriately qualified security staff after a specified time.
- Management of patrons queueing to enter the licensed premises.
- Limit on the type and/or size of drinks and the number of drinks per customer and/or the use of glasses after a specified time.
- Limit on the use of glass drinking receptacles at specified times.
- One-way door restrictions applying earlier than default of 2am.
- Provision of transport or information about transport options for patrons.
- Restrictions on use of outdoor areas after a specified time.
- Provision of food.
- [Adoption of a Host/Social Responsibility Policy.](#)

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Annexure 1:



Gisborne Central business district | Scale: 1:4,000

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| Draft Local Alcohol Policy 2024 - Submissions received via Participate/Jot Bot | | | | | | |
|--|--------------------------------------|----------------------|---|--|------------------|---|
| Title/Question: | | | covering the period from adoption of the statement of proposal to submission analysis and preparation | | | |
| Tool Type: | | | Consultation | | | |
| Activity ID: | | | Consultation | | | |
| Report Date Range: | | | 26 February 2025 – 8 May 2025 | | | |
| Sr.No | Organisation or Member of the Public | Submitter Name | Proposal 1 | | Proposal 2 | |
| | | | Agree / Disagree | Comment | Agree / Disagree | Comment |
| 1 | Member of the public | Jack Marshall | Disagree | | Agree | This seems like a sensible way to go with flexibility and ensuring the CBD is a lively place |
| 2 | Member of the public | Lois Easton | Disagree | | Agree | |
| 3 | Member of the public | Keita Sides | Disagree | | Agree | |
| 4 | Cranswick Enterprises Ltd | Kim Cranswick | Disagree | Status quo-keep the current sensitive site provisions but improve readability. I prefer no alcohol in the CBD and surrounding areas, especially in close proximity to schools, places of worship, and where you people under 18 years of age gather. | Agree | The CBD should be a place of business activity, it is no place for educational or spiritual facilities. |
| 5 | Member of the public | Retimana Haerewa | Agree | | Disagree | |
| 6 | Member of the public | Noah Lee | Disagree | | Agree | |
| 7 | Member of the public | Megan Humphreys | Disagree | Maintaining the current approach around sensitive sites is a useful policy tool for managing alcohol harm. | Agree | Clause 3.1.1. should not apply to CBD areas. The CBD is best for bars and restaurants. It is called Central Business District for that reason. If anything Sensitive Sites should not be allowed in the CBD. Leave that area for the businesses. I believe we should be enabling hospitality in our CBD and other areas where appropriate. |
| 8 | National Public Health Service | Douglas Lush | Agree | | Disagree | |
| 9 | Member of the public | Tony Kirk | Disagree | | Agree | |
| 10 | Member of the public | Tavis Creswell-Wells | Disagree | | Agree | We've already done this. The people of Gisborne voted overwhelmingly to remove the restrictions because they are killing the CBD. You didn't like that vote so are trying again to get the result you want. Shameful. Not allowing responsible alcohol premises in the CBD is dumb and obviously contributing to the town's decay. No successful city in the world has such a policy. Conversely, allowing churches and schools in the CBD is dumb, students should not be put into decaying office buildings. I understand you want to avoid alcohol related harm but taking away responsible venues is only going to push people to drink in uncontrolled environments of people's homes. This is so basic and obvious it is embarrassing you have arrived at this point. The answer is clear, just get on board and move the city forward instead of trying to defend and double down on your past dumb decisions. I do not believe belief systems have any place in council business. Both churches and bars have the same rights as businesses. One should not take precedence over the other. We need more bars and restaurants in the CBD. |
| 11 | Evolution Theatre | Dinna Myers | Disagree | | Agree | |
| 12 | Member of the public | Ellie Fitzgerald | Disagree | | Agree | |
| 13 | Member of the public | Elena Serena | Disagree | | Agree | I am voting for giving exemptions to new licensed premises from the "sensitive sites" criteria. The city centre is dying, lots of people are already moving out of this town due to lack of vibrancy and life. This might hopefully allow more bars and restaurants to be given licenses in the CBD and attract people to go out. |
| 14 | Tokomaru Bay Sports Club | Lillian Ward | Agree | | Disagree | |
| 15 | Member of the public | Jaimee Byrne | Disagree | | Agree | |
| 16 | Member of the public | Ana Nahi | Disagree | | Agree | It's better for business, Gisborne needs this right now. Our town is dead, there's nothing new or happening. We need some life breathed back into our CBD I avoid the place it's embarrassing and lined with \$2 shops and vape shops. Every other town in this country looks better. |

| | | | | |
|--|--------------------|----------|----------|---|
| 17 Member of the public 18 Member of the public | Frielinde Weiberle | Disagree | Agree | <p>Submission in Support of Option 2 – Amendments to the Sensitive Sites Provisions I support Option 2, which allows exemptions for new alcohol licences in the CBD and enables case-by-case considerations for premises outside the CBD.</p> <p>Recently, some fantastic business opportunities that could have brought vibrancy and life to our city centre have been blocked due to the sensitive sites provisions. While protecting certain locations is important, many sensitive sites could also be located elsewhere, and a thriving CBD benefits everyone. Alcohol-related harm is more often linked to private consumption rather than social drinking in well-managed venues. Allowing more hospitality businesses to operate in the CBD would encourage a safer, more controlled drinking culture while also supporting economic growth and a more lively city centre.</p> <p>Our CBD needs energy, diversity, and gathering spaces - not unnecessary restrictions that limit positive development. I urge the Council to adopt Option 2 to help revitalise our CBD while maintaining a balanced approach to alcohol licensing.</p> |
| | Barbara Walsh | Agree | Disagree | |
| 19 Member of the public | Fiona Scragg | Disagree | Agree | <p>I support wanting to encourage hospitality businesses in our CBD and environs. Its important that visitors and locals can enjoy eating and drinking in the CBD.</p> |
| 20 Member of the public | Grant Fussell | Disagree | Agree | |
| 21 Member of the public | Hannah | Disagree | Agree | <p>If we want to grow Gisborne and make the CBD more vibrant, the current policy is preventative. Theres no point making the CBD look nice if there is nowhere to go. I think that peoples concerns about increased alcohol use and disorderly behavior etc aren't really relevant because the issue with alcohol use in the CBD is really from homeless and other anti social groups and not a group of young people wanting to have a nice evening in a beer garden. If we continue to make it more difficult for people to start businesses, Gisborne will become a ghost town as motivated people move elsewhere</p> <p>I think (along with so so many people) Gisborne 100 percent needs more hospitality areas, bars , night life to turn this town around Bring vibrancy back and create a place people want to come / holiday , explore and enjoy . Gisborne is pretty depressing at the moment.</p> |
| | Rebecca McPhail | Disagree | Agree | |
| 22 Member of the public | Amanda Stevens | Disagree | Agree | |
| 23 Member of the public | Matt Walkinshaw | Disagree | Agree | |
| 24 Member of the public | | | | |
| 25 Member of the public | Calvin Hunt | Disagree | Agree | <p>Bars & Hospitality businesses need to be able to exist in the CBD, generating much needed economic activity and jobs in our region.</p> |

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| | | | | | <p>As far as hospitality goes the Gisborne CBD is a joke and that is being kind .</p> <p>Until very recently i was involved in the hospitality industry here in Gisborne for 20 years so i have seen a number of places come and go but recently it has hit an all time low .</p> <p>There is next to no vibrancy in the CBD . Visitors and friends to Gisborne leave thinking what the heck is going on with that place .</p> <p>Gisborne has to have more going for it than just beautiful beaches !</p> <p>When a city/town has a vibrant CBD it feels alive that is not something that is happening here .</p> <p>I urge you, the decision makers, to show some common sense .</p> <p>What is a Kura doing in a prime hospitality spot ?? It just shoudn't be !</p> <p>There are plenty of places i'm sure which would be more appropriate for a Kura to be locatedthe main street of the CBD is not one of them .</p> <p>Come on councillors get real and do something about it .</p> <p>Hospitality provides a safe environment for people to meet and fun</p> <p>....remember fun ?!</p> <p>Or would you all be content to keep seeing this wonderful city slowly but surely fade into a Ghost Town ?</p> <p>Do the right thing and vote Option 2 .</p> |
| 26 | Member of the public | Brendan Hiini | Disagree | Agree | |
| 27 | Member of the public | Renee Grant | Disagree | Agree | <p>I believe the current policy is not conducive to the plans for making the CBD more vibrant. There should be the opportunity for people to open new wine bars, Live music venues etc in the CBD. People attract people and thriving and lively businesses attract other business owners to want to open. The current policy is archaic and not fit for purpose in achieving the goals of Trust Tairawhiti, Chamber Of Commerce and existing local businesses, we need to bring life into town not keep it in hibernation mode. I also think that if schools, spiritual facilities etc want to be situated in the CBD, they also need to respect the fact it is in fact the Central Business District and should not be able to dictate who or what business opens within this zone. I feel the policy needs to change within the CBD zone as it currently stands.</p> |
| 28 | Member of the public | Georg Winkler | Disagree | Agree | |
| 29 | Member of the public | Richard Stannard | Disagree | Agree | |
| 30 | Member of the public | Robbie McIntosh | Disagree | Agree | <p>We need to free up licensing to increase the number of restaurants and bars thereby improving the vibrancy of our CBD and attractiveness of Gisborne from a visitors perspective. To do so requires reducing hurdles for prospective restaurant and bar owners, one of which includes obtaining a liquor license. The CBD needs to be a vibrant area and as such licence applications need to be approved without restrictions to sensitive sites.</p> <p>Bars and hospitality are good for tourism.</p> |
| 31 | Member of the public | Amber Nikora | Disagree | Agree | <p>Bars and resturants need to operate in their full capacity in our CBD. Over the oast 6 years of living in Gisborne after living overseas I am embarassed at the state of our main street and lack of any sort of vitality.</p> |
| 32 | Member of the public | Amanda Cook | Disagree | Agree | |
| 33 | Member of the public | Daniel Cook | Disagree | Agree | <p>I feel a change is necessary in order for our city to thrive. The laws are outdated and rigid and prevent new business activity and growth in our cbd</p> |
| 34 | Member of the public | Donna Shaw | Disagree | Agree | <p>CBD should not have sensitive site restrictions. If sensitive sites want to operate there they should expect there could be bars and restaurants that serve alcohol.</p> |
| 35 | Member of the public | Kayla Walters | Disagree | Agree | <p>The CBD is dead, this town has nothing to offer those who visit or those who live here. "Sugar is defined to a horrible reputation because it is the only place in Gisborne open after 12am.If we are able to encourage licensees into the CBD, maybe the alcohol environment will become more controlled.</p> <p>Everything is currently so spread out from each other, 1 pub in Lytton West, 3-5 on the esplanade, 4 out makaraka and further, 4 in CBD (not even worth going to)."</p> |

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|----|----------------------|---------------------|----------|----------|---|
| 36 | Member of the public | Alice Pettigrew | Disagree | Agree | I struggle to understand how our city is supposed to move forward economically and socially if we continue to allow establishment of educational and spiritual occupancies in our CBD which conflict with hospitality venues. As with all major centres / cities, the public expect to find hospitality venues in precincts that are easily accessible and provide appealing benefits. What we seem to be doing in Gisborne is driving away those opportunities in favour of long term subsidised tenancies (such as education) which are now prohibiting hospitality to grow. Why on earth there is an education facility in the heart of our CBD preventing previously long held and established hospitality sites from being developed. There are numerous vacant buildings surrounding our centre (far too many) we should expedite an AGREED spatial plan to allow development in the right areas, or we continue to decline and deter attracting locals and visitors into our city. |
| 37 | Member of the public | Johnny | Disagree | Agree | As an active member of the night life community both as a supplier and service worker, and as a patron, it is difficult to watch the constraints placed on new start up businesses by the current policy. It discourages business investment and also has a dramatic effect on many other aspects of our tourism and entertainment industries by limiting both the choices for the public, and the variety of options available for entertainment. It also means that the current license holders and the property owners have a virtual monopoly as the various schools, the Library and other sensitive sites in the CBD make it nearly impossible to obtain a license for any new premises anywhere in the central city. This is causing some cartel type of behaviour between businesses as they seek to capitalise on their power as the privileged operators knowing that there are no other opportunities available. It also means that the quality of our venues is degrading due to the lack of competition in this industry. As a city we need vibrancy and energy injected into our entertainment sector both for the locals and for visitors to the district. The lack of venues and opportunities for new venues to establish is a massive constraint on our entertainment, arts and tourism sectors which have all suffered dramatically especially since covid |
| 38 | Member of the public | Kieran Spillane | Disagree | Agree | |
| 39 | Member of the public | Scott McSloy | Disagree | Agree | |
| 40 | Member of the public | Richard Owen | Disagree | Agree | |
| 41 | Member of the public | Jennifer Richardson | Disagree | Agree | Our CBD is lacking vibrancy, it is not a place that compels you to visit. We need to support as many businesses that attract tourism and entertainment into our CBD. Bars and nightlife should be in the CBD, this is the best place for them, and ideally all in roughly the same geographic location, so if you are interested in having a "night out" you can simply walk between different establishments. Having restrictions on opening a Bar or Nightclub in our CBD due to other businesses is senseless. I ultimately support clause 3.1 of the Local Alcohol policy, but DO NOT agree that this should apply in our CBD. Current rules do not allow licensing authority to consider all factors in a licence application. Cobden School is closing - why doesn't the inner city school move there if it's holding back progression in our dull and depressed town centre. This town lacks the vibrancy that bars (like the one proposed) bring for both tourists and locals. It's embarrassing |
| 42 | Member of the public | Andrew Nimmo | Disagree | Agree | |
| 43 | Member of the public | Ingrid Spence | Disagree | Agree | |
| 44 | Member of the public | Christine Middleton | Disagree | Agree | The CBD is slowly dying and there are buildings in the CBD that could be used as restaurants or bars which could bring more people in for meals etc |
| 45 | Member of the public | Dwayne Pipe | Agree | Disagree | |
| 46 | TPAT | Jean Johnson | Agree | Disagree | |

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|----|----------------------|------------------------------|----------|----------|---|
| 47 | Member of the public | April Ohlson | Disagree | Agree | <p>Its becoming too common for underage drinkers to access not only alcohol but vapes too. Gisborne district has an extremely high consumption rate which often reflects in the local artists music released on our Auckland Radio station that promotes drinking and often women or domestic issues. E3C brought up the drug problem on the East Coast from school age to adult hood and to change the effects or raising an abusive generation, prohibit sales of alcohol in supermarkets or at least consider controlling the distribution. The income benefits to shop or store owners is nothing compared to the mental health and msd dependant whanau who rely on government financial assistance.</p> <p>Encouraging food with alcohol like restaurants but to sell from food stores make price less of an objective providing a cheaper or affordable to low income families whose children suffer and I stress again, the government also funds the living costs most times. Domestic harm to woman often seen on social media or on social media AGM for Ngati Porou. Ani Pahuru Huriwai has a sign up saying Ruatoria is P free which is bollocks. E3C raised the fact that kids at school are fed rock and P is a major problem. Along with P is alcohol and generally violence.I think GDC needs to consider the welfare and risks to the community and to change their habits so non locals who travel through holiday times more importantly xmas, will also behalf.</p> <p>Gisborne needs more hospitality ans entertainment and I think the new bar by neptunes and across the road from Police station down the raod from a current bar not being able to open in out CBD is ridiculous The school sensitive site should not overide that.</p> |
| 48 | Member of the public | Becky | Disagree | Agree | |
| 49 | Member of the public | John Wells | Disagree | Agree | <p>CBD stands for Central Business District. It is patently ludicrous that any Local Authority should have a planning rule that enables a non-compliant sensitive site to prevent establishment of a complying business in its CBD, especially a hospitality business in the downtown area that is traditionally the center of hospitality in any community. Last year's debacle of refusing to consent the re-opening of a bar in Gisborne's downtown CBD was a serious case of mismanagement by GDC, which caused significant loss of capital and entrepreneurial heartbreak for the applicant and the inevitable departure from this district of two young, well travelled, motivated and capable entrepreneurs - the very people we need to re-invigorate our dying CBD.The existence of the 150m protection zone around the kura is killing-off four blocks (approx 40%) of our CBD. I see no reason why the kura shouldn't be in the CBD except that it should be on the same grounds as any other business i.e. Compliant with Central Govt regulations and without the special protection of the 150m alcohol outlet exclusion zone.</p> <p>All that is required is a sentence added to Clause 3.1.1 of the 2024 LAP saying "This sub-clause does not apply within Gisborne's CBD."</p> |
| 50 | Gambling Recovery HB | Cath Healey | Agree | Disagree | |
| 51 | Member of the public | Natashaa McConnell | Agree | Disagree | <p>The CBD should be exempt As that is where most people go to socialise at bars and restaurants</p> <p>schools shouldn't be in CBD and if they are they should realise that there will be licensed restaurants nearby</p> |
| 52 | Member of the public | J McMillan | Disagree | Agree | |
| 53 | Member of the public | Huia Brown | Disagree | Agree | <p>Sensitive sites are more susceptible to suffer the impacts of alcohol-related harm and deserve protection under the local alcohol policy. The proposed change is a step backwards in reducing alcohol-related harm and inequities in our community. Don't change the current policy!</p> |
| 54 | Member of the public | Te Amohaere Hauiti-Paraparee | Agree | Disagree | |
| 55 | Member of the public | Samantha Kingi-Te Purei | Agree | Disagree | |

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| 56 Member of the public Te Kura Kaupapa O Hawaiki | Bobbie Cameron | Agree | It is important to protect sensitive sites such as kura and places of worship from the harms associated with pubs and bars. Children should not think it is normal for places like bars and pubs to be near there learning environment. Many children go to school as a place of refuge and safety let's not compromise this. | Disagree |
| 57 Hou | Gina Waikaho | Agree | | Disagree |
| 58 Member of the public | Irihaeti Nepe-Macdonald | Agree | We want to keep it because there's a restaurant less than 150m away that wants to sell liquor. What about when our kids want to stay at school for the night or weekend due to Kapa Haka or any other kaupapa? We can't have patrons walking around drunk and selling alcohol next door if we want to keep our kids safe at their own kura. So please keep the current sensitive site provision to protect our tamariki. Our school and tamariki do matter!!! | Disagree |
| 59 Member of the public | Connor Mitchell | Disagree | | Agree |
| 60 Member of the public | Meretitia Roffey | Agree | | Disagree |
| 61 Member of the public | Anthony Brown | Agree | | Disagree |
| 62 Hawaiki Hou Kura | Lybian Moeke | Agree | | Disagree |
| 63 Member of the public | Arapera Gilbert | Agree | | Disagree |
| 64 Member of the public | Whare Gilbert | Agree | | Disagree |
| 65 Member of the public | Paora-Whaanga Gilbert | Agree | | Disagree |
| 66 Member of the public | Whareahuru Gilbert | Agree | | Disagree |
| 67 Member of the public | Kath Barbarich | Agree | | Disagree |
| 68 Member of the public | Catherine Wynne | Disagree | | Agree |
| 69 Member of the public Te Kura Kaupapa O Hawaiki | Rosie Wikotu | Agree | | Disagree |
| 70 Hou | Pomare Wikotu | Agree | | Disagree |
| 71 Tauawhi Mens Centre | Tim Marshall | Agree | We already have too many places you can buy alcohol in Gisborne (4 in our block alone). In addition we see the impact of excessive alcohol use every day in our work, so reducing alcohol consumption and accessibility is key to addressing some of these issues. We need to prioritise community safety over business interests. | Disagree |
| 72 Member of the public | Andrew | Disagree | | Agree |
| 73 Member of the public | Peter | Disagree | | Agree |
| 74 Member of the public | Serita Karauria | Agree | | Disagree |
| 75 Member of the public | Kris Karauria | Agree | | Disagree |
| 76 Member of the public | Liam Karauria | Agree | | Disagree |
| 77 Member of the public | Analea Karauria | Agree | | Disagree |
| 78 Member of the public | Sarah Wikoty | Agree | | Disagree |
| 79 Member of the public | Rishan Pohing | Agree | | Disagree |

Exempt all new licence applications within the CBD area from complying with the Clause 3.1.1 (the sensitive sites policy for on-licences).
CBD isn't suitable for sensitive sites, and this area should be distinctly prioritised for social and hospitality industry growth. Current rules (as demonstrated with the Mccann issues) prohibitively restrict development in our city. Change needs to occur to help foster growth

We should be encouraging cafes and bars to our inner city. We all go out of town and enjoy lots of cafes and bars in there city , come to gisborne and there bugger all.Neen to ban schools in the main street , stupid idea. Whoever allowed that needs to be reprimanded.

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| 80 | Member of the public | Janet Colling | Disagree | | Agree |
| 81 | Member of the public | Ngawai Reihana | Agree | Alcohol is bad for people and I don't want it to be by places where kids are. Bars shouldn't be near places where kids are. Keep the kids safe from alcohol and drunk people | Disagree |
| 82 | Member of the public | Ripeka Reihana | Agree | | Disagree |
| 83 | Member of the public | Misty Hauiti | Agree | | Disagree |
| 84 | Member of the public | Glenys Hauiti-Parapara | Agree | | Disagree |
| 85 | Member of the public | Calvin Rickard | Agree | | Disagree |
| 86 | Member of the public | Phyllis Rickard | Agree | | Disagree |
| 87 | Member of the public | Maylene Rickard | Agree | | Disagree |
| 88 | Member of the public | Kelly Ann Kemp | Agree | | Disagree |
| 89 | Member of the public | Hineani Campbell-Collier | Agree | | Disagree |
| 90 | Member of the public | Jessikha Leatham | Agree | There is no logical or ethical reason why this rule should be changed. My whānau should not have to be exposed to alcohol anymore then they already are. | Disagree |
| 91 | Member of the public | Tiffany Backhouse | Agree | | Disagree |
| 92 | Member of the public | Keisha Houston | Agree | | Disagree |
| 93 | Member of the public | Eden Keung | Agree | These provisions keep whānau and tamariki in safer environments, with reduced exposure to alcohol. | Disagree |
| 94 | Member of the public | Katie Armstrong | Disagree | | Agree |
| 95 | Turehou Maori Wardens Trust | Mereana Peka | Agree | | Disagree |
| 96 | Turehou Maori Wardens Trust | Ann Hauraki | Agree | | Disagree |
| 97 | Member of the public | Jaylyn Samuels | Agree | | Disagree |
| 98 | Member of the public | P Roffey | Agree | | Disagree |
| 99 | Member of the public | William Maynard | Agree | | Disagree |
| 100 | Member of the public | Elizabeth Maynard | Agree | | Disagree |
| 101 | Member of the public | Jessica Telea | Agree | | Disagree |
| 102 | Member of the public | Tereupena Peka | Agree | | Disagree |
| 103 | Member of the public | Anthony Karauria | Agree | | Disagree |
| 104 | Member of the public | Morgan McKenzie | Agree | | Disagree |
| 105 | Member of the public | David Mahy | Disagree | | Agree |
| 106 | Member of the public | Trina Baggett | Agree | Ultimately, the sensitive site provisions ensures all children young people are not exposed to licensed premises close to their schools, kura, marae, youth facilities. It is vitally important this is protected. Do NOT change the Tairawhiti Local Alcohol Policy to remove the Sensitive Sites Protections. The extremes of capitalism in relation to profiteering from alcohol add to and increase the social and individual harm in our communities. Tell the merchants of this poison "NO" Maintaining the status quo for sensitive site provisions means maintaining positive and safer environments for our more vulnerable populations within Te Tairawhiti such as our tamariki mokopuna, marae, playgrounds, and faith-based organisations. | Disagree |
| 107 | Member of the public | Adrienne Baird | Agree | | Disagree |
| 108 | Member of the public | Ngaire Te Ahu | Agree | | Disagree |
| | | | | | |

I thought the refusal of a licence in Gladstone Road with a kura above was grossly unfair. The kura should never have been allowed to go there. A busy main street is not an appropriate place for children. There are other bars in the area, with the potential for children to regularly come across drunks, not to mention the aggressive homeless people who inhabit that area. Would you like your children there on a daily basis? I wouldn't. That area of the city has had bars and restaurants for many years, and the buildings have been fitted out for that purpose. Having the bulk of restaurants and bars in one area, say Peel St and along Gladstone Road from Peel St to the bridge keeps any potential "trouble" in one area, also helped by the fact that the police Station is in that area. It also adjoins the harbour side entertainment area and makes it an easy option for tourists.

My view is that we should be encouraging hospitality, including the sale of alcohol, in the CBD.

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| 109 Member of the public | George Kingi | Agree | <p>Think about the wellbeing of future generations rather than profits and greed. Alcohol is one of the leading causes for chronic health issues. We deserve better. When you know better you do better, clearly people in positions of power and influence have lost sight of what is truly important.</p> | Disagree |
| 110 Turanga Health | Waldo Horomia | Agree | <p>By reducing and adopting stronger liquor licensing processes as a requirement for new applicants when applying for an off-licenses .Will reduce the harm out in our communities and on the roads to our whanau of Te Tairāwhiti.</p> | Disagree |
| 111 Member of the public | Tamarau Karepa | Agree | | Disagree |
| 112 Healthy Families East Cape | Jade Kameta | Agree | <p>I strongly oppose the proposed removal or reduction of sensitive site protections in the Tairāwhiti Local Alcohol Policy 2024 (LAP). I urge Gisborne District Council to retain the current 150m protections for marae, churches, kura, kōhanga reo/ECEs, and parks—including in the CBD.Community wellbeing, whānau safety, and public health outcomes depend on these protections. Removing them would expose tamariki and whānau to increased alcohol-related harm in spaces where they gather, play, and learn.</p> <p>Evidence from our community:</p> <p>82% of respondents say alcohol is already too accessible.</p> <p>97% have witnessed alcohol-related harm, including domestic violence, trauma, crime, and public intoxication.</p> <p>Children frequently witness intoxicated adults in parks, playgrounds, and public spaces.</p> <p>The community overwhelmingly supports reducing liquor outlet numbers, shortening trading hours, and increasing alcohol-free spaces.</p> <p>Weakening protections contradicts the policy's objective to minimise harm, undermines the Sale and Supply of Alcohol Act 2012, and goes against community aspirations. Other councils, like Auckland, are tightening controls to protect their communities—Tairāwhiti should do the same.</p> <p>I recommend the Council:</p> <p>Retain the 150m buffer protections district-wide.</p> <p>Strengthen restrictions on trading hours and outlet density.</p> <p>Uphold Māori voices and community-led decision-making in future policy development.</p> | Disagree |
| 113 Member of the public | Teah Carlson | Agree | | Disagree |
| 114 Member of the public | Bernie Semau | Agree | <p>We need to keep our community and youth safe from alcohol harm. Decreasing availability is a key way to minimize potential harm. Our community is already over-exposed to alcohol.Council needs to protect the community through it's policies. Put whānau wellbeing before profit</p> | Disagree |

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| | | | <p>I strongly oppose any reduction or removal of protections for sensitive sites in the Tairāwhiti Local Alcohol Policy (LAP) and urge Gisborne District Council to retain the existing 150m buffer zones for marae, churches, kura, kōhanga reo/ECEs, and parks—including within the CBD. These protections are essential for safeguarding whānau, tamariki, and the wider community from alcohol-related harm. Weakening them would increase exposure to alcohol in spaces where our people gather, learn, and play, directly undermining community wellbeing and public health. Community evidence highlights the risks: 82% of surveyed residents already believe alcohol is too accessible.</p> <p>97% have witnessed alcohol-related harm, including domestic violence, crime, and intoxication in public spaces.</p> <p>Children frequently see intoxicated adults in parks, playgrounds, and other communal areas.</p> <p>There is strong public support for reducing liquor outlet numbers, limiting trading hours, and expanding alcohol-free spaces.</p> <p>Reducing protections contradicts the policy's goal to minimize harm and is inconsistent with the intent of the Sale and Supply of Alcohol Act 2012. Other councils, including Auckland, are strengthening regulations to protect their communities—Tairāwhiti should do the same. I urge the Council to:</p> <p>Maintain the 150m buffer protections across all sensitive sites.</p> <p>Further restrict trading hours and the density of alcohol outlets.</p> <p>Uphold the voices of Māori and the community in shaping future alcohol policy.</p> <p>Let's prioritize the wellbeing of our people—strong policies mean a safer, healthier Tairāwhiti for generations to come.</p> | |
| 115 Healthy Families East Cape | Kim Koia | Agree | | Disagree |
| 116 Member of the public | Naomi Gerrard | Agree | | Disagree |
| 117 Member of the public | Kristen Maynard | Agree | | Disagree |
| | | | <p>I strongly oppose the proposed removal or reduction of sensitive site protections in the Tairāwhiti Local Alcohol Policy 2024 (LAP). I urge Gisborne District Council to retain the current 150m protections for marae, churches, kura, kōhanga reo/ECEs, and parks—including in the CBD. Community wellbeing, whānau safety, and public health outcomes depend on these protections. Removing them would expose tamariki and whānau to increased alcohol-related harm in spaces where they gather, play, and learn. Evidence from our community:</p> <p>82% of respondents say alcohol is already too accessible.</p> <p>97% have witnessed alcohol-related harm, including domestic violence, trauma, crime, and public intoxication.</p> <p>Children frequently witness intoxicated adults in parks, playgrounds, and public spaces.</p> <p>The community overwhelmingly supports reducing liquor outlet numbers, shortening trading hours, and increasing alcohol-free spaces.</p> <p>Weakening protections contradicts the policy's objective to minimise harm, undermines the Sale and Supply of Alcohol Act 2012, and goes against community aspirations. Other councils, like Auckland, are tightening controls to protect their communities—Tairāwhiti should do the same. I recommend the Council: Retain the 150m buffer protections district-wide. Strengthen restrictions on trading hours and outlet density. Uphold Māori voices and community-led decision-making in future policy development. Kia kaha, Gisborne District Council—protect our whānau and future generations.</p> | |
| 118 Member of the public | Tomairangi Higgins | Agree | | Disagree |
| 119 Cayad Morrinsville | Jade Green | Agree | | Disagree |
| 120 Member of the public | Torepe Taumaunu | Agree | | Disagree |
| 121 Member of the public | Kristy Chaffey | Agree | | Disagree |

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| 122 | Turanga Health | Annalisa Bradley | Agree | I strongly believe liquor stores, bars, or nightclubs should not be within 150 meters of marae, church, kura/school, ECE/kōhanga reo, and park as they could negatively affect the safety, well-being, and development of children and the community. These spaces should remain free from alcohol-related influences to support learning, cultural connection, and overall health. | Disagree |
| 123 | Turanga Health | Rianna Higgins | Agree | 150m is an appropriate distance for restrictions of opening for pubs/bars from sensitive sites. PLEASE DO NOT DECREASE THIS PERIMETER | Disagree |
| 124 | Member of the public | Memory Taylor | Agree | more difficult to access alcohol in public areas such as supermarkets. | Disagree |
| 125 | Member of the public | Deborah Mulligan | Agree | | Disagree |
| 126 | Member of the public | Joan Hovell | Agree | | Disagree |
| 127 | Member of the public | Elizabeth Tangaere | Agree | | Disagree |
| 128 | Member of the public | Taurite Tu | Agree | Keep our tamariki protected by having protections in place like sensitive sites provisions. | Disagree |
| 129 | Turanga Health | Dawn Tamanui | Agree | | Disagree |
| 130 | Member of the public | Kyle Olley | Agree | | Disagree |
| 131 | Member of the public | Rhonda Pohatu | Agree | - Reduce the hours that alcohol can be sold at supermarkets; 11am-8pm;- Reduce access to alcohol; take it out of the supermarkets | Disagree |
| 132 | Turanga Health | Ngamiro Allen | Agree | - Reduce the number of alcohol outlets (incl supermarkets) in the community by having a per capita policy (1 outlet (incl supermarket per 10k people) | Disagree |
| 133 | Turanga Health | Materoa Hailey | Agree | - Take alcohol out of the supermarkets | Disagree |
| 134 | GDC | Vincenzo Petrella | Agree | - No alcohol outlets within 1km of schools, kohanga, marae, learning institution etc | Disagree |
| 135 | Te Aroha Kanarahi Trust | Ashleigh Hovell | Agree | | Disagree |
| 136 | Rongowhakaata Iwi Trust Community Against Alcohol | Connie Maynard | Agree | | Disagree |
| 137 | Harm | Nathan Cowie | Agree | A3737603 | Disagree |
| 138 | Member of the public | Burnice Whaitiri | Agree | | Disagree |
| 139 | Member of the public | Wai Waipara | Agree | | Disagree |
| 140 | Member of the public | Thomas Smith | Agree | | Disagree |
| 141 | Member of the public | Jacqueline Peterson | Agree | | Disagree |
| 142 | Member of the public | Ruta Turangi | Agree | | Disagree |
| 143 | Member of the public | Carren Smith | Agree | | Disagree |
| 144 | Member of the public | Grant Hewison | Agree | | Disagree |
| 145 | Member of the public | Keely-Shayne Salmon | Agree | | Disagree |
| 146 | Member of the public | Turoa | Agree | | Disagree |
| 147 | Member of the public | J Rehe | Agree | | Disagree |
| 148 | Member of the public | Kathy Puutu | Agree | | Disagree |
| 149 | Member of the public | Rewa Reuben | Agree | | Disagree |
| 150 | Member of the public | Catherine Jackson | Agree | | Disagree |
| 151 | Member of the public | Wharekura | Agree | | Disagree |
| 152 | Member of the public | Rangitakatu | Agree | | Disagree |
| 153 | Member of the public | Sheree Stevens | Agree | | Disagree |
| 154 | Member of the public | Tania Ngatai | Agree | | Disagree |
| 155 | Member of the public | Jesse Horsfall | Agree | Sensitive sites are sensitive for a reason. They are to reduce harm, minimise risk and help create safe environments. Downtown Gisborne is lacking vibrancy and increasing liquor outlets or businesses should not be the solution we welcome downtown. The town needs businesses that bring wellbeing. We have enough issues with homelessness and our town looking shabby without introducing increased alcohol related issues. | Disagree |

| | | | | | |
|-------------------------------|---------------------|----------|--|----------|--|
| 154 Te Aitanga a Mahaki Trust | Pene Brown | Agree | Te Aitanga a Mahaki Trust supports maintaining the status quo regarding sensitive sites in the Tairāwhiti Local Alcohol Policy 2024. We believe that the current protections, which prohibit new licences within 150 metres of sensitive sites (except for cafes, restaurants, and special licences), are essential for minimizing alcohol-related harm near educational, spiritual, and recreational facilities. By keeping these provisions unchanged, we can continue to safeguard vulnerable communities and uphold responsible alcohol consumption practices in our region. | Disagree | |
| 155 Member of the public | Justne Keelan | Agree | | Disagree | |
| 156 Member of the public | Sharon Pihema | Agree | Our marae, kura kaupapa Maori and kōhanga reo are sensitive sites that need to be protected from the normalisation and visibility of alcohol consumption. History shows us the devastating impact of alcohol on whānau Māori. We as parents of tamariki Māori are upholding our vision of a better future for the next generation. We need GDC to do the same! Alcohol is not part of our future. | Disagree | |
| Ngatapa Rugby & Associated | | | | | The club (Ngatapa Rugby and Associated Sports Club) has concerns around Parks and Reserves as our club house which holds a Club License is situated on what technically is a reserve even though we lease it off GDC. So would like to see some clarity around that. The club also has concerns around the clarity of the timing and establishment of sensitive sites, as it does not seem fair that a premises or club that has been operating for multiple years/decades could have a sensitive site establish themselves within the radius which then brings compliance issues to the existing, established licensed site. There should be some onus on proposed sensitive sites as to where they situate themselves if there is already an existing licensed premises operating. |
| 157 Sports Club Inc. | Dave Mullooly | Disagree | | Agree | |
| 158 Member of the public | Niel Halverson | Agree | | Disagree | |
| 159 Member of the public | Janette Gray | Agree | | Disagree | |
| 160 Member of the public | Josephine Halverson | Agree | | Disagree | |
| 161 Cancer Society | Catriona Jones | Agree | | Disagree | |
| 162 Waikane Holdings Ltd | Robbie McCann | Disagree | | Agree | there should be no sensitive sites in the CBD as we want more tourism and places for people to go when visiting our city if we are going to promote and liven up the city their needs be places for people to meet and be entertained. All over the world in cities there are sensitive sites operating next to hospitality e.g. pubs, bars and restaurants in harmony. Interesting to note that its ok for off licenses which are not in a controlled environment and yet the council has promoted sensitive sites which are under a controlled environment furthermore, by having sensitive sites you are stifling the growth of the CBD and making it not viable to building owners develop and repair buildings within the CBD |
| 163 Member of the public | Karen McCann | Disagree | | Agree | Gisborne needs new and existing restaurants, cafes, taverns to improve the options of recreational dining and socialising. More liquor establishments will create safer places to meet and bring a vibe to the cbd. Encouraging people to meet in a licenced premise where alcohol is served with security and control, will discourage drinking in public parks, benches, beaches, streets etc. Because the current policy is turning gisborne into a ghost town . |
| 164 Member of the public | Kane Stevens | Disagree | | Agree | |

| | | | | | |
|----------------------------------|-------------------|----------|---|----------|--|
| Alpine Coast and Country | | | | | |
| 165 Developments | Tamara Creswell | Disagree | | Agree | |
| 166 Member of the public | Amanda Stevens | Disagree | | Agree | |
| 167 Member of the public | Sarah Aperahama | Disagree | | Agree | |
| 168 Alcohol Healthwatch Auckland | Andrew Galloway | Agree | <u>Alcohol Healthwatch Gisborne DC LAP Sensitive Sites Policy review March 2025.pdf</u> | Disagree | |
| 169 Member of the public | Clare Badger | Disagree | | Agree | |
| 170 Member of the public | Wayne Masemann | Disagree | | Agree | |
| 171 Member of the public | Lynn Peipi | Agree | | Disagree | |
| 172 Member of the public | Bianca | Disagree | | Agree | |
| 173 Member of the public | Liz Lowe | Disagree | | Agree | |
| 174 Member of the public | Marvin Malia | Disagree | | Agree | |
| 175 Member of the public | Stephanie Malarde | Disagree | | Agree | |
| 176 Member of the public | Josie Roimana | Agree | | Disagree | |
| 177 Member of the public | Andrew Memmott | Disagree | | Agree | |
| 178 Member of the public | Sarah Cranswick | Disagree | | Agree | |
| 179 Member of the public | Bob Dyer | Disagree | | Agree | |
| 180 Member of the public | Pam Keil | Agree | | Disagree | |
| | | | Council free our whanau from the curse of alcohol. Please do not take the protection of the sensitive areas away. | | |
| | | | Be excellent in what is good, be innocent of evil. | | |

How is it that our council is still spending countless hours and valuable money on this when it could be going into improving the dismal state of the town? Did the last two LAP consultations with the public not result in a landslide of public support for removing the sensitive site rule from the CBD? Will the GDC not honour democracy and let the business owners get on with business? With all this manipulation of voting outcomes, the council appear to be in great danger of becoming a dictatorship. Hospitality venues and "Sensitive sites" do actually operate well alongside each other in nearly every other town in the world just FYI.

Focus the regions funding on something more productive than this and spraying river grass please. Go and clear some of the stormwater culverts you haven't maintained in a decade.

P.S Attached is a very nice photo of a Beer Garden next to a Christian school. Both are very popular. The town is thriving. change to no sensitive sites

With the current rules we will end up with little growth in establishments in the area. There is little choice currently and it seems crazy that the old Scotties Bar was unable to be reopened as a Beer garden

Stats quo is not working there seems to be rules for some and not others, we need to move forward and find sensible solutions for every one. Things are not always cut and dry.

Let there be more friendly bars in town for a casual drink or two
We as a family love the social side after a hard week at work I feel we should support local bar restaurants in Gisborne

The city centre is struggling in the current financial climate, option 2 presents possibility to support CBD growth as well as new business in the region. The CBD is no place for sensitive sites, however due care, common sense and reasonable responsibility should be considered for locations outside of the CBD with regards to liquor licensing near sensitive sites.

There should be no sensitive sites or what determines a sensitive site needs to be very clear! The CBD is for business not schools/sensitive sites!!
The problem is not this area it's Supermarkets and Bottle Stores. The areas you are targeting are not the problem because of the controlled environment. Uncontrolled drinking from sales from Supermarkets and Bottle Stores is the problem.
A number of bars etc have had what you are calling Sensitive Sites have moved after the bar was licenced, maybe the Sensitive Site should have got somewhere else.

| | | | | |
|--------------------------|--------------------------|-------|---|----------|
| | | | Council and counsellors, please consider the wider consequences of allowing Alcohol, vaping and unacceptable social behaviour in and around Gisborne City. Include the Cenotaph monument, under bridges, bus shelters, library, the museum and Maori Battalion, our beaches, the ex NZ Post bldg foyer and many more. | |
| | | | This First City of the sun has the ability to be the greatest example to the world or a big disaster | |
| 181 Member of the public | Hillary Sampson | Agree | Councillors take a walk, look around and make decisions to make us the best | Disagree |
| 182 Member of the public | Dione Russell | Agree | | Disagree |
| 183 Member of the public | Awhina Kaa | Agree | | Disagree |
| 184 Member of the public | Deighkotah Willis | Agree | | Disagree |
| 185 Member of the public | Kauri Kaa | Agree | | Disagree |
| 186 Member of the public | Amy Kaa | Agree | There's no need for more alcohol establishments in our town especially near a Kura | Disagree |
| | Te Ataakura Swannell-Kaa | Agree | | |
| 187 Member of the public | | Agree | Take care of our future, our tamariki | Disagree |
| 188 Member of the public | Herewini Kaa | Agree | | Disagree |
| 189 Member of the public | Jonette Rudge | Agree | Don't allow money to become more important than people. | Disagree |
| 190 Member of the public | Tania Keelan | Agree | I'm a rate payer and I say keep the current sensitive site provisions as are. No changes. | Disagree |
| 191 Member of the public | Te Rina Te Miha | Agree | | Disagree |
| 192 Member of the public | William Hoepo | Agree | | Disagree |
| | | | Our marae, church, kura/school, ECE/kōhanga reo, and park in Te Tai Rāwhiti/Gisborne District need to be protected from any establishment that provides alcohol. Who needs to see intoxicated people coming out of a bar. Especially around schools, parks and even our Marae. | Disagree |
| 193 Member of the public | Sophie Pokai | Agree | These regulations were laid for a reason. You change the rules so we have to leave LEGAL establishments early! And now want to change the rules so MORE socially unacceptable but MONEY MAKING businesses can open to further pacify our people? | |
| | | | NO! | Disagree |
| 194 Member of the public | Bobby Rutene | Agree | | Disagree |
| 195 Member of the public | Lace Kerr | Agree | | Disagree |
| 196 Member of the public | Arthur Casey | Agree | | Disagree |
| 197 Turanga Health | Apikaira Te Hau | Agree | | Disagree |
| 198 Member of the public | Tristan Tuapawa | Agree | | Disagree |
| 199 Member of the public | Michael Preston | Agree | The current provisions donnot need to change | Disagree |

| | | | | |
|-----|------------------------------|------------------------|---|----------|
| | | | <p>A3741750. I want to have a say but I have not been able to decide on the 2 options provided because there is not enough info in Option 1 re: changing the definition of sensitive sites. In the PDF doc on the GDC site titled: "Statement of Proposal: Draft amendments to the sensitive sites provisions of the Tairāwhiti Local Alcohol Policy 2024", near the bottom of p2, talks of minor changes being made to the definition of "Sensitive Sites" but the minor changes are shown as they appear in the proposed draft amendment. We all know that it's important that the public can see the actual wording here to make an informed choice, especially given the importance of words, and what's at stake, and I haven't been able to find it on the GDC website or docs, the nearby hyper link "[Link]" also near the bottom of p2 offers more detail, but the link does not work, I tried it on a laptop and 2 different smart phones, but could not access more detail to help me make an informed decision and articulate one clear option - this issue is important to me and our communities. Good consultation processes include making all relevant information avail to all interested parties that want to participate but here there is bug in the system preventing this today. I rang GDC for help on this but have not yet heard back and I need to leave my computer now for most of the day - I fear I will miss the 5pm deadline and wish to submit, so please accept this as me registering my intention to participate in this democratic process, and wanting to choose the best option as far as I can see it, which might include anyone of these 3 options, but not having a small but vital part of the jigsaw with which to choose - thankyou - please get back to me if you need to re: my submission here,</p> | |
| 200 | Member of the public | Siaosi Tofi | unsure | unsure |
| | | | <p>I support keeping the current sensitive site provisions as it is the children and wider law abiding citizens of this community are already exposed to real bad situations out in public and the thought of changing it so more pubs / clubs etc can be erected close by to ECEs , Kohanga reo , Kuras / Schools and parks is idiotic do we really need these establishments who for most have gambling machines in them next to our children . Or has this come about because the Kura Kaupapa Māori School on Gladstone Road went against a business who wanted to open abar /clubs 2-3 doors down from them . SERIOUSLY</p> | |
| 201 | Member of the public | Jules Tungatt | Agree | Disagree |
| | | | <p>Our community has some of the highest rates of domestic violence due to the impacts of alcohol. Our region also has the highest number of young people under the age of 15, many of which are impacted negatively by the consumption of alcohol. I believe at this time we need to ensure we provide clearer policies around responsible drinking and while the current policy has been challenged I don't feel it warrants change.</p> | |
| 202 | Member of the public | Meredith Akuhata-Brown | Agree | Disagree |
| 203 | Restaurant Association of NZ | Marissa Bidois | Disagree | Agree |
| 204 | Member of the public | Maui Tangohau | Agree | Disagree |
| | Te Kura Kaupapa Maori O | Te Amohaere Hauiti- | | |
| 205 | Hawaiki Hou | Parapara | Agree | Disagree |
| 206 | Member of the public | Belinda Fowler | Agree | Disagree |
| | | | <p>There are currently more than enough locations to buy and consume alcohol at within the wider Gisborne area.</p> | |
| 207 | Member of the public | Paula King | Agree | Disagree |

RA Submission - Gisborne District Council Local Alcohol Policy.pdf

6 March 2025

Health New Zealand
Te Whatu Ora

Gisborne District Council
policyreview@gdc.govt.nz

Tēnā koutou katoa,

Re: Review Local Alcohol Policy Rule – Sensitive Sites

Thank you for the opportunity for Health New Zealand –Te Whatu Ora National Public Health Service (Health NZ) in the Te Manawa Taki region, to provide a submission on the Review of the Sensitive Sites Provision.

National Public Health Service Te Manawa Taki services the Taranaki, Waikato, Bay of Plenty, Lakes and Tairāwhiti areas including the District or Region. Our National Public Health Service purpose is:

Manaakitia ngā whānau mō pae ora |
Enable whānau and communities to lead lives of wellness.

Health NZ recognises its responsibilities to improve, promote and protect the health and wellbeing of people and communities of Aotearoa New Zealand under the Pae Ora (Healthy Futures) Act 2022 and the Health Act 1956. To achieve healthy communities and health equity across population groups Health NZ works together with other sectors to address the determinants of health.¹

This submission aligns to Health NZ's position to realise healthier and more resilient communities. Incorporating public health commitments will support efforts to reduce inequities and promote the good health and wellbeing of communities along with the environment and places where we grow, live, learn, work and play.

Ko te pae tawhiti whāia kia tata, ko te pae tata whakamaua kia tīna!
Seek to bring distant horizons closer, and sustain those that have been arrived at

Health NZ – Te Manawa Taki region welcomes opportunities to share public health perspectives in planning and decision-making with Council. Further, we are open to meeting with you to discuss our submission and/or to provide an oral submission.

¹ *Determinants of health*. (2017, February 3). World Health Organisation. <https://www.who.int/news-room/questions-and-answers/item/determinants-of-health>

I support **Option 1 - Status Quo. Keep the current sensitive site provisions but improve readability**

I believe that this clause should remain in the LAP as it provides a mechanism for protecting communities from alcohol related harm and may assist in reducing inequalities. Further I agree to minor changes in the readability of Clause 3.1.3 and I would like to be consulted around what these changes entail.

