

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

## Part D: Area Based Provisions





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# D1 STRUCTURE OF PART D

D1 is a mixture of regional plan, regional coastal plan and district plan provisions, as shown with plan symbols



Regional  
District Plan



Plan



Regional Coastal Plan

D1 is operative with the exception of the provisions that form part of the Regional Coastal Plan, which have yet to be made operative.



## D1.1 Overview of Part D

Part D of the Tairāwhiti Plan includes regional and district provisions relating to specific areas in the Gisborne region. Four types of areas are covered in Part D as outlined below:



- Coastal Management Areas (Part DC), which cover the coastal environment including the Coastal Marine Area (CMA);
- Freshwater Management Units and Catchment Plans (Part DF);
- Land-based zones (Part DD); and
- Port Areas (Part DP), which cover the land and coastal marine area around the port.

An overview of these management areas and zones is provided below.



## D1.2 Overview of DC – Coastal Management Area



### D1.2.1 Overview of DC Coastal Management Area

The coastal environment in the Gisborne region is an area with various resource management issues. Three management areas have been created to assist with its management:

- **DC1 Significant Values Coastal Management Area** – This includes coastal areas of special ecological, cultural, historic, scientific and landscape value.
- **DC2 General Coastal Management Area** – This includes the remainder of the coastal environment which is not in the Port Coastal Management Area or Significant Values Coastal Management Area.
- **DP1 Port Coastal Management Area** – This includes the existing Port Gisborne Basin, a section of the mouth of the Turanganui River, and the existing dredged navigation channel. It also includes two anchorage points and the dredged spoil dumping site in Poverty Bay.

For each of these coastal management areas specific regional plan and regional coastal plan issues, objectives, policies and rules are provided. These should be read alongside the coastal management provisions in Part C3, which apply throughout the coastal environment. The objectives, policies and methods for coastal management areas apply, where relevant, to the entire coastal environment. The rules apply only to the CMA.

The Significant Values Coastal Management Area and the General Coastal Management Area are contained in Part DC, while the Port Coastal Management Area is located in Part DP, the Port Area component of the Plan, alongside the district provisions relating to the Port.

The character and purpose of these management areas are outlined in the introduction, and the boundaries of these management areas are shown on the map in the Tairāwhiti Plan (refer to planning maps).



## D1.2.2 Introduction to Coastal Management Areas

The Plan acknowledges that there are areas within the coastal environment where particular resources and therefore certain types of activity are found. In turn there are different types and levels of effect and amenity within a particular area, depending largely on what sort of activities are being undertaken there. Some areas have different management needs and may have requirements for development, e.g. Port Gisborne.

Methods including rules are used to control those effects of activities that could adversely affect or damage the coastal environment. Because different resources and different levels of amenity are found in different locations – and therefore the sensitivity of the environment to adverse effects varies from place to place – the rules and other methods vary throughout the coastal environment.

The need to fix different rules to different geographical locations results in a need to identify boundaries. The Plan therefore creates management areas within the coastal environment.

The management areas are not intended to allocate space or occupation rights to particular activities. The management areas reflect significant differences in the values of particular areas, and the sensitivity of those values to adverse effects. In some cases they recognise the need for certain types of development to occur, such as ports. They provide broad guidance for appropriate development.

Major foreseeable future developments may be highlighted in management areas but this will not mean that any priority will be given to encouraging such development. The purpose of highlighting them will be to provide the public with information on likely developments anticipated in the CMA.

## D1.2.3 Issues

1. Gisborne District Council must promote sustainable management within the context of a coastline that is not homogeneous in natural character, significant indigenous vegetation and habitats, landscape and landform. The effects of subdivision, use and development will not be the same in terms of scale and intensity for all parts of the coast.

## D1.2.4 Objectives

1. People who wish to subdivide, use and develop the coastal environment will be able to determine where, in the Gisborne district coastal environment, activities or classes of activities may be appropriate.
2. Decisions made that recognise and take into account the non-homogeneous nature of the Gisborne district coastal environment.
3. A high level of integration across the administrative boundary of the line of Mean High Water Springs (MHWS), consistent with the values identified within the defined management areas.
4. A high level of certainty for the public about where foreseeable major developments may occur in the coastal environment.

### **Principal reasons:**

- **Objective 1:** *One of the primary purposes of the Tairāwhiti Plan is to provide the public with certainty about what can or cannot be undertaken in the coastal environment. This objective will meet the requirements of the NZCPS.*
- **Objective 2:** *The coastline of the Gisborne district ranges in values between the highly modified surrounds of the city of Gisborne to the remote and relatively unmodified areas such as Lottin Point. These differences in the coast must be reflected when decisions on resource management issues are required, as similar activities have different effects in different locations.*

- **Objective 3:** *The RMA established MHWS as an administrative boundary. Landward of the line of MHWS a person may do something unless they are constrained by the Act or a rule in a plan whereas, in the CMA, a person may not do anything unless authorised by a rule in a plan or a resource consent. The Tairāwhiti Plan straddles this administrative boundary and one of its principal purposes is to integrate resource management issues.*
- **Objective 4:** *It is desirable to show – where possible – areas where future developments in the coastal environment may occur so that the public can participate more fully in the public processes necessary for the promotion of such development.*

### D1.2.5 Policies

1. The coastal provisions in the Plan shall contain three categories of management areas. These management areas are, respectively, the Port Coastal Management Area, the General Management Area and the Significant Values Coastal Management Area.
2. Each management area will contain objectives, policies and rules that will provide detailed guidance for the assessment, avoidance, remedy and mitigation of adverse effects – taking into account the issues and values identified for each management area.
3. The Plan may contain general objectives, policies and methods – including rules – that have the purpose of guiding the assessment and avoidance, remedy and mitigation of adverse effects across all management areas or in particular circumstances.
4. At the next review of the Plan, the Council should seriously consider the desirability of combining all its regional and district plans into a single document. In the document the Council should seriously consider the desirability of combining all provisions relevant to ports in a single chapter.
5. Areas where foreseeable development is likely to occur may be highlighted on the maps showing the management areas.
6. The coloured area marked on the Tairāwhiti planning maps shall represent, for the purposes of this Plan, the coastal environment within which all objectives, policies and methods (excepting rules) set out in this plan shall apply. This area includes the Coastal Marine Area extending to the territorial sea limit within which the rules set out in DC1, DC2 and DP1 apply.

This area shall represent the coastal environment except in locations where, on the basis of evidence on a case-by-case basis when considering applications for consents or plan changes pursuant to the Resource Management Act (1991), it can be demonstrated that the sea is the dominant influence in some other location either seaward or landward of this area and in rivers and water bodies. The coastal environment in rivers and water bodies shall be determined by the presence of saline water and the presence of saline-requiring and tolerant plant and animal species. For the avoidance of doubt, whitebait spawning habitat is within the coastal environment.

Evidence of the extent to which a location (other than in a river or water body) is dominated by coastal influences includes:

1. the presence of salt requiring or tolerant plant and animal species and habitats; *and*
2. the extent to which the micro-climate is influenced by the sea; *and*
3. the extent to which the land form is derived by active or recent coastal processes; *and*
4. the presence of saline water in surface and groundwater hydrological systems; *and*
5. the extent to which the visual context of the landscape is dominated by the presence of the sea.

The greatest weighting of evidence will be given to ecological evidence, as the ecology of an area is the most sensitive indicator of marine influences.

**Principal reasons:**

- **Policy 1:** The coastal environment may be categorised into distinctive areas where management requirements may differ. These reflect the different values, natural character, and modification that has taken place in each of these areas. Establishing three management areas allows Objectives, Policies, Methods and Rules to be applied to each area with distinctive management requirements providing greater public certainty about what activities may occur in each area.
- **Policy 2:** This Policy establishes that the different management needs of each management area will be reflected in Objectives, Policies, Methods and Rules prepared for the specific management requirements of each area.
- **Policy 3:** This Policy acknowledges that there are some issues in the coastal environment that require the same management approach throughout the Region.
- **Policy 4:** It is expected that a combined Tairāwhiti Plan will promote integrated management, be administratively efficient and less complex.
- **Policy 5:** This Policy is designed to provide the public with information concerning the possible location of potential development proposals in order to enable the public to engage in debate and dialogue with the proposers of such development.
- **Policy 6:** This Policy is required to provide certainty about where the policies of this Plan apply by defining an area as the coastal environment or providing explicit means to determine the coastal environment on a case-by-case basis. The Policy implements Objective D1.2.4(1) and D1.2.4(3).

## **D1.2.6 Methods**

1. Areas of major potential development in the Coastal Marine Area shall be marked on the planning maps of the Tairāwhiti Plan by a dotted line encompassing the area where the development is foreseen.

**Principal reason:**

- **Method 1:** Implements D1.2.5(5) by identifying areas of potential development in this Plan.

## **D1.2.7 Rules**

1. The Significant Values Coastal Management Area shall be composed of all those areas mapped in the planning maps of the Tairāwhiti Plan.
2. The Port Coastal Management Area shall be composed of all the area mapped in the planning maps of the Tairāwhiti Plan.
3. The General Management Area shall be composed of all areas of the Gisborne district coastal environment not included in D1.2.7(1) and D1.2.7(2) above and mapped in the planning maps of the Tairāwhiti Plan.
4. Notwithstanding any other rules in the Plan, the standards and activity status for electricity transmission activities relating to the National Grid, as described in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, shall be determined according to this National Environmental Standard and no rule in any chapter of this Plan that duplicates or conflicts with the National Environmental Standard shall apply.

**Principal reasons:**

- **Implements Policies 1-3** by establishing Significant Values Coastal Management Areas, the Port Coastal Management Area and the General Management Area.



## **D1.3 Overview of DF – Catchment Plans and Freshwater Management Units**

### **D1.3.1 Overview**

The National Policy Statement for Freshwater Management 2014 (NPSFM) requires councils to set freshwater quantity and quality objectives and limits (or targets where objectives are not currently being met) in accordance with the National Objectives Framework (NOF). The Council also has a statutory mandate under section 69(3) of the RMA to not allow a reduction in water quality. Council is setting these objectives and limits through the development of catchment plans. Recognising and providing for local freshwater values is a key focus of the catchment planning process. By identifying freshwater values and objectives, limits and methods can be set that manage water quantity and quality for those values. Public and key stakeholder participation at the catchment level plays a central role in the identification of freshwater values. The NOF provides regional councils and communities with a process for linking values to freshwater outcomes.

There are three parts to the NOF:

- a) a set of national freshwater values and uses including two compulsory values (ecosystem health and human health for recreation);
- b) a set of freshwater attributes that measure the physical, chemical, biological and cultural properties that support the freshwater values. Associated with each attribute are ranges of physical states that provide for freshwater values at different levels. These states provide options to consider when setting limits. Each attribute also has a national bottom line below which an attribute may be considered degraded.
- c) a process for setting freshwater objectives based on selecting attribute states that adequately provide for the freshwater values identified for each Freshwater Management Unit (see Figure D1.1).

The current limit and target-setting process has to be balanced with the NPSFM requirement to maintain and improve the overall quality of water. Council's approach to maintaining water quality through the NOF is to set objectives which maintain the values which are currently identified for each Freshwater Management Unit. Improving water quality is proposed where an attribute is below a national bottom line or where the current state does not provide for the priority values. When setting objectives and limits, for attributes listed in the NOF, the general approach has been to use the banding system (A, B, C and National Bottom Line) within the NOF. Where objectives and limits for attributes not listed in the NOF, relevant scientific literature and benchmarks have been used to assign a numeric value to the relevant objective or limit. Narrative objectives and limits have also been defined where appropriate and in some cases the setting of numeric criteria has been deferred to gather appropriate defensible values.

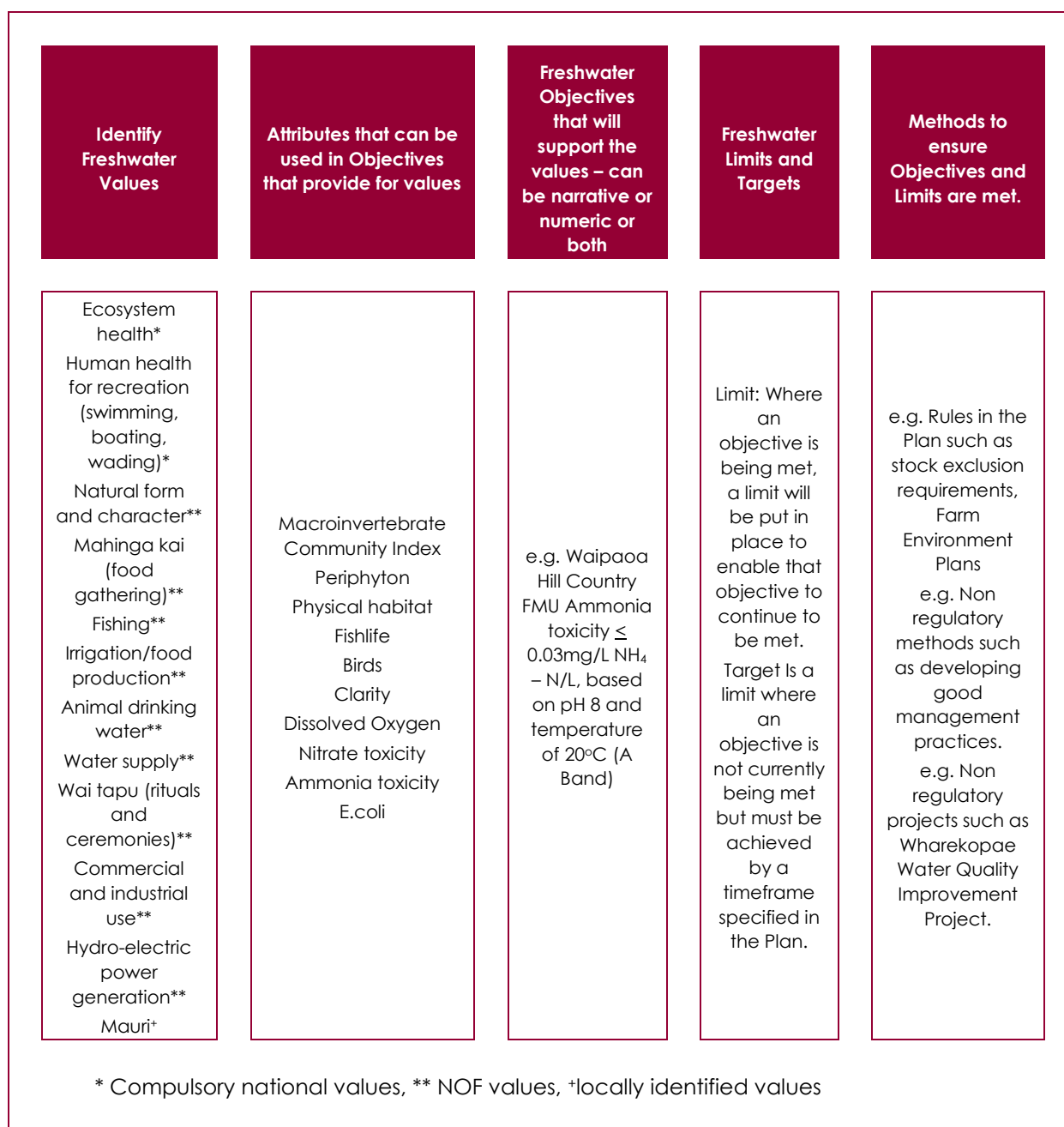
### **D1.3.2 Freshwater Management Units**

The primary spatial area for managing freshwater within a catchment is the Freshwater Management Unit (FMU). Values are identified at the FMU level and objectives and limits are set to reflect these values. Furthermore, the consideration of 'overall water quality' is assessed across the whole of each FMU.

A Freshwater Management Unit can be a water body, multiple water bodies or part of a water body that is an appropriate spatial scale for setting freshwater objectives and limits. Depending on the range of values identified, the size and physical character of the catchment and the issues related to freshwater, a catchment may be composed of a single FMU or more than one FMU.

### **D1.3.3 Non-regulatory projects**

Catchment plans may comprise a range of non-regulatory projects related to key water quantity and quality issues. Each project is structured according to the issue that needs to be managed, the project outcome and outputs, estimated timeframes and how the results will be monitored/reviewed.



**Figure D1.1 – Freshwater Values and the National Objectives Framework**



## D1.4 Overview of DD – District zones

Sections in Part D identified as DD relate to the district zones in the Gisborne region. DD1 – DD5 cover five categories of land based zones – residential, commercial, industrial, rural and reserve zones. Within each category are a number of zones as follows:

- DD1 Residential zone: this section provides the provisions including issues, objectives, policies and rules for all residential areas in Gisborne. The residential zone in DD1 covers the following types of areas – general residential, inner residential and residential lifestyle zones.
- DD2 Commercial zone: this section provides the provisions including issues, objectives, policies and rules for commercial areas in Gisborne. The Gisborne region has a number of different types of commercial zones which are covered in DD2 including the following – inner commercial zones, fringe commercial zones, outer commercial zones, suburban commercial zones, rural commercial zones, amenity commercial zones and aviation commercial zones.



- DD3 Industrial zone: this section provides the provisions including issues, objectives, policies and rules for industrial areas in Gisborne. DD3 covers different types of industrial zones in the region including – general industrial zone, rural industrial A zone and rural industrial B zone.
- DD4 Rural zone: this section provides the provisions including issues, objectives, policies and rules for rural areas in Gisborne. DD4 covers different types of rural zones in the region including – rural productive zone, rural residential zone, rural lifestyle zone and rural general zone.
- DD5 Reserves zone: this section provides the provisions including issues, objectives, policies and rules for reserve areas in Gisborne. DD5 covers different types of reserve zones in the region including – recreation reserve zones, neighbourhood reserve zones, heritage reserve zones and amenity reserve zones.



## D1.5 Overview of DP – Port Areas



DP sections of Part D relate to the Port area. The primary purpose of the Port areas is to provide for activities related to the use of vessels and the transport of goods into and out of the Gisborne district, for which a location in the coastal environment is an operational necessity. A high level of integration across the jurisdictional boundary of the line of Mean High Water Springs is essential for the safe and efficient operation of the Port which is why this sub-section has been combined to include both regional and district plan provisions.

There are two DP sections for the Port area which are based on the types of provisions – including within each – either regional coastal plan and regional plans provisions or district plan provisions. These are outlined below and described in detail within each section:

- DP1 – this section provides for the Port Coastal Management Area. This includes regional provisions for managing both the land and coastal marine area parts of the Port, including the Gisborne Port Basin and a section of the Turanganui River. The objectives, policies and methods apply, where relevant, to the entire coastal environment covered by the Port Coastal Management Area. The rules apply only to the CMA.
- DP2 – this section provides for the Port Management zone. This includes district provisions for managing the land based areas of the Port in Gisborne including the existing Port Gisborne and Cook Landing National Historic Reserve.

**NOTE:** *There is overlap between DP1 – Port Coastal Management Areas and DP2 – Port Management zones as both sections contain land provisions. These sections are separate at this stage as the provisions are from GDC's former resource management plans but it is intended that they will be integrated through future plan review.*

# DC1 SIGNIFICANT VALUES COASTAL MANAGEMENT AREA

The provisions of DC1 are both regional plan and regional coastal plan provisions and apply to the coastal environment. The exception is the rules, which are just regional coastal plan provisions applying only to the coastal marine area.



Regional Plan



Regional Coastal Plan

Part DC1 is proposed, the provisions reflect Council's decisions on submissions and the resolution of any appeals, but have not yet been made operative

## DC1.1 Significant Values Coastal Management Area

### Introduction

The Significant Values Coastal Management Area encompasses all identified regionally significant sites of special ecological, cultural, historic, scientific, scenic and amenity value – including all the areas of significant conservation value identified by the Minister of Conservation. Outstanding Natural Features and Landscapes also form an important component of the Significant Values Coastal Management Area in the Gisborne region. The purpose of the Significant Values Coastal Management Area is to sustain the values that make these sites special. Activities will be allowed in the sites of special value provided that there are no adverse effects on the values of those sites.

There are a number of sites of special value identified in the coastal environment scattered along the length of the coastline. There are some sites of local significance in the coastal environment located landward of the coastal marine area. These will be managed through the district provisions of the Tairāwhiti Plan.

## DC1.2 Issue

1. Areas of the Gisborne district coastal environment include sites of special ecological, cultural, historic, scientific, scenic and amenity value that are important nationally or regionally and these values may be threatened or damaged by the effects of subdivision, use, development and protection.

## DC1.3 Objectives

1. The preservation of the natural character of the coastal environment and the protection of the coastal environment from inappropriate subdivision, use and development by protecting sites of significant ecological, cultural, historic, scientific, scenic and amenity value and sites where there is a high degree of natural character.
2. To allow for subdivision, use and development in Significant Values Coastal Management Areas where such subdivision, use and development does not have adverse effects on the values that contribute to the area's special values and natural character.
3. Involvement of local communities in the identification and protection of the values and the preservation of the natural character of areas within the Significant Values Coastal Management Areas.

#### **Principal reasons:**

- **Objective 1** – *this objective is necessary to implement sections 6 and 7 of the RMA and the NZCPS which make it a national priority, both to preserve natural character and protect special areas with identified features and values.*
- **Objective 2:** *prohibiting all development in Significant Values Coastal Management Area would not promote sustainable management; it is appropriate to ensure the protection of at least regionally significant values.*
- **Objective 3:** *Regulation is not the only means of identifying and protecting the values of the Significant Values Coastal Management Areas and the local community may be better placed to do this as they are more likely to be aware of community needs and design appropriate management responses.*

## **DC1.4 Policies**

1. In the exercise of any function, power or duty under the Act, the Council and consent authorities will give priority to avoiding adverse effects on the values associated with an area<sup>1</sup> within any Significant Values Coastal Management Area when considering the subdivision, use, development and protection of the Gisborne district's coastal environment.
2. Gisborne District Council will encourage communities to participate in active protection of the special values identified in the Significant Values Coastal Management Area through the establishment of community-based care programmes.
3. Gisborne District Council will consider and encourage other agencies – including the Department of Conservation (DOC) and Ministry for Primary Industries – to consider other means of protecting the special values identified in the Significant Values Coastal Management Areas beyond the scope of the RMA.

#### **Principal reasons:**

- **Policy 1:** *is intended to implement the matters of national importance in sections 6(a), 6(b), 6(c) and 6(e). Policy 1 is designed to give the greatest possible protection to those identified values in the small and discrete Significant Values Coastal Management Areas without precluding appropriate subdivision, use, development and protection. Priority will be given to avoiding adverse effects arising in these areas.*
- **Policy 2:** *is designed to provide a means for local communities to pursue local solutions. Council will act in a supporting manner and assist by offering information and expertise to local communities but it is anticipated that local communities will take responsibility for implementing appropriate methods to protect those special value identified by them.*
- **Policy 3:** *the RMA is not the only instrument available to protect areas and resources of significance within the Significant Values Coastal Management Areas and other agencies, legal instruments or voluntary agreements may be better placed to do this in some cases.*

## **DC1.5 Methods**

1. Encourage and advocate for other methods of recognition and/or protection of the special values identified in the Significant Values Coastal Management Area beyond the scope of the RMA, including such methods as:
  - a) Open Space Covenants, QEII National Trust;
  - b) Māori Reserves, Māori Affairs Act 1953;

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<sup>1</sup> See Schedule G11 for description of the values associated with Protection Management Areas.

- c) Fisheries legislation, including Taiapure and Maataitai Reserves;
  - d) Reserves under the Conservation Act including wildlife reserves and marine mammal sanctuaries;
  - e) Marine reserves under the Marine Reserves Act 1971; and
  - f) Voluntary property plans.
2. Gisborne District Council will facilitate the establishment of Landcare and Beachcare Groups, aimed at protecting special values within the Significant Values Coastal Management Area and will offer technical services and advice to such groups.
  3. To promote, in conjunction with DOC and other agencies and community groups, the concept of Biodiversity as set out in Agenda 21 of the Rio Accords.

**Principal reasons:**

- **Method 1:** This method implements Policy 3;
- **Method 2:** This method implements Policy 2; and
- **Method 3:** This method implements, in part, New Zealand's International obligations affecting the coastal environment.

## DC1.6 Rules for Significant Values Coastal Management Area

### DC1.6.1 Rules for Structures

(Refer to C3.7)

**Note 1:** Section 32 of the Building Act, 1991, states that no “building” shall be constructed, altered or demolished without a building consent.

It is important, notwithstanding anything else in this Plan, that requirements for a building consent are established prior to the commencement of any work. The definition of “structure” in the Building Act is very broad.

**Note 2:** In addition to rules contained in this Plan the Harbours Act, 1950 and Harbour Bylaws may also regulate structures on matters of navigation and safety as the need arises.

**Note 3:** This section should be read in conjunction with the section on occupation of space in the Coastal Marine Area.

**Note 4:** The New Zealand Coastal Policy Statement requires that the Maritime New Zealand and the Hydrographic Office be notified of new structures in the Coastal Marine Area.

This Plan implements that policy by requiring consent holders for new structures – or significant changes to existing structures – in the Coastal Marine Area to notify those offices **before** construction begins. This will be a condition of all consents granted.

**Note 5:** It will be a condition of all consents for new structures in the CMA to provide, at their completion, photographic evidence of their completion.

**Note 6:** No resource consent or coastal permit gives the holder rights to occupy or move over the private property of another. Rules in this chapter do not state that the permission of occupiers or landowners is required in order to exercise the resource consent or permit because that requirement should go without saying.

**Note 7:** Unless clearly stated otherwise **all** standards and terms in a rule must be met for that rule to apply.

**Rule Table DC1.6.1**

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.1(1)	The construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water.	Permitted	<ul style="list-style-type: none"> <li>a) Contaminants are not disposed of into the coastal environment.</li> <li>b) There is no adverse effect on public safety and navigation safety.</li> <li>c) The Maritime New Zealand and the Hydrographic Office are notified of the proposal to erect the structure and are notified of completion of work on the structure.</li> <li>d) Gisborne District Council has been notified in writing of the structure.</li> </ul> <p>In the event of conditions a), b) and d) not being met the activity is a discretionary activity under Rule DC1.6.1(13). In the event of condition c) not being met the activity is a controlled activity under Rule DC1.6.1(7).</p>
1.6.1(2)	The erection or placement of a temporary maimai or whitebait stand in the Coastal Marine Area.	Permitted	<p>In respect of all maimai and whitebait stands located in the Coastal Marine Area:</p> <ul style="list-style-type: none"> <li>a) The structure has a maximum size of four square meters.</li> <li>b) The structure is open piled; and In the case of a maimai:</li> <li>c) The structure is at least 90 meters from any neighbouring structure, tide gate, floodgate, confluence or culvert.</li> <li>d) The structure is only present between April 1 and July 31 of any one year.</li> <li>e) Prior written notice of the erection or placement is given to the consent authority. In the case of a whitebait stand:</li> <li>f) The structure is at least 20 meters from any neighbouring structure, tide gate, floodgate, confluence or culvert.</li> <li>g) The structure is only present between 15 July and December 30 of any one year.</li> <li>h) Prior written notice of the erection or placement is given to the Gisborne District Council.</li> </ul> <p>(With respect to maimai the Gisborne District Council has agreed to the transfer of responsibilities for administering these provisions to the Eastern Region Fish and Game Council. When the transfer occurs the E.R.F.G.C will be the consent authority. Until that time the G. D. C. is the consent authority.)</p> <p>Principal reason 1 in DC1.6.1.1 below</p>
1.6.1(3)	The minor alteration or maintenance of any structure in the Coastal Marine Area.	Permitted	<ul style="list-style-type: none"> <li>a) The physical dimensions of the structure are not altered.</li> <li>b) The alteration or maintenance results in no more disturbance to the foreshore or bed than can be removed by two tide cycles.</li> <li>c) Contaminants are not disposed of into the coastal environment.</li> <li>d) There is no adverse effect on public safety and navigation safety.</li> <li>e) Public access to and enjoyment of the Coastal Marine Area is not decreased.</li> <li>f) Prior notification of the intention to modify the structure is made to the Gisborne district Council.</li> </ul>



Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
			<p>Provided that:</p> <p>In the event that any of the standards and terms is not met, then Rule DC1.6.1.15 applies.</p> <p>Principal reason 2 in DC1.6.1.1 below</p>
1.6.1(4)	Structures located in the Coastal Marine Area for which no permits have been granted under the Harbours Act 1950 or the Resource Management Act 1991 are unauthorised structures. Unauthorised structures which were established prior to January 1, 1995 and are located in the Coastal Marine Area are permitted within the coastal environment for a period of two years from the date of this plan becoming operative.	Permitted	Principal reason 3 in DC1.6.1.1 below
1.6.1(5)	The removal or demolition of any structure in the Coastal Marine Area.	Permitted	<p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Any disturbance to the seabed is minor enough to be removed by two tide cycles.</p> <p>d) Prior to and immediately after removal of the structure the Maritime New Zealand and the Hydrographic Office are notified.</p> <p>Provided that:</p> <p>In the event of (d) not being met the activity is a controlled activity under Rule DC1.6.1(8)</p> <p>Principal reason 4 in DC1.6.1.1 below</p>
1.6.1(6)	Where a standard or term in a rule in this chapter of this plan prevents an activity because contaminants are disposed to the coastal environment the activity may occur if it achieves all other standards and terms of the rule and a permit for the discharge is obtained or the discharge satisfies the standards and terms for a permitted discharge.	Permitted	Principal reason 5 in DC1.6.1.1 below
<b>Controlled Activities</b>			
1.6.1(7)	<p>The construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water is a controlled activity where the Maritime New Zealand and the Hydrographic Office have not been notified of the proposal to erect the structure and are notified of completion of work on the structure.</p> <p>Provided the following standards and terms are met.</p> <p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Gisborne District Council has been notified in writing of the structure.</p>	Controlled	<p>Council shall limit its control to the matter a) specified below:</p> <p>a) Setting conditions on the consent requiring notification of the Maritime New Zealand and the Hydrographic Office.</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
1.6.1(8)	<p>The removal or demolition of any structure in the Coastal Marine Area where the New Zealand Maritime Safety Authority if the Hydrographic Office have not been notified of the removal is a controlled activity.</p> <p>Provided the following standards and terms are met:</p> <ul style="list-style-type: none"> <li>a) Contaminants are not disposed of into the coastal environment.</li> <li>b) There is no adverse effect on public safety and navigation safety.</li> <li>c) Any disturbance to the seabed is minor enough to be removed by two tide cycles.</li> </ul>	Controlled	<p>Council shall limit its control to the matter a) specified below:</p> <ul style="list-style-type: none"> <li>a) Setting a condition requiring notification of the Maritime New Zealand and Hydrographic Office</li> </ul>
1.6.1(9)	<p>The removal or demolition of any structure in the Coastal Marine Area that does not fall under Rule DC1.6.1(8) is a controlled activity so long as it complies with the following standards and terms:-</p> <ul style="list-style-type: none"> <li>a) Contaminants are not disposed of into the coastal environment.</li> <li>b) There is no adverse effect on public safety and navigation safety.</li> </ul>	Controlled	<p>Council shall limit its control to the matters a) to f) specified below:</p> <ul style="list-style-type: none"> <li>a) The timing/duration of activities associated with the demolition of the structure; <i>and</i></li> <li>b) The rate at which components of the structure are removed or demolished; <i>and</i></li> <li>c) Disposal of material on or away from the site; <i>and</i></li> <li>d) Monitoring the effects of removal of the structure; <i>and</i></li> <li>e) Provision of photographic evidence of removal of the structure; <i>and</i></li> <li>f) Requiring bonds or rentals as specified elsewhere in this Plan.</li> </ul> <p>Principal reason 6 in DC1.6.1.1 below</p>
1.6.1(10)	<p>The construction, placement or erection of signs in the Coastal Marine Area and coastal water for the purpose of publicising or advising of:</p> <ul style="list-style-type: none"> <li>a) Rules in this plan; or</li> <li>b) Bylaws or regulations made under any Act; or</li> <li>c) The location of any reserve; or</li> <li>d) Water safety</li> </ul> <p>Provided that the following standards and terms are met:</p> <ul style="list-style-type: none"> <li>a) The sign does not exceed 0.5m<sup>2</sup> in area</li> </ul>	Controlled	<p>Council shall limit its control to the matters a) to g) specified below:</p> <ul style="list-style-type: none"> <li>a) The exact location of the sign; <i>and</i></li> <li>b) The design and finish of the sign; <i>and</i></li> <li>c) Maintenance and upkeep of the sign; <i>and</i></li> <li>d) The duration of the consent granted; <i>and</i></li> <li>e) Monitoring the use and effects of the sign; <i>and</i></li> <li>f) Requiring photographic evidence of erection of the sign; <i>and</i></li> <li>g) Requiring rentals or bonds as established elsewhere in this Plan.</li> </ul> <p>Principal reason 7 in DC1.6.1.1 below</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
1.6.1(11)	<p>The erection or placement of any temporary structure (other than maimai and whitebait stands) in the Coastal Marine Area of a Significant Management Area is a controlled activity provided that the following standards and terms are met:</p> <ul style="list-style-type: none"> <li>a) Contaminants are not disposed of into the coastal environment.</li> <li>b) There is no adverse effect on public safety and navigation safety.</li> <li>c) Public access to and along the Coastal Marine Area is not decreased.</li> <li>d) The structure is located for a continuous or cumulative period not exceeding 14 days in any one year.</li> <li>e) The structure is removed immediately after use.</li> </ul>	Controlled	<p>If the standards and terms are not met the activity is discretionary. Council shall limit its control to matters a) to g) specified below:</p> <ul style="list-style-type: none"> <li>a) The materials used; <i>and</i></li> <li>b) Structure siting; <i>and</i></li> <li>c) The timing and duration of activities associated with the structure; <i>and</i></li> <li>d) Disposal of material on or away from the site; <i>and</i></li> <li>e) Monitoring the effects of the structure; <i>and</i></li> <li>f) Requiring rentals or bonds as specified elsewhere in this plan; <i>and</i></li> <li>g) Requiring photographic evidence of the structures establishment and removal.</li> </ul>

Discretionary activities			
1.6.1(12)	<p>Notwithstanding any rule for a permitted or controlled activity in this chapter of this plan, any activity associated with the construction, placement erection, modification, demolition or replacement of any structure that occurs in any area of the Coastal Marine Area marked in the planning maps of the Tairāwhiti Plan as a site which is culturally sensitive to that type of activity (as recognised by tangata whenua) is a discretionary activity with, in addition to any standards and terms specified for that activity, the following standards and terms.</p> <ul style="list-style-type: none"> <li>a) Contaminants are not disposed of into the Coastal Marine Area.</li> <li>b) There is no adverse effect on public safety and navigation safety.</li> <li>c) The activity results in no more disturbance to the foreshore or bed than can be removed by two tide cycles.</li> </ul>	Discretionary	<p>Council controls will include:</p> <ul style="list-style-type: none"> <li>a) Structure siting; <i>and</i></li> <li>b) The timing and duration of activities associated with the structure; <i>and</i></li> <li>c) Disposal of material on or away from the site; <i>and</i></li> <li>d) The duration of any Resource Consent; <i>and</i></li> <li>e) Conditions relating to monitoring the effects of the activity; <i>and</i></li> <li>f) The provision of photographic evidence upon completion of the activity; <i>and</i></li> <li>g) The extent to which the structure has an adverse effect on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga; <i>and</i></li> <li>h) Requiring rentals or bonds as specified elsewhere in this plan.</li> </ul> <p>Principal reason and explanation 9 in DC1.6.1.1 below</p>
1.6.1(13)	<p>Except as provided for in Rules DC1.6.1(1) and DC1.6.1(7) the construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water is a discretionary activity.</p>	Discretionary	
1.6.1(14)	<p>The construction, placement, erection, modification or replacement of fixed (non-floating) navigational aids within the Coastal Marine Area is a discretionary activity.</p>	Discretionary	Principal reason 10 in DC1.6.1.1 below

1.6.1(15)	Except as provided for in Rule DC1.6.1(3), the minor alteration or maintenance of any structure in the Coastal Marine Area is a discretionary activity with the following standards and terms a) The cumulative increase in the area of bed or foreshore covered by the structure from all minor alterations or maintenance under this plan does not exceed 10% of the original.	Discretionary	
1.6.1(16)	The erection or placement of any structure in the Coastal Marine Area which has a predominant purpose of avoiding, remedying or mitigating the effects of natural coastal processes on human property or life is a discretionary activity.	Discretionary	Principal reason and explanation 12 in DC1.6.1.1 below
1.6.1(17)	Construction, placement, erection, and replacement of any network utility structure that is or will be attached to an existing structure located in the Coastal Marine Area or Coastal waters of a Significant Values Coastal Management Area is a discretionary activity.	Discretionary	Principal reason 13 in DC1.6.1.1 below
1.6.1(18)	Except as provided for in Rules DC1.6.1(3), DC1.6.1(15) and DC1.6.1(17), any activity that requires construction, erection or alteration of a network utility structure within the Coastal Marine Area of a Significant Values Coastal Management Area, (but excepting any reclamations), is a discretionary activity.	Discretionary	Principal reason 14 in DC1.6.1.1 below
1.6.1(19)	The construction or placement of pile and/or swing moorings in a Significant Values Coastal Management Area of the Coastal Marine Area is a discretionary activity.	Discretionary	Principal reason 15 in DC1.6.1.1 below
1.6.1(20)	The erection, construction or alteration, but excepting minor alterations; of port related structures within the Significant Values Coastal Management Area of the Coastal Marine Area, at or about the sites of existing port related structures at Hicks Bay, Tokomaru Bay and Tolaga Bay; is a discretionary activity provided that the following standards and terms are met a) The New Zealand Historic Places Trust (Pouhere Taonga) has been consulted.	Discretionary	Principal reason 16 in DC1.6.1.1 below
1.6.1(21)	The erection of structures for the storage or containment of petroleum, petroleum products or other contaminants in the Coastal Marine Area of a Significant Values Coastal Management Area, is a discretionary activity provided that the following standards and terms are met. a) The purpose of the structures is to provide for the operational needs of vessels.	Discretionary	Principal reason 17 in DC1.6.1.1 below

	b) The structures are located at or about the sites of existing port related structures in Hicks Bay, Tokomaru and Tolaga Bay.		
1.6.1(22)	Unless specified elsewhere to the contrary, and more specifically, any activity that requires construction or erection of a structure in the Coastal Marine Area of the Significant Values Coastal Management Area, but excepting minor alterations and any reclamations, is a discretionary activity. Cross-Reference refer to C3, C3.7, C8.5, DC1.6.3, C3.15.	Discretionary	
<b>Non-complying activities</b>			
1.6.1(23)	Any activity involving the erection of a structure or structures in the Coastal Marine Area which will impound or effectively contain any area of the Coastal Marine Area, within a Significant Values Coastal Management Area, greater than 4 Ha is a non-complying activity. Cross-Reference refer to C3, C3.7, DC1.6.1, DC1.6.2, DC1.6.4, C3.15, F1.	Non-complying	
1.6.1(24)	Any activity involving the erection of a structure or structures which will impound or effectively contain any area of the Coastal Marine Area within a Significant Values Coastal Management Area equal to or less than 4 Ha is a non-complying activity. Cross-Reference refer to C3, C3.7, DC1.6.1, DC1.6.2, DC1.6.4, C3.15, F1.	Non-complying	Principal reason 18 in DC1.6.1.1 below
1.6.1(25)	The erection or placement of any structure or structures in the Coastal Marine Area of a Significant Values Coastal Management Area that is: a) More or less parallel to mean high water springs; and b) Solid (or present a significant barrier to water or sediment movement); and c) Would extend 300m or more, and including separate structures with an incremental total of at least 300m; and d) Is not a submarine or sub-aqueous cable Cross-Reference refer to C3, C3.7, DC1.6.1, DC1.6.2, DC1.6.4, C3.15, F1.	Non-complying	
1.6.1(26)	The erection of any structure which is solid (or present a significant barrier to water or sediment movement) in the Coastal Marine Area within a Significant Values Coastal Management Area that is: a) Oblique or perpendicular to mean high water springs; and b) Solid; and	Non-complying	Principal reason 19 in DC1.6.1.1 below



	c) Is in the horizontal projection more than 100 meters in length; and d) Is not a submarine or sub-aqueous cable.		
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#### DC1.6.1.1 Principal Reasons and Explanations

1. **Principal reason:** *The impacts of both whitebait stands and maimai are slight. Visually, maimai can detract from the amenity of an estuary or wetland but if removed should not adversely affect values there (they are present over autumn/winter months). A similar case exists for whitebait stands.*
2. **Principal Reason:** *Without maintenance many structures deteriorate. Minor alteration will have minimal adverse effects.*
3. **Principal reason:** *Illegal structures threaten the very processes this Plan sets up in order to manage adverse effects. To condone illegal structures is entirely inconsistent with responsible resource management and is inconsistent with the purpose of the Resource Management Act (1991).*
4. **Principal reason:** *Obsolete structures diminish natural character and amenity – their removal is a very good way of improving the quality of the coastal environment.*  
Cross-Reference refer to C3, C3.7.
5. **Principal reason:** *This rule provides a linkage between the **Structures** chapter and **Discharge** chapters of the Plan and provides for consistency between the two chapters. Discharges were included within the **Structures** section of the Plan to highlight the inter-relatedness of chapters and to direct readers to other relevant objectives, methods, rules and policies.*  
Cross-Reference refer to C3, C3.10, DP1.6.2, F1.
6. **Principal reason:** *Obsolete structures diminish natural character and amenity – their removal is a very good way of improving the quality of the coastal environment. This variant of the previous rule ensures that large scale removal is possible.*  
Cross-Reference refer to C3, C3.7.
7. **Principal reason:** *It is important that signage in the CMA is controlled in order to achieve a level of professionalism of finish.*  
Cross-Reference refer to C3, C3.7, C3.15.
8. **Principal reason:** *It is not conceivable that a structure which meets the standards of this rule would have significant adverse effects. By providing for this type of structure the utility of the coastal environment is recognised without compromising values.*  
Cross-Reference refer to C3, C3.7, DC1.6.3, C3.15.  
**Explanation:** *This rule captures activities which might have an impact on cultural values and requires that they be treated as discretionary activities with tight terms and conditions. Implicit in this rule is that all applicants for new structures or significant alteration or demolition of existing structures will consult with tangata whenua.*
9. **Principal reason:** *Many permitted and controlled activities do not contain a standard/term related to tangata whenua cultural values and hence could be permitted without reference to tangata whenua. This could result in adverse effects on cultural sites and values. The consent authority will consult with tangata whenua in the consideration of any specific resource consent application and will encourage applicants for a resource consent to similarly consult with tangata whenua, as a matter of good practice. The consultation process should be initiated as soon as practicable.*  
Cross-Reference refer to C3, C3.7, DC1.6, C3.15, F1.
10. **Principal reason:** *(Policies DC1.4(2) and DC1.4(3)): Floating navigational aids are regarded as low impact except in the Significant Values Coastal Management Area where the visual impacts may be unacceptable. Non-floating navigational aids can have significant adverse effects on biota and visual amenity and are thus treated as discretionary activities.*  
Cross-Reference refer to C3, C3.7, DC1.6.1, C3.15, F1.

11. **Principal Reason:** *The type of maintenance anticipated here can have effects of an unpredictable nature. In order to ensure that measures are taken to avoid, remedy or mitigate adverse effects and also to achieve the purpose of the Act the most appropriate option is to utilise the resource consent process.*  
Cross-Reference refer to C3, C3.7, DC1.6.1, C3.15, F1.
12. **Explanation:** Structures used to protect property from the effects of coastal processes are usually very conspicuous, have a limited life expectancy and dramatically alter natural physical processes.  
**Principal reason:** *The effects of coastal protection works on the environment will almost always have to be weighed up against community benefits. It is considered appropriate to treat these structures as discretionary activities because achieving the purpose of the RMA will require considerable assessment particularly in respect of s5, 6 & 7 of the RMA.*  
Cross-Reference refer to C3, C3.7, C8.5, DC1.6.1, DC1.6.4, C3.15, F1.
13. **Principal reason:** *This rule is necessary to insure that utility structures located in the Significant Values Coastal Management Area do not result in adverse effects. Similar rules exist for other management areas but permit these structures. The intent of the rule is concentrate structures.*  
Cross-Reference refer to C3, C3.7, DC1.6.1, C3.15, F1.
14. **Principal reason:** *This rule establishes the placement and erection of network utility structures as a legitimate activity in the CMA. The principal reason for this rule is that these structures are essential to provide for the social well-being of communities: but they can have adverse effects.*  
Cross-Reference refer to C3, C3.7, DC1.6.1, C3.15, F1.
15. **Principal reason:** *There are two reasons for this rule:  
The rule is required to protect people from themselves and also  
To prevent unsightly moorings appearing where they are inappropriate or where they diminish the natural character, amenity or cultural values of the coastal environment.*  
Cross-Reference refer to C3, C3.7, DC1.6.1, C3.15, F1.
16. **Principal reason:** *Restoration of these wharves will enhance community values associated with these structures. To not permit the restoration (which will likely be fairly major) would risk the eventual loss of valuable historic structures.*  
Cross-Reference refer to C3, C3.7, DC1.6.2, DC1.6.1, DC1.6.4, C3.15, F1.
17. **Principal reason:** *The rule is consistent with the NZCPS and recognises the very real risk that spillage of contaminants into the CMA carries.*  
Cross-Reference refer to C3, C3.7, DC1.6.2, DC1.6.1, DC1.6.4, C3.15, F1.
18. **Principal reason:** *These rules are consistent with Schedule 1.2 of the NZCPS.*  
Cross-Reference refer to C3, C3.7, DC1.6.2, DC1.6.1, DC1.6.4, C3.15, F1.
19. **Principal reason:** *Schedule 1.3 and 1.4 of the NZCPS contains similar requirements. These rules are written to ensure the effects of structures are fully assessed by the Minister of Conservation when they meet a size threshold established in the NZCPS.*  
Cross-Reference refer to C3, C3.7, DC1.6.2, DC1.6.1, DC1.6.4, C3.15, F1.

## DC1.6.2 Rules for Discharges

### Note:

#### OBSERVANCE OF WATER QUALITY STANDARDS

All discharges to water of the coastal marine area, after reasonable mixing and disregarding the effect of any natural perturbations, shall observe any relevant water quality standards set out in Method C3.10.4(12) for the Classification Area defined in Schedule G14 of this Plan.

**Principal reason:** Compliance with water classification standards is a requirement of Section 69(1) of the Resource management Act 1991.

### Note:

Sediment discharges to receiving waters (including coastal waters) associated with a plantation forestry activity are regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. Those rules prevail over the rules for discharges in this chapter.

**Rule Table DC1.6.2**

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal reasons and explanations
<b>Permitted Activities</b>			
1.6.2(1)	The discharge of stormwater run-off to the Coastal Marine Area.	Permitted	<p>a) The activity shall not cause any permanent:</p> <ul style="list-style-type: none"> <li>i Reduction of the ability of the receiving channel to convey flood flows;</li> <li>ii Scouring of the foreshore or seabed as a consequence of the discharge.</li> </ul> <p>b) The discharge shall not cause the production of conspicuous oil or grease films, scums, or foams, or floatable or suspended materials in any receiving water after reasonable mixing.</p> <p>c) The discharge shall, after reasonable mixing, meet the water quality standards, prescribed for the waters into which the discharge is to occur, by the Water Classifications set out in Policy C3.10.3(1), Method C3.10.4(12) and Schedule G14 of this Plan.</p> <p>Provided that: If any of the Standards and Terms are not met then the discharge of stormwater run-off to the CMA is a non-complying activity.</p> <p>Cross-Reference refer to C3, C3.10, C3.15.</p> <p>Principal reason 1 below</p>

1.6.2(2)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999, the discharge to the coastal marine area of biologically and chemically inert and non-radioactive tracers or dyes for the purposes of scientific investigations	Permitted	a) The tracer or dye will not result in and change in the abundance or diversity of animal or plant life in the receiving environment. b) The GDC is advised in writing at least one week prior to the discharge. Cross-Reference refer to C3, C3.10, F1. Principal reason 2																						
Controlled Activities																									
1.6.2(3)	<p>Except as provided for in the Resource Management (Marine Pollution) Regulations 1999, the discharge of herbicides in the coastal marine area, for the purposes of exotic weed control is a controlled activity provided that the following standards and terms are met.</p> <p>a) Hand gun application is used, and spray is directed to minimise non target organism contact; and</p> <p>b) A biodegradable (short half-life), herbicide is used; and</p> <p>c) The frequency and abundance of marine fauna is surveyed before spraying, and after spraying; and</p> <p>d) The level of herbicide in sediment is assessed after spraying.</p> <p>e) Council is advised prior to commencement of the activity and with the required monitoring information (c, d above) within 3 months of completing the operation.</p> <p>f) The following standards from NZS8409:1999 Agrichemical Users Code of Practise and any additional requirements as listed are met:</p> <table><tr><th>NZS8409 REQUIREMENT</th><th>Additional requirement</th></tr><tr><td>2.4.1, 2.4.2, 2.4.4(3)</td><td></td></tr><tr><td>5.1.1, 5.1.2,5.3.1(a and b)</td><td></td></tr><tr><td>5.3.2(b)</td><td>Disposal options FF (a,b,c) must be used if available in the region and no spray residue shall be disposed of within 20m of a drain, watercourse or waterbody.</td></tr><tr><td>5.3.3 (2<sup>nd</sup> para following m)</td><td>Cleaning and decontamination of aircraft shall be carried out on a bunded concrete pad. Contaminated residue shall be collected and disposed of in accordance with these conditions</td></tr><tr><td>5.4.1</td><td></td></tr><tr><td>5.5.5</td><td></td></tr><tr><td>5.6.2(a)</td><td></td></tr><tr><td>5.6.5(a,c)</td><td></td></tr><tr><td>5.7.1(e, f)</td><td>Written contingency plans must be available upon request.</td></tr><tr><td>5.7.2</td><td>Documented evidence of the target area must be available upon request.</td></tr></table>	NZS8409 REQUIREMENT	Additional requirement	2.4.1, 2.4.2, 2.4.4(3)		5.1.1, 5.1.2,5.3.1(a and b)		5.3.2(b)	Disposal options FF (a,b,c) must be used if available in the region and no spray residue shall be disposed of within 20m of a drain, watercourse or waterbody.	5.3.3 (2 <sup>nd</sup> para following m)	Cleaning and decontamination of aircraft shall be carried out on a bunded concrete pad. Contaminated residue shall be collected and disposed of in accordance with these conditions	5.4.1		5.5.5		5.6.2(a)		5.6.5(a,c)		5.7.1(e, f)	Written contingency plans must be available upon request.	5.7.2	Documented evidence of the target area must be available upon request.	Controlled	<p>The Council may set conditions:</p> <p>a) To minimise adverse effects on habitat and on-target organisms.</p> <p>b) To restrict the timing and duration of any herbicide application.</p> <p>Provided that:</p> <p>Any application of Agrichemical sprays that does not meet the standards above is a discretionary activity.</p> <p>Cross-Reference refer to C3, C3.10, F1.</p> <p>Principal reason 3 below</p>
NZS8409 REQUIREMENT	Additional requirement																								
2.4.1, 2.4.2, 2.4.4(3)																									
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5.7.2	Documented evidence of the target area must be available upon request.																								

	5.8.1 (2 <sup>nd</sup> paragraph)	Wind indicators must be available on-site should any of the factors in Table DD1 for high potential drift hazard be equalled or exceeded.		
	5.8.2 (a-f)			
	5.8.3	Agrichemicals must not be sprayed within 100m of any sensitive area (DD3) or Protection Management Area identified in the Gisborne district Plan if any of the factors in Table DD1 for high potential drift hazard be equalled or exceeded.		
	5.9	(Note the additional requirements in 5.7.1(e, f) & 5.7.2 above)		
	6.1	Disposal options FF (a, b, c) must be used if available in the region and no spray residue shall be disposed of directly within 20m of a drain, watercourse or waterbody.		
Discretionary Activities				
1.6.2(4)	All discharges to water of the coastal marine area not more specifically addressed elsewhere by rules in this plan or the Resource Management (Marine Pollution) Regulation 1998, excepting storm water discharges, are a discretionary activity.		Discretionary	Principal reason 4 below
1.6.2(5)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999 and Rule DC1.6.2.6, any discharge of human sewage into the Coastal Marine Area is a discretionary activity provided that the following standards and terms are met. a) The discharge, after reasonable mixing, shall not result in: a) the production of conspicuous oil or grease films; or b) the production of any scums or foams; or c) the production of any floating or suspended d) materials; or e) the production of an objectionable odour; or f) any significant adverse effect on aquatic life		Discretionary	Provided that: If Standard and Term a) is not met the activity is a non-complying activity. Cross-Reference refer to C3, C3.10, C3.15, F1.
Prohibited Activities				
1.6.2(6)	As from the 1st of July 2000 the discharge of untreated sewage, from an off-shore installation within the internal waters of Poverty Bay within 1000m seaward of mean high water springs is a prohibited activity for which no Resource Consent will be granted.		Prohibited	Principal reason 6 below



#### DC1.6.2.1 Principal Reasons and Explanations

1. **Principal reason:** Stormwater run-off into the CMA is an inevitable consequence of urban development. Stormwater can contain heavy metals, oils/greases and silts; the standards in this rule exist to ensure that measures are taken, where appropriate, to reduce the quantity of these.
2. **Principal reason:** Non-toxic dyes and radio tracers are important tools for the investigation of the effects a discharge may have. For scientific research they are also important tools. It is considered that the slight and very occasional adverse effects of these substances is far outweighed by the potential benefits accrued from their use that their use should be permitted.
3. **Principal reason:** This rule provides for the use of herbicides to control *Spartina* as a controlled activity subject to standards that reduce side effects and allow monitoring of effects. The rule is necessary to ensure that the adverse effects of excessive spraying and consequent contamination do not occur.
4. **Principal reason:** Quantitative standards for the discharge of contaminants into the CMA are lacking for NZ waters. While standards do exist in other countries it is not considered appropriate to incorporate them into this Plan.
5. **Principal Reason:** In dealing with the disposal of human sewage not only the effects on the physical environment, but also the effects on people, must be taken into account. This rule is necessary to implement provisions of the NZCPS.
6. **Principal reason:** The Resource Management (Marine Pollution) Regulations 1998 regulate the discharges of treated and untreated sewage from vessels and offshore installations. The Regulations prohibit such discharges closer than 500m from the shoreline.

Clause 11(3) of Part 3 of the regulations provides that, from 1 July 2000, councils may increase the distance seaward within which no person may discharge sewage into the CMA. Poverty Bay is the major water recreation beach in Gisborne and is used by various forms of water recreation. It is considered that the regulations provide adequate controls over the discharges of sewage from vessels. However the actual or potential adverse effects relating to such discharges from offshore installations are considered to warrant a more stringent level of control.

## DC1.6.3 Rules for the Occupation of Space in the CMA

Rule Table DC1.6.3

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.3(1)	The transfer of a permit for the occupation of space to another site in the Coastal Marine Area.	Permitted	<p>a) The transfer does not result in a change of use associated with the permit or, where the existing permit does not describe a use or purpose, the use at the new location is the same as that usually associated with the original location.</p> <p>b) When transfer occurs at least 90% of the space transferred will be used for the purpose for which the transfer relates.</p> <p>c) Transfer does not occur between different management areas.</p> <p>d) Transfer does not result in a reduction of public access to and across the CMA.</p> <p>e) Any existing structures at the site where the currently occupied space is held can be removed as a permitted or controlled activity under this plan.</p> <p>f) All parties to the transfer agree to terms of the transfer, and these include an agreement relating to the removal of all structures associated with the existing site.</p> <p>g) Council is notified in writing prior to the transfer.</p> <p>h) Consultation has occurred with the Hapu which is the kaitiaki of the site proposed.<sup>2</sup></p> <p><i>Note: Any person wishing to exercise this rule in relation to the transfer of permits involving marine farming permits or spat-catching permits is strongly advised to consult with the Ministry for Primary Industries prior to exercising any right conferred by this rule.</i></p> <p>Principal reason and explanation 1 below</p>
1.6.3(2)	Any use or occupation of the Coastal Marine Area for which no permit has been granted under the Harbours Act, 1950 or the Resource Management Act, 1991 are unauthorised. Unauthorised occupation or use which was established prior to January 1, 1995 and which is located in the Coastal Marine Area is a permitted activity for a period of two years from the date of this plan becoming operative.	Permitted	<p>a) Gisborne District Council is notified in writing of the location, owner and purpose of the structure within 3 months of this Plan becoming operative.</p> <p>Cross-Reference refer to C3, C3.8, C3.15, F1.</p> <p>Principal reason 2 below</p>
<b>Restricted Discretionary</b>			
1.6.3(3)	Notwithstanding anything else in DC1 of this plan, the exclusive occupation of space of land of the Crown in the CMA for an activity that is permitted or controlled in DC1 of this Plan, is a restricted discretionary activity.	Restricted Discretionary	<p>Council shall restrict its discretion to the matters a) to c) specified below:</p> <p>a) The extent to which the exclusive occupation of space has an adverse effect on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</p>

<sup>2</sup> Information on which hapu is the kaitiaki for a particular site and how they can be contacted can be obtained from Runanga, Gisborne District Council, Te Puni Kokiri or the Department of Conservation.

	Cross-Reference refer to C3, C3.8, C3.15, F1.		<p>b) The extent to which the exclusive occupation of space restricts or prevents public access to and along the Coastal Marine Area.</p> <p>c) The extent to which the exclusive occupation of space adversely affects any value identified within, or sought to be protected by a Significant Values Coastal Management Area.</p> <p>Principal reason 3 below</p>
1.6.3(4)	<p>The temporary occupation of space for a military or Civil Defence exercise or recreational or cultural activity which restricts or excludes public access to or across land of the Crown located in the Coastal Marine Area within a Significant Values Coastal Management Area is a restricted discretionary activity provided that the following standards and terms are met</p> <p>a) Any restriction or exclusion of the public from the CMA is for a period not exceeding two days.</p> <p>b) In the case of exclusion of access the exclusion is restricted to an area of 0.5ha. or less.</p> <p>c) Any exclusion does not prevent the use of boat ramps, public amenities or other structures.</p> <p>d) Any disturbance to the foreshore or seabed caused as a consequence of the occupation are no more than can be removed by two tide cycles.</p> <p>e) Public notice of the occupation is given in a local newspaper at least 10 working days prior to the activity occurring.</p> <p>f) The occupation of space does not adversely affect any value identified within, or sought to be protected by a Significant Values Coastal Management Area shown on a map in the planning maps of the Tairāwhiti Plan and described in Schedule G11</p>	Restricted Discretionary	<p>Provided that:</p> <p>In the event that any standard other than standard f) is not met then the temporary occupation of space in the CMA is a non-complying activity under Rule 1.6.3(7). In the event that standard f) is not met then the temporary occupation of space in the CMA is a prohibited activity under Rule 1.6.3(9) for which no Resource Consent will be granted.</p> <p>Council shall restrict its discretion to the direct or indirect effects of the activity on fragile ecosystems and ensuring public safety.</p> <p>Principal reason 4 below</p> <p>Cross-Reference refer to C3, C3.8, C3.15, F1.</p>
<b>Discretionary activities</b>			
1.6.3(5)	<p>Except as provided for in other rules of this Chapter, any occupation of space involving Crown land within the CMA of the Significant Values Coastal Management Area is a discretionary activity.</p> <p>Cross-Reference refer to C3, C3.7, C3.8, C3.15, F1.</p>	Discretionary	Principal reason 5 below
1.6.3(6)	<p>Any activity involving the occupation of Crown land in the Coastal Marine Area which:</p> <p>a) Would exclude or effectively exclude public access from areas of the Coastal Marine Area over 10 hectares; or</p>	Discretionary	<p>Provided that:</p> <p>If these standards and terms are not met the activity is a non-complying activity under Rule 1.6.3(8).</p> <p>Cross-Reference refer to C3, C3.8, C3.15, F1.</p>

	<p>b) Would exclude or effectively exclude the public from more than 316m along the length of the foreshore; or</p> <p>c) Would involve the occupation or use of areas greater than 50 hectares of the Coastal Marine Area and such occupation or use would restrict public access to or through such areas:</p> <p>Is a discretionary activity provided that the occupation or exclusion is for the purpose of protecting:</p> <p>a) Significant indigenous fauna, flora or significant habitats; or</p> <p>b) Māori cultural sites; or</p> <p>c) Historic sites.</p>		Principal reason 6 below
<b>Non-complying activities</b>			
1.6.3(7)	Except as provided for in Rules DC1.6.3(4) and DC1.6.3(9), the temporary occupation of space for a military or Civil Defence exercise or recreational or cultural activity which restricts or excludes public access to or across land of the Crown located in the Coastal Marine Area within a Significant Values Coastal Management Area is a non-complying activity.	Non Complying	
1.6.3(8)	<p>Except as provided for in Rule DC1.6.3(6), any activity involving the occupation of Crown land in the Coastal Marine Area which:</p> <p>a) Would exclude or effectively exclude public access from areas of the Coastal Marine Area over 10 hectares; or</p> <p>b) Would exclude or effectively exclude the public from more than 316m along the length of the foreshore; or</p> <p>c) Would involve the occupation or use of areas greater than 50 hectares of the Coastal Marine Area and such occupation or use would restrict public access to or through such areas</p>	Non Complying	
<b>Prohibited activities</b>			
1.6.3(9)	The temporary occupation of space for a military or Civil Defence exercise or recreational or cultural activity which restricts or excludes public access to or across land of the Crown located in the Coastal Marine Area within a Significant Values Coastal Management Area is a prohibited activity if the occupation of space adversely affects any value identified within, or sought to be protected by a Significant Values Coastal Management Area shown on a map in the planning maps of the Tairāwhiti Plan and described in Schedule G11.	Prohibited	

#### DC1.6.3.1 Principal Reasons and Explanations

1. **Explanation:** Notwithstanding the above, nothing in this section of this Plan implies the granting of a resource consent for any other activity set out in section 12 of the Resource Management Act (1991) should a permit to occupy space be obtained through transfer, and nothing in this section absolves the owners of existing structures of the responsibility for ensuring that existing structures legally occupy space in the CMA.

**Principal reason:** The principal reason for this rule is to provide a method of transferring consents to occupy space from inefficient to more efficient uses. The coastal environment is dominated by open space, is a public resource and is arguably utilised inefficiently. A huge number of existing structures exist and have no or limited use. This rule is supposed to encourage the transfer of permits to occupy from some of these lesser used structures to more efficient uses and result in a clean-up of the coast. Many of the standards in this rule are similar to those used in the structures section and are primarily concerned with ensuring tangata whenua values are not undermined by transfer of occupation rights, that the values of a Significant Values Coastal Management Area are preserved and that existing (and presumably less efficient occupiers of space) are removed **prior** to transfer. The latter is a matter for parties to negotiate over.

2. **Principal reason:** This rule provides both Council and illegal owners with leeway to establish lawful status for occupations.
3. **Principal reason:** This rule requires very minor and almost exclusively beneficial coastal activities which require an exclusive occupation of space consent in the CMA to obtain a resource consent but limits the concerns of the Council to two narrow areas of cultural concern for unknown sites, any adverse effect on public access to and along the CMA and the possible effects on areas with high natural values. The requirements and standards elsewhere in the Plan are not lessened by this rule.
4. **Principal reason:** The adverse effects of a temporary event that meets the standards would be minor if suitable conditions are set.
5. **Principal reason:** This method ensures that occupation of space occurs in a fashion that is consistent with the policies for this chapter. The rule principally affects structures which are treated as discretionary or non-complying.
6. **Principal reason:** This is consistent with section 1.9 of the NZCPS. The standards are designed to provide a vehicle for achieving the protection of Significant Values Coastal Management Area values should this be needed.

## DC1.6.4 Rules for the alteration of the foreshore and seabed

*Note:* The removal of marine mammals (dead or alive) is prohibited under the Marine Mammals Protection Act 1978, unless a permit has been obtained from the Director General of Conservation. In respect of standard 1.6.4(1)(c), an authorised officer will be the holder of warrant under the Marine Mammals Protection Act 1978.

**Rule Table DC1.6.4**

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.4(1)	The shifting and burial of marine mammals in the CMA	Permitted	a) The consent authority has been consulted. b) The Department of Conservation has been consulted. c) The shifting or burial is supervised by an authorised officer of the Department of Conservation. Principal reason 1 below
<b>Discretionary activities</b>			
1.6.4(2)	The removal of driftwood from the CMA of a Significant Values Coastal Management Area is a discretionary activity. Cross-Reference refer to C3, C3.9, C3.15, F1.	Discretionary	Principal reason 2 below
1.6.4(3)	Notwithstanding any other rule for the Significant Values Coastal Management Area any activity involving disturbance of foreshore and seabed for specific purposes including any removal of sand or shingle is a discretionary activity subject to the following standards and terms a) In any 12 month period volumes greater than 50,000 cubic metres are not removed; b) Extraction does not occur from an area greater than 4 hectares; c) Any single extraction does not occur over an area extending 1000m or more over foreshore or seabed;.	Discretionary	Provided that: If any of the standards a), b) and c) are not met the activity is a non-complying activity. Cross-Reference refer to C3, C3.9, C3.15, F1 Principal reason 3 below
<b>Non-complying activities</b>			
1.6.4(4)	Reclamation within a Significant Values Coastal Management Area of the CMA is a non-complying activity provided that the reclamation does not occur in an estuary	Non-complying	Cross-Reference refer to C3, C3.8, C3.9, C3.15, F1. Principal reason 4 below
1.6.4(5)	Notwithstanding any other rule in this plan any impounding of the CMA is a non-complying activity in a Significant Values Coastal Management Area. Cross-Reference refer to C3, C3.7, C3.8, C3.9, C8.5, C3.15, F1.	Non-complying	Principal reason 5 below



<b>Prohibited Activities</b>			
1.6.4(6)	Notwithstanding other rules in this plan, any reclamation for the purpose of disposal of septic tank sludge, toxic wastes, or any other domestic or industrial refuse or waste material is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 6 below
1.6.4(7)	Reclamation in an estuary within a Significant Values Coastal Management Area of the CMA.	Prohibited	

#### DC1.6.4.1 Principal Reasons and Explanations

1. **Principal reason:** *The adverse environmental effects of not burying a marine mammal are likely to be greater than those of burying it. The standards will ensure that burial occurs in a sensitive and appropriate fashion.*
2. **Principal reason:** *Driftwood can play an important role in processes that are fundamental to the natural character of an area.*
3. **Principal reason:** *The extraction of material from the foreshore and seabed can have significant adverse effects on the natural character and natural dynamic processes of beach systems. This is especially the case when more than one extraction operation is occurring in a specific area.*
4. **Principal reason:** *Reclamation of the CMA alienates Crown land, reduces habitat and seriously modifies natural character in many situations. For these reasons the activity is non-complying in the Significant Values Coastal Management Area subject to standards and terms.*
5. **Principal reason:** *Impounding the CMA seriously changes the natural characteristics of an area. Impounding is inconsistent with many of this plan's policies and could diminish values associated with a PMA. For these reasons the activity is non-complying.*
6. **Principal reason:** *This type of activity is inconsistent with the purpose of the Resource Management Act and cannot be countenanced. The activity is prohibited to preclude it from the CMA.*

## DC1.6.5 Rules for the Take, Use, Damming and Diverting of Coastal Water

Rule Table DC1.6.5

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.5(1)	Any activity involving the taking or use of water, other than water found in any river, stream, estuary, or aquifer in the Coastal Marine Area is a permitted activity: Cross-Reference refer to C3, C3.11, C3.15, F1.	Permitted	Principal reason 1 below
1.6.5(2)	Notwithstanding any other rule in this plan, the taking of any coastal waters in the CMA for firefighting purposes, or for the operational needs of vessels is a permitted activity.	Permitted	Principal reason 2 below
<b>Discretionary activities</b>			
1.6.5(3)	Any activity involving the taking, use, damming or diversion of water found in any river, stream, estuary, or aquifer in the Coastal Marine Area, other than open coastal water is a discretionary activity. Cross-Reference refer to C3, C3.11, C3.15, F1.	Discretionary	Principal reason 3 below

#### DC1.6.5.1 Principal Reasons and Explanations

1. **Principal reason:** *It is unlikely that taking, using, damming or diverting open water of the Coastal Marine Area will have adverse effects outside of those specifically addressed by the standards and terms of this rule. It is considered most likely that structures, effects on the foreshore and seabed any discharges to the CMA pose a far greater risk to the CMA than any reasonably foreseeable takes.*
2. **Principal reason:** *This rule implements Policy 5.2.5 of the NZCPS and reflects the fact that this type of activity is infrequent, cannot reasonably be expected to obtain a resource consent and in all likelihood reflect sustainable management of resources (i.e. enabling communities to protect infrastructural resources). Note-other provisions of this Plan may apply to the activity.)*
3. **Principal reason:** *Taking, using, damming or diverting confined waters can have adverse effects. This rule is necessary in order to ensure that the effects of the activity addressed.*

## DC1.6.6 Rules for Exotic Plants

Rule Table DC1.6.6

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal reasons and explanations
<b>Discretionary Activities</b>			
1.6.6(1)	The introduction of exotic plants to an area of the Coastal Marine Area within a Significant Values Coastal Management Area that already contains established plants of that species is a discretionary activity. Cross-Reference refer to C3, C3.9, C3.12, C3.15, F1.	Discretionary	Principal reason 1 below
<b>Non- Complying Activities</b>			
1.6.6(2)	The introduction of exotic plants to an area of the Coastal Marine Area within a Significant Values Coastal Management Area that does not already contain established plants of that species is a non-complying activity. Cross-Reference refer to C3, C3.9, C3.12, C3.15, F1.	Non- complying	Principal reason 2 below
<b>Prohibited Activities</b>			
1.6.6(3)	Notwithstanding Rule DC1.6.6(1) and DC1.6.6(2) the planting of noxious plants or class B target plants within the Coastal Marine Area within a Significant Values Coastal Management Area is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 3 below
1.6.6(4)	Notwithstanding Rule DC1.6.6(1) and DC1.6.6(2) above, the introduction of exotic or introduced plants to an area of the Coastal Marine Area in a Significant Values Coastal Management Area not containing established plants of that species and identified as having: a) High natural character values; or b) Significant indigenous vegetation; or c) Significant habitats of indigenous species is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 4 below

#### DC1.6.6.1 Principal Reasons and Explanations

1. **Principal reason:** *This rule is necessary to ensure that the possible adverse effects of a new plant being introduced are fully assessed. This rule reflects potential costs that would fall upon the community should the adverse effects be significant.*
2. **Principal reason:** *This rule is necessary to ensure that the possible adverse effects of a new plant being introduced are fully assessed. This rule reflects potential costs that would fall upon the community should the adverse effects be significant.*
3. **Principal reason:** *This rule reflects the established costs of introducing these plants and ties this chapter of the plan in with existing statutory documents.*
4. **Principal reason:** *This rule reflects the importance of Significant Values Coastal Management Areas.*



## DC1.6.7 Rules for Activities on the Surface of the Coastal Marine Area

Note: The Provisions of DP1 apply only to activities in the Port Coastal Management Area.

Rule Table DC1.6.7

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.7(1)	Except as provided for in Rule DC1.6.7(2), the establishment and use of Specific Activity Areas for the exclusive use of specific types of ships or specific classes or recreational activities on the surface of the sea.	Permitted	<p>a) The use of the Specific Activity Area is required for a period not exceeding 14 days in any calendar year.</p> <p>b) All permissions necessary under the Gisborne District Navigation Bylaws, and any Resource Consents necessary, have been obtained prior to providing written notification to the Council as set out in d) below.</p> <p>c) Public notification of the intention to use a Specific Activity Area, including a description of any activity to be undertaken in the area and its timing and duration, and any restrictions imposed on other activities, shall be made at least two weeks prior to the establishment of such an area.</p> <p>d) The Council is notified, in writing, of the intention to use an exclusive or semi-exclusive Specific Activity Area. Such notification must occur at least two weeks prior to the use of such an area and shall include:</p> <ol style="list-style-type: none"> <li>The name, address, contact phone number and contact person of the group or organisation seeking to use a Specific Activity Area.</li> <li>A precise description and chart of the area to be used, and how it is to be marked and patrolled; and</li> <li>A statement of the type of activity or class of ship for which the area is to be used and any restrictions on those ships or activities that will be imposed; and</li> <li>A statement concerning restrictions on any other ship or activity within the area proposed to be used.</li> <li>The duration of the event which requires the use of a Temporary Specific Activity Area.</li> <li>A summary of the consultation undertaken and the response made to issues raised during the consultation.</li> </ol> <p>Provided that:</p> <p>If the standards and terms are not met, and the Specific Activity Area proposed is located in waters administered under the Gisborne District Navigation Bylaws, then the establishment and use of Specific Activity Areas is a prohibited activity for which no resource consent can be granted.</p> <p>(NB: Nothing in this rule may be substituted for or read as a permission under any other Act, Regulation or Bylaw.)</p> <p>Principal reason 1 below</p>
1.6.7(2)	The establishment and use of Specific Activity Areas for the exclusive use of specific types of ships or specific classes of	Permitted	<p>a) Any reservation necessary under the Water Recreation Regulations 1979 has been notified in the Gazette, and all Resource Consents necessary have been obtained.</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	recreational activities on the surface of the sea, in waters administered under the Water Recreation Regulations 1979.		<p>b) The Hydrographic Office of Land Information New Zealand is notified of the establishment of the Specific Activity Area, including any conditions attached to the Gazetted reservation under the Water Recreation Regulations 1979, prior to its establishment and use, and upon cessation of its use.</p> <p>c) Gisborne District Council is notified in writing by the person or organisation who sought the reservation, of the Gazetted reservation, including any conditions of the reservation, issued under the Water Recreation Regulations 1979.</p> <p>Provided that:</p> <ul style="list-style-type: none"> <li>i. If Standard and Term a) is not met then the establishment and use of Specific Activity Areas is a prohibited activity for which no resource consent can be granted.</li> <li>ii. If Standards and Terms b) or c) are not met then the establishment and use of Specific Activity Areas is a controlled activity. The Council will restrict its control to setting conditions on the consent requiring notification of the Hydrographic Office of Land Information New Zealand.</li> <li>iii. This Rule shall cease to have effect after the Water Recreation Regulations 1979 are revoked or after the close of the 31st of March 2003, whichever occurs first, and Rule DC1.6.7(1) shall apply.</li> </ul> <p>NB: Nothing in this Rule may be substituted for or read as a permission under any other Act, Regulation or Bylaw.</p> <p>Principal reason 2 below</p>

#### DC1.6.7.1 Principal Reasons and Explanations

1. **Principal reason:** Activities that may exclude or restrict public rights of access and recreational opportunity should be held up to public scrutiny and allowed only if sufficient public consultation has occurred and all other permissions necessary have been obtained.
2. **Principal reason:** Rules in the coastal provisions of the Tairāwhiti Plan must be consistent with Regulations as a matter of statutory interpretation. The establishment of Reserved Areas is provided for in the Water Recreation Regulations 1979. If the establishment of such areas was prohibited under the coastal provisions of the Tairāwhiti Plan, then the provision would be inconsistent with the Water Recreation Regulations 1979 and ultra vires. The Water Recreation Regulations 1979 may be revoked and will cease to exist at the close of 31 March 2003.

## DC2 GENERAL COASTAL MANAGEMENT AREA

The provisions of DC2 are both regional plan and regional coastal plan provisions and apply to the coastal environment. The exception is the rules, which are just regional coastal plan provisions applying only to the coastal marine area.



Regional Plan



Regional Coastal Plan

Part DC2 is proposed, the provisions reflect Council's decisions on submissions and the resolution of any appeals, but have not yet been made operative

### DC2.1 General Management Area – Introduction

The General Management Area includes that portion of the coastal environment that is not within the Port or Significant Values Coastal Management Areas and encompasses the greater proportion of the Gisborne district coastal environment.

Generally, little or no information exists to assist Gisborne District Council in deciding resource consent issues for the coastal marine area component of this management area though it is largely unmodified and does contain significant amenity, visual and intrinsic values.

Underlying these values are natural processes – such as sand movement, tides and currents – that provide the integrity of coastal ecosystems as a whole.

This Management Area will ensure that use, development and protection of the coastal environment is appropriate by ensuring that adequate information regarding any proposed activity is supplied so that the effects of the activity on the coastal environment can be determined prior to any decision being made. The precautionary approach to activities, as stated in the NZCPS, will be given effect in this Management Area and further research and the monitoring of the effects of activities in this area will be a feature of this Plan.

### DC2.2 Issue

Use, development and protection of natural and physical resources must be provided for in areas of the coastal environment where there is little information and the effects of activities may not be clearly understood.

### DC2.3 Objectives

1. Appropriate and sustainable subdivision, use, development and protection of the coastal environment in the General Management Area.
2. The maintenance and enhancement of the quality and integrity of the coastal environment.
3. Low level of environmental risk in decision-making.
4. Involvement of local communities in the identification and protection of the values and the preservation of the natural character of areas within the General Management Area.

#### Principal reasons:

- **Objective 1:** Sustainable management of the coastal environment does not preclude appropriate development and this is made clear in the NZCPS.
- **Objective 2:** One features of the General Management Area is that little is known about its values or processes. Section 7(d), (f) and (g) of the RMA suggests that before any development occurs in the coastal environment, natural processes and values should be identified and not put at risk. This is especially important when there is little information available on a particular area where development is proposed.

- **Objective 3** – The NZCPS suggests that plans should ensure that very careful assessments of proposed activities should occur, especially where the effects of activities are not understood. This is especially important for areas where the values of the area have not been identified and effects of development could be wide ranging.
- **Objective 4:** Regulation is not the only means of achieving suitable recognition of the values of the General Management Area and the local community may be better placed to do this as they are more likely to be aware of community needs and design appropriate responses.

## DC2.4 Policies

1. Gisborne District Council will ensure that people wishing to use, develop or protect the coastal environment in the General Management Area provide information concerning the adverse effects of their proposal on the environment.
2. Gisborne District Council will undertake and encourage others to undertake further research into and monitoring of the actual and potential effects of activities on the environment in the General Management Area.
3. Gisborne District Council will encourage communities to participate in the use, development or protection of the coastal environment in the General Management Area through the establishment of community-based care programmes.
4. Gisborne District Council, recognising that there is a lack of knowledge about coastal processes and ecosystems in the General Management Area, shall adopt and require consent authorities to adopt a precautionary approach to decision-making in the General Management Area.
5. Gisborne District Council will consider and encourage other agencies – including the Department of Conservation and Ministry for Primary Industries to consider other means of protecting special values identified in the General Management Area beyond the scope of the RMA.

### Principal reasons:

- **Policy 1:** This policy recognises that, because there is little or no information about this area, the information to be provided by those wishing to undertake activities must provide adequate information to assess the activities impact on the environment.
- **Policy 2:** Where little is known about an area of the coastal environment, such as the General Management Area, it is essential that research and monitoring of that environment occurs so that the effects of activities can better be determined and unforeseen adverse effects of existing activities are rapidly identified. This policy indicates the priority of research in the General Management Area.
- **Policy 3:** Local communities may, in some cases, be better placed to meet the purpose of the RMA through local action and understanding of local issues rather than outside agencies imposing solutions on local communities. This policy is designed to facilitate local solutions to local problems.
- **Policy 4:** This policy is designed to be consistent with the precautionary approach and the NZCPS.
- **Policy 5:** This policy is designed to recognise that the RMA is not the only means available to achieve the purpose of the promotion of sustainable management and other methods should be utilised where practicable in the General Management Area.

## DC2.5 Methods

### ADVOCACY

1. Encourage and advocate for other methods of recognition and/or protection of the special values identified in the General Management Area beyond the scope of the Resource Management Act 1991, including such methods as:
  - a) Open Space Covenants, QEII National Trust.
  - b) Māori Reserves, Māori Affairs Act 1953

- c) Fisheries Legislation, including Taiapure and Maataitai Reserves
  - d) reserves under the Conservation Act including wildlife reserves and marine mammal sanctuaries.
  - e) marine reserves under the Marine Reserves Act 1971.
2. Where previously unidentified sites of regionally important special ecological, cultural, historic, scientific, scenic and amenity value are discovered in the General Management Area and rigorously documented, Gisborne District Council will facilitate a change to the Tairāwhiti Plan to incorporate those sites into the Significant Values Coastal Management Area.
  3. Gisborne District Council will facilitate the establishment of Landcare and Beachcare Groups in the General Management Area, having as their primary objective the sustainable management of natural and physical resources, and will offer technical services and advice to such groups.

**Principal reasons:**

- **Method 1:** This method implements Policy DC2.4(5) and DC2.4(3).
- **Method 2:** The identification of regionally important sites of significant or outstanding value is likely in the General Management Area. Where the criteria for the selection of sites for the Significant Values Coastal Management Area are met for sites identified in the General Management Area then those sites should be incorporated into the Significant Values Coastal Management Area so that they should be treated in a consistent manner. This method implements Policy DC2.4(2), DC2.4(3) and DC2.4(5).
- **Method 3:** This method implements Policy DC2.4(3).

## DC2.6 Rules

### DC2.6.1 Rules for Structures

(Refer to C3.7 Structures)

**Note 1:** Section 32 of the Building Act, 1991, states that no “building” shall be constructed, altered or demolished without a building consent. It is important, notwithstanding anything else in this Plan, that requirements for a building consent are established prior to the commencement of any work. The definition of “structure” in the Building Act is very broad.

**Note 2:** In addition to rules contained in this plan the Harbours Act, 1950 and Harbour Bylaws may also regulate structures on matters of navigation and safety as the need arises.

**Note 3:** This section should be read in conjunction with the section on occupation of space in the Coastal Marine Area.

**Note 4:** The New Zealand Coastal Policy Statement requires that the Maritime New Zealand and the Hydrographic Office be notified of new structures in the Coastal Marine Area. This Plan implements that policy by requiring consent holders for new structures – or significant changes to existing structures in the Coastal Marine Area – to notify those offices **before** construction begins. This will be a condition of all consents granted.

**Note 5:** It will be a condition of all consents for new structures in the CMA to provide, at their completion, photographic evidence of their completion.

**Note 6:** No resource consent or coastal permit gives the holder rights to occupy or move over the private property of another. Rules in this chapter do not state that the permission of occupiers or landowners is required in order to exercise the resource consent or permit because that requirement should go without saying.

**Note 7:** Unless clearly stated otherwise all standards and terms in a rule must be met for that rule to apply.



Rule Table DC2.6.1

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
2.6.1(1)	The construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area	Permitted	<p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Maritime New Zealand and the Hydrographic Office are notified of the proposal to erect the structure and are notified of completion of work on the structure.</p> <p>d) Gisborne District Council has been notified in writing of the structure.</p> <p>Provided that:</p> <p>In the event of a), b) and d) not being met the activity is a discretionary activity under Rule DC2.6.1(19). In the event of c) not being met the activity is a controlled activity under Rule DC2.6.1(8).</p>
2.6.1(2)	The erection or placement of a temporary maimai or whitebait stand in the Coastal Marine Area	Permitted	<p>In respect of all maimai and whitebait stands located in the Coastal Marine Area:</p> <p>a) The structure has a maximum size of four square meters.</p> <p>b) The structure is open piled; and</p> <p>In the case of a maimai:</p> <p>c) The structure is at least 90 meters from any neighbouring structure, tide gate, floodgate, confluence or culvert.</p> <p>d) The structure is only present between April 1 and July 31 of any one year.</p> <p>e) Prior written notice of the erection or placement is given to the consent authority.</p> <p>In the case of a whitebait stand:</p> <p>f) The structure is at least 20 meters from any neighbouring structure, tide gate, floodgate, confluence or culvert.</p> <p>g) The structure is only present between 15 July and December 30 of any one year.</p> <p>h) Prior written notice of the erection or placement is given to the Gisborne district Council.</p> <p>(With respect to maimai the Gisborne District Council has agreed to the transfer of responsibilities for administering these provisions to the Eastern Region Fish and Game Council. When the transfer occurs the E.R.F.G.C will be the consent authority. Until that time the G. D. C. is the consent authority.)</p> <p>Principal reason 1 below</p>
2.6.1(3)	The minor alteration or maintenance of any structure in the Coastal Marine Area	Permitted	<p>a) The physical dimensions of the structure are not altered.</p> <p>b) The alteration or maintenance results in no more disturbance to the foreshore or bed than can be removed by two tide cycles.</p> <p>c) Contaminants are not disposed of into the coastal environment.</p> <p>d) There is no adverse effect on public safety and navigation safety.</p> <p>e) Public access to and enjoyment of the Coastal Marine Area is not decreased.</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
			<p>f) Prior notification of the intention to modify the structure is made to the Gisborne District Council.</p> <p>Provided that:</p> <p>In the event that any of the standards and terms is not met, then Rule DC2.6.1.15 applies.</p>
2.6.1(4)	Structures located in the Coastal Marine Area and Coastal Water for which no permits have been granted under the Harbours Act 1950 or the Resource Management Act 1991 are unauthorised structures. Unauthorised structures which were established prior to January 1, 1995 and are located in the Coastal Marine Area are permitted within the coastal environment for a period of two years from the date of this plan becoming operative.	Permitted	Principal reason 3 below
2.6.1(5)	The removal or demolition of any structure in the Coastal Marine Area	Permitted	<p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Any disturbance to the seabed is minor enough to be removed by two tide cycles.</p> <p>d) Prior to and immediately after removal of the structure the Maritime New Zealand and the Hydrographic Office are notified.</p> <p>Provided that:</p> <p>In the event of (d) not being met the activity is a controlled activity under Rule DC2.6.1(9)</p> <p>Principal reason 4 below</p>
2.6.1(6)	Where a standard or term in a rule in this chapter of this plan prevents an activity because contaminants are disposed to the coastal environment the activity may occur if it achieves all other standards and terms of the rule and a permit for the discharge is obtained or the discharge satisfies the standards and terms for a permitted discharge.	Permitted	<p>All other standards and terms of the rule</p> <p>Principal reason 5 below</p>
2.6.1(7)	The erection or placement of any temporary structure (other than maimai and whitebait stands) in the Coastal Marine Area of a General Management Area is a permitted activity provided that the following standards and terms are met.	Permitted	<p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Public access to and along the Coastal Marine Area is not decreased.</p> <p>d) The structure is located for a continuous or cumulative period not exceeding 14 days in any one year.</p> <p>e) The structure is removed immediately after use.</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
			<p>f) Consultation has occurred with Māori and there are no adverse effects on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.<sup>3</sup></p> <p>g) Any disturbance to the foreshore or bed caused by the temporary activity is minor enough to be removed by two tide cycles.</p> <p>h) The Council is notified in advance and in writing.</p> <p>Provided that:</p> <p>If the above standards and terms are not met the activity is discretionary.</p>
<b>Controlled Activities</b>			
2.6.1(8)	<p>The construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water is a controlled activity where the New Zealand Maritime Safety Authority and the Hydrographic Office have not been notified of the proposal to erect the structure and are notified of completion of work on the structure.</p> <p>Provided the following standards and terms are met:</p> <p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Gisborne District Council has been notified in writing of the structure</p>	Controlled	<p>Council shall limit its control to the matter a) specified below:</p> <p>a) Setting conditions on the consent requiring notification of the Maritime New Zealand and the Hydrographic Office.</p>
2.6.1(9)	<p>The removal or demolition of any structure in the Coastal Marine Area where the New Zealand Maritime Safety Authority if the Hydrographic Office have not been notified of the removal is a controlled activity.</p> <p>Provided the following standards and terms are met:</p> <p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Any disturbance to the seabed is minor enough to be removed by two tide cycles.</p>	Controlled	<p>Council shall limit its control to the matter a) specified below:</p> <p>Setting a condition requiring notification of the Maritime New Zealand and the Hydrographic Office.</p>
2.6.1(10)	<p>The removal or demolition of any structure in the Coastal Marine Area is a controlled activity so long as it complies with the following standards and terms.</p>	Controlled	<p>Council shall limit its control to the matters a) to f) specified below:</p> <p>a) The timing/duration of activities associated with the demolition of the structure; and</p> <p>b) The rate at which components of the structure are removed or demolished; and</p>

<sup>3</sup> **NB:** Information on which hapu is the kaitiaki for a particular site and how they can be contacted can be obtained from Runanga, Gisborne District Council, Te Puni Kokiri or the Department of Conservation.

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	a) Contaminants are not disposed of into the coastal environment. b) There is no adverse effect on public safety and navigation safety.		c) Disposal of material on or away from the site; and d) Monitoring the effects of removal of the structure; and e) Provision of photographic evidence of removal of the structure; and f) Requiring bonds or rentals as specified elsewhere in this Plan. Principal reason 6 below
2.6.1(11)	The construction, placement or erection of signs in the Coastal Marine Area and coastal water for the purpose of publicising or advising of: a) Rules in this plan; or b) Bylaws or regulations made under any Act; or c) The location of any reserve; or d) Water safety	Controlled	Council shall limit its control to the matters a) to g) specified below: a) The exact location of the sign; and b) The design and finish of the sign; and c) Maintenance and upkeep of the sign; and d) The duration of the consent granted; and e) Monitoring the use and effects of the sign; and f) Requiring photographic evidence of erection of the sign; and g) Requiring rentals or bonds as established elsewhere in this Plan. Principal reason 7 below
2.6.1(12)	Construction, placement, erection of any network utility structure that is or will be attached to an existing structure located in the Coastal Marine Area or Coastal waters of the General Management Area, is a controlled activity provided the following standards and terms are met: a) Any disturbance to the foreshore or bed is minor enough to be removed by two tide cycles. b) Contaminants are not disposed of into the coastal environment. c) Consultation has occurred with Māori and the activity has no adverse effects on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. <sup>4</sup> d) There is no adverse effect on public safety and navigation safety.	Controlled	If the standards and terms are not met the activity is a discretionary activity.  Council shall limit its control to the matters a) to e) specified below: a) The timing and duration of activities associated with construction of the structure; and b) Disposal of material on or away from the site; and c) Monitoring the effects of the structure; and d) Requiring photographic evidence of the structures completion; and e) Requiring rentals or bonds as specified elsewhere in this Plan.
<b>Discretionary Activities</b>			
2.6.1(13)	Notwithstanding any rule for a permitted or controlled activity in this chapter of this plan, any activity associated with the construction, placement erection, modification, demolition or replacement of any structure that occurs in or immediately adjacent to any site in the Coastal Marine Area as marked on planning maps of the	Discretionary	Council will limit its control to: a) Structure siting; and b) The timing and duration of activities associated with the structure; and c) Disposal of material on or away from the site; and d) The duration of any Resource Consent; and

<sup>4</sup> NB: Information on which hapu is the kaitiaki for a particular site and how they can be contacted can be obtained from Runanga, Gisborne District Council, Te Puni Kokiri or the Department of Conservation.

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	<p>Tairāwhiti Plan as a site which is culturally sensitive to that type of activity (as recognised by tangata whenua) is a discretionary activity with, in addition to any standards and terms specified for that activity, the following standards and terms:</p> <p>a) Contaminants are not disposed of into the Coastal Marine Area.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) The activity results in no more disturbance to the foreshore or bed than can be removed by two tide cycles.</p>		<p>e) Conditions relating to monitoring the effects of the activity; and</p> <p>f) The provision of photographic evidence upon completion of the activity; and</p> <p>g) The extent to which the structure has an adverse effect on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; and</p> <p>h) Requiring rentals or bonds as specified elsewhere in this plan.</p> <p>Cross-Reference refer to C3, C3.7, DC2.6.3, C3.15.</p> <p>Principal reason 8 below</p>
2.6.1(14)	The construction, placement, erection, modification or replacement of fixed (non-floating) navigational aids within the Coastal Marine Area and coastal water is a discretionary activity.	Discretionary	Principal reason 10 below
2.6.1(15)	<p>Except as provided for in Rule DC2.6.1(3), the minor alteration or maintenance of any structure in the Coastal Marine Area is a discretionary activity with the following standards and terms.</p> <p>a) The cumulative increase in the area of bed or foreshore covered by the structure from all minor alterations or maintenance under this plan does not exceed 10% of the original.</p>	Discretionary	Principal reason 11 below
2.6.1(16)	The erection or placement of any structure in the Coastal Marine Area which has a predominant purpose of avoiding, remedying or mitigating the effects of natural processes on human property or life is a discretionary activity.	Discretionary	Principal reason and explanation 12 below
2.6.1(17)	Except as provided for in Rules DC2.6.1(15), DC2.6.1(3), DC26.1(10), any activity that requires excavation, construction or erection of a network utility structure within the Coastal Marine Area of the General Management Area, (but excepting any reclamations), is a discretionary activity.	Discretionary	Principal reason 13 below
2.6.1(18)	<p>The construction or placement of pile and/or swing moorings in a General Management Area of the Coastal Marine Area is a discretionary activity provided the following standards and terms are met:</p> <p>a) The mooring is located outside of existing harbour limits.</p> <p><i>(Note: The construction or placement of moorings within harbour limits must also comply with the Harbours Act 1950 and harbour bylaws. In this regard consultation with the Harbour Master is recommended.)</i></p>	Discretionary	Principal reason 14 below

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
2.6.1(19)	Except as provided for in Rules DC2.6.1(1) and DC2.6.1(8), the construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water is a discretionary activity.	Discretionary	
2.6.1(20)	Notwithstanding any other rules in DC2.6 of this plan any activity involving the erection of a structure or structures which will impound or effectively contain any area of the Coastal Marine Area of the General Management Area	Discretionary	Principal reason 15 below
2.6.1(21)	Unless specified elsewhere to the contrary, and more specifically, any activity that requires construction or erection of a structure in the Coastal Marine Area of the General Management Area, but excepting minor alterations and any reclamations, is a discretionary activity provided the following standards and terms are met: a) Any adverse effects of the structure on the Coastal Marine Area cannot be avoided by locating the structure outside of the Coastal Marine Area. Cross-Reference refer to C3, C3.7, C8.5, DC2.6.3, C3.15.	Discretionary	
2.6.1(22)	The erection or placement of any structure or structures in the Coastal Marine Area of the General Management Area that is: a) More or less parallel to mean high water springs; and b) Solid (or present a significant barrier to water or sediment movement); and c) Would extend 300m or more, and including separate structures which with an incremental total of at least 300m; and d) Is not a submarine or sub-aqueous cable. is a discretionary activity. Cross-Reference refer to C3, C3.7, C8.5, DC2.6.3, C3.15.	Discretionary	
2.6.1(23)	The erection of any structure which is solid (or present a significant barrier to water or sediment movement), in the Coastal Marine Area of the General Management Area that is: a) Oblique or perpendicular to mean high water springs; and b) Solid; and c) Is in the horizontal projection more than 100 meters in length; and d) Is not a submarine or sub-aqueous cable, is a discretionary activity. Cross-Reference C3, C3.7, C8.5, DC2.6.3, C3.15.	Discretionary	Principal reason 16
2.6.1(24)	Any activity in the Coastal Marine Area of the General Management Area involving the erection of structures for the storage or containment of petroleum, petroleum based products	Discretionary	Provided that: a) If the standard and term a) is not met then the activity is a non-complying activity.

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	or other contaminants is a discretionary activity provided the following standards and terms are met a) The structure is designed to carry less than 100,000 litres.		Principal reason 17 below
<b>Non-complying activities</b>			
2.6.1(25)	Any activity in the Coastal Marine Area of the General Management Area involving the erection of structures for the storage or containment of petroleum, petroleum based products where the structure is designed to carry 100,000 litres or more.	Non Complying	



#### DC2.6.1.1 Principal Reasons and Explanations

1. **Principal reason:** The impacts of both whitebait stands and maimai are slight. Visually, maimai can detract from the amenity of an estuary or wetland but if removed should not adversely affect values there (they are present over autumn/winter months). A similar case exists for whitebait stands.
2. **Principal reason:** Without maintenance many structures deteriorate. Minor alteration will have minimal adverse effects.
3. **Principal reason:** Illegal structures threaten the very processes this plan sets up in order to manage adverse effects. To condone illegal structures is entirely inconsistent with responsible resource management and is inconsistent with the purpose of the Resource Management Act (1991).
4. **Principal reason:** Obsolete structures diminish natural character and amenity – their removal is a very good way of improving the quality of the coastal environment.
5. **Principal reason:** This rule provides a linkage between the structures chapter and discharge chapters of the Plan and provides for consistency between the two chapters. Discharges were included within the structures section of the Plan to highlight the inter-relatedness of chapters and to direct readers to other relevant objectives, methods, rules and policies.
6. **Principal reason:** Obsolete structures diminish natural character and amenity – their removal is a very good way of improving the quality of the coastal environment. This variant of the previous rule ensures that large scale removal is possible.  
Cross-Reference refer to C3, C3.7, C3.15, F1.
7. **Principal reason:** It is important that signage in the CMA is controlled in order to achieve a level of professionalism of finish.  
Cross-Reference refer to C3, C3.7, C3.15, F1.
8. **Principal reason:** This rule is necessary in order to manage the potential adverse effects of network utility structures. The intent of the rule is concentrate structures.  
Cross-Reference refer to C3, C3.7, C3.15, F1.
9. **Explanation:** This rule captures activities which might have an impact on cultural values and requires that they be treated as discretionary activities with tight terms and conditions. Implicit in this rule is that all applicants for new structures or significant alteration or demolition of existing structures will consult with tangata whenua.  
**Principal reason:** Many permitted and controlled activities do not contain a standard/term related to tangata whenua cultural values and hence could be permitted without reference to tangata whenua. This could result in adverse effects on cultural sites and values. The consent authority will consult with tangata whenua in the consideration of any specific resource consent application and will encourage applicants for resource consent to similarly consult with tangata whenua, as a matter of good practice. The consultation process should be initiated as soon as practicable.
10. **Principal reason:** Rules DC2.6.1(1) and DC2.6.1(12): Floating navigational aids are regarded as low impact except in the Significant Values Coastal Management Area where the visual impacts may be unacceptable. Non-floating navigational aids can have significant adverse effects on biota and visual amenity and are thus treated as discretionary activities.  
Cross-Reference refer to C3, C3.7, DC2.6.3, C3.15.
11. **Principal reason:** The type of maintenance anticipated here can have effects of an unpredictable nature. In order to ensure that measures are taken to avoid, remedy or mitigate adverse effects and also to achieve the purpose of the Act the most appropriate option is to utilise the resource consent process.  
Cross-Reference refer to C3, C3.7, DC2.6.3, C3.15.

12. **Explanation:** Structures used to protect property from the effects of coastal processes are usually very conspicuous, have a limited life expectancy and dramatically alter natural physical processes.

**Principal reason:** The effects of coastal protection works on the environment will almost always have to be weighed up against community benefits. It is considered appropriate to treat these structures as discretionary activities because achieving the purpose of the RMA will require considerable assessment, particularly in respect of s5, 6 & 7 of the RMA.

Cross-Reference refer to C3, C3.7, DC2.6.3, C8.5, C3.15.

13. **Principal reason:** This rule establishes the placement and erection of network utility structures as a legitimate activity in the Coastal Marine Area. The principal reason for this rule is that these structures are essential to provide for the social well-being of communities: but they can have adverse effects. It is not conceivable that a structure which meets the standards of this rule would have significant adverse effects. By providing for this type of structure the utility of the coastal environment is recognised without compromising values.

Cross-Reference refer to refer to C3, C3.7, DC2.6.3, C3.15.

14. **Principal reason:** There are two reasons for this rule: To protect people from themselves through the consent process and also to prevent unsightly moorings appearing where they are inappropriate or where they diminish the natural character, amenity or cultural values of the coastal environment.

Cross-Reference refer to refer to C3, C3.7, DC2.6.3, C3.15.

15. **Principal reason:** These rules are consistent with Schedule 1.2 of the NZCPS.

Cross Reference refer to C3, C3.7, DC2.6.3, C3.15.

16. **Principal reason:** Schedule 1.3 and 1.4 of the NZCPS 1994 contained similar requirements. These rules were written to ensure the effects of structures are fully assessed by the Minister of Conservation when they met an (arbitrary) size threshold.

17. **Principal reason:** The rule recognises the very real risk that spillage of contaminants into the CMA carries.

Cross-Reference refer to C3, C3.7, DC2.6.3, C8.5, C3.15.

## DC2.6.2 Rules for Discharges

### Note:

#### OBSERVANCE OF WATER QUALITY STANDARDS

All discharges to water of the coastal marine area, after reasonable mixing and disregarding the effect of any natural perturbations, shall observe any relevant water quality standards set out in Method C3.10.4(12) for the Classification Area defined in Schedule G14 of this Plan.

**Principal reason:** Compliance with water classification standards is a requirement of Section 69(1) of the Resource Management Act 1991.

### Note:

Sediment discharges to receiving waters (including coastal waters) associated with a plantation forestry activity are regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. Those rules prevail over the rules for discharges in this chapter.

#### Rule Table DC2.6.2

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
2.6.2(1)	The discharge of stormwater run-off to the Coastal Marine Area	Permitted	<p>a) The activity shall not cause any permanent:</p> <ul style="list-style-type: none"> <li>i Reduction of the ability of the receiving channel to convey flood flows;</li> <li>ii Scouring of the foreshore or seabed as a consequence of the discharge.</li> </ul> <p>b) The discharge shall not cause the production of conspicuous oil or grease films, scums, or foams, or floatable or suspended materials in any receiving water after reasonable mixing.</p> <p>c) The discharge shall, after reasonable mixing, meet the water quality standards, prescribed for the waters into which the discharge is to occur, by the Water Classifications set out in Policy C3.10.3(1), Method C3.10.4(12) and Schedule G14 of this Plan.</p> <p>Provided that: If any of the Standards and Terms are not met then the discharge of stormwater run-off to the CMA is a discretionary activity. Principal reason 1 below</p>
2.6.2(2)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999, the discharge to the coastal marine area of biologically and chemically inert and non-radioactive tracers or dyes for the purposes of scientific investigations	Permitted	<p>a) The tracer or dye will not result in and change in the abundance or diversity of animal or plant life in the receiving environment.</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations																				
			b) The consent authority is advised in writing at least one week prior to the discharge. Principal reason 2 below Cross-Reference refer to C3, C3.10, F1.																				
Controlled Activities																							
2.6.2(3)	<p>Except as provided for in the Resource Management (Marine Pollution) Regulations 1999, the discharge of herbicides in the coastal marine area, for the purposes of exotic weed control is a controlled activity provided that the following standards and terms are met:</p> <p>a) hand gun application is used, and spray is directed to minimise non target organism contact; and</p> <p>b) a biodegradable (short half-life), herbicide is used; and</p> <p>c) the frequency and abundance of marine fauna is surveyed before spraying, and after spraying; and</p> <p>d) the level of herbicide in sediment is assessed after spraying.</p> <p>e) Council is advised prior to commencement of the activity and with the required monitoring information (c, d above) within 3 months of completing the operation.</p> <p>f) The discharge of herbicide does not have more than minor adverse effects on ecological processes, bio-diversity, water quality, natural character, natural landscape and flora and fauna identified in a Significant Values Coastal Management Area near which the discharge is proposed.</p> <p>g) The following standards from NZS8409:1999 Agrichemical Users Code of Practise and any additional requirements as listed are met.</p> <table><thead><tr><th>NZS8409 REQUIREMENT</th><th>ADDITIONAL REQUIREMENT</th></tr></thead><tbody><tr><td>2.4.1, 2.4.2, 2.4.4(b)</td><td></td></tr><tr><td>5.1.1, 5.1.2, 5.3.1(a &amp; b)</td><td></td></tr><tr><td>5.3.2(b)</td><td>Disposal options FF (a,b,c) must be used if available in the region and no spray residue shall be disposed of within 20m of a drain, watercourse or waterbody.</td></tr><tr><td>5.3.3 (second paragraph following (m))</td><td>Cleaning and decontamination of aircraft shall be carried out on a bunded concrete pad. Contaminated residue shall be collected and disposed of in accordance with these conditions.</td></tr><tr><td>5.4.1</td><td></td></tr><tr><td>5.5.1</td><td></td></tr><tr><td>5.6.2(ci)</td><td></td></tr><tr><td>5.6.5(a,c)</td><td></td></tr><tr><td>5.7.1(e,f)</td><td>Written contingency plans must be available upon request.</td></tr></tbody></table>	NZS8409 REQUIREMENT	ADDITIONAL REQUIREMENT	2.4.1, 2.4.2, 2.4.4(b)		5.1.1, 5.1.2, 5.3.1(a & b)		5.3.2(b)	Disposal options FF (a,b,c) must be used if available in the region and no spray residue shall be disposed of within 20m of a drain, watercourse or waterbody.	5.3.3 (second paragraph following (m))	Cleaning and decontamination of aircraft shall be carried out on a bunded concrete pad. Contaminated residue shall be collected and disposed of in accordance with these conditions.	5.4.1		5.5.1		5.6.2(ci)		5.6.5(a,c)		5.7.1(e,f)	Written contingency plans must be available upon request.	Permitted	<p>Cross-Reference refer to C3, C3.10, C3.15.</p> <p>Council limits its controls to the following matters:</p> <ol style="list-style-type: none"><li>To minimise adverse effects on habitat and on-target organisms</li><li>To restrict the timing and duration of any herbicide application.</li></ol> <p>Provided that:</p> <p>Any application of Agrichemical sprays that does not meet the standards is a discretionary activity.</p> <p>Principal reason 3 below</p>
NZS8409 REQUIREMENT	ADDITIONAL REQUIREMENT																						
2.4.1, 2.4.2, 2.4.4(b)																							
5.1.1, 5.1.2, 5.3.1(a & b)																							
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5.7.1(e,f)	Written contingency plans must be available upon request.																						

Rule Number	Rule		Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	5.7.2	Documented evidence of the target area must be available upon request.		
	5.8.1 (second paragraph)	Wind indicators must be available on-site should any of the factors in Table DD1 for high potential drift hazard be equalled or exceeded.		
	5.8.2(a,b,c,d,e,f)			
	5.8.3	Agrichemicals must not be sprayed within 100m of any sensitive area (DD3) or Protection Management Area identified in the Gisborne district Plan if any of the factors in Table DD1 for high potential drift hazard be equalled or exceeded.		
	5.9	(Note the additional requirements in 5.7.1 (e,f) & 5.7.2 above).		
	6.1	Disposal options FF(a,b,c) must be used if available in the region and no spray residue shall be disposed of directly within 20m of a drain, watercourse or waterbody.		
Discretionary activities				
2.6.2(4)	All discharges to water of the coastal marine area not more specifically addressed elsewhere by rules in DC2.6 or the Resource Management (Marine Pollution) Regulation 1998, excepting storm water discharges, are a discretionary activity. Cross-Reference refer to refer to C3, C3.10, C3.15.		Discretionary	Principal reason 4 below
2.6.2(5)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999 and Rule DC2.6.2(7), any discharge of human sewage into the Coastal Marine Area: a) Is a discretionary activity when the discharge occurs more than 1000m offshore from MHWS. Cross-Reference refer to C3, C3.10, C3.15, F1.		Discretionary	Principal reason 5 below
Non- Complying Activities				
2.6.2(6)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999 and Rule DC2.6.2(5) or DC2.6.2(7), any discharge of human sewage into the Coastal Marine Area: a) Is a non-complying activity where the discharge occurs in an estuary or inlet, or within 1000m from the shoreline (MHWS). Cross-Reference refer to C3, C3.10, C3.15, F1.		Non-Complying	Principal reason 6 below
Prohibited Activities				
2.6.2(7)	As from the 1st of July 2000 the discharge of untreated sewage, from an off-shore installation within the internal waters of Poverty Bay within 1000m seaward of mean high water springs is a prohibited activity for which no Resource Consent will be granted.		Prohibited	Principal reason 7 below



#### DC2.6.2.1 Principal Reasons and Explanations

1. **Principal reason:** Stormwater run-off into the Coastal Marine Area is an inevitable consequence of urban development. Stormwater can contain heavy metals, oils/greases and silts; the standards in this rule exist to ensure that measures are taken, where appropriate, to reduce the quantity of these.
2. **Principal reason:** Non-toxic dyes and radiotracers are important tools for the investigation of the effects a discharge may have. For scientific research they are also important tools. It is considered that the slight and very occasional adverse effects of these substances is far outweighed by the potential benefits accrued from their use that their use should be permitted.
3. **Principal reason:** This rule provides for the use of herbicides to control *Spartina* as a controlled activity subject to standards that reduce side effects and allow monitoring of effects. The rule is necessary to ensure that the adverse effects of excessive spraying and consequent contamination do not occur.
4. **Principal reason:** Quantitative standards for the discharge of contaminants into the CMA are lacking for NZ waters. While standards do exist in other countries it is not considered appropriate to incorporate them into this plan.
5. **Principal reason:** In dealing with the disposal of human sewage, not only the effects on the physical environment, but also the effects on the feelings of people must be taken into account.
6. **Principal reason:** The Resource Management (Marine Pollution) Regulations 1998 regulate the discharges of treated and untreated sewage from vessels and offshore installations. The regulations prohibit such discharges closer than 500m from the shoreline. Clause 11(3) of Part 3 of the regulations provides that, from 1 July 2000, councils may increase the distance seaward within which no person may discharge sewage into the CMA. Poverty Bay is the major water recreation beach in Gisborne and is used by various forms of water recreation. It is considered that the Regulations provide adequate controls over the discharges of sewage from vessels. However the actual or potential adverse effects relating to such discharges from offshore installations are considered to warrant a more stringent level of control.

## DC2.6.3 Rules for the occupation of space in the CMA

Rule Table DC2.6.3

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal reasons and Explanations
<b>Permitted Activities</b>			
2.6.3(1)	The transfer of a permit for the occupation of space to another site in the Coastal Marine Area.	Permitted	<p>a) The transfer does not result in a change of use associated with the permit or, where the existing permit does not describe a use or purpose, the use at the new location is the same as that usually associated with the original location.</p> <p>b) When transfer occurs at least 90% of the space transferred will be used for the purpose for which the transfer relates.</p> <p>c) Transfer does not occur between different management areas.</p> <p>d) Transfer does not result in a reduction of public access to and across the Coastal Marine Area.</p> <p>e) Any existing structures at the site where the currently occupied space is held can be removed as a permitted or controlled activity under this plan.</p> <p>f) All parties to the transfer agree to terms of the transfer, and these include an agreement relating to the removal of all structures associated with the existing site.</p> <p>g) Council is notified in writing prior to the transfer.</p> <p>h) Consultation has occurred with the Hapu which is the kaitiaki of the site proposed.<sup>5</sup></p> <p>Footnote: Any person wishing to exercise this rule in relation to the transfer of permits involving marine farming permits or spat-catching permits is strongly advised to consult with the Ministry for Primary Industries prior to exercising any right conferred by this rule.</p> <p>Principal reason and explanation 1</p>
2.6.3(2)	<p>Any use or occupation of the Coastal Marine Area for which no permit has been granted under the Harbours Act 1950 or the Resource Management Act 1991 are unauthorised.</p> <p>Unauthorised occupation or use which was established prior to January 1, 1995 and which is located in the Coastal Marine Area is a permitted activity for a period of two years from the date of this plan becoming operative</p>	Permitted	<p>a) Gisborne District Council is notified in writing of the location, owner and purpose of the structure within 3 months of this Plan becoming operative.</p> <p>Principal reason 2 below</p>

<sup>5</sup> **NB:** Information on which hapu is the kaitiaki for a particular site and how they can be contacted can be obtained from Runanga, Gisborne District Council, Te Puni Kokiri or the Department of Conservation.



Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal reasons and Explanations
<b>Controlled Activities</b>			
2.6.3(3)	<p>The temporary occupation of space for Military or Civil Defence exercise or a recreational or cultural activity which restricts or excludes public access to or across land of the Crown located in the Coastal Marine Area is a controlled activity provided that the following standards and terms are met.</p> <ul style="list-style-type: none"> <li>a) Any restriction or exclusion of the public from the Coastal Marine Area is for a period not exceeding two days.</li> <li>b) In the case of exclusion of access the exclusion is restricted to an area of 2ha. or less.</li> <li>c) Any exclusion does not prevent the use of boat ramps, public amenities or other structures.</li> <li>d) Any disturbance to the foreshore or seabed caused as a consequence of the occupation are no more than can be removed by two tide cycles.</li> <li>e) Public notice of the occupation is given in a local newspaper at least 10 working days prior to the activity occurring.</li> </ul>	Controlled	<p>Council shall limit its control to matters a) to c) specified below:</p> <ul style="list-style-type: none"> <li>a) Limiting the direct or indirect adverse effects of the occupation of space on fragile ecosystems;</li> <li>b) Public access to and along the CMA; and</li> <li>c) Ensuring public safety.</li> </ul> <p>Cross-Reference refer to C3, C3.8, C3.15. Principal reason 7 below</p>
<b>Restricted Discretionary Activities</b>			
2.6.3(4)	<p>Notwithstanding anything else in DC2 of this plan, the exclusive occupation of land of the Crown in the Coastal Marine Area, under Section 12(2) of the Resource Management Act 1991, for an activity that is permitted or controlled in DC2.6.1 of this plan is a restricted discretionary activity.</p> <p>Cross-Reference refer to C3, C3.7, C3.8, C3.15.</p>	Restricted Discretionary	<p>Council shall restrict its discretion to matters a) to c) specified below:</p> <ul style="list-style-type: none"> <li>a) The extent to which the exclusive occupation of space has an adverse effect on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.</li> <li>b) The extent to which the exclusive occupation of space restricts or prevents public access to and along the Coastal Marine Area.</li> <li>c) The extent to which the exclusive occupation of space adversely affects any value identified within, or sought to be protected by a Significant Values Coastal Management Area.</li> </ul> <p>Principal reason 10 below</p>
<b>Discretionary Activities</b>			
2.6.3(5)	<p>Except as provided for in other rules of DC2.6, any occupation of space involving Crown land within the Coastal Marine Area is a discretionary activity.</p> <p>Cross-Reference refer to C3, C3.7, C3.8, C3.15, F1.</p>	Discretionary	Principal reason 11 below
2.6.3(6)	<p>Any activity involving the occupation of Crown land in the Coastal Marine Area which:</p>	Discretionary	Principal reason 12 below

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal reasons and Explanations
	<p>a) Would exclude or effectively exclude public access from areas of the Coastal Marine Area over 10 hectares; or</p> <p>b) Would exclude or effectively exclude the public from more than 316m along the length of the foreshore; or</p> <p>c) Would involve the occupation or use of areas greater than 50 hectares of the Coastal Marine Area and such occupation or use would restrict public access to or through such area</p> <p>Is a discretionary activity provided the occupation or exclusion is for the purpose of protecting:</p> <p>a) Significant indigenous fauna, flora or significant habitats; or</p> <p>b) Māori cultural sites; or.</p> <p>c) Historic sites.</p> <p>Cross Reference C3, C3.7, C3.8, C3.15, F1.</p>		
<b>Non-complying Activities</b>			
2.6.3(7)	<p>Except as provided for by Rule DC2.6.3(6), any activity involving the occupation of Crown land in the Coastal Marine Area which:</p> <p>a) Would exclude or effectively exclude public access from areas of the Coastal Marine Area over 10 hectares; or</p> <p>b) Would exclude or effectively exclude the public from more than 316m along the length of the foreshore; or</p> <p>c) Would involve the occupation or use of areas greater than 50 hectares of the Coastal Marine Area and such occupation or use would restrict public access to or through such area</p>	Non Complying	

### DC2.6.3.1 Principal Reasons and Explanations

1. **Explanation:** Notwithstanding the above, nothing in this section of this Plan implies the granting of a resource consent for any other activity set out in section 12 of the Resource Management Act (1991) should a permit to occupy space be obtained through transfer, and nothing in this section absolves the owners of existing structures of the responsibility for ensuring that existing structures legally occupy space in the CMA.

**Principal reason:** The principle reason for this rule is to provide a method of transferring consents to occupy space from inefficient to more efficient uses. The coastal environment is dominated by open space, is a public resource and is arguably utilised inefficiently. A huge number of existing structures exist and have no or limited use. This rule is supposed to encourage the transfer of permits to occupy from some of these lesser used structures to more efficient uses and result in a clean-up of the coast. Many of the standards in this rule are similar to those used in the structures section and are primarily concerned with ensuring tangata whenua values are not undermined by transfer of occupation rights, that the values of a Significant Values Coastal Management Area are preserved and that existing (and presumably less efficient occupiers of space) are removed **prior** to transfer. The latter is a matter for parties to negotiate.

2. **Principal reason:** This rule provides both the Council and illegal owners with leeway to establish lawful status for occupations.
3. **Principal reason:** The adverse effects of a temporary event that meets the standards would be minor if suitable conditions are set.
4. **Principal reason:** This rule requires very minor and almost exclusively beneficial coastal activities which require an exclusive occupation of space consent in the CMA to obtain a resource consent but limits the concerns of the Council to two narrow areas of cultural concern for unknown sites, any adverse effect on public access to and along the CMA and the possible effects on areas with high natural values. The requirements and standards elsewhere in the Plan are not lessened by this rule.
5. **Principal reason:** This method ensures that occupation of space occurs in a fashion that is consistent with the policies for this chapter. The rule principally affects structures which are treated as discretionary or non-complying.
6. **Principal reason:** The standards are designed to provide a vehicle for achieving the protection of Significant Values Coastal Management Area values should this be needed.

## DC2.6.4 Rules for the alteration of the foreshore and seabed

Rule Table C2.6.4

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
2.6.4(1)	The shifting and burial of marine mammals in the CMA.	Permitted	a) The consent authority has been consulted. b) The Department of Conservation has been consulted. c) The shifting or burial is supervised by an authorised officer of the Department of Conservation. <i>NOTE: The removal of marine mammals (dead or alive) is prohibited under the Marine Mammals Protection Act 1978, unless a permit has been obtained from the Director General of Conservation. In respect of (c) above, an authorised officer will be the holder of warrant under the Marine Mammals Protection Act 1978.</i> Principal reason 1 below
2.6.4(2)	The extraction of up to 2 cubic metres of sand per individual year, from the Poverty Bay foreshore between the navigational beacon at or about NZMS 260 Y18 440690, and the mouth of the Waipaoa River.	Permitted	a) The sand is removed from below MHWS. b) No vegetation is removed or damaged during, or as a result of sand extraction. c) The sand is taken in an even manner and is not excavated beyond 500mm depth from the natural sand surface. d) Gisborne District Council is notified prior to the extraction of any sand and details of the volume to be taken are supplied.
2.6.4(3)	The deposition of wind blown sand back to the Coastal Marine Area of the General Management Area.	Permitted	a) The sand is deposited so as to not lie more than 200 mm above the natural relief of the bed or foreshore. b) The sand is not deposited on any hard shore. Principal reason 9 below
2.6.4(4)	Except as provided in DC2.6.4(14), the removal of driftwood for personal use.	Permitted	Principal reason 3 below
2.6.4(5)	The opening of the Hamanatua and Wainui Streams to the sea.	Permitted	Principal reason 4 below
<b>Controlled Activities</b>			
2.6.4(6)	Extraction of between 2 cubic metres and 3000 cubic metres of sand from Poverty Bay foreshore per annum between the navigation beacon at or about NZMS 260 Y18 440690, and the mouth of the Waipaoa River, is a controlled activity, provided the following standards and terms are met. a) Public access and safety is provided for at all times. b) The sand is removed from below mean high water springs. c) The sand is taken in an even manner and is not excavated beyond 500mm depth from the natural sand surface.	Controlled	Cross Reference refer to C3, C3.8, C3.15. Council shall limit its control to the matters a) to d) specified below: a) The exact location of the activity b) The hours and days of operation. c) The total volume of material to be removed. d) The duration of the permit.