Thank you for the opportunity to comment on this important way of protecting our community from alcohol related harm.

Nāku iti nei, nā

Dr Douglas Lush

A handwritten signature in blue ink, appearing to read 'Douglas Lush', with a stylized flourish at the end.

Medical Officer of Health

021 34 34 99



45 Normanby Road
Mount Eden, Auckland 1024
info@restaurantnz.co.nz
www.restaurantnz.co.nz

Friday 28 March 2025

Gisborne District Council
15 Fitzherbert Street
Gisborne 4010
New Zealand

Tēnā koe,

Restaurant Association of New Zealand submission on the Gisborne District Council's Local Alcohol Policy 2024 draft amendment

The Restaurant Association of New Zealand (the Restaurant Association) welcomes the opportunity to submit on the Gisborne District Council's Local Alcohol Policy 2024 draft amendment.

Since 1972, the Restaurant Association has worked to offer advice, help and assistance in every facet of the vibrant and diverse hospitality industry, covering the length and breadth of the country. We're passionate about our vibrant industry, which is full of interesting, talented and entrepreneurial people.

Gisborne District Council proposal

The Restaurant Association supports the Council's proposal to amend the sensitive sites provision in its Local Alcohol Policy 2024. We have selected 'option 2 - change the sensitive site provisions' as we believe decisions regarding restrictions on proximity to sensitive sites should be evidence-based rather than based on intuition or speculation about what could reduce alcohol-related harm.

It is the Restaurant Association's position that any proximity restrictions should be considered on a case by case basis, in particular taking into account:

- The type of licence being applied for (e.g. a Class 3 Restaurant on-licence vs bottle store off-licence)
- How long a business has been operating (e.g. if an ECE or school decides to open near a licensed venue, knowing they will be near a licensed venue, the licensee should not be penalised when they come to renewing their licence).

If the Council did implement a temporary freeze on new licence applications, the Restaurant Association believes this should not be implemented as a blanket freeze - rather, it should only apply to certain licence types. It is our position that the risk from on-licence restaurants and cafes is significantly lower than that of off-licence outlets (or even other on-licences, such as night clubs). The Council should not deter restaurants and cafes from investing in high deprivation communities which is likely to occur if they are unable to obtain an on-licence.

The Council's proposal to exempt all new licence applications within the CBD area from complying with Clause 3.1.1 (the sensitive sites policy for on-licences); enable the District Licensing Committee (DLC) to consider exemptions to Clause 3.1.1 for any new licence applications for premises outside the CBD; and to make minor wording improvements for Clause 3.1.3 (the definition of sensitive sites) all align with our position.



The Restaurant Association would also like to take this opportunity to highlight our other priorities for local alcohol policies:

- Differing licence risk profiles
- Modernising approaches to Restaurant licensing
- Conditions relating to minimum numbers of qualified managers
- Renewal of licences
- Hours of trade

Differing licence risk profiles

Our priority for Local Alcohol Policies is to ensure that they accurately reflect the different levels of harm from off- and on- licence venues, and the potential impact of LAPs to those in our sector who operate on-licence venues and are already heavily regulated by the conditions of holding such a licence.

We are not opposed to those trading conditions - in fact, we see them as commonsense rules which ensure the safe and responsible sale and supply of alcohol. While our more than 2,500-strong membership is made up of hospitality businesses where food is the hero of their operations, many offer alcohol beverages as a supplement to the culinary experience they provide.

In a practical sense, there are far fewer restrictions and regulations for off-licence holders in terms of the responsible sale and supply of alcohol when compared to on-licence holders. For example, when serving alcohol in an on-licence venue, staff must monitor intake and determine when they must stop service to prevent intoxication.

Alternatively at an off-licence venue, customers can purchase as much alcohol as they want, to take home and then consume as much as they want without any concerns. It is clear that a large part of enabling that problem comes from the proliferation of off-licence venues, and those on-licence venues whose primary business is not food.

Modernising approaches to Restaurant licensing

There is a risk of LAPs impacting the food and beverage sector of hospitality by regulating through broad “on-licence” and “off-licence” categorisation, and we submit there is a need to consider the differing risks posed by sub-class of licences.

We would like to see LAPs be more specific, where for example, when considering any kind of restriction or regulation (such as one way door policies, proximity and density rules or time of sale restrictions), that conditions be set by specific license type, rather than taking a blanket on licence or off-licence approach to regulation.

Conditions relating to minimum numbers of qualified managers

Some Councils have adopted (or are looking to adopt) a discretionary condition whereby the DLC and ARLA are recommended to consider imposing conditions that specify a minimum number of certified managers be present onsite, if appropriate for large capacity premises at peak times. The exact number would depend on the layout, use and capacity of the premises.

This condition fails to recognise the current cost and administrative burden associated with becoming a licensed manager, with those barriers often imposed by the DLC and ARLA themselves. We do not support the imposition of minimum numbers of certified managers without first reforming restrictions around who can hold a managers’ licence, to ensure that we have the appropriately certified workforce available.



Renewal of licences

There is no reason that a licence renewal should be as cumbersome as a new licence application, yet both applicants and councils are facing significant administrative burdens for every licence renewal. The Restaurant Association recommends the Council consider adopting third-party accreditation programmes, such as [HospoCred](#), to streamline application and renewal processes for hospitality businesses.

This could be utilised in conjunction with current council processes: by checking whether any complaints or infringements have been recorded against an applicant in the Council's own database, and then utilising the comprehensive vetting and benchmarking offered by the HospoCred accreditation programme, local and central governments can streamline workflows, reduce costs, and build stronger partnerships with the hospitality industry.

Hours of trade

Compared to international standards, New Zealanders traditionally eat dinner and go to bed earlier than many countries around the world. As an industry that relies heavily on international tourism to thrive, our hospitality businesses need to be able to make operating decisions that service a wide variety of customer preferences - from the regular who lives down the road, to the group of friends visiting from overseas who are looking for somewhere to sit down for dinner at 10pm.

We're proud of the contribution our businesses make to our vibrant towns, cities and communities - but we need policy settings to enable that to continue. As such, we recommend that any hours of trade are set by specific licence type, to enable those low-risk restaurants to service an increasing number of tourists looking to eat later in the evening than what we would consider usual.

Conclusion

Thank you for the opportunity to provide feedback on your draft local alcohol policy. We would be happy to discuss any part of this submission in more detail, and to provide any assistance that you may require.

Ngā mihi nui,

A handwritten signature in black ink, appearing to read 'Marisa Bidois', written in a cursive style.

Marisa Bidois
Chief Executive

24 March 2025

Gisborne District Council
15 Fitzherbert St
Gisborne
service@gdc.govt.nz



Gisborne Local Alcohol Policy – Review of Sensitive Sites Provision

Kia ora,

We strongly support option one, to retain the existing sensitive sites protection. We also support keeping the current definitions of sensitive sites contained within the existing 3.1.3.

We wish to speak in support this submission.

Currently communities enjoy having sensitive sites where they can gather, learn, play and pray protected from having high risk licenced premises such as taverns and liquor stores opening within 150 metres.

Maintenance of these protections is consistent with fulfilling the purpose (benefiting the community as a whole) and object (minimising alcohol harm) of the Sale and Supply of Alcohol Act 2012.

The policy has been working well since 2018, and prospective cafés and restaurants wishing to apply for licences have been unaffected. While the Gisborne District Licensing Committee must *have regard* to the Local Alcohol Policy, it is just one of many criteria to consider for the issue of a licence, including matters arising from the reports of the regulatory agencies – licensing inspector, Medical Officer of Health, and Police.

We think that maintaining the current policy supports the maintenance of a safe, pleasant, and thriving communities across the district.

We do not support loosening the current policy. We remind Council that the only considerations that are required to be considered when developing a Local Alcohol Policy are those in s78(2), and in the object of the Act in s4.

A Local Alcohol Policy is not a tool for promoting wider economic or strategic concerns, such as vitality of the City Centre, or promoting the “night-time economy”.

To conclude, we strongly support option one, retaining protections for our sensitive sites, the current definitions, and other provisions in the Local Alcohol Policy that are aligned with the object of the Act, reflect the needs of the community, and minimise alcohol harm.

Noho ora mai,

Nathan Cowie
nathan@caah.org.nz
Communities Against Alcohol Harm

Siaosi Tofi

Re: Proposed Amendments to the Local Alcohol Policy (Gisborne) March 28 – 2025
(11:14am)

I want to have a say but I have not been able to decide on the 2 options provided because there is not enough info in Option 1 re: changing the definition of sensitive sites. In the PDF doc on the GDC site titled: "Statement of Proposal: Draft amendments to the sensitive sites provisions of the Tairāwhiti Local Alcohol Policy 2024", near the bottom of p2, talks of minor changes being made to the definition of "Sensitive Sites" but the minor changes are shown as they appear in the proposed draft amendment. We all know that it's important that the public can see the actual wording here to make an informed choice, especially given the importance of words, and what's at stake, and I havent been able to find it on the GDC website or docs, the nearby hyper link "[Link]" also near the bottom of p2 offers more detail, but the link does not work, I tried it on a laptop and 2 different smart phones, but could not access more detail to help me make an informed decision and articulate one clear option - this issue is important to me and our communities. Good consultation processes include making all relevant information avail to all interested parties that want to participate but here there is bug in the system preventing this today. I rang GDC for help on this but have not yet heard back and I need to leave my computer now for most of the day - I fear I will miss the 5pm deadline and wish to submit, so please accept this as me registering my intention to participate in this democratic process, and wanting to choose the best option as far as I can see it, which might include anyone of these 3 options, but not having a small but vital part of the jigsaw with which to choose - thankyou - please get back to me if you need to re: my submission here, [REDACTED]



Whāia kia mārama / Mua te haere / Tiaki te mauri ora o te whare.

Submission on the Gisborne District Council Local Alcohol Policy 2024

Sensitive Sites Protections:

We, te whānau o Te Kura Kaupapa Māori o Hawaiki Hou, **strongly support option one**, to retain the existing sensitive sites protection. We also support keeping the current definitions of sensitive sites contained within the existing section 3.1.3 of the Local Alcohol Policy.

Currently communities enjoy having our sensitive sites where we gather, learn, play and pray protected from having high risk licenced premises such as taverns and liquor stores opening within 150 metres.

Maintenance of these protections is consistent with fulfilling the purpose (benefiting the community as a whole) and object (minimising alcohol harm) of the Sale and Supply of Alcohol Act 2012.

The policy has been working well since 2018, and prospective cafés and restaurants wishing to apply for licences have been unaffected. While the Gisborne District Licence Committee must have regard to the Local Alcohol Policy, it is just one of many criteria to consider for the issue of a licence, including matters arising from the reports of the regulatory agencies – licensing inspector, Medical Officer of Health, and Police.

We think that maintaining the current policy supports the maintenance of safe, pleasant, and thriving communities across the district.

We do not support loosening the current policy. We remind Council that the only considerations that are required to be considered when developing a Local Alcohol Policy are those in s78(2) and in the object of the Act in s4. A Local Alcohol Policy is not a tool for promoting wider economic or strategic concerns, such as vitality of the City Centre, or promoting the “night-time economy”.

To conclude, we strongly support option one, retaining protections for our sensitive sites, the current definitions, and other provisions in the Local Alcohol Policy that are aligned with the object of the Act, reflect the needs of the community, and minimise alcohol harm.

Nā te whānau o Te Kura Kaupapa Māori o Hawaiki Hou.

Title: 25-121 Draft Urban Plan Change - Decision to send Draft to Iwi Authorities

Section: Sustainable Futures

Prepared by: Shane McGhie - Principal Policy Planner

Meeting Date: Thursday 8 May 2025

Legal: Yes

Financial: No

Significance: **Low**

Report to SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI for decision

PURPOSE - TE TAKE

The purpose of this report is to seek the Committee's endorsement to send the draft Urban Plan change to iwi authorities for comment.

SUMMARY - HE WHAKARĀPOPOTOTANGA

To date, the Tairāwhiti Resource Management Plan Review Committee has:

- on 18 December 2024 ([Report 24-326](#)) considered options for a new zoning framework for the Tairāwhiti Resource Management Plan (TRMP).
- on 26 February 2025 ([Report 25-43](#)) workshopped draft provisions for the new zoning framework and their spatial extent, and a change to the Regional Policy Statement (RPS) provisions to support the Urban Plan change.
- on 13 March 2025 ([Report 25-42](#)) considered updated draft provisions for the new zoning framework and their spatial extent, and a change to the RPS provisions to support the Urban Plan change.

Gisborne District Council (Council) has:

- on 30 January 2025 ([Report 25-9](#)) directed that the Urban Plan change includes changes to the RPS provisions of the TRMP to address the gap in strategic direction on urban growth.
- on 9 April 2025 ([Report 25-69](#)), resolved to slightly extend the Urban Plan change timeframe to enable time for working with iwi technicians on Urban Plan change content.

This report outlines the draft Urban Plan change recommended by the TRMP Committee for consultation with iwi authorities, as required under Clause 4A of Schedule 1 of the Resource Management Act 1991 (RMA). The proposed changes are part of a strategic initiative to address urban growth and enhance the Tairāwhiti Resource Management Plan (TRMP) framework.

Key considerations include:

- **Zoning Provisions:** New Medium Density Residential, General Residential, Mixed Use, City Centre, and other zones to better support housing and commercial growth.
- **Spatial Extents:** The proposed spatial extent for the new zones, including precincts in the new Mixed Use zone.
- **Regional Policy Framework Adjustments:** Changes to the Regional Policy Statement (RPS) provisions.
- **Other section changes:** to align with the new policy framework.

The draft Urban Plan change (Attachment 1) includes:

- Proposed zoning provisions and maps showing spatial extents.
- Supporting amendments to the relevant TRMP provisions.

This plan change aims to provide a robust framework to support future urban development while reflecting community and iwi authority inputs.

Councillors will be asked to consider the recommendations of the TRMP Committee, and to either:

- **Option 1** - Endorse the provisions for sending to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA
- **Option 2** - Endorse the provisions, subject to any amendments requested, for sending to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA
- **Option 3** – Not endorse the provisions and not send them to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA.

The preferred option is Option 2. Under Option 2 Council will fulfil its statutory obligations, allow time for all the recommended changes to occur prior to sending the draft plan change to iwi authorities, and remain on track to come back to Sustainable Tairāwhiti or Council to make a decision to formally notify the proposed Urban Plan change in July 2025.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Sustainable Tairāwhiti /Toitū Tairāwhiti:

1. **Notes the contents of this report.**
2. **Confirms the content of the draft Urban Plan change (including any amendments).**
3. **Endorse sending the Draft Urban Plan change, including any amendments requested, to iwi authorities for comment, as required by Clause 4A, Schedule 1 of the Resource Management Act 1991.**

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: RMA, Urban Plan change, iwi authorities,

BACKGROUND - HE WHAKAMĀRAMA

What has occurred so far?

1. The residential zones and associated provisions of the current Tairāwhiti Resource Management Plan (TRMP) were assessed for consistency with the national direction, legislation and local policies and plans, including the National Policy Statement on Urban Development 2020 (NPS-UD), the National Planning Standards, and the Tairāwhiti Future Development Strategy 2024-2054 (FDS). It was found that:
 - The current zoning framework doesn't support compact, sustainable housing developments near jobs, transport, and amenities.
 - The current zoning rules don't clearly support building homes closer together (like apartments or multi-family houses).
 - Gisborne's water, transport, and drainage systems can't fully support new development, especially in areas like Kaiti. While developers contribute to upgrades, more planning is needed to handle infrastructure demands.
 - Some zoning names and descriptions don't match the national planning standards and need to be updated. The current TRMP lacks clear policies for different housing styles and intensities, which makes consenting medium density developments in different parts of the Gisborne urban area problematic.
 - The rules focus on maintaining the current look and feel of neighbourhoods. However, this might conflict with the need for higher-density housing, which looks and feels different.
2. At the TRMP Committee meeting of 18 December 2024 (Report 24-326) the Committee was presented with three options for a new zoning framework. The Committee preferred Option 3: Applying a new Medium Density Residential zone to the areas identified by the FDS as growth areas and applying a General Residential zone that could support less intense residential development than is presently permitted across all the remaining General Residential zone.
3. The TRMP Committee agreed with the general approach to the extent of the proposed Medium Density Residential zone, which was to include all identified growth areas in the FDS. However, there was a request to reduce the area included in Kaiti. The Committee was not unanimous in its support for the Medium Density residential zone, signalling a clear indication that the Committee expects staff to take a balanced approach to the introduction of the new zoning framework.
4. The TRMP Committee also endorsed the following approach to the areas covered by the proposed Commercial zones:
 - A new City Centre zone incorporating the existing Inner Commercial zone and small areas of the Fringe Commercial and Amenity Commercial zones.
 - A new Mixed Use zone for the remainder of the Commercial zones.
 - A mix of new Local and Neighbourhood Centre zones for the existing Suburban Commercial zones.

5. In addition to proposed changes to the District Plan provisions in the TRMP, Council directed that the Urban Plan change includes changes to the Regional Policy Statement (RPS) provisions of the TRMP to address the gap in RPS level urban growth provisions ([Report 25-9](#)).
6. At the 26 February 2025 workshop, councillors and TRMP Committee commissioners (**Report 25-43**) were presented with, and workshopped:
 - Draft provisions for the following zones:
 - Medium Density Residential zone
 - General Residential zone
 - Mixed Use zone
 - City Centre, Local Centre, and Neighbourhood Centre zones
 - Hospital and Airport zones.
 - Three options for the form of the proposed Medium Density Residential and General Residential zone.
 - Options for the spatial extent for the proposed Medium Density Residential zone.
 - A draft addition to the Regional Policy Statement (RPS) provisions of the TRMP.
 - Progress of the proposed Residential Urban Design Guide.
7. The main feedback points included:
 - A preference for Option C, the smallest footprint for the spatial extent of the Medium Density Residential zone.
 - A preference for the standards (rules) applying to the Medium Density Residential zone to be Option 2: Design Enhanced Outcome.
 - An agreement to use a Precinct overlay to protect some of the existing character of some areas of the Mixed Use zone (Business and Amenity precincts), and for the Railway Land in Awapuni to be rezoned Mixed use, following a request from Rongowhakaata.
 - A need to include zone expectations in policies to ensure this has legal weight.
 - A need to review all objectives and policies to ensure that they are correctly written, as some of the objectives appear to be written as policies.
 - A need to review the matters of discretion to make sure they are fit for purpose.
 - The need to ensure words used are defined.
 - A need to add diagrams where they would assist the understanding of a standard.
 - A need to confirm that the way the design guide is to be included in the plan makes it non-statutory guidance.
 - Consider including some of the objectives and policies from the FDS in the change to the operative RPS.

8. At the TRMP Committee meeting on 13 March 2025 ([Report 25-42](#)), the Committee were presented with:
- Options for the form of the Medium Density Residential and General Residential zones.
 - Draft provisions for the following zones:
 - Medium Density Residential
 - General Residential
 - Mixed Use
 - Commercial
 - Special Purpose Hospital
 - Rural Lifestyle
 - Future Urban
 - Options for the spatial extent of the Medium Density Residential zone.
 - An option for the use of Mixed Use zone precincts, and to include the area bounded by Awapuni Road, Grey Street, and the Waikanae stream, as Mixed Use.
 - A draft change to the RPS provisions to support the urban plan change.
9. The TRMP Committee was not able to be provided with the final version of the draft Urban Plan change chapters, prior to or at the 13 March Committee meeting. The Committee resolved to pass the recommendations that the Urban Plan change be sent to iwi authorities for comment, on the proviso that they were supplied with the final version prior to the Council meeting.
10. At the Extraordinary Council meeting on 9 April ([Report 25-69](#)), councillors were presented with the draft plan change chapters, however, rather than ask for an endorsement to send the draft plan change to iwi authorities for comment, councillors were asked to slightly extend the Urban Plan change timeframe to enable time for working with iwi technicians on content, which they agreed to do.
11. Previous reports relevant to the Urban Plan change that may be of interest are:

| Date | Report Type | Report Link |
|-----------------------------|------------------------|--|
| 12 October 2023 Council | Info Report 23-230 | Update on Tairāwhiti FDS |
| 15 November 2023 Council | Decision Report 23-245 | Draft Tairāwhiti Future Development Strategy |
| 14 March 2024 Council | Decision Report 24-26 | Tairāwhiti Future Development Strategy 2024 - 2054 |
| 8 August 2024 Council | Decision Report 24-223 | FDS 2024: Implementation Plan |

| Date | Report Type | Report Link |
|---------------------------------------|---------------------------|---|
| 3 September 2024 TRMP Committee | Information Report 24-230 | Urban spatial layers |
| 18 December 2024 TRMP Committee | Information Report 24-306 | Tairāwhiti Resource Management Plan Review - Progress Update |
| 18 December 2024 TRMP Committee | Decision Report 24-326 | Details of aspects of the 2025 plan change to support urban growth and development |
| 30 January 2025 Council | Decision Report 25-09 | Tairāwhiti Resource Management Plan Review - Regional Policy Statement Change to Support the Urban Growth Plan Change |
| 13 March 2025 TRMP Committee | Decision Report 25- 42 | Draft Urban Plan Change -To iwi authorities for advice |
| 9 April 2025 Extraordinary Council | Decision Report 25-69 | Draft Urban Plan Change – To send a copy to iwi authorities for comment |

How does the plan change relate to other strategic documents?

12. Tairāwhiti 2050 – Shaping the Future of our Region (Spatial Plan [2020](#)) set the vision for the social, cultural, environmental, and economic wellbeing for Tairāwhiti. The relevant aspirations of the Spatial Plan are:
 - Everyone is able to live in affordable, healthy and environmentally sustainable housing.
 - Our city and townships are pedestrian and cycle friendly.
 - Wastewater no longer enters Tūrangānui a Kiwa or our waterways.
 - Māori aspirations for Tairāwhiti are enabled through recognition of Te Tiriti o Waitangi and Customary Rights.
13. Tairāwhiti 2050 identified *providing an adequate supply of housing, infrastructure and development capacity for the growing population that suits different budgets, family sizes and area preference*, as a challenge in creating connected and safe communities.
14. Te Tairāwhiti Regional Housing Strategy [2022-2027](#) identified the vision that “All Tairāwhiti whānau have access to a safe, fit-for-need and affordable home”. The primary goal of the Strategy being that the vision will be achieved by understanding whānau needs and aspirations for housing and rapidly increasing the stock to match this.

15. The Housing and Business Capacity Assessment 2022 ([HBA](#)) prepared prior to the preparation of the Future Development Strategy (FDS) to inform that Strategy, identified that:
- a. Over the long term, the relative mix of dwelling types (detached vs attached) is expected to shift slightly away from detached towards attached dwellings.
 - b. Dwelling tenure by dwelling type proportions indicates that households who own without a mortgage or do not own are expected to slowly shift towards attached dwellings.
 - c. Only 14% of the dwellings permitted by the TRMP are estimated to represent currently *feasible development options for a commercial developer*.
 - d. The Gisborne capacity assessment in the HBA does not include any further capacity in addition to that which is currently provided under the operative District Plan, including the additional infrastructure coverage within the Taruheru Block. It is likely that there will be further planning provision for capacity in the future once growth areas have been identified and assessed.
16. The FDS was developed to respond to the aspiration and visions of Tairāwhiti 2050 and Regional Housing Strategy and was adopted by Council on 14 March 2024 ([Report 24-26](#)). In addition to Te Tairāwhiti specific aspirations and visions, central government direction required the FDS to achieve well-functioning urban environments. These are environments that:
- a. Enable a variety of homes and a variety of sites that are suitable for different business sectors.
 - b. Have good accessibility between housing, jobs, community services, natural spaces, and open spaces.
 - c. Support the competitive operation of land and development markets.
 - d. Support reductions in greenhouse gas emissions.
 - e. Are resilient to the current and future effects of climate change.
17. The FDS provides development capacity for 5,400 new homes over the next 30 years. This was informed by the HBA in 2022 and established the method by which the Tairāwhiti region will provide for the projected population increase out to 2054. Development capacity is mainly provided via intensification of the existing urban areas. This is projected to meet about 75% of demand or 4,050 homes. The remaining development capacity will be met through green field development on the Northwest fringe of the city (14% or 780 homes), and Larger Lot and Rural Lifestyle intensification (10% or 570 homes).

18. The Tairāwhiti FDS Implementation Plan 2024 provides an overview of the short-, medium- and long-term actions needed to achieve the outcomes sought through the FDS ([Report 24-223](#)). The short-term actions that can be achieved through the scope of this Urban Plan change are:

- Adjust zoning to reflect the growth areas and future urban areas identified in the FDS.
 - This will facilitate intensification in appropriate locations and increase development capacity.
- Undertake master planning for areas of Tairāwhiti to resolve the issues identified in areas identified for intensified development and opportunities in the FDS.
- Prepare an Urban Residential Design Guide which provides guidance on how to achieve greater density development while maintaining a well-functioning urban environment.

What about the national direction change and resource management reform?

19. The Government recently released a report commissioned to inform the design of the replacement resource management legislation: [Blueprint for resource management reform: A better planning and environmental management system 2025](#). Cabinet has considered this report and made decisions on the direction of the new resource management legislation intent, a table at the end of [this factsheet](#) outlines where they have differed from the Blueprint report in giving direction to officials to draft the replacement legislation.

20. The Government intends to replace the RMA with two new acts:

- A Planning Act, focused on land use, development, and infrastructure.
- A Natural Environment Act, focused on protecting and enhancing the environment.

21. The current system under the RMA will still guide us for the near future, and Government is actively progressing amendments to the existing RMA in the meantime. The new legislation needs to be drafted, and those bills will go through the democratic process before the final legislation becomes law. Our plans under the RMA will continue to guide our region's approach to resource management until new plans are developed under the new legislation. Until staff see more detailed information (expected in the draft bills) on transition mechanisms or required timeframes we will not be able to provide well-informed technical advice to elected members on the details of transitioning for our region.

22. [A factsheet](#) from the Ministry of Environment outlines the overarching approach to the new legislation:
- *“narrow the scope of the resource management system and the effects it controls, with the enjoyment of private property rights as the guiding principle. A shift from a precautionary to a more permissive approach”.*
 - *“The new legislation will more clearly define the types of adverse effects that can be considered and raise the threshold for when those adverse effects must be managed”.*
 - *“This will provide greater protection of and ability to use property as its owners see fit. It will set a higher bar for regulatory restrictions on property”.*
 - *“One set of national policy direction under each new act will simplify, streamline, and direct local government plans and decision-making. It will also provide guidance on how to resolve conflicts between competing priorities.”.*
 - *“The new legislation will provide for greater standardisation, shifting the focus of policy setting to a national level, while maintaining local decision-making over things that matter. This approach will provide for genuinely novel issues to be given adequate consideration on a case-by-case basis”.*
23. There is further work on some areas needed to inform the drafting of the new legislation, notably how Te Tiriti o Waitangi is reflected. The Cabinet decision rules out carrying over the current section 8 of the RMA and the Minister has been directed to report back on possible options for a *“clause that recognises the Treaty of Waitangi and the uniqueness of settlements entered into by the Crown with Iwi/Māori”*.
24. There is a focus on the new system being able to better *“unlock development, streamline processes, and enhance New Zealand’s ability to meet its housing, infrastructure, and environmental objectives”*. Unlocking development and enhancing our region’s ability to meet our housing needs and objectives is the key focus of this plan change content.
25. Although it will not be clear until further detail is available, because the draft Urban Plan change has been drafted using the National Planning Standards, enables residential intensification in the most accessible urban areas, and provides for greenfield expansion, it appears to be relatively consistent with the direction of the reforms.
26. A more complete overview of the information available to staff on the direction of the new system is the subject of a report to this meeting (Report 25-101).

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

What is contained in the draft Urban Plan change?

Regional Policy Statement (RPS) – new content

27. The TRMP Committee has considered a draft change to the current RPS provisions to address the gap in urban growth provisions. The only change proposed is the addition of a new subsection to B3 Built Environment, Energy, and Infrastructure. Notification of a comprehensive RPS plan change is currently scheduled for February 2026.
28. The draft change to the RPS is in **Attachment 1**.

Medium Density Residential and General Residential Zones

29. The TRMP Committee considered whether a Medium Density Residential zone was required to implement the FDS and concluded that it was. They concluded that a Medium Density Residential zone, with a balance between yield and amenity, is required to send a clear signal that some areas of Gisborne city are required to accommodate medium density residential development, to achieve the objectives of the higher order policy documents. The Medium Density Residential zone enables a moderate built form with buildings up to three storeys in a variety of forms, in the most accessible locations within the Gisborne urban area.
30. Draft zone provisions for the Medium Density Residential and General Residential zones are presented in **Attachment 1**.

Mixed Use Zone

31. The purpose of introducing a Mixed Use zone is to provide an area within the Gisborne urban area that accommodates a range of activities, including residential, commercial, recreational, community and light industrial activities, that service both businesses and surrounding residential catchments. The zone enables buildings up to four storeys, with residential activity enabled above the ground floor. The Mixed Use zone covers the area adjacent to the central city, previously covered by a range of commercial zones.
32. The TRMP Committee considered the spatial extent, potential precinct overlays and provisions for the new Mixed Use zone. Particular consideration was given to ensuring that enablement of housing in the Mixed Use zone does not compromise the primary function of this zone as the primary commercial, light industrial, area of Gisborne city.
33. Draft provisions for the Mixed Use zone are presented in **Attachment 1**.

City Centre, Local Centre, Neighbourhood Centre, and Hospital zones

34. The purpose of introducing three Centre zones is to comply with the requirements of the National Planning Standards to use standard terms for commercial areas, and to establish a hierarchy of commercial centres that gives primacy to the City Centre. The Special Purpose Hospital zone is proposed to overcome the compliance costs associated with the fact that Gisborne Hospital is presently zoned General Residential.
35. The TRMP Committee has considered draft provisions for the City Centre, Local Centre, Neighbourhood Centre, and Special Purpose Hospital zones and recommend the provisions presented in **Attachment 1**.

Rural Lifestyle and Future Urban zones

36. The TRMP Committee has considered draft provisions for the Rural Lifestyle and Future Urban zones, and these are presented in **Attachment 1**. The Rural Lifestyle zone covers the areas presently zoned Rural Residential and Rural Lifestyle to the west of the Gisborne Urban area, with the Future Urban zone covering the land adjacent to Hansen and Cameron Roads, the purpose of this zone being to indicate an expansion of the urban area in the future, when required to accommodate growth.

Residential Urban Design Guide

37. The TRMP Committee has considered an early draft of the Residential Urban Design Guide presented in **Attachment 1**. The comments on the draft were that the design guide did not have sufficient cultural content, in addition to usability and how it fit into the plan change.

38. Staff have been working with iwi technicians from several of our Treaty partners to identify changes to the Residential Urban Design Guide that better support Maori housing solutions. The version of the design guide presented includes the work to date. Noting that not all Treaty Partners have been involved to date, and additional changes may need to occur following the clause 4A period, through submissions, and likely in Phase 2 of the TRMP review.

Changes to other sections of the operative TRMP Required to Support the New Policy Framework

39. The addition of new zones and new spatial layers means that other changes are required to existing sections of the operative TRMP to support these new zones and spatial layers. These include changes to:

- Part C9-11 Region Wide provisions – Subdivision lot sizes
- Part C1-4 – Trip Generation rule insertion
- Add a new Appendix – Trip Generation Checklist.

40. These draft changes are presented in **Attachment 1**.

Spatial Extent of Zones

41. The TRMP Committee also considered the spatial extent of all proposed new zones, with particular attention being given to the area proposed to be zoned Medium Density Residential. Following receipt of advice on how well the existing built environment could accommodate the proposed densities, the Committee concluded that the extent of the proposed new zone should be as presented in **Attachment 2**.

The Options

42. Councillors are asked to consider the recommendations of the TRMP Committee, and either:
- a. Endorse the provisions, for sending to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA (Option 1);
 - b. Endorse the provisions, subject to any Committee amendments requested, for sending to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA (Option 2); or
 - c. Not endorse the provisions and not send them to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA (Option 3).

| b. Option | c. Description | d. Benefits | e. Constraints |
|-----------------------------|--|---|---|
| Option 1 | Endorse the provisions for sending to iwi authorities in accordance with clause 4A, 1st Schedule RMA. | <ul style="list-style-type: none"> Will fulfil statutory requirements. Will allow a reasonable time for iwi authorities to provide advice to allow a final decision on notification to occur prior to the pre-election period. | <ul style="list-style-type: none"> Will not allow for any amendments requested at the ST meeting to be made prior to sending the draft plan change to iwi authorities. |
| Option 2 (Preferred) | Endorse the provisions, subject to any amendments requested, for sending to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA. | <ul style="list-style-type: none"> Will fulfil statutory requirements. Will allow for any amendments requested at the ST meeting to be made prior to sending the draft plan change to iwi authorities. Will allow a reasonable time for iwi authorities to provide advice to allow a final decision on notification to occur in July 2025. | Nil |
| Option 3 | Not endorse the provisions and not send them to iwi authorities in accordance with clause 4A, 1st Schedule RMA | Nil | <ul style="list-style-type: none"> Risks not allowing sufficient time to allow a final decision on notification to occur prior to the local government pre-election period |

43. The preferred option is Option 2. Under Option 2 Council will fulfil its statutory obligations, allow time for all the recommended changes to occur prior to sending the draft plan change to iwi authorities, and remain on track to come back to Council to make a decision to formally notify the proposed urban plan change in July 2025. Council can also consider whether any additional changes are required to reflect the comments received from iwi authorities.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

Overall Process: Low Significance

This Report: Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

The effects on all or a large part of the Gisborne district

Overall Process: Medium Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: Medium Significance

This Report: Low Significance

The level or history of public interest in the matter or issue

Overall Process: Medium Significance

This Report: Low Significance

44. The decisions or matters in this report are considered to be of Low significance in accordance with Council's Significance and Engagement Policy.

TREATY COMPASS ANALYSIS

Kāwanatanga

45. The FDS recognised tāngata whenua aspirations towards urban development and a values framework. These values are framed by an overarching aspiration "Te Oranga o Te Taiao which is at the centre of decision-making regarding the urban environment. As a community, we are committed to prioritising the wellbeing of our natural surroundings in all urban-related choices, striving for a harmonious co-existence of vibrant communities and a thriving environment." [Future Development Strategy](#)
46. This framework continues to guide how we consider the aspirations and values of tāngata whenua through this plan change. By considering this framework across our work, tāngata whenua are better positioned to determine the relevance of the topics and engage in a more meaningful way.
47. Continuing to engage with our Treaty Partners, to the extent they each consider appropriate at this time, by sending a copy of the draft plan change to iwi authorities and providing a reasonable time to provide advice to Council, will ensure that tāngata whenua can determine where they wish to actively participate in the plan making process.

Rangatiratanga

48. The FDS highlights that Māori-led developments are key to delivering the aspirations of tāngata whenua, which supports developments based on the needs of iwi and hapū. While iwi and hapū have wider interests and land holdings in the urban area, outlined below are three large Māori-led growth areas identified in the FDS:
- Te Runanganui o Ngāti Porou (TRONPnui) has recently received resource consent approval for a mixed housing development on the 75 Huxley Road site in Kaiti.
 - TRONPnui continues to explore the development potential of the ex-Rifle Range site in Sponge Bay. The UGD workstream will continue to engage with TRONPnui to understand how the Urban Plan change facilitates their development aspirations.
 - Toitū Tairāwhiti Housing Limited (TRHL) is supporting the Tūranga Tangata Rite papakāinga development next to the Gisborne Hospital. Stage 1 was granted resource consent in February 2025 and earthworks are underway to prepare the site for development.
49. The Urban Plan change is exploring how to improve housing outcomes for Māori across the proposed residential zones, which includes enabling papakāinga style development and multigenerational living. Given that meaningful engagement is ongoing, and staff have included content from the engagement undertaken to date, it is unclear at this point how the urban plan change might fully enable Māori-led development. Although draft provisions have been shared with iwi authorities, formally sending the draft plan change for comment, will potentially focus attention on the mahi, and advance the engagement.

Oritetanga

50. Through further engagement to support the development of the Urban Plan change, we have begun working with urban iwi and hapū to better understand the outcomes necessary to support improved housing and community outcomes. There are multiple iwi interests and land holdings in the urban area represented by Ngāti Porou iwi and Ngāti Oneone hapū focussed to the east of the city, while Rongowhakaata iwi and hapū and Te Aitanga a Māhaki iwi and hapū hold interests across the city urban area.
51. Under Oritetanga, the FDS sought to address inequity by providing improved development capacity in areas that support Māori landowners and social housing providers within the urban area. We will continue discussions with Council's Treaty partners to obtain a better understanding of how to reflect this in the Urban Plan change.

Whakapono

52. The FDS was able to incorporate iwi and hapū values towards urban development. We are continuing to work with tāngata whenua through the development of the urban masterplans and the Urban Plan change work, to ensure whakapono is appropriately acknowledged, protected, and incorporated into the Urban Plan change as we plan for future growth.

53. This can relate to identifying areas of significance, including cultural sites, and identifying suitable mechanisms using relevant spatial layers. Overlays, such as Heritage Alert layer in the current TRMP require resource consent applicants to engage the relevant iwi to consider how the proposal may affect a particular site of significance.
54. This is one of many spatial layer mechanisms that can be used to ensure, as the urban area experiences growth and development, that areas of cultural value are protected and are not negatively impacted.
55. Cultural value assessments, reviewing the historic heritage information in the TRMP and further iwi and hapū engagement will be key informants to the spatial layers. A Historic Heritage Review (HHR) is currently in progress that will inform the review of relevant District Plan provisions and heritage spatial layers.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

56. We are currently engaging Treaty partners to gather more feedback on the UGD workstream's projects. Meaningful engagement has begun to occur, however further engagement is needed during the development of the masterplans and District Plan provisions. We already have some information relevant for District Plan changes provided through submissions from Te Rūnanganui o Ngāti Porou (TRONP) and Rongowhakaata Iwi Trust on the FDS.
57. Pre-engagement has been initiated with Te Rūnanganui o Ngāti Porou, Ngāti Oneone, Te Aitanga a Māhaki Trust and Rongowhakaata Iwi Trust. Preliminary feedback on the overarching content has been received from iwi technicians working on behalf of Te Aitanga a Māhaki, which has been incorporated before the draft Plan Change. Feedback, relevant to the Urban Plan change, has also been provided from Te Aitanga a Māhaki Trust through their feedback on the urban form and development chapter in the full RPS review and Te Aitanga a Māhaki Trust have also provided feedback on the urban plan change draft provisions, and this has been incorporated into the version under consideration. This engagement is intended to continue throughout the clause 4A process.
58. Council-wide discussions were undertaken with Rongowhakaata Iwi Trust. Discussions took place reaffirming key principles for effective engagement from a Council-wide perspective.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

59. Online TRMP pre-engagement took place from 28 January to 28 February 2025. During this period, feedback was sought on the Urban Plan change proposed zone statements, zoning map as well as questions on the urban masterplans.
60. In-person community sessions were held on 11, 12 and 13 February 2025. These included:
 - Community drop-in sessions in the City Centre, Kaiti and Elgin.
 - A developer drop-in session.
61. Engagement with Trust Tairāwhiti and consultants working on the City Centre Catalyst projects plan.
62. Staff presented on the draft Urban Plan change in a workshop with the Chamber of Commerce members on 27 February 2025, along with Council's Consenting team.

63. Staff met with a representative of the telecommunications industry, on 26 February, and Beef and Lamb New Zealand on 10 March, to provide an update on the progress being made on the plan changes in development.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

64. The NPS-UD requires that planning for urban environments supports reductions in Greenhouse Gas (GHG) emissions. To ensure future development is located in areas at lower risk to the impacts of climate change as well as supporting reductions in GHG emissions, the FDS evaluated the growth areas against climate change criteria. The FDS growth areas have also considered the known urban impacts of Cyclone Gabrielle in 2023.
65. While developing the draft spatial layers, the focus has been on intensification of the existing urban area, rather than continuing to expand the city's footprint to enable housing growth. The draft planning maps being presented are fully in keeping with the FDS, and therefore lower the risks associated with the impacts of climate change, as well as supporting reductions in GHG emissions.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

66. There are no direct financial implications of this report. The costs of this review are part of the approved TRMP review budget.

Legal

Pre-notification requirements concerning iwi authorities.

67. The Schedule 1 of the RMA sets out the process required when a Council changes a resource management plan such as the TRMP. It sets out who must be consulted, and when, and sets out the steps that Council must follow when preparing or changing a resource management plan.
68. Clause 4A, of Schedule 1 specifies that:

4A Further pre-notification requirements concerning iwi authorities

1. *Before notifying a proposed policy statement or plan a local authority must –*
 - a) *provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and*
 - b) *Have particular regard to any advice received on the draft proposed policy statement or plan from those iwi authorities.*
 2. *When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.*
69. Clause 3(1)(d) requires that during the preparation of a proposed policy statement or plan, a local authority must consult the tāngata whenua of the area who may be affected, through iwi authorities.
70. The TRMP Committee have workshopped and discussed the draft plan change provisions and having fulfilled their role of provided governance oversight and guidance on policy direction on the urban plan change, recommend the draft plan change be sent to iwi authorities in accordance with clause 4A, Schedule 1 of the RMA.

71. It is relevant to note that, at this point in the plan making process, the content is still draft. The expectation is that following receipt of comments from iwi authorities, updated draft plan change content will be considered by the TRMP Committee, prior to coming back to the Sustainable Tairāwhiti Committee for approval to publicly notify. This reflects the obligation to 'have particular regard to' the advice received from iwi authorities on the draft plan change.
72. In addition, although the clause 4A, Schedule 1 of the RMA process is a statutory step, the intention, with the agreement of iwi authorities, is to continue the engagement already begun through this period.
73. There are no other specific legal implications for this report. The Urban Plan change itself will be subject to legal review in May 2025, alongside its distribution to iwi authorities, to ensure it meets the various legal requirements, primarily the RMA and national direction under that Act, before formal notification

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

74. Council has previously prepared a range of targeted strategies to provide a context-driven approach to resolve housing supply shortages, improve connectivity and enhance environmental resilience. Documents such as the Tairāwhiti Spatial Plan 2050, Urban Development Strategy, CBD Spatial Framework 2019, and the FDS have informed the draft Urban Plan change.
75. The Urban Plan change content produced to date is aligned with these documents and national direction.

RISKS - NGĀ TŪRARU

76. Relationship risk

- a. Impact: Not delivering the Urban Plan change in a form that meets the community and legislative requirements, in the proposed timeframe, risks Council losing credibility.
- b. Mitigation: Concentrate on the core requirements to implement the FDS 2024-2054 and give effect to the NPS-UD, and confining the plan change to defined parameters.

77. Legal risk

- a. Impact: There is a potential for legal challenges if the RMA plan-making process is not correctly followed.
- b. Mitigation: Update the process manual to ensure alignment with RMA requirements. A comprehensive legal review will be conducted in May 2025 to validate adherence to legal standards and address any gaps. Additionally, ongoing evaluation of content and timeframes throughout the process will help minimise risks.

78. Changes to Legislation and National Direction

- a. Impact: The Urban Plan change currently underway could be impacted by amendments to the RMA or national direction. These upcoming changes to national direction may require adjustments to the current plan change process. There have been no indications of substantial changes to the NPS-UD and National's Going for Housing Growth Plan, that supports unlocking land for housing.
- b. Mitigation: The team will monitor developments closely and adjust the plan change process as necessary to align with any legislative updates.

NEXT STEPS - NGĀ MAHI E WHAI AKE

| Date | Action/Milestone | Comments |
|--------------------|--|--|
| May 2025 | Draft to Treaty partners. Legal review. Followed by potential refinements to the Urban Plan change and s32 report. This is a statutory RMA step, that is in addition to the ongoing engagement that is continuing. | Legal review and economic assessments will be undertaken concurrently. Engagement will continue during this period. |
| June 2025 | Update draft Urban Plan change, giving particular regard to any advice received on the draft from iwi authorities. | |
| 25 June 2025 | TRMP Committee consider final draft and recommend for notification. | |
| 31 July 2025 | Urban Plan change notification decision by Sustainable Tairāwhiti or Council. | Formal RMA notification process initiated. |
| Early 2026 onwards | Hearings, decisions, and appeals. | |

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - Draft Urban Plan Change including draft Residential Design Guide [**25-121.1** - 183 pages]
2. Attachment 2 - Draft zoning map for the Urban Plan Change [**25-121.2** - 1 page]

Te Papa Tipu Taunaki o Te Tairāwhiti - The Tairāwhiti Resource Management Plan

PartB: Regional Policy Statement



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B3 BUILT ENVIRONMENT, ENERGY and INFRASTRUCTURE

B3.6 Urban Form and Development: Introduction

Tairāwhiti has seen a significant increase in population since 2017 and this is forecast to continue until at least 2031. Unless managed well, urban growth and development may negatively affect highly productive land and rural amenity, treasured natural assets, infrastructure, and community well-being. The growth of industry in rural areas must also be managed appropriately.

Our natural features and landscapes, natural character, cultural and historic heritage are some of our most important assets. They are a source of cultural and social identity, providing a unique 'sense of place' and a source of intrinsic public value. They can also provide tangible economic benefits and contribute to the attractiveness of this region as a place to live and visit.

Issue - To achieve good environmental, economic, social and cultural outcomes, the location and form of urban development is required to be well planned and managed.

Explanation of Issue

Poorly planned and managed urban growth and development can adversely affect our productive land, natural assets, infrastructure, and well-being.

Population growth in Tairāwhiti, particularly in the Gisborne urban area, increases demand for housing, employment, business, infrastructure, energy, and social services. Unplanned growth of industry in rural areas can lead to unsustainable land use, and adversely impacting the natural environment, indigenous biodiversity and landscapes and reducing economic potential.

We must plan for, and provide, urban development in a way that:

- recognises and provides for tangata whenua to develop their whenua
- enable Māori-led developments on whenua Māori that will deliver the aspirations and needs of tangata whenua
- meets the needs of our different communities now and in the future
- enhances the quality of life for individuals
- recognises the identity of our rural areas and townships
- maintains and enhances connectivity

- maintains and enhances our natural features and landscapes, natural character, and historic heritage
- encourages a low emissions society
- reduces and better utilises waste streams.

B3.6.1 Objectives

1. Growth and development encourages and where possible, facilitates the delivery of houses of a size and form, including adaptively reusing the existing housing stock or buildings, that meet the diverse requirements of the people of Tairāwhiti.
2. Gisborne city has a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural well-being, and for their health and safety, now and in the future.
3. Communities are resilient to current and future risks from natural hazards.
4. Urban growth and development are integrated with existing or planned infrastructure, and cultural values, natural resources and waahi tapu, and contributes to a compact urban form.
5. The use and development of urban areas accommodates marae and papakāinga, diverse housing needs, and the cultural customs of Ngāi Tāmanuhiri, Rongowhakaata, Te Aitanga a Mahaki, Te Whānau a Kai, Ngā Ariki Kaipūtahi, Te Aitanga a Hauiti and Ngāti Porou as tangata whenua as well as the general population of Te Tairāwhiti.
6. The urban environment of Gisborne city and the rural settlements have a sustainable land supply. A sustainable land supply will be achieved when there is:
 - a. sufficient plan enabled land to meet the projected housing and business demand, plus a margin to encourage a competitive housing market;
 - b. the Plan enables a variety of homes and business opportunities; and
 - c. the plan enabled land meets that demand in the short, medium, and long-term.
7. Urban and rural settlements are developed to encourage public transport, and other healthy travel options such as walking and cycling, by offering connected public and open spaces and inclusive access.