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	d) No vegetation is removed or damaged during, or as a result of sand extraction. e) Structures, machinery or vehicles associated with sand extraction are not left on the foreshore when not in use for a continuous period exceeding 3 hours.		
2.6.4(7)	Sand and sediment extraction from the Turanganui River for the purpose of maintaining navigation channels in the river.	Controlled	Council shall limit its control to the matters a) to d) specified below: a) The exact location of the activity b) The hours and days of operation. c) The total volume of material to be removed. d) The duration of the permit. Principal reason 5 below
2.6.4(8)	The disturbance of the foreshore or bed of the Coastal Marine Area in a General management area for the purpose of providing for network utility services is a controlled activity provided the following standards and terms are met. a) Any disturbance to the foreshore or bed is minor enough to be removed by two tide cycles; and b) The disturbance does not involve the removal of material from the Coastal Marine Area; and c) No explosives are used; and d) The disturbance to the foreshore or bed does not involve heavy machinery or the use of explosives; and e) Public access to and across the Coastal Marine Area is maintained except where temporary restrictions are necessary for reasons of public safety. Cross-Reference refer to C3, C3.9, C3.15.	Controlled	If any of these standards is not met the activity is a discretionary activity. Council shall limit its control to the matters a) to c) specified below: a) The points of vehicle access to the foreshore or bed of the CMA; and b) The exact location of disturbance in order to avoid or mitigate adverse effects; and c) The timing and duration of activities in order to avoid, remedy or mitigate adverse effects. Principal reason 6 below
<b>Discretionary activities</b>			
2.6.4(9)	Extraction of between 3000 and 50,000 cubic metres of sand per annum from the Poverty Bay foreshore between the navigation beacon at or about NZMS 260 Y18 440690, and the mouth of the Waipaoa River. Cross-Reference refer to C3, C3.8, C8.5, C3.15.	Discretionary	Principal reason 7 below
2.6.4(10)	Notwithstanding DC2.6.4 the movement of sand and other mineral materials from one section of the Wainui beach foreshore to another or one section of the Tolaga Bay foreshore to another. Cross-Reference refer to C3, C3.9, C8.5, C3.15.	Discretionary	Principal reason 8 below
2.6.4(11)	Removal of sand and other mineral materials from any other part of the General Management Area is a discretionary activity.	Discretionary	Principal reason 15 below

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	Cross-Reference refer to C3, C3.9, C8.5, C3.15, F1.		
2.6.4(12)	Notwithstanding rules DC2.6.4(2), DC2.6.4(7), DC2.6.4(9), DC2.6.4(10), DC2.6.4(11) and DC2.6.4(20), any activity involving, in any 12 month period, disturbance of foreshore and seabed for specific purposes in the General Management Area, including any removal of sand or shingle: a) In volumes greater than 50,000 cubic metres; or b) Extracted from areas greater than 4 hectares; or c) Extending 1000m or more over foreshore or seabed; is a discretionary activity. Cross-Reference refer to:- C3, C3.9, C8.5, C3.15, F1.	Discretionary	
2.6.4(13)	The deposition of sand, shingle, or other natural material derived from any maintenance dredging operation to the Coastal Marine Area of the General Management Area is a discretionary activity. Cross-Reference refer to C3, C3.9, C3.15, F1.	Discretionary	Principal reason 9 below
2.6.4(14)	Notwithstanding Rule DC2.6.4(12) and Rule C11.2.16(2), the removal of driftwood and logs by the use of bulldozers, tractors or other machinery from Waikanae and Midway beaches, in any 12 month period. Cross-Reference refer to C3, C3.9, C3.15, F1.	Discretionary	Principal reason 10 below
2.6.4(15)	The opening of stream mouths other than those in DC2.6.4(5) above in the General Management Area. Cross-Reference refer to C3, C3.9, C8.5, C3.15, F1.	Discretionary	Principal reason 11 below
2.6.4(16)	The disturbance of the seabed and the deposition of substances used for mineral exploration or extraction in the General Management Area. Cross-Reference refer to C3, C3.9, C3.15, F1.	Discretionary	Principal reason 12 below
2.6.4(17)	Any reclamation in the General Management Area. Cross-Reference refer to C3, C3.9, DC2.6.2, C3.15, F1.	Discretionary	
2.6.4(18)	Dredging in the General Management Area of the Coastal Marine Area. Cross-Reference refer to C3, C3.9, DC2.6.2, C3.15, F1.	Discretionary	Principal reason 13 below
<b>Prohibited Activities</b>			
2.6.4(19)	Notwithstanding other rules in this plan, any reclamation for the purpose of disposal of septic tank sludge, toxic wastes, or any other domestic or industrial refuse or waste material is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 14 below

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
2.6.4(20)	Removal of sand and other mineral materials from Wainui Beach and the Tolaga Bay foreshore is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 8 below

#### DC2.6.4.1 Principal Reasons and Explanations

1. **Principal reason:** The adverse environmental effects of not burying a marine mammal are likely to be greater than those of burying it. The standards will ensure that burial occurs in a sensitive and appropriate fashion.
2. **Principal reason:** It is not uncommon for strong winds to blow sand onto roads or properties. This rule allows the return of the lost sand to the beach from which it came. If there are any adverse effects from this activity they will be minor.
3. **Principal reason:** This rule enables people take driftwood for their own use. The rate of driftwood removal is very unlikely to impact upon natural processes.
4. **Principal reason:** The opening of these stream mouths is necessary to protect the public and property. Past experience indicates that there are no adverse effects.
5. **Principal reason:** The Turanganui River is prone to siltation which can affect the navigability of this important recreational resource. It may be appropriate for the Council to set conditions related to the adverse effects of this activity.
6. **Principal Reason:** The purpose of this rule is to allow, reasonably unencumbered, the laying of communication cables and other essential services. The standards are tight and will ensure only very minor adverse effects occur.
7. **Principal reason:** This part of Poverty Bay is a known accreting beach with a history of sand extraction. Past extraction has had no known adverse effect and there is no reason to assume adverse effects will occur in the future. The exercise of control and discretion over the larger volumes of sand extraction is necessary to ensure that adverse effects are avoided, remedied or mitigated.
8. **Principal reason:** There is evidence to suggest that Wainui Beach and Tolaga Bay are losing sand. For this reason, and having regard to the potential adverse effects an acceleration of this process might have on human investments in the area, extraction of sand is a prohibited activity for which no resource consent will be granted. The movement of sand within Wainui Beach and the Tolaga Bay foreshore is a discretionary activity in order to allow for the assessment of this potential future erosion mitigation measure.
9. **Principal reason:** The effects of the disposition can be significant. The rule is necessary in order to allow an assessment of the effects of the activity.
10. **Principal reason:** The annual removal of driftwood from Waikanae and Midway Beaches and ongoing maintenance has the potential to adversely affect the dune systems of the area. As this activity relies on heavy machinery to move large quantities of material the rule is restricted to the use of heavy machinery.
11. **Principal Reason:** The opening of stream mouths other than those in rule DC2.6.4(5) will require an assessment of effects so that the impact of the activity on in-stream values, hydrology and cultural values can be assessed. For this reason the activity is a discretionary activity.
12. **Principal reason:** This rule is provided for clarity and recognises the potential risk associated with mineral exploration. Because of the likely scale of activities associated with exploration the activity will require an assessment of effects.
13. **Principal reason:** Dredging can have serious adverse effects on the fauna and flora of the Coastal Marine Area. For this reason the activity is a discretionary one and will require an assessment of effects.
14. **Principal reason:** This type of activity is inconsistent with the purpose of the Resource Management Act and cannot be countenanced. The activity is prohibited to preclude it from the CMA.
15. **Principal reason:** There is very little known of the sand budgets in areas outside of those for which specific rules apply.



## DC2.6.5 Rules for the Take, Use, Damming and Diversion of Coastal Water

Rule Table DC2.6.5

Rule Number	Rule	Standards	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
2.6.5(1)	Any activity involving the taking or use of water, other than water found in any river, stream, estuary, or aquifer in the coastal marine area.	Permitted	a) The taking or use of water will not result in removal from the Coastal Marine Area of organisms greater than 5mm in diameter. Cross-Reference refer to C3, C3.11, C3.15. Principal reason 1 below
2.6.5(2)	Notwithstanding any other rule in DC2, the taking of any coastal waters in the Coastal Marine Area for firefighting purposes, or for the operational needs of vessels.	Permitted	Principal reason 3 below
<b>Discretionary Activities</b>			
2.6.5(3)	Any activity involving the taking, use, damming or diversion of water found in any river, stream, estuary, or aquifer in the Coastal Marine Area, other than open coastal water. Cross-Reference refer to C3, C3.11, C3.15, F1.	Discretionary	Principal reason 2 below

#### DC2.6.5.1 Principal Reasons and Explanations

1. **Principal reason:** *It is unlikely that taking, using, damming or diverting open water of the Coastal Marine Area will have adverse effects outside of those specifically addressed by the standards and terms of this rule. It is considered most likely that structures, effects on the foreshore and bed and discharges to the CMA pose a far greater risk to the CMA than reasonably foreseeable takes.*
2. **Principal reason:** *Taking, using, damming or diverting confined waters can have adverse effects. This rule is necessary in order to ensure that the effects of the activity are addressed.*
3. **Principal reason:** *This rule implements Policy 5.2.5 of the NZCPS 1994 and reflects the fact that this type of activity is infrequent, cannot reasonably be expected to obtain a resource consent and in all likelihood reflect sustainable management of resources (ie. enabling communities to protect infrastructural resources).*

## DC2.6.6 Rules for Exotic Plants

Rule Table DC2.6.6

Rule Number	Rule	Standards	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Discretionary Activities</b>			
2.6.6(1)	The introduction of exotic plants to an area of the Coastal Marine Area that already contains established plants of that species. Cross-Reference refer to C3, C3.12, C3.15.	Discretionary	Principal reason 1 below
<b>Non- Complying Activities</b>			
2.6.6(2)	The introduction of exotic plants to an area of the Coastal Marine Area that does not already contain established plants of that species. Cross Reference refer to C3, C3.12, C3.15, F1.	Non-complying	Principal reason 2 below
<b>Prohibited Activities</b>			
2.6.6(3)	Notwithstanding Rule DC2.6.6(1) and DC2.6.6(2) above, the planting of noxious plants or class B target plants within the Coastal Marine Area is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 3 below

#### DC2.6.6.1 Principal Reasons and Explanations

1. **Principal reason:** *This rule is necessary to ensure that the possible adverse effects of a new plant being introduced are fully assessed. This rule reflects potential costs that would fall upon the community should the adverse effects be significant.*
2. **Principal reason:** *This rule is necessary to ensure that the possible adverse effects of a new plant being introduced are fully assessed. This rule reflects potential costs that would fall upon the community should the adverse effects be significant.*
3. **Principal reason:** *This rule reflects the established costs of introducing these plants and ties this chapter of the Plan in with existing statutory documents.*

## DC2.6.7 Rules for Activities on the Surface of the Coastal Marine Area

Rule Table DC2.6.7

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
2.6.7(1)	The establishment and use of Specific Activity Areas for the exclusive use of specific types of ships or specific classes of recreational activities on the surface of the sea.	Permitted	<p>a) Any reservation necessary under the Water Recreation Regulations 1979 has been notified in the Gazette, and all Resource Consents necessary have been obtained.</p> <p>b) The Hydrographic Office of Land Information New Zealand is notified of the establishment of the Specific Activity Area, including any conditions attached to the Gazetted reservation under the Water Recreation Regulations 1979, prior to its establishment and use, and upon cessation of its use.</p> <p>c) Gisborne District Council is notified in writing by the person or organisation who sought the reservation, of the Gazetted reservation, including any conditions of the reservation, issued under the Water Recreation Regulations 1979.</p> <p>Provided that:</p> <ol style="list-style-type: none"> <li>if Standard a) is not met then the establishment and use of Specific Activity Areas is a prohibited activity for which no resource consent can be granted.</li> <li>If Standards b) or c) are not met then the establishment and use of Specific Activity Areas is a controlled activity. The Council will restrict its control to setting conditions on the consent requiring notification of the Hydrographic Office of Land Information New Zealand.</li> <li>This Rule shall cease to have effect after the Water Recreation Regulations 1979 are revoked or after the close of the 31st of March 2003, whichever occurs first, and Rule DC1.6.7(1) shall apply.</li> </ol> <p><i>(NB: Nothing in this rule may be substituted for or read as a permission under any other Act, Regulation or Bylaw.)</i></p> <p>Principal reason 1 below</p>
2.6.7(2)	Except as provided for in Rule DC2.6.7(1), the establishment and use of Specific Activity Areas for the exclusive use of specific types of ships or specific classes of recreational activities on the surface of the sea.	Permitted	<p>a) The use of the Specific Activity Area is required for a period not exceeding 14 days in any one calendar year.</p> <p>b) All permissions necessary under the Gisborne district Navigation Bylaws, and any Resource Consents necessary, have been obtained prior to providing written notification to the Council as set out in d) below.</p> <p>c) Public notification of the intention to use a Specific Activity Area, including a description of any activity to be undertaken in the area and its timing and duration, and any restrictions imposed on other activities, shall be made at least two weeks prior to the establishment of such an area.</p> <p>d) The Council is notified, in writing, of the intention to use an exclusive or semi-exclusive Specific Activity Area. Such notification must occur at least two weeks prior to the use of such an area and shall include:</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
			<p>i. The name, address, contact phone number and contact person of the group or organisation seeking to use a Specific Activity Area.</p> <p>ii. A precise description and chart of the area to be used, and how it is to be marked and patrolled; and</p> <p>ii. A statement of the type of activity or class of ship for which the area is to be used and any restrictions on those ships or activities that will be imposed; and</p> <p>iv. A statement concerning restrictions on any other ship or activity within the area proposed to be used.</p> <p>v. The duration of the event which requires the use of a Temporary Specific Activity Area.</p> <p>vi. A summary of the consultation undertaken and the response made to issues raised during the consultation.</p> <p>Provided that: If the standards and terms are not met, and the Specific Activity Area proposed is located in waters administered under the Gisborne District Navigation Bylaws, then the establishment and use of Specific Activity Areas is a prohibited activity for which no resource consent can be granted. (NB: Nothing in this rule may be substituted for or read as a permission under any other Act, Regulation or Bylaw.); Principal reason 2 below</p>
2.6.7(3)	Notwithstanding Rule DC2.6.7(2) and any provision of the Gisborne District Navigation Bylaws 1999, the operation of Personal Water Craft within the Specific Activity Area described in Method C3.1.3.4(1) and on the planning maps, without speed restriction and to the exclusion of all other activities, within: a) 30m of any other personal water craft, or person in the water; and b) 200m of the shore.	Permitted	<p>a) The area must be marked at all times by signs, marker posts and line-of-site markers according to the standards established by the Maritime Safety Authority for Buoys and Beacons in New Zealand.</p> <p>b) Prior to operating, operators of personal watercraft must advise any other person within the area of their presence.</p> <p>Provided that: If these standards and terms are not met then the operation of Personal Water Craft to the exclusion of all other activities, without speed restriction, is a prohibited activity for which no resource consent can be granted. Principal reason 3 below</p>
2.6.7(4)	The use of any ship or the undertaking of recreational activities on the surface of the sea as provided for in the Gisborne District Navigation Bylaws 1999, including swimming, surfing and fishing, within the Specific Activity Area described in Method C3.14.3(1) and in the planning maps to the Tairāwhiti Plan,	Permitted	<p>a) No personal watercraft is operating in the Specific Activity Area.</p> <p>Provided that: If standard and term a) is not met then, notwithstanding the provisions of the Gisborne District Navigation Bylaws 1999, the use of any ship or the undertaking of recreational activities on the surface of the sea in the Specific Activity Area is a prohibited activity for which no resource consent can be granted. Principal reason 4 below.</p>

#### DC2.6.7.1 Principal Reasons and Explanations

1. **Principal reason:** Rules in the Tairāwhiti Plan must be consistent with regulations as a matter of statutory interpretation. The establishment of Reserved Areas is provided for in the Water Recreation Regulations 1979. If the establishment of such areas was prohibited under the coastal provisions of the Tairāwhiti Plan then the provision would be inconsistent with the Water Recreation Regulations 1979 and ultra vires. The Water Recreation Regulations 1979 may be revoked and will cease to exist at the close of 31 March 2003.
2. **Principal reason:** Activities that may exclude or restrict public rights of access and recreational opportunity should be held up to public scrutiny and allowed only if sufficient public consultation has occurred and all other permissions necessary have been obtained.
3. **Principal reason:** Before a personal watercraft can be operated without speed restriction and to the exclusion of all other activities, the public must be certain about the location of the area within which such craft can be operated without restriction and members of the public recreating within the area should be warned of the impending operation of such craft.
4. **Principal reason:** When personal watercraft are operating in this area, there is an essential incompatibility with other forms of recreational use. When they are not operating there is no need to restrict other activities beyond the restrictions currently imposed through Navigation Bylaws.

# DF1 FRESHWATER MANAGEMENT UNITS: WAIPAEOA CATCHMENT PLAN

The provisions of DF1 are regional plan provisions.



Regional Plan

## DF1.1 Waipaoa Catchment Plan

### DF1.1.1 Introduction

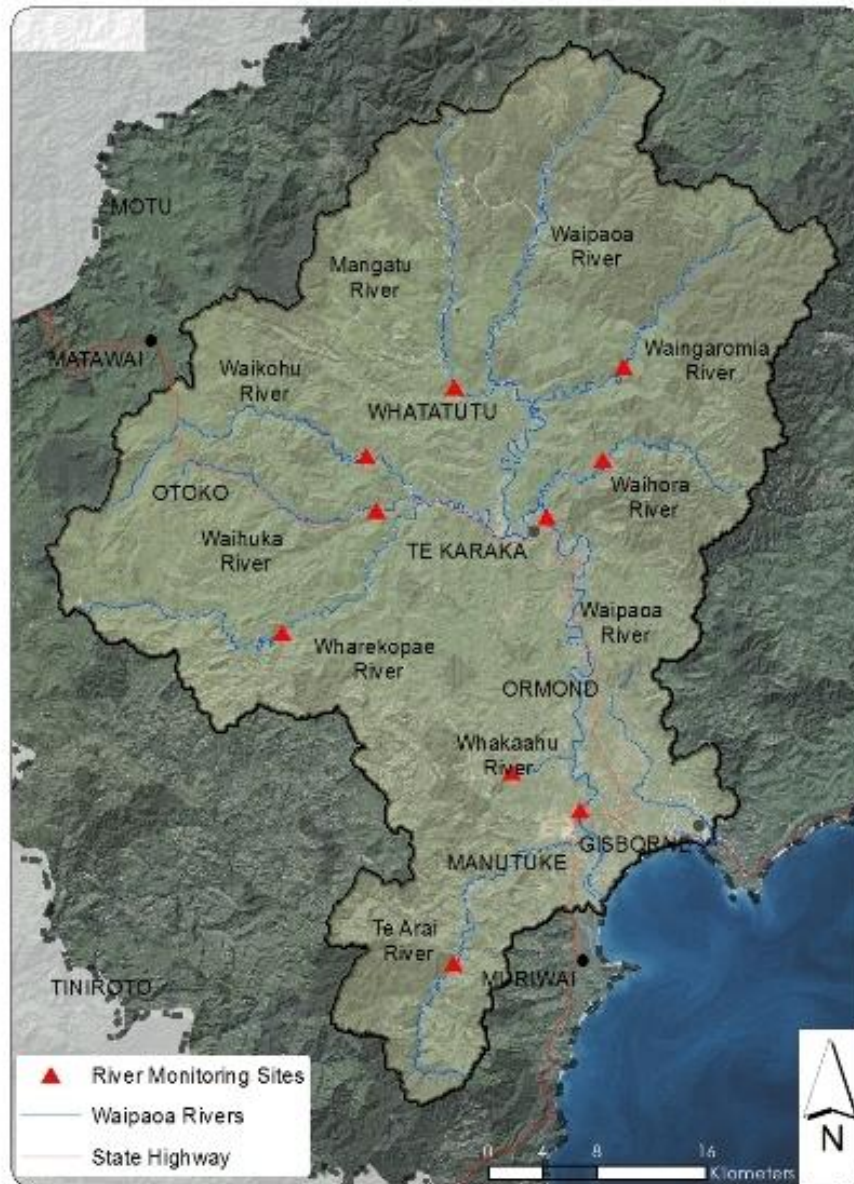
The Waipaoa Catchment incorporates 12 major sub-catchment areas with a combined land area of 2,205km<sup>2</sup>. The Waipaoa Catchment includes all or part of the traditional rōhe of Rongowhakaata, Ngai Tāmanuhiri, Te Aitanga a Māhaki, Ngā Ariki Kaiputahi and Te Whānau a Kai. The area is largely defined by the water catchment boundary of the Waipaoa River but also includes the separate catchment areas of the Waikanae Stream and Taruheru River. These two areas do not drain directly into the Waipaoa River but are both important components of the Poverty Bay Flats and to the Poverty Bay groundwater system and are included within this catchment plan.

The catchment is extensively farmed and represents some of the most versatile and productive soils in the region. Most surface water use and virtually all groundwater use in the region occur here and are essential to the region's economy. As the only city in the region, Gisborne also plays a role in the quality and quantity of freshwater in the Waipaoa catchment. Municipal water supply for Gisborne is taken from the upper reaches of Te Arai River and the Waipaoa River. Several waterways flow through the city and are highly significant for amenity and recreational values.

Some of the sub-catchments are particularly susceptible to soil erosion, notably in the Waingaromia and Mangatu areas. As a result, the bed in the upper and lower reaches of the catchment is building up due to sediment and gravel deposition. Annual suspended sediment load for the Waipaoa catchment is approximately 15 million tonnes.

Many of the tributaries in the headwaters provide habitat for a range of indigenous fish species. These species rely on migration up the river system as juveniles and return to the sea as adults. Eels are one example in the fishery that require this ability to migrate. Trout are also present in the Wharekopae tributary. They have been introduced and are not known to migrate.





**Figure DF1.1 – Waipaoa Catchment**

## DF1.1.2 Freshwater Values and Freshwater Management Units

Freshwater values and FMUs in the Waipaoa Catchment are closely related. The values identified through the catchment planning process have helped to inform the development of three Freshwater Management Units. They are:

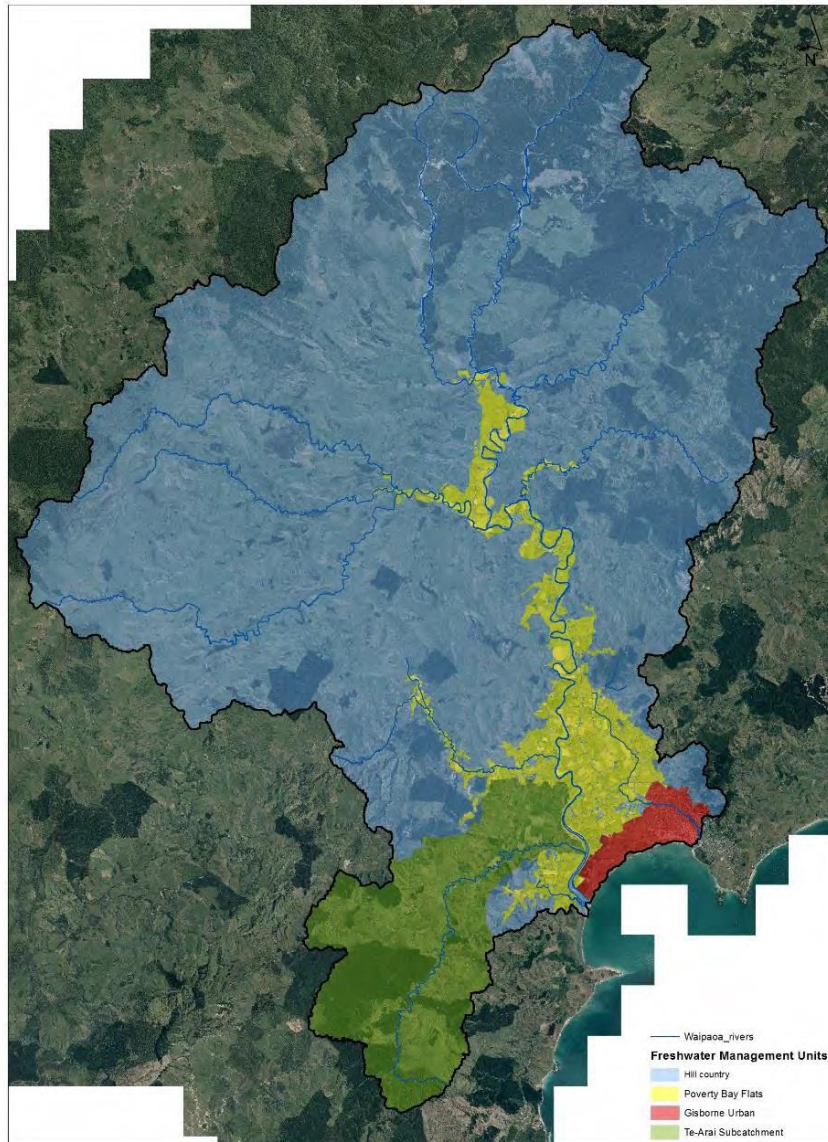
- a) Waipaoa Hill Country
- b) Te Arai
- c) Poverty Bay Flats
- d) Gisborne Urban.

Values and Uses	Freshwater Management Units			
	Waipaoa Hill Country	Te Arai	Poverty Bay Flats	Gisborne Urban
Ecosystem health <sup>6</sup>	√	√	√	√
Human health for recreation	√	√	√	√
Mauri <sup>7</sup>	√	√	√	√
Natural form and character	√	√	√	√
Mahinga kai	√	√	√	√
Fishing				√
Irrigation and food production		√	√	
Animal drinking water	√	√	√	
Wai tapu	√	√		√
Water supply	√	√	√	
Hydro-electric power generation	√			
Transport and tauranga waka			√	√

**Figure DF1.2 – Freshwater Values of the Waipaoa Catchment**

<sup>6</sup> Compulsory national value

<sup>7</sup> Compulsory regional value



**Figure DF1.3 – Freshwater Management Units in the Waipaoa Catchment**

## DF1.2 Waipaoa Hill Country Freshwater Management Unit

The largest FMU, Waipaoa Hill Country includes water bodies within a largely rural context. They are situated in rolling to steep hill country composed mainly of soft sedimentary materials. Soils are generally less versatile although some alluvial flats occur along the margins of the main tributaries. Land use is predominantly pastoral grassland with scattered blocks of exotic forestry in the upper catchment areas. Farming is a major land use activity with stock drinking water being an important value. Hill Country water bodies are also significant for their in-stream values. These include ecosystem health and natural character. Water quality across this management unit is generally good and enables these values to be sustained. Some localised water quality issues exist and relate to specific water bodies.

Freshwater objectives, limits, targets and methods are set for rivers in this FMU which reflect the overall approach set in the Freshwater Plan Objectives and Policies to maintain or improve water quality. The values identified in the Waipaoa Hill Country FMU mean that Objectives generally focus on maintaining the high level of water quality that supports those values. Limits have been set to ensure the objectives continue to be met. Where Objectives are not being met, Targets with metrics and dates to be achieved are provided where an improvement in water quality for that attribute is required. Where a Target has been set to improve water quality a method will be identified which outlines the approach which will be taken to meet the target. Because the overall regional rules in the Freshwater Plan provide the regulatory framework for activities, the methods identified in this section are generally non-regulatory.

No objectives, limits and targets have been set for lakes in this FMU. A method is included which identifies when and how objectives, limits and targets for lakes will be set. The largest lake in this FMU is Lake Repongaere which is also identified in the Freshwater Plan as an outstanding waterbody.

Freshwater Values being Managed for	
Prominent values identified	Other values identified
Ecosystem health	Wai tapu
Natural form and character	Mahinga kai
Human health (secondary contact)	Mauri
Animal drinking water	Irrigation and food production
Water supply	Human health (swimming)
	Hydro electricity

**Figure DF1.4 – Freshwater values being managed for**

## DF1.2.1 Freshwater Objectives

### DF1.2.1.1 Water Quality Objectives

Attribute	Narrative Objective	Numeric Objective
Periphyton (Trophic State)	Occasional blooms occur reflecting low enrichment and/or alteration of the natural flow regime or habitat	With the exception of the Waingaromia Catchment Chlorophyll A $\leq 120\text{mg chl-a/m}^2$ and this is exceeded in no more than 8% of samples based on a monthly monitoring regime over 3 years (B Band – Default Class) In the Waingaromia Catchment Chlorophyll A $\leq 120\text{mg chl-a/m}^2$ and this is exceeded in no more than 17% of samples based on a monthly monitoring regime over 3 years (B band – Productive Class)
Macroinvertebrate Community Index (MCI)	Maintain a healthy macro-invertebrate community	MCI $\geq 100$
Dissolved oxygen – <b>INTERIM OBJECTIVE</b>	No stress is caused by low dissolved oxygen to any aquatic organisms that are present at matched (near-pristine) sites	Summer (1 Nov -30 April) DO 1 day minimum $\geq 7.5\text{mg/L}$ (A Band); based on sampling at least monthly during daylight hours Summer (1 Nov -30 April) DO 7-day mean minimum $\geq 5.0\text{mg/L}$ , (CBand) the mean value of 7 consecutive daily minimum values based on continuous sensor monitoring for at least one week
Nitrate toxicity	High conservation value system. Unlikely to be toxicity effects on even the most sensitive organisms	Nitrate Annual median $\leq 1.0\text{mg/L}$ (A Band) Nitrate Annual 95 <sup>th</sup> Percentile $\leq 1.5\text{mg/L}$ (A Band) Both calculated from monthly samples over a 5 year rolling period
Ammonia toxicity	99% species protection level. No observed effects detected on any species tested	Ammonia Annual median $\leq 0.03\text{mg/L NH}_4\text{ -N/L}$ , based on pH 8 and temperature of 20°C (A Band) Ammonia Annual Maximum $\leq 0.05\text{ mg/L NH}_4\text{ -N/L}$ , based on pH 8 and temperature of 20°C (A Band) Both calculated from monthly samples over a 5 year rolling period
E.coli	People are exposed to a very low risk of infection (less than 0.1% risk) from contact with water during activities with occasional immersion and some ingestion of water (such as wading and boating)	Annual median and 95 <sup>th</sup> percentile $\leq 260\text{ cfu/100mL}$ (A Band for wading/boating) Both calculated from monthly samples over a 5 year rolling period
E.coli	In the Wharekopae River, people are exposed to a moderate risk of infection (less than 5% risk) when undertaking activities likely to involve full immersion (swimming).	Annual median $\leq 260\text{ cfu/100mL}$ (A Band) Annual 95 <sup>th</sup> Percentile $\leq 540\text{ cfu/100mL}$ (B Band) Both calculated from monthly samples over a 5 year rolling period
Physical habitat	Rivers and their riparian margins continue to provide good and diverse habitat for the naturally occurring range of native invertebrate, fish and bird species. Fish are able to utilise their full range of habitats, including spawning and migratory habitat, unimpeded by artificial	



Attribute	Narrative Objective	Numeric Objective
	barriers, artificial increases in water temperature, or adverse land use impacts.	
Clarity	<p>With the exception of the Waingaromia, Upper Waipaoa and Mangatu River catchments, all other rivers continue to have good levels of visual clarity supporting diverse fish communities including species such as banded kokopu which are intolerant of poor clarity.</p> <p>In the Waingaromia, Upper Waipaoa and Mangatu River catchments improve current water clarity over the long term</p>	With the exception of the Waingaromia, Upper Waipaoa and Mangatu River catchments, Visual Clarity $\geq 0.5\text{m}$ at times when river flow is less than the median flow.
Deposited Fine Sediment	With the exception of the Waingaromia, Upper Waipaoa and Mangatu River catchments, all other rivers continue to have only modest areas of deposited fine sediment on their beds so that habitat supports diverse aquatic invertebrate and fish communities.	To be defined when sufficient monitoring data becomes available <sup>8</sup>
Fish	The naturally occurring range of native fish species live in the rivers, lakes and wetlands, including sensitive or threatened species such as koaro, giant kokopu and torrent fish, and other species such as large tuna. The rivers remain a national stronghold for longfin eel (tuna).	
Birds	Naturally occurring riverine bird species continue to be able to live out necessary parts of their life cycles in the rivers and wetlands. Threatened species such as whio (blue duck) and banded dotterel continue to live and thrive in the rivers, lakes and wetlands.	

**Figure DF1.5 – Water Quality Objectives**

<sup>8</sup> It is preferable for the plan to set numeric objectives for deposited fine sediment as this is important for the values of the catchment. However, at the time of plan preparation there is insufficient data to confidently set numeric objectives. Consequently, monitoring and reporting is proposed in the Methods to establish an appropriate numeric objective by 2025.

### DF1.2.1.2 Water Quantity Objectives

1. The Waipaoa Hill Country FMU provides for permitted takes for stock water, domestic and small scale uses while maintaining flows during summer to provide for aquatic ecosystem health values and flows to the Poverty Bay Flats FMU.
2. High flows in the Waipaoa Hill Country FMU provide for other uses without affecting freshes and flushing flows within the rivers or the Poverty Bay Flats FMU.

## DF1.2.2 Freshwater Limits and Targets

### DF1.2.2.1 Water Quality Limits and Targets

Attribute	Limit	Target
Suspended sediment	Numeric limits to be defined when sufficient monitoring data becomes available <sup>9</sup>	Numeric targets to be defined when sufficient monitoring data becomes available <sup>9</sup>  Until the numeric targets are defined the narrative target is to improve the median suspended sediment levels in the Waingaromia, Upper Waipaoa and Mangatu Rivers by 2067.
Dissolved Inorganic Nitrogen	Numeric limits to be defined when sufficient monitoring data becomes available <sup>9</sup>	To be defined when sufficient monitoring data becomes available <sup>9</sup>
Dissolved Reactive Phosphorus	Numeric limits to be defined when sufficient monitoring data becomes available <sup>9</sup>	To be defined when sufficient monitoring data becomes available <sup>9</sup>

**Figure DF1.6 – Water Quality Limits and Targets**

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<sup>9</sup> It is preferable for the plan to set numeric limits for DIN, DRP suspended sediment and river flow as these have impacts on achieving the objectives that have been set. However, at the time of plan preparation there is insufficient data to justify numeric limits that relate to those objectives. Consequently, monitoring and reporting is proposed in the Methods to establish appropriate limits by 2025.

#### DF1.2.2.2 Water Quantity Limits

FMU	Water Quantity Zone	Monitoring Location	Minimum Flow A Block	Allocation Cap A Block	Minimum Flow B Block	Allocation Cap B Block
Waipaoa Hill Country	Waipaoa Hill Country	Kanakanaia	No A block. Permitted Takes only. Discretionary Activity – Rule 4.1.10		4000 l/s	2000 l/s

Figure DF1.7 – Water Quantity Limits



### DF1.2.3 Methods

1. Council will:
  - a) Keep monitoring DIN, DRP, periphyton, MCI and relevant river flow.
  - b) Report at 3 and 5 years from the date this plan becomes operative including:
    - i. Periphyton and MCI against numeric plan freshwater objectives;
    - ii. State and trends of DIN and DRP compared to current state as at 2017; and
    - iii. The relationship between DIN, DRP, flow, and FMU-scale landuse all compared to the numeric plan freshwater objectives for periphyton and MCI.
  - c) Review the freshwater objectives and associated limits, with a view to establishing appropriate limits, as part of scheduled plan review in 2025.
2. Council will:
  - a) Keep monitoring visual clarity, deposited fine sediment, suspended sediment, turbidity and relevant river flow.
  - b) Report at 3 and 5 years from the date this plan becomes operative including of:
    - i. Visual clarity and deposited fine sediment against any numeric plan freshwater objectives set for these;
    - ii. State and trends of suspended sediment and turbidity compared to current state as at 2017; and
    - iii. The relationship between suspended sediment, turbidity and FMU-scale landuse all compared to visual clarity and deposited fine sediment.
  - c) Review the freshwater objectives and associated limits, with a view to establishing appropriate limits, as part of scheduled plan review in 2025.
3. Undertake a riparian planting programme to address periphyton and temperature levels. The programme will, as a priority, target the Waingaromia River catchment and small streams across the Waipaoa Hill Country FMU.
4. Administer the Tairāwhiti Resource Management Plan, land management provisions to manage soil loss and sedimentation (including in the Waingaromia and Mangatu Catchments). Require planting of all Overlay 3A areas with effective tree cover by 2021.
5. Support the development and implementation of Farm Environment Plans (FEPs) (including in the Wharekopae river catchment) to address management of E.coli, nitrogen, phosphorus and sediment levels in the river.
6. Undertake Waipaoa fish passage enhancement project.
7. Undertake Rere falls and rockslide water quality enhancement project.
8. Use 90% of MALF of a stream or river to establish additional low flow restrictions on resource consents where there are high ecological values associated with the waterway.
9. Implement a water quality monitoring programme by 2018 so that objectives, limits and targets for lakes in this FMU can be established by 2025.
10. Implement a monitoring programme by 2018 so that the Dissolved Oxygen Objective can be reviewed by 2025.
11. Council will work with forestry operators to improve their practices to minimise effects on water quality and in particular sedimentation effects and impacts on fish migration and spawning outcomes.
12. Council will respond to reported sightings of nuisance benthic cyanobacteria received by the community and will monitor confirmed problem recreation sites for the percentage cover of the

riverbed by benthic cyanobacteria during summer. Council will notify the public health unit if the percentage bed cover is greater than 20 % (alert [amber] mode) and will notify both the public health unit and the public directly by website and/or erecting temporary signage if the percentage bed cover is greater than 50 % (action [red] mode).

13. In the absence of numeric limits the policies and rules of the plan, and in particular the requirement for FEPs, provide mechanisms to minimise loss of DIN, DRP and suspended sediment from individual properties (through good practice water, nutrient, soil and stock management), and thus contribute to achieving the objectives defined for periphyton, MCI, clarity and deposited fine sediment.

#### Hill Country Water Quantity zones

Waipaoa Hill Country Water Quantity zone

Figure DF1.8 – Hill Country Water Quantity Zones

### DF1.3 Te Arai Freshwater Management Unit

The Te Arai River is the most ecologically significant river draining through the Poverty Bay Flats and is home to at least 11 species of native fish. It is also the awa of Rongowhakaata iwi who have many marae located around the river. The river rises in Waingake in the area known as Waterworks Bush and this part of the river is an identified outstanding waterbody which has been the source of drinking water for Gisborne since 1909. The river travels down through relatively stable hill country of mixed farming and forestry to Pykes Weir, the main water quality and hydrology monitoring point. From Pykes Weir the river flows through pastoral farmland onto the Poverty Bay Flats and a mixed cropping area around Manutuke. It is tidal in its lower reaches, and has been modified as part of the Waipaoa Flood Control Scheme. It joins the Waipaoa River close to its mouth.

Freshwater objectives, limits, targets and methods are set for this FMU which reflect the high ecological and cultural values of the river. The values identified in the Te Arai River mean that maintaining its high water quality, and where possible improving water quality is important. With its small coastal catchment the Te Arai is an unreliable source of irrigation water and there are only a small number of irrigators using the river. The main flow and water quality monitoring point at Pykes Weir shows high water quality values, however water quality is known to deteriorate on the Poverty Bay Flats. Establishing better monitoring of ecological and cultural values is an important part of future management of the river.

Reflecting the importance of the river as the water supply for the Gisborne urban area there are two water quantity zones in this FMU – the Upper Te Arai Water Quantity Management Zone which includes the city supply, and the Lower Te Arai Water Quantity Management Zone.

Freshwater Values being Managed For	
Prominent values identified	Other values identified
Ecosystem health	Wai tapu
Natural form and character	
Human health (secondary contact)	
Animal drinking water	
Water supply	Irrigation and food production
Mauri	Human health (swimming)
Mahinga kai	

Figure DF1.9 – Freshwater values being managed for

## DF1.3.1 Freshwater Objectives

### DF1.3.1.1 Water Quality Objectives

Attribute	Narrative Objective	Numeric Objective
Periphyton (Trophic State)	Occasional blooms occur reflecting low enrichment and/or alteration of the natural flow regime or habitat	Chlorophyll A $\leq 50\text{mg chl-a/m}^2$ above Pykes Weir and $\leq 120\text{mg chl-a/m}^2$ below Pykes Weir (A Band – Productive Class), and this is exceeded in no more than 17% of samples based on a monthly monitoring regime over 3 years (B Band – Productive Class)
Macroinvertebrate Community Index (MCI)	Maintain a healthy macro-invertebrate community	MCI $\geq 100$ above Pykes Weir. MCI $\geq 80$ below Pykes Weir
Dissolved oxygen - <b>INTERIM OBJECTIVE</b>	Minor stress caused to the most sensitive aquatic organism present	Summer (1 Nov -30 April) DO 1 day minimum $\geq 5\text{mg/L}$ (B Band), based on sampling at least monthly during daylight hours) Summer (1 Nov -30 April) DO 7-day mean minimum $\geq 5.0\text{mg/L}$ , (C Band) the mean value of 7 consecutive daily minimum values based on continuous sensor monitoring for at least one week
Nitrate toxicity	High conservation value system. Unlikely to be toxicity effects on even the most sensitive organisms	Nitrate Annual median $\leq 1.0\text{mg/L}$ (A Band) Nitrate Annual 95th Percentile $\leq 1.5\text{mg/L}$ (A Band) Both calculated from monthly samples over a 5 year rolling period
Ammonia toxicity	99% species protection level. No observed effects detected on any species tested	Ammonia Annual median $\leq 0.03\text{mg/L NH}_4\text{-N/L}$ (A Band) Ammonia Annual Maximum $\leq 0.05\text{mg/L NH}_4\text{-N/L}$ (A Band) Both calculated from monthly samples over a 5 year rolling period
E.coli	People are exposed to a low risk of infection (less than 1% risk) from contact with water during activities with occasional immersion and some ingestion of water (such as wading and boating)	Annual median and 95th percentile $\leq 540\text{ cfu/100mL}$ (B Band for wading and boating) Both calculated from monthly samples over a 5 year rolling period
Physical habitat	The Te Arai River and its riparian margins continue to provide a good and diverse habitat for the naturally occurring range of native invertebrate, fish and bird species. Fish are able to utilise their full range of habitats, including spawning and migratory habitat, unimpeded by artificial barriers or adverse land use impacts.	
Clarity	Te Arai River continues to have good levels of visual clarity supporting diverse fishlife including species such as banded kokopu which are intolerant of poor clarity.	Visual Clarity $\geq 0.5\text{m}$ at times when river flow is less than the median flow.

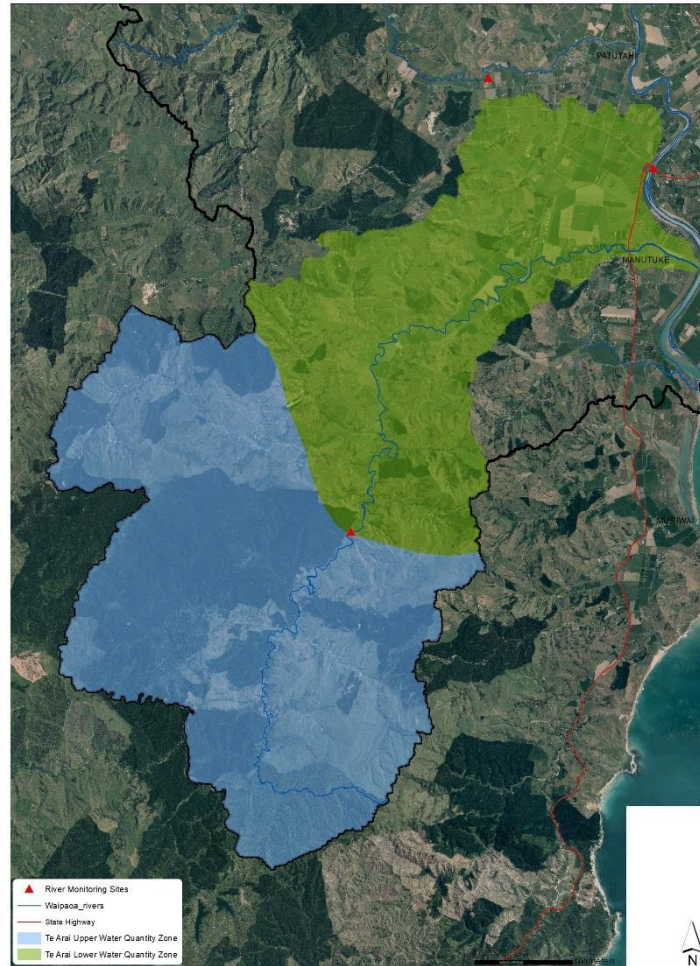
Attribute	Narrative Objective	Numeric Objective
Deposited Fine Sediment	Continue to have only modest areas of deposited fine sediment on their beds so that habitat supports diverse aquatic invertebrate and fish communities.	To be defined when sufficient monitoring data becomes available <sup>10</sup>
Fish	The naturally occurring range of native fish species live in the rivers, lakes and wetlands, including sensitive or threatened species such as koaro, shortjaw kokopu, giant kokopu and torrentfish, and other species such as large tuna. The river remains a stronghold for longfin eel (tuna).	
Birds	Naturally occurring riverine bird species continue to be able to live out necessary parts of their life cycles in the river. The areas of native forest in the Te Arai catchment provide some of the best habitat for bird species in the region.	

**Figure DF1.10 – Te Arai Water Quality Objectives**

<sup>10</sup> It is preferable for the plan to set numeric objectives for deposited fine sediment as this is important for the values of the catchment. However, at the time of plan preparation there is insufficient data to confidently set numeric objectives. Consequently, monitoring and reporting is proposed in the methods to establish an appropriate numeric objective by 2025.

### DF1.3.1.2 Water Quantity Objectives

1. Summer low flows in the Te Arai River provide for a moderate level of ecological health, based on the flow requirements of adult long finned eels.
2. The B block allocation during higher flows provides for water storage and irrigation needs without affecting freshes and flushing flows within the Te Arai River.
3. Te Arai continues to be a key source of water for the Gisborne municipal water supply.



Te Arai Water Quantity Zones

**Figure DF1.11 – Te Arai Freshwater Management Unit Water Quantity Zones**

## DF1.3.2 Freshwater Limits and Targets

### DF1.3.2.1 Water Quality Limits and Targets

Attribute	Limit	Target
Temperature	Annual summer 1 day hottest day temperatures are $\leq 21$	
Suspended sediment and/or turbidity	Sediment inputs from land use are managed through FEPs and consent conditions to achieve clarity and deposited fine sediment objectives. Numeric limits to be defined when sufficient monitoring data becomes available <sup>11</sup>	To be defined when sufficient monitoring data becomes available <sup>11</sup>
Dissolved Inorganic Nitrogen	DIN inputs from land use are managed through FEPs and consent conditions to achieve the periphyton and MCI objectives. Numeric limits to be defined when sufficient monitoring data becomes available <sup>11</sup>	To be defined when sufficient monitoring data becomes available <sup>11</sup> DIN to be controlled through FEPs and resource consents to achieve MCI objective below Pykes weir by 2030
Dissolved Reactive Phosphorus	DRP inputs from land use are managed through FEPs and consent conditions to achieve the periphyton and MCI objectives. Numeric limits to be defined when sufficient monitoring data becomes available <sup>11</sup>	To be defined when sufficient monitoring data becomes available <sup>11</sup> DRP to be controlled through FEPs and resource consents to achieve MCI objective below Pykes weir by 2030

**Figure DF1.12 – Te Arai Water Quantity Objectives**

<sup>11</sup> It is preferable for the plan to set numeric limits for DIN, DRP suspended sediment, turbidity and river flow as these have impacts on achieving the objectives that have been set. However, at the time of plan preparation there is insufficient data to justify numeric limits that relate to those objectives. Consequently, monitoring and reporting is proposed in the methods to establish appropriate numeric limits by 2025. In the absence of numeric limits the policies and rules of the plan, and in particular the requirement for FEPs, provide mechanisms to achieve the objectives.

### DF1.3.2.2 Water Quantity Limits and Targets

FMU	Water Quantity Zone	Monitoring Location	Minimum Flow A Block	Allocation Cap A Block	Minimum Flow B Block	Allocation Cap B Block
Te Arai	Upper Te Arai	Water supply intake	No minimum flow or allocation caps set at this time. Restricted Discretionary Activity – City Municipal Supply Rule 4.1.9. All other takes Discretionary Activity Rule 4.1.10			
	Lower Te Arai	Pykes Weir	60 l/s	70 l/s	220 l/s	100 l/s
			Reduction Targets: 1. Reduce A block allocation (instantaneous take) to 70l/s by 2020 2. Reduce total annual A block allocation to 164,000m <sup>3</sup> by 2020			

**Figure DF1.13 – Te Arai Water Quantity Limits and Targets**

### DF1.3.2 Methods

1. Council will:
  - a) Keep monitoring DIN, DRP, periphyton, MCI and relevant river flow.
  - b) Report at 3 and 5 years from the date this plan becomes operative including of:
    - i. Periphyton and MCI against numeric plan freshwater objectives;
    - ii. State and trends of DIN and DRP compared to current state as at 2017; and
    - iii. The relationship between DIN, DRP, flow, and FMU-scale landuse all compared to the numeric plan freshwater objectives for periphyton and MCI.
  - c) Review the freshwater objectives and associated limits as part of scheduled plan review in 2025.
2. Council will:
  - a) Keep monitoring visual clarity, deposited fine sediment, suspended sediment, turbidity and relevant river flow.
  - b) Report at 3 and 5 years from the date this plan becomes operative including of:
    - i. Visual clarity and deposited fine sediment against any numeric plan freshwater objectives set for these;
    - ii. State and trends of suspended sediment and turbidity compared to current state as at 2017; and
    - iii. The relationship between suspended sediment, turbidity and FMU-scale landuse all compared to visual clarity and deposited fine sediment.
  - c) Review the freshwater objectives and associated limits as part of scheduled plan review in 2025.
3. Support the development and implementation of Farm Environment Plans to address management of E.coli, nitrogen, phosphorus and sediment levels in the river.
4. Work with Rongowhakaata iwi to establish an improved understanding of the relationship between water quality, quantity and cultural values, which can feed into a review of the Values, Objectives, Limits, Targets and Methods for the Te Arai FMU by 2020
5. Administer Combined Regional Land and District Plan Chapter Six Soil Conservation provisions to manage soil loss and sedimentation. Require planting of all Overlay 3A areas with effective tree cover by 2021.
6. Undertake Waipaoa fish passage enhancement project
7. Undertake Lower Te Arai and Waipaoa inanga spawning enhancement.



8. Set minimum flows and allocation caps in the Upper Te Arai Water Quantity Zone by 2026.
9. Monitor flows along the Te Arai River so as to establish appropriate allocation limits by 2020 to be placed on irrigators in the lower Te Arai based on flow measurements at Pykes Weir.
10. For water take applications within the FMU not from the main Te Arai River, use 90% of MALF of a stream or river to establish additional low flow restrictions on resource consents where there are high ecological values associated with the waterway
11. Council will work with forestry operators to improve their practices to minimise effects on water quality and in particular sedimentation effects and impacts on fish migration and spawning outcomes.
12. Council will respond to reported sightings of nuisance benthic cyanobacteria received by the community and will monitor confirmed problem recreation sites for the percentage cover of the riverbed by benthic cyanobacteria during summer. Council will notify the public health unit if the percentage bed cover is greater than 20% (alert [amber] mode) and will notify both the public health unit and the public directly by website and/or erecting temporary signage if the percentage bed cover is greater than 50% (action [red] mode).

## DF1.4 Poverty Bay Flats Freshwater Management Unit

The Poverty Bay Flats cover over 20,000 hectares of land around the lower Waipaoa River valley. The area receives an annual rainfall of between 650mm and 1640mm and often experiences drought conditions. The majority of this area is covered by recent alluvial soils and constitutes one of the most naturally fertile groups of alluvial soils in the country. The management unit is used intensively for arable farming, market gardening, horticulture and viticulture. Groundwater is important to irrigation on the Poverty Bay Flats as the Waipaoa River is often subject to low flows during summer months as well as high sediment loading following storm events. Sands and gravels deposited during past changes in sea level have formed the main aquifers used for groundwater purposes. The hydrogeology of the Poverty Bay Flats is comprised of five main aquifers with intervening silt layers. These aquifers include Te Hapara sands, Shallow Fluvial Deposits, Waipaoa Gravel Aquifer, Makauri Gravel Aquifer and the Matokitoki Gravel Aquifer. The Makauri Gravel Aquifer is the main source of groundwater used on the flats.

Freshwater Values being Managed For	
Prominent values identified	Other values identified
Water supply	Ecosystem health
Irrigation and food production	Human health (secondary contact)
	Mahinga kai
	Mauri
	Animal drinking water
	Transport and tauranga waka
	Natural form and character

**Figure DF1.14 – Freshwater Values Being Managed For**

### DF1.4.1 Poverty Bay Flats – Freshwater Management zones

Water quantity allocation is a key issue for the region and especially the Waipaoa Catchment. It is predicted that demand will increase in the future and challenge the supply of water resources. This is already happening in the Waipaoa for both surface water and groundwater. National food production targets and experiences from other regions re-iterate the likelihood of increased demand. The Waipaoa catchment accounts for about 90% of current regional demand. In recognition of the importance of sustainably managing the availability of freshwater, the Poverty Bay Flats FMU has been further divided into management zones for both water quantity and quality. These zones reflect differences in the sources of water (both surface and groundwater) as well as key considerations around the impacts of land uses on water quality.

Poverty Bay Flats Water Quantity zones	Poverty Bay Flats Water Quality zones
Waipaoa surface water	Waipaoa
Waipaoa deep aquifers	Taruheru
Waipaoa shallow aquifers	
Taruheru Surface Water	

**Figure DF1.15 – Poverty Bay Flats Water Quantity and Quality Zones**

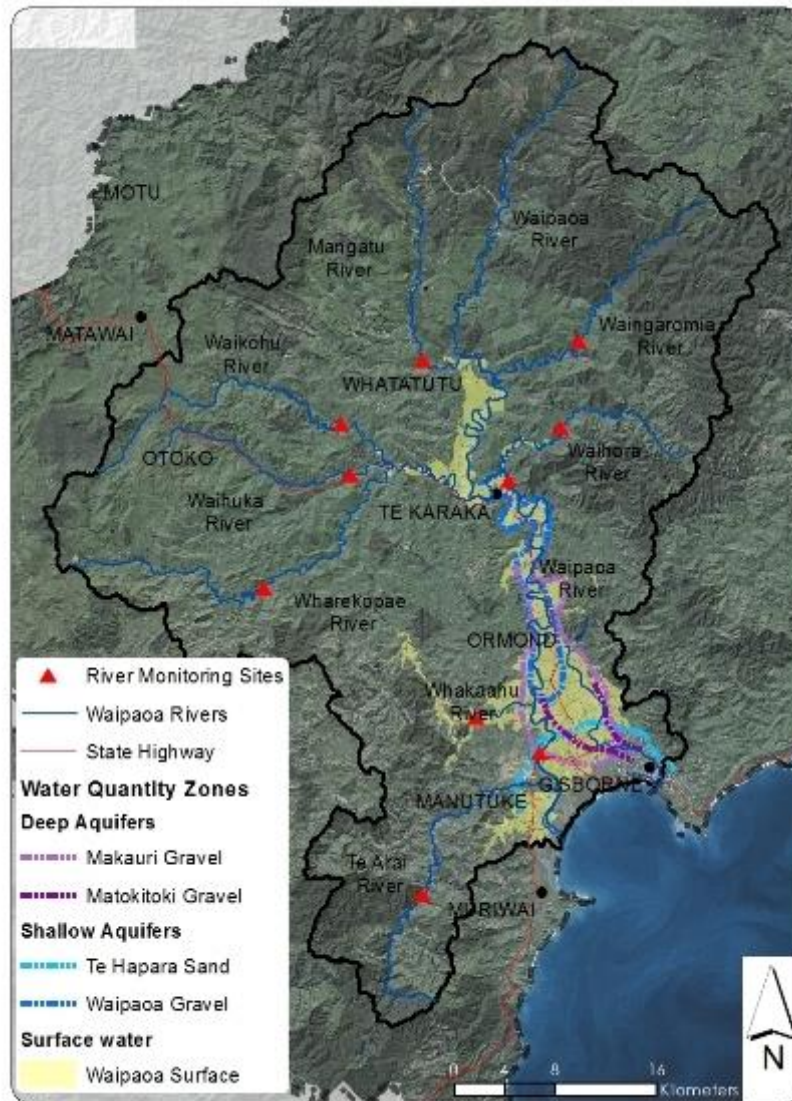


Figure DF1.16 – Poverty Bay Flats Water Quality Zone

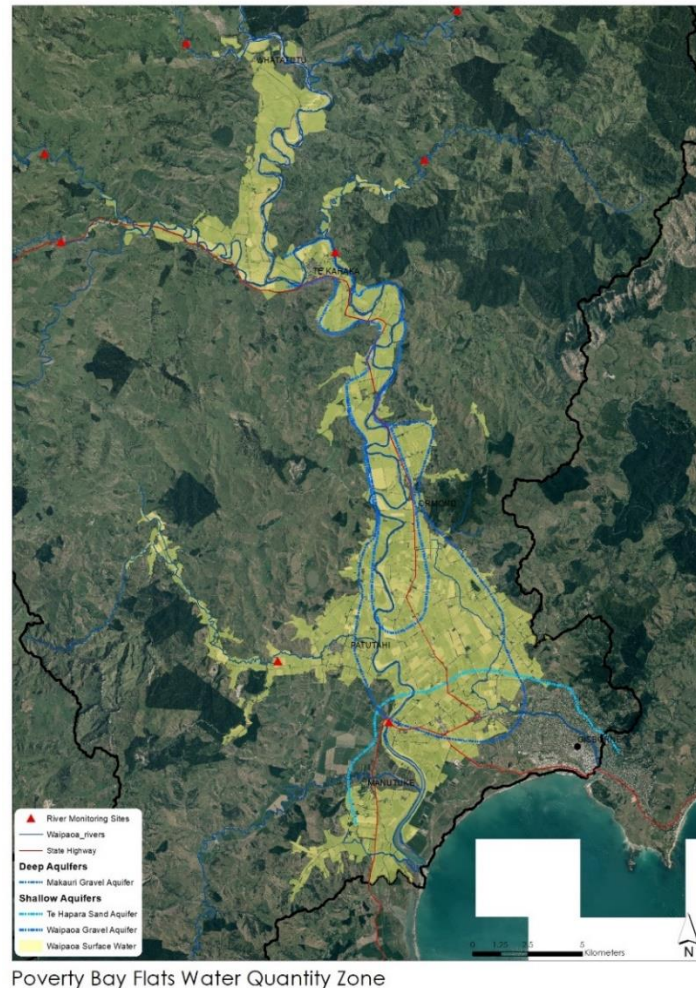


Figure DF1.17 – Poverty Bay Flats Water Quantity Zone

## DF1.4.2 Freshwater Objectives

### DF1.4.2.1 Water Quality Objectives

Attribute	Narrative Objective	Numeric Objective
Periphyton (Trophic State)	Occasional blooms occur reflecting low enrichment and/or alteration of the natural flow regime or habitat. In the Taruheru River and Whakaahu Stream there are periodic short-duration nuisance blooms reflecting moderate nutrient enrichment and/or alteration of the natural flow regime or habitat.	Chlorophyll A $\leq 120\text{mg chl-a/m}^2$ and this is exceeded in no more than 17% of samples based on a monthly monitoring regime over 3 years (B Band – Productive Class). In the Whakaahu Stream and in the Taruheru River upstream of the upper most extent of influence of the salt wedge Chlorophyll A $\leq 200\text{mg chl-a/m}^2$ and this is exceeded in no more than 17% of samples based on a monthly monitoring regime over 3 years (C Band – Productive Class).
Macroinvertebrate Community Index (MCI)	Maintain a healthy macro-invertebrate community	MCI $\geq 80$ upstream of the upper most extent of influence of the tidal salt wedge
Dissolved oxygen –Waipapa Water Quality Zone - <b>INTERIM OBJECTIVE</b>	No stress caused by low dissolved oxygen on any aquatic organisms that are present at reference (near-pristine) sites.	Summer (1 Nov -30 April) DO 1 day minimum $\geq >7.5\text{mg}$ (A Band) based on sampling at least monthly during daylight hours). Summer (1 Nov -30 April) DO 7-day mean minimum $\geq 5.0\text{mg/L}$ , (C Band) the mean value of 7 consecutive daily minimum values based on continuous sensor monitoring for at least one week.

Attribute	Narrative Objective	Numeric Objective
Dissolved oxygen – Taruheru Water Quality Zone - <b>INTERIM OBJECTIVE</b>	Moderate stress on a number of aquatic organisms caused by low dissolved oxygen levels for several hours each day. Risk of sensitive fish and macroinvertebrate species being lost.	Summer (1 Nov -30 April) DO 1 day minimum $\geq 4\text{mg/l}$ (C Band) based on sampling at least monthly during daylight hours) Summer (1 Nov -30 April) DO 7-day mean minimum $\geq 5.0\text{mg/L}$ , (C Band) the mean value of 7 consecutive daily minimum values based on continuous sensor monitoring for at least one week.
Nitrate toxicity – Waipaoa Water Quality Zone	High conservation value system. Unlikely to be toxicity effects on even the most sensitive organisms.	Nitrate Annual median $\leq 1.0\text{mg/L}$ (A Band). Nitrate Annual 95 <sup>th</sup> Percentile $\leq 1.5\text{mg/L}$ (A Band). Both calculated from monthly samples over a 5 year rolling period.
Nitrate toxicity – Taruheru Water Quality Zone	Some growth effect on up to 5% of species.	Nitrate Annual median $\leq 1.0 \text{ mg/L}$ (A Band). Nitrate Annual 95 <sup>th</sup> Percentile $\leq 3.5 \text{ mg/L}$ (B Band). Both calculated from monthly samples over a 5 year rolling period.
Ammonia toxicity –Waipaoa Water Quality Zone	95% species protection level. Starts impacting on the 5% most sensitive species.	Ammonia Annual median $\leq 0.03\text{mg/L NH}_4\text{–N/L}$ (A band). Ammonia Annual Maximum $\leq 0.40 \text{ mg/L NH}_4\text{–N/L}$ . Both calculated from monthly samples over a 5 year rolling period.
Ammonia toxicity – Taruheru Water Quality Zone	95% species protection level. Starts impacting on the 5% most sensitive species.	Ammonia Annual median $\leq 0.24\text{mg/L NH}_4\text{–N/L}$ (B Band). Ammonia Annual maximum $\leq 0.40\text{mg/L NH}_4\text{–N/L}$ (B Band). Both calculated from monthly samples over a 5 year rolling period.
E.coli	People are exposed to a low risk of infection (less than 1% risk) from contact with water during activities with occasional immersion and some ingestion of water (such as wading and boating).	Annual median and 95 <sup>th</sup> percentile $\leq 540 \text{ cfu/100mL}$ (B Band for wading and boating) applies upstream of the upper most extent of influence of the tidal salt wedge. Both calculated from monthly samples over a 5 year rolling period.
Physical habitat	Physical habitat, riparian margins and flow are modified but provide areas for some invertebrates and birds, and for some native fish species to spawn and live. Habitat primarily provides for less sensitive species such as shortfin and longfin eel (tuna) and inanga, including inanga spawning habitat. Other native fish are more likely to move through to the upper reaches where they live, and are able to do so unimpeded by artificial barriers or adverse land use impacts. The retention or restoration of suitable littoral and riparian vegetation can greatly enhance the values of the lowland river reaches for upstream juvenile fish migration and freshwater eel downstream spawning migration.  Fish are able to utilise their full range of habitats, including spawning and	



Attribute	Narrative Objective	Numeric Objective
	migratory habitat, unimpeded by artificial increases in water temperature.	
Clarity	<p>With the exception of the Waipaoa River mainstem, all tributaries have good levels of visual clarity during non-floodflows supporting diverse fish communities including species such as banded kokopu which are intolerant of poor clarity.</p> <p>In the Waipaoa River mainstem (as for its tributaries Waingaromia and Mangatu) improve current water clarity over the long term.</p>	With the exception of the Waipaoa River mainstem, Visual Clarity $\geq 0.5\text{m}$ at times when river flow is less than the median flow.
Fish	A range of generally less sensitive native fish species live in the lowland waterways. The river remains a national stronghold for longfin eel (tuna). The protection or restoration of inanga spawning habitat can provide an important component to the regional whitebait fishery, and the ecological functioning of the Waipaoa, Te Arai and other lowland waterways in Tairāwhiti a Kiwa.	

**Figure DF1.18 – Poverty Bay Flats Water Quantity Objectives**

#### DF1.4.2.2 Water Quantity Objectives

1. Summer low flows in the Waipaoa River provide for a moderate level of ecological health, based on the flow requirements of adult long finned eels.
2. The B block allocation during higher flows provides for water storage and irrigation needs without affecting freshes and flushing flows within the Waipaoa River.
3. The Waipaoa River continues to be both a key source of water for the Gisborne municipal water supply and a major source of water for irrigation uses.
4. Allocations of water made through resource consents in the Poverty Bay Flats reflect the reasonable use test.
5. The Matokitoki and Makauri Aquifers are allocated at a level which does not result in significant decline.
6. The Te Hapara Sands Aquifer is allocated at a level which does not result in salt water intrusion.
7. A survival water allocation block and minimum flow is provided for rootstock of permanent horticultural and viticultural crops.

### DF1.4.3 Freshwater Limits and Targets

#### DF1.4.3.1 Water Quality Limits and Targets

Attribute	Limit	Target
Suspended sediment	Numeric limits to be defined when sufficient monitoring data becomes available <sup>12</sup>	To be defined when sufficient monitoring data becomes available <sup>12</sup>

<sup>12</sup> It is preferable for the plan to set numeric limits for DIN, DRP suspended sediment, and river flow as these have impacts on achieving the objectives that have been set. However, at the time of plan preparation there is insufficient data to justify numeric limits that relate to those objectives. Consequently, monitoring and reporting is proposed in the methods to establish appropriate numeric limits by 2025.

Attribute	Limit	Target
Dissolved Inorganic Nitrogen	Numeric limits to be defined when sufficient monitoring data becomes available <sup>12</sup>	To be defined when sufficient monitoring data becomes available <sup>12</sup>
Dissolved Reactive Phosphorus	Numeric limits to be defined when sufficient monitoring data becomes available <sup>12</sup>	To be defined when sufficient monitoring data becomes available <sup>12</sup>

**Figure DF1.19 – Poverty Bay Flats Freshwater Quality Limits and Targets**

#### DF1.4.3.2 Water Quantity Limits and Targets

Freshwater Management Unit	Water Quantity Zone	Monitoring Location	Minimum Flow – Survival Water Block	Allocation Cap – Survival Water Block	Minimum Flow -A Block	Allocation Cap - A Block	Minimum Flow -B Block	Allocation Cap -B Block
Poverty Bay Flats	Waipaoa surface water	Kanakanaia	1250 l/s	Up to 50 l/s at an application rate not exceeding 20 m <sup>3</sup> /ha/day and subject to a council roster	1300 l/s	2000 l/s	4000 l/s	2000 l/s
			Reduction Targets: 1. Reduce A Block Allocation to 6,267,500 m <sup>3</sup> by 2020 2. Review minimum flows, allocation caps and total allocation in 2025					
	Deep ground-water		N/A	N/A	N/A	No new allocation. Reduce total allocation.	N/A	
			Reduction Targets: 1. Reduce total annual allocation to 1,892,160m <sup>3</sup> by 2020 for the Makauri Aquifer 2. Reduce total annual allocation to 630,720m <sup>3</sup> by 2020 for the Matokitoki Aquifer 3. Reduce total annual allocation to 1,702, 944 m <sup>3</sup> by 2025 for the Makauri Aquifer 4. Reduce total annual allocation to 567,648 m <sup>3</sup> by 2025 for the Matokitoki Aquifer. 5. Review total allocation in 2025.					
	Te Hapara Sands		N/A	N/A	N/A	Cap at existing levels	N/A	N/A
			Reduction Targets: 1. Reduce total allocation to 295,000m <sup>3</sup> by 2020. 2. Review total allocation in 2025.					
	Taruhuru Surface Water		All takes Discretionary Activity Rule C6.1.3(9)					

**Figure DF1.20 – Poverty Bay Flats Freshwater Quantity Limits and Targets**

## DF1.4.4 Methods

1. Council will:
  - a) Keep monitoring DIN, DRP, periphyton, MCI and relevant river flow.
  - b) Report at 3 and 5 years from the date this plan becomes operative including of:
    - i. Periphyton and MCI against numeric plan freshwater objectives;
    - ii. State and trends of DIN and DRP compared to current state as at 2017; and
    - iii. The relationship between DIN, DRP, flow, and FMU-scale landuse all compared to the numeric plan freshwater objectives for periphyton and MCI.
  - c) Review the freshwater objectives and associated limits, with a view to establishing appropriate limits, as part of scheduled plan review in 2025.
2. Council will:
  - a) Keep monitoring visual clarity, deposited fine sediment, suspended sediment, turbidity and relevant river flow.
  - b) Report at 3 and 5 years from the date this plan becomes operative including of:
    - i. Visual clarity and deposited fine sediment against any numeric plan freshwater objectives set for these;
    - ii. State and trends of suspended sediment and turbidity compared to current state as at 2017; and
    - iii. The relationship between suspended sediment, turbidity and FMU-scale landuse all compared to visual clarity and deposited fine sediment.
  - c) Review the freshwater objectives and associated limits, with a view to establishing appropriate limits, as part of scheduled plan review in 2025.
3. Support the development and implementation of Farm Environment Plans to address management of E.coli, nitrogen, phosphorus and sediment levels in the river.
4. Improve physical habitat so that inanga spawning can occur in streams and rivers and that artificial barriers to native fish passage are removed by 2030.
5. Undertake Waipaoa fish passage enhancement non regulatory project
6. Undertake Lower Te Arai and Waipaoa inanga spawning enhancement non regulatory project
7. Undertake Taruheru River restoration non regulatory project
8. For surface water take applications within the FMU not from the main Waipaoa River, use 90% of MALF of a stream or river to establish additional low flow restrictions on resource consents where there are high ecological values associated with the waterway.
9. Review minimum flows, allocation caps and total allocation for all water sources in 2025.
10. Implement monitoring by 2018 in order to review Dissolved Oxygen, DIN, DRP and SS Objectives and Targets by 2025
11. Assess and, where appropriate, undertake Managed Aquifer Recharge trials to determine the suitability of this method to sustainably manage groundwater abstraction.
12. Council will respond to reported sightings of nuisance benthic cyanobacteria received by the community and will monitor confirmed problem recreation sites for the percentage cover of the riverbed by benthic cyanobacteria during summer. Council will notify the public health unit if the percentage bed cover is greater than 20 % (alert [amber] mode) and will notify both the public health unit and the public directly by website and/or erecting temporary signage if the percentage bed cover is greater than 50 % (action [red] mode).



13. GDC will engage with stakeholders in a process supporting the development of a GDC approved groundwater model to support the achievement of the freshwater quantity objectives.
14. In the absence of numeric limits the policies and rules of the plan, and in particular the requirement for FEPs, provide mechanisms to minimise loss of DIN, DRP and suspended sediment from individual properties (through good practice water, nutrient, soil and stock management), and thus contribute to achieving the objectives defined for periphyton, MCI, clarity and deposited fine sediment.
15. Undertake a riparian planting programme to address temperature levels in the river. The programme will, as a priority, target small streams across the Poverty Bay Flats FMU.

## DF1.5 Gisborne Urban Freshwater Management Unit

### DF1.5.1 Introduction

Sometimes known as the City of Rivers, Gisborne is located near the convergence of three different rivers. With the majority of the region's population living and working in the urban environment, the centrality of the city's waterways and people's exposure to them make water quality a critical issue.

The two prominent freshwater bodies within this management unit are the Taruheru River and the Waikanae Stream. These waterways are identified as having important in-stream and indirect amenity values – including swimming, boating and fishing.

The urban environment is distinctive in the way that water is managed. A high proportion of hard surfacing (such as roads, driveways, roofs) carries water to a reticulated stormwater network that discharges to waterways throughout the city. These flows present a different set of challenges to the management of freshwater quality. The establishment of an Urban FMU provides a spatial context for dealing with these challenges.

Freshwater Values being Managed For	
Prominent values identified	Other values identified
Human health (swimming)	Mahinga kai
Fishing	Natural form and character
Transport and tauranga waka	Wai tapu
Ecosystem health	Mauri

Figure DF1.21 – Freshwater values being managed for

## DF1.5.2 Freshwater Objectives

### DF1.5.2.1 Water Quality Objectives

Attribute	Narrative Objective	Numeric Objective
Dissolved oxygen - <b>INTERIM OBJECTIVE</b>	Occasional minor stress on sensitive organisms caused by short periods (a few hours each day) of lower dissolved oxygen. Risk of reduced abundance of sensitive fish and macroinvertebrate species.	Summer (1 Nov -30 April) DO 1 day minimum $\geq 5\text{mg/L}$ , (B Band) based on sampling at least monthly during daylight hours Summer (1 Nov -30 April) DO 7-day mean minimum $\geq 5.0\text{mg/L}$ , (C Band) the mean value of 7 consecutive daily minimum values based on continuous sensor monitoring for at least one week.
	In the Waikanae Stream and Awapuni Moana, moderate stress on a number of aquatic organisms caused by low dissolved oxygen levels for several hours each day. Risk of sensitive fish	Summer (1 Nov -30 April) DO 1 day minimum $\geq 4\text{mg/L}$ (C Band) based on sampling at least monthly during daylight hours Summer (1 Nov -30 April) DO 7-day mean minimum $\geq 5.0\text{mg/L}$ , (C Band) the

Attribute	Narrative Objective	Numeric Objective
	and macroinvertebrate species being lost.	mean value of 7 consecutive daily minimum values based on continuous sensor monitoring for at least one week.
Nitrate toxicity – <b>INTERIM OBJECTIVE</b>	High conservation value system. Unlikely to be toxicity effects on even the most sensitive organisms	Nitrate Annual median $\leq 1.0\text{mg/L}$ (A Band) Nitrate Annual 95th Percentile $\leq 1.5\text{mg/L}$ (A Band) Both calculated from monthly samples over a 5 year rolling period
	In the Awapuni Moana some growth effect on up to 5% of species	Annual median $\leq 2.4\text{mg/L}$ (B Band) Annual 95th Percentile $\leq 3.5\text{mg/L}$ (B Band) Both calculated from monthly samples over a 5 year rolling period
Ammonia toxicity – <b>INTERIM OBJECTIVE</b>	80% species protection level: Starts impacting regularly on the 20% most sensitive species (reduced survival of most sensitive species).	Ammonia Annual median $\leq 1.3\text{mg/L}$ $\text{NH}_4\text{-N/L}$ (C band) Ammonia Annual Maximum $\leq 2.20\text{mg/L}$ $\text{NH}_4\text{-N/L}$ Both calculated from monthly samples over a 5 year rolling period
Enterococci	People are exposed to a low risk of infection (less than 1% risk) from contact with water during activities with occasional immersion and some ingestion of water (such as wading and boating).	Annual median $\leq 280\text{cfu/100mL}$ Annual 95th percentile $\leq 500\text{cfu/100mL}$ Median and 95th percentile values both calculated from monthly samples over a 5 year rolling period
Physical habitat	Physical habitat, riparian margins and flow are modified but provide areas for some invertebrates and birds, and for some native fish species to spawn and live. Habitat primarily provides for less sensitive species such as shortfin and longfin eel (tuna) and inanga, including inanga spawning habitat in the side streams of the Taruheru River and Waikanae Stream.	
Clarity	Moderate levels of visual clarity during normal flows.	Visual Clarity in freshwater streams $\geq 0.5\text{m}$ at times when river flow is less than the median flow.
Fish	A range of generally less sensitive native fish species live in the waterways, as well as estuarine species and marine species which move into the rivers at high tide. The rivers remain a national stronghold for long finned eel (tuna).	
Birds	The estuarine environment supports a range of native wading species, including migratory birds.	

**Figure DF1.22 – Gisborne Urban Water Quality Objectives**

### DF1.5.2.2 Water Quantity Objectives

1. Appropriate flows are maintained to support the use of the waterways for transport and tauranga waka.
2. Sufficient flow and flow variability is maintained to support interaction between freshwater and the coastal environment.

## DF1.5.3 Freshwater Limits and Targets

### DF1.5.3.1 Water Quality Limits and Targets

Attribute	Limit	Target
Temperature	Annual summer 1 day hottest day temperatures are $\leq 21^{\circ}\text{C}$	Improve Taruheru River Waikanae Stream and Awapuni Moana so that 1 day hottest day temperatures are $\leq 21^{\circ}\text{C}$ and to achieve DO objective by 2030
Suspended sediment	Sediment inputs from land use are managed through FEPs and consent conditions to achieve clarity objective Numeric limits to be defined when sufficient monitoring data becomes available <sup>13</sup>	Sediment inputs from land use are managed through rules and resource consents to achieve clarity objective Numeric targets to be defined when sufficient monitoring data becomes available <sup>13</sup>

Figure DF1.23 – Gisborne Urban Water Quality Limits and Targets

### DF1.5.3.2 Water Quantity Limits and Targets

FMU	Water Quantity Zone	Monitoring Location	Minimum Flow A Block	Allocation Cap A Block	Minimum Flow B Block	Allocation Cap B Block
Gisborne Urban	Gisborne Urban		Discretionary Activity – Rule 4.1.10			

Figure DF1.24 – Gisborne Urban Water Quantity Limits and Targets

## DF1.5.4 Methods

1. Council will:
  - a) Keep monitoring visual clarity, deposited fine sediment, suspended sediment, turbidity and relevant river flow.
  - b) Report at 3 and 5 years from the date this plan becomes operative including of:
    - i. Visual clarity and deposited fine sediment against any numeric plan freshwater objectives set for these;
    - ii. State and trends of suspended sediment and turbidity compared to current state as at 2017; and
    - iii. The relationship between suspended sediment, turbidity and FMU-scale landuse all compared to visual clarity and deposited fine sediment.
  - c) Review the freshwater objectives and associated limits as part of scheduled plan review in 2025.

<sup>13</sup> It is preferable for the plan to set numeric limits for DIN, DRP suspended sediment, turbidity and river flow as these have impacts on achieving the objectives that have been set. However, at the time of plan preparation there is insufficient data to justify numeric limits that relate to those objectives. Consequently, monitoring and reporting is proposed in the methods to establish appropriate numeric limits by 2025. In the absence of numeric limits the policies and rules of the plan, and in particular the requirement for FEPs, provide mechanisms to achieve the objectives.

2. Undertake Gisborne urban stormwater management;
3. Undertake Waikanae streamside restoration;
4. Undertake Taruheru River restoration;
5. Undertake Awapuni moana water quality improvement.
6. Implement sufficient monitoring to facilitate a review Dissolved Oxygen, Nitrate toxicity and Ammonia toxicity Objectives, Limits and Targets by 2025
7. Improve physical habitat so that inanga spawning can occur in streams and rivers by 2030.
8. Council will respond to reported sightings of nuisance benthic cyanobacteria received by the community and will monitor confirmed problem recreation sites for the percentage cover of the riverbed by benthic cyanobacteria during summer. Council will notify the public health unit if the percentage bed cover is greater than 20% (alert [amber] mode) and will notify both the public health unit and the public directly by website and/or erecting temporary signage if the percentage bed cover is greater than 50% (action [red] mode).

## DF1.6 Summary of Waipaoa Catchment Plan Objectives, Limits and Targets

### DF1.6.1 Summary of Water Quality Numeric Objectives<sup>14</sup>

	Waipaoa Hill Country FMU	Te Arai FMU	Poverty Bay Flats FMU	Gisborne Urban FMU
Objective Attribute	Numeric Objective	Numeric Objective	Numeric Objective	Numeric Objective
Periphyton (trophic state)	Chlorophyll A $\leq 120\text{mg chl-a/m}^2$ (NOF Band B)	Chlorophyll A $\leq 50\text{mg chl-a/m}^2$ above Pykes Weir (NOF Band A) and $\leq 120\text{mg chl-a/m}^2$ below Pykes Weir (NOF Band B),	Chlorophyll A $\leq 120\text{mg chl-a/m}^2$ (NOF Band B) In the Whakaahu Stream and in the Taruheru River Chlorophyll A $\leq 200\text{mg chl-a/m}^2$ (NOF Band C)	
Macroinvertebrate Community Index (MCI)	MCI $> 100$	MCI $\geq 100$ above Pykes Weir. MCI $\geq 80$ below Pykes Weir	MCI $\geq 80$	
Dissolved Oxygen <b>INTERIM OBJECTIVE</b> (a default position until sufficient monitoring data has been collected to confirm the current state)	Summer 1-day minimum $\geq 7.5\text{mg/L}$ Summer 7-day minimum $\geq 5.0\text{mg/L}$ (NOF Band C)	Summer 1-day minimum $\geq 5\text{mg/L}$ Summer 7-day mean minimum $\geq 5.0\text{mg/L}$ (NOF Band C)	Waipaoa Water Quality Zone Summer 1-day minimum $\geq 7.5\text{mg/L}$ Summer 7-day minimum $\geq 5.0\text{mg/L}$ (NOF Band C)	Summer 1-day minimum $\geq 5\text{mg/L}$ Summer 7-day mean minimum $\geq 5.0\text{mg/L}$ (NOF Band C)
			Taruheru Water Quality Zone Summer 1-day minimum $\geq 4\text{mg/L}$ Summer 7-day minimum $\geq 5.0\text{mg/L}$ (NOF Band C)	In the Waikanae Stream and Awapuni Moana Summer 1-day minimum $\geq 4\text{mg/L}$ Summer 7-day mean minimum $\geq 5.0\text{mg/L}$ (NOF Band C)

<sup>14</sup> This is a summary of the metric however the full objective should be read in the relevant section of the Waipaoa Catchment Plan

Waipaoa Hill Country FMU		Te Arai FMU	Poverty Bay Flats FMU	Gisborne Urban FMU
Objective Attribute	Numeric Objective	Numeric Objective	Numeric Objective	Numeric Objective
Ecosystem toxicity - nitrate	Annual median ≤1.0mg/L Annual 95 <sup>th</sup> Percentile ≤1.5mg/L (NOF Band A)	Annual median ≤1.0mg/L Annual 95 <sup>th</sup> Percentile ≤1.5mg/L (NOF Band A)	Waipaoa Water Quality Zone Annual median ≤1.0mg/L Annual 95 <sup>th</sup> Percentile ≤1.5mg/L (NOF Band A)	Annual median ≤1.0mg/L Annual 95 <sup>th</sup> Percentile ≤1.5mg/L (NOF Band A)
			Taruheru Water Quality Zone Annual median ≤ 1.0 mg/L Annual 95 <sup>th</sup> Percentile ≤3.5 mg/L (NOF Band B)	Awapuni Moana Annual median ≤2.4mg/L Annual 95 <sup>th</sup> Percentile ≤3.5mg/L (NOF Band B)
Ecosystem toxicity - ammonia	Annual median ≤0.03mg/L NH <sub>4</sub> –N/L Annual Maximum ≤0.05 mg/L NH <sub>4</sub> –N/L (NOF Band A)	Annual median ≤0.03mg/L NH <sub>4</sub> –N/L Annual Maximum ≤0.05 mg/L NH <sub>4</sub> –N/L (NOF Band A)	Waipaoa Water Quality Zone Annual median ≤0.03mg/L NH <sub>4</sub> –N/L Annual Maximum ≤0.40 mg/L NH <sub>4</sub> –N/L (NOF Band B)	Annual median ≤1.3mg/L NH <sub>4</sub> –N/L Annual Maximum ≤2.20 mg/L NH <sub>4</sub> –N/L (NOF Band C)
			Taruheru Water Quality Zone Annual median ≤0.24mg/L NH <sub>4</sub> –N/L Annual Maximum ≤0.40 mg/L NH <sub>4</sub> –N/L (NOF Band B)	
E.coli	Annual median and 95th percentile ≤ 260 cfu/100mL (NOF Band A)	Annual median and 95th percentile ≤ 540 cfu/100mL (NOF Band B)	Annual median and 95th percentile ≤ 540 cfu/100mL (NOF Band B)	N/A
	In the Wharekopae River Annual median ≤ 260 cfu/100mL and Annual 95th Percentile ≤540 cfu/100mL (NOF Band B)			
Enterococci	N/A			Annual median ≤ 280 cfu/100mL

Waipaoa Hill Country FMU		Te Arai FMU	Poverty Bay Flats FMU	Gisborne Urban FMU
Objective Attribute	Numeric Objective	Numeric Objective	Numeric Objective	Numeric Objective
				Annual 95th percentile $\leq$ 500 cfu/100mL
Clarity	With the exception of the Waingaromia, Upper Waipaoa and Mangatu Rivers, visual clarity $\geq$ 0.5m at less than median flows	Visual clarity $\geq$ 0.5m at less than median flows	Except for the Waipaoa River main stem visual clarity $\geq$ 0.5m at less than median flows	Visual Clarity in freshwater streams $\geq$ 0.5m at less than median flows
Physical Habitat	Narrative Objective	Narrative Objective	Narrative Objective	Narrative Objective
Deposited fine sediment	No numeric objective set at this time	No numeric objective set at this time	No numeric or narrative objective set at this time	
Fish	Narrative Objective	Narrative Objective	Narrative Objective	Narrative Objective
Birds	Narrative Objective	Narrative Objective		Narrative Objective

**Figure DF1.25 –Summary of Numeric Objectives**

## DF1.6.2 Summary of Water Quality Limits and Targets

Limit Attributes	Objective to be achieved	Waipaoa Hill Country FMU		Te Arai FMU		Poverty Bay Flats FMU		Gisborne Urban FMU		Matters to control to achieve targets
		Numeric Limits	Targets	Numeric Limits	Targets	Numeric Limits	Targets	Numeric Limits	Targets	
Temperature	Physical habitat Fish DO	Annual summer 1 day hottest day temperature ≤ 21°C	In the Waingaromia River temperature limit achieved by 2030	Annual summer 1 day hottest day temperature ≤ 21°C		Annual summer 1 day hottest day temperature ≤ 25°C		Annual summer 1 day hottest day temperature ≤ 21°C	Improve Taruheru River Waikanae Stream and Awapuni Moana so that 1 day hottest day temperatures are ≤ 21°C and to achieve DO objective by 2030	Riparian cover
Suspended sediment and/or turbidity	Physical habitat Clarity Deposited fine sediment Fish Birds	No numeric limit set at this time	Improve the median suspended sediment levels in the Waingaromia, Upper Waipaoa and Mangatu Rivers by 2067	No numeric limit set at this time		No numeric limit set at this time		No numeric limit set at this time	No numeric limit set at this time	Controlled through Tairāwhiti Plan Land Disturbance Controls, FEPs and resource consents.
Dissolved Inorganic Nitrogen (DIN)	Periphyton MCI DO Nitrate toxicity Ammonia toxicity Physical habitat Fish Birds	No numeric limit set at this time	Achieve periphyton objective in Waingaromia Catchment by 2030 and MCI objective in both the Waingaromia and Mangatu Rivers by 2030	No numeric limit set at this time	DIN to be controlled through FEPs and resource consents to achieve MCI objective below Pykes weir by 2030	No numeric limit set at this time	DIN to be controlled through FEPs and resource consents to achieve MCI objective by 2035 and periphyton, DO, nitrate toxicity and ammonia	N/A		Controlled through nutrient budgets in FEPs and resource consents



Limit Attributes	Objective to be achieved	Waipaoa Hill Country FMU		Te Arai FMU		Poverty Bay Flats FMU		Gisborne Urban FMU		Matters to control to achieve targets
		Numeric Limits	Targets	Numeric Limits	Targets	Numeric Limits	Targets	Numeric Limits	Targets	
							toxicity objectives in the Taruheru River by 2035			
Dissolved Reactive Phosphorus (DRP)	Periphyton MCI DO Physical habitat Fish Birds	No numeric limit set at this time	DRP to be controlled to achieve periphyton objective in Waingaromia Catchment by 2030 and MCI objective in both the Waingaromia and Mangatu Rivers by 2030	No numeric limit set at this time	DRP to be controlled to achieve MCI objective below Pykes weir by 2030	No numeric limit set at this time	DRP to be controlled to achieve MCI objective by 2035, the periphyton objective in the Whakaahu and Taruheru by 2035 and the DO and nitrate toxicity objectives in the Taruheru River by 2035	N/A		Controlled through nutrient budgets in FEPs and resource consents

**Figure DF1.26 –Summary of Water Quality Limits and Targets**

**Note:** Whilst no numeric Limits/ Targets are set to achieve the E.coli and Enterococci objectives, they will be achieved through policies and rules that control stock access to waterways, riparian management and point source discharges of wastewater, stormwater and other contaminants alongside the non-regulatory projects identified in the Plan

### DF1.6.3 Summary of Water Quantity Limits and Targets

Freshwater Management Unit	Water Quantity Zone	Monitoring Location	Minimum Flow - A Block	Allocation Cap- A Block	Minimum Flow - B Block	Allocation Cap - B Block
Poverty Bay Flats	Waipaoa surface water	Kanakanaia	1300 l/s	2000 l/s	4000 l/s	2000 l/s
			Reduction Targets: 1. Reduce A Block Allocation to 6,267,500 m³ by 2020 2. Review minimum flows, allocation caps and total allocation in 2025			
			Root stock survival allocation for permanent horticultural and viticultural crops at an application rate not exceeding 20 m³/ha/day	Up to 50 L/s, not subject to minimum flows, but subject to a Council roster.		
	Deep groundwater		N/A	No new allocation. Reduce total allocation.	N/A	N/A
			Reduction Targets: 1. Reduce total annual allocation to 1,892,160m³ by 2020 for the Makauri Aquifer 2. Reduce total annual allocation to 630,720m³ by 2020 for the Matokitoki Aquifer 3. Reduce total annual allocation to 1,702, 944 m³ by 2025 for the Makauri Aquifer 4. Reduce total annual allocation to 567,648 m³ by 2025 for the Matokitoki Aquifer. 5. Review total allocation in 2025			
	Te Hapara Sands		N/A	Cap at existing levels	N/A	N/A
Reduction Targets: 1. Reduce total allocation to 295,000m³ by 2020. 2. Review total allocation in 2025						
	Taruhuru Surface Wate		Discretionary Activity - Rule C6.1.3(9)			
Waipaoa Hill Country	Waipaoa Hill Country	Kanakanaia	No A block. Permitted Takes only. Discretionary Activity - Rule C6.1.3(9)		4000 L/s	2000 L/s
Te Arai	Upper Te Arai	Water supply intake	Restricted Discretionary Activity – City Municipal Supply – Rule C6.1.3(8) All other takes Discretionary Activity – Rule C6.1.3(9)			
	Lower Te Arai	Pykes Weir	60 L/s	70 L/s	220 L/s	100 L/s
			Reduction Targets: 1. Reduce A block allocation (instantaneous take) to 70 L/s by 2020 2. Reduce total annual A block allocation to 164,000m³ by 2020 Review minimum flows, allocation caps and total allocation in 2020			

Figure DF1.27 – Summary of Water Quantity Limits

## DF1.7 Non Regulatory Projects

Issue	<b>Water quality in the Urban Freshwater Management Unit does not reliably provide for the freshwater values found in the Taruheru River and Waikanae Stream. Council needs to better understand how much of an impact urban stormwater discharges are having on these waterbodies and, where necessary, what tools are available to mitigate the effects of discharges on them.</b>
Outcome	Urban stormwater discharges are better understood and methods are implemented to reduce the adverse effects on freshwater values.
Output	A monitoring report helps us understand the extent to which urban stormwater discharges are having an effect on freshwater values. Gisborne's existing urban stormwater infrastructure is modified where feasible to include alternative treatment devices that reduce the impacts of stormwater discharges on water quality.
Who	Council Engineering and Planning teams. Environmental monitoring and research consultants. Construction / engineering contractors or Council engineers.
Links to Policy	C6.2 Water Quality and Discharges to Land and Water
Project Scope	Council planning and engineering staff to initiate project by identifying gaps in monitoring and research. Review and evaluation of the monitoring results. Research to identify management and mitigation options for improving urban stormwater in priority locations. Develop or apply a sustainability indexing system (NIWA) which integrates the measurement of environmental, social, economic and cultural impacts and allow planners to consider these impacts holistically. Consider updating the Engineering Code of Practice for Council and new developments.
When	The freshwater values identified in the Taruheru are provided for by 2030.

**Figure DF1.28 – Project One: Gisborne Urban Stormwater Management**

<b>Issue</b>	<p><b>Waikanae Stream is identified as being significant for ecosystem health, secondary contact and mahinga kai values. Historical and contemporary sources of contamination from the surrounding urban area have led to a significant reduction in water quality to the point where these values are no longer adequately provided for.</b></p> <p><b>Council identifies the continuation of streamside native revegetation as a small but important tool in restoring the mauri of Waikanae Stream.</b></p>
<b>Outcome</b>	<p>Habitat conditions, water quality and streamside amenity in the Waikanae Stream continue to improve.</p> <p>The mauri of Waikanae Stream is improved.</p>
<b>Output</b>	Native revegetation to the Waikanae Stream and ongoing maintenance to the riparian margin occurs where opportunities for this activity allow
<b>Who</b>	<p>Local iwi</p> <p>Council staff</p> <p>Department of Conservation</p> <p>Community groups</p> <p>Environmental groups</p>
<b>Links to Policy</b>	C6.2 Water Quality and Discharges to Water and Land; C6.3 Activities in the Beds of Lakes and Rivers.
<b>Project Scope</b>	<p>Liaise with other care groups and organisations to identify opportunities for collaboration and implementation.</p> <p>Support continuing volunteer efforts in streamside restoration.</p> <p>Promote environmental education programmes/initiatives to raise community awareness of the significance of the water through the Waikanae restoration project.</p> <p>Promote the development of a catchment biodiversity strategy that integrates Waikanae as a potential habitat corridor.</p> <p>Investigate and remediate where possible historic landfill sites adjacent to the Waikanae Stream.</p>
<b>When</b>	The freshwater values associated with the Waikanae Stream are provided for by 2025.
<b>Monitoring and review</b>	Undertake a review of the current ecological condition of Waikanae Stream to provide an environmental baseline for future monitoring and evaluating the success of further streamside restoration.

**Figure DF1.29 – Project Two: Waikanae Streamside Restoration**

<b>Issue</b>	<b>Of the 14 native freshwater fish identified in the Gisborne region, 12 are diadromous, undergoing migrations between fresh and salt water as a necessary part of their lifecycle. The Department of Conservation has identified a number of in-stream structures that present barriers to fish passage in the Waipaoa Catchment. These prevent native fish from undertaking migration and can severely disrupt life cycle completion and potentially lead to local extinctions.</b>
<b>Outcome</b>	Native fish are able to migrate up the streams and rivers of the Waipaoa Catchment without any major physical impediment to their movement.
<b>Output</b>	Removal of major physical barriers to native fish passage in the Waipaoa Catchment.
<b>Who</b>	Gisborne District Council. Department of Conservation (DOC). Environmental representatives. Local iwi. Community groups.
<b>Links to Policy</b>	Section C6 Activities in the Beds of Lakes and Rivers
<b>Project Scope</b>	Establish a project team of key stakeholders to work through the identified barriers and prioritise implementation works according to DoC recommendations as well as the ecological importance of each water body and cost of implementation and achievability. Identify the most efficient, cost effective mitigation options for each barrier. Undertake mitigation works based on the options selected. Produce and distribute a pamphlet detailing the best practicable options for the installation and siting of culverts in rural areas and identify where landowners can seek further advice. Continue periodic maintenance of structures and alterations or modifications where necessary.
<b>When</b>	All major barriers to fish passage within the Waipaoa Catchment to have received treatment by 2025.
<b>Monitoring and review</b>	Commission the monitoring and assessment of fish species numbers and range to evaluate effectiveness of project and identify any further limitations to fish passage that need to be addressed.

**Figure DF1.30 – Project Three: Waipaoa Fish Passage Enhancement**

<b>Issue</b>	<b>The lower Waipaoa area is important for inanga spawning and its function needs to be protected and enhanced. Highest inanga numbers are associated with riparian margins that have cover such as overhanging vegetation or macrophyte beds.</b>
<b>Outcome</b>	Inanga are able to successfully spawn in the lower reaches of Te Arai and Lower Waipaoa sub-catchments.
<b>Output</b>	Planting of the riparian margins with locally sourced native vegetation that provides the habitat conditions suitable to inanga spawning.
<b>Who</b>	Council staff. Local iwi. Environmental representatives. Community groups. Land owners affected.
<b>Links to Policy</b>	Section C9.3 Riparian Management Areas, Wetlands
<b>Project Scope</b>	Establish a working group comprised of key stakeholders to initiate project, define scope and develop a project implementation plan. Promote and encourage community involvement in revegetation and maintenance works. Help landowners with advice and financial/project management assistance to carry out enhancement work. Increase public awareness about the importance of habitat for inanga spawning through Council media and other communications initiatives.
<b>When</b>	Initial scoping and recommendations to be completed by 2016. Recommended actions and costs to be put to Council for endorsement by 2016-2017. Progressive implementation over recommended timeframes.
<b>Monitoring and review</b>	Ongoing habitat monitoring to identify any trends in numbers and spawning activity of inanga and to report back on effectiveness of implementation programme.

**Figure DF1.31 – Project Four: Lower Te Arai and Waipaoa Inanga Spawning Enhancement**

Issue	<b>Water quality in the Taruheru River is considered degraded for several freshwater indicators both in its mid-reaches as it crosses the Poverty Bay Flats as well as further downstream where it passes through Gisborne's urban environment. In its current state, it does not adequately provide for Taruheru freshwater values.</b>
Project Outcome	All freshwater values associated with the Taruheru River are adequately provided for.
Project Output	Nutrient and pathogen levels are reduced for the Taruheru River so they fall within acceptable banding levels for swimming in the National Objectives Framework.  Research contributes to a better understanding of how land uses on the Poverty Bay Flats contribute toward nutrient loading in the Taruheru River.
Who	Council staff.  Local iwi.  Environmental representatives.  Land owners within the Taruheru water quality management zone.
Links to Policy	Section C6.2 Water Quality and Discharges to Water and Land.
Project scope	Council staff to collaborate with key stakeholders to develop scope of work, identify gaps in research and understanding. Undertake research to identify sources and mechanisms of nutrient transport for contaminants into the Taruheru. Promote and encourage the establishment of community based revegetation projects. Encourage the development and implementation of industry-based best management practices on the Poverty Bay Flats. Implement appropriate riparian management practices in areas under the management or ownership of the Council which are adjacent to water bodies. Identify the costs and benefits of different nutrient management and reduction methods. Determine if regulatory measures are necessary to control the discharge of contaminants from land use activities in the Taruheru water quality management zone.
When	All water quality monitoring attributes to sit within acceptable banding of the National Objectives Framework by 2035.
Monitoring and review	Regular water quality monitoring and state of the environment reports to identify trends in all water quality indicators.

**Figure DF1.32– Project Five: Taruheru River Restoration**

<b>Issue</b>	<b>Rere Rockslide and Falls are both valued highly for their amenity values. Elevated E. coli levels often make these sites unsuitable for contact recreation during summer.</b>
<b>Outcome</b>	People are able to swim safely at Rere Rockslide and Falls during the swimming season.
<b>Output</b>	E. coli levels at Rere Rockslide and Rere Falls are brought within acceptable levels for contact recreation under the National Objectives Framework.
<b>Who</b>	Gisborne District Council Landowners with property adjacent to the Wharekopae River upstream of Rere Falls.
<b>Links to Policy</b>	Section C6.2 Water Quality and Discharges to Water and Land; Section C6.3 Activities in the Beds of Lakes and Rivers.
<b>Project scope</b>	Research to establish a better link between sources of E. coli contamination and their spatial extent. Development and implementation of a pest management strategy for the Wharekopae River. Collaborative work undertaken with farmers to deliver actions on a farm-by-farm basis. Council to provide contestable funds for environmental and ecological protection and restoration activities. Encourage the use of farm nutrient budgets where practicable, and provide support material and workshops on the use of farm nutrient budgets. Monitor the effectiveness of the protection and enhancement works in achieving improved water quality within the sub-catchment. The method will include publicity to increase public awareness about the importance of the river. Integrate soil conservation works with land protection for other purposes by consulting with Council's Soil Conservation Team.
<b>When</b>	Investigation and potential recommendations to be completed by 2016. Recommended actions and costs to be put to Council for endorsement by 2016-2017. Progressive implementation over recommended timeframes.
<b>Monitoring and review</b>	Falls and Rockslide to continue to be monitored for E.coli in order to track changes in levels.

**Figure DF1.33 – Project Six: Rere Falls and Rockslide Water Quality Enhancement**



<b>Issue</b>	<b>Poor water quality in the Awapuni lagoon area has adversely affected the mauri of the water and ability for local iwi to harvest mahinga kai from the area. Monitoring data indicate poor water quality in several of the attributes measured for including chlorophyll a, dissolved oxygen and phosphates.</b>
<b>Outcome</b>	Mahinga kai are able to be harvested for safe consumption and the mauri of the Awapuni lagoon area is improved.
<b>Output</b>	Water quality is improved as measured by key water quality indicators.
<b>Who</b>	Council staff. Local iwi. Environmental representatives and community groups. Land owners affected.
<b>Links to Policy</b>	Section C6.2 Water Quality and Discharges to Water and Land; Section C6.3 Activities in the Beds of Lakes and Rivers.
<b>Project scope</b>	<p>Council staff to collaborate with key stakeholders to develop scope of work, identify gaps in research and understanding.</p> <p>Investigate the effects of discharges of water from the landfill on the water quality of the receiving environment, where adverse environmental effects are evident and such investigations are necessary.</p> <p>Promote and encourage the establishment of community based care groups through the provision of technical advice, administrative assistance, approved works assistance and assistance in the development of management plans.</p> <p>Council funding to support riparian land management works agreed to between the Council and the landowner, in accordance with the following criteria:</p> <ol style="list-style-type: none"> <li>1. the works provide or assist in providing improved downstream water quality;</li> <li>2. the works are carried out only on properties where adverse water quality effects arising from land use practices on adjacent land are identified and, where necessary, are avoided, remedied or mitigated by the property owner or manager;</li> <li>3. the property manager or owner carries out any maintenance or repair works.</li> </ol>
<b>When</b>	Investigation and potential recommendations to be completed by 2016. Recommended actions and costs to be put to Council for endorsement by 2016-2017. Progressive implementation over recommended timeframes.
<b>Monitoring and review</b>	Regular water quality monitoring and state of the environment reports to identify trends in water quality and potential sources of contamination.

**Figure DF1.34 – Project Seven: Awapuni Lagoon Water Quality Improvement**

<b>Issue</b>	<b>The decline in water quantity in the Makauri Aquifer threatens the long term sustainability of the water resource.</b>
Outcome	The Makauri Aquifer is a long term source of freshwater for economic and environmental uses.
Output	Makauri aquifer levels stabilise in monitoring bores.
Who	Council staff, iwi, water users and landowners affected.
Links to Policy	Section C6.1 Water Quantity and Allocation.
Project Scope	Council to lead the development of a trial pilot managed aquifer recharge, undertake monitoring and identify gaps in research and understanding. IF the pilot is successful, work with stakeholders to scope a full MAR project.
When	Investigation, pilot and monitoring to be undertaken over 2015-2017.
Monitoring and review	Static water levels and water quality monitoring before, during and after the pilot to identify if the approach is an appropriate and environmentally safe method to increase the water levels in the aquifer.

**Figure DF1.35 – Project Eight: Managed Aquifer Recharge Pilot (MAR)**

Issue	<b>Temperature and periphyton levels in the Waingaromia River are elevated and affecting aquatic ecosystem health.</b>
Outcome	Aquatic ecosystem health values are improved in the Waingaromia River
Output	Periphyton and temperature levels improve in the river so that Freshwater Objectives are met.
Who	Council staff, iwi, water users and landowners affected.
Links to Policy	Section C6.2 Water Quality and Discharges to Water and Land; Section C6.3 - Activities in the Beds of Lakes and Rivers.
Project Scope	<p>Council staff to collaborate with key stakeholders to develop scope of work, identify gaps in research and understanding.</p> <p>Investigate the relationship between temperature, periphyton and riparian vegetation on the water quality and aquatic ecosystem health of the river. Promote and encourage the establishment of community based care groups through the provision of technical advice, administrative assistance, approved works assistance and assistance in the development of management plans.</p> <p>Council funding to support riparian land management works agreed to between the Council and the landowner, in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>i. the works provide or assist in providing improved downstream water quality;</li> <li>ii. the works are carried out only on properties where adverse water quality effects arising from land use practices on adjacent land are identified and, where necessary, are avoided, remedied or mitigated by the property owner or manager;</li> <li>iii. the property manager or owner carries out any maintenance or repair works.</li> </ul>
When	The freshwater values in the Waingaromia are provided for by 2025.
Monitoring and review	Regular water quality monitoring and state of the environment reports to identify trends in water quality and state of aquatic ecosystem health

**Figure DF1.36 – Project Nine: Waingaromia Riparian Restoration**

<b>Issue</b>	<b>Forestry harvest and post harvest instability can cause large amounts of sediment and woody debris to enter streams and rivers, causing significant impacts on aquatic ecosystems, private and community infrastructure</b>
<b>Outcome</b>	Effective pre and post harvest mitigation measures are put in place around forestry harvest so that significant adverse effects are avoided, remedied or mitigated
<b>Output</b>	Aquatic ecosystem health and infrastructure values are maintained despite forestry harvest in the catchment
<b>Who</b>	Forestry companies and contractors, Eastland Wood Council, Council staff, iwi and landowners affected.
<b>Links to Policy</b>	Section C6.2 Water Quality and Discharges to Water and Land; Section C6.3 - Activities in the Beds of Lakes and Rivers.
<b>Project Scope</b>	Work with the forestry sector to identify key methods to reduce sediment loss and forestry slash migration into waterways during and post harvest. This will include research and field trials of different operating methods and riparian buffers in order to develop and implement good practice guidelines for the sector.
<b>When</b>	To be undertaken from 2018 with implementation of improved approaches from 2020.
<b>Monitoring and review</b>	Regular water quality monitoring and state of the environment reports to identify trends in water quality and state of aquatic ecosystem health

**Figure DF1.37 – Project Ten: Forestry Harvest Mitigation Project**

# DD1 RESIDENTIAL ZONES

The provisions of DD1 are district plan provisions.



District Plan

Part DD1 is operative.

## DD1.1 Residential Zones – Introduction

Residential activities within both the Gisborne urban and township areas are a major land use. Thus effective management of the residential environment would significantly influence the sustainable management of the district's resources. In addition, areas within the Residential Lifestyle zones need to be carefully managed in terms of integration with surrounding areas and management of environmental effects.

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

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

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

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

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

The Residential Lifestyle zone provides for lots which are designed to provide for large residential lifestyle or house sites located adjacent to existing urban areas.

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

## DD1.2 Issues

1. Individuals and communities within the district have varied housing needs and aspirations, which may conflict with each other and the sustainable management of resources.
2. The location, density and type of buildings, signage, traffic and noise may have adverse environmental effects on the amenity values of residential areas.

3. Compromise of the use and enjoyment of individual properties as a consequence of on-site and neighbouring development which may adversely affect amenity values such as access to daylight, openness and peacefulness.
4. Buildings and sites of local, regional or national interest for architectural, historical, cultural or particular amenity reasons are at risk from subdivision and redevelopment.
5. Urban sprawl will reduce the potential productive values of high quality soils.
6. New development which increases the density of settlement within the Gisborne urban area could lead to an overload of the existing service infrastructure – particularly stormwater collection – which presently operates at or near capacity in some areas which may lead to contamination of land and/or waterways.
7. Advances in wastewater treatment systems will enable denser settlement in non-reticulated areas and may lead to a loss of the environmental openness and pleasantness that presently characterises such settlements.
8. The pattern of development in residential areas may not promote resource efficiency, energy efficiency or a high level of amenity values.

## DD1.3 Objectives

### DD1.3.1 Residential Styles Objective

1. Enable a diversity of residential styles based on the differing characteristics of areas within the district, and the varied housing needs of the community.

### DD1.3.2 Amenity Values Objective

1. Maintain or enhance residential amenity values.

### DD1.3.3 Protection of Values Objective

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

### DD1.3.4 Location and Density Objective

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

### DD1.3.5 Non-reticulated Areas Objective

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

#### **Principal reasons:**

- **Residential styles 1:** Flexibility in the design and location of residential developments can lead to an interesting and attractive street scene, while also meeting the varied needs of the community.
- **Amenity values 1:** Within the district there are townships, suburbs and neighbourhoods with differing physical characters. The objective seeks to protect the residential amenity values of the various residential communities within the district. The amenity values of the surrounding area may also be taken into account.
- **Protection of values 1:** Buildings and sites of architectural, historical or particular amenity value contribute to the amenity of the residential environment and may require protection from activities that may diminish or destroy this value.
- **Location and density 1:** In order to sustain the natural and physical resources of the residential environment, it is important that the Plan enable the efficient use and preservation of these resources, so as not to impose unfair costs on future generations.

- **Non-reticulated areas 1:** To ensure that effluent and other wastewater is disposed of in a way that has no adverse effect on the environment.

## DD1.4 Policies

### DD1.4.1 Residential Styles Policy

1. Provide for flexibility in site development and building design provided that:
  - a) the development integrates the design of residential units and any subdivision of the site;
  - b) the development presents a high standard of on-site and off-site amenity;
  - c) the development avoids, remedies or mitigates any adverse effect on the amenity values of neighbouring sites;
  - d) the development is designed with regard to the character of the area;
  - e) the cumulative effects of such developments do not fundamentally change the character of the area;
  - f) the development does not compromise the effectiveness of urban infrastructure services.

### DD1.4.2 Amenity Values Policies

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

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

### **DD1.4.3 Protection of Values Policies**

1. Manage activities on sites of architectural, historical, or particular amenity value, to ensure that any activities – particularly construction, additions or alterations to buildings on sites in the Residential Protection zone – will maintain or enhance the significant features or values.
2. Encourage the re-use of identified buildings, to enable their protection and enhancement, provided the activity does not diminish the significance of the site nor adversely affect the residential environment.



#### DD1.4.4 Location and Density Policies

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

#### DD1.4.5 Non-reticulated Areas Policies

1. Ensure that the amenity values – particularly spaciousness and lower density of development, attributed to non-reticulated areas – are not adversely affected by any activity.

##### **Principal reasons:**

- **Residential styles 1:** The policy recognises that different built forms and layouts may be appropriate. It signals that other approaches will be considered and that they will be judged on their individual merits, and the quality and standard of the environment they provide. The policy does not provide for the creation of sites which are below the minimum area specified in the Plan, unless such proposals are accompanied by a proposal for the residential development of the site. Departure from the rules in the Plan depends on consideration of the effects of a specific development proposal on a specific site. The primary considerations will be the living environment provided and any impacts on the amenity of the area, including adjoining development.
- **Amenity 1:** The community values highly the amenity of the various residential environments within the district, whilst also wishing to ensure that the use and development of properties is not unduly restricted, the test being whether the activity will adversely affect the environment.
- **Amenity 2:** Traffic on roads – both moving and stationary – can have a major impact on the amenity of residential areas. The policy is intended to protect the amenity of residential areas from the potential adverse effects of traffic.
- **Amenity 3:** Noise is a particularly important residential amenity consideration. The policy will ensure that specific measures are implemented to minimise the potential effect of noise created by activities in residential areas.
- **Amenity 4:** Activities shall be permitted to establish in residential areas, provided the existing amenity of the surrounding area is maintained or improved by the presence of the activity.
- **Amenity 5:** The policy seeks to ensure that future development is not permitted at the expense of valued amenities such as privacy and access to daylight.
- **Amenity 6:** The community has indicated that the city centre should be consolidated and sustained as an important focus for the community. Provision is made for individuals to work from home. Any other non-residential activity would have to demonstrate that the activity located in the residential zone will not adversely affect the viability and vitality of the city centre.
- **Amenity 7:** Multi-unit housing and infill-housing developments – along with non-residential buildings and structures – have the ability to alter the character of an area, in terms of density, siting and style of structures. It is the intention of the policy to ensure that new development enhances the residential amenity.
- **Amenity 8:** The policy recognises the changing nature of this area of Awapuni Road. The rules attached to the Inner Residential zoning will protect the residential amenity values and this policy will ensure that appropriate non-residential activities will also be enabled to co-exist, as appropriate.
- **Amenity 9:** The Residential Lifestyle zone acknowledges that some areas may be suitable for residential development but not at the subdivision or development density authorised under the General Residential zone.

- **Protection of values 1:** The policy will ensure that activities conducted on sites of residential significance will not diminish or destroy the acknowledged features or value as these are significant.
- **Protection of values 2:** The policy seeks to enable existing buildings in the Residential Protection zone to be re-used, especially large homes which may no longer be in demand as a private residence.
- **Protection of values 1 and 2:** Such residential sites are a scarce resource within the district. It is considered important that they be protected or enhanced for the benefit of future generations.
- **Location and density 1:** The policy will ensure that the capacity of the infrastructure system as a whole to function is not compromised by the desires of individuals. A coordinated approach will be adopted in determining the location of future residential development within the region.
- **Location and density 2:** By limiting development according to the capacity of the stormwater system in particular areas, the functioning of the system as a whole is protected. This will avoid any adverse effect on the environment which would result from the failure of the stormwater system.
- **Location and density 3:** Fringe residential areas are at risk from the adverse effects of incompatible commercial and industrial activities located adjacent zones.
- **Non-reticulated areas 1:** The Plan will limit the density of development in non-reticulated areas of the district as consultation has indicated that the absence of dense development and the openness and spaciousness of these areas are valued amenities, which are likely to be threatened in some areas.

## DD1.5 Methods

### Advocacy

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

### Economic Instruments

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

### Information/Research

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

## Works and Services

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

## Regulation

1. Rules:
  - a) Develop rules which identify and protect the amenity values of the residential environment.
  - b) Zoning of appropriate areas for residential purposes:
    - i. establish a Residential Protection zone to identify and protect sites of architectural, historical, cultural or particular amenity value which are perceived to be at risk from destruction, diminution or subdivision;
    - ii. establish an Inner Residential zone to identify residential sites close to the commercial core or Waikanae Beach where the environment would accept denser forms of residential development.
    - iii. establish a General Residential zone to include areas of predominantly residential development within the urban and township areas of the district where they have similar amenity values.
    - iv. establish a Residential Lifestyle zone to include areas having particular amenity values and/or site development constraints which require larger site areas.
2. Gisborne District Keeping of Animals, Bees and Poultry Bylaw 2005

### Principal reasons:

#### Advocacy:

- **Methods 1 and 2:** Information included in the Plan will act to increase the community's knowledge and hopefully appreciation of the significance of sites in the Residential Protection zone.
- **Methods 3 and 4:** It is hoped that by encouraging dialogue the community at large may become better informed on the real issues of health care in our community, and thereby more tolerant and accepting of all groups that make up our community. This approach is not intended to discriminate but rather to take an opportunity to educate all involved.

#### Economic instruments

- **Method 1 and 2:** Financial incentives will encourage participation by private landowners, by acknowledging that there is a community benefit obtained by, in some cases, restricting the use and development of these sites.
- **Method 3:** The appropriate provision of funds will be allocated to the preservation of Residential Protection zone properties.

#### Information and research

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

#### Works and services:

- **Method 1:** Council as provider of services will recognise the potential impact provision of services may have on the amenity of a residential area and act to ensure that maintenance and provision of such services will not adversely affect the amenity values of the residential environment.

### Regulation:

- **Method 1:** It is desired that residents be allowed maximum freedom and flexibility to use and develop their residential properties as they see fit. It is considered that these rules will best achieve an appropriate compromise between personal freedom and protection of amenity values of an area.
- **Method 1.b.i:** The purpose of the zone is to provide additional protection to ensure preservation of properties of local, regional or national interest for future generations.
- **Method 1.b.ii:** The Inner Residential zone covers areas generally situated adjacent to the city area and in which more concentrated residential development has previously been permitted. The purpose of the zone is to serve as a buffer between residential and commercial activities, and to provide for the continuation and establishment of higher density residential activities and compatible tourist facilities, in recognition of the proximity of the area to the commercial centre and Waikanae beach. The zone seeks to ensure the compatibility of activities with surrounding residential areas.
- **Method 1.b.iii:** The General Residential zone covers areas of predominantly residential development within the urban and township areas of the district, excluding sites of particular value, the higher density areas situated close to the commercial centre and a small pocket of sites in the Awapuni area situated close to Waikanae Beach. The purpose of the zone is principally to enable the community to satisfy its residential needs. The zone seeks to retain and enhance the open character of the generally low density living environments, while providing opportunities for medium density concepts of housing and avoiding, remedying or mitigating any potential adverse effects of development. Other activities are permitted in the zone provided they meet rules, which ensure that such activities are compatible with residential activities and amenity values.
- **Method 1.b.iv:** Some areas located on the periphery of residential urban areas may be suitable for residential development but only at a lower density of development and subdivision. A larger minimum section size is therefore established to account for site constraints and to acknowledge special amenity areas.
- **Method 2:** Gisborne District Keeping of Animals, Bees and Poultry Bylaw 2005 establishes a system of approvals for the keeping of farm-type animals, bees and poultry in residential zones.

## DD1.6 Rules

### DD1.6.1 Rules for Residential zones

#### Note:

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.

#### DD1.6.1.1 General Standards

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

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.

#### A. Nuisance

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

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

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

Note: Activities shall be in accordance with relevant rules contained in C1 – Air Quality.

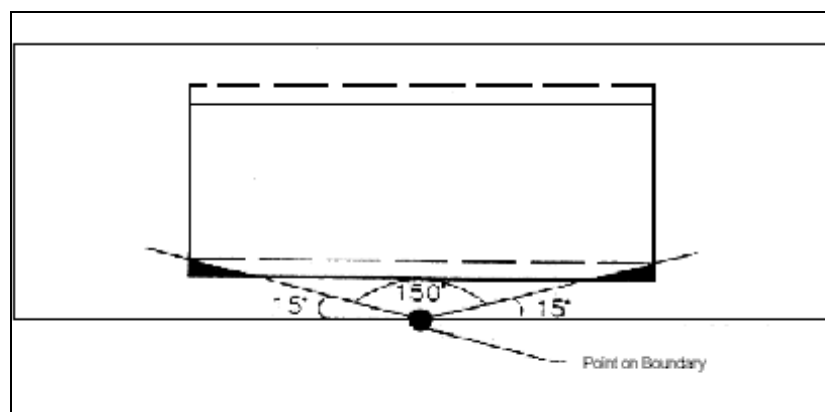
**B. Recession Planes**

- a) Buildings, parts of buildings, and structures (excluding chimneys, antennas and support structures, shall be contained within recession planes commencing 2.75m above each site boundary. The angles of the recession plane at each site boundary shall be determined using the recession plane indicator.

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

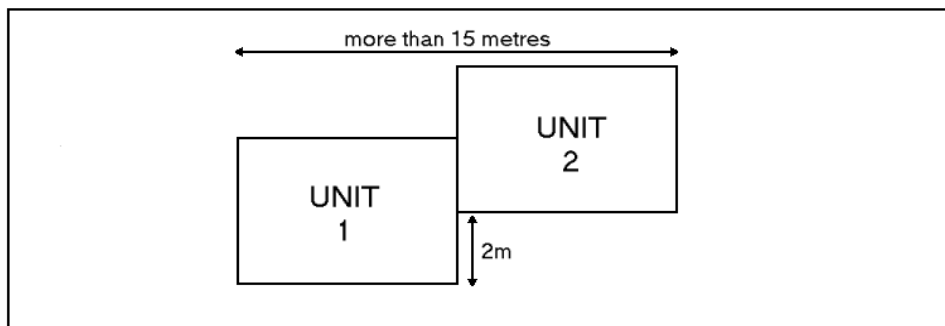
**C. Building Length**

- a) No building, other than a single dwelling unit, where it adjoins a residential or reserve zone shall be more than 15m long without:
- i having a vertical or horizontal offset in plan of at least 2m; or
  - ii being confined within the arms of a 150° angle formed by two lines intersecting at a common point on all site boundaries such that each line forms an angle of 15° with the boundary (see Figure DD1.2 or
  - iii being offset from each other unit by not less than 25% of the width of the unit nearest the road, with a minimum offset of 2m (see Figure DD1.3); or
  - iv the written consent of the adjoining property owners, shall be obtained and submitted to the consent authority at the time a building consent is sought, or prior to the commencement of the activity.