B3.6.2 Policies

1. The projected growth in housing and business demand will be accommodated by enabling more people to live in, and more business and community services to be located in:

- areas of the city that are in or near the city centre;
 - other areas of high employment opportunities; or
 - areas with high levels of accessibility in relation to;
 - public transport and cycle opportunities;
 - goods and services,
 - employment;
 - community and commercial services.
2. The land use and development provisions require urban development to exhibit best practice urban design principles and enable a range of housing typologies, including multi-generational living reinforced by cultural histories and narratives of the area.
 3. The land use and development provisions provide for localised cultural customs and practices of Ngāi Tāmanuhiri, Rongowhakaata, Te Aitanga a Mahaki, Te Whānau a Kai, Ngā Ariki Kaipūtahi, Te Aitanga a Hauiti and Ngāti Porou according to their respective tribal areas as the tangata whenua of Te Tairāwhiti and in relation to papakāinga and marae development.
 4. Urban intensification and new development is located in areas that are not subject to current or future significant natural hazard risk.
 5. Subdivision, use and development provisions enable development in a strategic and coordinated way that is consistent with Tairāwhiti's Future Development Strategy, and is located and designed to:
 - integrate urban expansion with existing urban areas and rural environments,
 - integrates land use planning with existing and planned infrastructure,
 - provides sufficient capacity to meet projected housing and business land needs for the region

B3.6.3 Methods

1. Use the provisions, including land use rules, of the TRMP to:
 - promote sustainable urban growth and development; and
 - recognise mana whenua customs, histories, narratives and modern day practices;
 - reflect the outcomes of any master plan that has been prepared for an area; and
 - enable change required to fulfil the aspirations and goals of the communities.
2. Prepare Development Master Plans for the City Centre, Kaiti, Elgin, and Awapuni, that:
 - provide an overarching framework for the appropriate form and densities of future urban growth and development, within the Masterplan areas;
 - identifies an appropriate form and density of development within each Materplan area that integrates with existing and planned infrastructure; and
 - Ensures that culturally and environmentally significant features are protected.
3. Prepare an Urban Residential design guidance to support urban form and development objectives and policies, and the rules in the Land Use part of the TRMP, to guide detailed aspects of future urban form.

4. Explore economic incentives through the Long-Term Plan that promote urban development in the form enabled, such as the provision of public infrastructure in Gisborne city centre, and financial incentives to encourage the desired urban form.
5. Connect residential, commercial, education and other services by the provision efficiently and effectively transport options, and maintaining a compact urban form.
6. Prepare and keep up to date a Future Development Strategy for the region, that assesses short, medium, and long-term housing, business and infrastructure requirements, and identify methods to provide for those requirements.
7. Prepare a Future Development Strategy Implementation Plan with a clear framework for monitoring progress of the actions.
8. Ensure that the development and review of Council's Infrastructure Strategy, is fully integrated with, and aligns with Urban growth and development planning.
9. Enable direct and indirect incentives to revitalise abandoned urban spaces, particularly in the Central City, and extend development to vacant urban spaces, both horizontal and vertical.

B3.6.4 Principal Reasons

- **Objective 1, 2 and 4, and Policy 1, 2 and 4:** Give effect to The National Policy Statement for Urban Development and implement the Tairāwhiti Future Development Strategy 2024



MRZ – Medium Density Residential Zone

The purpose of the Medium Density Residential zone is to provide for a moderate concentration and bulk of buildings with a range of dwelling typologies to increase housing supply and choice within the urban area of Gisborne.

The zone is applied to locations within the urban area of Gisborne which have a high level of accessibility to the public transport network, open space, social infrastructure, and the centre zones. The zone also provides a buffer between the Mixed Use zone and the less intense residential environment of the General Residential zone. By enabling increased densities in these areas, the Medium Density Residential zone plays a key role in supporting a compact urban form.

The zone is primarily characterised by buildings up to three storeys, and a mixture of housing typologies such as detached, semi-detached, terrace housing and low-rise apartments setback from site boundaries, with outdoor living spaces and landscaping. It is anticipated that the character and scale of buildings in this zone will transition over time as the number of medium density residential developments increases.

The Medium Density zone seeks to ensure a reasonable level of amenity is achieved for residents and the community. The standards require that residential development provide reasonable access to sunlight, privacy and outdoor living spaces, as well as on-site landscaping and being setback from site boundaries.

A variety of other non-residential activities are provided for where they are compatible with the planned residential amenity and character of the zone. These include small-scale visitor accommodation, educational facilities, and home occupation activities. Residential development is encouraged to take into account the non-statutory Design Guide – For Residential Development in Urban Areas which provides best practice design guidance to achieve well-designed and high quality development in the Medium Density Residential zone.

Objectives

MRZ-O1 Purpose of Medium Density Residential Zone

The Medium Density Residential zone provides for housing in the Gisborne urban environment that accommodates a range of housing types and sizes, up to medium densities.

MRZ-O2 - Medium Density Residential Character and Amenity

The character and amenity of the Medium Density Residential zone will change over time, from traditional urban densities, to a higher concentration and bulk of buildings, while

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achieving a level of amenity for residents, street networks and adjoining sites proportionate to the medium density residential environment.

MRZ-O3 - Housing Density and Variety to Increase Housing Supply

Enables residential development at medium density levels and in a variety of housing types, sizes and tenures, to provide for affordable, diverse and multi-generational living.

MRZ-O4 – Medium Density Amenity

Subdivision and development provide quality residential amenity for residents, adjoining sites and the street while acknowledging the potential for reduced on-site amenity due to increased building scale and density.

MRZ-O5 - Well Designed Living Environment

Residential buildings provide occupants and neighbours with well-designed living environments.

MRZ-O6 - Non-residential Activities

Residential activities remain the dominant activity in the Medium Density Residential Zone and any non-residential activities are compatible with residential amenity and character and support community wellbeing.

Policies

MRZ-P1 - Residential Activity

Enable residential activities and development that:

- a. increases housing capacity and choice that respond to the diverse accommodation needs of the Tairāwhiti community;
- b. contributes to housing affordability;
- c. is highly accessible to the public transport network, open space, social infrastructure and the centre zones;
- d. reuses existing housing stock or buildings where possible;
- e. enables Māori housing solution; and
- f. maximises the benefits of a well-functioning urban environment.

Activities considered compatible in the Medium Density Residential zone include:

1. residential activities;
2. home businesses;
3. visitor accommodation;
4. educational facilities; and
5. supported residential care facilities.

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MRZ-P2 - Medium Density Residential Character and Amenity

Provide for residential activities and development that are compatible with the planned character and amenity of the Medium Density Residential zone, which provides for:

1. a scale, bulk and location that achieves a variety of densities including detached and semi-detached dwellings, terrace housing and low-rise apartments, and buildings up to three storeys accompanied by on-site landscaping.
2. development designed to meet the day-to-day needs of residents by:
 - providing access to sunlight throughout the year;
 - providing privacy and outlook;
 - providing useable and accessible outdoor living space and service areas that can accommodate necessary amenities for residents.
 - designing the height, scale and location of buildings to maintain sunlight access and privacy and to minimise visual dominance effects on adjoining sites.
3. development which maintains views to surrounding Open Space zones, the Turanganui, Waimata and Taruheru Rivers, the Coast and the Maunga.

MRZ-P3 - Encourage a Range of Housing Types and Tenure

Encourage residential development that provides a range of housing types and sizes, including social housing and lower cost, market rate housing, taking account of the housing requirements of the people of Tairāwhiti.

MRZ-P4 - Development Controls

Enable residential development that is consistent with the role, function and planned character of the Medium Density Residential zone by controlling:

1. the number, design and layout of residential units per site;
2. building height, bulk and location;
3. site coverage and outdoor living space;
4. setbacks from boundaries; and
5. height in relation to boundaries.

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MRZ-P5 - Require a Well-Designed Built Form

Require that development provides well-designed streetscapes, suitable residential amenity for surrounding properties and public places and does not result in overdevelopment of sites by:

1. ensuring that the height, bulk and form of buildings minimise adverse visual amenity effects, including a sense of enclosure or dominance;
2. reducing the visual effects of the scale and bulk of buildings through variations in facades, materials, roof form, building separation and other design elements;
3. orientating buildings to face the street (without compromising solar gain) and limiting the use of unarticulated blank walls and facades to reinforce the visual connection with the street;
4. discouraging the placement of accessory buildings, garages, parking areas and access ways that detract from, dominate or obscure housing as viewed from public places;
5. discouraging access ways and the use of high fences or walls on boundaries that limit opportunities for passive surveillance of the street or public open space and that run between properties and create low amenity or unsafe environments;
6. increasing the opportunities for landscaping and permeable surface areas, by minimising the amount of hard surfacing used, to support the overall visual amenity of sites.

MRZ-P6 – Require Well-Designed on-site Amenity

Ensure development provides well-designed on-site amenity, having regard to:

1. the extent to which a reasonable level of sunlight access and privacy is achieved;
2. the provision of sufficient separation distances between buildings to minimise adverse enclosure and dominance effects;
3. the availability of private, outdoor living spaces of sufficient size to provide suitable amenity for residents;
4. the provision of acoustic attenuation/insulation to minimise adverse noise effects between residential units (if attached) and road noise (if located next to state highways); and
5. the availability of adequate storage space and utility and refuse areas to meet the needs of the occupants in the building.

MRZ-P7 – Non-residential Activities

Enable non-residential activities that:

1. support the social, cultural and economic well-being of the community;

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2. are in keeping with the planned character and amenity of development as anticipated in the Medium Density Residential zone;
3. do not detract from the vitality and viability of the City Centre zone, Mixed Use zone, Local Centre zone and Neighbourhood Centre zone; and
4. avoid, remedy or mitigate any adverse effects on the residential amenity values of the Medium Density Residential zone.

MRZ-P8 – Other Activities

Restrict activities that are incompatible with the planned character and amenity of the Medium Density Residential zone.

MRZ-P9 – Infrastructure Capacity

Enable development in the Medium Density Residential zone where it is appropriately serviced by existing or planned infrastructure, including transport, stormwater and wastewater networks.

MRZ-P10 – Impermeable Areas

Restrict the maximum impermeable area on a site in order to manage stormwater runoff, maintain and enhance amenity values, and manage adverse effects on waterbodies

MRZ-P11 – Comprehensive Residential Development

Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it:

- a. provides opportunities for a diversity of housing types;
- b. is designed to respond positively to its context and the features of the site;
- c. is connected to nearby centres and community facilities;
- d. provides a well-connected transport network and usable public open spaces and streetscapes; and
- e. are consistent with MRZ-P1-P6.

Rules

Note:

1. *Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.*

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2. All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy, C11.2 – Noise and Vibration, C11.3 Lighting and Glare and C11.4 Radiofrequency.

Activity Rules

MRZ-R1 Residential Activity (excluding residential buildings)

1. Activity status is **Permitted** where:

Compliance is achieved with:

- i. MRZ-S1;
- ii. MRZ-S2;
- iii. MRZ-S3;
- iv. MRZ-S4;
- v. MRZ-S5;
- vi. MRZ-S6;
- vii. MRZ-S8;
- viii. MRZ-S10; and
- ix. MRZ-S11

2. Activity status is **Restricted discretionary** where compliance with MRZ-R1(1) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
3. The matters set out in:
 - i. MRZ-P1;
 - ii. MRZ-P2;
 - iii. MRZ-P3;
 - iv. MRZ-P4;
 - v. MRZ-P5;
 - vi. MRZ-P6;
 - vii. MRZ-P9; and
 - viii. MRZ-P10.

MRZ-R2 Up to three residential units per site

1. Activity status is **Permitted** where the number of residential units per site is no more than:
 - a. one residential units; and
 - b. up to two other residential buildings including minor dwellings; and
 - c. Compliance is achieved with:
 - i. MRZ-S1;
 - ii. MRZ-S2;
 - iii. MRZ-S3;

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- iv. MRZ -S4;
- v. MRZ -S5;
- vi. MRZ -S6;
- vii. MRZ -S7;
- viii. MRZ -S8;
- ix. MRZ -S9;
- x. MRZ -S10;
- xi. MRZ -S11; and

- d. except where the residential units are within an area for which a Comprehensive Residential Development Master Plan has been approved, and non-compliance with any rule requirement has been considered through that resource consent.

- 2. Activity status is **Restricted discretionary** where the number of residential buildings per site complied with MRZ-R2 (1)(a) and (b), but 1 or more of the MRZ Standards are not complied with.

Matters of Discretion:

- 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- 2. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
- 3. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.
- 4. The effect of the activity on the amenity of adjoining properties including on sunlight access, privacy and from visual dominance.
- 5. The extent to which the day-to-day needs of residents are provided for including a reasonable level privacy, outlook and private outdoor living space for each residential unit.
- 6. The capacity of existing and planned infrastructure to service the activity.
- 7. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.
- 8. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users, as supported by an Integrated Traffic Assessment.
- 9. The matters set out in:
 - i. MRZ-P1;
 - ii. MRZ-P2;
 - iii. MRZ-P3;
 - iv. MRZ-P4;
 - v. MRZ-P5;
 - vi. MRZ-P6;
 - vii. MRZ-P9; and
 - viii. MRZ-P10.

MRZ-R3 Minor residential units

- 1. Activity status is **Permitted** where:
 - a. The gross floor area of the minor residential unit does not exceed 70m²;
 - b. There is no more than one minor residential unit per site; and

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c. Compliance is achieved with:

- i. MRZ-S1;
- ii. MRZ-S2;
- iii. MRZ-S3;
- iv. MRZ-S4;
- v. MRZ-S5;
- vi. MRZ-S6; and
- vii. MRZ-S8.

2. Activity status is **Restricted discretionary** where compliance with MRZ-R3(1)(a) or MRZ-R3(1)(c) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
3. The extent to which the scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.
4. The effect of the activity on the amenity of adjoining properties including on sunlight access, privacy and from visual dominance.
5. The extent to which the day-to-day needs of residents are provided for including a reasonable level of privacy, outlook and private outdoor living space for each residential unit.
6. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.
7. The capacity of the existing and planned infrastructure to service the activity.
8. The matters set out in:
 - i. MRZ-P1;
 - ii. MRZ-P2;
 - iii. MRZ-P3;
 - iv. MRZ-P4;
 - v. MRZ-P5;
 - vi. MRZ-P6;
 - vii. MRZ-P9; and
 - viii. MRZ-P10.

3. Activity status is **Discretionary** where compliance with MRZ-R3(1)(b) is not achieved.

MRZ-R4 Accessory buildings

1. Activity status is **Permitted** where:

- a. The accessory building is ancillary to residential activities on the site;
- b. No part of the accessory building is used as a tradesperson's depot; and

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c. Compliance is achieved with:

- i. MRZ-S1;
- ii. MRZ-S2;
- iii. MRZ-S3;
- iv. MRZ-S4;
- v. MRZ-S5;
- vi. MRZ-S6; and
- vii. MRZ-S8

2. Activity status is **Restricted discretionary** where compliance with MRZ-R4(1)(a), MRZ-R4(1)(b) or MRZ-R4(1)(c) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
3. The extent to which the scale, location, form and appearance of the activity is compatible with the planned character and amenity of the General Residential zone.
4. The effect of the activity on the amenity of adjoining sites including on privacy and from visual dominance.
5. The extent to which the day-to-day needs of residents are provided for including providing for outdoor living space and practical space for necessary residential amenities.
6. The extent of impermeable surfaces and landscaping and effects on residential amenity and stormwater runoff.
7. The matters set out in MRZ-P2 and MRZ-P6

MRZ-R5 Home business

1. Activity status is **Permitted** where:

- a. The site is primarily used for residential activities and contains at least one residential unit;
- b. No more than 40m² of total gross floor area of all buildings on the site is used for the home business activity;
- c. No more than 2 persons (full-time equivalent) who reside off the site may be employed by the home business activity;
- d. No more than 8 customers per day visit the premises;
- d. Compliance is achieved with:
 - i. MRZ-S1;
 - ii. MRZ-S2;
 - iii. MRZ-S3;
 - iv. MRZ-S4;
 - v. MRZ-S5;
 - vi. MRZ-S6;
 - vii. MRZ-S8;
 - viii. MRZ-S9; and

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ix. MRZ-S11

2. Activity status is **Restricted discretionary** where compliance with MRZ-R5(1)(b) or MRZ-R5(1)(d) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users.
3. Whether the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.
4. The effect of the activity on the amenity of surrounding properties in particular visual, noise and privacy effects.
5. Whether the activity achieves the purpose of the Medium Density Residential zone.
6. The matters set out in MRZ-P7, and MRZ-P7.

3. Activity status is **Discretionary** where compliance with MRZ-R5(1)(a), MRZ-R5(1)(c) or MRZ-R5(1)(d) is not achieved.

MRZ-R6 Visitor accommodation

1. Activity status is **Permitted** where:

- a. The site has a minimum net site area of 1,000m²;
- b. The activity only includes licensed facilities and food and beverage activities for the exclusive use of patrons; and
- c. Compliance is achieved with:
 - i. MRZ-S1;
 - ii. MRZ -S2;
 - iii. MRZ -S3;
 - iv. MRZ -S4;
 - v. MRZ -S5;
 - vi. MRZ -S6;
 - vii. MRZ -S8; and
 - viii. MRZ -S11

2. Activity status is **Restricted discretionary** where compliance with MRZ-R6(1)(a) or MRZ-R6(1)(c) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.

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2. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.
 3. The effect of the activity on the amenity of adjoining sites including on sunlight access, privacy and from visual dominance.
 4. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.
 5. The effect of the activity on the safe and efficient operation of the transport network, including the location and design of parking and access and safety of other road users.
 6. The matters set out in MRZ-P7, and MRZ-P7.
3. Activity status is Discretionary where compliance with MRZ-R6(1)(b) is not achieved.

MRZ-R7 Educational facilities

1. Activity status is **Permitted** where:
 - a. The site has a minimum net site area of 1,000m²;
 - b. The number of students attending at any one time does not exceed 20;
 - c. For educational facilities accommodating up to 10 students they must be located on front sites;
 - d. For educational facilities accommodating between 11 and 20 students they must be located on sites fronting an arterial or principal road;
 - e. Compliance is achieved with:
 - i. MRZ-S1;
 - ii. MRZ -S2;
 - iii. MRZ -S3;
 - iv. MRZ -S4;
 - v. MRZ -S5;
 - vi. MRZ -S6;
 - vii. MRZ -S8; and
 - viii. MRZ -S11.
2. Activity status is **Restricted discretionary** where compliance with MRZ-R7(1)(a) or MRZ-R7(1)(e) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.

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3. The effect of the activity on the amenity of adjoining sites including on sunlight access, privacy and from visual dominance.
 4. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.
 5. The effect of the activity on the safe and efficient operation of the transport network, including the location and design of parking and access and safety of other road users.
 6. The matters set out in MRZ-P7, and MRZ-P7.
3. Activity status is **Discretionary** where compliance with MRZ-R7(1)(b), MRZ-R7(1)(c), or MRZ-R7(1)(d) is not achieved.

MRZ-R8 Supported residential care facility

1. Activity status is **Permitted** where:
 - a. The maximum occupancy does not exceed five residents;
 - b. Compliance is achieved with:
 - i. MRZ-S1;
 - ii. MRZ-S2;
 - iii. MRZ -S3;
 - iv. MRZ -S4;
 - v. MRZ -S5;
 - vi. MRZ -S6;
 - vii. MRZ -S7;
 - viii. MRZ -S8
 - ix. MRZ -S9;
 - x. MRZ -S10; and
 - xi. MRZ -S11.
2. Activity status is **Restricted discretionary** where compliance with MRZ-R8(1)(a) or (b) is not achieved.
Matters of Discretion:
 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
 2. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the General Residential zone.
 3. The effect of the activity on the amenity of surrounding properties in particular visual, noise and privacy effects.
 4. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users.
 5. Whether the activity achieves the purpose of the Medium Density Residential zone.

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6. The matters set out in:

- i. MRZ-P1
- ii. MRZ -P2
- iii. MRZ -P6
- iv. MRZ -P7

MRZ-R9 Construction, additions to, alteration of, or relocation of buildings

1. Activity status is **Permitted** where:

a. Compliance is achieved with:

- i. MRZ -S1;
- ii. MRZ -S2;
- iii. MRZ -S3;
- iv. MRZ -S4;
- v. MRZ -S5;
- vi. MRZ -S6;
- vii. MRZ -S7;
- viii. MRZ -S8
- ix. MRZ -S9;
- x. MRZ -S10; and
- xi. MRZ -S11.

2. Activity status is **Restricted discretionary** where compliance with MRZ-R9(1)(a) is not achieved.

Matters of Discretion:

- 1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
- 2. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- 3. The matters set out in:

- i. MRZ-P1
- ii. MRZ-P2
- iii. MRZ-P5
- iv. MRZ-P6

MRZ-R10 Demolition and removal of buildings and structures

1. Activity status is **Permitted**.

MRZ-R11 Temporary activities

1. Activity status is **Permitted** where:

- a. The duration of the activity does not exceed four days including any set-up or dismantling of equipment required (excluding military training activities).

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- b. The activity is not undertaken more than once over a 60 day period on the same site.
- c. The hours of operation of the activity are between 7am – 10pm.

Temporary activities are excluded from the Medium Density Residential zone standards.

2. Activity status is **Restricted discretionary** where compliance with MRZ-R11(1) is not achieved.

Matters of Discretion:

1. The effect of the activity on the safe and efficient operation of the transport network including on parking and access, traffic generation and the safety of other road users.
2. The effect of the scale, location and hours of duration of the activity on the amenity of surrounding properties in particular noise, privacy and lighting effects.

MRZ-R12 Community facility

1. Activity status is **Restricted discretionary**.

Matters of Discretion:

1. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.
2. The effect of the scale, location and hours of operation of the activity on the amenity of surrounding properties in particular noise, privacy and lighting effects.
3. The extent to which building design and location provides for a reasonable level of on-site amenity.
4. The capacity of existing and planned infrastructure to service the activity.
5. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users, as supported by an Integrated Traffic Assessment.
6. Whether the activity achieves the purpose of the Medium Density Residential zone.

MRZ-R13 Healthcare activity

1. Activity status is **Restricted discretionary**.

Matters of Discretion:

1. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.

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2. The effect of the scale, location and hours of operation of the activity on the amenity of surrounding properties in particular visual, noise and privacy effects.
3. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users, as supported by an Integrated Traffic Assessment.
4. The capacity of existing and planned infrastructure to service the activity.
5. Whether the activity achieves the purpose of the Medium Density Residential zone.

MRZ-R14 Offices

1. Activity status is **Restricted discretionary** where:
 - a. The gross floor area of the retail activity does not exceed 150m²; and
 - b. The activity is located on a site fronting an arterial or principal road (excluding sites adjacent to Awapuni Road).

Matters of Discretion:

 1. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.
 2. The effect of the scale, location and hours of operation of the activity on the amenity of surrounding properties in particular visual, noise and privacy effects.
 3. The effect of the activity on any surrounding heritage values.
 4. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users, as supported by an Integrated Traffic Assessment.
 5. The capacity of existing and planned infrastructure to service the activity.
 6. Whether the activity achieves the purpose of the Medium Density Residential zone.
2. Activity status is **Non-complying** where compliance with MRZ-R14(1)(a) or MRZ-R14(1)(b) is not achieved.

MRZ-R15 Offices

1. Activity status is **Restricted discretionary** where:
 - a. The activity is located on a site fronting an arterial or principal road (excluding sites adjacent to Awapuni Road).

Matters of Discretion:

 1. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Medium Density Residential zone.

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2. The effect of the scale, location and hours of operation of the activity on the amenity of surrounding properties in particular visual, noise and privacy effects.
 3. The effect of the activity on any surrounding heritage values.
 4. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users, as supported by an Integrated Traffic Assessment.
 5. The capacity of existing and planned infrastructure to service the activity.
 6. Whether the activity achieves the purpose of the Medium Density Residential zone.
2. Activity status is **Non-complying** where compliance with MRZ-R15(1)(a) is not achieved.

MRZ-R16 Comprehensive Residential Development

1. Activity status is **Restricted discretionary** where:
Matters of Discretion:
 1. Provision for housing diversity and choice.
 2. How the development responds to its context and site features, including solar orientation, views, existing buildings and vegetation.
 3. Provision of convenient access to commercial centres and community facilities.
 4. Provision of well-connected and legible transport networks, integrating all access modes, with priority for walking and cycling.
 5. The location, extent and quality of public open space and streetscapes, taking into account servicing and maintenance requirements.
 6. The Incorporation of Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment.
 7. Whether the configuration of blocks and lots will allow for development that can readily achieve the outcomes sought in 2.
 8. Where the application also seeks provision for future built development to breach any of the standards, discretion is also restricted to those matters specified in the relevant standard

MRZ-R17 Camp grounds and motor camps

1. Activity status is **Discretionary** where:
 - a. The site has a minimum net area of 2,000m²; and
 - b. The activity is located on a site fronting an arterial or principal road.
2. Activity status is **Non-complying** where compliance with MRZ-R17(1)(a) or MRZ-R17(1)(b) is not achieved.

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MRZ-R18 Recycling depot

1. Activity status is **Non-complying**.

MRZ-R19 Retirement village

1. Activity status is **Discretionary**.

MRZ-R20 Industrial activities

1. Activity status is **Non-complying**.

MRZ-R21 Primary Production activities

1. Activity status is **Non-complying**.

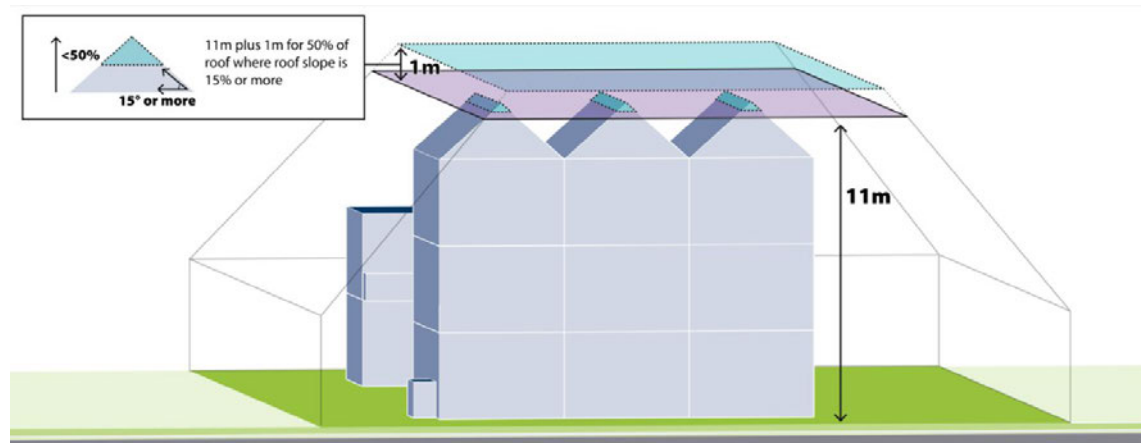
MRZ-R22 Any activity not otherwise listed in this chapter

1. Activity status is **Discretionary**.

Standards

MRZ-S1 Maximum height

The maximum height of a building is 11m above ground floor level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more.



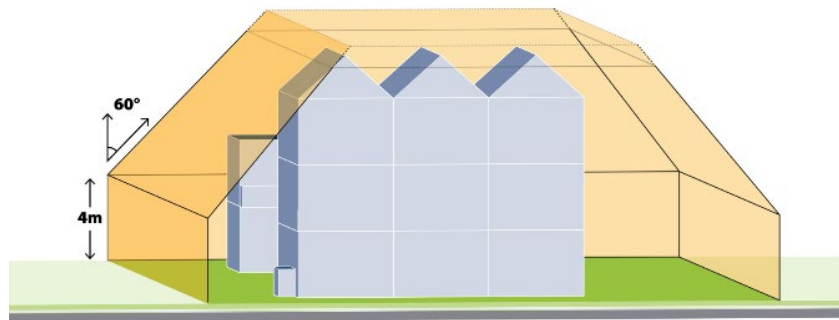
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Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
2. The location, design and external appearance of the building.
3. The compatibility of the building with the planned character and amenity of the Medium Density Residential zone.
4. The bulk and form of the building and any effects on the streetscape character of the area
5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.

MRZ-S2 Height in relation to a boundary

A building must not project beyond a 60-degree recession plane measured from a point 3m vertically above ground level along all side and rear boundaries.



This standard does not apply to:

1. Road boundaries
2. Common walls
3. Accessways

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
2. The location, design and external appearance of the building.
3. The compatibility of the building with the planned character and amenity of the Medium Density Residential zone.
4. The bulk and form of the building and any effects on the streetscape character of the area.
5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects

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MRZ-S3 Minimum setbacks

A building must be setback a minimum of:

1. All activities with the exception of Accessory Buildings
 - a. 1.5m from the front boundary.
 - b. 1.0m from a side or rear boundary.
 - c. 20m for all yards adjacent to the Waikanae Stream MHWL.
 - d. 4.5m from the front boundary for sites on Awapuni Road between Grey Street and Customhouse Street.

Provided that an accessory building or structure may be erected closer than the side or rear yard setback 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.

This standard does not apply to:

1. Eaves, porches, bay or box windows, steps and chimneys may occupy any part of a required setback provided they do not encroach by more than 0.6m of the relevant setback distance.
2. Ancillary garden structures up to 2.2m in height.
3. Above ground pools up to 1.5m in height
4. Decks up to 1.0m in height.
5. Add other exclusions

MRZ-S4 Maximum building coverage

The maximum building coverage must not exceed 50% of the net site area.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. The compatibility of the building with the planned character and amenity of the Medium Density Residential zone.
3. The bulk and form of the building and any effects on the streetscape amenity of the area.
4. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
5. The ability to mitigate adverse effects through on-site landscaping.
6. The ability to provide a reasonable level of outdoor living space on site.

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MRZ-S5 Maximum impermeable surface area

The maximum impermeable surface area must not exceed 65% of the net site area.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the streetscape and planned character and amenity of the Medium Density Residential zone.
3. Effects from the increased impermeable surface area on stormwater runoff from the site, in particular on the capacity of the existing and planned stormwater network and natural hazard risk.
4. The extent to which on-site landscaping provides adequate mitigation of adverse stormwater runoff effects.
5. Effects on the quality, quantity, function and amenity values of any affected waterbody.
6. The suitability of any on-site methods or infrastructure for managing stormwater runoff.

MRZ-S6 Minimum landscaped permeable surface area

The minimum landscaped permeable surface area must be at least 30% of the net site area.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the streetscape and planned character and amenity of the Medium Density Residential zone.
3. The extent of the site covered by buildings and impermeable surfaces, in particular adverse effects from stormwater runoff and on neighbourhood amenity values.
4. The ability to provide a reasonable level of on-site amenity.

MRZ-S7 Outdoor living space

A residential unit or supported residential care facility located at ground floor level must have an outdoor living space of at least 20m² provided that the outdoor living space:

1. has no dimension less than 3m;
2. is directly accessible from the residential unit;
3. is free of buildings, parking spaces, manoeuvring areas and service areas.
4. outdoor living spaces may be grouped cumulatively by area in one communally accessible location or located directly adjacent to the unit.

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A residential unit or supported residential care facility located above ground floor level must have an outdoor living space in the form of a deck, balcony or roof terrace of at least 8m² provided that the outdoor living space:

1. has no dimension less than 1.8m; and
2. is directly accessible from the residential unit.
3. outdoor living spaces may be grouped cumulatively by area in one communally accessible location in which case it may be located at ground level or located directly adjacent to the unit.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
3. Effects on the streetscape and planned character and amenity of the Medium Density Residential zone.
4. The ability to provide a reasonable level of on-site amenity to occupants including privacy and sunlight access to the outdoor living space throughout the duration of the year.
5. The proximity of the site to accessible public open space.
6. The ability to mitigate adverse effects through design, screening or on-site landscaping.

MRZ-S8 Maximum fence and wall height

The maximum fence or wall height must not exceed 2m above ground level.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. The location, design and external appearance of the fence or wall.
3. The compatibility of the fence or wall with the planned character of the General Residential zone.
4. The bulk and form of the fence or wall and any effects on the streetscape amenity of the area.
5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
6. The ability to mitigate adverse effects through design, screening or on-site landscaping.

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MRZ-S9 Service area

An outdoor service area must be provided per residential unit as follows:

1. have a minimum area of 15m²;
2. be appropriately screened from adjoining sites and their outdoor living spaces; and
3. not be located within private outdoor living spaces.

This standard does not apply to sites containing only one residential unit.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
3. The ability to mitigate adverse effects through design, screening or on-site landscaping.
4. Effects on the streetscape and planned character and amenity of the General Residential zone.
5. The ability to provide a reasonable level of on-site amenity, including outdoor living space and practical space for necessary residential amenities.

MRZ-S10 Outlook space

An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.

The minimum dimensions required for an outlook space are:

1. a principal living room within a residential unit or residential care home must have an outlook space with a minimum dimension of 4m in depth and 4m in width;
2. a principal bedroom within a residential unit or residential care home must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and
3. all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.

The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.

Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

Outlook spaces may be under or over a balcony.

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Outlook spaces required from different rooms within the same building may overlap.

Outlook spaces must:

1. be clear and unobstructed by buildings; and
2. not extend over an outlook space or outdoor living space required by another residential unit.

This standard does not apply to sites containing only one residential unit.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the amenity values of adjoining sites including privacy and outlook.
3. The ability to provide a reasonable level of on-site amenity including managing visual dominance effects within a site and providing a sense of space for each residential unit.

MRZ-S11 Outdoor storage

Any outdoor storage areas must be fully screened from a street, public place or residential or open space zoned land.

This standard does not apply to sites containing only one residential unit.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the amenity values of adjoining sites including privacy.
3. Effects on the streetscape and planned character and amenity of the Medium Density Residential zone.
4. The ability to mitigate adverse effects through design, screening or on-site landscaping.

GRZ – General Residential Zone

The purpose of the General Residential zone is to provide for residential development with traditional suburban low to moderate densities and housing forms within the urban area of Gisborne.

The zone is primarily characterised by one to two storey, detached residential units on larger sites setback from boundaries, with private outdoor living spaces and landscaping. The zone however also anticipates a level of infill development and residential intensification to provide for diversity in housing choice and affordability, that could include attached or semi-detached dwellings. The intensity of residential development permitted in the zone is the main difference between the General Residential zone and the Medium Density Residential zone, where the standards provide for a bulk and form of development which is compatible with the planned suburban character and amenity of the zone.

A variety of other non-residential activities are provided for where they are compatible with the planned suburban character and amenity of the zone. These include small-scale visitor accommodation, educational facilities, and home business activities. Other non-residential activities which are incompatible with the character and amenity of the General Residential zone are not provided for.

The General Residential zone seeks to ensure a reasonable level of amenity is achieved for residents and the community. The standards aim to control the bulk and location of residential development to provide access to sunlight, privacy, private outdoor living spaces, as well as on-site landscaping. Residential development is encouraged to take into account the Design Guide – For Residential Development in Urban Areas which provides best practice design guidance to achieve a high standard of development in the General Residential zone

Objectives

GRZ-O1 Purpose of General Residential Zone

The General Residential zone provides for housing in the Gisborne urban environment that accommodates a range of housing types and sizes with the traditional mix of low to moderate densities.

GRZ-O2 - General Residential Character and Amenity

The General Residential character and amenity is characterised by traditional suburban densities with a low to moderate concentration and bulk of buildings that achieve a reasonable level of amenity for residents, street networks and adjoining sites.

GRZ-O3 - General Residential Amenity

Subdivision and development provide quality residential amenity for residents, adjoining sites and the street.

GRZ-O4 - Well Designed Living Environment

Residential buildings provide occupants and neighbours with well-designed living environments.

GRZ-O5 - Non-residential Activities

Residential activities remain the dominant activity in the General Residential Zone and any non-residential activities are compatible with residential amenity and character of that zone and support community wellbeing.

Policies

GRZ-P1 - Residential Activity

Enable residential activities and development that:

- a. responds to housing demand and the diverse accommodation needs of the Gisborne community;
- b. contributes to housing affordability;
- c. are serviced by development and social infrastructure;
- d. reuses existing housing stock or buildings where possible;
- e. enables Māori housing solution; and
- f. maximises the benefits of a well-functioning urban environment.

Activities considered compatible in the General Residential zone include:

1. residential activities;
2. home businesses;
3. visitor accommodation;
4. educational facilities; and
5. supported residential care facilities;

GRZ-P2 - General Residential Character and Amenity

Provide for residential activities and development that are compatible with the planned character and amenity of the General Residential zone, which provides for:

1. a scale, bulk and location that achieves an intensity of residential and infill development primarily characterised by one to two storey detached buildings, although may also include attached or semi-detached buildings, with openness around and between buildings and on-site landscaping;
2. development designed to meet the day-to-day needs of residents by:

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- providing access to sunlight throughout the year;
 - providing privacy and outlook;
 - providing useable and accessible outdoor living space and service areas that can accommodate necessary amenities for residents.
 - designing the height, scale and location of buildings to maintain sunlight access and privacy and to minimise visual dominance effects on adjoining sites.
3. development which maintains views to surrounding Open Space zones, the Terengganu, Waimata and Taruheru Rivers, the Coast and the Maunga.

GRZ-P3 - Encourage a Range of Housing Types and Tenure

Encourage residential development that provides a range of housing types and sizes, including social housing and lower cost, market rate housing, taking account of the housing requirements of the people of Tairāwhiti.

GRZ-P4 - Development Controls

Enable residential development that is consistent with the role, function and planned character of the General Residential zone by controlling:

1. the number of residential units per site;
2. building height, bulk and location;
3. site coverage and outdoor living space;
4. setbacks from boundaries; and
5. height in relation to boundaries.

GRZ-P5 - The Spacious Qualities and Characteristics of the General Residential zone

Require that development recognises the amenity, spacious qualities and characteristics of the residential setting for surrounding properties and public places by:

1. ensuring that the siting, scale and appearance of the building is compatible with surrounding development patterns, planned character and the residential setting;
2. recognising visual amenity with relatively low building heights and by controlling the placement of buildings in front yards;
3. providing outdoor living spaces and controlling building site coverage to create space between buildings;
4. increasing the opportunities for landscaping and permeable surface areas by limiting the amount of hard surfacing used; and

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5. allowing passive surveillance of the street or public open space by minimising the use of high fences or walls on road boundaries.

GRZ-P6 – Multi Unit Development

In addition to policy GRZ-P5, require new developments of three or more residential units to be well-designed and recognise the amenity of surrounding properties and public places by:

1. designing and orientating buildings and providing landscaping to mitigate against adverse dominance, privacy and amenity impacts;
2. breaking down unarticulated, large blank facades into smaller elements through variations in facades, materials, roof form, building separation or other design elements;
3. providing insulation to minimise adverse noise effects between residential units (if attached), and road noise (if located next to state highways); and
4. providing adequate storage space and utility and refuse areas to accommodate typical residential living requirements.

GRZ-P7 – Non-residential Activities

Enable non-residential activities that:

1. support the social, cultural and economic well-being of the community;
2. are in keeping with the scale, character and amenity of development as anticipated in the General Residential zone;
3. do not detract from the vitality and viability of the City Centre zone, Mixed Use zone, Local Centre zone and Neighbourhood Centre zone; and
4. avoid, remedy or mitigate any adverse effects on the residential amenity values of the General Residential zone, in particular from noise and traffic generation.

GRZ-P8 – Other Activities

Restrict activities that are incompatible with the planned character and amenity of the General Residential zone.

GRZ-P9 – Impermeable Areas

Restrict the maximum impermeable area on a site in order to manage stormwater runoff, maintain and enhance amenity values, and manage adverse effects on waterbodies.

GRZ-P10 – Infrastructure Capacity

Enable development in the General Residential zone where it is appropriately serviced by existing and planned infrastructure, including transport, stormwater and wastewater networks.

GRZ-P11 – Future of Severely Affected Land – Category 3

Avoid the construction of new, or the reconstruction of existing, habitable buildings on any land identified as FOSAL Category 3 high risk within the Gisborne urban area.

Rules

Note:

1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.
2. All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy, C11.2 – Noise and Vibration, C11.3 Lighting and Glare and C11.4 Radiofrequency.

Activity Rules

GRZ-R1 Residential Activity (Excluding residential buildings)

1. Activity status is **Permitted** where:

Compliance is achieved with:

- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6;
- vii. GRZ-S8; and
- viii. GRZ-S10.

2. Activity status is **Restricted discretionary** where compliance with GRZ-R1(1) is not achieved.

Matters of Discretion:

- a. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- b. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.

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c. The matters set out in:

- i. GRZ-P1;
- ii. GRZ-P2; and
- iii. GRZ-P6;

GRZ-R2 Up to Two residential units per site

1. Activity status is **Permitted** where the number of residential units per site is no more than:

- a. two residential units; or
- b. one residential unit and one minor residential unit; and
- c. Compliance is achieved with:

- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6;
- vii. GRZ-S7;
- viii. GRZ-S8;
- ix. GRZ-S9; and
- x. GRZ-S10.

2. Activity status is **Restricted discretionary** where the number of residential buildings per site complied with GRZ-R2 (1)(a) or (b), but 1 or more of the GRZ Standards are not complied with.

Matters of Discretion:

- 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- 2. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
- 3. The matters set out in:

- i. GRZ-P1;
- ii. GRZ-P2 ;
- iii. GRZ-P6; and
- iv. GRZ-P7;

GRZ-R3 Minor residential units

1. Activity status is **Permitted** where:

- a. The gross floor area of the minor residential unit does not exceed 70m²;
- b. There is no more than one minor residential unit per site; and
- c. Compliance is achieved with:

- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6; and
- vii. GRZ-S8.

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2. Activity status is **Restricted discretionary** where compliance with GRZ-R3(1) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
3. The extent to which the scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the General Residential zone.
4. The effect of the activity on the amenity of adjoining sites including on sunlight access, privacy and visual dominance.
5. The extent which the day-to-day needs of residents are provided for including providing for private outdoor living space and practical space for necessary residential amenities.
6. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.
7. The capacity of the existing and planned infrastructure to service the activity.
8. The matters set out in:
 - i. GRZ-P;1
 - ii. GRZ-P2; and
 - iii. GRZ-P6;

3. Activity status is **Non-complying** where compliance with GRZ-R3(1)(b) is not achieved.

GRZ-R4 Accessory buildings

1. Activity status is **Permitted** where:

- a. The accessory building is ancillary to residential activities on the site;
- b. No part of the accessory building is used as a tradesperson's depot; and
- c. Compliance is achieved with:

- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6; and
- vii. GRZ-S8

2. Activity status is **Restricted discretionary** where compliance with GRZ-R4(1)(a), GRZ-R4(1)(b) or GRZ-R4(1)(c) is not achieved.

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Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
3. The extent to which the scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the General Residential zone.
4. The effect of the activity on the amenity of adjoining sites including on privacy and from visual dominance.
5. The extent which the day-to-day needs of residents are provided for including providing for private outdoor living space and practical space for necessary residential amenities.
6. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.
7. The matters set out in GRZ-P2 and GRZ-P3.

GRZ-R5 Home business1. Activity status is **Permitted** where:

- a. The site is primarily used for residential activities and contains at least one residential unit;
- b. No more than 40m² of total gross floor area of all buildings on the site is used for the home business activity;
- c. No more than 2 persons (full-time equivalent) who reside off the site may be employed by the home business activity;
- d. Compliance is achieved with:
 - i. GRZ-S1;
 - ii. GRZ-S2;
 - iii. GRZ-S3;
 - iv. GRZ-S4;
 - v. GRZ-S5;
 - vi. GRZ-S6;
 - vii. GRZ-S8;
 - viii. GRZ-S9; and
 - ix. GRZ-S10

2. Activity status is **Restricted discretionary** where compliance with GRZ-R5(1)(b) or GRZ-R5(1)(d) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.

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2. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access, traffic generation and the safety of other road users.
 3. Whether the activity is compatible with the planned character and residential amenity of the General Residential zone.
 4. The effect of the activity on the amenity of surrounding properties in particular visual, noise and privacy effects.
 5. Whether the activity achieves the purpose of the General Residential zone.
 6. The matters set out in GRZ-P3.
3. Activity status is **Discretionary** where compliance with GRZ-R5(1)(a) or GRZ-R5(1)(c) is not achieved.

GRZ-R6 Visitor accommodation

1. Activity status is **Permitted** where:
 - a. The site has a minimum net site area of 2,000m²;
 - b. The activity only includes licensed facilities and food and beverage activities for the exclusive use of patrons; and
 - c. Compliance is achieved with:
 - i. GRZ-S1;
 - ii. GRZ-S2;
 - iii. GRZ-S3;
 - iv. GRZ-S4;
 - v. GRZ-S5;
 - vi. GRZ-S6;
 - vii. GRZ-S8; and
 - viii. GRZ-S10
2. Activity status is **Restricted discretionary** where compliance with GRZ-R6(1)(a) or GRZ-R6(1)(c) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the General Residential zone.
3. The effect of the activity on the amenity of adjoining sites including on sunlight access, privacy and from visual dominance.
4. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.

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5. The effect of the activity on the safe and efficient operation of the transport network, including the location and design of parking and access and safety of other road users.
6. The matters set out in GRZ-P3.
3. Activity status is **Discretionary** where compliance with GRZ-R6(1)(b) is not achieved.

GRZ-R7 Educational facilities

1. Activity status is **Permitted** where:
 - a. The site has a minimum net site area of 1,000m²;
 - b. The number of students attending at any one time does not exceed 20;
 - c. For educational facilities accommodating up to 10 students they must be located on front sites;
 - d. For educational facilities accommodating between 11 and 20 students they must be located on sites fronting an arterial or principal road;
 - e. Compliance is achieved with:
 - ix. GRZ-S1;
 - x. GRZ-S2;
 - xi. GRZ-S3;
 - xii. GRZ-S4;
 - xiii. GRZ-S5;
 - xiv. GRZ-S6;
 - xv. GRZ-S8; and
 - xvi. GRZ-S10.

2. Activity status is **Restricted discretionary** where compliance with GRZ-R7(1)(a) or GRZ-R7(1)(e) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the General Residential zone.
3. The effect of the activity on the amenity of adjoining sites including on sunlight access, privacy and from visual dominance.
4. The extent of impermeable surfaces and landscaping and the effects on residential amenity and stormwater runoff.
5. The effect of the activity on the safe and efficient operation of the transport network, including the location and design of parking and access and safety of other road users.
6. The matters set out in GRZ-P3.

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3. Activity status is **Discretionary** where compliance with GRZ-R7(1)(b), GRZ-R7(1)(c), or GRZ-R7(1)(d) is not achieved.

GRZ-R8 Supported residential care facility

1. Activity status is **Permitted** where:

- a. The maximum occupancy does not exceed five residents;
b. Compliance is achieved with:

- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6;
- vii. GRZ-S7;
- viii. GRZ-S8
- ix. GRZ-S9; and
- x. GRZ-S10.

2. Activity status is **Restricted discretionary** where compliance with GRZ-R8(1)(a) or (b) is not achieved.

Matters of Discretion:

- 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- 2. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the General Residential zone.
- 3. The effect of the activity on the amenity of surrounding properties in particular visual, noise and privacy effects.
- 4. The effect of the activity on the safe and efficient operation of the transport network including the location and design of parking and access and the safety of other road users.
- 5. Whether the activity achieves the purpose of the General Residential zone.
- 6. The matters set out in:

- i. GRZ-P1
- ii. GRZ-P2
- iii. GRZ-P6
- iv. GRZ-P7

GRZ-R9 Construction, additions to, alteration of, or relocation of buildings

1. Activity status is **Permitted** where:

- a. Compliance is achieved with:

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- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6;
- vii. GRZ-S7;
- viii. GRZ-S8
- ix. GRZ-S9; and
- x. GRZ-S10.