**Figure DD1.2 – Measurements of Building Length**

Note: In the example of Figure DD1.2 the shaded areas denote where the buildings exceeds the requirement. The dotted line indicates a building outline that does satisfy the requirement.



**Figure DD1.3 – Measurements of Building Length**

**D. Residential Protection zone**

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

**E. Storage**

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

**F. Building Materials**

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

**G. Sponge Bay Block**

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

Rule Table DD1.6.1

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>			
1.6.1(1)	Residential activities	Permitted	
1.6.1(2)	Construction, addition to, or alteration of residential buildings excluding minor dwelling units.	Permitted	<p><b><u>Minimum Site Area</u></b></p> <ul style="list-style-type: none"> <li>a) Inner Residential zone: 350m<sup>2</sup> per dwelling-unit or 280m<sup>2</sup> per dwelling-unit attached on one side to another dwelling-unit or 250m<sup>2</sup> per unit attached on two sides to other dwelling units (including vertically);</li> <li>b) General Residential &amp; Residential Protection zones (reticulated sites only): 400m<sup>2</sup> per dwelling-unit or 320m<sup>2</sup> per unit attached on one side to another dwelling-unit or 250m<sup>2</sup> per unit attached on two sides to other dwelling units (including vertically)</li> <li>c) General Residential &amp; Residential Protection zones (non-reticulated sites only): 1000m<sup>2</sup> per dwelling-unit</li> <li>d) Residential Lifestyle zone: 3,000m<sup>2</sup> per dwelling unit</li> <li>e) Taruheru Subdivision Block – All residential zones: 800m<sup>2</sup> per dwelling-unit provided that a dwelling-unit may be erected on a site less than 800m<sup>2</sup> in extent if the site was created by means of subdivision after 1 October 1994.</li> <li>f) All residential zones covered by a Site Caution Layer: 1000m<sup>2</sup> per dwelling-unit</li> </ul> <p><i>Note: Potential building sites in the Site Caution Layer may be required to have a geotechnical report to determine slope stability, pursuant to the Building Act 2004.</i></p> <p><b><u>Site Coverage</u></b></p> <ul style="list-style-type: none"> <li>a) Maximum net area of any site which may be covered by buildings: 35%</li> <li>b) Where a site within a residential zone abuts an access strip or right of way to an adjoining rear site, when calculating the site coverage of that site, that portion of the area of that access strip or right-of-way derived by applying the following formula may be added to the area of that site for the purpose of assessing the site coverage:</li> <li>c) Formula: Length of the boundary of contact multiplied by half the average width of the access strip or right-of-way as it exists along that boundary of contact.</li> </ul> <p><b><u>Yard Distances</u></b></p> <ul style="list-style-type: none"> <li>a) Front sites: Front yard: 4.5m Other yards: 2m</li> <li>b) Rear sites: All yards: 3m</li> <li>c) Front yard on Awapuni Road between Grey Street and Customhouse Street 4.5m provided that a building may be erected closer to or on any "Other yard" boundary or any yard boundary on a rear site if the written consent of the adjoining property owner is obtained and submitted to the consent authority at the time a building consent is sought, or prior to the commencement of the activity.</li> <li>d) Residential Lifestyle zone: All yards 4.5m</li> <li>e) Eaves, porches, bay or box windows, steps and chimneys may be located 0.6m within any yard area.</li> </ul>

			<p>f) Yard distances shall not be applied between a minor dwelling and the principal dwelling erected on the site.</p> <p>g) All yards adjacent to the Waikanae Stream 20m from MHW</p> <p><b><u>Parking</u></b></p> <p>a) Residential Protection zone: Parking spaces shall not be located in the front yard, other than on a vehicular accessway.</p> <p><b><u>Service Area</u></b></p> <p>a) Each dwelling-unit, on sites comprising more than one dwelling-unit, shall be provided with 15m<sup>2</sup> of exclusive outdoor service area, which shall be screened from adjoining sites and outdoor living spaces and exclude any area set aside for outdoor living space.</p>
1.6.1(3)	Minor dwelling unit (excluding the Residential Lifestyle zone)	Permitted	<p><b><u>Site Coverage</u></b></p> <p>a) 35 percent of the site</p> <p><b><u>Yard Distances</u></b></p> <p>a) Front sites: Front yard 4.5m Other yards 2m</p> <p>b) Rear sites: All yards 3m</p> <p><b><u>provided that:</u></b></p> <p>i. Yard requirements shall not apply between the minor dwelling unit and the principal dwelling unit.</p> <p>ii. A building may be erected closer to or on any "Other yard" boundary or any yard boundary on a rear site if the written consent of the adjoining property owner is obtained and submitted to the consent authority at the time a building consent is sought, or prior to the commencement of the activity.</p> <p>iii. Eaves, porches, bay or box windows, steps and chimneys may be located 0.6m within any yard area.</p> <p>c) All yards adjacent to the Waikanae Stream 20m from MHW</p> <p><b><u>General</u></b></p> <p>a) Minor dwelling units are to remain on the same certificate of title as the principal dwelling on the site.</p>
1.6.1(4)	Residential accessory buildings and accessory structures	Permitted	<p><b><u>General</u></b></p> <p>a) Residential accessory buildings and structures may be used for any permitted activity and shall include a building of no more than 25m<sup>2</sup> gross floor area used for, or in association with, the storage only of plant and materials used in connection with the business of a contractor or tradesperson, but shall not include a tradesperson's depot.</p> <p>b) Fences and walls may be erected on any boundary to a maximum height of 2m provided that a fence of greater height may be erected if the written consent of the adjoining property owner is obtained and submitted to the consent authority at the time a building consent is sought.</p> <p><b><u>Yard Distances</u></b></p> <p>a) General Residential &amp; Inner Residential zones: Front yards: 1.5m</p> <p>b) All zones: Other yards: 1m</p> <p>c) Eaves may be located 0.6m within any yard area.</p>



			<p><b>provided that</b> an accessory building or structure may be erected closer to or on any "Other yard" boundary if the written consent of the adjoining property owner is obtained and submitted to the consent authority at the time a building consent is sought.</p> <p>d) All yards adjacent to the Waikanae Stream 20m from MHWM</p> <p><i>Note: Fire rating requirements pursuant to the Building Act may be required.</i></p>
1.6.1(5)	Home occupation activities	Permitted	<p><b><u>Parking</u></b></p> <p>a) Home-occupation activities shall not attract significantly more traffic than other residential activities in the vicinity.</p> <p>b) No home-occupation activity is permitted which would require the parking of heavy vehicles on the site or in nearby streets.</p> <p><b><u>Outdoor Storage</u></b></p> <p>a) Any outdoor storage associated with the home occupation is not to be visible from adjacent residential sites or a public place.</p> <p><b><u>Principal Use</u></b></p> <p>a) The site shall contain a dwelling-unit and the principal use of the site shall be residential activities.</p> <p>b) The residential character and appearance of the site shall be maintained.</p> <p>c) A maximum of two full-time person equivalents, not resident on the site may be employed.</p>
1.6.1(6)	Visitor accommodation, associated buildings and activities (excluding activities in Noise Impact Overlay, licensed facilities for the general public, camping grounds and motor camps)	Permitted	<p><b><u>Location</u></b></p> <p>a) Visitor accommodation may only be established on the following sites:</p> <ol style="list-style-type: none"> <li>Inner Residential zone: On any site</li> <li>All other zones: Any front site adjacent to an arterial or principal road</li> <li>Visitor accommodation may include facilities such as shops, restaurants, and liquor sales for the exclusive use of people being accommodated on the property.</li> </ol> <p><b><u>Minimum Site Area</u></b></p> <p>a) Inner Residential zone: 1000m<sup>2</sup></p> <p>b) All other zones: 2000m<sup>2</sup></p> <p><b><u>Site Coverage</u></b></p> <p>a) Maximum net area of any site which may be covered by buildings: 40%</p> <p><b><u>Yard Distances</u></b></p> <p>a) All zones: All yards: 4.5m</p> <p><b>provided that</b> buildings may be erected a minimum of 2m from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the consent authority at the stage a building consent is sought.</p> <p>b) Eaves, porches, bay or box windows, steps and chimneys may be located up to 0.6m within any yard areas.</p> <p>c) All yards adjacent to the Waikanae Stream 20m from MHWM</p> <p><b><u>Parking</u></b></p> <p>a) Public areas of a property shall be assessed separately in accordance with the activity. Refer to general standards C2.1.7.1(J) for additional rules relating to parking requirements</p>

			<p><b><u>Landscaping</u></b></p> <p>a) At least 30% of the site shall be grassed and planted with trees and shrubs or other vegetative cover.</p> <p>b) A plan shall be submitted to the consent authority prior to the commencement of the activity to show garden location(s), size, species to be used, grade, planting densities and numbers.</p> <p>c) Landscape maintenance including mulching, watering and weed control shall ensure the survival or replacement of all trees and at least 80% of shrubs and vegetative cover during a two year maintenance period after completion of planting, and shall be maintained at that level thereafter.</p> <p><b><u>Fencing</u></b></p> <p>a) A fence not less than 1.8m in height and solidly clad shall be provided and maintained along all boundaries excluding road frontages adjoining residentially zoned land, unless the written consent of adjoining property owners is obtained, to an alternative proposal, and submitted to the consent authority prior to the commencement of the activity.</p>
1.6.1(7)	Educational institutions (including early-learning and child-care facilities) (excluding activities in the Noise Impact Overlay)	Permitted	<p><b><u>Location</u></b></p> <p>a) Educational institutions may only be established on the following sites:</p> <p>i. For up to 10 pupils:</p> <ul style="list-style-type: none"> <li>• Inner Residential zone: On any site</li> <li>• All other zones: Front sites only</li> </ul> <p>ii. From 11 to 20 pupils:</p> <ul style="list-style-type: none"> <li>• Inner Residential: On any site</li> <li>• All other zones: Any front site adjacent to an arterial or principal</li> </ul> <p><b><u>Minimum site area</u></b></p> <p>a) All zones: 1000m<sup>2</sup></p> <p><b><u>Site Coverage</u></b></p> <p>a) Maximum net area of any site which may be covered by buildings: 40%</p> <p><b><u>Yard Distances</u></b></p> <p>a) All yards: 4.5m</p> <p>provided that: buildings may be erected a minimum of 2m from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the consent authority at the stage a building consent is sought.</p> <p>b) All yards adjacent to the Waikanae Stream 20m from MHWL</p> <p><b><u>Landscaping</u></b></p> <p>a) A plan shall be submitted to the consent authority prior to the commencement of the activity to show garden location(s), size, species to be used, grade, planting densities and numbers.</p> <p>b) At least 30% of the site shall be planted with trees and shrubs or other vegetative cover, prior to the commencement of the activity.</p> <p>c) Landscape maintenance including mulching, watering and weed control shall ensure the survival or replacement of all trees and at least 80% of shrubs and vegetative cover during a two year maintenance period after completion of planting, and shall be maintained at that level thereafter.</p>

			<p><b><u>Fencing</u></b></p> <p>a) A fence not less than 1.8m in height and solidly clad with noise reducing materials shall be provided and maintained along all boundaries excluding road frontages adjoining a property located within the General Residential, Inner Residential or Residential Protection zones, unless the written consent of adjoining property owners is obtained, to an alternative proposal, and submitted to the consent authority prior to the commencement of the activity.</p>
1.6.1(8)	Installation or alteration of, antennas and supporting structures (other than network utility activities)	Permitted	<p><b><u>Height</u></b></p> <p>a) Aerials shall not extend more than 3.5m above the highest point of any building they are attached to.</p> <p>b) Maximum height of support structures (including fixtures): 20m</p> <p>c) Above 3.4m vertical height from ground level, any supporting structures shall be a single pole not exceeding 115mm in diameter in the case of a round section structure, or 102mm across the widest face in the case of a triangular, square or rectangular structure.</p> <p>d) Only one support structure may be erected per site.</p> <p>e) Dish antenna shall not exceed 1.2m in diameter.</p>
1.6.1(9)	Spiritual facilities	Permitted	<p><b><u>Location</u></b></p> <p>a) Spiritual facilities may only be established on the following sites:</p> <ul style="list-style-type: none"> <li>i Inner Residential zone: Front sites only</li> <li>ii All other zones: Any front site adjacent to an arterial or principal road</li> </ul> <p><b><u>Minimum Site Area</u></b></p> <p>a) All zones: 600m<sup>2</sup></p> <p><b><u>Site Coverage</u></b></p> <p>a) Maximum net area of any site which may be covered by buildings: 35%</p> <p><b><u>Yard Distances</u></b></p> <p>a) Canopies and verandahs may intrude into the street when determining compliance with yard requirements</p> <p>b) All yards: 4.5m</p> <p>provided that: buildings may be erected a minimum of 2m from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the consent authority at the stage a building consent is sought.</p> <p>c) All yards adjacent to the Waikanae Stream 20m from MHW</p> <p><b><u>Outdoor Storage</u></b></p> <p>a) Any materials associated with the activity which are to be stored outside, shall not be visible from the street, public places or from any residentially zoned property</p> <p><b><u>Landscaping</u></b></p> <p>a) A plan shall be submitted prior to the commencement of the activity to show garden location(s), size, species to be used, grade, planting densities and numbers.</p> <p>b) A percentage of every site, shall be grassed and planted with trees or shrubs or given some form of substantial vegetative cover in accordance with the table below:</p>

			<table><tr><th>zone</th><th>Percentage of Net Site Area</th></tr><tr><td>General Residential &amp; Residential Protection zones</td><td>30%</td></tr><tr><td>Inner Residential zone</td><td>15%</td></tr></table> <p><b>Figure DD1.1 – Percentage of Sites to be Landscaped</b></p> <p>c) Landscape maintenance including mulching, watering and weed control shall ensure the survival or replacement of all trees and at least 80% of shrubs during a two-year maintenance period after completion of planting, and shall be maintained at that level thereafter.</p> <p><b>Fencing</b></p> <p>a) A fence not less than 1.8m in height and solidly clad shall be provided and maintained along all boundaries excluding road frontages adjoining a property zoned General Residential, Residential Protection or Inner Residential, unless the written consent of adjoining property owners is obtained, to an alternative proposal, and submitted to the consent authority prior to the commencement of the activity.</p>	zone	Percentage of Net Site Area	General Residential & Residential Protection zones	30%	Inner Residential zone	15%
zone	Percentage of Net Site Area								
General Residential & Residential Protection zones	30%								
Inner Residential zone	15%								
1.6.1(10)	Meteorological activities	Permitted	<p>a) Associated structures shall have a ground coverage of 50m<sup>2</sup> or less; and have a height not exceeding 15m;</p> <p>b) Site area shall be 500m<sup>2</sup> or less.</p>						
1.6.1(11)	Temporary activities	Permitted	<p>a) The activity shall be exempt from all the General Standards except noise.</p> <p>b) The activity shall comply with rules for noise specified in Rule C11.2.15.2B(3) (Figure C11.9).</p> <p>c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.</p> <p>d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.</p> <p>e) Activities shall only be conducted between 0700: 2200 hours, where the site is located in or adjacent to a residential zone.</p> <p><u>Note:</u> Attention is drawn to the requirements of the Building Act 2004.</p>						
1.6.1(12)	Re-erection of second-hand dwelling units (where the Code Compliance Certificate for completion was issued not more than 10 years prior to the date of re-erection)	Permitted	The activity must comply with the rules specified for the construction of residential buildings excluding minor dwelling units in Rule DD1.6.1(2).						
1.6.1(13)	Rail activities	Permitted	<p>a) This rule shall be limited to sites legally described as Pt Waiohiharore 2, ML 1324, Sec 402 SO 6654 and Pt 1D Waiohiharore ML 1286.</p>						
<b>Controlled Activities</b>									
1.6.1(14)	Re-erection of second-hand dwelling units (excluding dwellings where the Code Compliance Certificate for completion was issued not more than 10 years prior to the date of re-erection) Provided that	Controlled	<p>Council shall limit its control to matters a): d) specified below:</p> <p>a) State of repair of the dwelling exterior;</p> <p>b) Reinstatement/construction of any fences, footpaths and vehicular crossings;</p> <p>c) Residential amenity;</p> <p>d) Financial contributions, works and services.</p>						

	<ol style="list-style-type: none"> <li>The activity must comply with the General Standards specified for a permitted activity.</li> <li>The activity must comply with the rules specified for the construction of residential buildings excluding minor dwelling units in DD1.6.1(2)</li> </ol>		<p>Applications for the re-erection of a second-hand dwelling unit do not require the written approval of affected persons and the application need not be notified unless the consent authority considers there are special circumstances as provided for in section 94C of the Act.</p> <p>Particular attention to the following criteria will guide but not limit the assessment of special circumstances:</p> <ul style="list-style-type: none"> <li>Age and style of the dwelling unit in comparison to neighbouring sites;</li> <li>State of repair of the dwelling unit and timeframe for reinstatement;</li> <li>Character and amenity of the residential environment.</li> </ul>
1.6.1(15)	<p>Erection of new buildings, provided that:</p> <ol style="list-style-type: none"> <li>This rule shall only apply to sites legally described as Pt Waiohiharore 2, ML 1324, Sec 402 SO 6654 and Pt 1D Waiohiharore ML 1286</li> <li>The building is visible from any street, public place or land zoned residential or reserve</li> </ol>	Controlled	<p>Council shall limit its control to matters a) and b) specified below:</p> <ol style="list-style-type: none"> <li>External design and appearance;</li> <li>Amenity values.</li> </ol>
1.6.1(16)	<p>Erection of buildings and structures associated with permitted educational institutions, spiritual facilities and meteorological activities</p> <p>Provided that:</p> <ol style="list-style-type: none"> <li>The building or structure complies with the General Standards for a permitted activity and the rules specified for the associated permitted activity</li> </ol>	Controlled	<p>Council shall limit its control to matters a) and b) specified below:</p> <ol style="list-style-type: none"> <li>Residential amenity;</li> <li>External design and appearance.</li> </ol>
<b>Restricted Discretionary Activities</b>			
1.6.1(17)	<p>Construction, addition to or alteration of minor dwelling units, residential dwelling-units and residential accessory buildings which do not comply with the rules for Permitted activities in respect of:</p> <ol style="list-style-type: none"> <li>Vibration</li> <li>Nuisance</li> <li>Building length</li> <li>Minimum site area</li> <li>Recession Planes</li> <li>Site coverage</li> <li>Yard distances</li> <li>Infrastructure, works and services</li> <li>Outdoor living areas and service areas</li> <li>Gross floor area for accessory buildings</li> <li>Financial contributions</li> </ol> <p>Provided that:</p>	Restricted Discretionary	<p>Council shall restrict its discretion to matters a) to k) specified below:</p> <ol style="list-style-type: none"> <li>Vibration;</li> <li>Nuisance;</li> <li>Building length;</li> <li>Minimum site area; <ol style="list-style-type: none"> <li>Discretion with regard to the minimum site area per unit on non-reticulated or partially reticulated sites shall be limited to a minimum site area of 500m<sup>2</sup>.</li> <li>Discretion with regard to the minimum site area per dwelling unit in the Taruheru Subdivision Block shall be limited to a minimum site area of 400m<sup>2</sup>.</li> <li>Where an item is registered by the New Zealand Historic Places Trust, Council shall in exercising its discretion with regard to the minimum site area consider the following: <ul style="list-style-type: none"> <li>The reason for the inclusion of the property in the Residential Protection zone and the Historic Places Trust Register;</li> <li>The importance (if any) of land surrounding the dwelling;</li> <li>The impact the proposal has on the integrity or value of the dwellings.</li> </ul> </li> </ol> </li> <li>Recession Planes;</li> <li>Site coverage;</li> <li>Yard distances;</li> </ol>

	The activity must comply with all other rules specified for a Permitted activity.		<ul style="list-style-type: none"> <li>h) Infrastructure, works and services;</li> <li>i) Outdoor living areas and service areas;</li> <li>j) Gross floor area for accessory buildings; <ul style="list-style-type: none"> <li>i. Discretion with regard to the gross floor area of any building to be used for the storage of tradesperson's goods shall be limited to a maximum gross floor area of 30m<sup>2</sup>.</li> </ul> </li> <li>k) Financial contributions.</li> </ul>
1.6.1(18)	Residential care homes	Restricted Discretionary	<p>Council shall restrict its discretion to matters a) to j) specified below:</p> <ul style="list-style-type: none"> <li>a) Scale of the activity;</li> <li>b) Noise;</li> <li>c) Recession Planes;</li> <li>d) Outdoor storage;</li> <li>e) Landscaping and fencing;</li> <li>f) Parking, access and manoeuvring;</li> <li>g) Location of site and buildings;</li> <li>h) Site area;</li> <li>i) Financial contributions, works and services;</li> <li>j) Safety and security of the neighbourhood.</li> </ul>
1.6.1(19)	<p>Home-occupation activities which do not comply with the rules for Permitted activities in respect of:</p> <ul style="list-style-type: none"> <li>a) Vibration</li> <li>b) Nuisance</li> <li>c) Building length</li> <li>d) Recession Planes</li> <li>e) Infrastructure, works and services</li> <li>f) Traffic generation</li> <li>g) Outdoor storage</li> <li>h) Financial contributions</li> </ul> <p>The activity must comply with all other rules specified for a Permitted activity.</p> <p>The activity must comply with all other rules specified for a Permitted activity.</p>	Restricted Discretionary	<p>Council shall restrict its discretion to matters a) to h) specified below:</p> <ul style="list-style-type: none"> <li>a) Vibration;</li> <li>b) Nuisance;</li> <li>c) Building length;</li> <li>d) Recession Planes;</li> <li>e) Infrastructure, works and services;</li> <li>f) Traffic generation;</li> <li>g) Outdoor storage;</li> <li>h) Financial contributions.</li> </ul>
1.6.1(20)	Visitor accommodation, associated buildings and activities (excluding licensed facilities for the general public, camping grounds and motor camps) which do not comply with the rules for Permitted activities in respect of:	Restricted Discretionary	<p>Council shall restrict its discretion to matters a) to j) specified below:</p> <ul style="list-style-type: none"> <li>a) Vibration;</li> <li>b) Nuisance;</li> <li>c) Recession Planes;</li> <li>d) Building length;</li> </ul>

	<ul style="list-style-type: none"> <li>a) Vibration</li> <li>b) Nuisance</li> <li>c) Recession Planes</li> <li>d) Building length</li> <li>e) Minimum site area</li> <li>f) Site coverage</li> <li>g) Yard distances</li> <li>h) Infrastructure, works and services</li> <li>i) Landscaping and fencing</li> <li>j) Financial contributions</li> </ul> <p>Provided that:</p> <ol style="list-style-type: none"> <li>1. The activity complies with all other rules specified for a Permitted activity.; and</li> <li>2. The maximum percent of the net area of a site in the Gisborne urban area which may be covered by buildings shall be 40%, to ensure the effective operation and maintenance of the infrastructure service system.</li> </ol>		<ul style="list-style-type: none"> <li>e) Minimum site area;</li> <li>f) Site coverage;</li> <li>g) Yard distances;</li> <li>h) Infrastructure, works and services;</li> <li>i) Landscaping and fencing;</li> <li>j) Financial contributions.</li> </ul>
1.6.1(21)	<p>Educational institutions (including early-learning and day-care facilities) for up to 20 pupils and the erection of associated buildings and structures which do not comply with the rules for Permitted or Controlled activities in respect of:</p> <ul style="list-style-type: none"> <li>a) Vibration</li> <li>b) Nuisance</li> <li>c) Recession Planes</li> <li>d) Building length</li> <li>e) Minimum site area</li> <li>f) Yard distances</li> <li>g) Infrastructure, works and services</li> <li>h) Landscaping</li> <li>i) Fencing and outdoor play areas</li> <li>j) Financial contributions</li> <li>k) Residential amenity</li> <li>l) External design and appearance</li> </ul> <p>The activity must comply with all other rules specified for a Permitted activity.</p>	Restricted Discretionary	<p>Council shall restrict its discretion to matters a) to l) specified below:</p> <ul style="list-style-type: none"> <li>a) Vibration;</li> <li>b) Nuisance;</li> <li>c) Recession Planes;</li> <li>d) Building length;</li> <li>e) Minimum site area;</li> <li>f) Yard distances;</li> <li>g) Infrastructure, works and services;</li> <li>h) Landscaping;</li> <li>i) Fencing and outdoor play areas;</li> <li>j) Financial contributions;</li> <li>k) Residential amenity;</li> <li>l) External design and appearance.</li> </ul>

1.6.1(22)	Installation or alteration of, antennas, or their support structures (other than network utility activities) that do not comply with rules for Permitted activities with respect to: a) Amenity values b) Height c) Location d) Screening	Restricted Discretionary	Council shall restrict its discretion to matters a) to d) specified below: a) Amenity values; b) Height; c) Location; d) Screening.
1.6.1(23)	Temporary activities which do not comply with the rules for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary	Council shall restrict its discretion to matters a) to d) specified below: a) Noise; b) Duration of the activity; c) Frequency of the activity; d) Hours of operation.
1.6.1(24)	Retail activities and associated buildings, provided that: 1. The site is zoned Inner Residential 2. The site is a front site located adjacent to a principal or arterial road, but excluding sites adjacent to Awapuni Road. 3. The gross floor area shall not exceed 500m <sup>2</sup>	Restricted Discretionary	Council shall restrict its discretion to matters a) to e) specified below: a) Amenity values; b) Design; c) Infrastructure, Works and Services; d) Heritage values; e) Financial contributions.
1.6.1(25)	Offices and associated buildings Provided that: 1. The site is zoned Inner Residential 2. The site is a front site located adjacent to a principal or arterial road, but excluding sites adjacent to Awapuni Road.	Restricted Discretionary	Council shall restrict its discretion to matters a) to d) specified below: a) Amenity values; b) Design; c) Infrastructure, Works and Services; d) Heritage values.
<b>Discretionary Activities</b>			
1.6.1(26)	Activities listed as permitted or controlled which do not comply with the rules, and are not provided for as restricted discretionary activities	Discretionary	
1.6.1(27)	Educational institutions (including early-learning and day-care facilities) for 21 pupils or more	Discretionary	
1.6.1(28)	Facilities for the sale of liquor, including alterations or additions to existing licensed buildings or the expansion in operation of existing licensed activities	Discretionary	



1.6.1(29)	Camping grounds and motor camps Provided that: 1. The activity shall only be conducted on front sites on arterial or principal roads. 2. The site shall comprise at least 2000m <sup>2</sup>	Discretionary	
1.6.1(30)	Minor dwelling units in the Residential Lifestyle Zone	Discretionary	
1.6.1(31)	Recycling depots	Discretionary	
<b>Non-complying activities</b>			
1.6.1(32)	Activities that are not provided for as permitted, controlled, restricted discretionary or discretionary activities	Non-complying	

## DD2 COMMERCIAL ZONES

The provisions of DD2 are district plan provisions.



District Plan

Part DD2 is operative

### DD2.1 Commercial zones – Introduction

There are seven distinct commercial zones – the Inner, Fringe, Outer, Amenity, Aviation, Suburban and Rural Commercial zones. This chapter is directed at administering the effects associated with the establishment and operation of commercial activities as a land use on a district-wide basis, which includes the interrelationship between commercial activities as well as between commercial activities and other land uses. Recognition is given to the form, function, character and importance of existing business activities and centres. This is particularly relevant in the city centre where a wide range of activities are undertaken which in turn contribute to the character of the district. In many ways the vitality and diversity of the commercial centres are a measure of the social, economic and cultural well-being of the district.

#### DD2.1.1 City Commercial zones

The Inner Commercial and the Fringe Commercial zones form the commercial heart of the Gisborne district – the city centre. Together they are the principal core shopping and business centre for the district, with the peripheral areas containing a range of generally larger commercial and light industrial activities. The location, diversity and range of commercial activities are important contributing factors to maintaining and enhancing amenity values, environmental quality and the vitality and vibrancy of the city centre and the Gisborne region as a whole. The key elements of the city commercial zones are:

1. form;
2. amenity values;
3. heritage; and
4. economic and social.

##### Form

Form is the overall shape that the urban area takes. The city centre comprises the Fringe Commercial and the Inner Commercial zones – being the area bounded by Roebuck Road, Leith Street, Palmerston Road, Childers Road, Kahutia and Customhouse Streets and the Turanganui and Taruheru Rivers. It is contained by the physical boundaries of the two rivers and by residential areas to the north and east and by the Outer Commercial and the Amenity Commercial zones to the south and west. A further area zoned Outer Commercial exists in the area encompassed by Awapuni Road, Grey Street, Stanley Road and the Waikanae stream (referred to in the text as the Awapuni Road area).

Activity and development within the Inner Commercial and Fringe Commercial zones is of a type, scale and intensity which clearly distinguishes it from the surrounding areas. The environmental effects that can be generated – particularly in terms of traffic, hours of operation, noise, lighting and glare – can be substantial.

The most intense activities, primarily of a retail and entertainment nature are located in the Inner Commercial zone from Reads Quay to Derby Street between Palmerston and Childers Roads. This area is principally a pedestrian area, with a focus on maintaining a continuous street frontage. Amenity values are very important to the success of this area. Commercial activities, especially retail, tend to be characterised by smaller specialist shops.

Larger commercial activities, including retailing, are provided for in the Fringe Commercial zone which surrounds the Inner Commercial zone. This area has a low pedestrian function and is characterised by on-site parking.

Less intense activities – such as light industry, manufacturing facilities, and some bulk retailing and warehouses – are established outside the city centre boundaries but generally within the Outer Commercial zone. Activities in the Fringe Commercial and Outer Commercial zones are less intense but are often high traffic generators. Activities can be adequately controlled through appropriate controls such as noise standards. These commercial activities are seldom night-time uses and consequently there is less disturbance to sensitive adjoining residential areas.

The establishment of the Fringe Commercial zone recognises the relationship between the location and scale of bulk retail activities and the sustainable management of the area identified as the Inner Commercial zone.

The establishment of the Amenity Commercial zone acknowledges the unique position of the zone being an area of significant visual and cultural amenity values, with views of Young Nicks Head, Kaiti Hill, the Cook statue and potentially the Cook landing site across the harbour and is adjacent to an area set aside for future amenity and heritage reserve and adjacent to the inner city walkway. The community has expressed a clear desire to see this zone is intended to provide for activities which will take maximum advantage of this unique location which is also adjacent to the Inner Commercial and Fringe Commercial zones.

### **Amenity Values**

Amenity values are expressed through the attractiveness, pleasantness, aesthetic quality and coherence of natural and physical features (the built form). The amenity reflects the quality of the built environment and is of particular importance in five areas namely:

- a) the pedestrian orientated high intensity Inner Commercial zone which forms the heart of the city centre
- b) the Fringe Commercial zone which is oriented to larger commercial activity, particularly retail, being high traffic generators. Proximity to the Inner Commercial zone necessitates a higher level of amenity
- c) the periphery of the city centre, the Outer Commercial zone where activities, being high traffic generators, impact on sensitive land uses particularly those of a residential nature
- d) the Awapuni Road area zoned Outer Commercial, which has prominence due to its location en-route to the urban area's main beach area and its mixed land use character
- e) the commercial area (the Amenity Commercial zone) situated adjacent to the harbour and Turanganui river mouth, and adjacent to the Outer, Inner and Fringe Commercial zones. This area has unique potential for development which maximises the benefits of the area's high visual amenity and cultural heritage values and the general amenity values attributed to it by the community.

### **Heritage**

The heritage values of the city centre are reflected through:

- a) buildings, spaces, places, precincts and objects (Post European contact)
- b) archaeological sites (European and Māori)
- c) sites of spiritual and cultural significance to tangata whenua
- d) natural topographical features (Turanganui and Taruheru Rivers and surrounding hills).

The area comprising the city centre is of importance to tangata whenua as it was one of the earliest areas of Māori settlement and is spiritually and culturally significant. It is a microcosm of New Zealand settlement from pre-European times through to post-European settlement (refer to European and Māori Heritage Studies). The heritage resource provides an identity unique to the people of the region. There is therefore a responsibility to record the past for the benefit of future generations.

It cannot be achieved alone but should be a community effort with particular emphasis placed on finding the balance between legitimate use of land by landowners and the protection and enhancement of the community heritage resource.

The benefits can be considerable and long term – particularly in respect of education, cultural and spiritual stability, social well-being, community identity and the efficient use of resources.

If the city centre is to be sustainably managed the major elements that comprise it must be protected, revitalised and enhanced, where this is appropriate.

### **Economic and Social**

Traditionally the city centre has served an important community function. It is usually perceived as a politically neutral area that all sectors of the community can utilise. It is a natural centre point for the community, for regional events of entertainment and celebration.

City centres serve broader functions than those of simply providing goods and services. They act as focal points for the community, centres of entertainment and social services and they represent a substantial physical and community resource.

Inappropriate development can create adverse effects on the amenity values of the established city centre. It is relevant to consider the potential adverse effects of new business activity locating away from established centres and establishing at a scale that could threaten the very existence of the established city centre.

It is appropriate that the scale and location of retail activities be regulated using methods such as zoning and rules, to enable the Gisborne community to maintain and enhance the community resource that is the city centre, in order to provide for their social and economic well-being.

### **DD2.1.2 Suburban Commercial Centres**

There are a number of small suburban centres spread throughout Gisborne urban area. They include the following:

- |  |                |
|--|----------------|
| a) Ballance Street Village, Whataupoko | f) Te Hapara   |
| b) Elgin                               | g) Riverdale   |
| c) Kaiti Mall                          | h) Lytton West |
| d) Wainui Road Centre                  | i) Makaraka.   |
| e) DeLatour Road                       |                |

Despite the need for and the convenience nature of these facilities they do have an environmental impact on the residential areas within which they are located.

The Plan recognises and provides for the continuation of suburban centres as the provider of goods and services generally serving the needs of the surrounding suburban area. This zone is not intended to provide for activities which service the wider community.

### **DD2.1.3 Commercial Centres in Rural Settlements**

Commercial service centres also exist in the rural settlements of Tolaga Bay and Ruatoria. Similar issues in respect of noise, traffic, parking, glare from lighting and loss of amenity values also exist in these areas. In respect of Ruatoria there is an amenity value issue not only for adjoining land uses but also internally within the commercial area. There has been considerable community support in Ruatoria for the upgrading of the commercial centre in order to improve the amenity value of the centre.

### **DD2.1.4 Aviation Commercial zone**

The Aviation Commercial zone is intended to take advantage of the strategic nature of the site, which is adjacent to the Airport and Rural Industrial A zone and also relatively free from the noise and other development restrictions associated with the Airport.

It allows for the establishment of commercial activities relating to the aviation industry that rely on the proximity to the Gisborne Airport.

## DD2.2 Issues

1. Commercial uses in the Inner Commercial and Fringe Commercial zones are high intensity activities which have the ability to have a substantial environmental impact on each other and on sensitive adjoining land uses.
2. The amenity value of the city centre, particularly in the Inner Commercial zone, is eroding. The built elements that contribute to its pleasantness and coherence require maintenance and enhancement.
3. The trend in retailing towards larger purpose-built facilities such as malls, if, located in isolation from the city centre, has the potential to threaten the sustainability of the established city centre, which is a valued community resource.
4. The location of large retail activities has the potential to result in adverse effects on the amenity values of the Inner Commercial zone
5. There is a loss of the heritage resource to development.
6. Loss of visual amenity in the Awapuni Road area due to the historic urban land use patterns.
7. Compromise of the unique location of the Amenity Commercial zone by commercial activities which do not require or take any advantage of the significant visual amenity and cultural heritage values of the area.
8. Commercial activities located in suburban areas or rural settlements, zoned either commercial or residential have the potential to adversely affect the amenity values of the Inner Commercial zone and sensitive adjoining land uses.

## DD2.3 Objectives

### DD2.3.1 Form Objectives

1. Avoid, remedy or mitigate adverse environmental effects created by commercial activities within the commercial zones.
2. To bring about the sustainable management of the use, development and protection of physical and natural resources within the different commercial areas of the district, recognising the established framework of existing commercial activities, the importance of new business investment and the unique visual amenity and cultural heritage areas within the Inner Commercial, Amenity Commercial and Fringe Commercial zones.
3. Development of the Aviation Commercial zone to provide for a range of commercial activities relating to the aviation industry and which rely on their proximity to Gisborne Airport.

### DD2.3.2 Amenity Objectives

1. Maintain and enhance the amenity values of the commercial zones.
2. Maintain and enhance the amenity values of land uses adjoining the commercial zones.
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.
4. Promote an intensive and integrated city centre, thereby maintaining the sense of 'place' and 'identity' this centre offers.
5. Promote the visual and physical link between activities in the Amenity Commercial zone and the surrounding harbour, walkway, Poverty Bay and Kaiti Hill environment.

### DD2.3.3 Economic and Social Objectives

1. Maintain and enhance the Inner Commercial zone as the focus of specialist retail and other commercial activity in the district.
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.

#### **Principal reasons:**

- **Form 1:** *The high intensity commercial activities that occur within the commercial zones have an environmental impact particularly in respect of noise, traffic, parking, dust, fumes and the impacts of night lighting and glare and the movement of people. This is best managed by containing activities with similar impacts in the same area. This also applies to suburban and rural commercial centres.*
- **Form 2:** *The city centre and other commercial zones, comprise a range of commercial activities and public infrastructure. These need to be managed to promote the sustainable development of the district while giving consideration to other factors such as amenity values and the need to attract new investment.*
- **Amenity 1 to 5:** *Sections 7(c) and 7(f) of the Act requires the maintenance and enhancement of amenity values.*
- **Economic and Social 1 to 2:** *The heritage building resource is principally located within the Inner Commercial zone, and is a significant resource requiring protection and preservation.*

## DD2.4 Policies

### DD2.4.1 Form Policies

1. To contain commercial activities in the city centre to the area bounded by the Inner Commercial and Fringe Commercial zones – being approximately Roebuck Road, Leith Street, Palmerston Road, Kahutia Street and the Turanganui Taruheru Rivers – in order to manage the environmental effects of intense development.
2. To encourage high intensity pedestrian focused activities such as small retail, to locate in the Inner Commercial zone in order to protect the vitality of the Inner Commercial zone and to manage the effects of such high intensity activities and to maintain and enhance a pedestrian-friendly character.
3. Activities establishing in the Amenity Commercial zone should be restricted to those requiring and fully utilising the unique aspects of the location. In particular bulk retail facilities requiring large gross floor areas and those activities reliant on vehicular traffic and large parking areas are **not** considered appropriate activities for the zone.
4. To encourage lower intensity, high traffic generating uses to locate within the Fringe Commercial zone where the effects of commercial uses can be managed to avoid impacts on uses within the zone and on sensitive adjoining land uses.
5. To avoid, remedy or mitigate the adverse effects of suburban and rural commercial activities on sensitive land uses by containing the effects within the zone.
6. In the Inner, Fringe and Outer Commercial zones where service lanes have been designated but where they are impractical to construct due to the existence of structures, they will only be required under the following circumstances:
  - when the owner or owners request construction and Council is in agreement; or
  - when, through alteration or demolition, it becomes practical to do so and Council is in agreement.
7. Subdivision use and development of land zoned Aviation Commercial shall ensure that:

- efficient use of the finite and strategic zoning is achieved;
- the operational safety and functionality of the Airport is maintained; and
- direct access to the Airport site for activities which necessitate this is provided in an efficient manner.

## DD2.4.2 Amenity Policies

1. To maintain and enhance the amenity value of the Inner Commercial zone through managing the street environment by:
  - a) maintaining and enhancing the vitality and vibrancy of the city centre;
  - b) reinforcing the character of the existing built form in the Inner Commercial zone in terms of mass, rhythm, height, pattern and overall character (design guideline principles);
  - c) providing for infill developments, alterations, additions and modifications which take into account the heritage value of the built fabric;
  - d) providing for infill developments, alterations and additions which take into account the role the individual building will play with respect to its overall form, street façade and detail – particularly in the Inner Commercial zone;
  - e) encouraging the location of a diverse range of activities, provided their adverse effects can be contained;
  - f) maintaining views from Gladstone Road to the surrounding green spaces through the use of view shafts – particularly from Reads Quay, Peel, Bright Grey and Derby Streets out to the river and surrounding hills;
  - g) improving the relationship between Gladstone Road and the river by enhancing pedestrian linkages;
  - h) facilitating pedestrian movement;
  - i) facilitating vehicle movement through the city centre;
  - j) alleviating pedestrian/vehicle conflicts;
  - k) improving parking provisions for all likely users;
  - l) making use of policies contained in Inner Commercial Design Guidelines.
2. To maintain and enhance the amenity value within the Amenity Commercial zone by:
  - a) ensuring the appropriateness of the form, scale, location and visual appearance of structures in the zone;
  - b) managing the establishment of activities in the zone on the basis of allowing these which:
    - i. enhance the visual and pedestrian linkages between the open space areas adjacent to the harbour and the main commercial centre
    - ii. require a high visual amenity and will promote greater pedestrian utilisation of the area
    - iii. will encourage awareness of the historical context of this location and its significant views
    - iv. contribute towards integrated amenity across the whole area.
3. To maintain and enhance the amenity value of activities adjoining the periphery of the Fringe, Outer and Aviation Commercial zones particularly where these are of a residential nature or where rural or open space predominates by:
  - a) reducing contrasts in terms of built form, scale and architecture
  - b) screening unsightly structures, areas and activities
  - c) merging commercial activities with residential neighbours – particularly in respect of the intensity of the activity.
4. To maintain and enhance the amenity value of the Fringe Commercial zone by:
  - a) encouraging the location of a diverse range of activities provided their adverse effects can be contained

- b) facilitating vehicle movement through the city centre
  - c) alleviating pedestrian/vehicle conflicts
  - d) improving parking provisions for all likely users
  - e) reducing contrasts in terms of built form, scale and architecture
  - f) screening unsightly structures, areas and activities
  - g) adopting measures to soften the external appearance of car parks to prevent them from dominating the landscape
  - h) enhance the pedestrian linkages between open space areas adjacent to the Taruheru River and the main commercial centre
  - i) encouraging pedestrian movement between the Fringe and Inner Commercial zones.
5. To improve the visual character of outer commercial areas which are in prominent locations in relation to tourist resorts – particularly in the Awapuni Road area.
  6. To maintain or enhance the amenity value of activities adjoining suburban commercial zones by:
    - a) reducing contrasts in terms of built form, scale and architecture
    - b) screening unsightly structures, areas and activities
    - c) adopting measures to soften the external appearance of car parks to prevent them from dominating the streetscape
    - d) siting toilet blocks and other community facilities in locations that do not impinge on residential uses.
  7. To maintain and enhance the amenity value of the suburban commercial zones by managing the street environment by:
    - a) encouraging activities that are of an appropriate scale and intensity for the zone
    - b) ensuring the adequate provision of on-street parking
    - c) ensuring signage is appropriate to the character of the area in which it is located.
  8. To maintain and enhance the amenity values of rural commercial zones by:
    - a) ensuring that the scale and intensity of the activities are appropriate to the environment
    - b) ensuring the adverse effects on adjoining land uses are avoided, remedied or mitigated.
  9. To recognise and protect heritage buildings for their historic and amenity value within the Rural Commercial zone at Tolaga Bay.
  10. In circumstances where parking cannot be provided in any commercial zone, in considering whether to grant consent or impose conditions on any resource consent or designation, Council may:
    - a) waive, partially waive or accept a financial contribution in lieu of parking where:
      - i. the provision of parking could lead to the loss of a structure listed on a heritage schedule
      - ii. the adaptive reuse of a heritage building would be precluded or the efficient use of a building could not be attained
      - iii. a financial contribution in lieu of parking will assist Council in purchasing suitable land within reasonable walking distance to an existing or proposed Council carpark
      - iv. the owner/developer has the ability to provide a suitable off-site alternative for parking
      - v. the existing parking areas have the capacity to cope with the likely increased demand created by the activity
      - vi. the volume of parking likely to be generated by the activity will not place a burden on available parking in the area
      - vii. the peak demand of the activity does not coincide with the peak demand of surrounding activities
      - viii. the nature of the topography of the site is such that parking cannot be provided
      - ix. size of the lot



- x. where the use does not generate the demand for the required parking or loading requirements
    - xi. the creation of formation of on-site parking would contribute loss of visual amenity values.
  - b) adopting measures to soften the external appearance of car parks and to prevent them from dominating the streetscape.
11. Where verandahs are required on a continuous street façade and are not provided, the Council may grant consent to waive this requirement under the following circumstances:
- a) pedestrian traffic flows are low and these are unlikely to increase
  - b) the design and appearance of an existing building is such that a verandah cannot be added without detrimentally affecting appearance
  - c) the verandahs on adjoining sites are such that the required continuity cannot be achieved except by altering the height, width or depth
  - d) the provision of verandahs would detrimentally affect the heritage and architectural values of any item identified in Schedule G4 or G5.

### DD2.4.3 Economic and Social Policies

1. New development to be encouraged to locate on sites where the effects on the physical infrastructure can be avoided, remedied or mitigated.
2. Limit the density of commercial development according to the ability of the stormwater infrastructure system servicing the site to dispose of the potential run-off generated by the coverage of the site with buildings.
3. To avoid, remedy or mitigate the potential cumulative and consequential effects on the vitality and functioning of the Inner Commercial zone, of allowing a mall-type development comprising small retail to establish outside the Inner Commercial zone.

#### **Principal reasons:**

##### **Form**

- **Form 1:** The environmental effects generated by these commercial activities are contained efficiently and effectively within the Inner Commercial and Fringe Commercial zones with minimal impacts on adjoining land uses.
- **Form 2:** This policy seeks to consolidate pedestrian activities within the Inner Commercial zone as far as practical.
- **Form 3:** The Amenity Commercial zone identifies an area of unique visual amenity and cultural heritage. It is important to ensure that activities that locate in this zone take full advantage of the location. Activities such as large retail and /or those requiring very large gross floor area are not appropriate in this zone. By design such activities do not take advantage of surrounding landscapes, as buildings usually have minimal windows or opportunities to appreciate views and such activities also require substantial areas for parking which do not enhance the amenity of the Amenity Commercial area.
- **Form 4:** Less intensive activities such as light industrial activities, manufacturing facilities and warehouses should be encouraged to locate on the Fringe Commercial zone as their daytime activities can be regulated through appropriate controls such as noise standards. These commercial uses are seldom night activities; there is less chance of disturbance to the surrounding land uses, particularly where these are of a residential nature.
- **Form 5:** Suburban and rural commercial centres are generally located adjacent to or within sensitive land use areas (primarily rural and residential). The effects of these activities should be contained within the centres.

- **Form 1–5:** Activity and development within the commercial zones is of a type, scale and intensity which clearly distinguishes it from the surrounding area. Containment will ensure that the effects of such activities do not spill over onto adjoining land uses, particularly those of a residential nature.
- **Form 6:** The areas in which service lanes are required would in some instances mean the purchase and demolition of buildings. It is proposed to take the service lane on redevelopment and to construct it when the parties are in agreement.

## Amenity

- **Amenity 1 and 4:** The components comprising this policy are those elements that are most important if amenity values are to be maintained or enhanced, and if integration is to be achieved between the two zones.
- **Amenity 2:** The Amenity Commercial zone identifies an area of unique visual amenity and cultural heritage. It is important to ensure that activities that locate in this zone take full advantage of the location.
- **Amenity 3:** Sensitive screening and the reduction in contrasts between land uses can assist in maintaining or enhancing amenity values.
- **Amenity 5:** The Awapuni Road area requires the enhancement of amenity values due to the existing visually obtrusive nature of activities and structures within and adjacent to residential areas and major tourism routes.
- **Amenity 6:** The nature and design of structures should be such that they are in keeping with the scale of adjoining activities and should reflect the character of the area.
- **Amenity 7:** Amenity value is not only important for adjoining land uses but also is an important factor within the zone. Activities of an appropriate scale and intensity that meet day-to-day needs should be encouraged.
- **Amenity 8:** The effects of activities in smaller commercial centres should be avoided, remedied or mitigated and should not have a negative impact on the settlement or the surrounding rural area.
- **Amenity 9:** Tolaga Bay in particular has a number of heritage items contained in a heritage register. These historic items contribute substantially to the amenity value of the settlement and the policies and rules specific to them are located in C4.
- **Amenity 10:** There are circumstances where the sustainable use of a building will require that the parking requirement be waived – provided any adverse environmental effects can be avoided, remedied or mitigated.
- **Amenity 1 and 3, 5 -10:** Commercial activities have an environmental impact on the residential areas within which they are generally located. The effects of commercial uses should be grouped and thus contained within the centres. Sections 7(c)(f) and (f) of the Act.
- **Amenity 11:** This policy sets out the circumstances where the provision of verandahs may not be suitable.
- **Economic and social 1 and 2:** These policies will ensure that the capacity of the infrastructure system as a whole to function is not compromised by the desires of individuals.
- **Economic and social 1:** A coordinated approach will be adopted in determining the location of future commercial development within the region.
- **Economic and social 2:** By limiting development according to the capacity of the stormwater system in particular areas, the functioning of the system as a whole is protected.
- **Economic and social 3:** The vitality and functioning of the Inner Commercial zone is potentially affected by the establishment of specialty retail activities outside the Inner Commercial zone.

## DD2.5 Methods

### Advocacy

1. Annual award, in appropriate circumstances, to the developers or owners who have made the greatest contribution to the enhancement of amenity values in the Inner, Fringe, Amenity and Outer Commercial zones.

### Economic Instruments

1. Financial incentives namely:
  - a) Waiving of resource consent fees and partial waiving of building consent fees for new developments if the development complies with the design guidelines for the Inner Commercial zone.
2. Annual Plan provisions:
  - a) two hours free advice from professionals to assist developers in interpreting the Design Guidelines
  - b) adequate funding, through the annual plan, process to meet the objectives.

### Urban Design

1. Development of a comprehensive urban design strategy for improvements in the city centre in addition to the design guidelines.
2. Encourage public/private partnerships for city centre development projects.
3. Define view shafts and vantage points.

### Management

1. Development of an urban design and landscaping strategy for improvements to the Main Street of Ruatoria.

### Regulation

1. zones
2. rules
3. design guidelines.

### Principal reasons:

#### Advocacy

- **Method 1:** Developers who assist in maintaining and enhancing amenity values should be recognised for their contribution to the community.

#### Economic Instruments

- **Method 1 and 2:** Developers who assist with the protection of amenity values should be assisted and compensated for their contribution to the community. The provision of incentives will encourage the preservation and protection of the heritage resource and the general vitality of the Inner Commercial zone.

Note: Financial incentives will be awarded on application to the Council and at its discretion.

#### Urban Design

- **Method 1:** A comprehensive design strategy would assist in identifying and protecting amenity values for important areas.
- **Method 2:** The protection of amenity values in the city centre and other regional centres is not the sole responsibility of the Council. Joint ventures are required between all the parties involved in the development process if a high standard of amenity is to be achieved.
- **Method 3:** The city centre is a highly modified environment and this method ensures the protection of the views of the remaining natural features.

#### Management

- **Method 1:** There have been a number of community initiatives for upgrading to maintain or enhance amenity values in Ruatoria. This method is intended to support these initiatives.

- **Method 1:** zones are a means to contain the effects of the commercial activities within defined areas and to avoid adverse environmental impacts on adjoining land uses.
- **Method 2:** Rules have applied in circumstances where it is unlikely that the adverse effects of activities could be controlled by any other method.
- **Method 3:** It is the Council's intention that the guidelines apply to both the Inner Commercial and Amenity Commercial zones where the maintenance and enhancement of amenity values is a priority.

## DD2.6 Rules

### DD2.6.1 Rules for Commercial zones

#### Note:

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.

#### DD2.6.1.1 General Standards

The following General Standards shall apply to all permitted activities conducted in commercial zones:

- A.
  - a) 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.
- B. **Height and Recession Plane**
  - a) Structures (**excluding** poles, streetlights or aerials and dish antennas and their supporting structures) shall comply with the following height limits:

zone	Street	Minimum height	Maximum height
Inner Commercial	Gladstone Road/Peel Street marked as continuous street façade	8m	14m
Fringe, Amenity Commercial & Outer Commercial	Within zone boundary	-	12m
Suburban & Rural Commercial	Within zone boundary	-	10m
Aviation Commercial	Within zone boundary	-	12m

**Figure DD2.1 – Height of Structures in Commercial zones**

**provided that** any site having a common boundary with any residential or reserve land, buildings shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

#### C. **Yard Distances**

##### a) **Inner Commercial zone:**

A continuous building edge is required along areas marked on the planning maps as continuous street façade.

##### b) **Outer Commercial zone:**

- i. Front yard on Awapuni Road between Grey Street and Stanley Road: 4.5m
- ii. Front yard on Grey Street: 4.5m
- iii. All yards adjacent to Customhouse St: 4.5m
- iv. Rear yard on the Waikanae Stream 20m from Mean High Water Mark.

c) **Fringe Commercial zone:**

- i. All yards adjacent to Customhouse St: 4.5m
- ii. Yards adjacent to the Taruheru River: 20m.

d) **Amenity Commercial zone:**

- i. All yards adjacent to Customhouse St: 4.5m.

e) **Aviation Commercial zone:**

- i. Front yard on Aerodrome Road: 4.5m
- ii. No other yards are required.

f) **All other zones:**

- i. yards are required only where a site adjoins a reserve, rural, residential zone or community facility or a road adjacent to a reserve, rural or residential zone or community facility.
- ii. front yards: 4.5m
- iii. other yards, including service areas and outdoor storage areas and street boundaries of car parks: 3m.

D. **Storage**

- a) For sites zoned Fringe Commercial, no goods or materials other than those for sale shall be stored on any uncovered portion of the site so that they are visible from a street, public place or residential or reserve zoned land.

E. **Building Materials**

- a) For sites zoned Fringe Commercial, the exterior of buildings shall not, after construction, be clad in unpainted corrugated iron or remain as unpainted concrete blocks.

F. **Parking**

- a) It shall not be necessary to provide car parking or loading spaces on sites in the Inner Commercial zones having frontage to streets marked as continuous street façade and not having legal access to any other road.

G. **Verandahs**

- a) Verandahs shall be provided for all buildings located in areas marked as continuous street façade on the Urban Planning Maps. Verandahs shall:
  - i. be at least 2.9m above the footpath
  - ii. extend for the full length of the frontage of the site
  - iii. for those buildings within the areas specified by Appendix H9, the verandah shall cover the width distance specified in that appendix. For other areas, verandahs shall cover the full width of the footpath less 500mm
  - iv. be related to its neighbour to provide continuity
  - v. be cantilevered off the building to which it is associated and not be supported by posts at the kerb line if it is located in the legal road reserve.

H. **Landscaping**

**Aviation Commercial zone**

- a) Landscaping shall be installed in the relevant yard in accordance with Table 1, (Appendix 12) in respect of any new development, or any extension to an existing development comprising a total floor area of 100m<sup>2</sup> or greater. In circumstances where more than one type of landscape type could apply to a site, the type with the lowest number shall prevail.

- b) The landscaping in Table 1, (Appendix 12) is not required for yards adjacent to or within the Gisborne Airport. However, if landscaping is introduced, it shall not interfere with aircraft utilising Gisborne Airport. The height restrictions imposed by the existence of the APOA and the Airport Height Control Surface Area shall override any landscaping requirements in Table One in Appendix H12.
- c) The following conditions apply to the landscaping required by a)
- On those yards where landscaping is required by is required by a), no walls or solid fences shall be erected between the landscaping and the boundary. For clarity where security fencing is required, visually and water permeable type fencing can be to be provided e.g chain link fencing.
  - Landscaping shall be of a permeable design in the F4 Flood Hazard Overlay, which enables flood waters to flow without causing undue build-up of water on adjoining properties, in accordance with Type 1A, 4A and 5A planting options as appropriate Table 1, (Appendix 12). Where any conflict exists between rules in Appendix H12 and C8 – Natural Hazards, the rules in C8 shall take precedence.
  - No landscaped area may be used for the parking, loading or turning of vehicles except that every site may have two two-way vehicular crossings over the landscaped area, in accordance with rules in C2 of the Plan.

#### **Landscaping at the Residential / Reserve / Rural Interface**

(Applies to Suburban Commercial, Rural Commercial, Fringe Commercial, Amenity Commercial, Outer Commercial zones)

- Landscaping shall be installed in the relevant yard in accordance with the Figure DD2.2 in respect of any new development (including service areas and outdoor storage areas) or any extension to an existing development comprising a total floor area of 100m<sup>2</sup> or greater, if visible from any street, public place or land zoned residential or reserve).
- The landscaping in Figure DD2.2 is not required, or alternative landscaping may be applied, if written approval is provided to the Council from the owners and occupiers of the adjoining site adjacent to the relevant yard along with signed copies of the site plan, elevations, and landscaping plan signed by the adjoining owners and occupiers.

<b>Yard or street front</b>	<b>Minimum Planting Bed Depth &amp; Fencing within the Yard</b>	<b>Trees</b>	<b>Minimum Size at Planting</b>	<b>Shrubs</b>	<b>Minimum Size at Planting &amp; at Maturity</b>
All yards adjoining a reserve, rural or residential zone or a road adjacent to a reserve, rural or residential zone or community facility All yards between a service court or outdoor storage area and an adjoining street front	3m depth Planting to face all boundaries except for actual points of entry to the site: for vehicles, pedestrians, power and gas supply 2m close boarded fence or solid wall to line inside edge of planter bed	Minimum of one deciduous or evergreen row Trees at a maximum of 9m centres	PB 95 or 2m tall	Minimum of 2 rows Maximum of 1m spacing	PB 8 or 400mm at planting 1.5m at maturity Trees shall be capable of attaining a height of 4m at maturity.

**Figure DD2.2 – Standards for Landscaping at the residential/reserve interface**

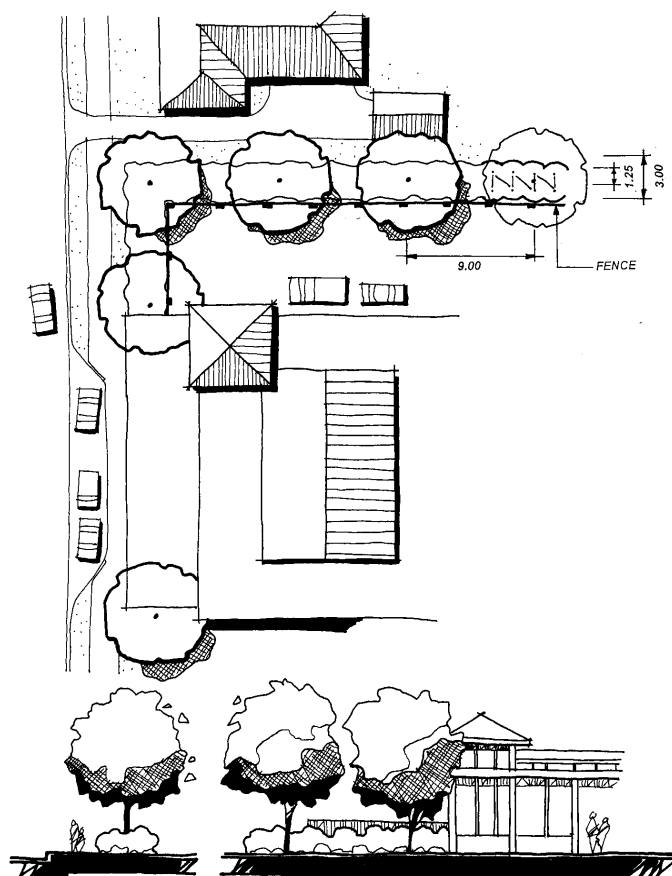
#### **Landscaping for Carparks**

(Applies to all zones except Inner Commercial and that part of the Aviation Commercial zone within the Citrus Grove Development Control Area)

- Landscaping shall be installed in the relevant yard in accordance with Figure DD2.3 when 6 or more car parking spaces are provided.