2. Activity status is **Restricted discretionary** where compliance with GRZ-R9(1)(a) is not achieved.

Matters of Discretion:

- 1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
- 2. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- 3. The matters set out in:

- v. GRZ-P1
- vi. GRZ-P2
- vii. GRZ-P5
- viii. GRZ-P6

GRZ-R10 Demolition and removal of buildings and structures

1. Activity status is **Permitted**.

GRZ-R11 Temporary activities

1. Activity status is **Permitted** where:
- a. The duration of the activity does not exceed four days including any set-up or dismantling of equipment required (excluding military training activities).
 - b. The activity is not undertaken more than once over a 60 day period on the same site.
 - c. The hours of operation of the activity are between 7am – 10pm.

Temporary activities are excluded from the General Residential zone standards.;

2. Activity status is **Restricted discretionary** where compliance with GRZ-R11(1) is not achieved.

Matters of Discretion:

- 1. The effect of the activity on the safe and efficient operation of the transport network including on parking and access, traffic generation and the safety of other road users.

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2. The effect of the scale, location and hours of duration of the activity on the amenity of surrounding properties in particular noise, privacy and lighting effects.

GRZ-R12 Community facility

1. Activity status is **Discretionary**.

GRZ-R13 Healthcare activity

1. Activity status is **Discretionary**.

GRZ-R14 Camp grounds and motor camps

1. Activity status is **Discretionary** where:
 - a. The site has a minimum net area of 2,000m²; and
 - b. The activity is located on a site fronting an arterial or principal road.
2. Activity status is **Non-complying** where compliance with GRZ-R14(1)(a) or GRZ-R14(1)(b) is not achieved.

GRZ-R15 Recycling depot

1. Activity status is **Non-complying**.

GRZ-R16 Retirement village

1. Activity status is **Discretionary**.

GRZ-R17 Industrial activities

1. Activity status is **Non-complying**.

GRZ-R18 Primary Production activities

1. Activity status is **Non-complying**.

GRZ-R19 Commercial activities

1. Activity status is **Non-complying**.

GRZ-R20 Any activity not otherwise listed in this chapter

1. Activity status is **Discretionary**.

GRZ-R21 Habitable Development on Category 3, Future of Severely Affected Land (FOSAL)

1. Activity status is **Prohibited** where the activity includes the:

- a. The construction of new habitable buildings; or
- b. The reconstruction of damaged habitable buildings;

are on the following sites:

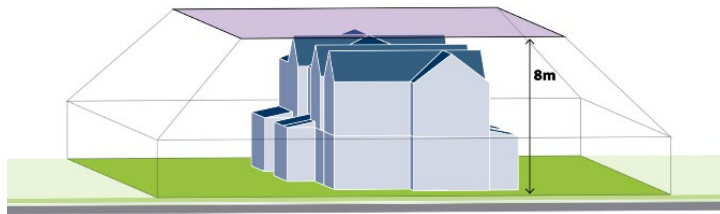
Legal Description

- 1. Lot 2 DP 4892
- 2. Lot 2 DP 6017
- 3. Unit A DP 7159 on Lot 3 DP 6017
- 4. Unit B DP 7159 on Lot 3 DP 6017
- 5. Unit C DP 7159 on Lot 3 DP 6017
- 6. Lot 33 DP 6260
- 7. Lot 2 DP 5075
- 8. Lot 1 DP 576466
- 9. FLAT 1 DP 9880 on LOT 2 DP 8105
- 10. FLAT 2 DP 8117 on LOT 2 DP 8105
- 11. LOT 3 DP 5580
- 12. LOT 1 DP 4198
- 13. LOT 2 DP 4198
- 14. LOT 1 DP 4796
- 15. LOT 4 DP 6641
- 16. LOT 1 DP 426450
- 17. LOT 2 PT 1 DP 3368, Part Lot 1 DP 3368
- 18. LOT 2 DP 426450, LOT 1 DP 5830, Lot 19 DP 6003
- 19. Lot 1 DP 4748, Lot 1 DP 5322, Lot 2 DP 5801
- 20. Lot 2 DP 4875, Lot 2 DP 5322
- 21. LOT 2 DP 5135
- 22. LOT 1 DP 2958
- 23. LOT 15 DP 4626
- 24. LOT 1 DP 9171
- 25. LOT 3 DP 4209
- 26. LOT 2 DP 304727
- 27. LOT 2 DP 304727

Standards

GRZ-S1 Maximum height

The maximum height of a building is 8m above ground floor level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more.

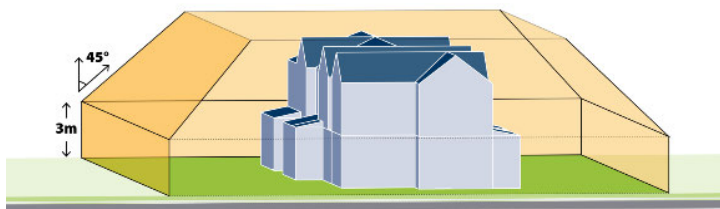


Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
2. The location, design and external appearance of the building.
3. The compatibility of the building with the planned character and amenity of the General Residential zone.
4. The bulk and form of the building and any effects on the streetscape amenity of the area.
5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.

GRZ-S2 Height in relation to a boundary

A building must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along all side and rear boundaries.



This standard does not apply to:

1. Road boundaries

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2. Common walls
3. Accessways

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in Appendix XX.
2. The location, design and external appearance of the building.
3. The compatibility of the building with the planned character and amenity of the General Residential zone.
4. The bulk and form of the building and any effects on the streetscape amenity of the area.
5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.

GRZ-S3 Minimum setbacks

A building must be setback a minimum of:

1. All activities with the exception of Accessory Buildings
 - a. 3m from the front boundary.
 - b. 1.5m from a side or rear boundary.
 - c. 20m for all yards adjacent to the Waikanae Stream MHWL.
2. Accessory Buildings
 - a. 1.5m from the front boundary.
 - b. 1.0m from a side or rear boundary.
 - c. 20m for all yards adjacent to the Waikanae Stream MHWL.

Provided that an accessory building or structure may be erected closer than the side or rear yard setback 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.

This standard does not apply to:

1. Eaves, porches, bay or box windows, steps and chimneys may occupy any part of a required setback provided they do not encroach by more than 0.6m of the relevant setback distance.
2. Ancillary garden structures up to 2.2m in height.
3. Above ground pools up to 1.5m in height

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4. Decks up to 1.0m in height.
5. **Add other exclusions**

GRZ-S4 Maximum building coverage

The maximum building coverage must not exceed 40% of the net site area.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX.**
2. The compatibility of the building with the planned character and amenity of the General Residential zone.
3. The bulk and form of the building and any effects on the streetscape amenity of the area.
4. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
5. The ability to mitigate adverse effects through on-site landscaping.
6. The ability to provide a reasonable level of outdoor living space on site.

GRZ-S5 Maximum impermeable surface area

The maximum impermeable surface area must not exceed 50% of the net site area.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX.**
2. Effects on the streetscape and planned character and amenity of the General Residential zone.
3. Effects from the increased impermeable surface area on stormwater runoff from the site, in particular on the capacity of the existing and planned stormwater network and natural hazard risk.
4. The extent to which on-site landscaping provides adequate mitigation of adverse stormwater runoff effects.
5. Effects on the quality, quantity, function and amenity values of any affected waterbody.
6. The suitability of any on-site methods or infrastructure for managing stormwater runoff.

GRZ-S6 Minimum landscaped permeable surface area

The minimum landscaped permeable surface area must be at least 30% of the net site area.

Matters of discretion:

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1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the streetscape and planned character of the General Residential zone.
3. The extent of the site covered by buildings and impermeable surfaces, in particular adverse effects from stormwater runoff and on neighbourhood amenity values.
4. The ability to provide a reasonable level of on-site amenity.

GRZ-S7 Outdoor living scape

A residential unit or supported residential care facility located at ground floor level must have an outdoor living space of at least 30m² provided that the outdoor living space:

1. has no dimension less than 3m;
2. is directly accessible from the residential unit;
3. is free of buildings, parking spaces, manoeuvring areas and service areas.

A residential unit or supported residential care facility located above ground floor level must have an outdoor living space in the form of a deck, balcony or roof terrace of at least 8m² provided that the outdoor living space:

1. has no dimension less than 1.8m; and
2. is directly accessible from the residential unit.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX**.
2. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
3. Effects on the streetscape and planned character and amenity of the General Residential zone.
4. The ability to provide a reasonable level of on-site amenity to occupants including privacy and sunlight access to the outdoor living space throughout the duration of the year.
5. The proximity of the site to accessible public open space.
6. The ability to mitigate adverse effects through design, screening or on-site landscaping.

GRZ-S8 Maximum fence and wall height

The maximum fence or wall height must not exceed 2m above ground level.

Matters of discretion:

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1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX.**
2. The location, design and external appearance of the fence or wall.
3. The compatibility of the fence or wall with the planned character of the General Residential zone.
4. The bulk and form of the fence or wall and any effects on the streetscape amenity of the area.
5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
6. The ability to mitigate adverse effects through design, screening or on-site landscaping.

GRZ-S9 Service area

An outdoor service area must be provided per residential unit as follows:

1. have a minimum area of 15m²;
2. be appropriately screened from adjoining sites and their outdoor living spaces; and
3. not be located within private outdoor living spaces.

This standard does not apply to sites containing only one residential unit.

Matters of discretion:

1. The relevant matters contained in the Design Guide – For Residential Development in Urban Areas contained in **Appendix XX.**
2. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
3. The ability to mitigate adverse effects through design, screening or on-site landscaping.
4. Effects on the streetscape and planned character and amenity of the General Residential zone.
5. The ability to provide a reasonable level of on-site amenity, including outdoor living space and practical space for necessary residential amenities.

MUZ – Mixed Use Zone

The Mixed Use zone in Te Tairāwhiti is located around the periphery Gisborne's City Centre zone along corridors of high accessibility to the public transport network, social infrastructure, and the city centre. It acts as a transition area between residential zones and the City Centre zone. The zone provides for a compatible mixture of commercial, light industrial, residential, recreational and/or community activities.

The commercial activities that are typically located in this zone include larger scale retail, drive-through restaurants, manufacturing/engineering services, and motor vehicle and machinery sales, servicing and repair. The nature of the activities found in the zone generally do not align with the City Centre zone because of the effects they generate or due to the site size needed to accommodate the activity.

New residential uses and conversions of existing non-residential buildings for residential use, where located above ground floor, can be established in the zone where appropriate. Good quality on-site residential amenity is required to the extent that is compatible within the Mixed Use zone. Development shall be designed and constructed in a manner that does not undermine the ongoing operation and development of the zone for a wide range of non-residential activities.

While such effects may be tolerable within the Mixed Use zone, they could undermine the amenity of zones nearby if not appropriately managed.

The zone is predominately characterised by medium rise and larger scale buildings with parking usually provided on-site.

The PREC1 – Amenity Precinct identifies an area of significant visual and cultural amenity values, with views of Te-Kuī-a-Pāoa (Young Nick's Head), Tīfirangi (Kaiti Hill), the Cook statue and potentially the Cook landing site across the harbour. The Amenity Precinct acts as an interface between the commercial centre of Gisborne and the natural environment including the Turanganui River which Ngāti Porou and Rongowhakaata have statutory acknowledgement over. The activities within the PREC1 – Amenity Precinct take advantage of the unique location. The precinct anticipates activities that fully utilise the cultural and heritage values.

The PREC2 – Business Precinct provides for a range of light industrial activities and commercial activities, with provision for some activities that support these activities and activities that are compatible with the adverse effects generated by light industrial activities (such as traffic, noise, odour, dust, fumes and smoke). The activities located in the PREC2 – Business Precinct are less compatible with sensitive activities. Lower standards of amenity are a characteristic in the PREC2 – Business Precinct and locating sensitive activities in the precinct can lead to reverse sensitivity effects.

Objectives

MUZ-O1 - Purpose of the Mixed Use zone

The Mixed Use zone is a commercial zone that provides for a wide range of activities that service both businesses and surrounding residential catchments.

MUZ-O2 - Mixed Use zone Character and Amenity

The Mixed Use zone is a diverse urban built environment where development reflects the mix of activities anticipated in the zone while integrating well with the surrounding area.

MUZ-O3 - Managing Use and Development

Use and development manage adverse effects on the environment, including on infrastructure and amenity values of adjoining sites in Residential Zones, and Open Space and Recreation Zones.

MUZ-O4 - PREC1 – Mixed Use Amenity Precinct

The PREC1 – Mixed Use Amenity Precinct anticipates activities which respond to the significant visual and cultural amenity values including views of Te Kūi-a-Pāoa (Young Nick's Head), Tīfirangi (Kaiti Hill), the Cook statue and potentially the Cook landing site.

MUZ-O5 - PREC2 – Mixed Use Business Precinct

The PREC2 – Mixed Use Business Precinct anticipates an area of established light industrial activities and commercial activities with economic value and inter-relationships.

Policies

MUZ-P1 - Compatible Activities

Enable a wide range of compatible commercial, recreational, residential, community and light industrial activities, while ensuring:

- a. the activity does not detract from the viability and vitality of the City Centre zone;
- b. the design, scale and intensity are appropriate to achieving the purpose of the zone; and
- c. there is adequate existing and planned infrastructure to service the activity.

MUZ-P2 - Mixed Use zone Character and Amenity

Require development in the Mixed Use zone to positively contribute towards achieving a diverse environment by ensuring:

- a. site layout, scale, intensity and building design provide for:
 - i. high quality streetscapes;
 - ii. pedestrian amenity;
 - iii. safe movement of people of all ages and abilities; and
 - iv. community well-being, health and safety; and
 - v. traffic, parking and access needs.
- b. development is designed and constructed in a manner that does not undermine the ongoing operation and development of the zone for a wide range of non-residential activities.

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- c. development takes into account the Urban Design Guide for Commercial Development in Urban Areas contained in Appendix H6; and
- d. residential units are functional and are of a sufficient size to meet the day-to-day needs of residents.

MUZ-P3 - Incompatible Activities

Restrict activities which are incompatible with the purpose of the Mixed Use zone or activities that will result in:

- a. significant adverse effects on the environment; or
- b. adverse effects on the planned character and amenity of the surrounding residential environment, which cannot be avoided, or appropriately remedied or mitigated; or
- c. adverse effects, on infrastructure networks including transport (including but not limited to, vehicle access, parking and pedestrian movement and safety), stormwater and public reticulated water supply which cannot be avoided or appropriately remedied or mitigated.

MUZ-P4 – Zone Interface

Locate and design buildings and activities to achieve a transition at the interface of the residential zones, and Open Space and Recreation zones by ensuring that:

- a. buildings are located and designed to minimise shading and privacy effects;
- b. buildings are of a bulk, height and form that minimises dominance effects;
- c. activities that generate noise and light overspill do not compromise the planned amenity of the relevant Residential, Open Space, or Recreation zones; and
- d. screening and landscaping minimise adverse visual effects.

MUZ-P5 - PREC1 – Mixed Use Amenity Precinct

Provide for development where it:

- a. recognises the significant visual and cultural amenity values of this location;
- b. promotes linkages between activities in the amenity precinct and the surrounding harbour, walkway, Poverty Bay and Tīfirangi (Kaiti Hill) environment; and
- c. enhances the relationship between the built form and the Turanganui River.
- d. avoids incompatible activities.

MUZ-P6 - PREC2 – Mixed Use Business Precinct

Provide for development where it:

- a. ensures light industrial activities and commercial activities are not compromised by sensitive activities; and
- b. recognises the area as having lower amenity values compared to the surrounding mixed use environment.

Rules

Note:

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1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.

Activity Rules

MUZ-R1 Residential activity

1. Activity status is **Permitted** for Mixed use zone and PREC1 – Mixed Use Amenity Precinct where:
 - a. Located above the ground floor unless located adjacent to a Residential zone, or Open space and Recreation zone; and
 - b. Compliance is achieved with:
 - i. MUZ-S4;
 - ii. MUZ-S5;
 - iii. MUZ-S6; and
 - iv. MUZ-S7;
2. Activity status is **Restricted discretionary** for Mixed use zone and PREC1 – Mixed Use Amenity Precinct where compliance with MUZ-R1(1) is not achieved.
Matters of Discretion:
 - a. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 - b. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 - c. The compatibility with existing activities nearby and other activities provided for in the Mixed Use zone.
 - d. The extent to which the activity enables or limits adaptability for future non-residential activity at ground floor level.
 - e. The matters in MUZ-P1 and MUZ-P2.
3. Activity status is **Discretionary** for PREC2 – Mixed Use Business Precinct where compliance with MUZ-R1(1) cannot be achieved.

MUZ-R2 Visitor accommodation

1. Activity status is **Permitted** for Mixed use zone and PREC1 – Mixed Use Amenity Precinct where:
 - a. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5;
2. Activity status is **Restricted discretionary** for Mixed use zone and PREC1 – Mixed Use Amenity Precinct where:

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- a. Compliance is not achieved with MUZ-R2(1).

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. The matters in MUZ-P1 and MUZ-P2.

3. Activity status is **Discretionary** for PREC2 – Mixed Use Business Precinct.

MUZ-R3 Community facility

1. Activity status is **Permitted** for Mixed Use zone where compliance is achieved with:

- i. MUZ-S4; and
- ii. MUZ-S5.

2. Activity status is **Permitted** for PREC1 – Mixed Use Amenity Precinct where:

- a. The gross floor area does not exceed 200m².
- b. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.

3. Activity status is **Restricted discretionary** for Mixed Use zone where compliance is not achieved with MUZ-R3(1).

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. The matters set out in Policy MUZ-P1 and MUZ-P2.
4. Activity status is **Restricted discretionary** for PREC1 – Mixed Use Amenity Precinct where compliance is not achieved with MUZ-R3(2).

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. The matters set out in Policy MUZ-P5.
5. Activity status is **Discretionary** for PREC2 – Mixed Use Business Precinct.

MUZ-R4 Commercial service activity

1. Activity status is **Permitted** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance with MUZ-R4(1) is not achieved.

Matters of Discretion:

 1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 3. The matters set out in Policy MUZ-P1 and MUZ-P2.
3. Activity status is **Discretionary** for PREC1 – Mixed Use Amenity Precinct.

MUZ-R5 Office

1. Activity status is **Permitted** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance with MUZ-R5(1) is not achieved.

Matters of Discretion:

 1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 3. The matters set out in Policy MUZ-P1 and MUZ-P2.
3. Activity status is **Discretionary** for PREC1 – Mixed Use Amenity Precinct.

MUZ-R6 Entertainment facility

1. Activity status is **Permitted** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Permitted** for PREC1 – Mixed Use Amenity Precinct where:
 - a. The gross floor area does not exceed 200m².
 - b. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
3. Activity status is **Restricted discretionary** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where compliance is not achieved with:
 - i. MUZ-R6(1); and
 - ii. MUZ-R6(2)(b).

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 3. The matters set out in Policy MUZ-P1 and MUZ-P2.
4. Activity status is **Discretionary** for PREC1 – Mixed Use Amenity Precinct where compliance is not achieved with MUZ-R6(2)(a).

MUZ-R7 Educational facility

1. Activity status is **Permitted** for Mixed Use zone where compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Permitted** for PREC2 – Mixed Use Business Precinct where:
 - a. The education facility has a maximum of 20 pupils
 - b. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.

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3. Activity status is **Restricted discretionary** for Mixed Use zone where compliance is not achieved with:

- i. MUZ-R7(1); and
- ii. MUZ-R7(2)(b).

Matters of Discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 3. The matters in MUZ-P1 and MUZ-P2.
4. Activity status is **Discretionary** for PREC1 – Mixed Use Amenity Precinct.
 5. Activity status is **Discretionary** for PREC2 – Mixed Use Business Precinct where compliance is not achieved with MUZ-R7(2)(a).

MUZ-R8 Healthcare activity

1. Activity status is **Permitted** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance with MUZ-R8(1) is not achieved.

Matters of Discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 3. The matters in MUZ-P1 and MUZ-P2.
3. Activity status is **Non-complying** for Prec1 – Mixed Use Amenity Precinct.

MUZ-R9 Food and beverage activity

1. Activity status is **Permitted** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Permitted** for PREC1 – Mixed Use Amenity Precinct where:

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- a. The activity is a restaurant or cafe.
 - b. compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
3. Activity status is **Restricted discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance is not achieved with:
- i. MUZ-R9(1); or
 - ii. MUZ-R9(2)(b).

Matters of Discretion:

- 1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 - 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 - 3. The matters in MUZ-P1 and MUZ-P2.
4. Activity status is **Discretionary** for PREC1 – Mixed Use Amenity Precinct where compliance with MUZ-R9(2)(a) cannot be achieved.

MUZ-R10 Supermarket

1. Activity status is **Permitted** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where:
- a. The gross floor area does not exceed 5,000m².
 - b. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance is not achieved with MUZ-R10(1).

Matters of Discretion:

- 1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 - 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 - 3. The matters in MUZ-P1 and MUZ-P2.
3. Activity status is **Non-complying** for PREC1 – Mixed Use Amenity Precinct.

MUZ-R11 Temporary activity

1. Activity status is **Permitted** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where:
 - a. The duration of the activity (excluding temporary military training activity) shall be a minimum of four days including set-up and dismantling time.
 - b. The activity is not undertaken more than once over a 60 day period on the same site.
 - c. The hours of operation of the activity are between 7am – 10pm where the site is located adjacent to a residential zone
 - d. Temporary activities are excluded from the Mixed Use zone standards.
2. Activity status is **Restricted discretionary** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is not achieved with MUZ-R11(1).

Matters of discretion:

1. The effect of the activity on the safe and efficient operation of the transport network including on parking and access, traffic generation and the safety of other road users.
2. The effect of the scale, location and hours of duration of the activity on the amenity of surrounding properties in particular noise, privacy and lighting effects.

MUZ-R12 Drive through restaurant

1. Activity status is **Permitted** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where:
 - a. The activity does not adjoin a site zoned residential.
 - b. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance is not achieved with MUZ-R12(1).

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. Effects on the safe, effective, and efficient functioning of the transport network, site access, parking, servicing, and traffic generation, including safety for pedestrians, cyclists, and other road users.

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4. Whether the use is in an appropriate location and of an appropriate intensity and scale.
 5. Any alternative locations and methods considered to avoid, remedy and mitigate any adverse effects, while recognising practical constraints and any benefits generated by the activity.
 6. The extent to which the activity has an effect on the amenity of the nearby residential zones and on established residential activities or sensitive activities.
 7. The hours of operation.
 8. The extent to which the layout, building design and access mitigate adverse effects on the existing streetscape.
 9. The matters in:
 - a. MUZ-P1;
 - b. MUZ-P2; and
 - c. MUZ-P4.
3. Activity status is **Non-complying** for PREC1 – Mixed Use Amenity Precinct.

MUZ-R13 Service Station

1. Activity status is **Permitted** for PREC2 – Mixed Use Business Precinct where:
 - a. The activity does not adjoin a site zoned residential.
 - b. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is not achieved with MUZ-R13(1)(b).

Matters of discretion:

 1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 3. The matters in:
 - a. MUZ-P1;
 - b. MUZ-P2; and
 - c. MUZ-P4.
3. Activity status is **Restricted discretionary** for Mixed Use zone where:
 - a. The activity does not adjoin a site zoned residential.

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b. Compliance is achieved with:

- i. MUZ-S4; and
- ii. MUZ-S5.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
2. Effects on the safe, effective, and efficient functioning of the transport network, site access, parking, servicing, and traffic generation, including safety for pedestrians, cyclists, and other road users.
3. Whether the use is in an appropriate location and of an appropriate intensity and scale.
4. Any alternative locations and methods considered to avoid, remedy and mitigate any adverse effects, while recognising practical constraints and any benefits generated by the activity.
5. The extent to which the activity has an effect on the amenity of the nearby residential zones and on established residential activities or sensitive activities.
6. The hours of operation.
7. The extent to which the layout, building design and access mitigate adverse effects on the existing streetscape.
8. The matters in:
 - a. MUZ-P1
 - b. MUZ-P2
 - c. MUZ-P4
4. Activity status is **Discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where compliance is not achieved with:
 - a. MUZ-R13(1)(a); or
 - b. MUZ-R13(3).
5. Activity status is **Non-complying** for PREC1 – Mixed Use Amenity Precinct.

MUZ-R14 Light industrial activity

1. Activity status is **Permitted** for PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for PREC2 – Mixed Use Business Precinct where Compliance is not achieved with MUZ-R14(1).

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Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. The matters in:
 - a. MUZ-P1;
 - b. MUZ-P2;
 - c. MUZ-P3; and
 - d. MUZ-P6.
3. Activity status is **Discretionary** for Mixed Use zone.
4. Activity status is **Non-complying** for PREC1 – Mixed Use Amenity Precinct.

MUZ-R15 Trade supplier activity

1. Activity status is **Permitted** for PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.
2. Activity status is **Restricted discretionary** for PREC2 – Mixed Use Business Precinct where Compliance is not achieved with MUZ-R15(1).

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. The matters in:
 - e. MUZ-P1;
 - f. MUZ-P2;
 - g. MUZ-P3; and
 - h. MUZ-P6.
3. Activity status is **Discretionary** for Mixed Use zone.
4. Activity status is **Non-complying** for PREC1 – Mixed Use Amenity Precinct.

MUZ-R16 Alterations, additions or repairs to existing buildings

1. Activity status is **Permitted** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is achieved with:
 - i. MUZ-S1;
 - ii. MUZ-S2;
 - iii. MUZ-S3
 - iv. MUZ-S4;
 - v. MUZ-S5;
 - vi. MUZ-S6; and
 - vii. MUZ-S7.
2. Activity status is **Restricted discretionary** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where Compliance is not achieved with MUZ-R17(1).

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. Financial Contributions.
4. Matters in:
 - a. MUZ-P1;
 - b. MUZ-P2;
 - c. MUZ-P3;
 - d. MUZ-P4;
 - e. MUZ-P5; and
 - f. MUZ-P6.

MUZ-R17 Demolition and removal of a building or structure

1. Activity status is **Permitted** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where the activity is required for the purposes of constructing a new building or structure, or for an addition or alteration to a building or structure.
2. Activity status is **Discretionary** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where compliance is not achieved with MUZ-R18(1).

MUZ-R18 Retail activity

1. Activity status is **Controlled** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where:

- a. The gross floor area exceeds 500m² and has a maximum gross floor area of 5000m².
- b. The activity is the only retail activity or operation located on the site.
- c. Compliance is achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.

Matters of control are limited to:

1. External design, appearance and orientation of all buildings and parking areas.
2. Traffic management.
3. Amenity values.

2. Activity status is **Restricted discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where:

- a. Compliance is not achieved with:
 - i. MUZ-S4; and
 - ii. MUZ-S5.

Matters of discretion:

1. The effects of non-compliance with any relevant standard and any relevant matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
3. Matters in MUZ-P1 and MUZ-P2.

3. Activity status is **Discretionary** for Mixed Use zone and PREC2 – Mixed Use Business Precinct where:

- a. The gross floor area exceeds 5000m² and has a maximum gross floor area of 8000m².

4. Activity status is **Discretionary** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where:

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- a. The gross floor area is less than 500m².
- 5. Activity status is **Non-complying** for PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where:
 - a. Compliance is not achieved with:
 - i. MUZ-R18(2);
 - ii. MUZ-R18(3); or
 - iii. MUZ-R18(4).

MUZ-R19 Construction of new building

- 1. Activity status is **Restricted discretionary** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where:
 - a. The gross floor area of any building does not exceed 2,000m² in the PREC1 – Amenity Precinct.
 - b. Compliance is achieved with:
 - i. MUZ-S4;
 - ii. MUZ-S5;
 - iii. MUZ-S6; and
 - iv. MUZ-S7.

Matters of discretion:

- 1. The effects of any non-compliance with any relevant standard or relevant matters of discretion.
 - 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
 - 3. The effect of the activity on the safe and efficient operation of the transport network including on parking and access, traffic generation and the safety of other road users.
 - 4. The extent to which the intensity and scale of the activity may adversely impact on the planned character and amenity of the Mixed Use zone.
 - 5. The extent to which the intensity and scale of the activity may adversely impact on the local streetscape.
 - 6. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
 - 7. The capacity of existing and planned infrastructure to service the activity.
 - 8. Financial contributions
- 2. Activity status is **Discretionary** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct where:

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- a. The activity exceeds 2000m² in the PREC1- Amenity Precinct.
- b. Compliance is not achieved with:
 - i. MUZ-S1;
 - ii. MUZ-S2; and
 - iii. MUZ-S3.

MUZ-R20 Industrial activity other than light industrial activity

1. Activity status is **Non-complying** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct.

MUZ-R21 Any activity not otherwise listed in this chapter

1. Activity status is **Non-complying** for Mixed Use zone, PREC1 – Mixed Use Amenity Precinct and PREC2 – Mixed Use Business Precinct.

Standards

MUZ-S1 Height

The building or structure, or extension or alteration to an existing building must not exceed a maximum height of 12m above ground level.

This standard does not apply to:

- Poles, streetlights or aerials and dish antennas and their supporting structures

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
2. The location, design, and appearance of the building or structure.
3. Effects on streetscape and amenity values of nearby properties, including visual dominance, shading, and loss of privacy for adjacent sites.
4. Bulk and dominance of the building or structure.
5. Compatibility with the anticipated scale, proportion, and context of buildings and activities in the surrounding area.
6. Whether an increase in building height results from site constraints or a response to natural hazard mitigation.

MUZ-S2 Height in relation to boundary

The building or structure, or extension or alteration to an existing building must be contained beneath a line of 60° measured into the site from any point 4m vertically above ground level along any site boundary.

This standard does not apply to:

- Poles, streetlights or aerials and dish antennas and their supporting structures.

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Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
2. The location, design, and appearance of the building or structure.
3. Effects on streetscape and amenity values of nearby properties, including visual dominance, shading, and loss of privacy for adjacent sites.
4. Bulk and dominance of the building or structure.
5. Compatibility with the anticipated scale, proportion, and context of buildings and activities in the surrounding area.
6. Whether an increase in building height results from site constraints or a response to natural hazard mitigation.
7. Whether topographical or other site constraints make compliance with the standard impractical.

MUZ-S3 Setback

The building or structure, or extension or alteration to an existing building or structure, must be setback at least:

- a. From a boundary or road boundary that adjoins a site zoned Mixed Use or City Centre: 0m
- b. From a boundary or road boundary that adjoins any other zone: 3m
- c. From the mean high water spring: 20m

This standard does not apply to:

- fences or walls no more than 2m in height.
- uncovered decks no more than 1m above ground level.
- eaves (up to 600mm) of any roof, balcony, gutter or downpipe.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
2. The location, design, and appearance of the building or structure.
3. Effects on streetscape and the character of the area.
4. Effects on the amenity values of adjacent sites, including visual dominance or loss of outlook or privacy.
5. The ability to mitigate the adverse effect through the use of screening, planting, and alternative design and/or location.
6. Any benefits, including the extent to which the reduced setback will result in a more efficient, practical, and/or better use of the balance of the site.
7. Whether there are topographical or other site constraints that make compliance with the permitted standard impractical.
8. For the mean high water spring setbacks, the effects on the values of the waterbody.

MUZ-S4 Landscaping at the Residential and Open Space interface

Any side boundary of a site that adjoins a site zoned either Residential or Open Space must:

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- a. be fenced with a solid fence or wall of a height of 2m; or
- b. be planted or landscaped with plants or trees of a minimum height of 1m at installation which will achieve a continuous screen of 2m in height within five years; or
- c. be screened with a combination of (a) and (b) above located between the building and those boundaries which adjoin a Residential or Open Space zone.

Matters of discretion:

- 1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
- 2. The adverse effects of reduced, alternative or no screening on the outlook and amenity of adjoining sites in a residential zone.
- 3. The scale of the building and its distance from the boundary with a residential zone.
- 4. The ability of existing vegetation and topography on the site or adjoining sites to mitigate any adverse visual effects of reduced, alternative or no screening on the adjoining sites in a residential zone.
- 5. The ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods.
- 6. The design, layout and use of the site which may compensate for reduced, alternative or no screening.

MUZ-S5 Outdoor storage

Outdoor storage or rubbish collection areas must be fully screened from the road and public places with a fence that is 1.8m in height or landscaping where they are visible from any:

- a. Public road;
- b. Other public space; or
- c. Directly adjoining Medium Density Residential zone, General Residential zone, Sport and Active Recreation zone, Open Space zone, Natural Open Space zone.

Matters of discretion:

- 1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
- 2. The extent to which landscaping is able to effectively screen the activity.
- 3. The visual impact of the activity on the streetscape and surrounding environment.
- 4. The overall landscaping provided on the site.

MUZ-S6 Outdoor living space for residential units

A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that:

- a. Where located at ground level, has no dimension less than 3m; and
- b. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and
- c. Is accessible from the residential unit; and
- d. May be—

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- i. Grouped cumulatively by area in 1 communally accessible location; or
- ii. Located directly adjacent to the unit; and
- iii. Is free of buildings, parking spaces, and servicing and manoeuvring areas.

A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:

- a. Is at least 8m² and has a minimum dimension of 1.8m; and
- b. Is accessible from the residential unit; and
- c. May be—
 - i. Grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
- d. Located directly adjacent to the unit

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
2. Whether adequate useable space is provided on-site to accommodate outdoor activities relative to the number of occupants the space is designed for.
3. Whether there are topographical or other site constraints that make compliance with the standard impractical.
4. Proximity of the residential unit to accessible public open space.

MUZ-S7 Minimum residential unit size

Residential units must have a minimum net internal floor area as follows:

- a. 30m² for studio units; or
- b. 45m² for one or more bedroom units.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas.
2. The design of the proposed unit provides a good standard of amenity.
3. The effect of the reduced size of the residential unit on its functionality.
4. Whether outdoor living areas or balconies are proposed and to what extent.
5. The proximity of the development to public open spaces or recreation opportunities.

CCZ – City Centre Zone

Gisborne's City Centre is the commercial heart and principal centre servicing the district and Tairāwhiti region. The City Centre is the top of the centres hierarchy and provides for the most intense scale and form of development. This includes a wide range of activities including retail, commercial services, entertainment, and residential activities while also serving as a key destination for visitors.

The zone is applied to the area bounded by Derby Street, Palmerston Road, Reads Quay and Childers Road and is contained by the physical boundaries of the Turanganui and Taruheru Rivers and the Mixed Use zone to the north, north-east and west.

The core pedestrian area of the City Centre provides for a mix of boutique and small-scale shops, professional offices and services, and places for entertainment and hospitality. Consideration is given to how key pedestrian streets are developed while active frontages are required to encourage activities to interact with the street.

Residential activities are predominately located above ground floor level and are encouraged to provide different housing choices and support the vibrancy, safety, and economic sustainability of the City Centre.

The zone manages the bulk and form of development to ensure development is integrated with the planned built form and contributes to a quality built environment. Development is encouraged to take into account the Urban Design Guide for Commercial Development in Urban Areas which provides best practice guidance to achieve a high standard of development in the City Centre zone. Activities which are not compatible with the amenity and character, alongside the function and role of the City Centre are discouraged from locating within the zone.

Development also maintains and enhances the physical and visual connections between the City Centre and the coast, in particular the Turanganui and Taruheru Rivers.

Objectives

CCZ-O1 Purpose of City Centre Zone

The city centre is the principal commercial, service and hospitality centre in the district and the Tairāwhiti region.

CCZ-O2 - Form of the City Centre

The City Centre is an attractive, safe and vibrant place to live, work, play, and visit, and is the primary location for retail, commercial services, food and beverage, entertainment, and inner-city residential activities while also serving as a key destination for visitors.

CCZ-O3 - A Compact City Centre

A compact City Centre that:

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- a. provides for the most intense scale and form of development in the district and region;
- b. is attractive, safe and accessible for people and communities to work, live, play, and visit;
- c. provides for a mix of boutique and small-scale shops, professional offices and services, and places for entertainment and hospitality in the core pedestrian area of the City Centre;
- d. provides for residential activity that contributes to the vibrancy and safety of the City Centre

CCZ-O4 - Residential activities in the City Centre

Residential activities are part of mixed-use development in the City Centre and:

- a. are predominately located above ground floor level;
- b. provide different housing choices; and
- c. support the vibrancy, safety, and economic sustainability of the City Centre.

CCZ-O5 - Sense of place and identity

Activities and development in the City Centre:

- a. value our heritage, cultural connections, narratives and taonga;
- b. recognise and enhance those characteristics, features and areas within the City Centre that contribute positively to the City's and region's distinctive identity, built form and sense of place; and
- c. maintain and where possible enhance the physical and visual connections between the city centre and the water ways/te taiao, in particular the Turanganui and Taruheru Rivers.

CCZ-O6 - High quality urban/built environment

Use and development in the city centre contributes to:

- a. a high quality built environment;
- b. a high quality public environment, particularly;
 - i. those buildings fronting Gladstone Road and Reads Quay; and
 - ii. a high level of on-site and street landscape design.
- c. A continuous street façade, which is a focus for pedestrian activity; and
- d. A vibrant retail area with a high-quality pedestrian experience.

CCZ-O7 - Avoid Incompatible Activities

The role and function of the city centre is not compromised by incompatible activities or built form.

Policies

CCZ-P1 - Activities in the city centre

Enhance the vibrancy, economic performance, sense of place and amenity of the City Centre for residents of Tairāwhiti and visitors by:

1. Providing for residential activities, tourism activities, smaller scale retail activities, offices, restaurants, cafes, bars and entertainment facilities.
2. Providing for activities that maintain or enhance cultural and historic heritage values, cultural connections, narratives and taonga or that;
3. Maintaining and, where possible, enhancing the physical and visual connections between the city centre, the water ways and, te taiao, in particular the Turanganui and Taruheru Rivers;
4. Avoiding rural production activities and industrial activities (except for small scale artisan industrial activities).
5. Ensure that residential, and other sensitive activities, do not compromise the viability of the activities that contribute to the attractiveness and vibrancy of the City Centre.

CCZ-P2 – City Centre Character and Amenity

Require new development to positively contribute to achieving a compact built form and an attractive, safe, vibrant and accessible place to live, work, play, and visit by:

1. Managing the nature, scale, and design of activities to ensure that:
 - a. A continuous active frontage is maintained and enhanced at ground floor level, including verandas.
 - b. Activities and building design are complementary to the City Centre context, which includes, but is not limited to:
 - i. a compact rectangular street grid with small block sizes;
 - ii. the most intensive height and form towards the southern end of Gladstone Road;
 - iii. a concentration of Victorian and Edwardian style buildings towards the southern end of Gladstone Road; and
 - iv. maintaining views from Gladstone Road to surrounding natural features and landscapes through the use of viewshafts.
2. Demonstrating activities and buildings will be adequately serviced by existing and planned infrastructure.
3. Supporting the adaptive reuse of existing buildings.
4. Taking into account the Urban Design Guide for Commercial Development in Urban Areas contained in Appendix H6;

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5. Locating storage and service areas within or to the rear of buildings;
6. providing residential units that are functional and of a sufficient size to meet the day-to-day needs of residents.

CCZ-P3 - Pedestrian Experience

Recognise the City Centre as a vibrant retail, business and entertainment area with a high-quality pedestrian experience by:

1. encouraging high-intensity pedestrian focused activities including retail, food and beverage, and entertainment, in particular along Gladstone Road;
2. encouraging pedestrian linkages through built development; and
3. encouraging activities to utilise public places as part of their operations including for events and alfresco dining.

CCZ-P4 - Active Street Frontages

Require development on sites located in the continuous street façade identified on the planning maps, to provide an active frontage through:

1. orientating buildings towards the front boundary or boundaries of a site; Road;
2. providing a verandah;
3. providing transparent glazing on the ground floor to allow visibility into and out of the frontages;
4. providing an obvious public entrance; and
5. ensuring that pedestrians can move safely and efficiently along the street and within public spaces.

CCZ-P5 - Residential Activity

Enable residential activities by encouraging residential units above ground floor, or behind a commercial activity on the ground floor, while making it clear that there will be a reduced level of residential amenity within the City Centre due to a mix of uses and late night activities.

CCZ-P6 – Medium and High Density Residential Development

Enable medium and high density housing developments in the City Centre that will contribute to a vibrant, mixed use environment.

CCZ-P7 – On-site Residential Amenity

To maintain and enhance on-site residential amenity by requiring residential units to:

1. Provide sufficient internal space, outdoor living courts and noise insulation; and
2. Be designed and constructed in a manner which is sensitive to and is compatible with surrounding active frontages where the residential units are provided at ground floor.

CCZ-P8 – Total or Partial Demolition of a Structure

Ensure that the total or partial demolition of structures does not result in vacant land or inactive frontages along identified continuous street façade streets, unless:

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1. the demolition is necessary to prevent serious threat to property, people or services; and
2. streetscape amenity will be maintained by providing opportunities for social interaction and/or vegetation and landscaping on the land until a replacement structure is constructed.

CCZ-P9 – New Structures or Alterations and Additions to Existing Structures

Require structures, or additions and alterations to the exterior of structures, to be compatible with the planned character and amenity of the relevant area by:

1. providing clearly visible and accessible entranceways and connections to pedestrian networks, including safe and practicable access for people with limited mobility;
2. locating utilities and service areas so they are not visible from public areas and are screened or incorporated into the overall structure form;
3. having regard to any expert cultural advice provided by tangata whenua on incorporating mātauranga Māori into the design and construction of the structure and, where appropriate, art works or unique and recognisable features that reflect cultural, spiritual or historic values of importance to tangata whenua;
4. maintaining similarity of frontage alignment, height and overall bulk, form and scale for structures adjoining a heritage building; and
5. providing residential units that are functional and of a sufficient size for the day to day needs of residents.

CCZ-P10 – Turanganui and Taruheru Rivers

Maintain and enhance the relationship between Gladstone Road and the Turanganui River and the Taruheru River through the development of pedestrian, cycle, and visual connections.

Rules

Note:

1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.
2. All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy, C11.2 – Noise and Vibration, C11.3 Lighting and Glare and C11.4 Radiofrequency.

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3. *Unless stated otherwise, if the standards are not achieved, a restricted discretionary rule infringement consent is required. The matters of discretion for that infringement are set out in the standards.*

Activity Rules

CCZ-R1 Retail activities

1. Activity status is **Permitted** where:

- a. The gross floor area of the retail activity does not exceed 300m²;
- b. The activity contains one or more tenancies; and
- c. Compliance is achieved with CCZ-S4

2. Activity status is **Controlled** where:

- a. The gross floor area of the retail activity is between 300m² and 5,000m²;
- b. The activity contains one or more tenancies; and
- c. Compliance is achieved with CCZ-S4.

Matters of Control:

1. Amenity values.
2. Human health and comfort.
3. Financial contributions.
4. Parking, loading and traffic management.
5. Safety, design and appearance.
6. Continuous street façade and pedestrian frontage.

3. Activity status is **Restricted Discretionary** where compliance is not achieved with CCZ-R1(1)(b), CCZ-R1(1)(c), CCZ-R1(2)(b) or CCZ-R1(2)(c).

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in **Appendix H6**.
3. The matters set out in:

1. CCZ-P1
2. CCZ-P2
3. CCZ-P3

4. Activity status is **Non-complying** where compliance is not achieved with CCZ-R1(1)(a) or CCZ-R1(2)(a).

CCZ-R2 Commercial services

1. Activity status is **Permitted** where compliance is achieved with CCZ-S4.
2. Activity status is **Restricted discretionary** where compliance is not achieved with CCZ-R2(1).

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Commercial Development in Urban Areas contained in **Appendix H**.
3. The matters set out in CCZ-P1 and CCZ-P2.

CCZ-R3 Entertainment facility

1. Activity status is **Permitted** where:
2. Activity status is **Restricted discretionary** where compliance is not achieved with CCZ-R3(1).

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Commercial Development in Urban Areas contained in **Appendix H**.
3. The matters set out in CCZ-P1 and CCZ-P2.

CCZ-R4 Food and beverage activities

1. Activity status is **Permitted** where:
2. Activity status is **Restricted discretionary** where compliance is not achieved with CCZ-R4(1).

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Commercial Development in Urban Areas contained in **Appendix H**.
3. The matters set out in CCZ-P1 and CCZ-P2.

CCZ-R5 Community facility

1. Activity status is **Permitted** where:
2. Activity status is **Restricted discretionary** where compliance is not achieved with CCZ-R5(1).

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.

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2. The relevant matters contained in the Design Guide – For Commercial Development in Urban Areas contained in **Appendix H**.
3. The matters set out in CCZ-P1 and CCZ-P2.

CCZ-R6 Healthcare activities

1. Activity status is **Permitted** where:
2. Activity status is **Restricted discretionary** where compliance is not achieved with CCZ-R6(1).

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Commercial Development in Urban Areas contained in **Appendix H**.
3. The matters set out in CCZ-P1 and CCZ-P2.

CCZ-R7 Residential activities

1. Activity status is **Permitted** where:
 - a. Located above ground floor level; or
 - b. At ground floor level and located a minimum of 10m from any boundary adjoining the road; and
 - c. Compliance is achieved with:
 - i. CCZ-S3;
 - ii. CCZ-S4; and
 - iii. CCZ-S6;

2. Activity status is **Restricted discretionary** where compliance with CCZ-R7(1)(c).

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Design Guide – For Commercial Development in Urban Areas contained in **Appendix H**.
3. The matters set out in CCZ-P1 and CCZ-P2.

3. Activity status is **Non-complying** where compliance with CCZ-R7(1)(a) or CCZ-R7(1)(b) is not achieved.

CCZ-R8 Visitor accommodation

1. Activity status is **Permitted** where:
 - a. All habitable rooms are located above ground floor level; or
 - b. At ground floor level all habitable rooms are located a minimum of 10m from any boundary adjoining the road; and

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- c. Compliance is achieved with CCZ-S4.
2. Activity status is **Restricted discretionary** where compliance with CCZ-R8(1)(c).
Matters of Discretion:
 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Design Guide – For Commercial Development in Urban Areas contained in **Appendix H**.
 3. Activity status is **Non-complying** where compliance with CCZ-R8(1)(a) or CCZ-R8(1)(b) is not achieved.

CCZ-R9 Educational facility (excluding childcare, primary and secondary educational facilities)

1. Activity status is **Permitted** where:
 - a. Located above ground floor level; and
 - b. Compliance is achieved with CCZ-S4.
2. Activity status is **Restricted discretionary** where compliance with CCZ-R9(1)(b) is not achieved.
Matters of Discretion:
 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
 3. The matters set out in CCZ-P1 and CCZ-P2.
3. Activity status is **Discretionary** where compliance with CCZ-R9(1)(a) is not achieved.

CCZ-R10 Temporary activities

1. Activity status is **Permitted** where:
 - a. The duration of the activity (excluding military training activities) does not exceed four days including any set-up or dismantling of equipment required;
 - b. The activity is not undertaken more than once over a 60 day period on the same site;
 - c. The hours of operation of the activity are between 7am – 10pm where the site is located adjacent to a residential zone; and
 - d. Temporary activities are excluded from the City Centre zone standards.
2. Activity status is **Restricted discretionary** where compliance with CCZ-R10(1) is not achieved.

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Matters of Discretion:

1. The effect of the activity on the safe and efficient operation of the transport network including on parking and access, traffic generation and the safety of other road users.
2. The effect of the scale, location and hours of duration of the activity on the amenity of surrounding properties in particular noise, privacy and lighting effects.