Yard or street front	Minimum Planting Bed Depth & Fencing within the Yard	Trees	Minimum Size at Planting	Shrubs	Minimum Size at Planting & at Maturity
All yards adjoining a reserve zone or street front.	3m depth Planting to face all boundaries except for actual points of entry to the site: for vehicles, pedestrians, power and gas supply	Minimum of one deciduous or evergreen row Trees at a maximum of 7.5m centres	PB 95 or 2 m tall	Minimum of 2 rows Maximum of 1.25m spacing	PB 8 or 400mm at planting 1.0m at maturity Trees shall be capable of attaining a height of 4m at maturity.
All yards adjoining a residential zone	3m depth Planting to face all boundaries except for actual points of entry to the site: for vehicles, pedestrians, power and gas supply 2m close boarded fence or solid wall to line inside edge of planter bed	Minimum of one deciduous or evergreen row Trees at a maximum of 7.5m centres	PB 95 or 2m tall	Minimum of 2 rows Maximum of 1.25m spacing	PB 8 or 400mm at planting 1m at maturity Trees shall be capable of attaining a height of 4m at maturity.

**Figure DD2.3 – Standards for Landscaping of Carparking in commercial zones**

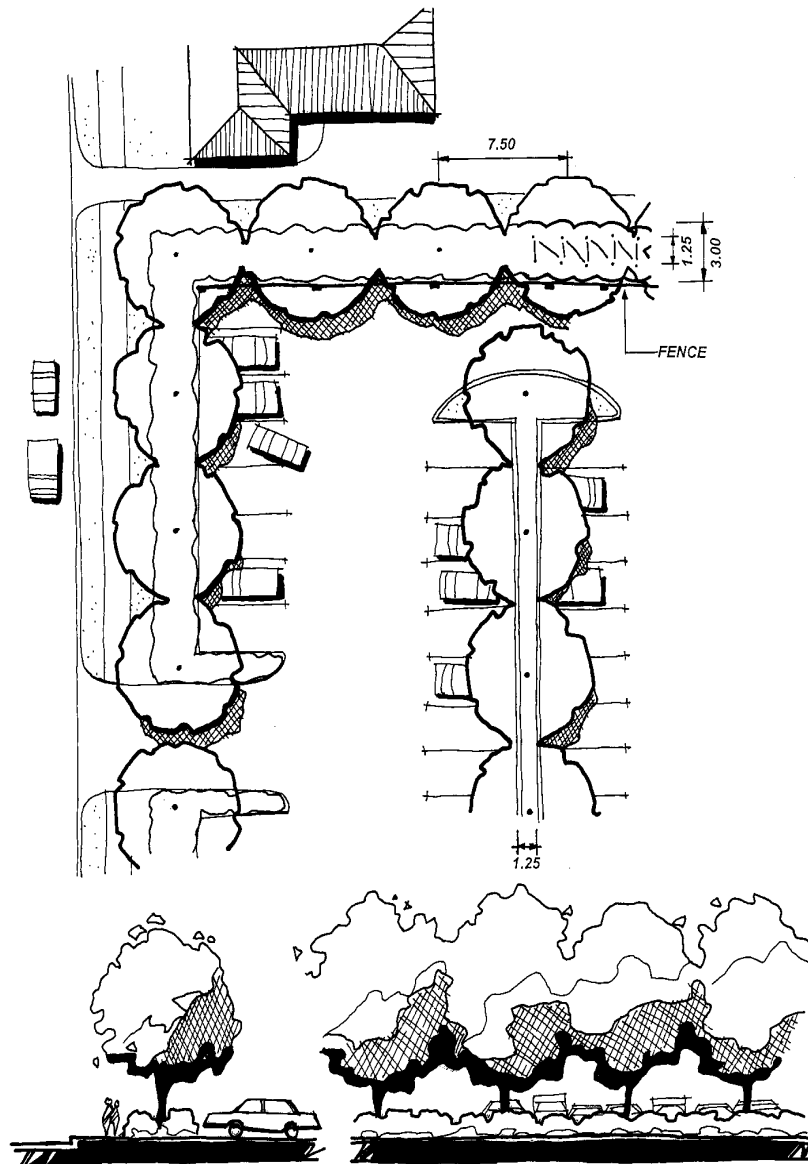


**Figure DD2.4: Commercial Landscaping**

#### LANDSCAPING AT THE COMMERCIAL/RESIDENTIAL INTERFACE

- Plan View: top
- Cross Section: bottom left
- Street Elevation: below right





**Figure DD2.5: Landscaping around carparks**

LANDSCAPING AROUND CARPARKS

Not to Scale

- Plan View: top
- Cross-Section: below left
- Street Elevation: below right

**Landscaping conditions (all zones except Inner Commercial)**

The following conditions apply to the landscaping required:

- a) for the Aviation Commercial zone
- b) at the Residential/Reserve/Rural Interface
- c) for carparks:
  - i. The landscaping shall be installed within the first planting season following the commencement of the activity
  - ii. All plants shall be in a healthy, disease-free state, at time of planting.
  - iii. All landscape beds shall remain free of impervious materials and surfaces, where beds are adjacent to storage or vehicle manoeuvring areas, beds shall be protected by wheel stop barriers to prevent damage to plants or the actual bed.



- iv. A two year maintenance programme of mulching, watering and weeding is required to ensure the survival or replacement of all trees and at least 80% of shrubs. This level of maintenance shall be continued thereafter.
- v. Trees shall not pose a hazard for adjoining residential neighbours or cars in the road reserve because of their physical characteristics, including susceptibility to wind throw, splitting off of branches and the release or loss of large cones.
- vi. Tree species shall not pose a health hazard because of pollen released by them.
- vii. Tree species shall be selected and/or located so as to minimise the effects of overshadowing on adjoining residential properties.
- viii. Tree species above car parks shall not release honeydew or other liquid residues which can damage paintwork on vehicles.
- ix. Trees located so that their canopies will ultimately extend over pedestrian areas shall have a habit (form) that either naturally accommodates the free passage of pedestrians under them or that can be pruned to accommodate such movement.
- x. Where the Council has already adopted a street planting strategy in the surrounding commercial or residential precinct, tree species shall be chosen that are compatible with the intent and theme of that programme.
- xi. Fencing or walling shall be continuous along residential boundaries and reserve boundaries without breaks.
- xii. Gaps between boards shall be closed off either by overlapping boards or by the use of battens.
- xiii. The style of fencing and its general appearance shall not detract from residential amenity values.
- xiv. All fencing/walling is to be maintained.
- xv. The landscaping rules for yards shall apply in respect of any new development (including service areas and outdoor storage areas if visible from any street, public place or land zoned residential or reserve), or any extension to an existing development comprising a total floor area of 100m<sup>2</sup> or greater.
- xvi. With respect to landscaping rules for yards, the rule may be modified or waived at the request of the owner of the affected adjoining site provided that copies of the site plan, elevations, and landscaping plan which have been signed by both the adjoining owner and the owner of the commercial site are deposited with the Council.
- xvii. Design and implementation of landscaping shall be such that vegetation does not protrude or be allowed to grow in a manner that will adversely affect suitable sight distances for motorists entering and exiting entranceways and intersection onto Awapuni Road. Landscaping shall not be planted in the state highway road reserve. Planting shall be in accordance with sight distances specified in the table for C2.1.7.1(H).

**I. Alterations or additions to external façades of buildings**

- a) The alteration or addition shall not be to a heritage item listed in Schedule G4 or G5.
- b) The alteration or addition to the external façade of the building shall not be greater than 15m<sup>2</sup> in extent or
- c) If the alteration or addition to the external façade of the building is greater than 15m<sup>2</sup> in extent it shall not be visible from a street, public place, or residential or reserve zoned land.

**Rule Table DD2.6.1A – Inner Commercial Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
<b>Permitted Activities</b>				
2.6.1A(1)	Residential accommodation both visitor and permanent	Permitted	Inner Commercial	a) Accommodation is not situated on the ground floor level;
2.6.1A(2)	Small retail activities where the gross floor area is less than 500m <sup>2</sup>	Permitted	Inner Commercial	a) Retail activities may include restaurants, facilities for the sale of liquor (including alterations and additions to existing licensed buildings and expansion of existing licensed activities).
2.6.1A(3)	Outdoor entertainment and outdoor cafes <i>Note:</i> Outdoor entertainment and outdoor cafes must also comply with The Public Places Bylaw, 1995.	Permitted	Inner Commercial	
2.6.1A(4)	Installation or alteration of antennas, or support structures (other than network utility activities)	Permitted	Inner Commercial	
2.6.1A(5)	Offices	Permitted	Inner Commercial	
2.6.1A(6)	Alterations or additions to existing external façades of buildings that comply with the general standards	Permitted	Inner Commercial	
2.6.1A(7)	Spiritual facilities	Permitted	Inner Commercial	
2.6.1A(8)	Meteorological activities	Permitted	Inner Commercial	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
2.6.1A(9)	Temporary activities	Permitted	Inner Commercial	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 C11.2.15.2(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.  <u><i>Note:</i></u> <i>Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety, can be obtained from the Environmental Health and Building Inspectorates of Council.</i>
2.6.1A(10)	Erection of new buildings <i>Note:</i>	Permitted	Inner Commercial	a) The building is not visible from any street, public place or land zoned residential or reserve.

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
	Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety, can be obtained from the Environmental Health and Building Inspectorates of Council.			
2.6.1A(11)	Educational institutions (including early learning and daycare centres)	Permitted	Inner Commercial	a) The activity is not located at ground floor level
2.6.1A(12)	Indoor entertainment activities	Permitted	Inner Commercial	<p>a) On-sites where a continuous street façade is identified, it shall be maintained. This shall be achieved by the location of other permitted activities, such as cafes, retail or offices on the front façade, with entertainment activities located at the rear of the site. Although an entrance to the entertainment activity shall be permitted at the front of the site.</p> <p>b) The activity may include facilities for the sale of liquor (including alterations and additions to existing buildings and expansion of existing licensed activities).</p>
<b>Controlled Activities</b>				
2.6.1A(13)	<p>Retail activities where the gross floor area is between 500m<sup>2</sup> and 5000m<sup>2</sup> inclusive</p> <p>Provided that:</p> <p>a) The activity satisfies all general standards specified for a permitted activity.</p>	Controlled	Inner Commercial	<p>Council shall limit its control to matters a) to f) specified below:</p> <p>a) amenity values</p> <p>b) human health and comfort</p> <p>c) financial contributions</p> <p>d) parking, loading and traffic management</p> <p>e) safety, design and appearance</p> <p>f) continuous street façade and pedestrian frontage.</p>
<b>Restricted Discretionary Activities</b>				
2.6.1A(14)	Erection of new buildings visible from any street, public place or land zoned residential or reserve	Restricted Discretionary	Inner Commercial	<p>Council shall limit its discretion to matters a) to c) specified below:</p> <p>a) design guidelines in Appendix H6</p> <p>b) amenity values</p> <p>c) external design and appearance.</p>
2.6.1A(15)	Alterations or additions to existing external façades of buildings (not listed in Schedule G4 or G5) that do not comply with the General Standards	Restricted Discretionary	Inner Commercial	<p>Council shall limit its discretion to matters a) to c) specified below:</p> <p>a) design guidelines in Appendix H6</p> <p>b) amenity values</p> <p>c) external design and appearance.</p>
2.6.1A(16)	<p>Activities listed as Permitted or Controlled which do not comply with the General Standards in respect of:</p> <p>a) Infrastructure, Works and Services</p> <p>b) Landscaping in terms of fencing/walling requirements</p>	Restricted Discretionary	Inner Commercial	<p>Council shall restrict its discretion to matters a) to g) specified below:</p> <p>a) Amenity values</p> <p>b) Human health and comfort</p> <p>c) Financial contributions</p> <p>d) Infrastructure, works and services</p> <p>e) Landscaping, fencing and walling</p>

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
	c) Financial contributions d) Noise e) Verandahs			f) Safety and design and appearance g) Heritage values in the Heritage Alert Layer
<b>Discretionary Activities</b>				
2.6.1A(17)	Commercial parking buildings and parking areas	Discretionary	Inner Commercial	
2.6.1A(18)	Activities which do not comply with the General Standards in respect of: a) Height and Recession plane b) Yards	Discretionary	Inner Commercial	
2.6.1A(19)	Educational institutions (including early learning and daycare centres) not provided for as Permitted	Discretionary	Inner Commercial	
2.6.1A(20)	Recycling Depots	Discretionary	Inner Commercial	
2.6.1A(21)	Indoor Entertainment activities not provided for as Permitted Activities	Discretionary	Inner Commercial	
<b>Non-complying Activities</b>				
2.6.1A(22)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Inner Commercial	

**Rule Table DD2.6.1B – Fringe Commercial Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
<b>Permitted Activities</b>				
2.6.1B(1)	Residential accommodation both visitor and permanent	Permitted	Fringe Commercial	
2.6.1B(2)	Educational Institutions (including early learning and daycare centres)	Permitted	Fringe Commercial	
2.6.1B(3)	Offices	Permitted	Fringe Commercial	
2.6.1B(4)	Parking areas	Permitted	Fringe Commercial	
2.6.1B(5)	Food outlets	Permitted	Fringe Commercial	
2.6.1B(6)	Service stations and the storage and sale of liquid petroleum gas	Permitted	Fringe Commercial	a) The activity does not adjoin a site zoned residential.
2.6.1B(7)	Health and medical centres	Permitted	Fringe Commercial	
2.6.1B(8)	Alterations or additions to existing external facades of buildings that comply with the general standards	Permitted	Fringe Commercial	
2.6.1B(9)	Spiritual facilities	Permitted	Fringe Commercial	
2.6.1B(10)	Meteorological activities	Permitted	Fringe Commercial	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
2.6.1B(11)	Installation or alteration of antennas, or support structures (other than network utility activities)	Permitted	Fringe Commercial	
2.6.1B(12)	Temporary Activities	Permitted	Fringe Commercial	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 C11.2.15.2(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.

2.6.1B(13)	Erection of new buildings	Permitted	Fringe Commercial	a) The building is not visible from any street, public place or land zoned residential or reserve.
<b>Controlled Activities</b>				
2.6.1B(14)	Retail activities where the gross floor area is between 500m <sup>2</sup> and 5000m <sup>2</sup> inclusive	Controlled	Fringe Commercial	a) Only one retail activity or operation shall be permitted per site. The clustering of several independent retail activities or operators is not provided for by the rule. Council shall restrict its control to matters a) to c) below: a) external design, appearance and orientation of all buildings and parking areas b) traffic management c) amenity values.
<b>Restricted Discretionary Activities</b>				
2.6.1B(15)	Erection of new buildings visible from any street, public place or land zoned residential or reserve	Restricted Discretionary	Fringe Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.
2.6.1B(16)	Alterations or additions to existing external façades of buildings (not listed in Schedule G4 or G5) that do not comply with the General Standards	Restricted Discretionary	Fringe Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.
2.6.1B(17)	Activities listed as Permitted or Controlled which do not comply with the General Standards in respect of a) Infrastructure, Works and Services b) Landscaping in terms of fencing/walling requirements c) Financial contributions d) Noise e) Height and recession plane f) Yards	Restricted Discretionary	Fringe Commercial	Council shall limit its discretion to matters a) to g): a) amenity values b) human health and comfort c) financial contributions d) infrastructure, works and services e) landscaping, fencing and walling f) safety and design and appearance g) heritage values in the Heritage Alert Layer.
2.6.1B(18)	Temporary activities which do not comply with the rules for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary	Fringe Commercial	Council shall restrict its discretion to matters a) to d) a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation

2.6.1B(19)	In respect of the site legally described as Lots 1 and 3 DP 311292 only, retail activities having a gross floor area greater than 5,000m <sup>2</sup> .	Restricted Discretionary	Fringe Commercial	Council shall restrict its discretion to matters a) to d) a) external design b) appearance and orientation of building and parking areas c) infrastructure, works and services d) amenity values.
<b>Discretionary Activities</b>				
2.6.1B(20)	Warehouses	Discretionary	Fringe Commercial	
2.6.1B(21)	Industry	Discretionary	Fringe Commercial	
2.6.1B(22)	Commercial parking buildings	Discretionary	Fringe Commercial	
2.6.1B(23)	Retail activities where the gross floor area is less than 500m <sup>2</sup>	Discretionary	Fringe Commercial	
2.6.1B(24)	Retail activities where the gross floor area is between 5,000m <sup>2</sup> and 8,000m <sup>2</sup> (excluding Lots 1 and 3 DP 311292)	Discretionary	Fringe Commercial	
2.6.1B(25)	Industrial activities established within the zone prior to December 2002 – this rule shall include the expansion of such activities onto other sites in the zone	Discretionary	Fringe Commercial	
2.6.1B(26)	Activities listed as Permitted or Controlled which do not comply with the rules, and are not provided for as Restricted Discretionary	Discretionary	Fringe Commercial	
<b>Non-complying Activities</b>				
2.6.1B(27)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Fringe Commercial	
2.6.1B(28)	Retail activities where the gross floor area is 8000m <sup>2</sup> or greater (excluding Lots 1 and 3 DP 311292)	Non-complying	Fringe Commercial	

## Rule Table DD2.6.1C – Outer Commercial Zone

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
<b>Permitted Activities</b>				
2.6.1C(1)	Educational institutions (including early learning and daycare centres) for up to 20 pupils	Permitted	Outer Commercial	a) The activities complies with the rules contained in DD1 - Residential
2.6.1C(2)	Offices ancillary to any other permitted activity	Permitted	Outer Commercial	
2.6.1C(3)	Parking areas	Permitted	Outer Commercial	
2.6.1C(4)	Light industrial activities	Permitted	Outer Commercial	
2.6.1C(5)	Warehouses	Permitted	Outer Commercial	
2.6.1C(6)	Service stations and the storage and sale of liquid petroleum gas	Permitted	Outer Commercial	a) The activity does not adjoin a site zoned residential
2.6.1C(7)	Health and medical centres	Permitted	Outer Commercial	
2.6.1C(8)	Alterations or additions to existing external facades of buildings that comply with the general standards	Permitted	Outer Commercial	
2.6.1C(9)	Spiritual facilities	Permitted	Outer Commercial	
2.6.1C(10)	Meteorological activities	Permitted	Outer Commercial	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
2.6.1C(11)	Installation or alteration of antennas and support structures (other than network utility activities)	Permitted	Outer Commercial	
2.6.1C(12)	Temporary Activities	Permitted	Outer Commercial	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 C11.2.15.2(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.
2.6.1C(13)	Recycling depots	Permitted	Outer Commercial	
2.6.1C(14)	Erection of new buildings	Permitted	Outer Commercial	a) The building is not visible from any street, public place or land zoned residential or reserve
2.6.1C(15)	Retail activities ancillary to any other permitted activity	Permitted	Outer Commercial	
<b>Restricted Discretionary Activities</b>				
2.6.1C(16)	Erection of new buildings visible from any street, public place or land zoned residential or reserve	Restricted Discretionary	Outer Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.
2.6.1C(17)	Alterations or additions to existing external façades of buildings (not listed in Schedule G4 or G5) that do not comply with the General Standards	Restricted Discretionary	Outer Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.
2.6.1C(18)	Temporary activities which do not comply with the rules for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary	Outer Commercial	Council shall restrict its discretion to matters a) to d) a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation
2.6.1C(19)	Activities listed as Permitted or Controlled which do not comply with the General Standards in respect of: a) Infrastructure, Works and Services b) Landscaping in terms of fencing/walling requirements c) Financial contributions d) Noise e) Verandahs	Restricted Discretionary	Outer Commercial	Council shall restrict its discretion to matters a) to g) specified below: a) Amenity values b) Human health and comfort c) Financial contributions d) Infrastructure, works and services e) Landscaping, fencing and walling f) Safety and design and appearance g) Heritage values in the Heritage Alert Layer
2.6.1C(20)	Activities listed as Permitted which do not comply with the General Standards in respect of: a) Height and recession plane b) Yards	Restricted Discretionary	Outer Commercial	Council shall restrict its discretion to matters a) to d) specified below: a) Amenity values b) Human health and comfort c) Heritage values in the heritage alert layer d) Financial contributions

<b>Discretionary Activities</b>				
2.6.1C(21)	Industry	Discretionary	Outer Commercial	
2.6.1C(22)	Commercial parking buildings	Discretionary	Outer Commercial	
2.6.1C(23)	Irradiation plants	Discretionary	Outer Commercial	
2.6.1C(24)	Activities listed as Permitted or Controlled which do not comply with the rules, and are not provided for as Restricted Discretionary	Discretionary	Outer Commercial	
<b>Non-complying Activities</b>				
2.6.1C(25)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Outer Commercial	

## Rule Table DD2.6.1D – Suburban Commercial Zone

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
<b>Permitted Activities</b>				
2.6.1D(1)	Residential accommodation both visitor and permanent	Permitted	Suburban Commercial	a) The activity complies with the rules for the General Residential Zone b) The activity does not occur in the Noise Impact Overlay
2.6.1D(2)	Small retail activities	Permitted	Suburban Commercial	a) Retail activities shall include the sale of liquor but shall exclude consumption thereof; b) Where the retail activity includes the sale of liquor the hours of operation for the sale of liquor shall be limited to Monday-Saturday 0900h to 2300h and Sunday 0900h to 2200h. c) The activity does not occur in the Noise Impact Overlay.
2.6.1D(3)	Educational institutions (including early learning and daycare centres) for up to 20 pupils	Permitted	Suburban Commercial	a) The activities complies with the rules contained in DD1 – Residential b) The activity does not occur in the Noise Impact Overlay
2.6.1D(4)	Offices	Permitted	Suburban Commercial	a) The activity does not occur in the Noise Impact Overlay
2.6.1D(5)	Places of assembly	Permitted	Suburban Commercial	a) The activity does not adjoin any site zoned residential b) The hours of operation are limited to 0600 to 2200 hrs c) The activity does not occur in the Noise Impact Overlay
2.6.1D(6)	Health and medical centres	Permitted	Suburban Commercial	
2.6.1D(7)	Outdoor entertainment and outdoor activities	Permitted	Suburban Commercial	a) Outdoor entertainment and outdoor activities exclude the consumption of liquor, sale of liquor or facilities for the sale of liquor b) The hours of operation are limited to 0500 to 2200 hrs Monday to Saturday c) There is no amplified music Outdoor entertainment and outdoor activities must also comply with the Public Places Bylaw
2.6.1D(8)	Restaurants	Permitted	Suburban Commercial	a) Facilities for the sale of liquor or consumption of liquor (excluding retail stores), shall be excluded b) alterations and additions to existing licensed buildings and the expansion in operation of licensed facilities shall be excluded.
2.6.1D(9)	Spiritual facilities	Permitted	Suburban Commercial	
2.6.1D(10)	Meteorological activities	Permitted	Suburban Commercial	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.

2.6.1D(11)	Temporary activities	Permitted	Suburban Commercial	<ul style="list-style-type: none"> <li>a) The activity shall be exempt from all the General Standards except noise.</li> <li>b) The activity shall comply with rules for noise specified in Rule C11.2.15.2(3) (Figure C11.9).</li> <li>c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.</li> <li>d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.</li> <li>e) Activities shall only be conducted between 0700: 2200 hours, where the site is located in or adjacent to a residential zone.</li> </ul>
2.6.1D(12)	Erection of new buildings	Permitted	Suburban Commercial	<ul style="list-style-type: none"> <li>a) The building is not visible from any street, public place or land zoned residential or reserve</li> </ul>
<b>Restricted Discretionary Activities</b>				
2.6.1D(13)	Erection of new buildings visible from any street, public place or land zoned residential or reserve	Restricted Discretionary	Suburban Commercial	<p>Council shall limit its discretion to matters a) to c) specified below:</p> <ul style="list-style-type: none"> <li>a) design guidelines in Appendix H6</li> <li>b) amenity values</li> <li>c) external design and appearance.</li> </ul>
2.6.1D(14)	Alterations or additions to existing external façades of buildings (not listed in Schedule G4 or G5) that do not comply with the General Standards	Restricted Discretionary	Suburban Commercial	<p>Council shall limit its discretion to matters a) to c) specified below:</p> <ul style="list-style-type: none"> <li>a) design guidelines in Appendix H6</li> <li>b) amenity values</li> <li>c) external design and appearance.</li> </ul>
2.6.1D(15)	Temporary activities which do not comply with the rules for Permitted activities in respect of: <ul style="list-style-type: none"> <li>a) Noise</li> <li>b) Duration of the activity</li> <li>c) Frequency of the activity</li> <li>d) Hours of operation</li> </ul>	Restricted Discretionary	Suburban Commercial	<p>Council shall restrict its discretion to matters a) to d)</p> <ul style="list-style-type: none"> <li>a) Noise</li> <li>b) Duration of the activity</li> <li>c) Frequency of the activity</li> <li>d) Hours of operation.</li> </ul>
2.6.1D(16)	Activities listed as Permitted or Controlled which do not comply with the General Standards in respect of: <ul style="list-style-type: none"> <li>a) Infrastructure, Works and Services</li> <li>b) Landscaping in terms of fencing/walling requirements</li> <li>c) Financial contributions</li> <li>d) Noise</li> </ul>	Restricted Discretionary	Suburban Commercial	<ul style="list-style-type: none"> <li>a) Amenity values</li> <li>b) Human health and comfort</li> <li>c) Financial contributions</li> <li>d) Infrastructure, works and services</li> <li>e) Landscaping, fencing and walling</li> <li>f) Safety and design and appearance</li> <li>g) Heritage values in the Heritage Alert Layer</li> </ul>
<b>Discretionary Activities</b>				

2.6.1D(16)	Facilities for the sale of liquor (excluding retail stores) and / or consumption of liquor	Discretionary	Suburban Commercial	
2.6.1D(17)	Alterations and additions to existing licensed buildings and the expansion in operation of existing licensed facilities	Discretionary	Suburban Commercial	
2.6.1D(18)	Service stations and the storage and sale of liquid petroleum gas	Discretionary	Suburban Commercial	
2.6.1D(19)	Recycling depots	Discretionary	Suburban Commercial	
2.6.1D(20)	Supermarkets where the gross floor area is between 1500m <sup>2</sup> and 5000m <sup>2</sup> provided that the site is located with the area known at Kaiti Mall, situated between Wainui Road and Jackson Street.	Discretionary	Suburban Commercial	
2.6.1D(21)	Activities listed as permitted which do not comply with the rules and are not provided for as restricted discretionary activities	Discretionary	Suburban Commercial	
<b>Non-complying Activities</b>				
2.6.1D(22)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Suburban Commercial	

## Rule Table DD2.6.1E – Rural Commercial Zone

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
<b>Permitted Activities</b>				
2.6.1E(1)	Residential accommodation both visitor and permanent	Permitted	Rural Commercial	a) The activity complies with the rules for the General Residential Zone
2.6.1E(2)	Retail activities	Permitted	Rural Commercial	a) Retail activities shall include the sale of liquor but shall exclude consumption thereof; b) Where the retail activity includes the sale of liquor the hours of operation for the sale of liquor shall be limited to Monday-Saturday 0900h to 2300h and Sunday 0900h to 2200h.
2.6.1E(3)	Educational institutions (including early learning and daycare centres) for up to 20 pupils	Permitted	Rural Commercial	a) The activities complies with the rules contained in DD1 – Residential
2.6.1E(4)	Offices	Permitted	Rural Commercial	a) The activity does not occur in the Noise Impact Overlay
2.6.1E(5)	Places of assembly	Permitted	Rural Commercial	a) The activity does not adjoin any site zoned residential
2.6.1E(6)	Light industrial activities	Permitted	Rural Commercial	
2.6.1E(7)	Warehouses	Permitted	Rural Commercial	
2.6.1E(8)	Health and medical centres	Permitted	Rural Commercial	
2.6.1E(9)	Spiritual facilities	Permitted	Rural Commercial	
2.6.1E(10)	Meteorological activities	Permitted	Rural Commercial	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
2.6.1E(11)	Installation or alteration of antennas and support structures (other than network utility structures)	Permitted	Rural Commercial	
2.6.1E(12)	Temporary activities	Permitted	Rural Commercial	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 C11.2.15.2(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.

2.6.1E(13)	Erection of new buildings	Permitted	Rural Commercial	a) The building is not visible from any street, public place or land zoned residential or reserve Note: Attention is drawn to the requirements of the Building Act 2004.
2.6.1E(14)	Restaurants	Permitted	Rural Commercial	a) Facilities for the sale of liquor or consumption of liquor shall (excluding retail stores) be excluded b) Alterations and additions to existing licensed buildings and the expansion in operation of licensed facilities shall be excluded.
<b>Controlled Activities</b>				
2.6.1E(15)	Erection of new buildings visible from any street, public place or land zoned residential or reserve	Controlled	Rural Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.
2.6.1E(16)	Alterations or additions to existing external façades of buildings (not listed in Schedule G4 or G5) that do not comply with the General Standards	Controlled	Rural Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.
<b>Restricted Discretionary Activities</b>				
2.6.1E(17)	Temporary activities which do not comply with the rules for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary	Rural Commercial	Council shall restrict its discretion to matters a) to d) a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation
2.6.1E(18)	Activities listed as Permitted or Controlled which do not comply with the General Standards in respect of: a) Infrastructure, Works and Services b) Landscaping in terms of fencing/walling requirements c) Financial contributions d) Noise	Restricted Discretionary	Rural Commercial	a) Amenity values b) Human health and comfort c) Financial contributions d) Infrastructure, works and services e) Landscaping, fencing and walling f) Safety and design and appearance g) Heritage values in the Heritage Alert Layer
<b>Discretionary Activities</b>				
2.6.1E(19)	Facilities for the sale of liquor, including alterations and additions to existing licensed buildings and the expansion in operation of existing licensed activities	Restricted Discretionary	Rural Commercial	
2.6.1E(20)	Transport and road contractor's depots	Restricted Discretionary	Rural Commercial	

2.6.1E(21)	Outdoor entertainment and outdoor cafes	Restricted Discretionary	Rural Commercial	<i>Note: Refer to the public places Bylaw in addition to any planning requirements</i>
2.6.1E(22)	Irradiation plants	Restricted Discretionary	Rural Commercial	
2.6.1E(23)	Recycling depots	Restricted Discretionary	Rural Commercial	
2.6.1E(24)	Activities listed as Permitted which do not comply with the rules, and are not provided for as Restricted Discretionary Activities	Restricted Discretionary	Rural Commercial	
<b>Non-complying Activities</b>				
2.6.1E(25)	Activities which are not provided for as Permitted, Controlled, Restricted Discretionary or Discretionary activities	Non-complying	Rural Commercial	



**Rule Table DD2.6.1F – Amenity Commercial Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
<b>Permitted Activities</b>				
2.6.1F(1)	Residential accommodation both visitor and permanent	Permitted	Amenity Commercial	
2.6.1F(2)	Restaurants	Permitted	Amenity Commercial	
2.6.1F(3)	Entertainment and outdoor cafes	Permitted	Amenity Commercial	<i>Note: Refer also to the Public Places Bylaw in addition to any planning requirements</i>
2.6.1F(4)	Historical and cultural facilities including museums	Permitted	Amenity Commercial	
2.6.1F(5)	Tourist centres and facilities associated with tourism	Permitted	Amenity Commercial	
2.6.1F(6)	Retail activities ancillary to other permitted activities	Permitted	Amenity Commercial	
2.6.1F(7)	Installation or alteration of antennas, or support structures (other than network utility activities)	Permitted	Amenity Commercial	
2.6.1F(8)	Alterations or additions to existing external facades of buildings that comply with the general standards	Permitted	Amenity Commercial	
2.6.1F(9)	Temporary activities	Permitted	Amenity Commercial	<ul style="list-style-type: none"> <li>a) The activity shall be exempt from all the General Standards except noise.</li> <li>b) The activity shall comply with rules for noise specified in Rule C11.2.15.2(3) (Figure C11.9).</li> <li>c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.</li> <li>d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.</li> <li>e) Activities shall only be conducted between 0700: 2200 hours, where the site is located in or adjacent to a residential zone.</li> </ul>
<b>Restricted Discretionary Activities</b>				
2.6.1F(10)	Erection of new buildings associated with permitted activities Provided that: a) The gross floor area of any building shall not exceed 2,000m <sup>2</sup>	Restricted Discretionary	Amenity Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.

	b) Buildings shall comply with the general standards			
2.6.1F(11)	Alterations or additions to existing external façades of buildings (not listed in Schedule G4 or G5) that do not comply with the General Standards	Restricted Discretionary	Amenity Commercial	Council shall limit its discretion to matters a) to c) specified below: a) design guidelines in Appendix H6 b) amenity values c) external design and appearance.
2.6.1F(12)	Activities listed as Permitted or Controlled which do not comply with the General Standards in respect of: a) Infrastructure, Works and Services b) Landscaping in terms of fencing/walling requirements c) Financial contributions d) Noise	Restricted Discretionary	Amenity Commercial	Council shall restrict its discretion to matters a) to g) specified below: a) Amenity values b) Human health and comfort c) Financial contributions d) Infrastructure, works and services e) Landscaping, fencing and walling f) Safety g) Design and appearance and orientation to the harbour
<b>Discretionary Activities</b>				
2.6.1F(13)	Educational Institutions (including early learning and daycare centres)	Discretionary	Amenity Commercial	
2.6.1F(14)	Offices	Discretionary	Amenity Commercial	
2.6.1F(15)	Small retail activities	Discretionary	Amenity Commercial	The assessment criteria for such proposals shall include: a) Amenity values b) Interface with other zone activities and building orientation c) Parking and access d) Landscaping, fencing and walling e) Design and appearance, compliance with any design guidelines f) Pedestrian access and ease of movement g) Financial contribution h) Impact on the well-being of the existing City Centre
2.6.1F(16)	Activities listed as permitted which do not comply with the rules, and are not provided for as controlled, restricted discretionary activities	Discretionary	Amenity Commercial	
2.6.1F(17)	Activities that do not comply with the General Standards in respect of: a) Height and recession plane b) Yards	Discretionary	Amenity Commercial	

<b>Non-complying Activities</b>				
2.6.1F(18)	Activities which are not provided for as Permitted, Controlled, Restricted Discretionary or Discretionary activities	Non-complying	Amenity Commercial	

**Rule Table DD2.6.1G – Aviation Commercial Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters for Control or Discretion
<b>Permitted Activities</b>				
2.6.1G(1)	Aviation Operations	Permitted	Aviation Commercial	
2.6.1G(2)	Aviation Transport Activities	Permitted	Aviation Commercial	
2.6.1G(3)	Offices ancillary to any other permitted activity	Permitted	Aviation Commercial	
2.6.1G(4)	Erection, alterations and additions to buildings for permitted activities	Permitted	Aviation Commercial	
2.6.1G(5)	Meteorological activities	Permitted	Aviation Commercial	
2.6.1G(6)	Installation or alteration of antennas and support structures (other than for network activities)	Permitted	Aviation Commercial	
<b>Restricted Discretionary Activities</b>				
2.6.1G(7)	Aviation Training Facilities Provided that: a) The activity satisfies all general standards for a Permitted Activity.	Restricted Discretionary	Aviation Commercial	Council shall restrict its discretion to matters a) to c) specified below: a) The noise emissions from any training or circuit flights and compliance with the OCB and ANB contours identified within Appendix H2 – Airport Designation and Noise Conditions. b) Structure Plan for the Citrus Grove Development Control Area (Schedule G10). c) Any measure which may be adopted to manage the noise from training flights. These measures may include – but are not limited to – flight path and flight circuits, hours of operation, flight frequencies, the type of aircraft and mechanical mitigation of engine noise. ( <u>Note</u> : it is anticipated that a Management Plan will be developed for this purpose and the opportunity to establish a community liaison group shall form part of this Plan).
2.6.1G(8)	Activities that do not comply with the General standards in respect of: a) Infrastructure, works and services b) Financial contributions c) Noise d) Yards e) Height and recession plane, including Airport Height Control Surfaces	Restricted Discretionary	Aviation Commercial	Council shall restrict its discretion to matters a) to h) specified below: a) Amenity values b) Human health, safety and comfort c) Financial contributions d) Infrastructure, works and services e) Structure Plan for the Citrus Grove Development Control Area f) Operation of the Airport g) Aircraft safety

				h) Reverse sensitivity.
<b>Non-complying Activities</b>				
2.6.1G(9)	Activities which are not provided for as Permitted, Controlled, Restricted Discretionary or Discretionary activities	Non-complying	Aviation Commercial	

## DD3 INDUSTRIAL ZONES

The provisions of DD3 are district plan provisions.



District Plan

Part DD3 is operative

### DD3.1 Industrial zones: Introduction

Industrial activities are important because of their ability to generate a range of adverse effects on the environment. Industrial processing can affect both the physical environment and other activities through discharges of contaminants, heat and steam, noise, dust, vibration, odour, lighting, glare, shading and visual impacts of structures and industrial activities, and other effects which may cause a nuisance to surrounding land users.

Industry is important in the district as it enables people and the community to provide for their economic well-being by adding value to the primary produce of the district through further processing, together with other manufacturing and service industries.

Established industrial activities already operate in the district. This activity is mainly focused in and around the Gisborne urban area. The Gisborne urban area contains mainly smaller industries although some larger processing industries have historically located around the port and railway area, and a large food processing plant operates from the Lytton Road/Awapuni Road industrial area. More recently, a rural industrial area for larger operations has been established in the Willows and McDonalds Road area of Matawhero. Industrial location was controlled by zoning under the provisions of district schemes prepared under previous legislation.

The industrial area at Makaraka has continued to develop over recent years and provides a range of generally rural-related industrial activities. A new Rural Industrial A zone in the vicinity of Aerodrome Road and Awapuni Road has been identified to accommodate future expansion of light-to-medium industrial operations.

Rural industries have predominantly been those which were required to facilitate farming production – such as packhouses, rural contractors' depots, rural carriers and small wineries. The Rural Industrial B zone has enabled some large timber processing activities to establish in a rural area provided any adverse effects were avoided, remedied or mitigated. Council wishes to promote the efficient use and development of industry in this area and recognises that this will affect the amenity and environment of this area over time. It is anticipated that some industries will wish to locate outside of the established industrial zones, and that an assessment of any effects will be required in such cases.

Recently there has been considerable growth in the processing of forest products. There are substantial forests (principally *pinus radiata*) planted in the district which are beginning to be harvested in quantities which are able to support a growing timber processing industry.

It is anticipated that this growth will continue over the next 20 years so that timber processing and allied industries will become a major part of the industrial activity in this area. Much of this activity will be located around the Gisborne urban area, particularly in the Rural Industrial B zone.

However the activities of forest planting, management, felling and transportation of logs will be spread across the district. The transportation of logs and forest products will have a major impact on the district's transport networks, especially roads and port operations.

With the predicted growth of industrial operations there is a requirement to consider how the effects from these industries could best be avoided, remedied or mitigated, to ensure that the physical environment and other activities which enable the community to meet its needs are not adversely affected.

In the past the main method for controlling industrial effects was zoning. This method is still considered appropriate for the urban environment and as one tool for restricting the impact of industry on the prime soils of the Poverty Bay Flats.

## **DD3.2 Issues**

1. Adverse environmental effects from industries such as noise, odour, dust, and visual impacts particularly along arterial routes to the urban area can degrade the environment and adversely affect other activities particularly Gisborne Airport safety and operations.
2. Reduction in the life-supporting capacity of the district's soil resources from the adverse effects of industrial activity.
3. Lack of acknowledgement of the importance of amenity values and environmental quality within industrial areas to those who visit and work within industrial areas, especially recognising the increasing trend to mix recreational, retail and other commercial activities within these areas.
4. The generally low quality design and location of buildings with minimal landscaping in industrial areas can adversely affect the surrounding amenity values and quality of the environment, particularly in locations where activities will be potentially visible from significant public spaces such as the arterial routes to the Gisborne urban area.
5. In order to provide the opportunity for industrial growth and development, zoning of appropriate areas is required to establish an industrial land resource. However, as land use changes in these areas with more industrial activities, the character of the environment and amenity values will also change. In some cases it will not be possible to maintain the amenity values which existed prior to industrial development occurring.

## **DD3.3 Objectives**

### **DD3.3.1 Compatibility Objectives**

1. Industrial activity that avoids, remedies or mitigates adverse effects on adjacent land use activity.
2. Enable only those non-industrial activities that will not be adversely affected by industry or adversely affect industrial activities or adversely affect the sustainability of the city centre, to locate in the zone.

### **DD3.3.2 Natural Heritage Objective**

1. Avoid, remedy, or mitigate the adverse effects of industrial activities upon the natural heritage values of the receiving environment with particular reference to C9: Natural Heritage.

### **D3.3.3 Infrastructure Objectives**

1. Sustainable management of the district's infrastructural resources.
2. Access to industrial zones which does not compromise the safety and efficiency of the state highway network, given the essential nature of the network's contribution to the economic, social and cultural well-being of the community and to achieve sustainable management.

### **DD3.3.4 Amenity Objectives**

1. Where industrial activities or areas meet with other zones or activities the environment is to be maintained or enhanced as far as practicable to avoid, mitigate or remedy adverse environmental effects on adjoining sites and areas.
2. A pattern of land use integrated with networks utility to promote:

- a) energy efficiency and efficiency in the use of natural and physical resources
  - b) a safe and healthy environment
  - c) maintenance and, where possible, enhancement of amenity values particularly at zone boundaries but also within industrial zones
  - d) avoidance of adverse effects on the environment.
3. Maintenance and, where possible, enhancement of amenity values and environmental quality within industrial zones.

### DD3.3.5 Location Objective

1. The avoidance, remediation or mitigation of the adverse effects of industrial activities upon the life supporting capacity of the district's soil resources.
2. To preserve the Rural Industrial B zone for the very largest of industrial activities to ensure that such activities have opportunities to establish in the region and that this is not compromised by fragmentation of the zone.
3. Provide industrial areas that can be developed in an efficient and appropriate manner.

#### Principal reasons:

- **Compatibility 1:** Industries vary considerably in their size, scale and the range of effects they create. Some effects only occur because of the sensitive nature of neighbouring activities and residential areas are sensitive to many of the effects which may be generated by industry.
- **Compatibility 2:** It is important that the limited areas set aside for industrial activities are not compromised by commercial or other activities when there is adequate land zoned for such activities within the district. It is also important to recognise that allowing commercial activities to establish in the industrial zones may adversely affect the sustainability of the city centre.
- **Natural Heritage 1:** Industrial uses may create effects which could adversely impact upon the natural values of the immediate and wider environment.
- **Infrastructure 1:** Industrial activities often require substantial infrastructural support – including roads, sewers, waste disposal, water and energy supplies. The supply of these support networks can have major environmental impacts and it is important that these effects are avoided, remedied or mitigated.
- **Infrastructure 2:** The objective recognises the need to safeguard the limited resource that the roading infrastructure represents, especially state highways.
- **Amenity 1:** To achieve a reasonable level of amenity for people carrying out other activities including residential, adjacent to industrial areas.
- **Amenity 2:** The pattern of subdivision, development and consequential installation of infrastructure, must be designed, located and constructed so as to ensure that Part II matters in the Act are satisfied.
- **Amenity 3:** While there is some general acceptance of lower amenity levels in industrial zones, these values are still regarded as important. Mitigation of noise and odour and maintenance and, where possible, enhancement of amenity values are important for the social well-being of staff and visitors.
- **Location 1:** Efficient use of water and soil resources will reduce conflict between potential users.
- **Location 2:** The very largest of industrial operations have very limited location choices in the district, due to the effect such operations have on more sensitive environments. Council has identified a significant area of land suitable for such activities. This land may not be fully developed for many years and it is important that the zone is not compromised in the short-to-medium term by the establishment of small or medium industrial operations.
- **Location 3:** Industrial areas need to be promoted within the district to enable economic and social well-being.



## DD3.4 Policies

### DD3.4.1 Compatibility Policies

1. To ensure that the adverse effects of industrial land use on the soil and water resources of the district are avoided, remedied or mitigated.
2. To ensure that the adverse effects of industrial activity on adjacent land use activity is avoided, remedied or mitigated, while recognising that in areas such as the Rural Industrial B zone, it will not always be possible to maintain existing amenity values associated with non-industrial land uses.
3. In relation to the adverse effects from an industrial activity, regard will be had to the following when considering applications for plan changes or resource consents:
  - a) the location of the industrial activity, in particular where associated with the life-supporting soils on the Poverty Bay and Tolaga Bay flats
  - b) visual contrasts between the activity and the landscape
  - c) effects on and proximity to adjacent land use activity
  - d) proximity to existing industrial activity, use and development
  - e) the cumulative adverse effects of industrial activity, use and development on the productive capacity of the district's soil and water resource
  - f) the heritage values of the landscape and their tolerance to change.
4. In the case of resource consents for non-industrial activities, Council shall have regard to the following matters:
  - a) Suitability for location in an industrial zone based on sensitivity of the activity to:
    - noise
    - traffic
    - visual impact
    - health and safety
    - the ability of the proposed activity to protect itself against any such adverse effects (e.g. insulate against noise effect) of industrial activities either adjacent to or in the vicinity of the site.
  - b) For a commercial activity, the adverse effect on the sustainability of the city centre caused by the activity establishing out of zone;
  - c) The likelihood of industrial sprawl caused by the cumulative effect of allowing non-industrial activities to establish in the industrial zones.

### DD3.4.2 Natural Heritage Policies

1. To avoid locating industries on sites which are important for the functioning of ecosystems, natural features and landscapes, areas of significant indigenous vegetation and significant habitats of indigenous fauna, or the life supporting capacity of air, water and soil, with particular reference to C9 Natural Heritage, unless the effect of locating on the site can be mitigated by some method.
2. To ensure that industries do not create, either alone or in combination with other activities, adverse effects which will reduce the quality of the natural environment.
3. Recognition that in some areas the quality of the environment and ecosystems has been degraded, and enhancement may be required in association with any industrial development.

### DD3.4.3 Infrastructure Policies

1. Industrial activities to provide a standard of servicing which meets their operational needs while avoiding, remedying or mitigating any adverse environmental effects.
2. In areas where connection to reticulated water and sewer systems is unavailable industries operating only where they can provide for their water supply waste water and effluent treatment and other waste disposal in a manner which will avoid mitigate or remedy any adverse environmental effects.
3. Connection of individual sites via an internal roading network in the Rural Industrial A zone to secondary roads such as Aerodrome and MacDonalds Roads, to avoid any unnecessary compromise of the state highway roading network.
4. When considering whether to grant consent or impose conditions in respect of any resource consent in the Rural Industrial A zone regard shall be given to:
  - a) The need for the area to develop as an integrated and efficient industrial precinct that specifically provides for small-to-medium sized industrial activities.
  - b) The extent to which the subdivision complies with the Roding Concept Plan in Appendix H11 provided that:
    - a variation to the Roding Concept Plan may be considered if the proposal enables the orderly development of a roading network to the entire area without compromising the integrity of the concept or requiring any site to obtain direct access to State Highway 35.
  - c) where a proposed subdivision comprises sites of less than 1000m<sup>2</sup> area per site, then consideration shall be given to:
    - the ability of the utility network to cope with the increased density of development;
    - the potential cumulative effect on the operation of existing and provision of future infrastructure; and
  - d) Evaluate landscape provisions for the area and impose conditions relating to planting and landscape requirements for the area to the extent necessary to establish planted areas consistent with Appendix H14 and to ensure protection of watercourses and maintenance and, where possible, enhancement of amenity values. To protect the safe and efficient operation of Gisborne Airport by ensuring that ground-based activities do not interfere with Airport and aircraft operations including the use of navigation and communication devices.

### DD3.4.4 Amenity Policies

1. Industrial development along road frontages at the zone boundary and other zone boundaries to be located and landscaped or otherwise designed to enhance the level of visual amenity. To ensure the landscaping will enhance visual amenity the scale, height and nature of the industrial development, existing landscape setting, and likely effectiveness of proposed screening will need to be taken into account.
2. To promote the maintenance and, where possible, enhancement of amenity values within industrial zones, and the surrounding environment by requiring new development to ensure that building design and orientation on the site enhances the streetscape of every adjoining arterial or principal road and public space, regardless of whether physical access is available to that road.
3. To recognise and accept that the character and environment within the Industrial Rural B zone will change over time as more industry is developed in the area.

### DD3.4.5 Location Policies

1. To locate industrial activities, where possible, on land that is of comparatively low productive capacity.

2. To resist establishment of small or medium industries within the Rural Industrial B zone and to facilitate their location in other industrial zones where the adverse effects on the environment can be avoided, remedied or mitigated.

**Principal reasons:**

- **Compatibility 1:** This policy is intended to reduce or eliminate adverse effects which arise due to the location of industries in or near areas which are sensitive to the environmental effects generated by industrial activity.
- **Compatibility 2:** Areas have been identified within the district for industrial development. These areas currently have a mix of industrial and non-industrial land uses which can give rise to conflicts. Where Council has identified areas for industrial development, there will be a transition of land use type and amenity values over time.
- **Compatibility 3:** To allow flexibility for industries where it is difficult to predict their effects, or in areas where it is difficult to predict demand for industry.
- **Compatibility 4:** When assessing the suitability for a non-industrial activity to locate in the industrial zone, it is important to consider the sensitivity of the activity to a number of possible effects generated by surrounding industrial uses, also the impact on the commercial zones of commercial activities not locating in the city centre and the adverse effects of filling areas identified as appropriate for industrial activities with non-industrial uses, which could readily locate in other zones.
- **Natural Heritage 1:** The Act places considerable emphasis on the protection of natural systems in sections 5, 6 and 7. This policy is intended to protect natural systems from adverse effects from industries.
- **Natural Heritage 2:** To allow flexibility for industries where it is difficult to predict their effects, or in areas where it is difficult to predict demand for industry.
- **Natural Heritage 3:** Maintenance and enhancement of the quality of the environment.
- **Infrastructure 1:** Avoidance of adverse effects from overtaxing existing infrastructure network and ensuring new systems are appropriate for the industry they serve and will not create adverse environmental effects.
- **Infrastructure 2:** To ensure industries in unserviced areas are able to obtain and provide services and disposal systems which will not adversely impact upon the environment, and ensure infrastructure services operate efficiently.
- **Infrastructure 3:** A Roding Concept Plan for the Rural Industrial A zone has been developed. This was prepared to enable development while ensuring that the development was sustainably managed and that the efficiency of the state highway network is not compromised by further accessways onto this limited access stretch of the highway. Deviations from the concept is encouraged provided that the policy of connecting all sites via an internal road network is achieved.
- **Infrastructure 4:** The Council has identified this area in recognition of the limited availability of suitable land for small-to-medium industrial activities. This is a strategic decision for which consideration should be given, to ensure the provision of such land is not compromised by any individual circumstance.

The Council has approved a Roding Concept Plan for the Rural Industrial A zone. The Roding Concept Plan indicates the links required between sites for the provision of essential vehicular access to the entire zone. This was prepared to enable development while ensuring that the development was sustainably managed.

Deviations from the concept are encouraged provided that the objective of connecting all sites via a roding network is achieved with development outside of the parameters of the Roding Concept Plan. This will depend on the capacity of the system as well as whether a financial contribution would be able to avoid, remedy or mitigate any potential adverse effects.

The potential for aircraft accidents increases near the Airport as aircraft undertaking landing or taking off manoeuvres in close proximity to the ground have limited options to manoeuvre and require precise control and guidance. Ground-based activities in the vicinity of the Airport must be compatible to maintain the efficient operation and safety of aircraft using Gisborne Airport and its air space corridors. The principal reason is to safeguard the operational environment of Gisborne Airport to provide for the safety and health of people.

- **Amenity 1:** Avoidance of adverse effects on visual amenity from industrial development.
- **Amenity 2:** While there is some general acceptance of lower amenity levels in industrial zones, these values are still regarded as important. Areas visible from major roads (principal and arterial) should be especially safeguarded, not only with regard to landscaping to enhance such boundaries but also in terms of building design and orientation to avoid such areas being treated as backyard spaces (especially where no vehicular access is available to such roads) causing a loss of amenity value to the surrounding environment.
- **Amenity 3:** Although the provisions of the Plan will ensure that environmental effects of industrial activities are appropriately avoided, remedied or mitigated, the assessment of effects must take into account the anticipated land use for the area and the efficient use and development of land.
- **Location 1:** To preserve the productive potential of high quality soils, where possible.
- **Location 2:** It is desirable that the zone be kept available over the long term for the largest of industrial operations, as these activities cannot readily identify other locations easily due to the quantity of land required and the potential effects on more sensitive environments. The General Industrial and Rural Industrial A zones have been specifically established to accommodate small and medium industrial activities. Location of such activities in the Rural Industrial B zone should only be provided for where this would better achieve the purpose of the Act.

## DD3.5 Methods

### Works and Services

1. Council works and services i.e. water and sewer reticulation, roading, road amenity programmes to be implemented through the Council's Annual Plan.

### Regulation

1. Rules within the Tairāwhiti Plan to avoid, mitigate or remedy adverse environmental effects from or on industry.
2. Identification of rural and urban industrial zones in the Tairāwhiti Plan. As one method to achieve Policies DD3.4.3 and DD3.4.5, land is to be zoned for industry in the Gisborne urban area and the surrounding area. The zones recognise that different areas differ in their responses to environmental effects. Zoning is one method for reducing or avoiding adverse effects on areas or activities which might be adversely affected by industrial activity.
3. There are three zones:
  - a) **General Industrial:** which is a method to reduce or eliminate adverse effects from industry on other urban activities, particularly residential, and to also reduce any adverse effects other urban activities may place on industrial activities.
  - b) **Rural Industrial A:** which is a method to control the adverse effects of industrial activities, whilst providing principally for industrial support services and allied smaller industries required by large processing industries likely to be located in the Rural Industrial B zone, and for rural industrial activities which do not require an urban location. This method will assist to preserve the majority of the Rural Industrial B zone for the largest of industrial processing activities and to largely retain the General Industrial zone for urban based industrial activities.
  - c) **Rural Industrial B:** which is a method of reducing the combined effects large processing industries, their support services and allied smaller industries may have on the rural environment and to preserve the productive potential of the soils of Poverty Bay, where possible.

- d) Outside of the Gisborne urban area, the Poverty Bay flats and Tolaga Bay, industrial zoning will not be used as a method for implementing the policies.

**Principal reasons:**

**Works and Services**

- **Method 1:** In some instances direct implementation of service works by Council through the Annual Plan process is the most efficient method for achieving some policies.

**Regulation**

- **Method 1:** Rules will be used to provide certainty that defined environmental standards will be able to be achieved. Rules also provide certainty for the applicant and for the administration of the Plan.
- **Method 2 and 3:** In the past the main method for controlling industrial effects was zoning. This method is still considered appropriate for the urban environment and as one tool for restricting the impact of industry on the prime soils of the Poverty Bay Flats.

## DD3.6 Rules

### DD3.6.1 Rules for Industrial zones

Note: Activities shall comply, where relevant, with the regional or district rules and general standards 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, C10 Subdivision, C11 General Controls.

**Rural Industrial A Zone – Note:**

1. For the purpose of the rules within Rural Industrial A Zone any activity includes erecting or altering buildings and structures, unless otherwise specified.
2. Attention is drawn to the flood hazard rules in C8.2.3 and general standards C8.2.3.1 which regulates the location of buildings and structures within the flood hazard overlay.

#### DD3.6.1.1 General Standards

The following General Standards shall apply to all Permitted and Controlled activities conducted in industrial zones:

Note: Industrial activities which emit a discharge to air shall comply with the rules in C1 – Air Quality.

- A. All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy and C11.2: Noise and Vibration.
- B. All activities shall comply with Appendix H3A, Airport Height Control Surfaces.

**C. Height and Recession Plane**

- a) Maximum Building Height: 20m (excluding chimneys in the General Industrial and Rural B zones only and **excluding** ventilator shafts, water tanks, elevator lofts, antennas and finials and similar parts of the building that constitute only decorative features in all zones).

General Industrial and Rural Industrial B zones: 20m

Rural Industrial A zone: 12m

- b) Where any site has a common boundary with or is separated from land zoned residential, rural or reserve by any road or railway, then structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above the boundary facing the residential, rural or reserve zoned site. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

Note: Some sites within the Rural Industrial A zone are also located within the vicinity of the Airport Protection Overlay Area or the Airport Height Control Surface Area additional height restrictions may apply.

**D. Site Coverage**

- a) Maximum net site area of any site which may be covered by buildings in the Rural Industrial A zone only: 70%

**E. Minimum Site Size (excluding meteorological activities)**

- a) General Industrial zone: 800m<sup>2</sup> or smaller site that existed at the date of the notification of the Plan.
- b) Rural Industrial A zone: 1000m<sup>2</sup>
- c) Rural Industrial B zone: 2 hectares or smaller sites that existed at the Operative Plan date (31 January 2006).

**F. Yard Distances**

- a) Yards are only required where the site adjoins a reserve, rural, residential zone or community facility or a road adjacent to a reserve, rural or residential zone or community facility. Front sites adjoining Stanley Road shall provide a front yard and sites adjacent to Awapuni Road shall be provided with a yard on that boundary.
- b) General Industrial zone: 4.5m
- c) Rural Industrial B zone: 10m
- d) Rural Industrial A zone: All yards are defined in Figure DD3.1 below

<b>Yards are Required on Boundaries in the Following Situations</b>	<b>Minimum Yard Width</b>
Boundaries adjacent to a State Highway.	a) 20m
Road boundaries or other site boundaries adjacent to a rural zone, where the onsite building façade has a length greater than 30m.	b) 20m
Road boundaries or other site boundaries adjacent to a rural zone where the onsite building height is greater than 10m.	c) 20m
Road boundaries or other site boundaries adjacent to a rural zone where the onsite building height is less than or equal to 10m (except boundaries adjacent to state highway).	d) 10m
Any site boundary adjacent to or within Gisborne Airport boundary or any site boundary adjacent site zoned Industrial.	e) No yard
Any road boundary where building façade has significant architectural detailing and building length is less than or equal to 30m (excludes sites adjacent to state highway).	f) 6m
Any road boundary where building length is less than or equal to 30m and no buildings is closer than 20m to the boundary (excludes sites adjacent to state highway). Visitor or staff carpark areas.	g) 6m
Any road boundary where building length less than or equal to 30m and no buildings closer than 20m to boundary (excludes sites adjacent to State Highway). Truck manoeuvring bay.	h) 4.5m

**Figure DD3.1 – Yard Requirements for Rural Industrial A zone**



- e) No industry activity shall be conducted within 350m of the dwelling occupied for residential activities and existing at 5 February 2005 on land legally described as Lot 1 DP 6868 located at 202 MacDonalds Road, Matawhero, unless that industrial activity complies with the noise controls specified in Rule C11.2.15.1 (Rural zone) as though the dwelling was zoned Rural.

**G. Outdoor Storage**

- a) All outdoor storage areas for goods, materials, product, plant, machinery or equipment, and waste associated with the business shall be permanently screened when viewed from a residential zone, reserve zone, rural zone, or a road.
- b) Any outdoor storage of organic products or organic waste shall be covered, and shall be kept in an appropriate manner so as to not attract pests or birds in the industrial environment.

**H. Residential Accommodation**

- a) Refer to Figure C11.5 (C11.2 Noise and Vibration).

**I. Traffic**

- a) No motorised vehicular access shall be permitted to Willows Road, Matawhero, from sites undertaking industrial activities, on a part or whole of the site, where the site also has frontage to MacDonalds Road. All motorised vehicular access to these sites shall be via MacDonalds Road.
- b) **Rural Industrial A zone:** Access shall be via either Aerodrome Road or MacDonald Road as appropriate either directly or via lawful access over adjoining land for sites legally described as Lots 1 and 2 DP 8322, Lot 1 DP 4596, Lot 1 DP 773, Lot 24 DP 715, Pt Awapuni A2 Sections 3, 4A1, 4A2, 4A3 and 4B. No access shall be granted directly onto State Highway 35, except via Limited Access Points already approved by the New Zealand Transport Agency.