CCZ-R11 Addition to, or alteration of existing buildings

1. Activity status is **Permitted** where compliance is achieved with:

1. CCZ-S1;
2. CCZ-S2;
3. CCZ-S3;
4. CCZ-S4;
5. CCZ-S5; and
6. CCZ-S6.

2. Activity status is **Restricted discretionary** where compliance with CCZ-R11(1) is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
3. Whether the structure's height, bulk, form and scale is appropriate to the surrounding context.
4. The design and appearance of the structure, including;
 - a. effects on the existing and future amenity values of public spaces;
 - b. the contribution that the structure makes to the attractiveness, pleasantness, and enclosure of any public space.
 - c. any measures adopted to manage the adverse visual effects of any blank wall along the frontage of any adjoining public space.
5. The effectiveness of screening of car parking and service areas from the view of people using any adjoining public space.
6. The need to ensure an appropriate level of natural light, privacy, outlook and ventilation for any habitable spaces.
7. Financial contributions.
8. The matters set out in:
 - i. CCZ-P2
 - ii. CCZ-P3
 - iii. CCZ-P4

iv. CCZ-P7

3. Activity status is **Discretionary** where compliance with CCZ-S1 or CCZ-S5 is not achieved.

CCZ-R12 Demolition and removal of buildings and structures

1. Activity status is **Permitted** where:
 - a. The activity does not result in vacant land, open space or parking areas on sites that are within continuous street façade as identified on the planning maps.
 - b. The activity is required for the purposes of constructing a new building or structure, or for an addition or alteration to a building or structure.
2. Activity status is **Discretionary** where compliance with CCZ-R12(1) is not achieved.

GCCZ-R13 Artisan Industrial Activities

1. Activity status is **Permitted** where:
 - a. The gross floor area of the Artisan Industrial activity does not exceed 300m²;
 - b. The activity contains one or more tenancies; and
 - c. Compliance is achieved with CCZ-S4.
2. Activity status is **Discretionary** where compliance with CCZ-R13(1) is not achieved.

CCZ-R14 Construction of new buildings

1. Activity status is **Restricted discretionary**.
Matters of Discretion:
 1. The effect of non-compliance with any relevant standard and the matters of discretion of any standard that is not met.
 2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
 3. The effect of the activity on the safe and efficient operation of the transport network including on parking and access, traffic generation and the safety of other road users.
 4. The extent to which the intensity, scale, location, form and external design and appearance of the activity is compatible with the planned character and amenity of the City Centre zone.
 5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
 6. The capacity of existing and planned infrastructure to service the activity.
 7. The extent to which the activity maintains views to surrounding Open Space zones, the Turanganui and Taruheru Rivers, and the Maunga.

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8. The extent to which the activity maintains the continuous street façade as identified on the planning maps.
2. Activity status is **Discretionary** where compliance with CCZ-S1; or CCZ-S5 is not achieved.

CCZ-R15 Supermarkets

1. Activity status is **Restricted discretionary**.

Matters of Discretion:

1. The effect of non-compliance with any relevant standard and the matters of discretion of any standard that is not met.
2. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
3. The effect of the activity on the safe and efficient operation of the transport network including on parking and access, traffic generation and the safety of other road users.
4. The extent to which the intensity, scale, location, form and external design and appearance of the activity is compatible with the planned character and residential amenity of the City Centre zone.
5. Effects on the amenity values of adjoining sites including visual dominance, privacy and shading effects.
6. The capacity of existing and planned infrastructure to service the activity.
7. The extent to which the activity maintains views to surrounding Open Space zones, the Turanganui and Taruheru Rivers, and the Maunga.
8. The extent to which the activity maintains the continuous street façade as identified on the planning maps.

CCZ-R16 Trade supplier activity

1. Activity status is **Discretionary**.

CCZ-R17 Commercial parking buildings and parking areas

1. Activity status is **Discretionary**.

CCZ-R18 Recycling depot

1. Activity status is **Non-complying**.

CCZ-R19 Industrial activities

1. Activity status is **Non-complying**.

CCZ-R20 Any activity not otherwise listed in this chapter

1. Activity status is **Discretionary**.

Standards

CCZ-S1 Minimum and Maximum height

1. The minimum height of a building is 8m above ground floor level.
2. The maximum height of a building is 14m above ground floor level.

This standard does not apply to poles, streetlights, aerials, dish antennas and their supporting structures.

Matters of discretion:

There are no matters of discretion.

CCZ-S2 Continuous street façade

All buildings located in the continuous street façade identified on the planning maps must:

1. provide a verandah that:
 - a. is at least 2.9m above the footpath;
 - b. extends for the full length of the frontage of the site;
 - c. provides continuous shelter with any adjoining verandah;
 - d. is cantilevered off the building to which it is associated and not supported by posts at the kerb line if it is located in the legal road reserve;
 - e. covers the full width of the footpath less 500mm (excluding sites identified in Appendix H9 Verandah Requirements);
 - f. For all buildings on sites identified in Appendix H9 Verandah Requirements, the verandah must cover the width distance specified in Appendix H9;
2. provide display windows fronting the street (at least 75% of the ground floor street frontage shall have clear, glazed window display space)
3. provide the principal public entrance to the building from the road boundary.
4. Not have roller doors (except security grilles which allow views from the street into the premises) along site frontage.

Note: For the purpose of this Rule, clear, glazed window display space means that the internal shop area remains clearly visible and not obscured by glass treatments or signage.

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Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
2. The compatibility of the building with the planned character and amenity of the City Centre zone.
3. The effect on the continuity of the continuous street façade on the visual and amenity values of the streetscape.
4. Any alternative design methods which provide protection from the weather and positively contribute to the visual and amenity values of the streetscape.
5. Any effects on pedestrian safety, movement and accessibility along streets within the continuous street façade.
6. The matters set out in CCZ-P4 and CCZ-P5.

CCZ-S3 Minimum residential unit size

A residential unit must have a minimum net internal floor area as follows:

1. 30m² for studio units; or
2. 45m² for one or more bedrooms.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
2. The ability to provide a reasonable level of on-site amenity to occupants, including a reasonable level of privacy, outlook, outdoor living space, and practical space for necessary residential amenities.
3. The proximity of the site to accessible public open space.

CCZ-S4 Outdoor storage and service areas

Outdoor storage and service areas must be fully screened from adjoining roads and public places as follows:

1. be located to the rear of the building; or
2. be fully screened by a 1.5m fence or landscaping.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H.
2. The ability to mitigate adverse effects through design, screening or on-site landscaping.
3. Effects on the streetscape and planned character and amenity of the City Centre zone.

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4. Effects on the amenity values of adjoining sites including visual dominance and privacy.

CCZ-S5 Minimum setbacks

All buildings located on sites in the continuous street façade identified on the planning maps must maintain a continuous building edge across the total width of the site.

Matters of discretion:

There are no matters of discretion.

CCZ-S6 Outdoor living scape

1. A residential units at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that:
 - a. Where located at ground level, has no dimension less than 3m; and
 - b. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and
 - c. Is accessible from the residential unit; and
 - d. May be—
 - i. Grouped cumulatively by area in 1 communally accessible location; or
 - ii. Located directly adjacent to the unit; and
 - iii. Is free of buildings, parking spaces, and servicing and manoeuvring areas.
2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - a. Is at least 8m² and has a minimum dimension of 1.8m;
 - b. Is accessible from the residential unit; and
 - c. May be—
 - i. Grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - ii. Located directly adjacent to the unit.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H.
2. Effects on the streetscape and planned character and amenity of the City Centre zone.
3. The ability to provide adequate useable space on-site to accommodate outdoor activities relative to the number of occupants the space is designed for.

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4. Whether there are topographical or other site constraints that make compliance with the standard impractical.
5. Proximity of the residential unit to accessible public open space.
6. The ability to mitigate adverse effects through design, screening or on-site landscaping.

DRAFT

LCZ – Local Centre Zone

Local Centres are commercial centres that are located conveniently to service the needs of the surrounding residential catchment. They provide for a range of commercial and community activities and offer services, employment and living opportunities. Commercial activities can include appropriately scaled supermarkets and medical centres. Residential use at upper floors is permitted. Larger-scale retail and commercial and industrial activities are not anticipated within this zone. The Local Centre zone supports the purpose of the Centre Zones in the hierarchy of centres.

Gisborne's Local Centres generally cover a larger land area, with shop areas having a larger gross floor area compared to Neighbourhood Centre Zones. Generally, a mix of on-street and off-street parking is provided in these larger local commercial areas, or the centre is accessed along public transport routes. This reflects the fact that the Local Centre Zone serves a wider catchment than the Neighbourhood Centre Zone. Opportunities exist for expansion and intensification to ensure that local commercial areas continue to meet the needs of Gisborne's growing suburban populations.

Gisborne's Local Centres include the following:

- **Kaiti** – located between Wainui Road and Jackson Street.
- **Balance Street Village** – located around the intersections of Balance Street, Ormond Road and Railway Lane.
- **Lytton West Shopping Centre** – located around the intersections of Ormond Road with Ruru Avenue and Lytton Road and the intersection of Lytton Road and Potae Avenue. The Lytton West Shopping Centre has capacity to accommodate further development to improve service to the residential catchment, particularly along Ormond Road.
- **Elgin** – located around the intersection of Lytton Road and Childers Road.
- **Makaraka** – located around the intersections of Makaraka Road and Main Road.

Objectives

LCZ-O1 Purpose of Local Centre Zone

Gisborne's Local Centres are commercial centres that:

- a. service the needs of the surrounding residential communities; and
- b. accommodate a range of commercial and community activities typically larger in scale than Neighbourhood Centre Zone, as well as residential activities, while supporting a hierarchy of centre zones.

LCZ-O2 - Local Centre Character

Local centres are vibrant retail areas used for a variety of activities which provide for local retail and convenience needs.

LCZ-O3 - Local Centre Amenity

Local centres are:

- a. attractive, accessible and safe environments for people to work, live and play.
- b. have a scale and intensity of development that integrates well with the planned character and amenity of the surrounding residential areas and local street environment.

LCZ-O4 - Managing Use and Development

Use and development manage adverse effects on the environment, including effects on infrastructure, residential amenity and amenity of adjoining sites in Residential zones and Open Space Zones.

Policies

LCZ-P1 - Compatible Activities

Provide for activities which are compatible with the purpose of the Local Centre Zone, while ensuring:

1. the activity does not have the potential to undermine the viability of the local centre it is located in or detract from the viability and vitality of Gisborne's Mixed Use or City Centre zones;
2. design, scale and intensity are appropriate to achieving the purpose of the zone; and
3. there is adequate existing or planned infrastructure to service the activity, specifically, transport networks (such as vehicle access, parking and pedestrian movement and safety), stormwater, and public reticulated water supply.

Compatible activities include:

1. general retail activities;
2. food and beverage activity;
3. commercial services activity;
4. healthcare facilities;
5. community facilities;
6. visitor accommodation;
7. educational facilities;
8. small scale supermarkets; and
9. residential activity.

LCZ-P2 – Local Centre Character and Amenity

Require development to positively contribute to achieving a safe and attractive environment:

1. by ensure:
 - a. The scale and intensity of development responds to and is compatible with the planned character and amenity values of the surrounding residential area;
 - b. Site layout, scale, intensity and building design provide for:
 - i. High-quality streetscapes;
 - ii. Pedestrian amenity;
 - iii. The safe movement of people of all ages and abilities; and
 - iv. Traffic, parking and access needs.
 - c. Development takes into account the Urban Design Guide for Commercial Development in Urban Areas contained in Appendix H6;
 - d. Residential units are functional and of a sufficient size to meet the day-to-day needs of residents; and
2. Controlling the effects of:
 - i. structure height;
 - ii. the height in relation to a boundary;
 - iii. setbacks;
 - iv. landscaping/screening;
 - v. outdoor storage; and
 - vi. noise and light emissions.

LCZ-P3 - Incompatible activities

Restrict activities which are incompatible with the purpose of the Local Centre zone or activities that will result in:

- a. adverse effects, which cannot be avoided, or appropriately remedied or mitigated, on the planned character and amenity of the surrounding residential environment; and
- b. adverse effects, which cannot be avoided or appropriately remedied or mitigated, on infrastructure networks including transport (including but not limited to, vehicle access, parking and pedestrian movement and safety), stormwater and public reticulated water supply.

LCZ-P4 – Zone interface

Require activities and development adjoining a Residential zone or Open Space zone to avoid, remedy or mitigate adverse effects on the amenity of adjoining sites, including by:

- a. ensuring structures are of a bulk, height and form that minimise adverse dominance effects on adjoining residential activities;
- b. achieving adequate separation distances or setbacks to minimise adverse daylighting and shading effects;
- c. providing screening and landscaping to minimise adverse visual effects; and
- d. managing adverse noise and light overspill.

Rules

Note:

1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.
2. All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy, C11.2 – Noise and Vibration, C11.3 Lighting and Glare and C11.4 Radiofrequency.
3. Unless stated otherwise, if the standards are not achieved, a restricted discretionary rule infringement consent is required. The matters of discretion for that infringement are set out in the standards.

Activity Rules

LCZ-R1 General retail activities

1. Activity status is **Permitted** where:
 - a. The gross floor area of the general retail activity does not exceed 250m²; and
 - b. Compliance is achieved with LCZ-S5 and LCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R1(1).

Matters of Discretion:

The matters set out in LCZ- P1-P4.

LCZ-R2 Commercial service activity

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 250m²;
 - b. Compliance is achieved with LCZ-S5 and LCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R2(1).
Matters of Discretion:
The matters set out in LCZ- P1-P4.

LCZ-R3 Food and beverage activity

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 250m²;
 - b. Compliance is achieved with LCZ-S5 and LCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R3(1).
Matters of Discretion:
The matters set out in LCZ- P1-P4.

LCZ-R4 Community facility

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 250m²;
 - b. Compliance is achieved with LCZ-S5 and LCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R4(1).
Matters of Discretion:
The matters set out in LCZ- P1-P4.

LCZ-R5 Healthcare activities

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 250m²;
 - b. Compliance is achieved with LCZ-S5 and LCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R5(1).
Matters of Discretion:
The matters set out in LCZ- P1-P4.

LCZ-R6 Visitor accommodation

1. Activity status is **Permitted** where:

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- a. The gross floor area of the commercial service activity does not exceed 250m²;
 - b. Compliance is achieved with LCZ-S5 and LCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R6(1).

Matters of Discretion:

1. The extent to which the intensity and scale of the activity may adversely impact on the planned character and amenity of the relevant neighbourhood centre or adjacent properties;
2. The extent to which the intensity and scale of the activity may adversely impact on the local streetscape;
3. The effects of any non-compliance with any relevant standard or relevant matters of discretion;
4. Whether the activity is appropriately located in a local centre and contributes to achieving the purpose of the zone;
5. The extent to which adverse effects on the existing transport network, including but not limited to access, parking and pedestrian safety can be avoided or mitigated;
6. Whether any other adverse effects (including but not limited to noise, signs, lighting) can be avoided, or mitigated.
7. Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development;
8. Where adequate capacity is not available, whether adequate mitigation is proposed.

LCZ-R7 Residential activities

1. Activity status is **Permitted** where:
 - a. Located above the ground floor;
 - b. Compliance is achieved with LCZ-S4 and LCZ-S6.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R7(1)(b).

Matters of Discretion:

1. The extent to which any reverse sensitivity effects can be avoided, remedied or mitigated..
2. The extent to which the residential activity contributes to achieving the purpose of the zone and minimises conflict with the hierarchy of the Centre Zones and Mixed Use Zone.
3. The extent to which the design of residential units provides for people's well-being in respect of:
 - i. Access to sunlight, daylight and outdoor living space;
 - ii. Privacy;

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- iii. The level of ambient noise;
 - iv. Light spill.
 - 4. The extent to which adverse effects on the existing transport network including but not limited to vehicle access, parking and pedestrian movement and safety can be avoided or mitigated;
 - 5. Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development;
 - 6. Where adequate capacity is not available, whether adequate mitigation is proposed.
3. Activity status is **Non-complying** where compliance with LCZ-R7(1)(a) is not achieved.

LCZ-R8 Supermarkets

1. Activity status is **Permitted** where:
- a. the gross floor area does not exceed 5,000m²;
 - b. the site is located within the area known as Kaiti Mall, situated between Wainui Road and Jackson Street.
 - c. Compliance is achieved with LCZ-S5 and LCZ-S7.
2. Activity status is **Discretionary** where compliance is not achieved with LCZ-R8(1)(a) and (b).

LCZ-R9 Educational facility

1. Activity status is **Permitted** where:
- a. For early learning / childcare centres, the number of children does not exceed 30.
 - b. For primary schools, the number of students does not exceed 40.
 - c. For secondary schools, the number of students does not exceed 50.
 - d. For Tertiary education facilities, the number of students does not exceed 70.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R9(1).

Matters of Discretion:

- 1. Discretion is restricted to the matters set out in LCZ -P1-P4.

LCZ-10 Temporary activities

1. Activity status is **Permitted** where:
- a. The duration of the activity (excluding military training activities) does not exceed four days including any set-up or dismantling of equipment required.
 - b. The activity is not undertaken more than once over a 60 day period on the same site.

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- c. The hours of operation of the activity are between 7am – 10pm where the site is located adjacent to a residential zone.
- d. Note: Temporary activities are excluded from the Local Centre zone standards.

LCZ-11 New buildings, additions and alterations to existing buildings

- 1. Activity status is **Permitted** where compliance is achieved with LCZ-S1-LCZ-S7.
- 2. Activity status is **Restricted Discretionary** where compliance is not achieved with LCZ-R11(1).

Matters of Discretion:

- 1. The extent to which the intensity, scale, design and appearance of the development may adversely impact on the planned character and amenity of the relevant neighbourhood centre or adjacent properties;
- 2. The extent to which the intensity, scale, design and appearance of the activity may adversely impact on the local streetscape;
- 3. The effects of any non-compliance with any relevant standard or relevant matters of discretion.

LCZ-R12 Trade supplier activity

- 1. Activity status is **Restricted discretionary**.

Matters of Discretion:

- 1. The extent to which the intensity and scale of the activity may adversely impact on the planned character and amenity of the relevant neighbourhood centre or adjacent properties;
- 2. The extent to which the intensity and scale of the activity may adversely impact on the local streetscape;
- 3. The effects of any non-compliance with any relevant standard or relevant matters of discretion;
- 4. Whether the activity is appropriately located in a local centre and contributes to achieving the purpose of the zone;
- 5. The extent to which adverse effects on the existing transport network, including but not limited to access, parking and pedestrian safety can be avoided or mitigated;
- 6. Whether any other adverse effects (including but not limited to noise, signs, lighting) can be avoided, or mitigated.
- 7. Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development;
- 8. Where adequate capacity is not available, whether adequate mitigation is proposed

LCZ-R13 Entertainment facility

- 1. Activity status is **Discretionary**.

LCZ-R14 Drive-through activity

1. Activity status is **Discretionary**.

LCZ-R15 Industrial activities

1. Activity status is **Non-complying**.

LCZ-R16 Any activity not otherwise listed in this chapter

1. Activity status is **Discretionary**.

Standards

LCZ-S1 Maximum height

All buildings and structures must not exceed a maximum height above ground level of 11m.

This standard does not apply to:

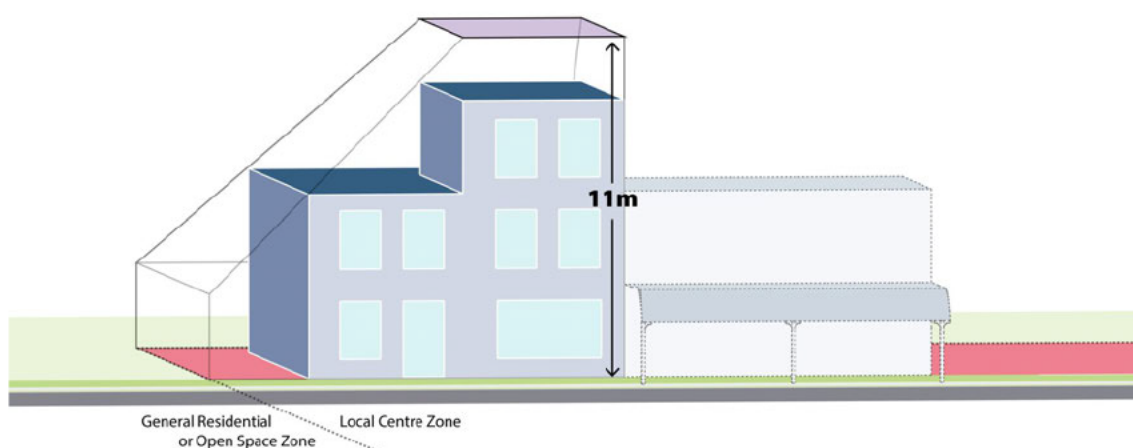
1. Any fence or wall along a side or rear boundary which adjoins a Residential Zone or Open Space Zone must not exceed 2m in height.
2. Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;
3. Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or
4. Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.
5. Solar panels and solar water heaters provided these do not exceed the height limit by more than 0.50m measured vertically.

Matters of discretion:

1. The extent to which the location, design, scale and appearance of the building mitigates effects on the local streetscape and minimise effects of visual dominance.
2. Effects on the privacy and amenity of adjoining residential sites.
3. Shading effects on adjoining sites and public open space.
4. The extent to which the building is consistent with the planned character and amenity values anticipated within the Local Centre Zone.
5. The extent to which the intensity of commercial activity arising from those parts of building infringing the relevant permitted height adversely effects the viability and vitality of other Business Zones.

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6. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6;
7. The effects of the infringement on infrastructure and servicing, including the extent to which the development:
 - i. has adverse effects on the local transport network and three waters networks.
 - ii. is supported by open space, public amenities, commercial activities and public and active transport options within walking distance.



LCZ-S2 Height in relation to boundary

No part of any building shall project beyond:

1. a 45 degree recession plane measured from a point 3.0m above ground level along any side or rear boundary where that boundary adjoins a General Residential Zone or Open Space Zone; or
2. a 60 degree recession plane measured from a point 4m above ground level along any side or rear boundary where that boundary adjoins a Medium Density Residential Zone.

Except that:

- Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed;
- Poles, streetlights, aerals, dish antennas and their supporting structures.

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Matters of discretion:

1. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space zoned sites;
2. The extent to which the infringement is necessary due to the shape or natural and physical features of the site;
3. The location, design and appearance of the building or structure; and
4. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6

**LCZ-S3 Setbacks**

Buildings must comply with the following setbacks:

1. 3m from a side or rear boundary where that boundary adjoins a site zoned as a Residential Zone or Open Space Zone, except that this standard does not apply to eaves (up to 600mm) of any roof, balcony, gutter or downpipe; and
2. 20m from the Mean High Water Mark of the Waikanae Stream

Provided that an accessory building or structure may be erected closer than the side or rear yard setback 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.

Matters of discretion:

1. The adverse effects of the non-compliance on adjoining sites, including on their outlook and privacy.
2. The extent to which a reduction in the setback is necessary due to the shape or natural and physical features of the site.
3. The ability to mitigate adverse effects of the non-compliance on adjoining sites through building design, planting and screening

LCZ-S4 Minimum residential unit size

A residential unit must have a minimum net internal floor area as follows:

1. 30m² for studio units; or
2. 45m² for one or more bedrooms.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
2. The ability to provide a reasonable level of on-site amenity to occupants, including a reasonable level of privacy, outlook, outdoor living space, and practical space for necessary residential amenities.

LCZ-S5 Outdoor storage and service areas

Outdoor storage and service areas must be fully screened from adjoining roads and public places as follows:

1. be located to the rear of the building; or
2. be fully screened by a 1.5m fence or landscaping.

Matters of discretion:

1. Effects of the non-compliance on the local streetscape and surrounding environment(s).
2. The ability to mitigate adverse effects of the non-compliance through building design, site layout and other forms of screening;
3. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6

LCZ-S6 Outdoor living space for residential units

A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:

1. Is at least 8m² and has a minimum dimension of 1.8m;
2. Is accessible from the residential unit; and
3. May be—
 - a. Grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - b. Located directly adjacent to the unit.

Matters of discretion:

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1. Whether adequate useable space is provided on-site to accommodate outdoor activities relative to the number of occupants the space is designed for.
2. Whether there are topographical or other site constraints that make compliance with the standard impractical.
3. Proximity of the residential unit to accessible public open space.

LCZ-S7 Landscaping /Screening at the zone interface

Any side boundary of a site that adjoins a site zoned either Residential or Open Space must:

1. be fenced with a solid fence or wall of a height of 2m; or
2. be planted or landscaped with plants or trees of a minimum height of 1m at installation which will achieve a continuous screen of 2m in height within five years; or
3. be screened with a combination of (a) and (b) above located between the building and those boundaries which adjoin a Residential or Open Space zone

Matters of discretion:

1. Whether adequate useable space is provided on-site to accommodate outdoor activities relative to the number of occupants the space is designed for.
2. The adverse effects of the non-compliance on the outlook and amenity of the adjoining site(s).
3. The ability to mitigate adverse effects of the non-compliance on adjoining sites through building design, site layout and other forms of screening.

NCZ – Neighbourhood Centre Zone

The Neighbourhood Centre Zone provides for a range of small-scale commercial (such as retail, offices and cafes) and community activities that service the day-to-day needs of the immediate surrounding residential neighbourhood. Neighbourhood Centres provide a limited range of services and employment opportunities at a scale appropriate to the residential neighbourhoods they are located within. The Neighbourhood Centre Zone is the smallest in the hierarchy of Centre Zones.

The Neighbourhood Centre Zone is distributed across Gisborne City. Gisborne's Neighbourhood Centres are generally small in overall land area, with shop areas having a smaller gross floor area compared to Local Centre Zones. On-street parking is provided, with limited off-street parking.

Being situated within residential areas, the range and scale of activities provided shall be compatible with the surrounding residential environment.

Objectives

NCZ-O1 Purpose of the Neighbourhood Centre Zone

Gisborne's Neighbourhood Centres are small-scale commercial centres that:

- a. service the day-to-day needs of the immediately surrounding residential neighbourhood; and
- b. Accommodate a range of small-scale commercial and community activities, as well as residential activities, while supporting a hierarchy of centre zones.

NCZ-O2 - Neighbourhood Centre Character

Neighbourhood centres are small areas, within residential neighbourhoods, used for a variety of commercial and community activities that supply the day-to-day needs of the immediately surrounding residential neighbourhood, and also provide for residential activities.

NCZ-O3 - Neighbourhood Centre Amenity

Neighbourhood centres are:

- a. attractive, accessible and safe environments for people to work, live and play.
- b. have a scale and intensity of development that integrates well with the planned character and amenity of the surrounding residential areas and local street environment.

NCZ-O4 - Managing Use and Development

Use and development manage adverse effects on the environment, including effects on infrastructure, residential amenity and amenity of adjoining sites in Residential zones and Open Space Zones.

Policies

NCZ-P1 - Compatible Activities

Provide for activities which are compatible with the purpose of the Neighbourhood Centre Zone, while ensuring:

1. the activity does not have the potential to undermine the viability of the Neighbourhood centre it is located within or detract from the viability and vitality of Gisborne's Local Centre, Mixed Use or City Centre zones;
2. design, scale and intensity are appropriate to achieving the purpose of the zone; and
3. there is adequate existing or planned infrastructure to service the activity, specifically, transport networks (such as vehicle access, parking and pedestrian movement and safety), stormwater, and public reticulated water supply.

Compatible activities include:

1. general retail activities;
2. food and beverage activity;
3. commercial services activity;
4. healthcare facilities;
5. community facilities;
6. visitor accommodation;
7. educational facilities;
8. small scale supermarkets; and
9. residential activity.

NCZ-P2 – Neighbourhood Centre Character and Amenity

Require development to positively contribute to achieving a safe and attractive environment:

1. by ensure:
 - a. The scale and intensity of development responds to and is compatible with the planned character and amenity values of the surrounding residential area;
 - b. Site layout, scale, intensity and building design provide for:
 - i. High-quality streetscapes;
 - ii. Pedestrian amenity;
 - iii. The safe movement of people of all ages and abilities; and
 - iv. Traffic, parking and access needs.

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- c. Development takes into account the Urban Design Guide for Commercial Development in Urban Areas contained in Appendix H6;
 - d. Residential units are functional and of a sufficient size to meet the day-to-day needs of residents; and
2. Controlling the effects of:
- i. structure height;
 - ii. the height in relation to a boundary;
 - iii. setbacks;
 - iv. landscaping/screening;
 - v. outdoor storage; and
 - vi. noise and light emissions.

NCZ-P3 - Incompatible activities

Restrict activities which are incompatible with the purpose of the Neighbourhood Centre zone or activities that will result in:

- a. adverse effects, which cannot be avoided, or appropriately remedied or mitigated, on the planned character and amenity of the surrounding residential environment; and
- b. adverse effects, which cannot be avoided or appropriately remedied or mitigated, on infrastructure networks including transport (including but not limited to, vehicle access, parking and pedestrian movement and safety), stormwater and public reticulated water supply.

NCZ-P4 – Zone interface

Require activities and development adjoining a Residential zone or Open Space zone to avoid, remedy or mitigate adverse effects on the amenity of adjoining sites, including by:

- a. ensuring structures are of a bulk, height and form that minimise adverse dominance effects on adjoining residential activities;
- b. achieving adequate separation distances or setbacks to minimise adverse daylighting and shading effects;
- c. providing screening and landscaping to minimise adverse visual effects; and
- d. managing adverse noise and light overspill.

Rules

Note:

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1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.
2. All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy, C11.2 – Noise and Vibration, C11.3 Lighting and Glare and C11.4 Radiofrequency.
3. Unless stated otherwise, if the standards are not achieved, a restricted discretionary rule infringement consent is required. The matters of discretion for that infringement are set out in the standards.

Activity Rules

NCZ-R1 General retail activities

1. Activity status is **Permitted** where:
 - a. The gross floor area of the general retail activity does not exceed 150m²; and
 - b. Compliance is achieved with NCZ-S5 and NCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NCZ-R1(1).
Matters of Discretion:
The matters set out in NCZ- P1- NCZ -P4.

NCZ-R2 Commercial service activity

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 150m²;
 - b. Compliance is achieved with NCZ-S5 and NLCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NCZ-R2(1).
Matters of Discretion:
The matters set out in NCZ- P1- NCZ-P4.

NCZ-R3 Food and beverage activity

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 150m²;
 - b. Compliance is achieved with NCZ-S5 and NCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NCZ-R3(1).
Matters of Discretion:
The matters set out in NCZ- P1- NCZ- P4.

NCZ-R4 Community facility

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 150m²;
 - b. Compliance is achieved with NCZ-S5 and NCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NCZ-R4(1).

Matters of Discretion:

1. The matters set out in NCZ- P1- NCZ- P4.
2. The hours of operation

NCZ-R5 Healthcare activities

1. Activity status is **Permitted** where:
 - a. The gross floor area of the commercial service activity does not exceed 150m²;
 - b. Compliance is achieved with NCZ-S5 and NCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NLCZ-R5(1).

Matters of Discretion:

The matters set out in NCZ- P1- NCZ- P4.

NCZ-R6 Residential activities

1. Activity status is **Permitted** where:
 - a. Located above the ground floor;
 - b. Compliance is achieved with NCZ-S4 and NCZ-S6.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NCZ-R7(1)(b).

Matters of Discretion:

1. The extent to which any reverse sensitivity effects can be avoided, remedied or mitigated.
2. The extent to which the residential activity contributes to achieving the purpose of the zone and minimises conflict with the hierarchy of the Centre Zones and Mixed Use Zone.
3. The extent to which the design of residential units provides for people's well-being in respect of:
 - i. Access to sunlight, daylight and outdoor living space;
 - ii. Privacy;
 - iii. The level of ambient noise;
 - iv. Light spill.

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4. The extent to which adverse effects on the existing transport network including but not limited to vehicle access, parking and pedestrian movement and safety can be avoided or mitigated;
 5. Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development;
 6. Where adequate capacity is not available, whether adequate mitigation is proposed.
3. Activity status is **Non-complying** where compliance with NCZ-R7(1)(a) is not achieved.

NCZ-R7 Supermarkets

1. Activity status is **Permitted** where:
 - a. the gross floor area does not exceed 300m²; and
 - b. Compliance is achieved with NCZ-S5 and NCZ-S7.
2. Activity status is **Discretionary** where compliance is not achieved with LCZ-R8(1)(a) or (b).

NCZ-R8 Educational facility

1. Activity status is **Permitted** where:
 - a. For education facilities up to 20 children.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NCZ-R9(1).

Matters of Discretion:

1. Discretion is restricted to the matters set out in NCZ -P1- NCZ -P4.

NCZ-9 Temporary activities

1. Activity status is **Permitted** where:
 - a. The duration of the activity (excluding military training activities) does not exceed four days including any set-up or dismantling of equipment required.
 - b. The activity is not undertaken more than once over a 60 day period on the same site.
 - c. The hours of operation of the activity are between 7am – 10pm where the site is located adjacent to a residential zone.
 - d. Note: Temporary activities are excluded from the Local Centre zone standards.

NCZ-10 New buildings, additions and alterations to existing buildings

1. Activity status is **Permitted** where compliance is achieved with NCZ-S1-NCZ-S7.
2. Activity status is **Restricted Discretionary** where compliance is not achieved with NCZ-R11(1).

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Matters of Discretion:

1. The extent to which the intensity, scale, design and appearance of the development may adversely impact on the planned character and amenity of the relevant neighbourhood centre or adjacent properties;
2. The extent to which the intensity, scale, design and appearance of the activity may adversely impact on the local streetscape;
3. The effects of any non-compliance with any relevant standard or relevant matters of discretion.

NCZ-R11 Entertainment facility

1. Activity status is **Discretionary**.

NCZ-R12 Drive-through activity

1. Activity status is **Non-complying**.

NCZ-R13 Industrial activities

1. Activity status is **Non-complying**.

NCZ-R14 Any activity not otherwise listed in this chapter

1. Activity status is **Discretionary**.

Standards

NCZ-S1 Maximum height

All buildings and structures must not exceed a maximum height above ground level of 11m.

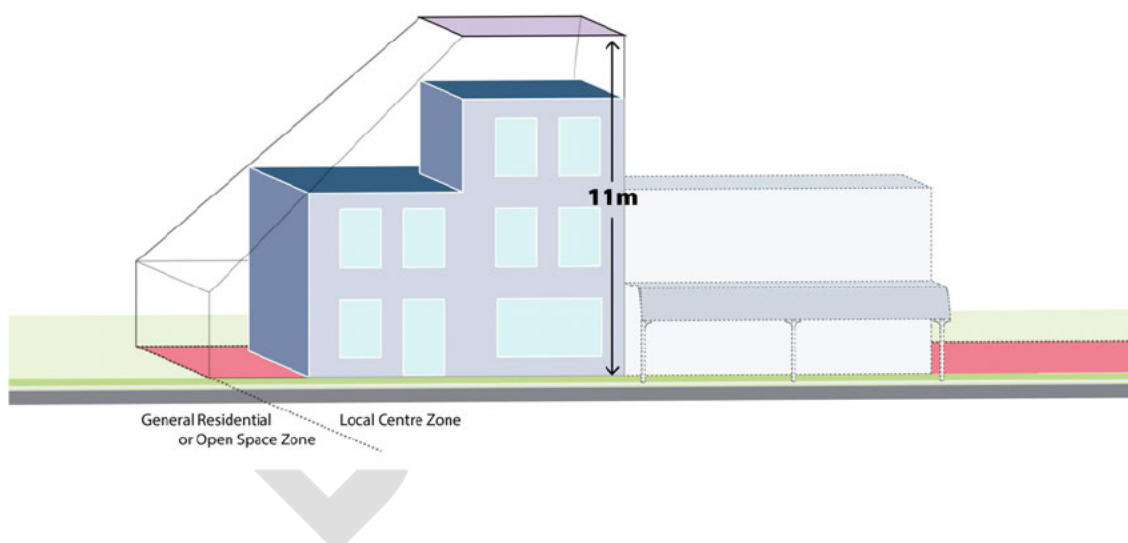
This standard does not apply to:

1. Any fence or wall along a side or rear boundary which adjoins a Residential Zone or Open Space Zone must not exceed 2m in height.
2. Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;
3. Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or
4. Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.
5. Solar panels and solar water heaters provided these do not exceed the height limit by more than 0.50m measured vertically.

Matters of discretion:

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1. The extent to which the location, design, scale and appearance of the building mitigates effects on the local streetscape and minimise effects of visual dominance.
2. Effects on the privacy and amenity of adjoining residential sites.
3. Shading effects on adjoining sites and public open space.
4. The extent to which the building is consistent with the planned character and amenity values anticipated within the Local Centre Zone.
5. The extent to which the intensity of commercial activity arising from those parts of building infringing the relevant permitted height adversely effects the viability and vitality of other Business Zones.
6. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6;
7. The effects of the infringement on infrastructure and servicing, including the extent to which the development:
 - i. has adverse effects on the local transport network and three waters networks.
 - ii. is supported by open space, public amenities, commercial activities and public and active transport options within walking distance.

**NCZ-S2 Height in relation to boundary**

No part of any building shall project beyond:

1. a 45 degree recession plane measured from a point 3.0m above ground level along any side or rear boundary where that boundary adjoins a General Residential Zone or Open Space Zone; or
2. a 60 degree recession plane measured from a point 4m above ground level along any side or rear boundary where that boundary adjoins a Medium Density Residential Zone.

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Except that:

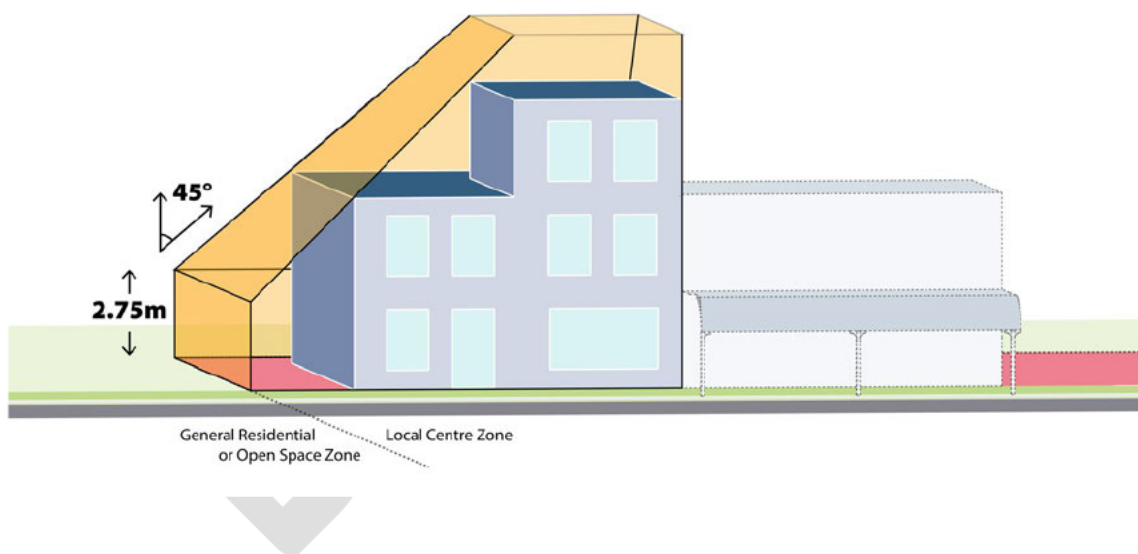
- Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed;
- Poles, streetlights, aerals, dish antennas and their supporting structures.

Matters of discretion:

1. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space zoned sites;
2. The extent to which the infringement is necessary due to the shape or natural and physical features of the site;
3. The location, design and appearance of the building or structure; and
4. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6



NCZ-S3 Setbacks

Buildings must comply with the following setbacks:

1. 3m from a side or rear boundary where that boundary adjoins a site zoned as a Residential Zone or Open Space Zone, except that this standard does not apply to eaves (up to 600mm) of any roof, balcony, gutter or downpipe; and
2. 20m from the Mean High Water Mark of the Waikanae Stream

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Provided that an accessory building or structure may be erected closer than the side or rear yard setback 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.

Matters of discretion:

1. The adverse effects of the non-compliance on adjoining sites, including on their outlook and privacy.
2. The extent to which a reduction in the setback is necessary due to the shape or natural and physical features of the site.
3. The ability to mitigate adverse effects of the non-compliance on adjoining sites through building design, planting and screening

NCZ-S4 Minimum residential unit size

A residential unit must have a minimum net internal floor area as follows:

1. 30m² for studio units; or
2. 45m² for one or more bedrooms.

Matters of discretion:

1. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6.
2. The ability to provide a reasonable level of on-site amenity to occupants, including a reasonable level of privacy, outlook, outdoor living space, and practical space for necessary residential amenities.

NCZ-S5 Outdoor storage and service areas

Outdoor storage and service areas must be fully screened from adjoining roads and public places as follows:

1. be located to the rear of the building; or
2. be fully screened by a 1.5m fence or landscaping.

Matters of discretion:

1. Effects of the non-compliance on the local streetscape and surrounding environment(s).
2. The ability to mitigate adverse effects of the non-compliance through building design, site layout and other forms of screening;
3. The relevant matters contained in the Urban Design Guide – For Commercial Development in Urban Areas contained in Appendix H6

NCZ-S6 Outdoor living space for residential units

A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:

1. Is at least 8m² and has a minimum dimension of 1.8m;
2. Is accessible from the residential unit; and
3. May be:
 - a. Grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - b. Located directly adjacent to the unit.

Matters of discretion:

1. Whether adequate useable space is provided on-site to accommodate outdoor activities relative to the number of occupants the space is designed for.
2. Whether there are topographical or other site constraints that make compliance with the standard impractical.
3. Proximity of the residential unit to accessible public open space.

NCZ-S7 Landscaping /Screening at the zone interface

Any side boundary of a site that adjoins a site zoned either Residential or Open Space must:

1. be fenced with a solid fence or wall of a height of 2m; or
2. be planted or landscaped with plants or trees of a minimum height of 1m at installation which will achieve a continuous screen of 2m in height within five years; or
3. be screened with a combination of (a) and (b) above located between the building and those boundaries which adjoin a Residential or Open Space zone

Matters of discretion:

1. Whether adequate useable space is provided on-site to accommodate outdoor activities relative to the number of occupants the space is designed for.
2. The adverse effects of the non-compliance on the outlook and amenity of the adjoining site(s).
3. The ability to mitigate adverse effects of the non-compliance on adjoining sites through building design, site layout and other forms of screening.

HOSZ – Hospital Zone

The Hospital zone is a special purpose zone that applies to Gisborne Hospital Campus which includes the Gisborne Hospital - the main regional public hospital in Tairāwhiti. The zone applies to the following four sites at Gisborne Hospital Campus:

1. Gisborne Hospital (Lot 4 DP 9835)
2. Mental Health Facility (Lot 2 DP 9835)
3. Gisborne Hospital Childcare and Education Centre (Lot 2 DP 9609)
4. Accommodation Units (Lot 3 DP 9835)

The purpose of the Hospital zone is to provide for and enable the operation and development of regionally significant hospital services including medical, surgical or psychiatric care facilities, as well as health care services, infrastructure and facilities, administrative, childcare and commercial/retail/residential activities associated with these facilities. Ancillary activities provided for in this zone include but are not limited to pharmacies, cafes, offices and administrative activities, and commercial activities. These ancillary activities play a key role in supporting the functions of the hospitals. Collectively, securing the certainty of ongoing safe, efficient and cost-effective operation of hospital (including emergency transportation on land and by air) and ancillary activities provides for a critical lifeline service for the region.

The Hospital zone requires important and critical operational and functional needs that create adverse effects, such as helicopters and emergency service vehicles that generate effects such as noise day and night, 365 days per year. The zone identifies the regional priority and functional need of the Gisborne Hospital Campus; the benefits of its continued operation; appropriate management of significant adverse effects of the hospital and management of reverse sensitivity on hospital operations from surrounding land uses.

The sites are predominantly characterised by large, often multi storey, buildings with large building footprints and at-grade carparking, emergency vehicle loading and heli-pad and site security infrastructure. The hospital campus has the potential for further development, including upgrades and extensions and new clinical and non-clinical buildings, to better support the health and well-being of people and communities in Tairāwhiti.

Objectives

HOSZ-O1 Purpose of the Hospital zone

The Hospital zone provides for the:

1. Operation and development of Gisborne Hospital Campus, hospital, hospital related activities, recognising its importance and benefits as a regionally significant infrastructure that contributes to the economic, social and cultural well-being of the district and region.

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2. Safe and efficient operation, maintenance and repair, or upgrading and expansion of Gisborne Hospital Campus such that it is not constrained or compromised by other activities.

HOSZ-O2 - Built Form

A comprehensive range of hospital and healthcare activities, buildings and infrastructure, and accessory buildings and activities are provided for.

HOSZ-O3 - Significant adverse effects on environment

The significant adverse effects of hospital and hospital related activities on the surrounding environment are managed, particularly at zone boundaries, while recognising that the hospital has special and priority operational and functional needs that must be met 24 hours per day, 365 days per year.

Policies

HOSZ-P1

Recognise and enable the regional significance and benefits of the Gisborne Hospital Campus and hospital and healthcare activities.

HOSZ-P2

Enable a range of existing and future hospital and healthcare activities within the Hospital zone that are compatible with the purpose and functional built environment of the Hospital zone.

HOSZ-P3

Avoid activities that do not contribute towards achieving the purpose of the Hospital zone and activities that will result in reverse sensitivity effects or conflict with permitted and existing lawfully established activities.

HOSZ-P4

Recognise that the operational requirements of Gisborne Hospital Campus is 24 hours per day and 365 days per year; involves unique activity characteristics (including air traffic) and may require buildings or structures that have a larger height and bulk when compared to the surrounding environment.

HOSZ-P5

Manage significant adverse effects on the surrounding environment by managing development at the interface between the Hospital zone and adjoining zones.

HOSZ-P6

Provide for the incorporation of mātauranga Māori into the design, development and operation of activities in the Hospital Zone and opportunities for tangata whenua to exercise their customary responsibilities as mana whenua and kaitiaki in respect of activities and development that may affect cultural, spiritual or heritage values of importance to tangata whenua.

HOSZ-P7

Avoid activities that may result in reverse sensitivity effects that constrain or compromise the ongoing operation of the Gisborne Hospital Campus which is Regionally Significant Infrastructure.

Rules

Note:

1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.
2. All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy, C11.2 – Noise and Vibration, C11.3 Lighting and Glare and C11.4 Radiofrequency.

Activity Rules**HOSZ-R1 New buildings, including additions and alterations, excluding fences and stand-alone walls**

1. Activity status is **Permitted** where compliance is achieved with HOSZ-S1- HOSZ-S4.
2. Activity status is **Restricted discretionary** where compliance with HOSZ-R1 is not achieved.

Matters of Discretion:

1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.

HOSZ-R2 Hospital activity

1. Activity status is **Permitted** where:

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- a. Any ancillary childcare service does not exceed 250m² gross floor area or 5% of the site area per childcare service per site, whichever is lesser, and the maximum number of children on site per childcare service is 30;
 - b. Any ancillary commercial activity does not exceed 100m² gross floor area or 5% of the site area per commercial activity per site, whichever is lesser; and
 - c. Compliance is achieved with is achieved with HOSZ-S4 and HOSZ-S5.
2. Activity status is **Restricted discretionary** where compliance with HOSZ-R2(1)(c) is not achieved.
Matters of Discretion:
 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
 3. Activity status is **Discretionary** where compliance with HOSZ-R2(1)(a) or HOSZ-R2(1)(b) is not achieved.

HOSZ-R3 Healthcare activity

1. Activity status is **Permitted** where compliance is achieved with HOSZ-S4 and HOSZ-S5.
2. Activity status is **Restricted discretionary** where compliance with HOSZ -R3(1) is not achieved.
Matters of Discretion:
 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.

HOSZ-R4 Helicopter facilities, including helicopter take-off and associated fuelling and service facilities

1. Activity status is **Permitted** where compliance is achieved with HOSZ-S5.
2. Activity status is **Restricted discretionary** where compliance with HOSZ-R4(1) is not achieved.
Matters of Discretion:
 1. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.

HOSZ-R5 Community facility

1. Activity status is **Restricted discretionary** where:
 1. The community facility does not exceed 450m² gross floor area or 10% of the site area per community facility per site, whichever is lesser; and

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2. The community facility is ancillary to and/or supports hospital and healthcare activity.
3. Compliance is achieved with HOSZ-S4 and HOSZ-S5

Matters of Discretion:

1. Whether the siting, design and operation of the community facility could create reverse sensitivity effects on existing and future hospital activities.