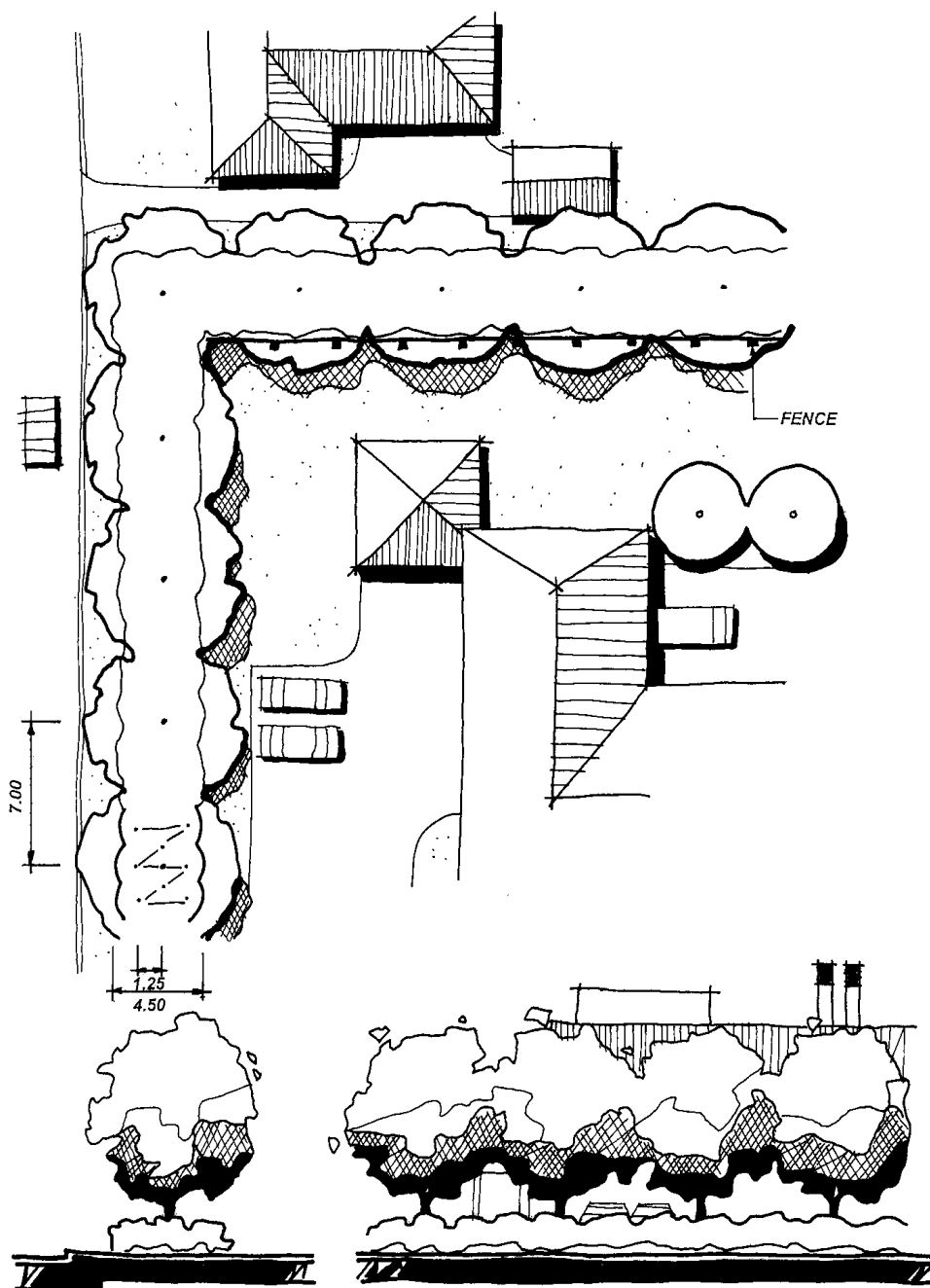
**J. Landscaping of yards – General Industrial zone**

- a) Landscaping shall be installed in the relevant yard in accordance with the table below in respect of any new development or any extension to an existing development comprising a total floor area of 100m<sup>2</sup> or greater.

The landscaping in the table is not required if written approval is obtained for an alternative landscaping design from the owners and occupiers of the site adjoining the relevant yard. The written approval must be supported by copies of the site plan, elevations, and landscaping plan which have been signed by the adjoining owners and occupiers, and must be submitted to Council with the building consent application. For clarity this does not apply to the road boundary.

Landscaping is required in the following yards	Minimum Planting Bed Depth & Fencing within the Yard	Trees	Minimum Size at Planting	Shrubs	Minimum Size at Planting and Maturity
All yards adjoining a reserve, rural or residential zone or a road adjacent to a reserve, rural or residential zone or Community Facility. All yards adjacent to a road front which is located at the boundary of the industrial zone.	4.5m from road or zone boundary Planting to face all boundaries except for actual points of entry to the site for vehicles, pedestrians, power supply, gas supply 2m close-boarded fence or solid wall to line inside edge of planter bed for all yards facing residential properties	Minimum of one deciduous or evergreen row Trees at maximum of 7m centres	PB 95 or 2m tall	Minimum of three rows Maximum of 1.25m spacing	PB 8 or 400mm at planting 1.5m at maturity.

**Figure DD3.2 – Landscaping requirements for yards in General Industrial zone**



**Figure DD3.3 – Illustration of the landscaping at the General Industrial zone/Residential Interface**

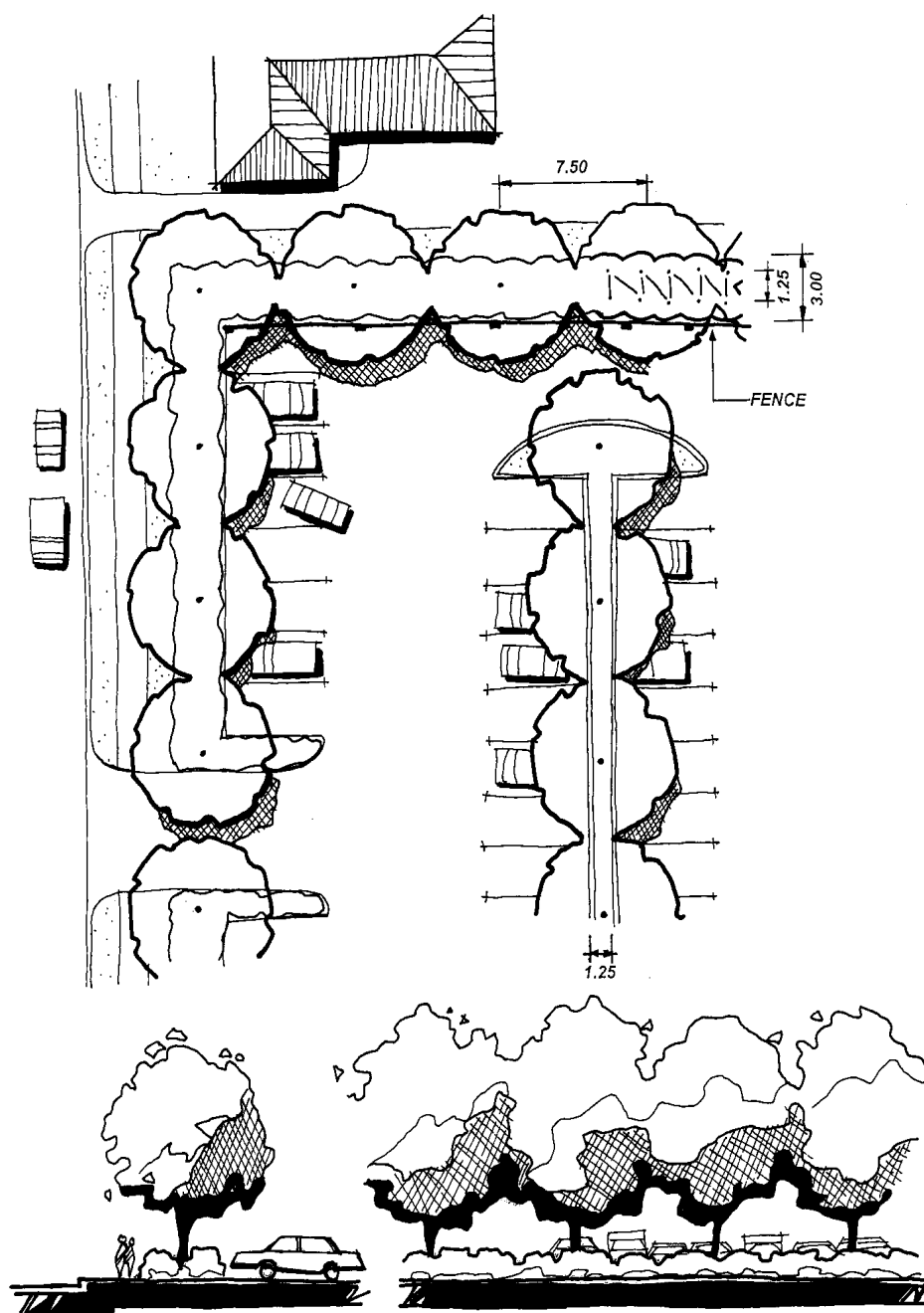
**K. Landscaping of car parks – General Industrial zone**

- a) Landscaping shall be installed in the relevant yard in accordance with the table below where 10 or more car parking spaces are provided for use by the public or where they are able to be viewed from the road:



<b>Landscaping is required in the following yards / locations between the car parking areas and the boundary</b>	<b>Minimum Planting Bed Depth &amp; Fencing within the Yard</b>	<b>Trees</b>	<b>Minimum Size at Planting</b>	<b>Shrubs</b>	<b>Minimum Size at Planting &amp; at Maturity</b>
All yards adjoining a reserve or commercial zone or road front	3m depth from road or zone boundary Planting to face all boundaries except for actual points of entry to the site: for vehicles, pedestrians, power and gas supply	Minimum of one deciduous or evergreen row Trees at a maximum of 7.5m centres	PB 95 or 2m tall	Minimum of 2 rows Maximum of 1.25m spacing	PB 8 or 400mm at planting 1.0m at maturity
All yards adjoining a residential zone	3m depth from road boundary Planting to face all boundaries except for actual points of entry to the site: for vehicles, pedestrians, power and gas supply 2m close boarded fence or solid wall to line inside edge of planter bed	Minimum of one deciduous or evergreen row Trees at a maximum of 7.5m centres	PB 95 or 2m tall	Minimum of 2 rows Maximum of 1.25m spacing	PB 8 or 400mm at planting 1.0m at maturity  Tree species shall be capable of attaining a minimum height of 4m
All internal medians between parking bays	1.25m depth of grass or other permeable surface	Minimum of one deciduous or evergreen row Trees at a maximum of 7.5m centres Trees to be consistent with Rules 19.14.11 (a)-(d) and 19.14.11.1(g)	PB 95 or 2m tall		Tree species shall be capable of attaining a minimum height of 4m

**Figure DD3.4 – Landscaping rules for car parks in General Industrial zone**



Plan View – top

Cross Section – below left

Street Elevation – below right

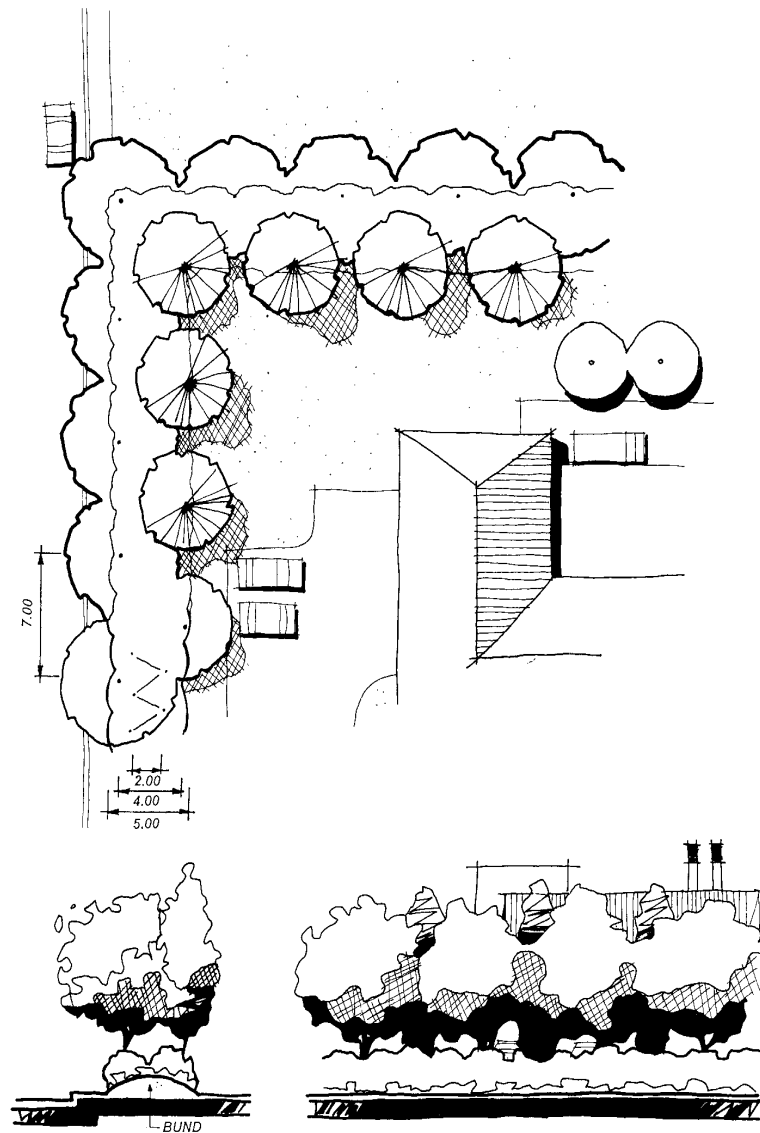
**Figure DD3.5 – Illustration of landscaping rules for car parks in General Industrial zone**

L. **Landscaping of yards – Rural Industrial B zone**

- a) Landscaping shall be installed in the relevant yard in accordance with the table below in respect of any new development, or any extension to an existing development comprising a total floor area of 100m<sup>2</sup> or greater (recommended tree species for landscaping are included in Appendix H12).

<b>Yard</b>	<b>Minimum Planting Bed Depth &amp; Bund within the Yard</b>	<b>Trees</b>	<b>Minimum Size at Planting</b>	<b>Shrubs</b>	<b>Minimum Size at Planting and Maturity</b>
All yards adjoining a rural zone, reserve or amenity reserve zone, or Community Facility. All yards adjacent to a road front	6m from road or zone boundary 4m wide bund Both to face all boundaries except for actual points of entry to the site: for vehicles, pedestrians, power supply, gas supply All planting to be securely fenced off from livestock within the site and/or within adjoining properties where applicable	Minimum of two staggered rows: no more than 4m apart One deciduous, one evergreen, or both evergreen Trees at maximum of 7m centres in each row Trees to be consistent with existing shelter-belt species in the rural areas between the Waipaoa River and Poverty Bay or within the species list	PB 40 or 2m tall	Minimum of two rows Maximum of 2m spacing	PB 8 or 400mm at planting 2m at maturity.  Tree species shall be capable of attaining a minimum height of 8m

**Figure DD3.6 – Rules for Landscaping Rural Industrial B zone**



Plan View – top

Cross Section – below left

Street Elevation – below right

**Figure DD3.7 – Illustration of Landscaping Rural Industrial B zone**

**M Landscaping conditions (General Industrial and Rural Industrial B zone)**

- a) The following conditions apply to the landscaping required for landscaping of yards – General Industrial zone, Landscaping of car parks – General Industrial zone and Landscaping of yards – Rural Industrial B zone.
  - i. The landscaping shall be installed within the first planting season following the commencement of the activity
  - ii. All plants shall be in a healthy, disease-free state at the time of planting;
  - iii. Landscape maintenance – including mulching, watering and weed control – shall be undertaken to ensure the survival or replacement of all trees and at least 80% of shrubs during a two year maintenance period after completion of planting, and shall be maintained at that level thereafter.
  - iv. Trees species above car parks shall not release honeydew or other liquid residues which can damage the paintwork on vehicles.

- v. All landscape beds shall remain free of impervious materials and surfaces. Where adjacent to storage or vehicle manoeuvring areas, beds shall be protected by wheel stop barriers to prevent damage to plants or the actual bed.
- vi. Trees shall not pose a hazard for adjoining residential neighbours because of their physical characteristics – including susceptibility to wind throw, splitting off of branches, and the release or loss of large cones.
- vii. Trees species shall not pose a health hazard because of the pollen released by them.
- viii. Trees species shall be selected and/or located so as to minimise the effects of over-shadowing on adjoining residential properties.
- ix. Fencing or walling shall be continuous along residential boundaries without breaks.
- x. Gaps between boards shall be closed off either by overlapping boards or the use of battens.
- xi. The style of fencing and its general appearance shall not detract from residential amenity.
- xii. All fencing/walling shall be maintained.

N Landscaping for Rural Industrial A zone

- a) Landscaping shall be installed in the relevant yard in accordance with Table 1 (Appendix 12) above in respect of any new development, or any extension to an existing development comprising a total floor area of 100m<sup>2</sup> or greater. In circumstances where more than one type of landscape type could apply to a site, the type with the lowest number shall prevail.
- b) The landscaping in Table 1 (appendix 12) above is not required for yards adjacent to or within the airport. However, if landscaping is introduced, it shall not interfere with aircraft utilising Gisborne Airport. The height restrictions imposed by the existence of the APOA and the Airport Height Control Surface Area shall override any landscaping requirements in Table 1 (Appendix 12).

O Landscaping conditions (General Industrial A zone)

- a) The following conditions apply to the landscaping required by Rule M: Landscaping conditions (General industrial and Rural industrial B Zone)

Walls and solid fences may only be erected on the internal boundary where yards are required by Rule F: Yard Distances. Fences shall not be erected on any boundary where landscaping is required by M: Landscaping conditions (General industrial and Rural industrial B Zone)

- i. Where security fencing is required, visually and water permeable type fencing is to be provided e.g chain link fencing.
- ii. Landscaping shall be of a permeable design in the F4 Flood Hazard Overlay, which enables flood waters to flow without causing undue build-up of water on adjoining properties, in accordance with Type 1A, 4A and 5A planting options as appropriate refer to Appendix 12. Where any conflict exists between rules in Appendix H12 and Chapter C8 – Natural Hazards, the rules in Chapter C8 shall take precedence.
- iii. No landscaped area may be used for the parking, loading or turning of vehicles except that every site may have two two-way vehicular crossings over the landscaped area, in accordance with rules in Chapter C2.1 of the Plan.

### Rule Table DD3.6.1A – General Industrial Zone

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
3.6.1A(1)	Industries	Permitted	General Industrial	
3.6.1A(2)	Warehouses	Permitted	General Industrial	
3.6.1A(3)	Activities and structures ancillary to industry	Permitted	General Industrial	
3.6.1A(4)	Recreational activities and structures	Permitted	General Industrial	
3.6.1A(5)	Residential accommodation in association with any activity listed above provided that the activity does not occur within the Noise Impact Overlay	Permitted	General Industrial	
3.6.1A(6)	Parking areas	Permitted	General Industrial	
3.6.1A(7)	Service stations and the storage and sale of liquid petroleum gas	Permitted	General Industrial	
3.6.1A(8)	Meteorological activities	Permitted	General Industrial	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
3.6.1(9)	Installation or alteration of antennas and support structures (other than network utility activities)	Permitted	General Industrial	
3.6.1A(10)	Temporary Activities	Permitted	General Industrial	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.
3.6.1A(11)	Transfer stations and recycling depots	Permitted	General Industrial	
3.6.1A(12)	Alterations and additions to existing dwelling units	Permitted	General Industrial	<i>Note: Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety can be obtained from the Environmental Health and building Inspectorates of Council.</i>
<b>Restricted Discretionary Activities</b>				
3.6.1A(13)	Activities listed as Permitted which do not comply with the rules in respect of: a) Noise and Vibration	Restricted Discretionary	General Industrial	Council will restrict its discretion to the matters a) – g) below: a) Impact on amenity values b) Impact on character of surrounding vicinity

	b) Height and Recession plane c) Site Size d) Yards e) Infrastructure, works and services f) Outdoor Storage g) Financial contributions i) Duration, frequency and hours of operation of the activity			c) Effects on human health and comfort d) Shading e) Aviation safety and requirements relevant to Gisborne Airport f) Heritage values in the heritage alert layer g) Financial contributions, works and services
3.6.1A(14)	Activities that do not comply with the General Standards in respect of landscaping	Restricted Discretionary	General Industrial	Detailed planting plans and a maintenance schedule covering a two year period after planting shall accompany all applications Council shall restrict its discretion to matter a) below: a) Ability to achieve outcomes i to v: i. Provide screening to prospective buildings from adjoining state highways or streets as well as boundaries between the newly formed zone with other zones. Differing treatments are possible for different façade types: <ul style="list-style-type: none"> <li>▪ Type 1 (Non-permeable) State highway frontages to be completely screened with dense planting;</li> <li>▪ Type 1A (Permeable) State highway frontages within F4 Flood Hazard Overlay providing a mix of dense screening and open area for flood water to pass</li> <li>▪ Type 2 (Non-permeable) For length of building along any road or adjacent to rural zone (excluding those covered by Type 1 or 3) to be screened with dense planting</li> <li>▪ Type 3 (Non-permeable) For length of building façade along road or rural zone, where façade is less than 30m and has significant architectural detailing. Tall partial screening</li> <li>▪ Type 4 (Non-permeable) any road where building length no more than 30m and not closer than 20m to boundary; suited to parking areas. Low partial screening</li> <li>▪ Type 4A (Permeable) Partial screen of car park area vegetation providing a mix of dense partial screening and open area for flood water to pass.</li> <li>▪ Type 5 (Non-permeable) Any road where buildings closer than 20m; suited to truck manoeuvring bay and yard</li> </ul> ii. Provide complete screening of backyards and outdoor storage areas of industrial sites which can become unsightly iii. Plantings should complement rather than contrast with existing vegetated road frontages iv. Fences (including security) required by developments to be erected internally with landscape plantings facing the roads

				v. To protect the safe and efficient operation of Gisborne airport by ensuring that landscaping is designed not to interfere with airport and aircraft operations including the use of navigation and communication devices.
<b>Discretionary Activities</b>				
3.6.1A(15)	Activities listed as Permitted which do not comply with the rules and are not provided for as Restricted Discretionary activities	Discretionary	General Industrial	
3.6.1A(16)	Irradiation Plants	Discretionary	General Industrial	
<b>Non-Complying Activities</b>				
3.6.1A(17)	Activities which are not specifically provided for as Permitted, Restricted Discretionary, or Discretionary activities	Non-complying	General Industrial	



**Rule Table DD3.6.1B – Rural Industrial A Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Rural Industrial A Zone</b>				
3.6.1B(1)	Farming excluding the erection of residential buildings	Permitted	Rural Industrial A	Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1B(2)	Warehouse activities	Permitted	Rural Industrial A	
3.6.1B(3)	Additions to or alterations of existing industrial or ancillary buildings	Permitted	Rural Industrial A	a) The addition or alteration does not exceed 500 square metres gross floor area Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1B(4)	Meteorological activities	Permitted	Rural Industrial A	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less. Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1B(5)	Installation or alteration of antennas and support structures (other than network utility activities)	Permitted	Rural Industrial A	Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1B(6)	Temporary Activities	Permitted	Rural Industrial A	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. Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1B(7)	Alterations and additions to existing dwelling units	Permitted	Rural Industrial A	Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1B(8)	Lunchbars and Dairies	Permitted	Rural Industrial A	
<b>Controlled Activities</b>				
3.6.1B(9)	Additions to or alterations of existing industrial or ancillary buildings with gross floor area greater than 500m <sup>2</sup> (but less than or equal to 1000m <sup>2</sup> ) provided that: a) The activity meets the General Standards for a permitted activity, where applicable.	Controlled	Rural Industrial A	Council shall limit its control to matters a) to e) specified below: a) Maintenance and enhancement of amenity values. b) Site layout particularly building design and location on site. c) Compliance with the intent of the Roding Concept Plan. d) Infrastructure, works and services. e) Mitigation of flood risk.

3.6.1B(10)	Industry and ancillary services provided that: a) The ancillary services activities shall be secondary to the principal use of the site for industrial activities. b) Ancillary retail activities, including restaurants, shall not exceed 100m <sup>2</sup> gross floor area.	Controlled	Rural Industrial A	Council shall limit its control to matters a) to e) specified below: a) Maintenance and enhancement of amenity values. b) Site layout particularly building design and location on site. c) Compliance with the intent of the Roding Concept Plan. d) Infrastructure, works and services. e) Mitigation of flood risk.
3.6.1B(11)	Erection of new buildings or structures visible from any road, public place or land zoned rural	Controlled	Rural Industrial A	Council shall limit its control to matters a) to e) specified below: a) Maintenance and enhancement of amenity values. b) Site layout particularly building design and location on site. c) Compliance with the intent of the Roding Concept Plan. d) Infrastructure, works and services. e) Mitigation of flood risk.
3.6.1B(12)	Activities in listed as permitted or controlled in the Rural Industrial A zone and located on 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road) provided that: a) the boundary between the Rural Industrial A zone and the Heritage Reserve zone is fenced with post and wire prior to commencement of any rural industrial activity; and b) a memorial stone is erected on the site of the urupa in the "Heritage Reserve" zone prior to the commencement of any rural industrial activity.	Controlled	Rural Industrial A	Council shall limit its control to matters a) to e) specified below: a) Maintenance and enhancement of amenity values. b) Site layout particularly building design and location on site. c) Compliance with the intent of the Roding Concept Plan. d) Infrastructure, works and services. e) Fencing f) Erection of a memorial stone
3.6.1B(13)	Carriers and transport operators depots	Controlled	Rural Industrial A	Council shall limit its control to matters a) to e) specified below: a) Maintenance and enhancement of amenity values. b) Site layout particularly building design and location on site. c) Compliance with the intent of the Roding Concept Plan. d) Infrastructure, works and services. e) Mitigation of flood risk.

#### **Restricted Discretionary Activities**

3.6.1B(14)	<p>Activities listed as Permitted or Controlled which do not comply with the General Standards relating to any two of the following:</p> <ul style="list-style-type: none"> <li>a) Noise and Vibration</li> <li>b) Height and recession plane – provided that general standard DD3.6.1.1(C) shall not be exceeded by more than 5m</li> <li>c) Stormwater disposal as set out in C2 (Built Environment, Infrastructure and Energy) of this Plan.</li> <li>d) Site size</li> <li>e) Yards – provided that general standard DD3.6.1.1(F) shall not be exceeded by more than 50 percent</li> <li>f) Infrastructure, Works and Services</li> <li>g) Traffic (excluding non-compliance with standard DD3.6.1.1)</li> <li>h) Outdoor Storage</li> <li>i) Residential accommodation</li> <li>j) Duration, frequency and hours of operation of the activity</li> </ul>	Restricted Discretionary	Rural Industrial A	<p>Council shall restrict its discretion to matters a) to d) specified below:</p> <ul style="list-style-type: none"> <li>a) Impact on character of surrounding vicinity.</li> <li>b) Effects on human health and comfort.</li> <li>c) Aviation safety and requirements relevant to Gisborne Airport.</li> <li>d) Infrastructure, works and services.</li> </ul>
3.6.1B(15)	<p>Retail activities (including restaurants) not provided for as Controlled activities provided that:</p> <ul style="list-style-type: none"> <li>a) The retail activities shall be ancillary to the principal use of the site for industrial activities; or</li> <li>b) The retail activities shall not exceed 400 square metres gross floor area.</li> <li>c) The activity shall comply with all the General Standards where applicable.</li> </ul>	Restricted Discretionary	Rural Industrial A	<p>Council shall restrict its discretion to matters a) to g) specified below:</p> <ul style="list-style-type: none"> <li>a) Enhancement of amenity values.</li> <li>b) Site layout particularly building design and location on site.</li> <li>c) Compliance with the intent of the Roading Concept Plan.</li> <li>d) Mitigation of flood risk.</li> <li>e) Provision of landscaping and signage.</li> <li>f) Infrastructure, works and services.</li> <li>g) Impact on the city environment</li> </ul>
3.6.1B(16)	<p>Service stations, truck stops and refuelling depots provided that:</p> <ul style="list-style-type: none"> <li>a) The activity shall comply with all the General Standards where applicable.</li> </ul>	Restricted Discretionary	Rural Industrial A	<p>Council shall restrict its discretion to matters a) to g) specified below:</p> <ul style="list-style-type: none"> <li>a) Enhancement of amenity values.</li> <li>b) Site layout particularly building design and location on site.</li> <li>c) Compliance with the intent of the Roading Concept Plan.</li> <li>d) Mitigation of flood risk.</li> <li>e) Provision of landscaping and signage.</li> </ul>

				<ul style="list-style-type: none"> <li>f) Infrastructure, works and services.</li> <li>g) Mitigation of any offsite effects of hazardous facility</li> </ul>
3.6.1B(17)	Residential accommodation in association with any activity listed as permitted provided that the activity does not occur within the Noise Impact Overlay provided that: a) The activity shall comply with all the General Standards where applicable.	Restricted Discretionary	Rural Industrial A	<p>Council shall restrict its discretion to matters a) to i) specified below:</p> <ul style="list-style-type: none"> <li>a) Enhancement of amenity values.</li> <li>b) Site layout particularly building design and location on site.</li> <li>c) Compliance with the intent of the Roding Concept Plan.</li> <li>d) Mitigation of flood risk.</li> <li>e) Provision of landscaping and signage.</li> <li>f) Infrastructure, works and services.</li> <li>g) Building design particularly in terms of noise insulation</li> <li>h) Impact on character of surrounding vicinity</li> <li>i) Effects on human health and comfort</li> </ul>
3.6.1B(18)	Transfer stations and recycling depots	Restricted Discretionary	Rural Industrial A	<p>Council shall restrict its discretion to matters a) to g) specified below:</p> <ul style="list-style-type: none"> <li>a) Enhancement of amenity values.</li> <li>b) Site layout particularly building design and location on site.</li> <li>c) Compliance with the intent of the Roding Concept Plan.</li> <li>d) Mitigation of flood risk.</li> <li>e) Provision of landscaping and signage.</li> <li>f) Infrastructure, works and services.</li> </ul>
3.6.1B(19)	Activities that do not comply with the General Standards in respect of landscaping	Restricted Discretionary	Rural Industrial A	<p>Detailed planting plans and a maintenance schedule covering a two year period after planting shall accompany all applications</p> <p>Council shall restrict its discretion to matter a) below:</p> <ul style="list-style-type: none"> <li>a) Ability to achieve outcomes i to v: <ul style="list-style-type: none"> <li>i. Provide screening to prospective buildings from adjoining state highways or streets as well as boundaries between the newly formed zone with other zones. Differing treatments are possible for different façade types: <ul style="list-style-type: none"> <li>▪ Type 1 (Non-permeable) State highway frontages to be completely screened with dense planting;</li> <li>▪ Type 1A (Permeable) State highway frontages within F4 Flood Hazard Overlay providing a mix of dense screening and open area for flood water to pass</li> <li>▪ Type 2 (Non-permeable) For length of building along any road or adjacent to rural zone (excluding those covered by Type 1 or 3) to be screened with dense planting</li> <li>▪ Type 3 (Non-permeable) For length of building façade along road or rural zone, where façade is less than 30m and has significant architectural detailing. Tall partial screening</li> <li>▪ Type 4 (Non-permeable) any road where building length no more than 30m and not closer than 20m to boundary; suited to parking areas. Low partial screening</li> </ul> </li> </ul> </li> </ul>

				<ul style="list-style-type: none"> <li>▪ Type 4A (Permeable) Partial screen of car park area vegetation providing a mix of dense partial screening and open area for flood water to pass.</li> <li>▪ Type 5 (Non-permeable) Any road where buildings closer than 20m; suited to truck manoeuvring bay and yard</li> </ul> <p>ii. Provide complete screening of backyards and outdoor storage areas of industrial sites which can become unsightly</p> <p>iii. Plantings should complement rather than contrast with existing vegetated road frontages</p> <p>iv. Fences (including security) required by developments to be erected internally with landscape plantings facing the roads</p> <p>v. To protect the safe and efficient operation of Gisborne airport by ensuring that landscaping is designed not to interfere with airport and aircraft operations including the use of navigation and communication devices.</p>
<b>Discretionary Activities</b>				
3.6.1B(20)	Activities listed as Permitted or Controlled which do not comply with the rules and are not provided for as Restricted Discretionary Activities	Discretionary	Rural Industrial A	
3.6.1B(21)	Any activities that do not comply with Rules DD3.6.1.1 (l)	Discretionary	Rural Industrial A	<p>In determining whether to grant consent and what conditions, if any, to impose, the Council will, in addition to the objectives and policies assess any application in terms of the following further assessment criteria:</p> <p>a) Whether alternative safe and effective access facilities are available to service the future development of the remaining land zoned Rural Industrial A and adjacent to Awapuni Road;</p> <p>b) Whether New Zealand Transport Agency as the road controlling authority for Awapuni Road (State Highway 35), has approved any alternative access to the remaining land zoned Rural Industrial A and adjacent to Awapuni Road</p>
3.6.1B(22)	Any activity listed as an offensive trade in terms of the Third Schedule to the Health Act 1956 (refer to Appendix H14)	Discretionary	Rural Industrial A	
3.6.1B(23)	Activities listed as Permitted or Controlled which do not comply with the General Standards and do not comply with either of Rules DD3.6.1.14(b) or (d) or (f)	Discretionary	Rural Industrial A	
3.6.1B(24)	Log storage activities	Discretionary	Rural Industrial A	
<b>Non-complying Activities</b>				
3.6.1B(25)	Activities which are not specifically provided for as a Permitted, Controlled Restricted Discretionary, Discretionary activities	Non-complying	Rural Industrial A	

**Rule Table DD3.6.1B – Rural Industrial B Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
3.6.1C(1)	Farming activities excluding the erection of residential buildings	Permitted	Rural Industrial B	Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1C(2)	Meteorological activities	Permitted	Rural Industrial B	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less. Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1C(3)	Installation or alteration of antennas and support structures (other than network utility activities)	Permitted	Rural Industrial B	Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1C(4)	Temporary Activities	Permitted	Rural Industrial B	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. Shall not apply to 1 Commerce Place (Lot 5 DP 405928), 51 Commerce Place (Lot 3 DP 405928), Commerce Place (Lot 4 DP 405928) (Awapuni Road);
3.6.1C(5)	Additions or alterations of existing industrial buildings		Rural Industrial B	a) The addition or alteration does not exceed 100m gross floor area <i>Note: Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety can be obtained from the Environmental Health and building Inspectorates of Council.</i>
<b>Controlled Activities</b>				
3.6.1C(6)	Industry and ancillary services	Controlled	Rural Industrial B	Council shall limit its control to matter a) specified below a) Financial contributions, works and services
3.6.1C(7)	Residential accommodation in association with any industry or ancillary service provided that the activity does not occur within the Noise Impact Overlay	Controlled	Rural Industrial B	Council shall limit its control to matter a) specified below a) Financial contributions, works and services
3.6.1C(8)	Transfer stations and recycling depots	Controlled	Rural Industrial B	
<b>Restricted Discretionary Activities</b>				

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
3.6.1C(9)	Permitted activities or Controlled activities which do not comply with the rules in respect of: a) Noise and vibration. b) Height and recession plane c) Site size. d) Yards. e) Infrastructure, Works and Services f) Outdoor storage. g) Financial contributions. h) Duration, frequency and hours of operation of the activity.	Restricted Discretionary	Rural Industrial B	Council shall restrict its discretion to matters a) to h) specified below: a) Impact on amenity values. b) Impact on character of surrounding vicinity. c) Effects on human health and comfort. d) Shading. e) Parking and access. f) Impact on natural heritage values and the functioning of natural ecosystems. g) Heritage values within the heritage alert layer. h) Financial contributions, works and services.
3.6.1C(10)	Activities that do not comply with the General Standards in respect of landscaping	Restricted Discretionary	Rural Industrial B	Detailed planting plans and a maintenance schedule covering a two year period after planting shall accompany all applications Council shall restrict its discretion to matter a) below: a) Ability to achieve outcomes i to v: i. Provide screening to prospective buildings from adjoining state highways or streets as well as boundaries between the newly formed zone with other zones. Differing treatments are possible for different façade types: <ul style="list-style-type: none"> <li>Type 1 (Non-permeable) State highway frontages to be completely screened with dense planting;</li> <li>Type 1A (Permeable) State highway frontages within F4 Flood Hazard Overlay providing a mix of dense screening and open area for flood water to pass</li> <li>Type 2 (Non-permeable) For length of building along any road or adjacent to rural zone (excluding those covered by Type 1 or 3) to be screened with dense planting</li> <li>Type 3 (Non-permeable) For length of building façade along road or rural zone, where façade is less than 30m and has significant architectural detailing. Tall partial screening</li> <li>Type 4 (Non-permeable) any road where building length no more than 30m and not closer than 20m to boundary; suited to parking areas. Low partial screening</li> <li>Type 4A (Permeable) Partial screen of car park area vegetation providing a mix of dense partial screening and open area for flood water to pass.</li> <li>Type 5 (Non-permeable) Any road where buildings closer than 20m; suited to truck manoeuvring bay and yard</li> </ul>

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
				<ul style="list-style-type: none"> <li>ii. Provide complete screening of backyards and outdoor storage areas of industrial sites which can become unsightly</li> <li>iii. Plantings should complement rather than contrast with existing vegetated road frontages</li> <li>iv. Fences (including security) required by developments to be erected internally with landscape plantings facing the roads</li> <li>v. To protect the safe and efficient operation of Gisborne airport by ensuring that landscaping is designed not to interfere with airport and aircraft operations including the use of navigation and communication devices.</li> </ul>
<b>Discretionary Activities</b>				
3.6.1C(11)	Activities listed as Permitted which do not comply with the rules and are not provided for as Restricted Discretionary activities	Discretionary	Rural Industrial B	
3.6.1C(12)	Irradiation plants	Discretionary	Rural Industrial B	
<b>Non-complying Activities</b>				
3.6.1C(13)	Activities which are not provided for as Permitted, Restricted Discretionary, Discretionary or Prohibited activities	Non-complying	Rural Industrial B	



## DD4 RURAL ZONES

The provisions of DD4 are district plan provisions.



District Plan

Part DD4 is operative

### DD4.1 Rural zones – Introduction

Gisborne district is a rural district with land use focused on rural type activities namely:

- a) the areas of high intensity farming on the elite soils namely on the Poverty Bay flats and the flats of Tolaga Bay, Ruatoria and Tikitiki;
- b) the peri-urban “lifestyle blocks” in close proximity to Gisborne Urban Area; and
- c) the balance of the rural land which, although not intensively developed has natural and cultural heritage and amenity values. These values are identified in C4: Cultural Heritage and C9: Natural Heritage. Development, primarily plantation and indigenous forestry and farming, should be enabled in these areas provided adverse effects on the environment can be avoided, remedied or mitigated.

#### Rural Residential zone (Rural R)

There has been increased pressure for residential expansion onto the productive land. This issue has been addressed through the use of rules on Rural Productive zoned land and through the creation of the Rural Residential zone between Gisborne Urban Area and the Poverty Bay Flats.

Peri-urban living is a legitimate land use and has been enabled through the use of the Rural Residential and Rural Lifestyle zones. These areas are already well established and developed. Peri-urban development may also be permitted in other rural areas where its adverse effects can be avoided, remedied or mitigated.

The Rural Residential zone also contains land identified for possible future urban residential development and therefore, until urban expansion occurs, the subdivision and development of this land is limited to preserve opportunities for quality urban design. The flats of Ruatoria and Tolaga Bay are also situated on high quality soils but are not subject to the same urban expansion pressures as the Poverty Bay flats.

#### Rural Lifestyle zone (Rural L)

In addition to these lifestyle areas, there are a number of rural properties used primarily as residences only, where the density of settlement is already greater than other peri-urban areas. These communities have identified that they wish to enable larger properties in the vicinity to subdivide, if this will not compromise or destroy the semi-rural atmosphere of the area.

A variety of scales and types of rural living is intended to be provided, dependant on an assessment of the physical constraints close to the Gisborne Urban Area and Poverty Bay Flats. This will allow development to occur in a controlled manner, while achieving a quality peri-urban environment.

### DD4.2 Issues

1. Adverse effects, through increased subdivision pressure for peri-urban development and, the potential for unsustainable use due to management practices that deplete soil fertility and structure, on the life-supporting capacity of the soils on the Poverty Bay Flats.
2. Peri-urban development has the potential to lead to rural land fragmentation and place constraints on the operation of growers because of concerns of residents about matters such as noise, dust and spraying. Peri-urban development is, however, a legitimate land use on the fringes of Gisborne Urban Area. These established areas should be allowed to continue to develop as they relieve pressure on the Poverty Bay Flats while simultaneously meeting a need in the market place.

3. Peri-urban development on the fringes of the Gisborne Urban Area is constrained by land instability, poor drainage and high water tables in most areas.
4. Some land on the fringes of the Gisborne Urban Area may be required for future urban expansion. However, allowing higher density peri-urban development with no controls may limit the opportunities for achieving a quality urban design in the future.
5. Peri-urban lifestyle activities can lead to pressure to extend or upgrade wastewater, stormwater, water supply and roading services. There are associated capital and maintenance costs, and potential lack of efficiency in providing these services.
6. Rural areas have important amenity and natural and cultural heritage values that can be adversely affected by subdivision, use and development, particularly the rural coastal environment.
7. There is a public expectation and often an economic and social need for non-rural activities in rural areas. These activities can, however, create adverse environmental effects.
8. Tall vegetation and structures adjacent to property boundaries in rural areas can have adverse effects such as:
  - a) impacts on road safety and road condition
  - b) loss of amenity to dwellings
  - c) soil moisture and nutrient loss, and decreased growth of plants.

## DD4.3 Objectives

### DD4.3.1 All Rural zone Objectives

1. Enable subdivision, use and development in all rural zones provided that adverse environmental effects can be avoided, remedied or mitigated.
2. Maintain rural amenity values.
3. Sustainable management of the life supporting capacity of the soils on the Poverty Bay Flats.
4. Enable peri-urban living in appropriate areas, and at densities where the adverse effects of this activity can be avoided, remedied or mitigated.
5. Locate structures and plant trees in such a manner as not to cause adverse environmental effects across property boundaries.

### DD4.3.2 Rural Residential Objectives

1. To provide for peri-urban development on the fringes of the Gisborne Urban Area and the fringes of the rural townships, where the adverse effects of this activity can be avoided, remedied or mitigated.
2. To preserve areas on the fringes of the Gisborne Urban Area where sustainable quality future residential development may be appropriate.

### DD4.3.3 Rural Lifestyle Objectives

1. To provide for a variety of scales of rural living, whilst sustainably managing the physical constraints within the peri-urban environment.
2. To provide for quality peri-urban development in areas where sites are already generally below one hectare as at 25 March 2000.

#### **Principal reasons:**

- **All rural zones 1:** This is a requirement of section 5 of the Act.

- **All rural zones 2:** The rural environment has a high degree of amenity value. Its maintenance is a requirement of section 7(c) of the Act.
- **All rural zones 3:** Highly productive and versatile soils play a major role in the economy of the region. The great majority of this activity takes place on the Poverty Bay flats. These soils are among the most fertile and productive in the country, but are a very finite resource representing only 5% of the region. The life supporting capacity of this resource, unless maintained, could be adversely affected by inappropriate subdivision and land use.
- **All rural zones 4:** A rural residential and rural lifestyle zone surrounds the Gisborne Urban Area and has been in place for some time.

There may be other areas in the district where this land use is appropriate but potential reverse sensitivity effects need to be considered.

- **All rural zones 5:** Trees and structures, in particular circumstances, can cause adverse effects. Ideally trees and structures should be located so that the adverse effects are avoided or mitigated and not transferred off-site.
- **Rural residential 1:** Dense peri-urban development has the potential to fragment rural land, plus constrain growers and their small scale farming activities through the sensitivity of those seeking a rural character on a management property ("reverse sensitivity"). The intent of the Rural Residential zone is to meet this demand in areas where peri-urban development can occur with limited adverse effects on the environment.
- **Rural residential 2:** The Council believes there could be areas on the fringes of the Gisborne Urban Area that may be suitable for future residential development. These areas should be retained to preserve the potential for a quality urban environment.
- **Rural lifestyle 1:** Demand for peri-urban development could threaten the district's productive soil resource if it is not limited to the appropriate areas.

The provisions of the zone are flexible to provide for those who wish to undertake small scale farming activities as well as those who seek to live in an environment where there is a rural character but where the size of properties is manageable. It will mostly relate to areas that are affected by known physical constraints, such as land instability, poor drainage soils and high water tables, and subsequently not as productive.

- **Rural lifestyle 2:** A function of the Rural Lifestyle zone is to provide for peri-urban living, specifically in areas where sites are already below one hectare.

## DD4.4 Policies

### DD4.4.1 All Rural Zones Policies

1. When preparing plans or considering applications for plan changes, resource consents or designations in all rural zones regard shall be given to the following general policy as well as any specific policy relating to the zone:
  - a) effect of the activity on the natural landform characteristics;
  - b) effect on significant indigenous vegetation and significant habitats of indigenous fauna with particular references to C9 – Natural Heritage;
  - c) effect on biodiversity, water quality, land stability and erosion with reference to C9 – Natural Heritage and C7 – Land Management;
  - d) the location, scale and nature of the proposed activity and its effect on the balance of the land and on adjoining properties;
  - e) alternative methods and locations available to carry out the works or activities;
  - f) physical constraints to the site such as separation by rivers or roads, site configuration and layout;
  - g) any adverse effect that the activity may have on existing rural activities;

- h) the shape, size and location of lots to be subdivided and any adverse effects they may have on amenity values;
  - i) whether covenants, buffer zones or separation distances between activities would assist in mitigating adverse environmental effects.
2. To manage the effects of land use in rural zones which may not be of a rural nature by ensuring that the amenity values of the rural environment and surrounding properties are maintained with particular regard to:
- a) traffic generation whereby:
    - i. the level of traffic generated by the activity must be able to be accommodated without compromising the safety of traffic and residents on the district's roads;
    - ii. given the nature of adjacent roads that all entry, exit and manoeuvring of vehicles onto a public road can be conducted safely;
    - iii. adequate on-site manoeuvring areas are provided for all developments;
  - b) noise;
  - c) visual impact ensuring that:
    - i. to manage the effects of land use in rural zones which may not be of a rural nature the scale of the structure is appropriate for the use and the environment in which it is located;
    - ii. activities are of an appropriate scale and intensity for the area in which they are located;
    - iii. structures, areas and activities visible from public places are screened;
    - iv. the type of construction materials are not inappropriate to the environment in which they are located.
3. Tall vegetation and structures should retain, where possible, the adverse environmental effects they generate within the property boundaries.
4. When assessing a resource consent for the planting of tall vegetation the following assessment matters shall be considered:
- i. species composition in the affected area;
  - ii. the amount of ground cover by tree litter such as needle drop;
  - iii. amount and duration of area shaded.
5. Siting of new facilities for handling, processing, treating, storing or disposing of contaminated materials (including landfills, transfer stations, treatment or bulk storage facilities) should be avoided in or close to the areas set out below, if they would create adverse effects:
- a) Areas vulnerable to natural hazards;
  - b) Areas which support ecosystems including:
    - i. wetlands
    - ii. intertidal areas, estuaries and coastal dunes and their margins
    - iii. protected management areas or other values identified in C9 – Natural Heritage
    - iv. ecological corridors
    - v. margins of lakes and rivers
  - c) Areas used for other purposes which are incompatible with the land use including:
    - i. reserves
    - ii. waahi tapu
    - iii. coastal environment
    - iv. outstanding natural features or landscapes
    - v. adjacent to existing residential and commercial land
    - vi. areas in proximity to airfield or flight paths
    - vii. water supply catchments

- viii. areas of historic, scenic or cultural significance
  - ix. areas with watercourses which cannot be diverted in an environmentally acceptable manner.
6. Any resource consent in the rural zone to operate a bird scaring device shall take into account the following:
- whether there is an operational necessity to operate the bird scarer above the limits provided and, if so, whether:
    - i. there are adequate mitigation measures to ensure that there are no potential adverse health effects. These mitigation measures may include shielding of devices, selection of the most appropriate type or types of device, location and position of device/s;
    - ii. use is made of protocols, codes of practice and industry guidelines;
    - iii. amenity values of neighbours have been maintained;
    - iv. consideration of the cumulative effects of the number of bird scarer devices being used within single landholdings and the potential for adverse health effects.

#### **DD4.4.2 Rural Productive Policies**

1. To manage adverse environmental effects on the soil resource that occur as a result of subdivision, use and development to secure the soil's life supporting capacity in order to meet present and future needs.
2. In the case of resource consents for the erection of a dwelling unit on a site less than 8 hectares in extent the Council shall have regard to the following matters:
  - i. the extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or worked in any other way which may cause complaint from owners of the new dwelling unit or adjacent landowners;
  - ii. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;
  - iii. the location of other dwelling units or social infrastructure such as schools or community facilities in the vicinity and adjacent to the property;
  - iv. consultation with adjoining landowners with regard to the potential compromise of farming activities and fire risk.
3. In the case of resource consents for the erection of an additional self-contained unit on any site in the Rural Productive zone Council shall have regard to the following matters:
  - i. the extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or being worked in any other way which may cause complaint from owners of the new dwelling unit or adjacent landowners;
  - ii. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;
  - iii. the location of other dwelling units or social infrastructure such as schools or community facilities in the vicinity and adjacent to the property;
  - iv. consultation with adjoining landowners with regard to the potential compromise of farming activities and fire risk;
  - v. the extent of the dwelling unit and the impact on the productive capacity of the site;
  - vi. proximity to any existing dwelling unit and its potential to cause an adverse effect on the surrounding land use.
4. In the case of resource consents for the creation of lots less than eight hectares in extent Council shall have regard to the following matters:
  - i. physical constraints on the property such as location of roads and other infrastructure or the physical separation of the property by rivers;

- ii. extent of adjoining land parcels and proximity of properties being intensively cropped or forested and/or being worked in any other way;
  - iii. potential impact on the sustainable management of existing, surrounding land uses;
  - iv. location and scale of adjoining dwelling units or other social infrastructure such as schools or community facilities in the vicinity and adjacent to the property.
5. Manage conflicting uses on the Poverty Bay flats to ensure that residential dwellings and other sensitive land uses do not have an adverse effect on the primary farming activity and to locate residential dwellings so that they are not adversely affected by noise, spray-drift and odour generated by farming and forestry.

#### **DD4.4.3 Rural Residential Policies**

1. To enable peri-urban subdivision, use and development on the fringes of the rural townships, Gisborne Urban Area, and the areas adjacent where subdivision below one hectare is considered:
  - i. where peri-urban living can be accommodated while avoiding, remedying or mitigating adverse effects on the life supporting capacity of the soils on the Poverty Bay flats;
  - ii. in areas with physical impediments to farming such as topographic constraints but where peri-urban development can be accommodated without creating any adverse environmental effects on adjoining land uses, including any adverse effects on the operation, maintenance, upgrading and development of future infrastructure;
  - iii. where a peri-urban lifestyle can be accommodated while avoiding, remedying or mitigating adverse effects on the environment due to the physical constraints of:
    - land instability
    - poor soil drainage/shallow groundwater
    - quality of ground and surface water.
  - iv. preferably in areas in close proximity to the urban area in order to reduce commuting distances.
  - v. in areas capable of providing a range of activities from intensive residential to rural productive.
2. To enable the use of properties for farming purposes provided the effects can be contained within the boundary of the site.

#### **DD4.4.4 Rural Lifestyle Policies**

1. To enable peri-urban subdivision, use and development on the fringes of Gisborne Urban Area and on the Poverty Bay flats:
  - where rural land fragmentation has already occurred;
  - where a peri-urban lifestyle can be accommodated while avoiding, remedying or mitigating adverse effects on the life supporting capacity of the soils on the Poverty Bay flats;
  - where a peri-urban lifestyle can be accommodated while avoiding, remedying or mitigating adverse effects on the environment due to the physical constraints of:
    - land instability
    - poor soil drainage/shallow groundwater
    - quality of ground and surface
  - in areas with physical impediments to farming such as topographic constraints but where peri-urban development can be accommodated without creating any adverse environmental effects on adjoining land uses;

- preferable in areas in close proximity to the urban area in order to reduce commuting distances.
2. When considering subdivision and land use consent, regard shall be given to the maintenance and enhancement of the character and amenity of the peri-urban environment.
  3. When considering a land use consent application, regard shall be given to the potential adverse effects the land use activity may have on the ongoing operational, maintenance, upgrading and protection requirements of any network utility infrastructure.

**Principal reasons:**

- **All rural zones 1:** The criteria to be used for preparing plans or assessing applications will ensure that effects of these activities on the natural, cultural and amenity values of the rural environment can be avoided, remedied or mitigated. Implements sections (5), 6(a), (b), (c), and 9(b), (c) and (f) of the Act.
- **All rural zones 2:** The policy identifies the adverse environmental effects that could occur in a rural zone if a land use was not anticipated. Provided that a land use complied with the policy in the Plan its environmental effects would be acceptable.
- **All rural zones 3 and 4:** Tall vegetation and structures may generate adverse effects across boundaries if not managed appropriately.
- **All rural zones 5:** Ecologically-sensitive areas should be avoided when siting such facilities as it would be impossible to preserve their values in or close to these facilities. This also applies to areas with high natural or cultural values.
- **All rural zones 6:** The policy is designed to ensure that the adverse effects of bird scarers are avoided, remedied or mitigated. This is consistent with sections 5, 7 and 16 of the Act.
- **Rural productive 1:** The soil resource of the Poverty Bay flats is a significant natural resource. The policy aims to manage the effects of subdivision, use and development to secure the long-term availability to meet present and future needs. The fragmentation of rural land is difficult to reverse and unplanned development of rural residential and other inappropriate uses could conflict with this.
- **Rural productive 2:** Rural activities generate adverse effects such as noise associated with harvesting or crop protection, spray-drift and odour. These effects are acceptable on the Poverty Bay flats and in parts of other rural zones but would not be acceptable for residential or other sensitive forms of urban development. Sensitive uses should avoid locating in these areas unless adverse effects can be avoided, remedied or mitigated.
- **Rural productive 3:** The erection of additional dwellings has the potential to lead to adverse effects on the life supporting capacity of the soils or could lead to conflict between residential and rural land uses.
- **Rural productive 4:** The policy is intended to address reverse sensitivity and land fragmentation issues. If these effects can be avoided, remedied or mitigated there may be special circumstances where a "substandard" subdivision would still meet the purpose and principals of the RMA.
- **Rural productive 5:** Residential development is sensitive to the environmental effects generated by farming and forestry activities. Intensive residential use should be avoided in the Rural Productive zone.



- **Rural residential 1:** The Rural Residential zone is intended to allow for most types of primary production and contains land on the fringes of the rural townships where peri-urban living can be accommodated. It also comprises the bulk of the district's peri-urban living, with the majority of land on the fringes of the Gisborne Urban Area. This is intended to complement the productive land by diverting pressure for peri-urban living away from the most productive and fertile areas. It should therefore:
  - provide a downgrading in intensity between the urban environment and the rural productive land. This will assist in mitigating the effects of noise, dust and spray-drift amongst others
  - be located to increase efficiency for commuting as these Rural Residential and Rural Lifestyle zones are located in close proximity to the Gisborne Urban Area.
- **Rural residential 2:** Complies with the policy direction of the Regional Policy Statement provisions of the Tairāwhiti Plan.
- **Rural lifestyle 1 and 2:** The Rural Lifestyle zone should be located to increase efficiency as it is located in close proximity to the Gisborne Urban Area, as most peri-urban dwellers are employed in the town and it is desirable to reduce commuting distances and thus to save on fossil fuels;
- **Rural lifestyle 3:** Certain utilities may require specific requirements to maintain its protection and integrity. Consultation and advice should be sought from the network utility operator to ascertain possible impacts and protection requirements.

## DD4.5 Methods

### Advocacy

1. Tall vegetation and structures:
  - a) Council will advocate the use of other legislation where it is appropriate to resolve any conflict due to the adverse effects of tall vegetation or structures across property boundaries.
  - b) Council will encourage adjacent property owners to reach agreement about the transfer of any adverse environmental effects of tall vegetation or structures across boundaries.
2. Animal-keeping activities:
  - a) Council will put in place procedures to ensure that information is available to the public about the location of animal keeping activities that, due to their location or intensity, have been required to obtain Council approval.

### Regulation

1. Rules
2. Zones
  - a) The Rural Productive (Rural P) zone is located on the Poverty Bay flats. The zone has been determined on the basis of soil quality. These soils are located far enough away from urban settlements so as to avoid conflicts between urban and rural land use (noise, dust, spray-drift etc).
  - b) The Rural Residential (Rural R) zone is intended to allow for most types of primary production, and contains land on the fringes of the rural townships where peri-urban development can be accommodated. It also comprises the bulk of the district's peri-urban living, with the majority of land on the fringes of the Gisborne Urban Area where peri-urban living can be accommodated.



- c) The Rural Lifestyle (Rural L) zone is intended to allow for most types of primary production and also to allow for smaller scale peri-urban living. It covers those parts of the Poverty Bay flats which are considered less suitable for intensive farming, located in close proximity to the Gisborne urban area and semi-rural properties including areas such as Lloyd George Road and Waituhi, where there is a history of a denser rural settlement pattern. This zone is intended to complement the Rural P zone by diverting pressure for peri-urban living away from the most productive and fertile areas.
- d) The Rural General (Rural G) zone covers the rest of the district not covered by other zones. It is suitable for a number of activities, with low population densities and little pressure for development. It is proposed to be as flexible as possible within this zone provided the effects of activities can be avoided remedied and mitigated.

**Principal reasons:**

**Advocacy**

- **Method 1 and 2:** Advocacy is explaining to land owners and resource users why unsustainable land use is occurring, what the best methods are to resolve them and how they can be implemented. Emphasis is on direct contact with owners, but there is also an advocacy role in ensuring Council policies are considered by other organisations and central government.

**Regulation**

- **Method 1:** Rules are applied when it is unlikely that compliance will be achieved through any other means.
- **Method 2:** There are four rural zones in the district namely Rural Productive, Rural Residential, Rural Lifestyle, and Rural General.

## DD4.6 Rules

### DD4.6.1 Rules for Rural zones

Note:

Activities shall comply, where relevant, with the regional or district rules and general standards 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, C10 Subdivision, C11 General Controls.

#### DD4.6.1.1 General Standards

The following General Standards shall apply to all permitted activities conducted in Rural zones:

- A. a) All activities shall comply with rules specified in C2 – Built Environment, Infrastructure and Energy and C11.2: Noise and Vibration, and C11.3 Lighting and Glare, and C11.4 Radiofrequency.
- B. **Recession Plane**
  - a) Buildings, parts of buildings, and structures (excluding chimneys, antennas and their support structures) shall be contained within recession planes commencing 2.75m above each site boundary. The angles of the recession plane at each site boundary shall be determined using the recession plane indicator.
- C. **Yard Distances**
  - a) All yards: 4.5m
  - Provided that:*
    - i. 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;

- ii. Dwellings shall not be erected within 500m of an existing piggery perimeter or within 30m of an existing vineyard boundary except if the written consent of the piggery or vineyard owner, respectively, is obtained and submitted to the consent authority at the time a building consent is sought.
  - iii. No dwelling or other building shall be erected within 30m of an existing plantation forest boundary except if the written consent of the forest owner is obtained and submitted to the consent authority at the time a building consent is sought.
  - iv. Within the Rural Lifestyle zone (Nelson Road) no dwelling shall be erected within 30m of the Rural Production zone boundary.
  - v. Within the Rural Lifestyle zone (Glenelg corner), no dwelling shall be erected within 30m of the 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.
- b) Water supply, tanks, maize cribs and accessory buildings, other than buildings housing animals or birds may be erected on any side or rear yard if the written consent of the adjoining 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.
  - c) No crib or fence shall be erected where it obstructs traffic sight lines.
  - d) Eaves of buildings may not encroach by more than 0.6m on any yard.