2. Activity status is **Discretionary** where compliance with HOSZ-S5(1) is not achieved.

HOSZ-R6 Any activity not otherwise listed in this chapter

1. Activity status is **Discretionary**.

Standards

HOSZ-S1 Maximum height

The maximum height of buildings or structures, or extensions or alterations to an existing building or structure is 14m above ground level.

This standard does not apply to:

- Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;
- Antennas, aerals, and flues provided these do not exceed the height by more than 1m;
- Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.
- Solar panels and solar water heaters provided these do not exceed the height limit by more than 0.50m measured vertically.

Matters of discretion:

1. The extent to which the additional height results in significant adverse bulk and dominance effects or shading on adjoining sites or publicly accessible areas.
2. The extent to which the structure has the potential to become a materially dominant feature in the landscape that is already predominantly characterised by the Gisborne Hospital Campus.
3. The extent to which the additional height is necessary for the operational or functional needs of the Hospital.
4. The ability to practically mitigate significant adverse effects.

HOSZ-S2 Height in relation to a boundary

A building must not project beyond a 45-degree recession plane measured from a point 4m vertically above ground level along all side and rear boundaries.

This standard does not apply to:

- Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;
- Antennas, aerials, and flues provided these do not exceed the height by more than 1m;
- Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.
- Solar panels and solar water heaters provided these do not exceed the height limit by more than 0.50m measured vertically.

Matters of discretion:

1. The extent to which the additional height results in significant adverse bulk and dominance effects or shading on adjoining sites or publicly accessible areas.
2. The extent to which the structure has the potential to become a materially dominant feature in the landscape that is already predominantly characterised by the Gisborne Hospital Campus
3. The ability to practically mitigate any significant adverse effects.

HOSZ-S3 Minimum setbacks

All buildings or structures, or extension or alteration to an existing building or structure, must be set back at least:

- 10m from a road boundary.
- 5m from a side boundary.
- 10m from the Matokitoki Stream boundary.

This standard does not apply to:

- fences or walls no more than 2m in height.
- Hospital campus site safety buildings or structures – including helicopter / navigational and controlled site access infrastructure e.g. heli-pad structures, 'barrier arms' and ticketing booths.

Matters of discretion:

1. The significant adverse effect on amenity values of nearby residential properties and public places, including building scale, form and location, dominance, outlook, privacy and shading;
2. The extent to which screening, planting and landscaping is proposed to mitigate potential adverse effects of the non-compliance;

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3. The extent to which the existing topography or vegetation will mitigate the adverse effects of the non-complying portion of the building or structure at the adjoining site boundary;
4. The extent to which the non-compliance is necessary to provide natural hazard mitigation and/or site constraints or operational requirements; and
5. The effectiveness of the proposed method for controlling stormwater.

HOSZ-S4 Outdoor Storage and/or Service Area

Outdoor storage or rubbish collection areas must be fully screened from the road and public places with a fence that is 1.5m in height.

Matters of discretion:

1. Design and siting of the outdoor storage, or rubbish collection area – including screening measures;
2. Any significant adverse effects of the non-compliance on the streetscape; and
3. The extent to which screening, planting and landscaping is proposed to mitigate potential adverse effects of the non-compliance;
4. The extent to which the infringement is necessary due to the topographical or other site constraints shape or or operational requirements of the site
5. The extent to which compliance would impede the safe and efficient operation of a regionally significant hospital campus that is Regionally Significant Infrastructure.

HOSZ-S5 Maximum fence/wall height

All fences and standalone walls must not exceed a maximum height above ground level of:

- 2m for site boundaries that adjoin a Residential Zone, or Open Space and Recreation Zone.
- 1.2m for road boundary and shall be at least 40% visually permeable.

Matters of discretion:

1. Significant adverse effects on the amenity of adjoining residential, recreation and open space zoned sites where an over height fence/wall is located at their boundary; and
2. The extent to which the infringement is necessary due to topographical or other site constraints or operational requirements.
3. The extent to which compliance would prevent or impede the safe and efficient operation of a regionally significant hospital campus that is Regionally Significant Infrastructure.

RLZ – Rural Lifestyle Zone

The Rural Lifestyle zone provides for residential lifestyle within a rural environment on lots smaller than those of the General Rural and Rural Production zones. The zone provides a physical and visual transition between urban areas and the surrounding Rural zones. The zone assists the consolidation of the urban area of Gisborne while protecting highly productive land from residential encroachment.

The zone is peri-urban in nature with rural lifestyle development the dominant development character, but primary production is still enabled on either a lifestyle or commercial scale. The Rural Lifestyle zone is intended to reduce the fragmentation of the Rural Production zone which adversely impacts the viability of primary production activities.

The Rural Lifestyle zone covers areas that have already experienced fragmentation with rural residential land use, development, and subdivision. The land is also characterised by natural hazards and topographical features that constrain more intensive development.

The prevailing rural character and amenity of the Rural Lifestyle zone is that of low residential density, sense of spaciousness, and building surrounded by paddocks, trees, garden and large scale landscaping.

Alongside primary production some non-residential activities are provided for at a scale that does not detract from the character and amenity of the zone.

Objectives

RLZ-O1 - Purpose of Rural Lifestyle Zone

The Rural Lifestyle Zone provides for a residential lifestyle in a rural environment while continuing to enable primary production activities. The zone is a transition area between urban areas and rural production land which consolidates the urban areas of Gisborne and the Poverty Bay Flats and protects highly productive land from fragmentation.

RLZ-O2 - Rural Lifestyle Zone Character and Amenity Values

The character and amenity features of the Rural Lifestyle zone is maintained.

RLZ-O3 - Land Use Compatibility

The role, function and character and amenity of the Rural Lifestyle zone is not compromised by incompatible activities.

RLZ-O4 - Reverse sensitivity

The subdivision, use and development within the Rural Lifestyle zone does not create reverse sensitivity effects that compromise the effective and efficient operation of primary production activities in the adjacent Rural Production and Rural General zones.

RLZ-O5 - Non-residential activities

A range of non-residential activities are enabled that are compatible with the character and amenity of the Rural Lifestyle Zone.

Policies

RLZ-P1 - Rural Lifestyle character and amenity

Allow subdivision, landuse and development that is consistent with the role, function and low density character of the Rural Lifestyle Zone, where residential activities occur alongside primary production.

Character features include:

1. low density rural residential activities;
2. farming activities with limited buildings and structures;
3. a range of non-residential activities reflective of the rural community;
4. smaller lot sizes than anticipated in the Rural Production Zone;
5. rural roads with low traffic volumes;
6. areas of vegetation, natural features and open space.

RLZ-P2 - Density of buildings

Maintain the open rural landscape character of the zone by limiting the number of residential dwellings per site and controlling the scale of building coverage across sites.

RLZ-P3 - Rural Lifestyle Built character

Maintain the role, function and character of the Rural Lifestyle Zone by controlling the effects of:

1. building height, design, bulk and location;
2. setbacks from boundaries and boundary treatments;
3. outdoor storage;
4. landscaping and boundary treatment at zone interfaces; and subdivision.

RLZ-P4 - Primary Production

Enable primary production of a scale and intensity that will not compromise the role, function and planned character of the Rural Lifestyle Zone.

RLZ-P5 - Activities within the rural lifestyle zone

Allow activities that will not compromise the role, function and character of the Rural Lifestyle Zone, while ensuring their design, scale and intensity is appropriate, including but not limited to:

1. Rural lifestyle living;
2. Residential visitor accommodation;
3. Primary production activities;
4. Home business activities; and
5. Small scale childcare services.

RLZ-P6 – Incompatible activities

Restrict activities that are incompatible with the role, function and character of the Rural Lifestyle Zone and activities that will result in:

1. reverse sensitivity effects with permitted activities in the zone or activities with existing use rights;
2. the establishment of commercial, rural industry or industrial activities in the Rural Lifestyle Zone unless they have a functional need to locate within the zone and are not anticipated in the Commercial and Mixed-Use Zones, Rural General and Rural Production Zones or Industrial Zones;
3. urbanisation of the Rural Lifestyle Zone as a consequence of inappropriate residential development; or
4. adverse effects, which cannot be avoided, or appropriately remedied or mitigated, on:
 - a. rural lifestyle living activities or agricultural, pastoral and horticultural activities; and
 - b. rural lifestyle character and amenity values.

RLZ-P7 – Intensive Primary Production

Restrict intensive primary production within the Rural Lifestyle Zone, with the exception that greenhouses used for horticultural activities (excluding fungi) are anticipated within the zone.

RLZ-P8 – Effects generated by activities

Require the adverse effects generated by activities to be of a type, intensity and scale that is appropriate for the Rural Lifestyle Zone and to maintain rural lifestyle character and amenity, including by:

1. managing noise and light emissions (particularly at night) at an acceptable level;
2. managing traffic and parking effects, including traffic volumes and vehicle types; and
3. ensuring the size, design and type of any signage is compatible with the character and amenity of the rural lifestyle zone.

Rules

Note:

1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.

Activity Rules

RLZ-R1 Residential activities

1. Activity status is **Permitted** where:

Compliance is achieved with:

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- i. RLZ-S1;
- ii. RLZ-S2;
- iii. RLZ-S3;
- iv. RLZ-S4;
- v. RLZ-S5;
- vi. RLZ-S6;
- vii. RLZ-S7; and
- viii. RLZ-S8.

2. Activity status is **Restricted discretionary** where compliance with RLZ-R1 (a)(i) to (viii) is not achieved.

Matters of Discretion:

- a. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- b. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Rural Lifestyle zone.
- c. The effect of the activity on the amenity of adjoining properties including on sunlight access, privacy and from visual dominance.
- d. The capacity of onsite three-waters infrastructure to serve the existing and proposed activities on site.

RLZ-R2 Maintenance and repair of buildings and structures

1. Activity status is **Permitted**.

RLZ-R3 Demolition or removal of a building or structure

1. Activity status is **Permitted**.

RLZ-R4 Construction, addition or alteration of buildings, accessory buildings

1. Activity status is **Permitted** where:

- a. Compliance is achieved with:

- i. RLZ-S1;
- ii. RLZ-S2;
- iii. RLZ-S3;
- iv. RLZ-S4;
- v. RLZ-S5;
- vi. RLZ-S6;
- vii. RLZ-S7; and
- viii. RLZ-S8

2. Activity status is **Restricted discretionary** where compliance with RLZ - S1 to S8 is not achieved.

Matters of Discretion:

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1. The extent and effects of the non-compliance with any relevant standard as specified in the associated Matters of discretion for the infringed standards.

RLZ-R5 Farming/ Primary Production

1. Activity status is **Permitted** where Primary Production:
 - a. Includes the following activities (not exclusively):
 - i. Greenhouses;
 - ii. Produce stalls; and
 - iii. Audible bird scaring devices (excluding firearms) between sunrise and sunset.
 - b. Excludes the following activities:
 - i. Intensive indoor primary production;
 - ii. Intensive farming/ primary production;
 - iii. Fungi/ mushrooms;
 - iv. Piggery;
 - v. Rural Industry; and
 - vi. Rural Commercial Activities.
2. Activity status is **Discretionary** where compliance with RLZ-R5(1)a and b is not achieved.

RLZ-R6 Temporary activities

1. Activity status is **Permitted** where:
 - a. The activity shall be exempt from all the General Standards except noise.
 - b. The activity shall comply with rules for noise specified in Rule C11.2.15.2B(3) (Figure C11.9).
 - 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.

RLZ-R7 Home business

1. Activity status is **Permitted** where:
 - a. No more than 2 people who are not permanent residents of the site are employed at any one time;
 - b. Unloading and loading of vehicles or the receiving of customers or deliveries only occur after 7:30am and before 7:00pm on any day;
 - c. Machinery can only be operated after 7:00am and up to 7:00pm on any day.

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- d. The home business does not include the repair, alteration, restoration or maintenance of motor vehicles or internal combustion engines, or the spray painting of motor vehicles, excluding the residents' motor vehicles;
 - e. Any external storage of materials associated with the home business must be screened so they are not visible from outside the site; and
 - f. No retailing must be conducted on the site, except:
 - i. goods retailed online and do not result in customer visits to the site, or
 - ii. goods ancillary and related to a service provided by the home business.
2. Activity status is **Restricted discretionary** where compliance with RLZ-R7.(1).a-f is not achieved.

Matters of Discretion:

- 1. The extent and effects of the non-compliance with any requirement not met;
- 2. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties;
- 3. The extent to which the intensity and scale of the activity meets the purpose of the Rural Lifestyle zone;
- 4. The extent to which the activity adversely affects the character and amenity expected within the Rural Lifestyle zone; and
- 5. The local roading network has the capacity to accommodate any increase in traffic associated with the activity, and the safety and efficiency of the roading network will be maintained.

RLZ-R8 Visitor accommodation

1. Activity status is **Permitted** where:
- a. The maximum occupancy does not exceed 10 guests per night.
2. Activity status is **Restricted discretionary** where compliance with RLZ-R8.(1).a is not achieved.

Matters of Discretion:

- 1. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties;
- 2. The local roading network has the capacity to accommodate any increase in traffic associated with the activity, and the safety and efficiency of the roading network will be maintained;
- 3. The extent to which the intensity and scale of the activity meets the purpose of the Rural Lifestyle zone;
- 4. The extent to which the activity adversely affects the character and amenity expected within the Rural Lifestyle zone; and

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5. There is adequate infrastructure, including on-site services in non-reticulated areas, to support the activity.

RLZ-R9 Childcare services

1. Activity status is **Permitted** where:
 - a. The maximum number of children who are not normally resident on the site does not exceed 10; and
 - b. The hours of operation are between 0700 – 1900, Monday to Friday.
2. Activity status is **Discretionary** where compliance with RLZ-R9(1) a or b cannot be achieved.

RLZ-R10 Rural commercial activities

1. Activity status is **Restricted discretionary** where activities include:
 - a. Commercial activities
 - i. Are directly ancillary to farming/ primary production activities; or
 - ii. Provides services to farming/ primary production activities; and
 - b. Rural tourism activities; and

Matters of Discretion:

1. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties;
 2. The extent to which the intensity and scale of the activity meets the purpose of the Rural Lifestyle zone;
 3. The extent to which the activity adversely affects the character and amenity expected within the Rural Lifestyle zone;
 4. The local roading network has the capacity to accommodate any increase in traffic associated with the activity, and the safety and efficiency of the roading network will be maintained; and
 5. There is adequate infrastructure, including on-site services in non-reticulated areas, to support the activity.
2. Activity status is **Discretionary** where compliance with RLZ-R10(1)a or b cannot be achieved.
3. Activity status is **Non-complying** where:
 - a. Activities include:
 - i. Meat or poultry processing;
 - ii. Dairy factories;
 - iii. Stock yards;
 - iv. Sawmills and portable sawmills;
 - v. Processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site.

RLZ-R11 Transfer Station

1. Activity status is **Non-complying**.

RLZ-R12 Dog boarding kennels and catteries

1. Activity status is **Non-complying**.

RLZ-R13 Landfill

1. Activity status is **Non-complying**.

RLZ-R14 Industrial activities

1. Activity status is **Non-complying**.

RLZ-R15 Mining

1. Activity status is **Non-complying**.

RLZ-R16 Rural Transport Activities

1. Activity status is **Non-complying**.

RLZ-R17 Commercial activities / Retail (excluding Rural Commercial Services)

1. Activity status is **Non-complying**.

RLZ-R18 Any activity not otherwise listed as permitted, restricted discretionary, or discretionary.

1. Activity status is **Non-complying**.

Standards

RLZ-S1 Maximum number of residential buildings

There shall be a maximum of:

- a. One residential unit per site, including one sleepout; and

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- b. One minor residential unit per site where:
 - i. A minor residential unit shall be less than 60m² gross floor area (excluding decks and internal garage); and
 - ii. Both residential units must share the same driveway access; and
 - iii. The minor residential unit must be within 20m of the principal unit.

Matters of discretion:

1. Whether the proposed maintains a low density of housing in accordance with the purpose of the zone.
2. The impact of the additional bulk on the character and amenity values of the local environment.
3. Dominance, privacy, and shading effects on adjoining sites.
4. Whether the topography of the site mitigates or exacerbates effects.
5. The extent to which site layout or landscaping has been incorporated into the design to mitigate any resulting amenity effects; and
6. Whether the site can accommodate onsite wastewater treatment and disposal for all residential units and any other existing or proposed accessory buildings.

RLZ-S2 Maximum floor area of accessory buildings

The maximum gross floor area of each accessory building per site shall be 100m².

Matters of discretion:

- a. Effects on the rural, low density character and amenity of the Rural Lifestyle Zone.
- b. The necessity of the proposed building size to accommodate activities expected within the Rural Lifestyle Zone.
- c. The effects of building dominance within the site and wider rural lifestyle environment.

RLZ-S3 Maximum height

Buildings, structures and accessory buildings must not exceed a maximum height of 8m above ground level. An additional 1m can be added to the maximum height of any building or structure with a roof slope of 15 degrees or greater (rising to a central ridge).

This standard does not apply to:

- a. Fences or standalone walls;
- b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and
- c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m.

Matters of discretion:

1. Character, and amenity effects;

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2. Dominance, privacy, and shading effects on adjoining sites;
3. The effects of building dominance within the site and wider rural lifestyle environment; and
4. Whether the topography of the site mitigates or exacerbates effects.

RLZ-S4 Height in relation to boundary

No part of any building shall project beyond a 45-degree recession plane measured from a point 2.75m above ground level alongside side and rear boundaries.

Matters of discretion:

1. Dominance, privacy, and shading effects on adjoining sites; and
2. Whether the topography of the site mitigates or exacerbates effects.

RLZ-S5 Building setback

Buildings or structures must not be located within:

- a. 4.5m of all site boundaries.
- b. Buildings, other than buildings housing animals or birds, may be erected on any side or rear yard but no closer to the boundary than 1.5m 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.

No dwelling shall be located within:

- a. 20m from natural waterbodies.
- b. 30m of Rural Production zone boundary, which is under separate ownership, except if the written consent of the affected adjoining property owner is obtained and submitted to the consent authority at the time a building consent is sought.
- c. 500m from an existing piggery perimeter or within 30m of an existing vineyard boundary unless written consent of vineyard owner is obtained and submitted to the consent authority at the time a building consent is sought.

No dwelling or accessory buildings shall be located:

- a. 30m from an existing plantation forest boundary unless written consent from owner is obtained and submitted to the consent authority at the time a building consent is sought.

Matters of discretion:

1. Dominance, privacy, and shading effects on adjoining sites; and
2. Whether the topography of the site mitigates or exacerbates effects; and
3. Whether the proximity of dwellings and other buildings to adjacent existing activities creates or exacerbates known health and safety adverse effects on residents;

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4. Whether the proximity of dwellings and buildings to adjacent existing activities creates or exacerbates reverse sensitivity effects that compromise the operation of existing activities on adjacent properties.

RLZ-S6 Building Coverage

The maximum building coverage must not exceed 20% of net site area or 1000m² (whichever is lesser).

Matters of discretion:

1. The effects of building dominance on the character and amenity of the wider rural lifestyle environment.
2. Whether the topography of the site mitigates or exacerbates effects;
3. The extent to which site layout or landscaping has been incorporated into the design to mitigate any resulting amenity effects; and
4. Whether the site can accommodate onsite wastewater treatment and disposal for all residential units and any other existing or proposed accessory buildings.

RLZ-S7 On-site services

Where a connection to Council's reticulated wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves and be connected to a septic tank or soakage field, or an approved alternative means to dispose of sewage in a sanitary manner in accordance with ??; and where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that must not be subject to:

- a. instability; or
- b. inundation; or
- c. used for the disposal of stormwater.

Matters of discretion:

1. The engineering measure to provide on-site services and measures to maintain the health of future occupants and neighbouring properties;
2. The ability for the engineering measure to provide a level of service to support the proposed development; and
3. The ongoing maintenance of the engineering measure.

RLZ-S8 Fences and standalone walls

No fence or standalone wall, or combination of these structures, shall:

- a. Exceed a maximum height of 2m above ground level where within 1m of any boundary;

Matters of discretion:

1. Visual and amenity effects on the neighbourhood and streetscape character;
2. Dominance and shading effects on adjoining properties; and
3. Visibility and safe vehicle movements at accessways.

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FUZ – Future Urban Zone

The Future Urban zone applies to land that has been identified as being suitable for urbanisation in the future. The land can be rezoned when it is needed to ensure supply of sufficient housing and broader development capacity for the Gisborne urban environment.

A plan change to incorporate a Structure Plan for a Development Area into the Tairāwhiti Resource Management Plan will be required before any future urban zoned land can be developed for urbanisation purposes.

The Future Urban zone provides for activities that are compatible with and do not compromise potential future urban use.

Objectives

FUZ-O1 - Purpose of Future Urban Zone

The Future Urban Zone identifies areas adjacent to the Gisborne urban area for future urban growth where communities grow in areas accessible by active and public transport to jobs, services and amenities. The zone enables existing uses and ensures that inappropriate subdivision, use or development does not compromise future urban development.

FUZ-O2 - Rural lifestyle

Land is used and developed to achieve the objectives of the Rural Lifestyle Zone until it has been rezoned for urban purposes.

FUZ-O3 - Highly productive land

Future urban growth areas are not located on highly productive land.

FUZ-O4 - Activities

Activities within and adjacent to the identified Future Urban Zones do not compromise the ability to develop the area for urban growth purposes.

FUZ-O5 - Reverse sensitivity

The subdivision, use and development within the Future Urban Zone does not create reverse sensitivity effects that compromise the primary residential character and amenity of the adjacent Residential zones.

FUZ-O6 - Urban growth avoided prior to plan change

Urban growth is avoided within the Future Urban Zone until the land is zoned for urban growth purposes and a Structure Plan for a Development Area is incorporated into the Tairāwhiti Resource Management Plan by way of a plan change.

FUZ-O7 - Mana whenua

Mana whenua values and aspirations are recognised and provided for in Structure Plans controlling new urban development in the Future Urban Zone.

Policies

FUZ-P1 - Activities compatible with the Future Urban Zone

Allow activities that are compatible with the role, function and character of the Future Urban Zone while ensuring they will not compromise the ability to comprehensively develop and use the Future Urban Zone for urban growth purposes.

FUZ-P2 - Future Urban Zone Character and amenity

Maintain the rural lifestyle character and amenity of the Future Urban Zone, including:

- a. low density built form with open space between buildings,
- b. rural activities, and
- c. general absence of urban infrastructure, such as public reticulation of stormwater and wastewater services.

FUZ-P3 - Rural lifestyle activities

Provide for use and development which supports the policies of the Rural Lifestyle Zone unless that use and development is inconsistent with policies FUZ-P3 to P5.

FUZ-P4 - Subdivision, use and development

Avoid subdivision, use and development of land that may result in one or more of the following:

- a. structures and buildings of a scale and form that will hinder or prevent future urban development;
- b. compromise the efficient and effective operation of the local and wider transport network;
- c. require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure;
- d. inhibit the efficient provision of infrastructure;
- e. give rise to reverse sensitivity effects when urban development occurs;
- f. give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure; or
- g. undermine the form or nature of future urban development.

FUZ-P5 - Reverse sensitivities

Limit rural activities to those that are of an appropriate scale and maintains the amenity and environmental values of the Rural Lifestyle Zone while avoiding reverse sensitivity effects to the adjacent residential zones.

FUZ-P6 – Plan change for urbanisation

Require that any plan change seeking to rezone Future Urban Zone land incorporates a new Structure Plan of a Development Area, that provides for the comprehensive, coordinated and efficient development of the land and addresses, as appropriate, the following matters:

- 1. the impact on existing activities and the ability to manage any potential conflict between existing activities and future activities as the area transitions to an urban area, including the potential reverse sensitivity effects at the urban/rural interface;

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2. the type, location and density of development on the land to ensure it is compatible with existing or planned urban activities in the area;
3. how the rezoning will assist to deliver a compact, well-functioning urban form that will enable a connected, safe and liveable community;
4. the topography and natural and physical constraints of the site, including natural hazards and areas of contamination;
5. the future servicing needs of the area and the provision of adequate, coordinated and integrated infrastructure to serve those needs;
6. whether staging of development within the relevant Future Urban Zone (if proposed), or within the Structure Plan Development Area, is appropriate taking into account the need to ensure development occurs logically and achieves quality urban form and suitable infrastructure;
7. the relationship of the area to be structure planned with surrounding areas and the way any conflict between areas is to be managed as the area transitions to an urban area;
8. the provision of multi-nodal transport links (including pedestrian links) to ensure:
 - a. connected transport networks that allow ease of movement to, from and within the new Structure Plan Development Area;
 - b. the integration of land use and development with the local and strategic transport networks.
9. the provision and integration of accessible open space networks, parks and esplanade reserves or strips;
10. the potential impact of development on any cultural, spiritual or historic values of importance to tangata whenua, and the outcomes of any consultation with tangata whenua, including any expert cultural advice provided with respect to:
 - a. opportunities to incorporate mātauranga Māori into the design and development of the Structure Plan Development Area;
 - b. opportunities for tangata whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taonga to be maintained or strengthened; and
 - c. options to avoid, remedy or mitigate adverse effects;
11. the protection, maintenance or enhancement of scheduled features, natural waterbodies and indigenous vegetation;
12. opportunities for the provision of business and retail activities which are complementary to the planned growth and will serve the needs of the new community; and
13. how the urban development proposed within the new Structure Plan Development Area is reasonably necessary to provide timely urban capacity for the community in light of the short and medium term feasible urban development capacity available in the district.

Rules

Note:

1. Activities shall comply, where relevant, with the regional or district rules and general standards in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage,

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C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11 General Controls.

Activity Rules

FUZ-R1 Residential activities

1. Activity status is **Permitted** where:

Compliance is achieved with:

- i. FUZ-S1;
- ii. FUZ-S2;
- iii. FUZ-S3;
- iv. FUZ-S4;
- v. FUZ-S5;
- vi. FUZ-S6;
- vii. FUZ-S7; and
- viii. FUZ-S8.

2. Activity status is **Restricted discretionary** where compliance with FUZ-R1(1)(a)(i) to (viii) is not achieved.

Matters of Discretion:

- a. The effect of non-compliance with the relevant standard and the matters of discretion of any standard that is not met.
- b. The extent to which the intensity, scale, location, form and appearance of the activity is compatible with the planned character and residential amenity of the Rural Lifestyle zone.
- c. The effect of the activity on the amenity of adjoining properties including on sunlight access, privacy and from visual dominance.
- d. The capacity of onsite three-waters infrastructure to serve the existing and proposed activities on site.

FUZ-R2 Maintenance and repair of buildings and structures

1. Activity status is **Permitted**.

FUZ-R3 Demolition or removal of a building or structure

1. Activity status is **Permitted**.

FUZ-R4 Construction, addition or alteration of buildings, accessory buildings

1. Activity status is **Permitted** where:

a. Compliance is achieved with:

- i. FUZ-S1;
- ii. FUZ-S2;

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- iii. FUZ-S3;
- iv. FUZ-S4;
- v. FUZ-S5;
- vi. FUZ-S6;
- vii. FUZ-S7; and
- viii. FUZ-S8.

2. Activity status is **Restricted discretionary** where compliance with FUZ - S1 to S8 is not achieved.

Matters of Discretion:

1. The extent and effects of the non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards.

FUZ-R5 Farming/ Primary Production

1. Activity status is **Permitted** where Primary Production:
 - a. Includes the following activities (not exclusively):
 - i. Greenhouses;
 - ii. Produce stalls; and
 - iii. Audible bird scaring devices (excluding firearms) between sunrise and sunset.
 - b. Excludes the following activities:
 - i. Intensive indoor primary production;
 - ii. Intensive farming/ primary production;
 - iii. Fungi/ mushrooms;
 - iv. Piggery;
 - v. Rural Industry; and
 - vi. Rural Commercial Activities.
2. Activity status is **Discretionary** where compliance with FUZ-R5(1)a and b is not achieved.

FUZ-R6 Temporary activities

1. Activity status is **Permitted** where:
 - a. The activity shall be exempt from all the General Standards except noise.
 - b. The activity shall comply with rules for noise specified in Rule C11.2.15.2B(3) (Figure C11.9).
 - 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.

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2. Activity status is **Restricted discretionary** where compliance with FUZ-R6(1) (a) to (e) is not achieved.

Matters of Discretion:

1. Extent of noise emissions from temporary activity experienced at neighbouring sensitive zones.
2. Duration of the activity.
3. Frequency of the activity.
4. Hours of operation.

FUZ-R7 Home business

1. Activity status is **Permitted** where:

- a. No more than 2 people who are not permanent residents of the site are employed at any one time;
- b. The home business does not involve the use of trucks or other heavy vehicles;
- c. Unloading and loading of vehicles or the receiving of customers or deliveries only occur after 7:30am and before 7:00pm on any day;
- d. Machinery can only be operated after 7:00am and up to 7:00pm on any day.
- e. The home business does not include the repair, alteration, restoration or maintenance of motor vehicles or internal combustion engines, or the spray painting of motor vehicles, excluding the residents' motor vehicles;
- f. Any external storage of materials associated with the home business must be screened so they are not visible from outside the site; and
- g. No retailing must be conducted on the site, except:
 - i. goods retailed online and do not result in customer visits to the site, or
 - ii. goods ancillary and related to a service provided by the home business.

2. Activity status is **Restricted discretionary** where compliance with FUZ-R7.(1).a-g is not achieved.

Matters of Discretion:

1. The extent and effects of the non-compliance with any requirement not met;
2. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties; and
3. The local roading network has the capacity to accommodate any increase in traffic associated with the activity, and the safety and efficiency of the roading network will be maintained.

FUZ-R8 Visitor accommodation

1. Activity status is **Permitted** where:

- a. The maximum occupancy does not exceed 10 guests per night.

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2. Activity status is **Restricted discretionary** where compliance with FUZ-R8.(1).a is not achieved.

Matters of Discretion:

1. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties;
2. The local roading network has the capacity to accommodate any increase in traffic associated with the activity, and the safety and efficiency of the roading network will be maintained; and
3. There is adequate infrastructure, including on-site services in non-reticulated areas, to support the activity.

FUZ-R9 Childcare services

1. Activity status is **Permitted** where:
 - a. The maximum number of children who are not normally resident on the site does not exceed 10; and
 - b. The hours of operation are between 0700 – 1900, Monday to Friday.
2. Activity status is **Discretionary** where compliance with FUZ-R9(1) a or b cannot be achieved.

FUZ-R10 Rural commercial activities

1. Activity status is **Restricted discretionary** where activities include:
 - a. Commercial activities
 - i. Are directly ancillary to farming/ primary production activities; or
 - ii. Provides services to farming/ primary production activities; and
 - b. Rural tourism activities; and

Matters of Discretion:

1. The extent to which the intensity and scale of the activity adversely impacts on the amenity values of nearby properties;
 2. The local roading network has the capacity to accommodate any increase in traffic associated with the activity, and the safety and efficiency of the roading network will be maintained; and
 3. There is adequate infrastructure, including on-site services in non-reticulated areas, to support the activity.
2. Activity status is **Discretionary** where compliance with FUZ-R10(1)a or b cannot be achieved.
 3. Activity status is **Non-complying** where:
 - a. Activities include:

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- i. Meat or poultry processing;
- ii. Dairy factories;
- iii. Stock yards;
- iv. Sawmills and portable sawmills;
- v. Processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site.

FUZ-R11 Transfer Station

1. Activity status is **Non-complying**.

FUZ-R12 Catteries and dog boarding kennels

1. Activity status is **Non-complying**.

FUZ-R13 Landfill

1. Activity status is **Non-complying**.

FUZ-R14 Industrial activities

1. Activity status is **Non-complying**.

FUZ-R15 Mining

1. Activity status is **Non-complying**.

FUZ-R16 Rural Transport Activities

1. Activity status is **Non-complying**.

FUZ-R17 Commercial activities / Retail (excluding Rural Commercial Services)

1. Activity status is **Non-complying**.

FUZ-R18 Any activity not otherwise listed as permitted, restricted discretionary, or discretionary.

1. Activity status is **Non-complying**.

Standards

FUZ-S1 Maximum number of residential buildings

There shall be a maximum of:

- a. One residential unit per site, including one sleepout; and
- b. One minor residential unit per site where:
 - i. A minor residential unit shall be less than 60m² gross floor area (excluding decks and internal garage); and
 - ii. Both residential units must share the same driveway access; and
 - iii. The minor residential unit must be within 20m of the principal unit.

Matters of discretion:

1. Whether the proposed maintains a low density of housing in accordance with the purpose of the zone.
2. The impact of the additional bulk on the character and amenity values of the local environment.
3. Dominance, privacy, and shading effects on adjoining sites.
4. Whether the topography of the site mitigates or exacerbates effects.
5. The extent to which site layout or landscaping has been incorporated into the design to mitigate any resulting amenity effects; and
6. Whether the site can accommodate onsite wastewater treatment and disposal for all residential units and any other existing or proposed accessory buildings.

FUZ-S2 Maximum floor area of accessory buildings

The maximum gross floor area of each accessory building per site shall be 100m².

Matters of discretion:

- a. Whether the proposed maintains a low density of built development in accordance with the purpose of the zone;
- b. The impact of the additional bulk on the character and amenity values of the local environment;
- c. Whether the topography of the site mitigates or exacerbates effects; and
- d. The extent to which site layout or landscaping has been incorporated into the design to mitigate any resulting amenity effects.

FUZ-S3 Maximum height

Buildings, structures and accessory buildings must not exceed a maximum height of 8m above ground level. An additional 1m can be added to the maximum height of any building or structure with a roof slope of 15 degrees or greater (rising to a central ridge).

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This standard does not apply to:

- a. Fences or standalone walls;
- b. Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; and
- c. Satellite dishes, antennas, aerials, chimneys, flues, architectural or decorative features (e.g. finials, spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 1m.

Matters of discretion:

1. Character, and amenity effects;
2. Dominance, privacy, and shading effects on adjoining sites; and
3. Whether the topography of the site mitigates or exacerbates effects.

FUZ-S4 Height in relation to boundary

No part of any building shall project beyond a 45-degree recession plane measured from a point 2.75m above ground level alongside side and rear boundaries.

Matters of discretion:

1. Dominance, privacy, and shading effects on adjoining sites; and
2. Whether the topography of the site mitigates or exacerbates effects.

FUZ-S5 Building setback

Buildings or structures must not be located within:

- a. 4.5m of all site boundaries.
- b. Buildings, other than buildings housing animals or birds, may be erected on any side or rear yard but no closer to the boundary than 1.5m 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.

No dwelling shall be located within:

- a. 20m from natural waterbodies.
- b. 30m of Rural Production zone boundary, which is under separate ownership, except if the written consent of the affected adjoining property owner is obtained and submitted to the consent authority at the time a building consent is sought.
- c. 500m from an existing piggery perimeter or within 30m of an existing vineyard boundary unless written consent of vineyard owner is obtained and submitted to the consent authority at the time a building consent is sought.

No dwelling or accessory buildings shall be located:

- a. 30m from an existing plantation forest boundary unless written consent from owner is obtained and submitted to the consent authority at the time a building consent is sought.

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Matters of discretion:

1. Dominance, privacy, and shading effects on adjoining sites; and
2. Whether the topography of the site mitigates or exacerbates effects; and
3. Whether the proximity of dwellings and other buildings to adjacent existing activities creates or exacerbates known health and safety adverse effects on residents;
4. Whether the proximity of dwellings and buildings to adjacent existing activities creates or exacerbates reverse sensitivity effects that compromise the operation of existing activities on adjacent properties.

FUZ-S6 Building Coverage

The maximum building coverage must not exceed 20% of net site area or 1000m² (whichever is lesser).

Matters of discretion:

1. The impact of the additional bulk on the character and amenity values of the local environment;
2. Whether the topography of the site mitigates or exacerbates effects;
3. The extent to which site layout or landscaping has been incorporated into the design to mitigate any resulting amenity effects; and
4. Whether the site can accommodate onsite wastewater treatment and disposal for all residential units and any other existing or proposed accessory buildings.

FUZ-S7 On-site services

Where a connection to Council's reticulated wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves and be connected to a septic tank or soakage field, or an approved alternative means to dispose of sewage in a sanitary manner in accordance with ??; and where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that must not be subject to:

- a. instability; or
- b. inundation; or
- c. used for the disposal of stormwater.

Matters of discretion:

1. The engineering measure to provide on-site services and measures to maintain the health of future occupants and neighbouring properties;
2. The ability for the engineering measure to provide a level of service to support the proposed development; and
3. The ongoing maintenance of the engineering measure.

FUZ-S8 Fences and standalone walls

No fence or standalone wall, or combination of these structures, shall:

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- a. Exceed a maximum height of 2m above ground level where within 1m of any boundary;

Matters of discretion:

1. Visual and amenity effects on the neighbourhood and streetscape character;
2. Dominance and shading effects on adjoining properties; and
3. Visibility and safe vehicle movements at accessways.

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DESIGN GUIDE

FOR RESIDENTIAL DEVELOPMENT IN URBAN AREAS



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

INTRODUCTION

PURPOSE OF THIS GUIDE

Residential development in Tairāwhiti Gisborne has historically been at a relatively low density. Like many other towns and cities in Aotearoa New Zealand, Tairāwhiti Gisborne is starting to see increased residential density as people seek to make better use of existing urban land.

This Design Guide seeks to encourage new residential development to be well-integrated with the existing and planned urban environment, to maximise the benefits of urban development to the city and region. Where this development is expected happen is dependent on the zone given to land in the District Plan.

Over 50% of the population of Tairāwhiti Gisborne identifies as Māori. This Design Guide therefore also seeks to provide for creative responses to achieve good-practice design outcomes while encouraging design opportunities that recognise and respond to the cultural identity of the area.

APPLICATION OF THIS GUIDE

This Design Guide is to be considered by landowners and developers when undertaking residential development in Tairāwhiti Gisborne. It promotes good design outcomes for multi-unit developments and supports these with best-practice guidance and illustrative examples.

While some guidelines in this document may be more suited to terrace and apartment typologies, lower density typologies including detached and semi-detached housing play an equally important role in shaping the future urban form of Tairāwhiti Gisborne. These typologies are described on the Typologies page.

When using this Design Guide as part of development that requires a resource consent, include a design statement addressing how the guidelines are or are not being met. Further information on the application of this Guide and preparing a design statement is provided on the following page. This Design Guide can also be used for anyone seeking general guidance on achieving positive outcomes for residential development, regardless of consent status.

STRUCTURE OF THIS GUIDE

PRINCIPLES

Principles (on the following page) provide the overarching vision of Tairāwhiti Gisborne's residential growth that the Design Guide aims to achieve.

SECTIONS

This Design Guide is set out in sections for ease of navigation and to help users understand the different parts of the proposal to be considered. These sections are:

- Site, Context and Public Interface
- Outdoor Living Space
- Access
- Servicing
- Visual Interest and Integration
- Landscape and Internal Amenity
- Stormwater and Resilience

Each section includes the following elements:

OUTCOMES

Outcome 1

Outcomes describe the high-quality, well-functioning urban environment that the **Guidelines** in the section aim to achieve when followed.

GUIDELINES

- Guidelines** provide detailed, good-practice advice which help to achieve the Section's **Outcomes**.

IDEAS

IDEAS

Ideas provide further explanation or non-prescriptive suggestions and considerations on how to achieve the **Guidelines**.

ILLUSTRATIONS

Illustrations demonstrate possible (non-prescriptive) ways to achieve the written **Guidelines**. ¹⁴ Numbers are used to indicate what **Guideline/s** the illustrations specifically relate to.



DESIGN GUIDE APPLICATION

WHEN TO USE THIS GUIDE

The application of the Design Guide and its Guidelines will depend on the zoning, planning rules, site size and other contextual influences as to how it is appropriately applied. The flowchart on the right depicts when to use this Design Guide as part of a planning application and prepare a design statement.

PREPARING A DESIGN STATEMENT

Gisborne District Council staff will use this Design Guide as an assessment tool on planning applications which require a resource consent. To ensure ease of assessment of a planning application, applicants should provide a design statement which outlines how the proposal responds to the Design Guide. This design statement should:

- Provide a general description of the site, context and proposal.
- Outline how the proposal meets the Outcomes sought by the Design Guide.
- Explain how any contextual elements of the proposal have led to any design decisions that are inconsistent with the Guidelines.

A design statement gives applicants an opportunity to explain where a Guideline may not be being met, if contextually, it does not contribute to the an Outcome sought by the Design Guide or conflicts with another Guideline. This allows for flexibility when assessing the proposal in its context.

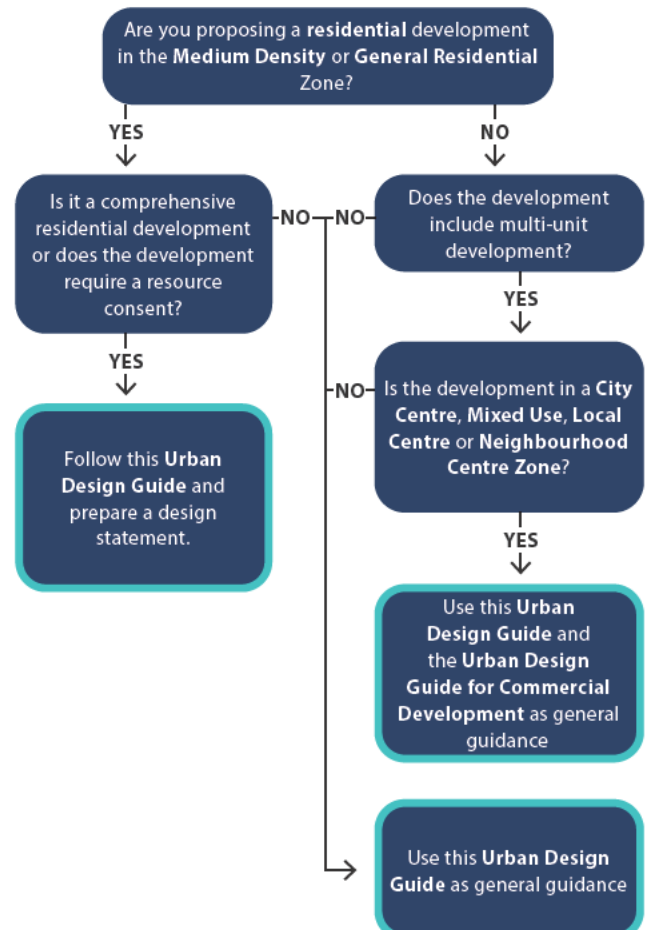
While there is no formal template for a design statement, it can include written and visual material, and the level of information provided should be consistent with the scale of the proposal. To assist with preparing a design statement, a checklist is provided at the end of the document.

OTHER DOCUMENTS

This Design Guide does not address the suite of requirements that may apply to residential development, such as the objectives, policies and rules set out in the District Plan, or any other legal requirements such as the Building Act 2004.

Other helpful documents that may can assist in achieving positive design outcomes include:

- Urban Design Guide for Commercial Development in Urban Areas (Gisborne District Council)
- National Medium Density Design Guide (Ministry for the Environment)
- National guidelines for crime prevention through environmental design in New Zealand (Ministry of Justice)
- Water Sensitive Design for Stormwater (Auckland Design Manual)





Residential development plays an important role in the way we experience our urban environments. Good urban design is about how the building and sites are integrated into the broader environment. The way we design new buildings to respond to their context can influence how the streetscape and broader public realm are experienced. As well as having a relationship to the street, good design considers how the buildings and sites respond to neighbouring properties and how they provide for good residential amenity living on site.

The following principles have been developed to promote high quality design that contributes to the existing and future planned urban residential environment of Tairāwhiti Gisborne. These principles describe a high-level vision for the development of residential urban environments that the design guidelines contribute towards achieving.

| HEALTHY ENVIRONMENTS | A THRIVING CITY | IDENTITY AND SENSE OF PLACE | ADAPTATION AND RESILIENCE |
|---|---|--|--|
| Supporting the protection of te taiao and its capacity to sustain life | Providing for the diverse housing needs of the people of Tairāwhiti | Reinforcing the unique sense of place between maunga and moana in Tairāwhiti | Contributing towards neighbourhoods that are resilient and can adapt to natural hazards and the current and future effects of climate change |
| Respecting the mauri and supports the well-being of rivers, streams and coastal water in Tairāwhiti | Providing homes where people and whānau can thrive | Celebrating cultural and historic heritage values specific to Tairāwhiti | Supporting the resilience of the infrastructure network |
| Supporting indigenous biodiversity | Promoting connectivity within and between neighbourhoods | Supporting mana whenua to express their own identity | |
| Supporting the reduction of greenhouse gas emissions | Supporting communities to grow in places that are accessible by active or public transport to jobs, services, and amenities | | |
| | Contributing towards accessible communities | | |

TPOLOGIES

New housing in Tairāwhiti Gisborne could take shape in a variety of forms to make best use of existing urban land. As communities grow, housing supply needs to reflect the multiple ways that people may choose to live. These different housing choices, or typologies, that are anticipated for Tairāwhiti Gisborne are outlined below. Growth will look different in different areas, depending on the zone given to that area in the District Plan.



DETACHED

Detached houses are stand-alone houses that provide for one household. Detached houses are a typical form of existing residential development in Tairāwhiti Gisborne.



SEMI-DETACHED

Semi-detached houses are two housing units with separate entrances that are attached by a shared wall, sometimes called a 'duplex'.



TERRACE HOUSING

Terrace or attached housing are usually three or more household units with separate entrances which are attached by shared walls on one or both sides to form a row. Terrace housing is a common housing typology used in multi-unit developments to provide for increased density within residential areas as they use land more efficiently and can be more affordable to build than detached dwellings.



APARTMENT

Apartment housing typologies provide for low-maintenance living options for small households. Low-rise apartments of two-to-three-storeys can be referred to as 'walk-up' apartments as they do not require a lift. Lifts can be provided in low-rise apartments as they help with accessibility. Apartments generally have one shared entrance which leads to internal individual entrances.

MĀORI HOUSING GUIDANCE



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

INTRODUCTION

Over 50% of the population of Tairāwhiti Gisborne identifies as Māori. It is important that new housing is tailored to meet the social and cultural needs of Māori whānau.

When designing housing for Māori communities on Māori land, such as papakāinga, it is essential that this is planned and delivered with Māori. In other cases, developers may be providing housing that is likely to be lived in by Māori whānau so should consider their unique living needs.

This section of the Design Guide provides guidance on designing housing solutions that work for Māori communities. It is highly recommended this guidance is followed when developing new housing in Tairāwhiti Gisborne.

Māori housing solutions can occur across various scales of development from individual houses to papakāinga, for the purpose of this Guide this section refers to urban and suburban multi-unit developments which provide shared and communal spaces while maintaining the benefits of individual housing often associated with lower density environments.

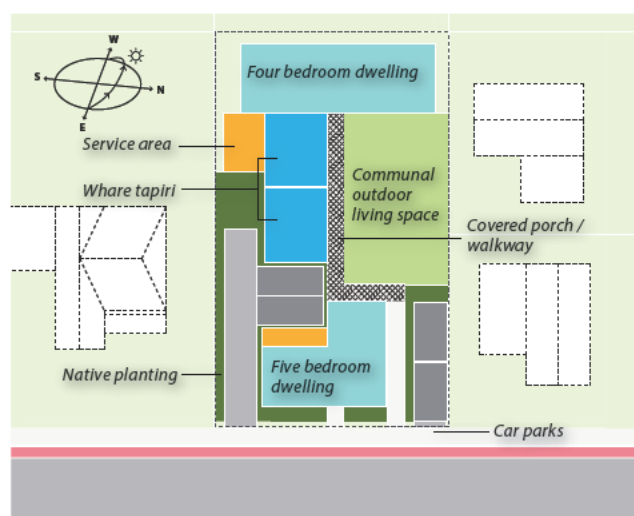
This guidance has been adapted from *Ki te Hau Kāinga: New Perspectives on Māori Housing Solutions*¹, and applied in the context of this Guide.



GUIDANCE

TAPU AND NOA

Cultural sensitivities should be planned into the layout of Māori housing to allow for Māori households to practice tikanga. In particular plan for the concept of tapu (sacred) and noa (non-sacred/common), which means certain household functions should be kept separate. For example, all food-related activity should be kept separate from bathrooms, toilets and laundries.



BUILDING PLACEMENT

When placing a building on a site, orientate the length of the building to the north where possible, and co-locate private outdoor spaces to the north. Ensure a direct connection between building and outdoor spaces is provided.

Seek opportunity to provide outlook to significant cultural and natural features, whether from windows, balconies or communal outdoor spaces to provide a sense of identity.

Placement of buildings should visually connect with other homes on the site, typically achieved by placing a communal outdoor space in the centre.

Even when building multiple houses on one site, a well-planned site can provide good opportunities for communal outdoor spaces that support large whānau gatherings and facilitate play for tamariki where it might not fit in a private outdoor living space. Providing a range of unit sizes supports changing, long-term, intergenerational occupancy of the site.

ENTRY AND ARRIVAL

The entrance is an important transitional threshold for Māori homes and should be clearly defined to assist in welcoming manuhiri. Including a porch or verandah provides space for interaction with manuhiri before they enter the house.

Where the front door is co-located with any services such as waste receptacles or heat pumps, ensure they are screened from view to make a welcoming arrival space.

LIVING SPACES

Living spaces can take on a variety of uses for Māori whānau as they are the heart of the whare and need to be adaptable. Large spaces provide the space needed to facilitate manaakitanga and accommodate manuhiri for gatherings such as hui and celebrations, or sometimes where a tūpāpaku will lie in the event of a tangi.

Secondary living spaces or the ability to partition a living space to create private spaces are helpful if main living space is being adopted as a Marae-style sleeping space. A mezzanine or other multi-purpose rooms could be used for a second living space.

Ensure bathroom facilities are easily accessible from a living space for manuhiri, although not directly adjacent (tapu/noa). Provide doors to the outside from living spaces to ensure people can easily exit in the event of an emergency.

Larger multi-unit developments should consider providing a separate communal indoor living space which can be booked.

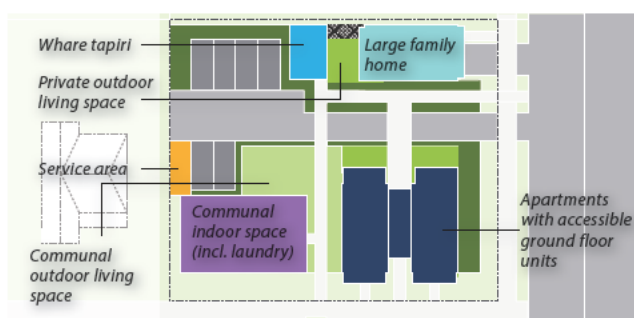
KITCHEN AND DINING AREAS

Food preparation plays an important role in Māori culture. Ensure kitchens are wide enough to accommodate two or more people for food preparation and provide enough storage for large pots and bulk food storage.

While open plan layouts are suitable, provide ability for the kitchen to be closed-off from the living area to separate food preparation and manuhiri spaces during gatherings.

Dining rooms are often the core of the household for facilitating social interaction. Ensure the space fits a large table and has good visual connection to the kitchen, lounge and outdoor living spaces.

Provide for outdoor cooking and food preparation areas. These can be located in porch or carport areas, or could be in communal outdoor spaces.



BEDROOMS

Māori housing is often home to large and intergenerational whānau. Bedroom numbers will vary, but ensure they are large enough to accommodate multiple children and provide for sleeping and quiet study away from communal spaces.

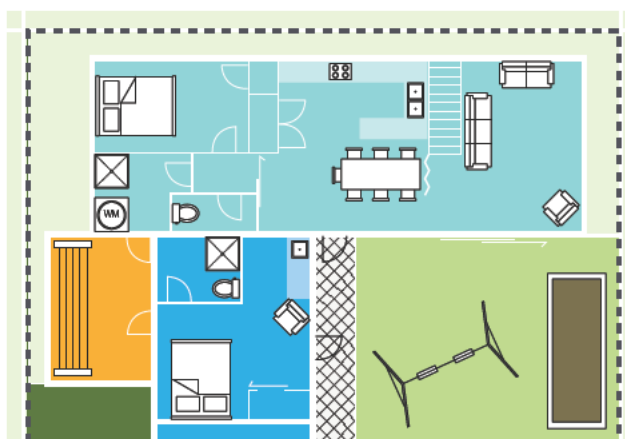
In homes with four or more bedrooms, provide at least one bedroom on the ground floor for accessibility. Consider providing direct outdoor access for a separate entry point. When building separate kaumatua homes, provide two bedrooms to allow for whānau or caregivers to stay or live in.

BATHROOM AND LAUNDRIES

Toilets with a sink should be separate from bathrooms, to align with tapu/noa principles but also provide more flexibility of use for larger whānau. Provide at least two bathrooms in larger whānau homes.

Provide showers separate to bathtubs for increased accessibility, especially where providing an accessible bedroom or designing kaumatua housing.

Keep laundries separate from bathrooms and kitchens (tapu/noa). Provide linen cupboards separate from other storage.



GARAGES AND CONNECTED WINGS

Garages are beneficial for larger whānau as they provide an adaptable space for gatherings. However, purpose-built additional spaces a more culturally appropriate. Bedroom wings known as whare tapiri, provide an adaptable space such as a second living area or a bedroom for manuhiri or a live-in independent whānau member. A whare tapiri should be connected to the main house by a covered access, and provide its own bathroom.

Carports can also act as a multi-purpose outdoor living space or provide access link to a laundry or bathroom.

OUTDOOR LIVING SPACES AND SUSTAINABILITY

Use low or permeable fencing at the street front or where a communal outdoor living space is being provided to maintain a safe, visual connection.

Where designing housing for communities and whānau who are known to each other, provide gates between gardens to allow for access between homes.

Whether designing communal or private outdoor spaces, provide for vegetable gardens to promote growing and sharing of food.

Design homes to be energy efficient, using local and durable materials. Provide eave overhangs to avoid overheating, particularly on north and west facing windows.

Use low-impact urban design methods such as permeable paving, raingardens and stormwater drains to lessen the impact of the built environment on the ecosystem.

GUIDELINES



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

SITE, CONTEXT AND PUBLIC INTERFACE

How buildings and sites respond to the surrounding context helps them to integrate into the surrounding environment, while enabling a transition into the planned one. Both natural features (such as maunga/ mountains and awa/ rivers) and built features can influence the design response.

Outcome 1

The layout of new development (including streets, buildings and open space) responds to the surrounding natural or cultural features and built form of the neighbourhood.

GUIDELINES

TE AO MĀORI AND NATURAL CONTEXT

- 1 Consider opportunities for place-based site interpretation that recognises the histories of Tairāwhiti and its Tiriti o Waitangi partners.
- 2 Consider opportunities to design sites to respond to the surrounding natural context. For example, orienting buildings, balconies or shared pathways to retain key views to maunga, awa, moana or other natural features of significance.
- 3 Where possible, reduce earthworks by designing buildings and access to integrate with existing landform on the site, minimising the need for large, highly visible retaining walls.

DESIGNING TO INCORPORATE CULTURAL FEATURES

Orientating buildings or pedestrian links or placing balconies with an outlook to maunga provides a sense of place within the site.

This needs to be balanced with other considerations, such as sunlight and street interface. Each site will have contextually different influences.



SITE, CONTEXT AND PUBLIC INTERFACE

New development also needs to consider how buildings are laid out on the site to provide interest to the street while responding to other site specific challenges such as topography and site size.

Outcome 2

New development provides a sense of human scale at the edges of buildings that are next to the street, pedestrian paths, or other public or communal spaces.

GUIDELINES

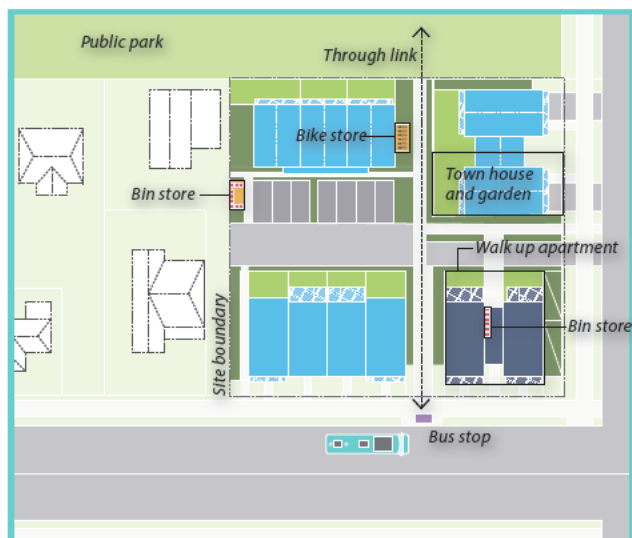
SITE ARRANGEMENT

- 4 Design the building layout to respond to surrounding built form, including setback and typical patterns of building massing.
- 5 Design and place buildings so that the front elevation of the building faces the street, driveway or public space. Where providing an internal driveway, prioritise frontage to the public street where the building borders both.
- 6 Consider reducing unused space on site by using housing typologies that are more space efficient, such as terraced houses or apartments.

STREET INTERFACE

- 7 Design front entrances to be legible by ensuring they are visually distinguishable from the rest of the building, this can include incorporating lighting and shelter.
- 8 Configure the layout of residential units so that habitable spaces face the street, internal driveways or public spaces.
- 9 Where ground floor residential units front the street, provide individual pedestrian entrances from the street to each unit.

LARGER SITES



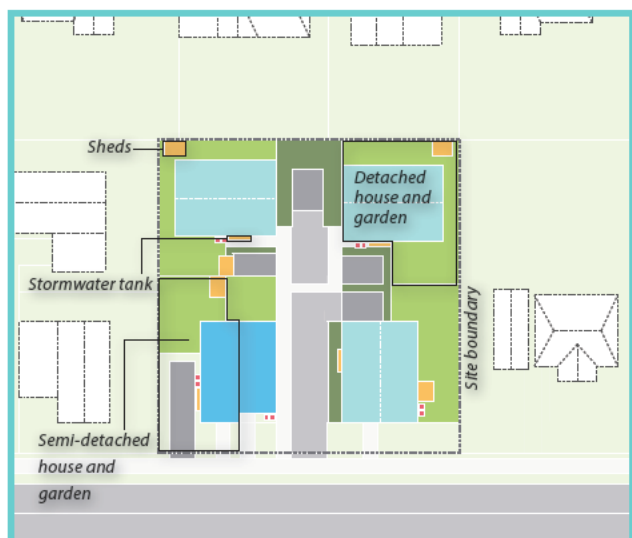
DESIGNING FOR CONTEXT

Consider the scale of both the existing and the future planned neighbourhood.

Larger site sizes or amalgamated sites will provide better opportunity to design comprehensive developments, with more flexibility to group and locate buildings appropriately on the site. Eg. Placing apartment typologies on the corner, stepping down to a lower-density at the site boundary.

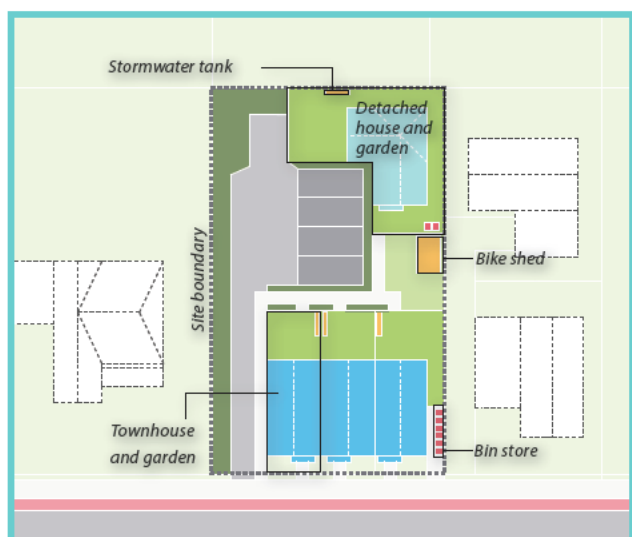
These sites present better opportunity for pedestrian links and open space which add benefit to the wider community, as well as on-site amenity.

Proximity to parks, public transport and other amenities complement urban intensification.



Larger sites in lower-density residential areas still provide opportunity to co-locate driveways and maximise space for homes that suit bigger whānau but occupy less space than the current built environment.

SMALLER SITES



Smaller **single lot sites** can make it harder to get best practice design outcomes, prioritising orientation to the street will help to achieve positive outcomes while working with the constraints of the site.

KEY

| | |
|-----------------------|---------------------------|
| Grass | Apartment |
| Communal space | Townhouse / semi-detached |
| Private outdoor space | Detached house |
| Landscape treatment | Storage / service |
| Footpath | Bins |
| Driveway / road | Bus stop |
| Car park | Balcony |

OUTDOOR LIVING SPACE

Outdoor living space is a key element of residential amenity, particularly when increasing the number of dwellings on site. As well as providing for recreational areas, outdoor spaces can be used to provide outlook, boundary setback and influence the level of privacy afforded to residents.

Larger residential developments may include communal outdoor living spaces that are shared by residents to facilitate casual social interactions, support whānau to gather or provide better play opportunities for tamariki and mitigate small private outdoor living spaces.

Outcome 3

Private and communal outdoor living spaces are accessible, functional, provide amenity and are easy to maintain.

GUIDELINES

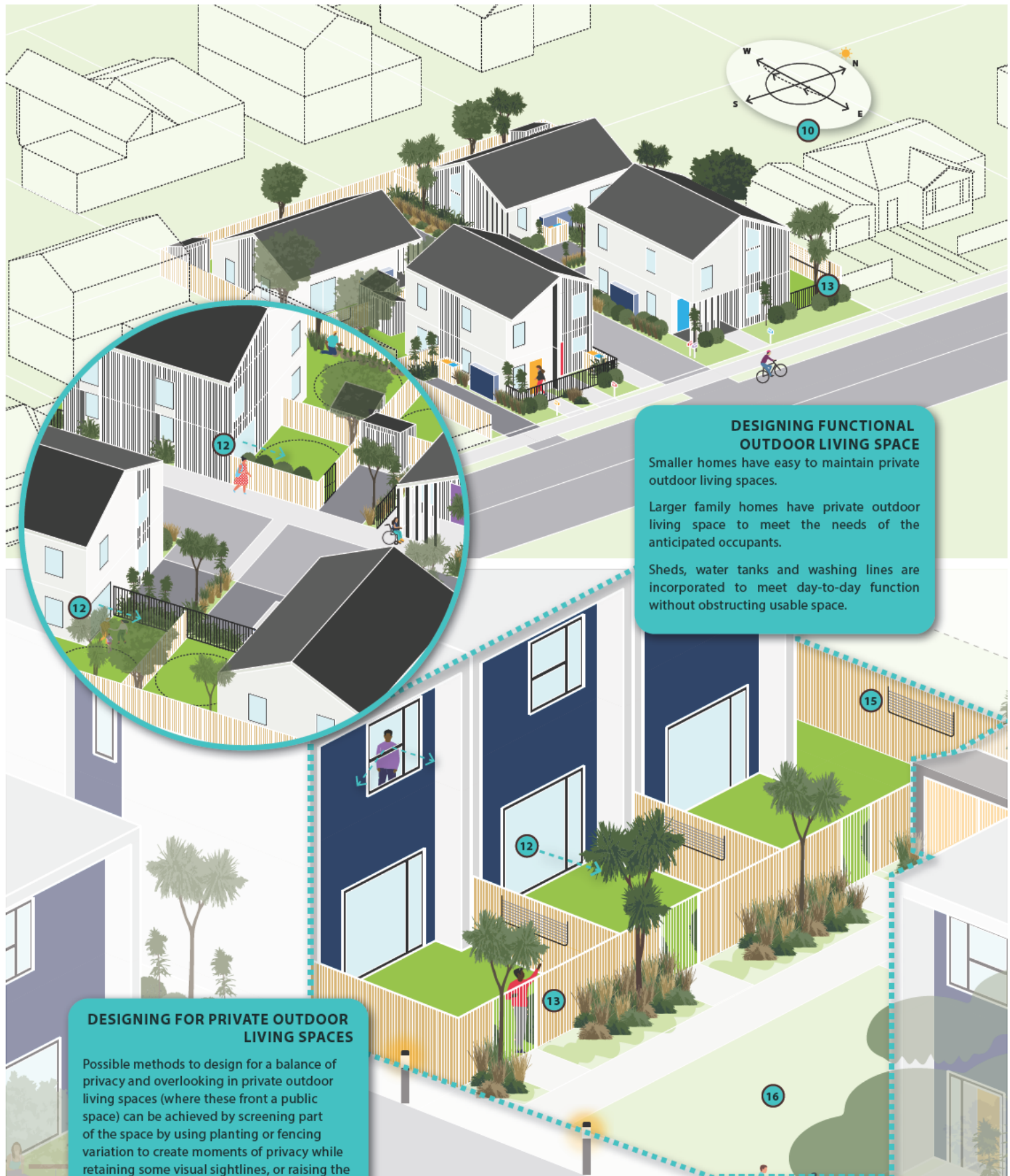
PRIVATE OUTDOOR LIVING SPACE

- 10 Locate private outdoor living spaces (including balconies) to optimise access to sunlight.
- 11 Design the size of private outdoor living spaces to consider the number of intended occupants of the unit it services.
- 12 Locate primary private outdoor living spaces to have direct access from well-used internal living areas, prioritising living rooms.
- 13 Where private outdoor living spaces are located in the front yard or adjacent to a public space, design the space to balance residents' privacy with the need to provide overlooking opportunities from the residential unit to the public space.

- 14 Where providing balconies, design and locate them to allow for overlooking of the street while providing for privacy between residential units.
- 15 When placing permanent fixtures such as clotheslines and heat pumps in private outdoor living spaces (including balconies), ensure the function of the space is retained, and consider the visual impact from the street or communal outdoor living spaces.

COMMUNAL OUTDOOR LIVING SPACE

- 16 For larger developments, consider providing communal outdoor living space. Where provided, design and locate it so that the size is proportionate to the number of intended occupants, it is accessible, convenient to all units on site and facilitates social interaction.
- 17 Where providing communal outdoor living space, ensure shared features, such as play equipment, barbecues, seating, planting and trees, are selected and located so that they are easy to maintain.



ACCESS

The design of access to and through the site plays an important role in how the site functions both internally and as it relates to the streetscape. Movement networks need to be clear, predictable and prioritise pedestrian safety, especially where multiple vehicles may be accessing the site. Garages and car-parking should be sensitively integrated into the development to minimise visual impact and maximise the efficient arrangement of the site. Careful consideration should be made to homes where vehicles may cross spaces expected to be used by tamariki.

Increasing the number of dwellings on a site means waste storage and collection needs to be carefully located and integrated to be functional.

Outcome 4

New residential development prioritises pedestrian movement over vehicular movement and enhances connectivity.

GUIDELINES

PEDESTRIAN ACCESS AND CONNECTIVITY

- 18** Create universally accessible pedestrian paths through larger sites with multiple frontages where this is safe and will enhance local pedestrian connectivity, particularly to public transport links.
- 19** Design pedestrian routes through and within the site to be safe by providing paths that are direct with clear sightlines, appropriately lit and avoid dead-ends.
- 20** When designing building entrances and the access to them, consider the needs of differing users and functions. Where possible, this includes designing universally accessible pathways and entrances for people of different ages and abilities, and designing the width of doors to accommodate furniture.
- 21** Locate lighting of an appropriate level to enhance both safety and wayfinding in communal spaces. This may include pedestrian paths, communal outdoor spaces, waste storage, bicycle parking, building entrances and car parking areas.

CAR, CYCLE AND MICRO-MOBILITY PARKING

- 22** For larger developments, consider grouping car-parking together to maximise site efficiency and reduce impermeable surfaces.
- 23** Design garages to be recessed from main pedestrian entries and locate grouped-parking away from the street.
- 24** Locate and integrate on-site car parking so that it is not visually dominant. Use landscape treatment such as planting or screening to reduce the visual impact from the street and common areas.
- 25** Locate and design vehicle crossings to prioritise pedestrian access and safety. Where possible, reduce the number of vehicle crossings by combining vehicle access points and grouping car-parking on site.
- 26** Design internal pedestrian paths so that they are distinguishable from vehicle parking and manoeuvring areas. Where possible, use grade-separation for safe, physical separation.
- 27** Where residential units do not have garages, provide secure cycle parking that considers different sizes, weights and types of bicycle, including e-bikes and cargo bikes. Consider sheltered, grouped cycle parking.



SERVICING

Increasing the number of dwellings on a site means functional requirements such as waste storage and collection and other services elements need to be carefully located and integrated into the design so that they do not detract from use and amenity of the site.

Outcome 5

Waste and servicing are provided for in a way that integrates with the site and minimises visual impact from the street and shared spaces.

GUIDELINES

WASTE, STORAGE AND SERVICES

- 28** Ensure that the number and size of waste bins required to service the residential units can be accommodated at the street to facilitate safe collection without obstructing pedestrian or vehicle access. If this cannot be achieved, provide on-site communal waste storage that can be safely accessed by rubbish trucks for collection.
- 29** Design communal waste storage and collection areas to accommodate the size and number of rubbish bins required to service the site. Where providing for larger numbers of residential units, consider providing multiple storage points throughout the site to improve convenience of access.
- 30** Design and locate waste storage areas to be screened from the street, communal paths and accessways or shared spaces.
- 31** Locate uncovered waste storage areas away from communal or private outdoor living spaces and opening windows and doors to residential units.
- 32** Design external service elements such as air conditioning units or water storage tanks so that they are integrated elements that:
 - a. do not compromise the usable area of communal or private outdoor living spaces (see Guideline 15);
 - b. are screened where they may be visible from a public space; and
 - c. do not obstruct or visually dominate building entrances.

**DESIGNING FOR WASTE**

When providing grouped waste storage, locate it no more than 40m walk from the kerbside collection.

Access to grouped waste storage should be convenient from units' front or rear entrances.

VISUAL INTEREST AND INTEGRATION

When increasing the number of homes on a site, buildings become more visible from the street and neighbouring properties. Designing for visual interest is not about the colour and style of the building, but about using design methods to limit the visual impact of larger building masses and help new development contribute positively to the neighbourhood. For example, providing smaller clusters of terraced houses provides for more housing, while allowing for sunlight, privacy and matching the scale of surrounding detached housing. Designing for privacy needs to be balanced with crime prevention through urban design (CPTED) principles which promote safer spaces.

Outcome 6

New residential buildings are designed in a coherent way that integrates with the neighbourhood.

Outcome 7

New residential buildings contribute positively to the urban environment and provide housing choice for a range of people.

GUIDELINES

BUILT FORM AND APPEARANCE

- 33** Design new building form to respond to the surrounding built context. This could include using similar roof forms and aligning key horizontal features.
- 34** Design and compose buildings to achieve an overall coherence across the site.
- 35** Use design elements to minimise the effects of physical dominance by breaking down the bulk of the building. This could include using physical breaks or offsets in the building massing or visual breaks using a variation in façade treatment (through elements such as balconies, shading devices or vertical design elements).
- 36** Design external walls to avoid large areas of featureless walls without doors and windows. Where this is not practicable, integrate features such as planting or screening into the design.

BUILDING DIVERSITY

- 37** Design housing to achieve a sense of individual address for each residential unit. Consider subtle variation to entrances or enable residents to personalise their entrances.
- 38** When designing a multi-unit development, consider opportunities to provide for a range of residential unit sizes, including accessible residential units on the ground floor.

PRIVACY

- 39** Locate and design windows fronting public or communal areas to provide for reasonable internal privacy to the residential unit and neighbouring units. Where units face each other, be mindful of window placement.
- 40** Where privacy is a potential issue, use high-level windows, tall narrow windows or louvres to maintain sunlight access.

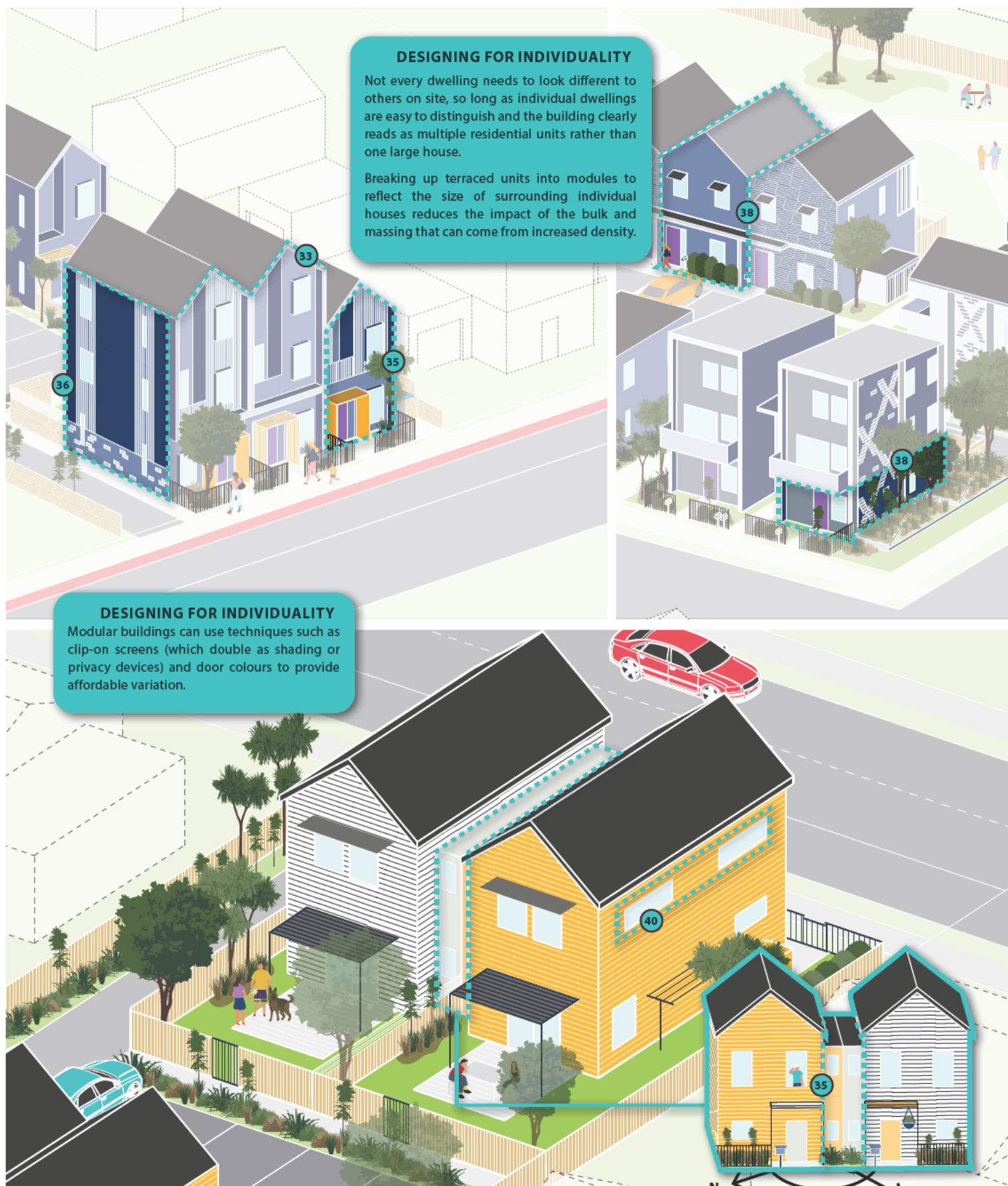
DESIGNING FOR INDIVIDUALITY

Not every dwelling needs to look different to others on site, so long as individual dwellings are easy to distinguish and the building clearly reads as multiple residential units rather than one large house.

Breaking up terraced units into modules to reflect the size of surrounding individual houses reduces the impact of the bulk and massing that can come from increased density.

DESIGNING FOR INDIVIDUALITY

Modular buildings can use techniques such as clip-on screens (which double as shading or privacy devices) and door colours to provide affordable variation.



LANDSCAPE AND INTERNAL AMENITY

Landscape treatment includes “soft” elements, like plants and trees, as well as “hard” elements, like paving, fencing and patios. The way we integrate landscape design into the site not only improves visual amenity, but can provide for privacy, safety and other elements that improve the experience of a site. Landscape treatment also helps to integrate new built environments into existing neighbourhoods.

Internal amenity refers to how the home is designed to meet the day-to-day functions of future residents. Increased density still can work for larger whānau when buildings are designed well, and shared facilities can support multi-generational living. Incorporating universal design principles in the design ensures homes are comfortable and accessible.

Outcome 8

Landscape treatment improves the amenity of the site and assists to integrate a built development into the site, street and neighbourhood.

Outcome 9

Unit interiors are functional and support the day-to-day needs of residents.

GUIDELINES

LANDSCAPE TREATMENT

- 41 Where retaining walls or exposed building foundation structures are necessary, use planting to mitigate the visual impact of the structure.
- 42 Where possible, retain mature, indigenous and healthy trees and vegetation and integrate these into the design of the site.
- 43 Design, locate and select planting to mitigate the visual effects of hard surface areas or visually obstructive elements such as car parking, driveways, blank façades, servicing and storage.
- 44 Select plant species that reflect the landscape character of the area and that are appropriate to the climactic conditions, prioritising indigenous species.
- 45 Locate and select plant species so that they can be readily maintained by residents.

INTERNAL FUNCTION AND AMENITY

- 46 Consider the appropriate amount of interior storage required for each residential unit, based on its anticipated occupancy.
- 47 Design internal layouts to consider cultural appropriateness and practices. For example: consider separating spaces associated with food from bathrooms and laundries, and consider spaces for tangihanga and other cultural practices when designing multi-generational homes.
- 48 Consider opportunities to provide communal internal spaces and facilitate cultural practices, such as shared laundries or adaptable rooms which can be used for gathering.

PLANTING MAINTENANCE

When choosing and locating plant species, consider how residents will maintain plants. This includes considering:

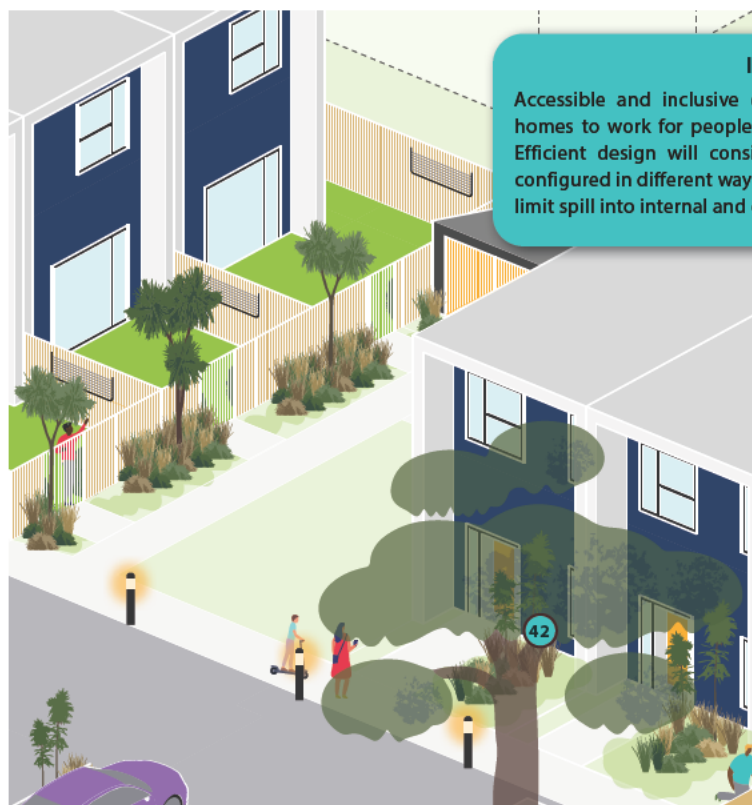
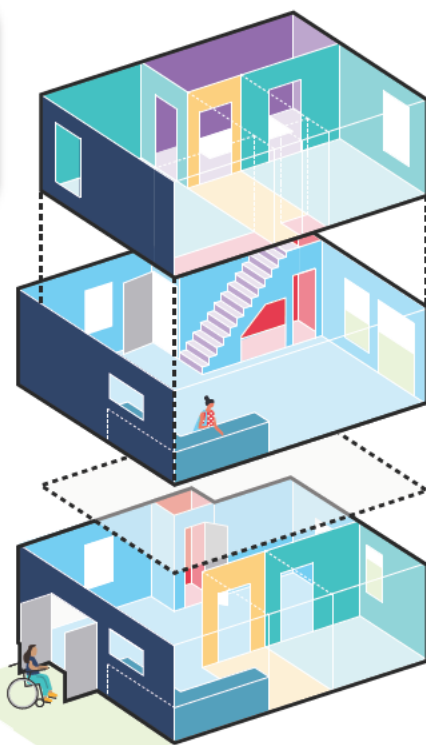
- access, including height and fencing restrictions
- storage required for maintenance tools (eg. lawn mowers)
- where in a communal outdoor living space, how maintenance will be managed (eg. through a body corporate)

**INTERNAL AMENITY**

Accessible and inclusive design will future proof homes to work for people of all ages and abilities. Efficient design will consider how rooms can be configured in different ways, with enough storage to limit spill into internal and outdoor living areas.

KEY

- Kitchen / Living / Dining
- Bedroom
- Bathroom
- Circulation
- Storage



STORMWATER AND RESILIENCE

An integrated water sensitive design process is complementary to residential urban intensification in that it promotes clustering of development and maximising space for more efficient use of resources.

Integrating well-considered stormwater management into a development is critical in ensuring the sustainability of residential growth for the future of Tairāwhiti Gisborne. The inclusion of low impact design solutions can minimise runoff and peak flows while also contributing to the overall amenity of a development, which is critical for managing increasing rainfall.

Tairāwhiti Gisborne is unique in that it faces cold winters, and hot summers with possibilities of tropical cyclones. Considering natural elements such as sun and wind also helps to design a development that is comfortable, sustainable and economically efficient both for the developer and future residents.

Outcome 10

Methods to improve water quality and manage stormwater runoff are integrated into residential development in a manner that is both functional and supports residential amenity.

Outcome 11

Residential development is designed to consider energy efficiency and the effects of development on climate change

GUIDELINES

STORMWATER MANAGEMENT

- 49** Consider the use of low-impact water sensitive design solutions to reduce the impact of new development on existing stormwater infrastructure, and integrate these into the overall design of the development (see also Guideline 26).

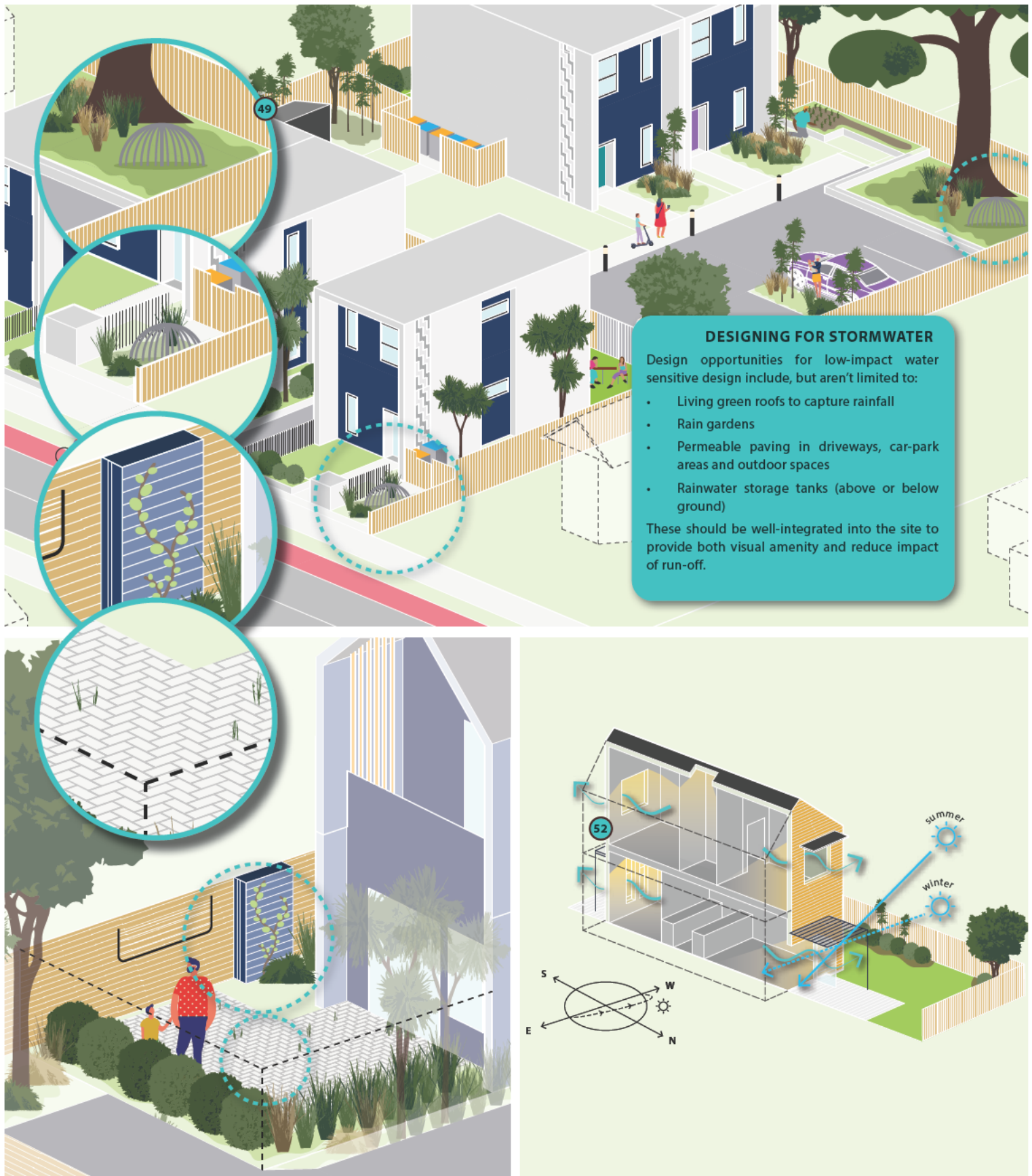
BUILDING EFFICIENCY

- 50** Orientate living areas within residential units to receive sunlight across all seasons.
- 51** Limit windows on south-facing elevations to reduce heat loss in winter.

- 52** Where possible, locate opening windows or other forms of natural ventilation on opposite sides of the residential unit to allow for air flow in hot temperatures.

- 53** Consider using shading devices, such as deeper eaves, louvres, and balconies, to help maintain indoor comfort in the summer, while allowing sunlight to heat rooms in the winter, particularly on north- and west-facing elevations.

- 54** Where possible, use robust materials that are easy to maintain and retain their long term appearance.



APPENDICES



Te Kaitiaki o Te Taiāwhiri
GISBORNE
DISTRICT COUNCIL

CHECKLIST

The following checklist is to assist users of the Design Guides to check they have considered all the guidelines. This can also be used by applicants for resource consent as the basis for preparing a design statement that describes how the proposal addresses each of the relevant guidelines.

eg. 22 ☒ Not met as gradient across site requires parking to be at the site frontage. However, landscape treatment has been used to screen parking from the street

SITE, CONTEXT AND PUBLIC INTERFACE

1 ☐2 ☐3 ☐4 ☐5 ☐6 ☐7 ☐8 ☐9 ☐

OUTDOOR LIVING SPACE

10 ☐11 ☐12 ☐13 ☐14 ☐15 ☐16 ☐17 ☐

ACCESS

18 ☐19 ☐20 ☐21 ☐22 ☐23 ☐24 ☐25 ☐26 ☐27 ☐

SERVICING

28 ☐29 ☐30 ☐31 ☐32 ☐

CHECKLIST

VISUAL INTEREST AND INTEGRATION

33 ☐34 ☐35 ☐36 ☐37 ☐38 ☐39 ☐40 ☐

LANDSCAPE AND INTERNAL AMENITY

41 ☐42 ☐43 ☐44 ☐45 ☐46 ☐47 ☐48 ☐

STORMWATER AND RESILIENCE

49 ☐50 ☐51 ☐52 ☐53 ☐54 ☐

GLOSSARY

Endnotes

- 1 Hoskins, Rau, Rihi Te Nana, Peter Rhodes, Philip Guy, and Chris Sage, *Ki te Hau Kainga: New Perspectives on Māori Housing Solutions: A Design Guide* prepared for Housing New Zealand Corporation, 2002 (second edition, eds. Rau Hoskins and Jade Kake [2014])



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

Te Papa Tipu Taunaki o Te Tairāwhiti - The Tairāwhiti Resource Management Plan

Part C: Region Wide Provisions (C9-C11)



C

C10.1.6 Rules for Subdivisions

Note: Activities shall comply, where relevant, with the regional or district rules specified in C3.14 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage and C11.1 Signs.

Attention is drawn to the coastal and freshwater provisions of the Tairāwhiti Plan.

C10.1.6.1 General Standards

The following General Rules shall apply to all subdivision activities:

- A. a) Subdivisions shall comply with C2 – Built Environment, Infrastructure and Energy and C9.2 Esplanade Reserves/Strips.
- B. **Allotment Sizes and Dimensions**
- a) Subdivisions shall comply with the rules for allotment sizes and shape factor and road frontage Requirements in C10.1, **provided that:**
1. In Rural Productive and Rural Residential zones where an existing site used for farming purposes is occupied by more than one dwelling-house erected prior to 31 March 1987, and any of those dwelling houses, excluding at least one to remain on the site, is no longer required for farming the site, a new site may be created notwithstanding that the site does not meet the requirements in Figure C10.1, but subject to compliance with the following:
 - i. minimum area - 1000m²
 - ii. maximum area - 2000m²,
 - iii. maximum shape factor and road frontage requirement. Every site shall be of such a shape as to contain a rectangle 13m x 18m without encroachment on to any yard,
 - iv. the new boundaries of the site to be created are to be so located as to ensure that the existing buildings conform with the requirements of the Plan.
 1. The rules for minimum allotment sizes and dimensions shall not apply to subdivisions for meteorological activities.

| Zone | Minimum Net Area | Shape Factor and Road Frontage Requirements |
|--|---|---|
| Rural productive | 8ha | Every site shall be capable of containing a rectangle of 100m x 200m. |
| Rural residential | 1 hectare | Every site shall be capable of containing a rectangle of 50m x 80m. |
| Rural Lifestyle (Rest of Rural Lifestyle Zone) | 5000m ² or Existing sites held as separate Certificates of Title as at 1 October 1982 and comprising less than 1 hectare may be subdivided once only to create one new allotment and a balance allotment each comprising at least 2000m ² | Nil |
| Rural General | 1000m ² | Nil |
| Rural Commercial (Reticulated) (Non-reticulated) | 200m ² 1000m ² | 6m minimum frontage 7.5m minimum frontage |
| General Residential | 400m ² | Nil |

| | | |
|---|---|--|
| General Residential Protection Overlay (reticulated) | 400m ² per unit or 320m ² per unit attached on one side to another unit or 250m ² per dwelling unit attached on two or more sides (including vertically) | |
| General Residential and Residential Protection Overlay (non-reticulated) | 1000m ² per unit | |
| Medium Density Zone | 350m ² | |
| Local Centre Zone | 400m ² | |
| Neighborhood Centre Zone | 400m ² | |
| Rural Lifestyle Zone | 5000m ² | |
| Future Urban Zone | 10000m ² | |
| Residential dwellings General Residential Zone with Residential Protection Overlay (reticulated) General Residential Unreticulated Zone and Residential Protection Overlay (non-reticulated) Residential Lifestyle Zone Taruheru Subdivision Block All residential zones covered by a site caution layer | 400m ² per unit or 320m ² per unit attached on one side to another unit or 250m ² per dwelling unit attached on two or more sides (including vertically) 3000m ² 800m ² per unit 1000m ² per unit | Nil Refer Rule C10.1.6(8) |
| Visitor Accommodation, associated buildings and activities (excluding licensed facilities for the public, camping grounds and motor camps) City Centre Zone, Mixed Use Zone, Medium Density Zone, General Residential Zone, Rural Lifestyle Zone All other zones | 2000m ² | Nil |
| Educational Institutions (including early learning and day care facilities for up to 20 children) All residential zones | 1000m ² | Nil |
| Other Non-Residential Activities All other residential zones | 600m ² | Nil |
| Provision of sites for network utility operators All zones | No minimum site area for the site accommodating the network utility, provided that: <ul style="list-style-type: none"> The site is used exclusively for network utility activities; and The site / activity complies with the rules of Chapter 8 (Utilities); | Nil |
| General Industrial | 800m ² | Nil |

| | | |
|--|--|--------------------------|
| Rural Industrial A zone | 1000m ² | Nil |
| Rural Industrial B Zone | 2ha | Nil |
| Aviation Commercial Zone | 1000m ² | Nil |
| Mixed Use Zone and Mixed Used Zone (Amenity Precinct) Mixed Used Zone (Business Precinct) | NA ² | Minimum 6m street front |
| Mixed Use Zone and Mixed Used Zone (Amenity Precinct) Mixed Used Zone (Business Precinct) | | Minimum 20m street front |
| Port and Reserve | No minimum provided that allotments are capable of accommodating a structure or activity which complies with the zone rules. | |

Figure C10.1 – Standards for Allotment Sizes and Dimensions

Figure C10.1 – Standards for Allotment Sizes and Dimensions

Note: The Rural Productive Zone minimum site areas have been determined in consultation with industry groups, landowners, leaseholders and other interest groups. Further rural land fragmentation was clearly identified by stakeholders as being unsustainable. Section 32 material is available.

C. Building Platforms

- a) Every site that is intended to be used for any building shall contain a building platform that is stable and not affected by any potentially unstable land.

Te Papa Tipu Taunaki o Te Tairāwhiti - The Tairāwhiti Resource Management Plan

Part C: Region Wide Provisions (C1-C4)



C2.1.7 Rules for Provision of Infrastructure for Development (Works and Services)

Note In addition to rules in C2.1.6 for network utility activities and activities within and adjacent to the Airport (C2.1.8), the provision of works and services shall comply, where relevant, with the regional or district rules and general standards in C3 Coastal Environment Overlay, C4 Cultural and Historic Heritage, C5 Environmental Risks, C6 Freshwater, C7 Land Management, C8 Natural Hazards, C9 Natural Heritage, C10 Subdivision, C11.1 Signs. Permitted activities are also required to comply with the rules for lighting and glare (C11.3.1) and radiofrequency and electro and magnetic fields (C11.4.1).

C2.1.7.1 General Standards

The following rules shall apply to all activities, where applicable:

A. General Servicing Requirements

- a) Reticulated services shall be provided to the net area of new allotments.
- b) Vehicle crossings shall be provided to the boundary of the road reserve for new allotments.
- c) Services shall be reticulated underground in any new road reserve, shared accessway or new allotment within the Reticulated Services Boundary and in residential and commercial zones district wide.

provided that stormwater infrastructure may be provided above ground where retention or attenuation measures are required or low impact design approaches are to be used.

Individual customer connections may be provided above ground where there is an existing overhead supply.

- d) Where there is a shared access way the necessary works and services shall be provided to the terminus of the right-of-way.
- e) The location of reticulated services and vehicle crossings shall be identified prior to consent approval.

B. Structure Plans

- a) Where relevant, subdivision, development and provision of infrastructure shall be consistent with the Taruheru Block Infrastructure Plan (Schedule G24) the Rooding Concept Plan for the Rural Industrial A Zone (Appendix H11) and the Structure Plan for the Citrus Grove development control area (Schedule G10), that is:
 - i. All wastewater, water supply and stormwater assets shall be located to achieve consistency with the structure plan.
 - ii. The pattern of roading and accesses created through subdivision shall be consistent with the structure plan roads and land indicated for roads shall be vested at subdivision.
 - iii. No access points or additional roads shall be provided off roads noted as restricted access in the structure plan, except to an access point or road that has already been approved.
 - iv. Roads shall be formed at subdivision to the boundary of the subject site, except where alternative funding is provided to form the road e.g. in Council's capital works programme. In this case, the pattern of subdivision shall enable the future creation of the road.
 - v. Land outside of road reserves and noted as the location for infrastructure such as wastewater pump stations or reserves shall be vested for this purpose at subdivision, or appropriate easements created.
 - vi. Off-site infrastructure must be upgraded or provided in accordance with any requirements noted in the structure plan.

- b) No structure other than those associated with the relevant infrastructure shall be constructed on land indicated for infrastructure in the structure plan.
- c) For clarity, roads may be provided additional to those indicated in the structure plan.

C. Street Planting

- a) For new roads in residential, commercial and industrial zones either:
 - i. A minimum of 5m² of land shall be set aside within the road reserve for each potential allotment accessed from that road (based on minimum permitted site areas) for the purpose of landscaping. Such areas may be combined but shall still be located evenly throughout the road. The land shall be free from utility services; or
 - ii. A dedicated berm for landscaping shall be provided. The minimum planting is one tree per allotment. The land shall be free from underground utility services.

D. Stormwater Systems

- a) Sites shall be provided within their site area with a means of collecting, managing and discharging stormwater from the roof of all buildings, accessways and from all impervious surfaces.
- b) Any connections or discharge points to the existing public stormwater system, where available, shall be at an outlet or outlets approved by the Council.
- c) Primary stormwater systems shall have sufficient capacity to convey a 10% AEP rainfall event without relying on secondary flow paths.
- d) Secondary stormwater systems shall have sufficient capacity to convey a 1% AEP rainfall event while protecting buildings and household gully traps from inundation.
- e) Secondary flow paths shall be free of obstructions and located on public land, land protected by an easement or land identified as a public drain.
- f) Stormwater conveyance shall be by way of gravity outfall with ground levels and/or contours identified prior to consent approval; and
- g) With regard to Rules c) and d) where stormwater runoff is greater than the capacity of the system which is to receive it, runoff shall be managed to the relevant pre-development rates or the capacity of the system shall be upgraded.

Rural Lifestyle and Rural Residential Zones

- a) For Rural Residential and rural Lifestyle Zones, buildings and impervious surfaces shall not exceed 16% of the site area (including impervious surfaces associated with any access strips for rear sites).

Note: In addition to this rule, the freshwater rules in C6 of the Tairāwhiti Plan apply to impervious surfaces.

- b) In Rural R and Rural L zones, discharge and dispersal of stormwater shall not exceed the peak run-off for up to a 10% AEP event as calculated for conditions prior to development occurring, and run-off from the development site shall not be in a concentrated flow.

Note: In addition to this rule, the freshwater rules in C6 of the Tairāwhiti Plan apply to impervious surfaces.

Citrus Grove Development Control Area

- c) The discharge and dispersal of stormwater shall not exceed the peak run-off for up to a 10% AEP event as calculated for conditions prior to development occurring.

provided that in respect to h) and i) the 'Gisborne District Council Waru and Haisman Streams Catchment Management and Stormwater Structure Plan, 2008' shall be complied with.

E. Water Supply

- a) Water supply within Reticulated Services Boundary
 - i. Sites for any activity that will require a water supply shall be provided with a connection or connection point to the Council reticulated water system.

b) Water supply outside the Reticulated Services Boundary

- i. Sites for any activity that will require a water supply shall be provided with a safe and potable supply of water.

Note: In the interest of the protection of life, property and the surrounding environment new subdivisions and development should be compliant with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509. This NZ standard contains methods of providing sufficient water supply and access for firefighting purposes in both reticulated and non-reticulated areas. In all areas, particularly non-reticulated areas over six minutes driving distance from a fire station, the New Zealand Fire Service recommends that the installation of a fire sprinkler system in accordance with Fire Sprinkler Systems for Houses NZS 4517:2010 is the most appropriate form of compliance with SNZ PAS 4509.

F. **Wastewater Systems**

- a) Within the Reticulated Services Boundary, sites for any activity that will create wastewater shall be provided with a connection or connection point to the Council reticulated wastewater system.

G. **Energy and Telecommunications**

- a) Sites for any activity that requires electricity and telecommunication services, shall be provided with those services.

H. **Roads**H1 Infrastructural Requirements

- a) All proposed new roads shall connect to, and be compatible with, the district roading hierarchy, as depicted in the roading hierarchy maps.
- b) To meet the access needs of potential users, all new or upgraded roads required for subdivision or development shall comply with the following rules for minimum widths.

| Road Type | Zone | Potential USERS | ROAD RESERVE WIDTH (metres) | CARRIAGE WAY WIDTH (metres) | FOOTPATHS (1.2m in width) |
|--------------|--|-----------------|-----------------------------|-----------------------------|---------------------------|
| Service Lane | ALL | NA | 4.5 | 3.5 | Optional |
| Local | Rural | NA | 12 | 5.5 | Optional |
| | Residential | <20 | 12 | 5.5 | 1 |
| | | ≥20 | 18 | 8 | 2 |
| | Industrial and Commercial | <10 | 15 | 10 | 1 |
| | | ≥10 | 18 | 10 | 2 |
| | Port | NA | 18 | 10 | 1 |
| Collector | Rural | NA | 20 | 10 | Optional |
| | | | | | |
| | Residential, Commercial, Industrial, Port | NA | 20 | 10 | 2 |
| Principal | Rural | NA | 22 | 12 | Optional |
| | Residential, Commercial, Industrial and Port | NA | 22 | 12 | 2 |
| Arterial | Rural | NA | Specific Design | Optional | |
| | Residential, Commercial, Industrial and Port | NA | Specific Design | 2 | |

Figure C2.3 – Road standards for new and upgraded roads associated with subdivision and development

- c) The following formula shall be used to determine the potential number of users to be applied in Figure C2.3 above:

Potential Users= T / MS , where:

- i. T = total area of land to be subdivided (m^2)
- ii. MS = minimum permitted site size for zone (m^2).

H2 Sight Lines

- a) All new vehicle crossing /accessways shall be designed, located and developed to ensure that the sight lines (illustrated in Figure C2.13) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure C2.1.3 and Figure C2.4 specified below.
- b) All new intersections shall be designed, located and developed to ensure that the sight lines (illustrated in Figure C2.1.3) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure C2.13 and Figure C2.4 specified below.

| Operating Speed (km/h) | Minimum Sight Distance (metres) | |
|------------------------|----------------------------------|-------------------------------------|
| | Local or Collector Road Frontage | Principal or Arterial Road Frontage |
| 40 | 30 | 70 |
| 50 | 40 | 90 |
| 60 | 55 | 115 |
| 70 | 85 | 140 |
| 80 | 105 | 175 |
| 90 | 130 | 210 |
| 100 | 160 | 250 |

Figure C2.4 – Standards for Minimum Distances of Sight Lines

Assessment of sightlines shall be undertaken by a suitably qualified person using the Road & Traffic Standards No.6, Guidelines for Visibility at Driveways and Austroads 1993: Rural Road Design, Guide to the geometric Design of Rural Roads. Austroads Publications No AP-1/89.

Note:

1. The column "Operating Speed" in Figure C2.4 is not the posted speed limit of a particular road. It is the actual speed at any given point.
2. Sight distances shall be measured from the road reserve boundary.
3. Sight distances shall be measured to and from a height of 1.15m above the existing road surface and the proposed surface level of the side road or access.

Turning Areas

- a) Turning areas for cul de sacs (illustrated in Figure C2.15) shall be constructed to accommodate the manoeuvring of vehicles as specified below:

| Area | Requirement |
|-------------------|---------------------|
| Residential | 90 percentile truck |
| Rural | 90 percentile truck |
| Commercial | 99 percentile truck |
| Industrial / Port | 99 percentile truck |

Figure C2.5 – Standards for Turning AreasH3 Trip Generation in the Gisborne Urban Area

New land use and development in the Gisborne Urban Area is no greater than the thresholds for trip generation in Figure C2.6 below:

Note: Where there are multiple activities on a site the trip generation is calculated separately for each activity, then added together.

For multiple on site uses and other activities not listed within Figure C2.6 equivalent car movements (ECM) should be incorporated into the 200 trips per day or 40 trips per hour trip generation threshold as per below:

- 1 car trip (to or from the property) = 1 equivalent car movement
- 1 truck trip (to or from the property) = 3 equivalent car movements
- 1 truck and trailer trip (to or from the property) = 5 equivalent car movements

| <u>Activity</u> | <u>Threshold</u> |
|--|---|
| <u>Multiple on site uses</u> | <u>200 ECM trips per day or 40 ECM trips per hour</u> |
| <u>Any activity not listed below</u> | <u>200 ECM trips per day or 40 ECM trips per hour</u> |
| <u>Health care activity and hospitals</u> | <u>250m² GFA</u> |
| <u>Commercial activity</u> | <u>200m² GFA</u> |
| <u>Drive-thru and service stations</u> | <u>200m² GFA</u> |
| <u>Trade supplier</u> | <u>450m² GFA</u> |
| <u>Large format retail Bulky Goods Retail</u> | <u>450m² GFA</u> |
| <u>Supermarket</u> | <u>200m² GFA</u> |
| <u>Restaurants/bars/café</u> | <u>200m² GFA</u> |
| <u>Office</u> | <u>800m² GFA</u> |
| <u>Commercial service</u> | <u>200m² GFA</u> |
| <u>Industrial activity</u> | <u>2000m² GFA</u> |
| <u>Kohanga reo/childcare centre</u> | <u>30 children</u> |
| <u>Primary and secondary schools</u> | <u>Primary: 40 students / Secondary: 50 students</u> |
| <u>Tertiary education facility</u> | <u>70 students</u> |
| <u>Residential activity</u> | <u>20 residential units</u> |
| <u>Any activity not listed below</u> | <u>200 ECM trips per day or 40 ECM trips per hour</u> |

Note: ECM refers to equivalent car movements per day

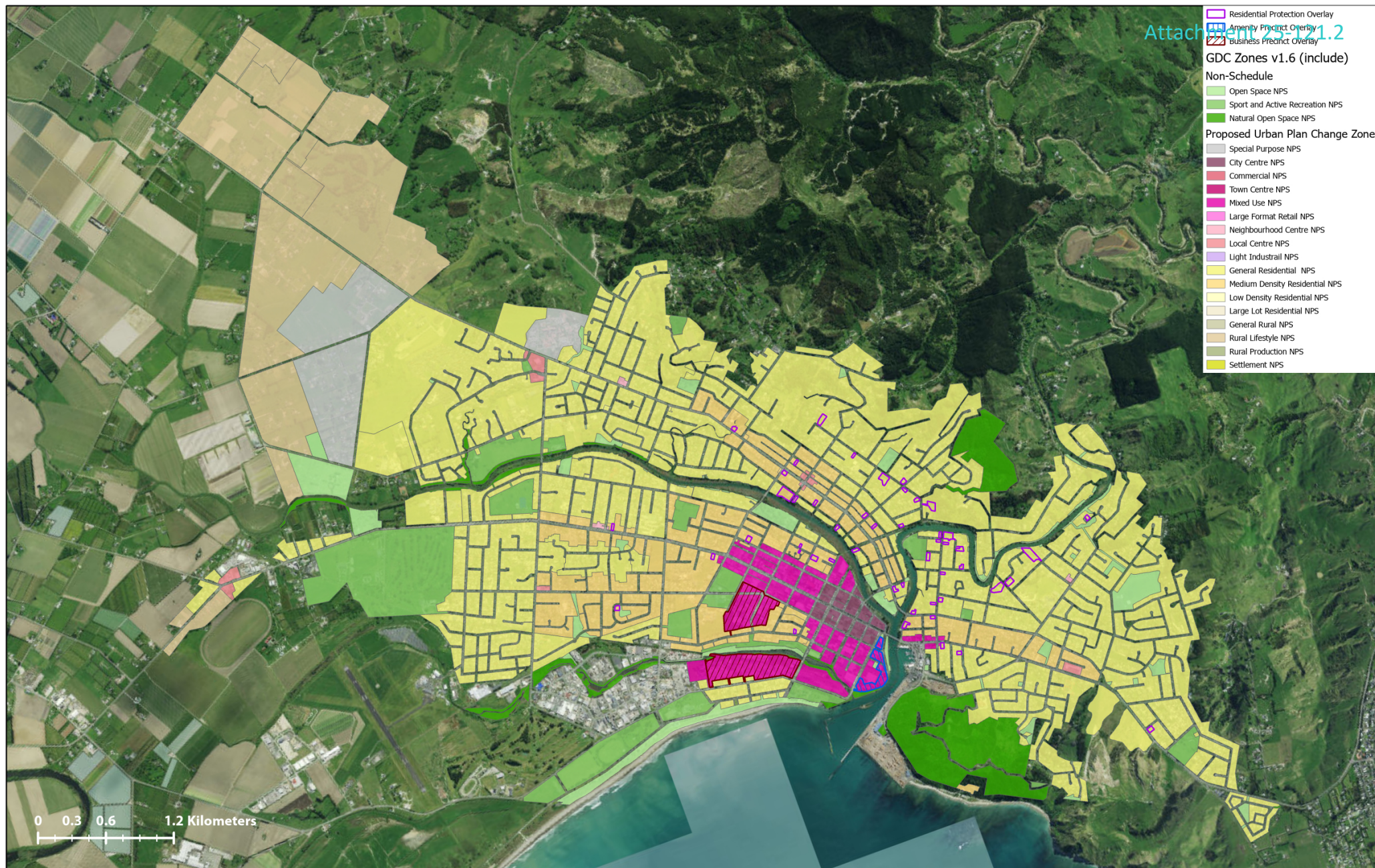
Figure C2.6 – Trip Generation Thresholds

Appendix 4A Process

Simple Integrated Transport Assessment (ITA) Checklist

| Item | Details to be Included |
|-------------------------------------|--|
| Background | A description of the proposed activity and the purpose and intended use of the ITA. |
| Existing land data | A description of the location, site layout, existing uses, adjacent land uses, any consented or planned changes expected within 10 years likely to affect transport, and zoning. |
| Existing transport data | A description of the trip generation and access arrangements for all modes, on-site parking and the surrounding transport network (including hierarchy, traffic volumes, safety and consented or planned changes within the next 10 years likely to affect network infrastructure, services and network management). |
| Proposal details | A description of the proposal (including site layout, operational house, vehicle access, on-site parking and loading, internal vehicle circulation, cycle and pedestrian circulation, micro-mobility access, and end-of-journey facilities). |
| Design statement | <p>Developments triggering an ITA (i.e., those generating more than 500 Equivalent Car Movements (ECM) per day or approximately 50 residential units or providing a new transport corridor) will be required to prepare a Design Statement that provides specific consideration and assessment of matters including:</p> <ul style="list-style-type: none"> • How walking, cycling, micro-mobility use, and public transport will be prioritised including assessment of block layouts, contribution to neighbourhood permeability, design speed, point-to-point walking distances, frequency of vehicle crossings, and provision of on-street parking; • Rubbish, recycling, and food scraps collections; • Emergency service access; • How off-street parking, including charging for electric vehicles and micro-mobility, is to be provided; and • How on- and off-street parking is to be designed to create a safe environment. |
| Predicted travel | The trip generation of the proposal for all modes of travel. |
| Appraisal of transportation effects | <p>As assessment of safety and efficiency effects in the immediate vicinity. The assessment must prioritise identifying and mitigating effects on transport modes that are higher in the transport mode hierarchy.</p> <p>Where the proposed activity has the potential to impact on the state highway, a summary of consultation with Waka Kotahi NZ Transport Agency shall be included.</p> <p>Where the proposed activity has the potential to impact on a railway level crossing, a summary of consultation with KiwiRail must be included.</p> |

| | |
|---|---|
| Climate change | <p>An assessment of the effects of the proposal on embodied greenhouse gas emissions and operational greenhouse gas emissions using the ASI framework described in the Transport Emissions: Pathways to Net Zero by 2050 Green Paper (May 2021) for activities exceeding 1500 ECM. The ASI framework addresses 3 elements for land use and activities exceeding 1500m² GFA/</p> <ul style="list-style-type: none"> • Avoid – improve the overall efficiency of the transport system through interventions to reduce the need to travel and trip lengths. • Shift – improve the efficiency of trips by promoting mode shift to low carbon modes, such as walking, cycling, public transport, coastal shipping, and rail freight. • Improve – lower the emissions of transport vehicles and fuels. |
| Avoiding or mitigating actions | Details of any mitigating measures and revised effects |
| Compliance with policy and other frameworks | Consideration of compliance with District Plan standards |
| Discussion and conclusions | Summary and conclusion assessment of effects |
| Recommendations | Proposed conditions (if any) |



11. Reports of the Chief Executive and Staff for INFORMATION



25-101

Title: 25-101 Resource Management Reform Update
Section: Strategic Planning
Prepared by: Charlotte Knight - Strategic Planning Manager
Meeting Date: Thursday 8 May 2025

| | | |
|-----------|---------------|-----------------------------|
| Legal: No | Financial: No | Significance: Medium |
|-----------|---------------|-----------------------------|

Report to SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI for information

PURPOSE - TE TAKE

This report provides an update on recent announcements regarding reforms to the resource management system and outlines some potential implications for Gisborne District Council (Council).

SUMMARY - HE WHAKARĀPOPOTOTANGA

The Government has announced decisions to replace the Resource Management Act 1991 (RMA) with two new laws:

- The **Planning Act** – covering how land can be used and developed.
- The **Natural Environment Act** – focused on protecting human health and the environment.

These changes will affect how councils plan, make decisions, and work with mana whenua and communities on resource management matters. While the new laws are still being written, this report summarises what we know and what it could mean for Council. The reforms are intended to simplify how we manage land and resources. While more detail is still to come, Council staff see both opportunities and challenges in what has been announced.

Some of the big changes include:

- A single plan per region (with input from councils, mana whenua and the Crown)
- Fewer consents, more activities allowed without a resource consent
- Stronger property rights protections – councils may have to justify rules that affect land value
- New national rules covering water, biodiversity, and hazards
- Environmental limits – some set by Government, others by councils using set methods
- A new national compliance agency to oversee environmental rules

The decisions on the direction of the reform and the two new pieces of legislation are based on advice from an Expert Advisory Group. Cabinet has accepted most of the group's ideas, one notable exception is including a Treaty clause like the one currently in the RMA. Government officials and relevant Ministers are now working on a new approach to reflect Treaty settlements and Māori roles as part of the new system.

The decisions or matters in this report are considered to be of **Medium** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Sustainable Tairāwhiti /Toitū Tairāwhiti:

1. Notes the contents of this report.

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: resource management reform, RMA, Government

BACKGROUND - HE WHAKAMĀRAMA

- 1. Resource management reform in Aotearoa is overdue and there is bipartisan agreement that the current system needs to be replaced (this agreement doesn't extend to what should replace the current arrangement). The current system is not delivering the best outcomes for communities, or the environment and it has become increasingly complex and costly to navigate.
- 2. Changes to the system are significant because:
 - a. The RMA underpins a lot of our statutory functions and responsibilities
 - b. Decisions have implications for commitments made through the Three Year Plan and will impact on work requiring resourcing through the 2027 Long Term Plan
 - c. Decisions have implications for governance, local voice, functions, roles and responsibilities, te taiao, community outcomes and institutional arrangements
- 3. The previous system reform was repealed after the current Government came into power. The current Government announced a three phase process to updating and replacing the current system. Figure 1 provides an overview of their work programme and where we are in the process:

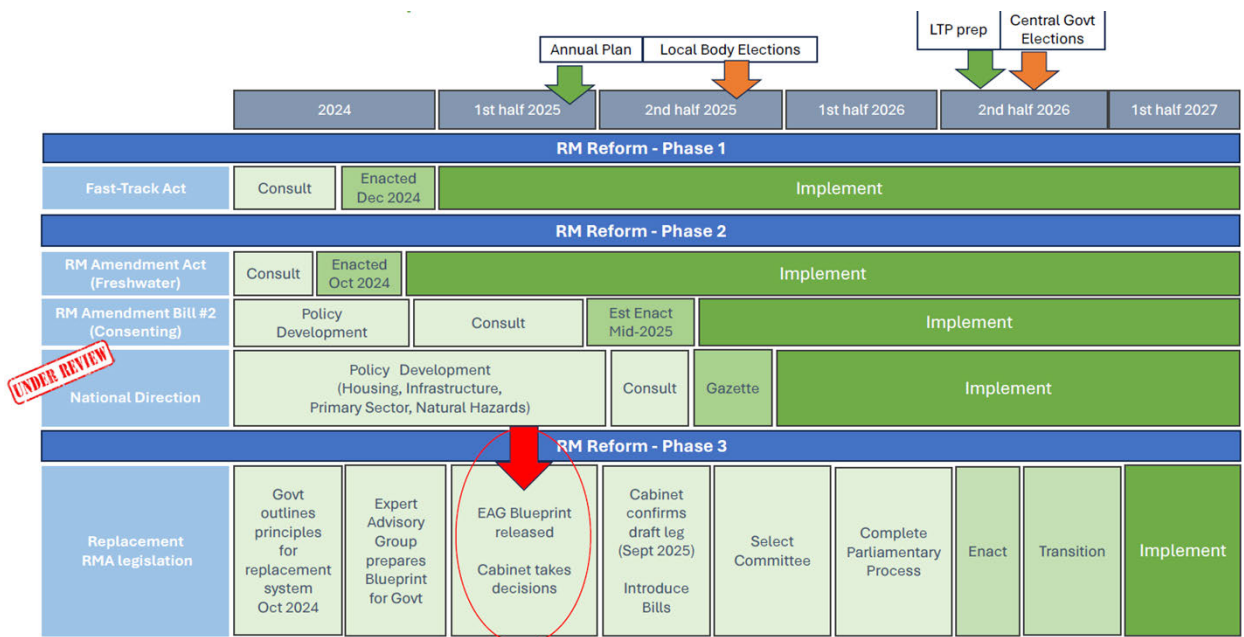


Figure 1: Overview of resource management reform

Ministerial announcement on direction of reform

- 4. On 24 March 2025, the Minister and Parliamentary Under-Secretary responsible for RMA Reform [announced](#) policy decisions on legislation to replace the Resource Management Act 1991 (RMA).
- 5. The Cabinet paper outlining the policy decisions in more detail and the reasons for decisions can be found [here](#). The paper notes it is intended for the new system to ‘turn on’ on a fixed date in mid-2027, rather than gradually come into place over a 10-year timeframe as was the case under the previous Government's reforms.

6. The elements of the new system are not yet fully developed. A summary diagram of what is known about the new system and roles and responsibilities is attached to this report (**Attachment 1**). Further work will be done by Ministers under delegated authority over the next few months. Ministers have also been directed to report back to Cabinet on the approach to a Treaty of Waitangi clause (see discussion below). The Government intends to introduce the two bills which will repeal and replace the RMA before the end of 2025.
7. Key known features of the new resource management system include:






| | |
|--|---|
| Legislation | <p>Planning Act (PA) – planning and regulating the use, development and enjoyment of land</p> <p>Natural Environment Act (NEA) – the use and 'proportionate' protection and enhancement of the natural environment</p> <p>The starting presumption for both Acts is that land use is enabled unless there is a significant enough impact on others (not the party undertaking the activity) or the natural environment</p> |
| Effects | <p>Fewer types of adverse effects can be considered</p> <p>Clearer definition of the types of adverse effects that can be considered</p> <p>Raised threshold for when adverse effects on people and the environment must be managed</p> |
| National direction | <p>A single mandatory National Policy Direction under each Act</p> <p>National standards under the NEA covering freshwater, indigenous biodiversity, and coastal policy</p> <p>National standards under the PA covering urban development, infrastructure, and natural hazards</p> <p>Justification reports required for regulatory plan rules that deviate from national standards</p> <p>Compensation may be required for 'regulatory takings' (overlays that significantly limit land use)</p> |
| Plans | <p>Single regulatory plan per region with standardised form and structure</p> <p>Spatial plans required to be prepared and to focus on enabling urban development and infrastructure within environmental constraints</p> <p>Nationally standardised zones with novel local issues to be considered on a case-by-case basis</p> |
| Environmental limits | <p>Environmental limits to protect human health set nationally</p> <p>Environmental limits to protect the natural environment set by regional councils following a prescribed methodology</p> |
| Consents | <p>Fewer consent activity classes than the RMA</p> <p>Greater use of permitted activities</p> <p>A new planning tribunal will provide for dispute resolution before cases reach the Environment Court</p> |
| Allocation of natural resources | <p>Capped use to ensure environmental limits not breached</p> <p>Procedures for existing over-allocated resources to achieve limits</p> <p>New market-based and administrative allocation methods enabled in addition to existing RMA allocation provisions</p> <p>Charges able to be imposed on resource users to operationalise allocation methods (in addition to existing RMA charging provisions)</p> |
| Compliance monitoring and enforcement | <p>A national compliance and enforcement regulator</p> |

8. Local government sector groups will continue to be involved in development of the details of the new system. Staff will continue to work within these networks and keep up to date with the pending changes as much as possible. However, it is unlikely Council will have full visibility of the legislative proposals or an opportunity to have direct input on them until the select committee process.

Expert Advisory Group report

9. Cabinet's decisions were based largely on proposals developed by the Expert Advisory Group (EAG). The EAG was appointed in 2024 to develop a [blueprint](#) for reform of the resource management system based on principles set by Cabinet.
10. Many of the recommendations in the blueprint were noted as supported by a majority. Paul Melville (General Manager Policy and Advocacy, Federated Farmers) also prepared a [minority report](#) noting where his recommendations differed from the majority.
11. This [fact sheet](#) provides a summary of how each EAG recommendation will be progressed by the Cabinet decisions. Cabinet agreed to progress or partially progress all but two of the EAG recommendations:
 - a. The EAG recommended reducing the geographical extent of the NEA and PA in the coastal marine area, but Cabinet decided to retain the existing extent of the resource management system, which is 12 nautical miles offshore.
 - b. Cabinet also rejected the EAG recommendation to transfer section 8 of the RMA (the Te Tiriti principles clause) to the new Acts.
12. The EAG Report recommendations are a fundamental shift in regulatory philosophy toward regulatory restraint, greater efficiency and consistency, with fewer bespoke rules and more reliance on national standards, spatial planning, and outcomes-based tools.
13. The big shifts recommended by the EAG and the high level Cabinet direction is summarised below:

| | |
|--|--|
|  <p>RMA replaced with two separate Acts</p> <ul style="list-style-type: none"> – Natural Environment Act to regulate use, protection and enhancement of the environment. – Planning Act to regulate use, protection and enjoyment of land. – Each Act to have separate set of goals. <p> Cabinet agreed to two Acts but will take further advice on how to frame goals of each Act.</p> |  <p>Treaty of Waitangi provisions...</p> <ul style="list-style-type: none"> – Carry over RMA s8 Treaty Principles clause to new legislation. – Develop decision-making principles to guide how Treaty matters are to be reflected in exercise of functions. <p>Cabinet has ruled out inserting s8 Treaty clause into new leg.</p> <p> Cabinet has committed to further work to develop a Treaty clause that aligns with RM objectives and Treaty review objectives</p> |
|  <p>Reconfigured Planning System</p> <ul style="list-style-type: none"> – More standardisation and greater use of national direction to regulate activities. – RCs and TAs to prepare a joint spatial plan – Regional councils prepare a Natural Environment Plan – Territorial authorities prepare a Combined District Plan – Councils to have less discretion on plan content. – Fewer consents and consent classes <p><i>In Part..</i> Cabinet has agreed to most changes. The exception is the proposal for separate spatial and regulatory plans.</p> |  <p>A national regulator for CME?</p> <ul style="list-style-type: none"> – Compliance, Monitoring and Enforcement to be undertaken by a national regulator. – Regulator funded through tripartite contributions (CG, LG and contributions from CME action) – Option to transfer CME functions away from national regulator if efficient & effective to do so. <p><i>In Part..</i> Cabinet has agreed to progress changes to institutional arrangements for CME. These will not be included in the RM Bills, but will be progressed in parallel</p> |

| | |
|---|--|
|  <p>A bigger role for the EPA?</p> <ul style="list-style-type: none"> – EPA sets national limits to protect public health – Regional councils set limits to protect natural environment. – EPA manages coast beyond 3 nautical mile zone, including consenting in this zone. <p><i>In Part..</i></p> <p>Cabinet has agreed to limit setting-approach but deferred decisions on institutional arrangements. Changes to CMA boundary ruled out.</p> |  <p>Charging for use of resources</p> <ul style="list-style-type: none"> – Regional councils to set charges for use of natural resources (two types). <ul style="list-style-type: none"> • Admin charge - applies to all users • Levy – applies in over-allocated catchments, with contributions used to fund environmental improvement action over time. <p><i>In Part..</i></p> <p>Cabinet has agreed to enable charges to be imposed on users to operationalise allocation methods and address over-allocation.</p> |
|  <p>Stronger protection for property rights</p> <ul style="list-style-type: none"> – Councils to justify use of rules that are more restrictive than national controls. – Property owners able to challenge councils if provisions “significantly impair land value”, with compensation possible. – Focus on management of actual effects. – Lift the threshold for determining “adverse” effects. <p><i>In Part..</i></p> <p> Cabinet has agreed to these</p> |  <p>New approaches to resource allocation</p> <ul style="list-style-type: none"> – Progress Māori rights and interests in freshwater alongside alternatives to first-in-first served approach – In over-allocated catchments, allow new users to purchase allocations or demonstrate activity will make use of clawed-back resources. <p><i>In Part..</i></p> <p>Cabinet has agreed to work with Māori to explore alternatives to FIFS</p> <p>Cabinet has deferred decisions on when to transition from FIFS to new allocation methods but anticipate this will be on a longer timeframe</p> |

DISCUSSION - WHAKAWHITINGA KŌRERO

Initial impressions of new system

14. Staff are unable to make a full assessment based on the information released to date, but in general terms, reforms to simplify the resource management system and improve its efficiency should be positive. While there is a focus on increasing national standardisation, the Government has indicated that scope for local solutions to address local issues will remain – if these can be justified.
15. Some of the outstanding issues following the Government's announcement are:
 - a. The NEA will focus on protection of high-value areas and human health but will not promote restoration of degraded areas, which may affect our ability to deliver on community aspirations.
 - b. How community voice and aspirations will be accommodated in the new system with more activities regulated through national standards and councils having less discretion on plan content.
 - c. New and narrower Treaty clause and the impact this will have on our ability to partner with tangata whenua in resource management decisions
 - d. Proposals to strengthen property rights mean councils' plans can be challenged if they 'significantly impair land value', with compensation available when thresholds are met. Safeguards to ensure councils are not exposed to increased legal and financial risk are not included in the information announced to date.
 - e. New institutional arrangements for compliance monitoring have not yet been developed (this will be progressed in parallel to drafting of the NEA and PA).
 - f. There are likely to be changes to functions under the system that need to be reflected in preparation of Council's next long-term plan – councils are unlikely to have full visibility of these until late 2025 when the reform bills are introduced.
 - g. Government is focused on a swift transition to the future system with implementation soon after enactment. It is unclear what we need to start now to make it as smooth as possible for our communities, and how will this transition be supported by Government.

Work programme implications

16. While a lot will depend on the details of the reforms that are still being finalised, from the information released to date there will be implications for several of Council's current work programmes:
 - a. TRMP review programme, including forestry plan changes
 - b. Te Tiriti clause and Māori participation in resource management
 - c. Consenting
 - d. Compliance monitoring and enforcement
 - e. Long Term Plan preparation
17. How Te Tiriti o Waitangi is provided for in the NEA and PA will change from the way it is currently in the RMA. There may also be changes to mechanisms for Māori participation in resource management processes.
18. A summary of these is provided below. Impacts for Te Tairāwhiti will become clearer (and further impacts may be identified) as the detail of the reforms is developed.

TRMP review programme

19. More details are needed before staff can fully consider and advise Council of the possible changes and implications a new system will have on this work programme. However, this work programme will probably need to be adjusted once further details of the reforms are known. Staff intend to bring programme delivery options for Council to consider to their June meeting.

What is changing?

20. There will now be one combined plan per region, rather than separate regional and district plans. The TRMP is already a combined plan, but the reform will still have impacts on what is included in this plan.
21. Under the new structure, the combined plans will have:
 - a. A spatial plan chapter (all councils)
 - b. An environment chapter (regional / unitary councils)
 - c. Planning chapters (district / unitary councils).
22. There will be no regional policy statements (RPS) in the new plans, although some parts of what is currently in an RPS will be included in spatial plans. Council's current 'spatial plan' (Tairāwhiti 2025) is unlikely to align with requirements under NEA. The new spatial plan requirements may also take in all / some aspects of FDS.
23. Spatial plans will be required to be jointly prepared by local authorities, working with the Crown, Māori, infrastructure providers, stakeholders and communities. There may be Crown involvement in confirmation of spatial plans. The Tairāwhiti FDS was prepared in compliance with the National Policy Statement for Urban Development (NPS-UD) and could fulfil many of the requirements of the new system.

24. The research, background work and engagement currently underway will still be relevant in the new system; however, there may be a need to adjust some timeframes and/or delay seeking Council decisions until more details are known.
25. The urban plan change underway to implement the FDS already includes standardised zones required by the existing National Planning Standards. Therefore, this plan change could be relatively consistent with the reforms; however, until further detail is provided it remains unclear.
26. Changes to national direction being worked on since last year have not been released. This was planned to occur early 2025, but consultation is now expected in mid-2025 (see this [fact sheet](#)). The intent of these changes is to address matters under the RMA, but they will provide some indication about the direction of travel.

Te Tiriti clause and Māori participation in resource management

27. The RMA currently provides that anyone exercising functions and powers under the RMA must take into account the principles of the Treaty of Waitangi (section 8). The EAG recommended (by majority) retaining the section 8 requirement in the new Acts.
28. The RMA includes a range of mechanisms for Māori participation in the resource management system, including iwi management plans, Mana Whakahono a Rohe agreements between iwi and councils, joint management agreements, the ability to transfer local government functions to iwi/hapū, and consultation in relation to national directions and local authority plans.
29. The EAG recommended retaining the existing RMA participation mechanisms and making further provision for Māori engagement, particularly in national direction development and plan-making by councils.
30. Part 2 of the RMA includes provisions for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga to be recognised and provided by persons exercising powers and functions under the Act (section 6(e)). There must also be particular regard given to the exercise of kaitiakitanga (section 7). These provisions influence regional and local planning instruments, as well as consideration of applications for resource consents.
31. The EAG also recommended retaining objectives similar to the current Part 2 matters noted above. Cabinet has only noted that "relevant Part 2 matters" will be reviewed alongside the Māori participation mechanisms as noted above.
32. More details are needed before staff can fully consider and advise Council of the possible changes and implications a new system will bring for how existing mechanisms for how Māori participation and decision making in resource management will be impacted.

What is changing?

33. Other than ruling out the use of a general Te Tiriti clause like section 8 of the RMA, no Cabinet decisions were made on how Te Tiriti and Māori participation will be provided for in the new system.

34. Cabinet directed the responsible Ministers to report back before the introduction of legislation to finalise an approach to a Treaty of Waitangi clause, but explicitly ruled out use of a general Treaty principles clause such as the current section 8. Rather, agreement is to be sought for “a clause that recognises the Treaty of Waitangi and the uniqueness of settlements entered into by the Crown with Iwi/Māori”. In a [speech](#) to the New Zealand Planning Institute on 28 March 2025, Minister Bishop noted that this would be a “descriptive clause... to really spell out everyone's specific roles in the new system”.
35. Cabinet reaffirmed its agreement to uphold Treaty settlements through the reform process. Approaches to preserve Crown commitments on rights and interests in freshwater and geothermal resources in the new allocation system will also be explored.
36. The Cabinet paper notes that mechanisms for Māori participation in the resource management system are specifically designed for the RMA architecture, so will need to be reviewed. Ministers “will work with officials to ensure the system is explicit about how Māori groups interact with planning system”.
37. Since the Government is still reviewing how Māori participation will be provided for in the new system, the extent of the impact on our partnerships with iwi / hapū will depend on how the legislation is framed. Regardless, Council's commitment to working in partnership, as expressed through Te Tiriti Compass will remain.
38. Staff will continue to monitor developments should further information be provided regarding proposals in this space. Indications are that any engagement with Māori on a Te Tiriti clause and rights and interests will only be with 'key groups' such as the Iwi Chairs Forum, and on participation mechanisms with post-settlement governance entities. Engagement is likely to be limited / rushed due to the short timeframe available before the new bills are planned to be introduced.
39. In Te Tairāwhiti, one iwi has initiated the Mana Whakahono a Rohe process. Council will need to seek further information and guidance on how to proceed from MfE and sector experts in the development of such agreements. We will need to discuss with the iwi to agree way forward in the interim.
40. The Local Leadership Body (LLB) will hopefully not be greatly affected by the reform process as it was established through Treaty settlement legislation. It links to the RMA in a general way¹ rather than any specific mechanisms or processes. The key will be to ensure that this carries over to the new system. Cabinet has directed Ministry for the Environment officials to work with relevant post-settlement government entities to ensure settlements are upheld appropriately. Similar engagement with involved councils does not appear to have been directed.

Consenting

41. Resource consents will still be needed under the new system, but with the new nationally standardised land use zones and more national standards, there will be fewer resource consents required and more permitted activities.

¹ “to ensure that the Council is appropriately informed of its statutory obligations within the LLB area, including obligations in respect of Te Tiriti o Waitangi arising under the Local Government Act 2002 and the Resource Management Act 1991 and any other relevant enactment” (section 43(c), Ngāi Tāmanuhiri Claims Settlement Act 2012).

What is changing?

42. There are several changes proposed under the Resource Management Reform which will change the way in which resource consenting is currently managed. These changes are:
- a. Under the new Planning Act, people not directly affected by an application, would not be able to relitigate issues or object.
 - b. The rationalisation and simplification of consenting activity classes under both new Acts by repealing both the Controlled and Non-Complying activity status, making greater use of the permitted activities with standard conditions developed. There will be a greater focus on Restricted Discretionary and Discretionary activities. It is planned to retain the prohibited activity status; however, this will be narrowed in scope.
 - c. Under the current legislation Councils must consider reverse sensitivity, ensuring that new sensitive land use activities do not negatively impact or restrict an existing and lawfully established land use activity. Proposed changes will ensure that individuals establishing within the vicinity of an already lawfully established activity are not given the option of complaint. The new legislation will allow for the reasonable expansion of existing activities.
 - d. A new planning tribunal is proposed to be established and will offer quick, low-cost conciliation and administrative review of council functions (e.g. notification, requests for further information), and determination of the meaning of conditions. The tribunal would manage and resolve disputes between neighbours and between property owners and Council.
 - e. The RMA currently set outs the management of activities in the coastal marine area. It establishes a framework for coastal management, outlining responsibilities, principles, and tools for achieving sustainable management. Gisborne District Council plays a key role in detailed management of the coastal marine area, preparing regional coastal plans and approving coastal consents. Under the proposed changes the extent of the CMA may be reduced to the area of interest to regional communities and the Environmental Protection Agency would take over the responsibility for processing coastal consents.
 - f. Regionally specified limits and bespoke rules will be allowed where appropriate.

Compliance, Monitoring and Enforcement (CME)

43. In general, the changes proposed will shift the balance from a consenting regime to a more permissive regime, with more emphasis on compliance monitoring and enforcement activities to ensure that the nationally set rules and standards are being met.
44. A national compliance regulator will be developed in parallel to the new resource management legislation, but on a longer timeline.
45. The Expert Advisory Group also recommended that Government consider centralising delivery of environmental monitoring (such as state of the environment monitoring). Cabinet has not made firm decisions on this but is exploring options for efficiency and consistency.

What is changing?

46. A national entity, like the Environmental Protection Authority, will perform compliance and enforcement functions centrally, removing these functions from councils. This, combined with other system changes (such as national standards and zones) will change the role of local government in resource management.
47. There is still scope for flexibility around the solution. The regional sector (via Te Uru Kahika) intends to work with officials to explore options and advocate for any centralised CME functions to retain strong connections to place, expertise, and community within regions.

2027 Long Term Plan preparation

48. The breadth of the proposed reforms mean that all councils will need to consider how they fund and allocate resources associated with resource management functions. For example, a move to a more permissive environment should ideally be supported by increased education and engagement activities to raise awareness and support those who are willing to comply with the relevant standards and rules.
49. Council will have to consider, in consultation with iwi partners and the community, whether it wishes to meet higher standards for its infrastructure and operational activities than those set in the new national rules and standards to protect what is valued at a local level. More generally, councils will also need to think about other ways to support delivery community aspirations (social, economic, cultural and environmental).
50. Ultimately, there may be changes to the form of local government (for example, because of a stronger national role in terms of compliance, monitoring and enforcement activities). The Minister of Local Government and the Minister Responsible for RMA Reform are to report back to Cabinet later this year with details of potential local government reform (if needed) associated with the proposed changes to the resource management system.
51. Legislation is intended to pass into law in 2026 around the time Council will be preparing it's 2027 Long Term Plan. Government announcements indicate direction of travel but some matters still to be decided. We will need to consider and front foot potential change as part of the long term plan process before having concrete details.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

Overall Process: Low Significance

This Report: Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: High Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: High Significance

This Report: Low Significance

The effects on all or a large part of the Gisborne district

Overall Process: High Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: Medium Significance

This Report: Low Significance

The level or history of public interest in the matter or issue

Overall Process: Medium Significance

This Report: Low Significance

52. The decisions or matters in this report are considered to be of Medium significance in accordance with Council's Significance and Engagement Policy.

TREATY COMPASS ANALYSIS

Kāwanatanga

53. As noted above, there are likely to be some implications for the Local Leadership Body. The Government has noted its continuing commitment to ensuring Treaty settlements are upheld in the new system and directed officials to work with post-settlement governance entities to ensure this.

Rangatiratanga

54. It appears Māori participation in the resource management will continue to be provided for in the new system, although it is currently unclear whether this will be in the same way / to the same extent as under the RMA.
55. The Cabinet paper notes that the new system will make it easier for Māori to develop their own land and enhance their takiwā for their people. They will also benefit in reductions in compliance costs.

Oritetanga

56. It is currently unclear whether the Mana Whakahono a Rohe provisions in the RMA will be retained in the new Acts. If they are not, the impacts will be different for iwi that have already initiated the process and those who have not.

Whakapono

57. At this stage it is unclear how cultural impacts / effects will be required to be considered in the new system, but the Government has indicated the threshold for such effects to be considered will be raised.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

58. As this is an update report only, no engagement with mana whenua has been undertaken in its preparation.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

59. As this is an update report only, no community engagement has been undertaken in its preparation. The Government intends to formally consult on the new legislation in later 2025/early 2026.

CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga

60. This update report has no climate change impacts / implications. Any climate change impacts / implications arising from the reforms will be covered in future reports.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

61. This update report has no financial / budget considerations. Any financial implications arising from the reforms will be covered in future reports.

Legal

62. This update report has no legal considerations. Any legal implications arising from the reforms will be covered in future reports.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

63. This update report has no policy and planning implications, but the reforms will have such implications. Policy and planning implications arising from the reforms will be covered in future reports.

RISKS - NGĀ TŪRARU

64. Potential risks arising from the reforms are noted in the body of this report. It is currently difficult to accurately assess risk levels due to the level of detail provided in information released to date. Staff will continue to monitor progress, engage with Te Uru Kahika, government officials and Taituarā and keep Council informed.
65. It will be important to bring the new Council up to speed quickly as the new legislation is intended to be released shortly after the local government elections.

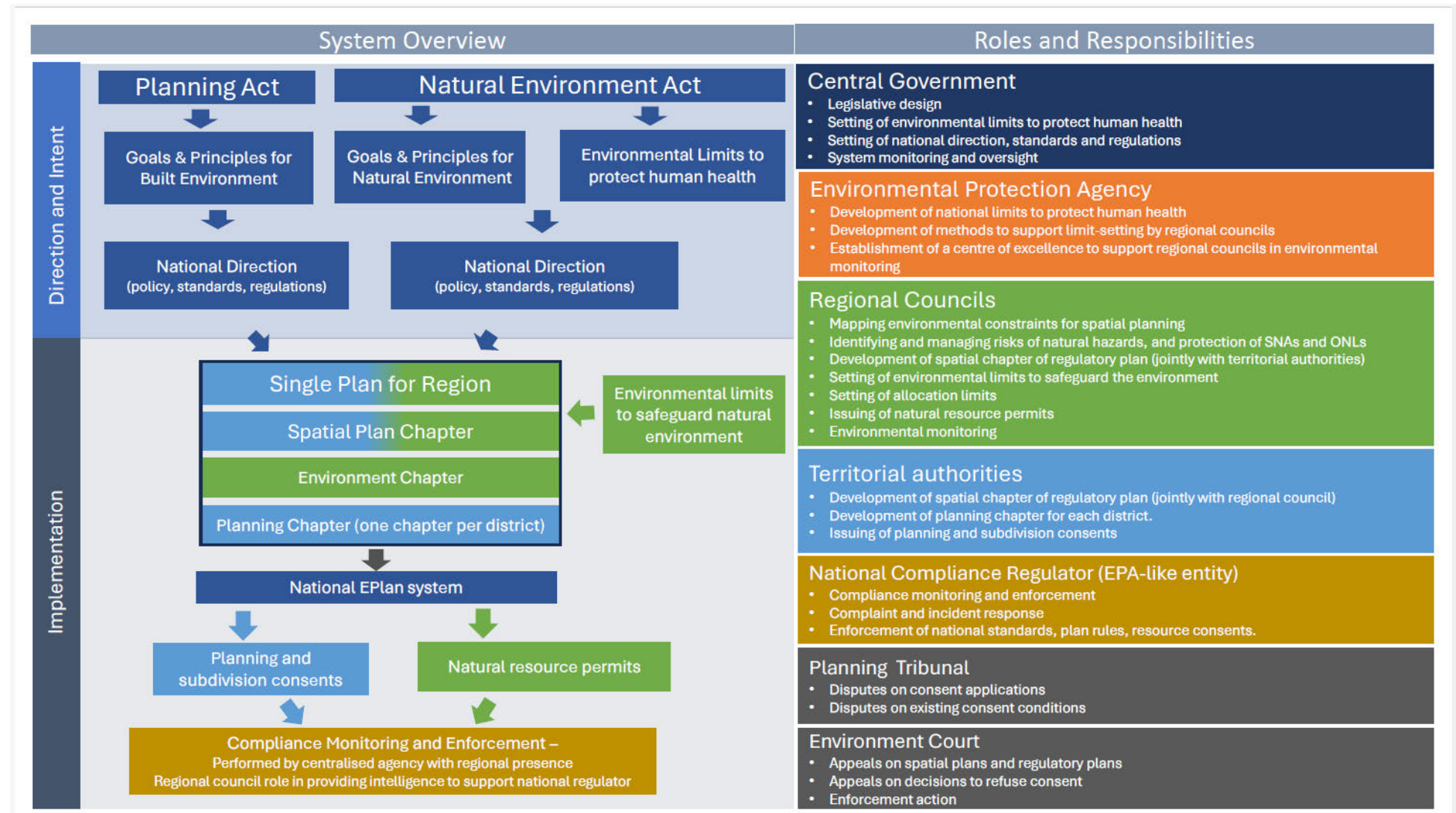
NEXT STEPS - NGĀ MAHI E WHAI AKE

| Date | Action/Milestone | Comments |
|------------------|---|----------|
| June / July 2025 | Detailed report on implications for the TRMP review programme | |
| Mid 2025 | Draft national directions released for consultation | |
| By end 2025 | Legislation introduced | |
| Early 2026 | Select committee process | |

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - Summary of new resource management system [25-101.1 - 1 page]

Summary of new resource management system



Source: Environment Canterbury, Briefing on EAG recommendations and Government response, 3 April 2025