#### D. Sight Lines

- a) All new vehicle crossings/accessways shall be designed, located and developed to ensure that the sight lines (illustrated in Figure DD4.2 below) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure DD4.1 and Figure DD4.2 specified below:
- b) All new intersections shall be designed, located and developed to ensure that the sight lines (illustrated in Figure DD4.2) are established and maintained with no obstructions, whether temporary or permanent. Sight lines are to be in accordance with Figure DD4.1 and Figure DD4.2 specified below:

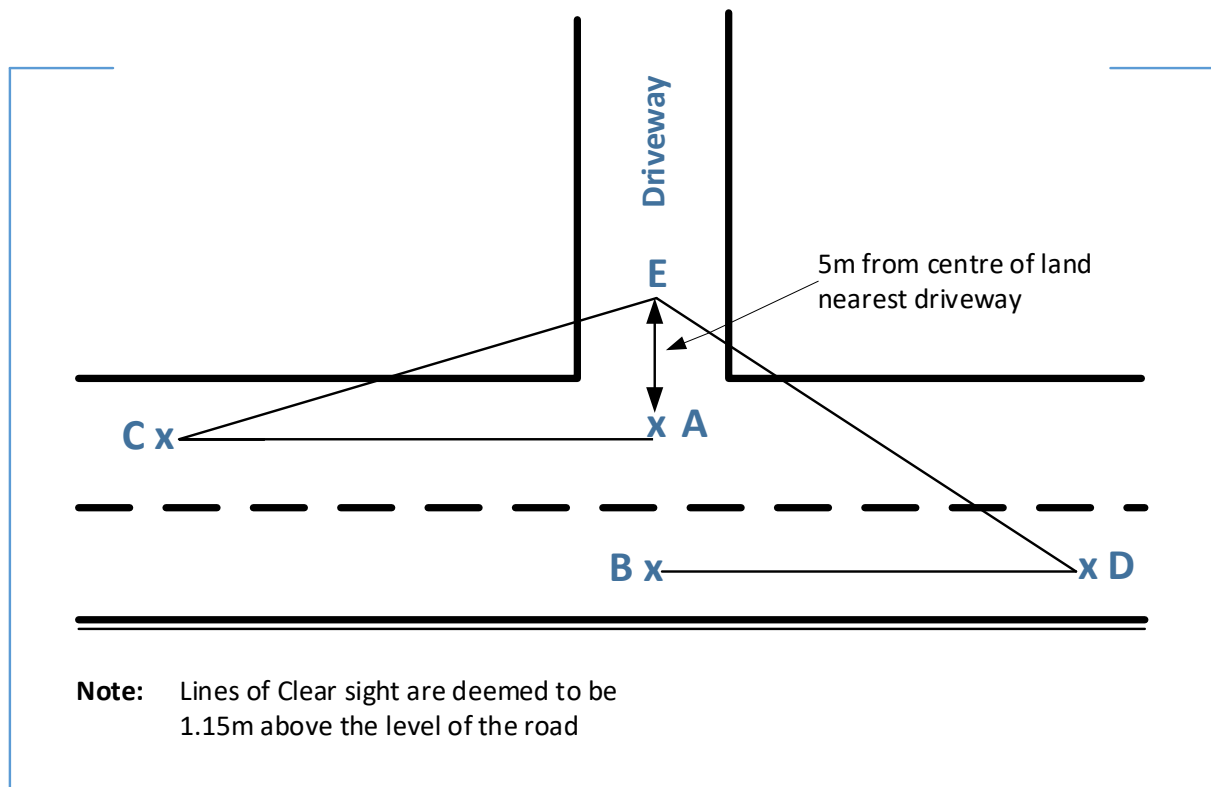
Operating Speed	Minimum Sight Distance (Metres)	
(km/h)	Local or Collector Road Frontage	Principal or Arterial Road Frontage
40	30	70
50	40	90
60	55	115
70	85	140
80	105	175
90	130	210
100	160	250
110	190	290
120	230	330

**Figure DD4.1 – 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 DD4.1 above 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.



**Figure DD4.2 – Sight Lines at Intersections and Vehicle Crossings**

Note:

All new vehicle crossings/accessways shall have clear lines of sight between points AC, BD, EC and ED as shown in Figure DD4.2 above and in accordance with operating speeds and sight distances in Figure DD4.1 above. The specified sight distances in Figure DD4.1 shall be measured along the centre of the appropriate lane between points A to C and B to D. For practical purposes, A and B can be taken as opposite the centre of the driveway.

Rule Table DD4.6.1A – All Rural Zones

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
4.6.1A(1)	<p>Farming</p> <p><i>Note: this rule does not apply to plantation forestry activities regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i></p>	Permitted	All Rural zones	<p>a) Farming shall exclude the following:</p> <ul style="list-style-type: none"> <li>i intensive farming;</li> <li>ii boarding of animals;</li> <li>iii in the Rural G and Rural R zones, the farming of more than three goats which are: <ul style="list-style-type: none"> <li>• not formally identified in accordance with the Animal Identification Act, including the tattooing of goats with recognisable owner identification,</li> <li>• Not contained within an area fenced in accord with the following: <ul style="list-style-type: none"> <li>o All perimeter fences, meet, and are maintained to meet, the following standard:</li> <li>o The bottom wire is no more than 7cm from the ground</li> <li>o The fence is a minimum of 9 wires placed at the following intervals: 100, 100, 100, 110, 120, 135, 150, 165mm. The top wire should be approximately 50mm below the top of the post</li> <li>o Minimum high tensile 2.5mm galvanised steel</li> <li>o There are five posts per 20m and 3 battens per span</li> <li>o No internal stays</li> <li>o Fencing across streams and waterways shall require a floodgate to be constructed of H3 treated 100mm x 50mm timber suspended from an overhead wire or rail in such a way that the spacings will allow the passage of water but will not allow stock including goats to pass through. A cross bar shall be positioned in the top third of the floodgate. Wire netting is not to be used in floodgate construction. Floodgates across culverted watercourses shall be on the downstream side of the culvert.</li> </ul> </li> <li>• the keeping of thar</li> </ul> <p>Also provided that:</p> <ul style="list-style-type: none"> <li>• Prior to any new goat farming activity being established, written advice of the location of the goat farming activity shall be provided to the Council's District Conservator.</li> </ul> </li> <li>iv the farming or keeping of deer species other than red (Cervus elephus scoticus), wapiti/elk (Cervus canadensis nelsoni, Cervus elephus nelsonia) and fallow (Dama dama, Dama dama mesopotamica) and hybrids of these breeds.</li> </ul>

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
				<p>v) the farming or keeping of any deer not identified in accordance with the Animal Identification Act 1993.</p> <p>vi) the farming or keeping of any deer other than in accordance with the fencing standards set out in Appendix H10.</p> <p>b) Irrespective of whether activities comply with the Rural Noise Standards stipulated in C11.2.15.1, Figure C11.6.</p> <p>Provided that the activity is not specifically provided for by a rule in this Plan and/or the best practicable option is used to ensure that noise does not exceed a reasonable level.</p> <p><i>Note: For the purposes of clarity, in the event that noise from farming activities are the subject of complaint, assessment will be performed in accordance with the Act and relevant policy in this Plan.</i></p>
4.6.1A(2)	Soil conservation and water management works	Permitted	All Rural zones	
4.6.1A(3)	Accessory buildings (excluding residential buildings) to any permitted activity.	Permitted	All Rural zones	
4.6.1A(4)	Home occupations and the sale of products from home occupations	Permitted	All Rural zones	<p>a) A maximum of two full-time persons equivalent, not resident on the site may be employed.</p> <p>b) If the property adjoins a residential or reserve zone any outdoor storage associated with the home occupation shall not be visible from the adjacent residential site or reserve.</p> <p>c) The home occupation shall not attract more traffic than other rural activities in the vicinity.</p>
4.6.1A(5)	Sale of farm produce	Permitted	All Rural zones	<p>a) The selling point is to be set back a minimum of 20m from any road frontage with access provided thereto by means of one joint entry and exit lane with a minimum width of 6m.</p>
4.6.1A(6)	Installation or alteration of antennas and supporting structures (other than network utility activities)	Permitted	All Rural zones	<p>a) Aerials do not extend more than 3.5m above any building (it is attached to) on the site.</p> <p>b) The maximum height of support structures (including fixtures) does not exceed 20m.</p>
4.6.1A(7)	Operation of audible devices (excluding firearms) for the purposes of bird scaring between sunrise and sunset	Permitted	All Rural zones	<p><b>Percussive or explosive devices</b></p> <p>a) The maximum sound exposure level (SEL) of 65dBA as measured at any residential zone boundary or notional boundary of any rural dwelling is not exceeded; and</p> <p>b) Maximum number of events shall not exceed 6 events in any 60 minute period; and</p> <p>c) An event shall not exceed three shots within a one minute period.</p> <p>provided that:</p> <p>i. The limit on the maximum number of events may be waived if the written consent of all adjoining property owners and/or occupiers is obtained and</p>

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
				<p>submitted to the consent authority prior to the commencement of the activity.</p> <p>ii. Where any device is located more than 500m from the notional boundary of any rural dwelling, Rule DD4.6.1(7)b) and c) shall not apply.</p> <p><u>Note:</u> All sound measurement for audible bird scaring devices is based on guidelines in the NZ Standards NZS6801: 1999 Measurement of Environmental Sound.</p> <p><b>Amplified signals, air horns or sirens</b></p> <p>a) The maximum sound exposure level (SEL) of 65 dBA as measured at the boundary of any residential zone boundary or the notional boundary of any rural dwelling is not exceeded; and</p> <p>b) The maximum number of events shall not exceed 10 events per system in any 60 minute period and each event shall not exceed 20 seconds; and</p> <p>c) The number of devices shall not exceed one device per single landholding and all speakers for that one device shall be driven off the same control unit provided that additional devices may be installed where the ratio of all such devices does not exceed one device per 8 hectares per single landholding.</p> <p>provided that the limit on the maximum number of events and/or duration of each event may be waived if the written consent of all adjoining property owners and/or occupiers is obtained and submitted to the consent authority prior to the commencement of the activity.</p> <p><u>Note:</u> All sound measurement for audible bird scaring devices is based on guidelines in the NZ Standards NZS6801: 1999 Measurement of Environmental Sound.</p>
4.6.1A(8)	Meteorological activities	Permitted	All Rural zones	<p>a) Associated structures shall have a ground coverage of 50m<sup>2</sup> or less; and have a height not exceeding 15m;</p> <p>b) Site area shall be 500m<sup>2</sup> or less.</p>
4.6.1A(9)	Alterations and additions to existing dwelling units	Permitted	All Rural zones	
4.6.1A(10)	Temporary Activities	Permitted	All Rural zones	<p>a) The activity shall be exempt from all the General Standards except noise.</p> <p>b) The activity shall comply with rules for noise specified in Shorter Term Construction Noise Standards C11.2.15.3B (Figure C11.9).</p> <p>c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.</p> <p>d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.</p> <p>e) Activities shall only be conducted between 0700:2200 hours, where the site is located in or adjacent to a residential zone.</p> <p><u>Note:</u> Attention is drawn to the requirements of the Building Act 2004.</p>



Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
4.6.1A(11)	Farmstays	Permitted	All Rural zones	a) The farmstay activity shall be ancillary to the main farming activity on the property. b) Farmstay accommodation may only be established in dwelling units, and are limited to dwelling units provided for as Permitted activities in the zone.
<b>Controlled Activities</b>				
4.6.1A(12)	Dwelling units within the Rural Lifestyle Zone ( <i>Glenelg Corner</i> ) Zone where the site density is greater than one dwelling unit per one hectare of site area but not greater than one dwelling unit per 5000m <sup>2</sup> of site area that comply with the General Rules.	Controlled	All Rural zones	Council shall limit its control to the matters a) to f) specified below: a) Suitability of building platform. b) Infrastructure, works and services. c) The extent to which the amenity values of the surrounding areas are affected. d) Esplanade reserves. e) Site function. f) Any adverse effects of exotic flora and fauna on values identified in the overlays of Chapter C94 – Natural Heritage (excluding the Coastal Environment Overlay and Protection Management Area Overlay).
<b>Restricted Discretionary Activities</b>				
4.6.1A(13)	Activities listed as Permitted and Controlled which do not comply with the General Standards with respect to: a) Noise and vibration b) Lighting and Glare c) Recession plane d) Yards e) Infrastructure, works and services f) Duration, frequency and hours of operation of the activity g) Floor area of buildings	Restricted Discretionary	All Rural zones	Council shall restrict its discretion to matters a) to f) specified below: a) Amenity values including shading. b) Health and safety. c) Parking and access. d) Heritage values in the heritage alert layer. e) Financial contributions, works and services. f) Effect on neighbours and on the soil resource.
4.6.1A(14)	Planting of vegetation which does not comply with the General Standards for Permitted Activities  <i>Note: this rule only applies to afforestation and replanting regulated under the Resource Management (National Environmental standards for Plantation Forestry) Regulations 2017 with regard to root intrusion.</i>	Restricted Discretionary	All Rural zones	Council shall restrict its discretion to matters a) to c) specified below: a) The duration and area of shadow intrusion across the property boundary, road and/or onto a dwelling. b) The degree of intrusion by vegetation root systems into the adjacent property and/or road. c) The amount as a percentage of area covered by tree litter on the adjacent property and/or road.
4.6.1A(15)	Temporary activities which do not comply with the General Standards for Permitted activities in respect of: a) Noise	Restricted Discretionary	All Rural zones	Council shall restrict its discretion to matters a) to d) specified below: a) Noise. b) Duration of the activity. c) Frequency of the activity.



	b) Duration of the activity c) Frequency of the activity d) Hours of operation			d) Hours of operation.
4.6.1A(16)	Recycling depots	Restricted Discretionary	All Rural zones	Council shall restrict its discretion to matters a) to f) specified below: a) Amenity values, including shading. b) Health and safety. c) Parking and access. d) Heritage values in the heritage alert layer. e) Financial contributions, works and services. f) Effect on neighbours including impact on productive capacity.
4.6.1A(17)	Goat farming which does not comply with the rules for Permitted activities in respect of: a) goat identification b) fencing	Restricted Discretionary	All Rural zones	Council shall restrict its discretion to matters a) to f) specified below: a) The area and location of the activity. b) Potential effect on the values associated with natural character, indigenous biodiversity, amenity and landscape – including revegetation type and density. c) Vegetation species with particular regard to maintaining species of genetic stock. d) The ability to confine goats upon the site. e) Effects on neighbours including impact on productive capacity. f) Impact on soil conservation.
4.6.1A(18)	Deer farming which does not comply with the General Standards for Permitted Activities in respect of: a) deer identification b) fencing	Restricted Discretionary	All Rural zones	Council shall restrict its discretion to matters a) to d) a) The standard of fencing and the ability to confine deer upon the site b) The identification of deer c) Potential effect on the values associated with natural character, indigenous biodiversity and landscape, including revegetation type and density d) Location
<b>Discretionary Activities</b>				
4.6.1A(19)	Activities not listed as Permitted activities but which comply with the General Standards	Discretionary	All Rural zones	
4.6.1A(20)	Landfills	Discretionary	All Rural zones	
4.6.1A(21)	Activities listed as permitted or controlled which do not comply with the General Standards and are not provided for as restricted discretionary activities	Discretionary	All Rural zones	
4.6.1A(22)	Activities which are not provided for as Restricted Discretionary or Prohibited activities	Discretionary	All Rural zones	

4.6.1A(23)	Industry	Discretionary	All Rural zones	
4.6.1A(24)	Transfer stations	Discretionary	All Rural zones	
4.6.1A(25)	Irradiation plants	Discretionary	All Rural zones	
4.6.1A(26)	Operation of audible devices (excluding firearms) for the purposes of bird scaring where the activity does not comply with rule DD4.6.1A(7)	Discretionary	All Rural zones	
4.6.1A(27)	Farming of deer species other than red, wapiti/elk or fallow (or hybrids of these species) where: a) The fencing standard in Appendix H10 is met; and b) The deer are identified in accordance with the Animal Identification Act 1993 .	Discretionary	All Rural zones	
<b>Non-Complying Activities</b>				
4.6.1A(28)	Farming of deer species other than red, wapiti/elk or fallow (or hybrids of these species) where the standards in relation to fencing or identification set out in DD4.6.1A(27) are not met.	Non-Complying	All Rural zones	
<b>Prohibited Activities</b>				
4.6.1A(29)	The farming of marsupials, mustelid or chinchilla.	Prohibited	All Rural zones	

**Rule Table DD4.6.1B – Rural Productive Zone (Rural P)**

Rule Number	Rule	Status	Zone	Permitted Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
4.6.1B(1)	One dwelling unit on a site which contains not less than 8 hectares of land	Permitted	Rural Productive	<ul style="list-style-type: none"> <li>a) A site for a dwelling to be established on may comprise separate parcels of contiguous land or land separated by a road, railway, drain, water race, river or stream and in held in one Certificate of Title or by other means which ensure that the owner of those parcels of land cannot, transfer or lease any such parcel of land or any part thereof except in conjunction with the other or others.</li> <li>b) One additional dwelling unit either attached to or in close proximity to the permitted dwelling unit permitted by this rule may be erected as long as the additional dwelling unit remains in the same ownership as that site and the primary dwelling unit.</li> <li>c) More than one dwelling unit may be erected on a site if that site is capable of subdivision to provide further sites which would each qualify for the erection of a dwelling unit.</li> <li>d) A dwelling unit may be erected on any site equal to or greater than 4 hectares, created by subdivision or for which a subdivision resource consent was granted prior to 20 November 1997.</li> </ul>
4.6.1B(2)	A dwelling unit to replace an existing dwelling unit or one destroyed by fire or natural causes, notwithstanding that the erection of the new building would not qualify for approval under any of the other provisions permitting the erection of dwelling units	Permitted	Rural Productive	<ul style="list-style-type: none"> <li>a) Only one such dwelling unit may be replaced on any one site.</li> <li>b) The dwelling unit to be replaced shall have comprised at least three habitable rooms.</li> <li>c) The dwelling unit to be replaced shall not have been unsuitable for habitation for more than six months prior to the application being made unless the Council on application made to it within 12 months after the dwelling unit first became unsuitable for habitation, consents to that period of six months being extended to cover the corresponding period.</li> <li>d) The dwelling unit to be replaced shall be removed within three months of the replacement being occupied.</li> <li>e) An existing dwelling unit which would qualify for replacement under the foregoing provisions of the section may also be reconstructed, altered or added to, provided that all relevant provisions of the Plan are complied with.</li> </ul>
4.6.1B(3)	Alterations and additions to existing dwelling units	Permitted	Rural Productive	
4.6.1B(4)	Employee facilities	Permitted	Rural Productive	
4.6.1B(5)	Planting of vegetation  <i>Note: standards b), c) e) and f) do not apply to afforestation and replanting regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i>	Permitted	Rural Productive	<ul style="list-style-type: none"> <li>a) No shelterbelt shall exceed more than a single row of trees which have branches and top growth no higher than 13m, and no wider than 2m either side of their centreline, as assessed perpendicular to the boundary.</li> <li>b) No vegetation shall be allowed to grow in a position which will shade any part of the carriageway of any sealed public road between the hours of 10am and 2pm on the shortest day of the year unless topography is already preventing direct access of sunlight onto that part of the carriageway.</li> </ul>

				<p>c) No vegetation (excluding shelterbelts) shall be planted closer than 20m to the centreline of the carriageway of any formed public road.</p> <p>d) No shelterbelt shall be planted closer than 9m to the centreline of the carriageway of any formed public road.</p> <p>e) No vegetation (excluding shelterbelts) shall be planted closer than 10m to an adjoining property (excluding formed public roads).</p> <p>f) No vegetation shall be planted closer than 30m to an existing dwelling or curtilage on an adjoining property, unless the curtilage fence line closest to the property boundary exceeds a length of 50m. In such cases, the dwelling owner shall determine which 50 metre portion of the curtilage fence line shall be provided with a 30 metre setback. Permitted activity standard (e) shall otherwise apply.</p> <p>In this context "existing dwelling" refers to one existing prior to the planting of vegetation.</p> <p>g) No new shelter belt shall be planted adjacent to the boundary of an adjoining property in different ownership unless there is retained along the boundary for the purpose of branch and root trimming, height control of the shelter belt, and the removal of the resultant debris by the owner thereof, a clear strip of land by planting the shelter belt no closer than 4.5m from the boundary.</p> <p>h) Any planting in the Airport Protection Overlay Area shall also be in accordance with the height planes.</p> <p>i. No vegetation shall be planted closer than 15m to any farm building in existence at the date of notification of the Plan, 8th November 1997.</p> <p>If conditions a), b), c), d), e), f), g) and i) are not complied with, planting of vegetation (excluding tree nurseries) closer to formed public roads and/or adjoining properties may be a permitted activity provided that:</p> <p>ii. the written consent of the roading authority and/or adjoining property owner, clearly showing the location of the activity, is obtained and submitted to the consent authority, prior to the commencement of planting, or;</p> <p>iii. cumulative planting on land affected by any of the above conditions (excluding shelterbelts) will result in: (i) less than 10 trees, or; (ii) trees which will grow to less than 3m in height, or; (iii) trees which will be at a planting density less than 1 tree per 20m.</p>
4.6.1B(6)	A dwelling unit on any site created by subdivision or approved for a dwelling unit between 29 April 1989 and 29 August 1990	Permitted	Rural Productive	
4.6.1B(7)	The processing of grapes (or other fruit) grown in the district, for the production of wine or juice. Visitor accommodation, wine and produce tasting and sales, cafes and restaurants which are ancillary to and associated with rural production from	Permitted	Rural Productive	<p>a) for wine and juice processing industries:</p> <p>i. Access: see C2 – Built Environment, Infrastructure and Energy.</p> <p>ii. Maximum floor area: 1000m<sup>2</sup></p> <p>iii. Hours of operation: 7am to 9pm</p> <p>iv. Distance of buildings from boundary: 10m except 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, in</p>

	the site (including other sites which are part of that farm business operation).			<p>which case the distance may be reduced to no less than 1.5m from the side or rear boundary and 4.5m from a front boundary.</p> <ul style="list-style-type: none"> <li>v. Distance from any residential dwelling not located on the site: 20m except 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, in which case the distance may be reduced to no less than 1.5m from the side or rear boundary and 4.5m from a front boundary</li> <li>vi. Height: 10m (also see General Standard DD4.6.1.1B Recession Plane)</li> <li>vii. Light and Glare: see C11.3 – Lighting and Glare</li> <li>viii. Noise: see C11.2</li> <li>ix. Screening: all outdoor storage areas for goods, plant, machinery or equipment, and waste associated with the business shall be permanently screened when viewed from a neighbouring site or a road.</li> </ul> <p>b) for commercial activities: Retailing:</p> <ul style="list-style-type: none"> <li>i. Maximum size 50m<sup>2</sup> stocked with 75% goods from the site (including properties managed or leased by the site owner)</li> <li>ii. Access etc: see C2 – Built Environment, Infrastructure and Energy.</li> </ul> <p>c) Visitor accommodation units</p> <ul style="list-style-type: none"> <li>i. Maximum of 6 accommodation units</li> <li>ii. Access: see C2 – Built Environment, Infrastructure and Energy.</li> <li>iii. Yards: see General Standard DD4.6.1.1C</li> <li>iv. Screening: accommodation units not located within an existing dwelling, shall have fencing or planting to an extent necessary to screen the activity as viewed from an adjoining property unless consent is given by the adjoining neighbour to waive this requirement at the time a building consent is sought or prior to the commencement of the activity.</li> <li>v. Noise: see C11.2</li> </ul> <p>d) Cafes/restaurants</p> <ul style="list-style-type: none"> <li>i. Maximum floor area (excluding utility areas – 100m<sup>2</sup>)</li> <li>ii. Hours of operation: 9.00 am to 6.00pm</li> <li>iii. Access: see C2 – Built Environment, Infrastructure and Energy.</li> <li>iv. Noise: see C11.2</li> <li>v. Screening: shall be fenced/planted to effectively screen the café/restaurant, including outdoor seating areas, from neighbouring property unless consent is granted by the adjoining neighbour to waive this requirement.</li> <li>vi. Landscaping: shall be in accord with the general standards prescribed in DD2.6.1.1H (landscaping for Commercial/Residential interface)</li> </ul>
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**Rule Table DD4.6.1C – Rural Residential Zone (Rural R)**

Rule Number	Rule	Status	Zone	Permitted Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
4.6.1C(1)	One dwelling unit, plus one self-contained unit not containing more than two habitable rooms attached to or in close proximity to the dwelling unit, that is not located in the Airport Protection Overlay Area	Permitted	Rural Residential	<ul style="list-style-type: none"> <li>a) the site shall contain not less than one hectare of land, subject to e)</li> <li>b) A dwelling unit may be erected on any smaller site in existence at the date of notification of the plan.</li> <li>b) The dwelling unit and the self-contained unit shall be held together on the same Certificate of Title.</li> <li>c) To comply with this clause a site may comprise separate parcels of contiguous land, or land separated only by a road, railway, drain, water race, river or stream, and held in one Certificate of Title or by other means which ensure that the owner of those parcels of land cannot, without the consent of the Council, transfer or lease any such parcel of land or any part thereof except in conjunction with the other or others.</li> <li>d) For a site which is shown to be capable of subdivision to provide further sites which would qualify for a dwelling unit to be established thereon, such additional number of dwelling units may be compatible with future subdivision of the site in accordance with the provisions of the Plan.</li> <li>e) For 11 Makaraka Road (Lot 1 DP 307921), 11a Makaraka Road (Lot 2 DP 307921), 13 Makaraka Road (Lot 1 DP 461294), and 13b Makaraka Road (Lot 3 DP 461294) a) does not apply.</li> </ul>
4.6.1C(2)	One dwelling unit on a site which contains not less than one hectare of land that is located in the Airport Protection Overlay Area	Permitted	Rural Residential	
4.6.1C(3)	Planting of vegetation  <i>Note: standards b), c), e) and f) do not apply to afforestation and replanting regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i>	Permitted	Rural Residential	<ul style="list-style-type: none"> <li>a) No shelterbelt shall exceed more than a single row of trees which have branches and top growth no higher than 13m, and no wider than 2m either side of their centreline, as assessed perpendicular to the boundary.</li> <li>b) No vegetation shall be allowed to grow in a position which will shade any part of the carriageway of any sealed public road between the hours of 10am and 2pm on the shortest day of the year unless topography is already preventing direct access of sunlight onto that part of the carriageway.</li> <li>c) No vegetation (excluding shelterbelts) shall be planted closer than 20m to the centreline of the carriageway of any formed public road.</li> <li>d) No shelterbelt shall be planted closer than 9m to the centreline of the carriageway of any formed public road.</li> <li>e) No vegetation (excluding shelterbelts) shall be planted closer than 10m to an adjoining property (excluding formed public roads).</li> <li>f) No vegetation shall be planted closer than 30m to an existing dwelling or curtilage on an adjoining property, unless the curtilage fence line closest to the property boundary exceeds a length of 50m. In such cases, the dwelling owner shall determine which 50 metre portion of the curtilage fence line shall be provided with a 30 metre setback (e) above) shall otherwise apply.</li> </ul>

				<p>In this context "existing dwelling" refers to one existing prior to the planting of vegetation.</p> <p>g) No new shelter belt shall be planted adjacent to the boundary of an adjoining property in different ownership unless there is retained along the boundary for the purpose of branch and root trimming, height control of the shelter belt, and the removal of the resultant debris by the owner thereof, a clear strip of land by planting the shelter belt no closer than 4.5m from the boundary.</p> <p>h) Any planting in the Airport Protection Overlay Area shall also be in accordance with the height planes.</p> <p>i. No vegetation shall be planted closer than 15m to any farm building in existence at the date of notification of the Plan, 8th November 1997.</p> <p>If conditions a), b), c), d), e), f), g) and i) are not complied with, planting of vegetation (excluding tree nurseries) closer to formed public roads and/or adjoining properties may be a permitted activity provided that:</p> <p>ii. the written consent of the roading authority and/or adjoining property owner, clearly showing the location of the activity, is obtained and submitted to the consent authority, prior to the commencement of planting, or;</p> <p>iii. cumulative planting on land affected by any of the above conditions (excluding shelterbelts) will result in: (i) less than 10 trees, or; (ii) trees which will grow to less than 3m in height, or; (iii) trees which will be at a planting density less than 1 tree per 20m.</p>
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**Rule Table DD4.6.1D – Rural Lifestyle Zone (Rural L)**

Rule Number	Rule	Status	Zone	Permitted Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
4.6.1D(1)	Two dwelling units per site	Permitted	Rural Lifestyle	<p>a) The two dwelling units shall be held together on the same Certificate of Title.</p> <p>b) In the Nelson road area dwelling density is not greater than one dwelling per half hectare of site area.</p> <p>c) In the Glenelg area dwelling density is not greater than one dwelling per hectare of site area.</p>
4.6.1D(2)	<p>Planting of vegetation</p> <p><i>Note: standards b), c), e), and f) do not apply to afforestation and replanting regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i></p>	Permitted	Rural Lifestyle	<p>a) No shelterbelt shall exceed more than a single row of trees which have branches and top growth no higher than 13m, and no wider than 2m either side of their centreline, as assessed perpendicular to the boundary.</p> <p>b) No vegetation shall be allowed to grow in a position which will shade any part of the carriageway of any sealed public road between the hours of 10am and 2pm on the shortest day of the year unless topography is already preventing direct access of sunlight onto that part of the carriageway.</p> <p>c) No vegetation (excluding shelterbelts) shall be planted closer than 20m to the centreline of the carriageway of any formed public road.</p> <p>d) No shelterbelt shall be planted closer than 9m to the centreline of the carriageway of any formed public road.</p> <p>e) No vegetation (excluding shelterbelts) shall be planted closer than 10m to an adjoining property (excluding formed public roads).</p> <p>f) No vegetation shall be planted closer than 30m to an existing dwelling or curtilage on an adjoining property, unless the curtilage fence line closest to the property boundary exceeds a length of 50m. In such cases, the dwelling owner shall determine which 50 metre portion of the curtilage fence line shall be provided with a 30 metre setback DD4.6.1D(2)(e) above shall otherwise apply.</p> <p>In this context "existing dwelling" refers to one existing prior to the planting of vegetation.</p> <p>g) No new shelter belt shall be planted adjacent to the boundary of an adjoining property in different ownership unless there is retained along the boundary for the purpose of branch and root trimming, height control of the shelter belt, and the removal of the resultant debris by the owner thereof, a clear strip of land by planting the shelter belt no closer than 4.5m from the boundary.</p> <p>h) Any planting in the Airport Protection Overlay Area shall also be in accordance with the height planes.</p> <p>i. No vegetation shall be planted closer than 15m to any farm building in existence at the date of notification of the Plan, 8th November 1997.</p> <p>If conditions a), b), c), d), e), f), g) and i) are not complied with, planting of vegetation (excluding tree nurseries) closer to formed public roads and/or adjoining properties may be a permitted activity provided that:</p> <p>ii. the written consent of the roading authority and/or adjoining property owner, clearly showing the location of the activity, is obtained and submitted to the consent authority, prior to the commencement of planting, or;</p>



				iii. cumulative planting on land affected by any of the above conditions (excluding shelterbelts) will result in: (i) less than 10 trees, or; (ii) trees which will grow to less than 3m in height, or; (iii) trees which will be at a planting density less than 1 tree per 20m.
<b>Controlled Activities</b>				
4.6.1D(3)	Dwelling units within the Rural Lifestyle zone ( <i>Gleneig Corner</i> ) zone where the site density is greater than one dwelling unit per one hectare of site area but not greater than one dwelling unit per 5000m <sup>2</sup> of site area that comply with the General Standards.	Controlled	Rural Lifestyle	Council shall limit its control to matters a) to f) specified below: a) Suitability of building platform. b) Infrastructure, works and services. c) The extent to which the amenity values of the surrounding areas are affected. d) Esplanade reserves. e) Site function. f) Any adverse effects of exotic flora and fauna on values identified in the overlays of C9 – Natural Heritage (excluding the Coastal Environment Overlay and Protection Management Area Overlay).

Rule Table DD4.6.1E – Rural General Zone (Rural G)

Rule Number	Rule	Status	Zone	Permitted Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
4.6.1E(1)	Dwelling units	Permitted	Rural General	
4.6.1E(2)	Planting of vegetation  <i>Note: standards b), c), e), and f) do not apply to afforestation and replanting regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i>	Permitted	Rural General	<p>a) No shelterbelt shall exceed more than a single row of trees which have branches and top growth no higher than 13m, and no wider than 2m either side of their centreline, as assessed perpendicular to the boundary.</p> <p>b) No vegetation shall be allowed to grow in a position which will shade any part of the carriageway of any sealed public road between the hours of 10am and 2pm on the shortest day of the year unless topography is already preventing direct access of sunlight onto that part of the carriageway.</p> <p>c) No vegetation (excluding shelterbelts) shall be planted closer than 20m to the centreline of the carriageway of any formed public road.</p> <p>d) No shelterbelt shall be planted closer than 9m to the centreline of the carriageway of any formed public road.</p> <p>e) No vegetation (excluding shelterbelts) shall be planted closer than 10m to an adjoining property (excluding formed public roads).</p> <p>f) No vegetation shall be planted closer than 30m to an existing dwelling or curtilage on an adjoining property, unless the curtilage fence line closest to the property boundary exceeds a length of 50m. In such cases, the dwelling owner shall determine which 50 metre portion of the curtilage fence line shall be provided with a 30 metre setback. Rule DD4.6.1E(2) e) shall otherwise apply.</p> <p>In this context "existing dwelling" refers to one existing prior to the planting of vegetation.</p> <p>g) No new shelter belt shall be planted adjacent to the boundary of an adjoining property in different ownership unless there is retained along the boundary for the purpose of branch and root trimming, height control of the shelter belt, and the removal of the resultant debris by the owner thereof, a clear strip of land by planting the shelter belt no closer than 4.5m from the boundary.</p> <p>h) Any planting in the Airport Protection Overlay Area shall also be in accordance with the height planes.</p> <p>i. No vegetation shall be planted closer than 15m to any farm building in existence at the date of notification of the Plan, 8th November 1997.</p> <p>If conditions a), b), c), d), e), f), g) and i) are not complied with, planting of vegetation (excluding tree nurseries) closer to formed public roads and/or adjoining properties may be a permitted activity provided that:</p> <p>ii. the written consent of the roading authority and/or adjoining property owner, clearly showing the location of the activity, is obtained and submitted to the consent authority, prior to the commencement of planting, or;</p> <p>iii. cumulative planting on land affected by any of the above conditions (excluding shelterbelts) will result in: (i) less than 10 trees, or; (ii) trees which will grow to less than 3m in height, or; (iii) trees which will be at a planting density less than 1 tree per 20m.</p>
4.6.1E(3)	The processing of grapes (or other fruit) grown in the district, for the production of wine or juice.	Permitted	Rural General	<p>a) for wine and juice processing industries:</p> <p>i. Access: see C2 – Built Environment, Infrastructure and Energy.</p> <p>ii. Maximum floor area: 1000m<sup>2</sup></p>

	<p>Visitor accommodation, wine and produce tasting and sales, cafes and restaurants which are ancillary to and associated with rural production from the site (including other sites which are part of that farm business operation).</p>			<ul style="list-style-type: none"> <li>iii. Hours of operation: 7am to 9pm</li> <li>iv. Distance of buildings from boundary: 10m except 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, in which case the distance may be reduced to no less than 1.5m from the side or rear boundary and 4.5m from a front boundary.</li> <li>v. Distance from any residential dwelling not located on the site: 20m except 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, in which case the distance may be reduced to no less than 1.5m from the side or rear boundary and 4.5m from a front boundary</li> <li>vi. Height: 10m (also see General Standard DD4.6.1.1C Recession Plane)</li> <li>vii. Light and Glare: see C11.3 – Lighting and Glare</li> <li>viii. Noise: see C11.2</li> <li>ix. Screening: all outdoor storage areas for goods, plant, machinery or equipment, and waste associated with the business shall be permanently screened when viewed from a neighbouring site or a road.</li> <li>b) for commercial activities: Retailing: <ul style="list-style-type: none"> <li>i. Maximum size 50m<sup>2</sup> stocked with 75% goods from the site (including properties managed or leased by the site owner)</li> <li>ii. Access etc: see C2 – Built Environment, Infrastructure and Energy.</li> </ul> </li> <li>c) Visitor accommodation units <ul style="list-style-type: none"> <li>i. Maximum of 6 accommodation units</li> <li>ii. Access: see C2 – Built Environment, Infrastructure and Energy.</li> <li>iii. Yards: see DD4.6.1.1C</li> <li>iv. Screening: accommodation units not located within an existing dwelling, shall have fencing or planting to an extent necessary to screen the activity as viewed from an adjoining property unless consent is given by the adjoining neighbour to waive this requirement at the time a building consent is sought or prior to the commencement of the activity.</li> <li>v. Noise: see C11.2</li> </ul> </li> <li>d) Cafes/restaurants <ul style="list-style-type: none"> <li>i. Maximum floor area (excluding utility areas – 100m<sup>2</sup>)</li> <li>ii. Hours of operation: 9.00 am to 6.00pm</li> <li>iii. Access: see C2 – Built Environment, Infrastructure and Energy.</li> <li>iv. Noise: see C11.2</li> <li>v. Screening: shall be fenced/planted to effectively screen the café/restaurant, including outdoor seating areas, from neighbouring property unless consent is granted by the adjoining neighbour to waive this requirement.</li> <li>vi. Landscaping: shall be in accord with the general standards prescribed in DD2.6.1.1H (landscaping for Commercial/Residential interface)</li> </ul> </li> </ul>
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## D5 RESERVES ZONES

The provisions of DD5 are district plan provisions.



District Plan

Part DD4 is operative.

### DD5.1 Reserves zones – Introduction

This section of the Plan focuses on the sustainable management of reserve lands within the Gisborne district. The majority of this land is generally protected under the Reserves Act 1977 and managed by Gisborne District Council or by Department of Conservation.

The sustainable management of reserve land not only enables people to provide for their recreation and leisure needs but also provides visual and psychological relief from the built environment. Conservation values can be protected by the retention of open space. The continued regional tradition of public access to coastal and river margins, required under the Act enables the community to access the social, health and well-being benefits provided by water experience.

There is a diverse resource of open space and reserve areas encompassing both publicly and privately owned environments. These range from coastal habitats to the top of Mt. Hikurangi and from bush covered areas to the district's playing fields, and includes such areas as parks and reserves that are available to the public for both passive and active recreational use. The Council plays an important role in administering open space on behalf of the public. Much publicly owned land that is held for recreation purposes has reserve status under the Reserves Act 1977 and is administered as such.

Open space is characterised by the fact that it has few buildings. It can be enjoyed as a visual experience from a distance or on site as the community escapes from the confines of the built environment. The environmental qualities of reserves – such as openness, sunlight, tranquillity and lack of inappropriate noise – contribute to present and future recreational opportunity and district-wide amenity. There are reserves that have heritage and cultural significance, natural character values, and values that maintain and enhance water quality, aquatic habitat and access.

The intention of this chapter is to provide for activities on reserves through the use of zones. The reserve resource has been grouped into four broad zonings based on the level of actual or potential adverse effects that can be sustained by the subject site. The effects must be avoided, remedied or mitigated within the zone or in the environment of an adjoining zone.

*Note: Integrated management of the reserve resource includes the provisions of the Conservation Act 1987 and the Reserves Act 1977. In general the types of activities and the acceptable effects of those activities within a reserve area are those indicated by management plans under the appropriate legislation. It is not the intention of this Plan to replicate or duplicate those controls but rather to recognise those plans.*

### DD5.2 Issues

1. An inadequate distribution or inappropriate management of reserves can result in a loss of:
  - a) residential and district amenity
  - b) present and future recreation opportunity
  - c) public access
  - d) landscape, heritage, conservation, habitat and cultural values.
2. Development and use of reserve land has the potential to create adverse effects on the surrounding environment and the reserve itself.

## DD5.3 Objectives

1. Location of reserve areas to maintain or enhance residential and district amenity, present and future recreation opportunity, public access, and conservation values.
2. Development and use of reserve land that does not create adverse effects on the reserve or surrounding environment.

### **Principal reasons:**

- **Objectives 1 and 2:** *Throughout the district there are reserves with distinct characteristics. A wide variety of activities take place on reserves and such activities have the potential to impact adversely on the environment and the reserve itself. These objectives seek to ensure that provision, development and use of reserves promotes the sustainable management of the natural and physical reserve resources.*

## DD5.4 Policies

1. To enable community well-being by making reserve land available in order to maintain and enhance:
  - a) residential and district amenity
  - b) present and future recreation opportunity
  - c) public access
  - d) conservation and landscape values
  - e) and protect the environmental, cultural, visual and/or historical significance of reserves.
2. To ensure that the visual impact of reserve land and facilities maintains and enhances residential amenity and the natural value of the surrounding environment.
3. To avoid, remedy or mitigate the adverse effects of reserve structures on the open space character of the reserve.
4. To protect significant indigenous and exotic trees, areas of bush and other significant areas of indigenous vegetation, significant habitats of indigenous fauna, ecological value, natural character or significant landforms within reserves.
5. To maintain and enhance access to and along the margins of the district's rivers, lakes and coastline.
6. To ensure that recreational activities that use the river and coastal margins do not create adverse effects – such as diminished natural value or increased bank instability or inhibit access to the margins.
7. Particular attention should be given to the following matters when assessing applications for consents to conduct activities on reserves:
  - a) the **existing character and amenity** of the reserve and the locality in which the site is set
  - b) the **location and design** (including colour) of any proposed structure on the reserve itself
  - c) the effect of the proposed activity regarding **daylight and shading** on adjoining properties and the reserve itself
  - d) the effects of **traffic flow** to and from the reserve site and the locality in which the reserve is set
  - e) **access points** onto the reserve
  - f) any **historical, conservation, ecological, archaeological or waahi tapu** values associated with the reserve
  - g) **design and location in terms of** enabling people to provide for their **safety** either at the reserve or on adjoining properties.

### **Principal reasons:**

- **Policy 1:** Where the provision of reserve land and recreation facilities of different types is inadequate, additional areas should be added wherever possible in order to offset the potential adverse effects of the built environment. Public access, particularly to and along the Coastal Marine Area (CMA), lakes and rivers, is recognised as a matter of national importance and fundamental to the purpose of the Act. Conservation and landscape values would be adversely affected without protection. This policy is intended to implement sections 5, 6(d) and 7(c) and (f) of the Act.
- **Policy 2:** The open space character of the reserve, amenity, natural and environmental values are protected, maintained and enhanced by appropriate siting and design. This policy is intended to implement sections 5, 7 (c)(f) of the Act.
- **Policy 3:** Open space and reserve land is characterised by the fact that it has few buildings and structures. This policy implements section 7(f) of the Act.
- **Policy 5:** There is a long held district tradition of public access to the coast, lake and river margins which this policy upholds and helps implement section 6(d) of the Act.
- **Policy 6:** Some recreational activities can denude the margins of the rivers and coast of natural value by impacting on bank stability, collapsing dunes or interfering with wildlife habitat. These effects should be avoided, remedied or mitigated. This policy is intended to implement sections 5, 7 (c) and (f) of the Act.
- **Policy 7:** This policy contains criteria against which applications for reserve activities can be considered. It will allow for the components of a proposal to be considered in relation to the particular characteristics of a reserve. This is intended to help implement section 5 of the Act.

## **DD5.5 Methods**

### **Economic Instruments**

1. Council uses the Long Term Council Community Plan and Annual Plan processes to plan and fund new reserves and to develop existing reserves.
2. Development contributions are taken for reserves and community infrastructure. Financial contributions may also be used to acquire land for new reserves or to enhance access to reserves. This should be accompanied by a special circumstances agreement to compensate the developer for the additional value contributed.

### **Regulation**

1. Zoning: The plan identifies the following reserve zones.

#### **a) Recreation Reserve zone:**

- i. The Recreation Reserve zone covers those reserve areas that enable active and organised recreation. The Recreation Reserve resource provides for sports fields, tennis courts, sites catering for indoor recreation and leisure pursuits which have the potential to attract large numbers of people. The potential to attract large numbers of people brings with it the possible loss of amenity.
- ii. The purpose of the zone is to enable the community to provide for its sports and leisure needs in such a way that the scale and organised nature of such activities does not create adverse effects.

#### **b) Neighbourhood Reserve zone:**

- i. The Neighbourhood Reserve zone provides for those reserves generally of limited size which contribute to neighbourhood amenity and provide open space relief in the built environment. Passive recreation is provided for with an emphasis on children's play equipment, seating and landscaping. It will be necessary for Neighbourhood Reserve Management Plans to be developed to manage the activities provided for in this zone.

- ii. The purpose of this zone is to maintain and enhance amenity in the residential environment.

**c) Heritage Reserve zone:**

- i. Provides for areas of reserve and open space which are intended to be retained primarily as open space with limited development. Included in this zone are areas of natural vegetation, natural ecosystems and important habitats.
- ii. This zone also includes commonly identified land of cultural/spiritual significance to tangata whenua and sites of historical/archaeological importance (eg. Titirangi/Kaiti Hill).
- iii. The purpose of this zone is to identify reserve and open space areas that require added protection because of the significance attached to individual sites.

**d) Amenity Reserve zone**

- i. This zone provides for access to the district's rivers, lakes and coastal margins. This will include the majority of esplanade reserves (although some have been zoned as Heritage Reserves due to their conservation value).
- ii. Also included in this zone are reserves that provide scenic and landscape values.
- iii. The purpose of this zone is to facilitate public access and meet the requirements of sections 6, 7 and 229 of the Act.

**e) Cemetery Reserves**

- i. All activities to comply with the requirements of the Burial and Cremation Act 1964.

**Other Legislation and the Recreation Plan**

1. Monitor and review the Gisborne District Council Recreation Plan 1998–2003 to identify likely changes in recreation and leisure preferences.
2. Prepare and administer Reserve Management Plans under the Reserves Act 1977 to achieve community agreement on management of public reserve land. The following Management Plans prepared under this legislation will be a priority:
  - a) Uawa Reserve
  - b) Waikanae foreshore
  - c) Neighbourhood reserves
  - d) Kaiti Hill/Titirangi Reserve
  - e) Waikirikiri Reserve
  - f) Adventure Playground
  - g) Waiteata Park
  - h) Te Arai Reserve
  - i) Hatea-a Rangī Reserve.

**Principal reasons:**

**Economic Instruments**

- **Methods 1 and 2:** *These methods implement sections 5, 6 (d) and 7(c)(f) of the Act. Where the provision of reserve land and recreation facilities of different types is inadequate, additional areas should be added wherever possible. Public access is recognised as a matter of national importance and fundamental to the purpose of the Act. Conservation and landscape values would be adversely affected without protection.*
- **Method 1:** *The five zonings are applied to the reserves resource to indicate the level/range of acceptable effects from activities in order to protect the resource. Rules intervene in reserve activities in order to address the effects or set limits on them.*

## Other Legislation and the Recreation Plan

- **Methods 1 and 2:** Council has a statutory duty under the Reserves Act 1977 to prepare management plans for reserves under its control, management or administration. Reserve Management Plans are the primary method for managing the use, development and protection of public reserves.

## DD5.6 Rules

### DD5.6.1 Rules for Reserve zone

#### Note:

Activities shall comply, where relevant, with the regional or district rules and general standards 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, C11 General Controls

#### DD5.6.1.1 General Standards

The following General Standards shall apply to all permitted activities conducted in reserve zones:

- A. a) All activities must comply with rules specified in C2 – Built Environment, Infrastructure and Energy and C11.2: Noise and Vibration, C11.3: Lighting and Glare, C11.4: Radiofrequency.
- B. **Recession Plane**
  - a) On any reserve site having a common boundary with any residential or rural land, buildings, structures or any part thereof excluding chimneys, antennas and their supporting structures and network utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.
- C. **Yard Distances**
  - a) Buildings and structures shall be set back a minimum of 4.5m from road boundaries; 3m from residential and rural residential zone boundaries.



### Rule Table DD5.6.1A – Recreation Reserve Zone

The following activities shall be permitted activities provided that they meet the General Rules where applicable

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
5.6.1A(1)	Recreation activities including sportsgrounds	Permitted	Recreation Reserve zone	
5.6.1A(2)	Any land use activity carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977	Permitted	Recreation Reserve zone,	
5.6.1A(3)	Children's play equipment, picnic facilities and seating	Permitted	Recreation Reserve zone,	
5.6.1A(4)	Public shelters, toilets, and changing rooms	Permitted	Recreation Reserve zone,	
5.6.1A(5)	Public car parks provided that the carpark is set back from any residential or rural zone adjoining the reserve by no less than 10 m unless written consent to an alternative proposal from the adjoining property owner/s has been obtained and submitted to the consent authority at the stage the appropriate consent is sought	Permitted	Recreation Reserve zone	
5.6.1A(6)	Lawns, areas of bush, ornamental gardens, other planted areas	Permitted	Recreation Reserve zone,	
5.6.1A(7)	Implement sheds	Permitted	Recreation Reserve zone	
5.6.1A(8)	Monuments	Permitted	Recreation Reserve zone	
5.6.1A(9)	Swimming pools or camping grounds	Permitted	Recreation Reserve zone	a) The site does not adjoin a residential zone. b) That campgrounds are not located in the Noise Impact Overlay.

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
5.6.1A(10)	Routes for pedestrians and cyclists, including walkways, footpaths, cycle tracks, and bridges	Permitted	Recreation Reserve zone,	
5.6.1A(11)	Driveways on the condition that the curb and channelling or borders of the driveway are set back from any residential boundary by 8.5m	Permitted	Recreation Reserve zone	
5.6.1A(12)	Community facilities including clubrooms or grandstands not provided for in a Management Plan prepared under the Reserves Act 1977 in reserves adjacent to industrial and commercial zones only	Permitted	Recreation Reserve zone	a) Structures for the purposes of public assembly are not located within the Noise Impact Overlay.
5.6.1A(13)	Vegetation planting and clearance of indigenous and/or exotic trees and areas of bush  <i>Note: afforestation, harvesting and replanting associated with a plantation forest that meets the definition of plantation forestry in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 are managed under those regulations. This does not apply to reserve zones that are adjacent to residential commercial or industrial zones.</i>	Permitted	Recreation Reserve zone,	
5.6.1A(14)	Fences	Permitted	Recreation Reserve zone,	
5.6.1A(15)	Sports equipment including lighting on the condition that the equipment does not exceed the maximum height allowed in the closest adjoining zone (goal posts may be of any height)	Permitted	Recreation Reserve zone	
5.6.1A(16)	Maintenance and repair of approved reserve structures, buildings and the reserve itself.	Permitted	Recreation Reserve zone,	
5.6.1A(17)	Meteorological activities	Permitted	Recreation Reserve zone,	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
5.6.1A(18)	Temporary activities	Permitted	Recreation Reserve zone,	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 C11.2.15.2 Shorter Term Construction Noise Standards 3 (Figure C11.9).

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
				<p>c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.</p> <p>d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.</p> <p>e) Activities shall only be conducted between 0700: 2200 hours, where the site is located in or adjacent to a residential zone.</p> <p><i>Note</i> Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety can be obtained from the Environmental Health and Building Inspectorates of Council.</p>
<b>Restricted Discretionary Activities</b>				
5.6.1A(19)	<p>Activities listed as Permitted activities which do not comply with the rules in respect of:</p> <p>a) Noise and Vibration</p> <p>b) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction</p> <p>c) Infrastructure, works and services</p> <p>d) Safety</p> <p>e) Design</p> <p>f) Character and amenity</p> <p>g) Yards</p> <p>h) Access to daylight</p> <p>i) Landscape design; site layout</p> <p>j) Duration, frequency and hours of operation of the activity</p> <p>k) Location of:</p> <ol style="list-style-type: none"> <li>community facilities (including clubrooms) or grandstands not provided for in a Management Plan prepared under the Reserves Act 1977 adjacent to rural zones (excluding Rural Residential and Rural lifestyle zones);</li> <li>driveways that adjoin residential boundaries on both sides where the curb and channelling or borders of the driveway are not set back by 8.5m;</li> <li>campgrounds and structures for the purpose of public assembly located in the Noise Impact Overlay;</li> </ol>	Restricted Discretionary Activity	Recreation Reserve zone,	<p>Council shall restrict its discretion to matters a) to l) specified below:</p> <p>a) Noise and Vibration.</p> <p>b) Lighting and Glare</p> <p>c) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction.</p> <p>d) Infrastructure, works and services.</p> <p>e) Safety.</p> <p>f) Design.</p> <p>g) Character and amenity.</p> <p>h) Yards.</p> <p>i) Access to daylight.</p> <p>j) Landscape design; site layout.</p> <p>k) Duration, frequency and hours of operation of the activity.</p> <p>l) Location of:</p> <ol style="list-style-type: none"> <li>community facilities (including clubrooms) or grandstands not provided for in a Management Plan prepared under the Reserves Act 1977 adjacent to rural zones (excluding Rural Residential and Rural lifestyle zones);</li> <li>driveways that adjoin residential boundaries on both sides where the curb and channelling or borders of the driveway are not set back by 8.5m;</li> <li>camp grounds and structures for the purpose of public assembly located in the Noise Impact Overlay;</li> <li>Public shelters, toilets, and changing rooms.</li> </ol>

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
	iv. Public shelters, toilets and changing rooms.			
5.6.1A(20)	Swimming pools or camping grounds that do not comply with the General Standards.	Restricted Discretionary Activity	Recreation Reserve zone	
<b>Discretionary Activities</b>				
5.6.1A(21)	Activities listed as Permitted which do not comply with the rules, with respect to noise, and are not provided for as Restricted Discretionary activities	Discretionary	Recreation Reserve zone,	
5.6.1A(22)	Community facilities, publicly owned or operated places of assembly for recreation, clubrooms or grandstands not provided for in a management plan prepared under the Reserves Act 1977 in reserves adjacent to a residential or rural residential zone on any boundary	Discretionary	Recreation Reserve zone	
<b>Non-complying Activities</b>				
5.6.1A(23)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Recreation Reserve zone,	

**Rule Table DD5.6.1B – Neighbourhood Reserve Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
5.6.1B(1)	Any land use activity carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977	Permitted	Neighbourhood Reserve zone	
5.6.1B(2)	Passive and outdoor recreation excluding sportsgrounds	Permitted	Neighbourhood Reserve zone	
5.6.1B(3)	Children's play equipment, picnic facilities and seating	Permitted	Neighbourhood Reserve zone	
5.6.1B(4)	Lawns, areas of bush, ornamental gardens, other planted areas	Permitted	Neighbourhood Reserve zone	
5.6.1B(5)	Routes for pedestrians and cyclists, including walkways, footpaths, cycle tracks, and bridges	Permitted	Neighbourhood Reserve zone	
5.6.1B(6)	Vegetation planting or clearance	Permitted	Neighbourhood Reserve zone	
5.6.1B(7)	Fences	Permitted	Neighbourhood Reserve zone	
5.6.1B(8)	Maintenance and repair of approved reserve structures, buildings and the reserve itself.	Permitted	Neighbourhood Reserve zone	
5.6.1B(9)	Meteorological activities	Permitted	Neighbourhood Reserve zone	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
5.6.1B(10)	Temporary activities	Permitted	Neighbourhood Reserve zone	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 Shorter Term Construction Noise Standards 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. <u>Note</u> Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety can be obtained from the Environmental Health and Building Inspectorates of Council.
<b>Restricted Discretionary Activities</b>				

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
5.6.1B(11)	Activities listed as Permitted activities which do not comply with the rules in respect of: a) Noise and Vibration b) Lighting and Glare c) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction d) Infrastructure, works and services e) Safety f) Design g) Character and amenity h) Yards i) Access to daylight j) Landscape design; site layout k) Duration, frequency and hours of operation of the activity l) Location of public shelters, toilets and changing rooms	Restricted Discretionary Activity	Neighbourhood Reserve zone	Council shall restrict its discretion to matters a) to k) specified below: a) Noise and Vibration. b) Lighting and Glare c) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction. d) Infrastructure, works and services. e) Safety. f) Design. g) Character and amenity. h) Yards. i) Access to daylight. j) Landscape design; site layout. k) Duration, frequency and hours of operation of the activity. l) Location of public shelters, toilets and changing rooms
<b>Discretionary Activities</b>				
5.6.1B(12)	Activities listed as Permitted which do not comply with the rules, with respect to noise, and are not provided for as Restricted Discretionary activities	Discretionary	Neighbourhood Reserve zone	
5.6.1B(13)	Activities not carried out in accordance with or provided for in a Management Plan prepared under the Reserves Act 1977 and not provided for elsewhere as Permitted or Restricted Discretionary activities	Discretionary	Neighbourhood Reserve zone	
5.6.1B(14)	Community facilities excluding licensed facilities and clubrooms	Discretionary	Neighbourhood Reserve zone	
5.6.1B(15)	Carparks and driveways	Discretionary	Neighbourhood Reserve zone	
<b>Non-complying Activities</b>				
5.6.1B(16)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Neighbourhood Reserve zone	
<b>Prohibited Activities</b>				
5.6.1B(17)	Licensed facilities and clubrooms	Prohibited Activities	Neighbourhood Reserve zone	



**Rule Table DD5.6.1C – Heritage Reserve Zone**

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
5.6.1C(1)	Land use activity carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977	Permitted	Heritage Reserve zone	
5.6.1C(2)	Children's play equipment, picnic facilities and seating	Permitted	Heritage Reserve zone	
5.6.1C(3)	Fences	Permitted	Heritage Reserve zone	
5.6.1C(4)	Maintenance and repair of approved reserve structures, buildings and the reserve itself.	Permitted	Heritage Reserve zone	
5.6.1C(5)	Meteorological activities	Permitted	Heritage Reserve zone	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less <i>Note: Attention is drawn to the requirements of the Conservation Act 1987 and any subsequent amendments.</i>
5.6.1C(6)	Passive and outdoor recreation excluding the use of animals or vehicles, except on driveways, accessways and carparks	Permitted	Heritage Reserve zone	
5.6.1C(7)	Habitat conservation including new landscaping, maintenance and enhancement	Permitted	Heritage Reserve zone	
<b>Restricted Discretionary Activities</b>				
5.6.1C(8)	Activities listed as Permitted activities which do not comply with the rules in respect of: a) Vibration b) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction c) Infrastructure, works and services d) Safety e) Design f) Character and amenity g) Yards h) Access to daylight i) Landscape design and layout j) Location of:	Restricted Discretionary	Heritage Reserve zone	Council shall restrict its discretion to matters a) to j) specified below: a) Vibration. b) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction. c) Infrastructure, works and services. d) Safety. e) Design. f) Character and amenity. g) Yards. h) Access to daylight. i) Landscape design and site layout. j) Location of toilets, changing rooms, carparks, fences and driveways.



Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
	i) public shelters, toilets, and changing rooms; ii) routes for pedestrians, cyclist's tracks including footpaths, walkways, bridges and driveways.			
<b>Discretionary Activities</b>				
5.6.1C(9)	Vegetation clearance of indigenous and exotic trees and areas of bush	Discretionary	Heritage Reserve zone	
5.6.1C(10)	Flood control	Discretionary	Heritage Reserve zone	
5.6.1C(11)	Activities listed as Permitted which do not comply with the rules with respect to noise, and are not provided for as Restricted Discretionary activities.	Discretionary	Heritage Reserve zone	
<b>Non-complying Activities</b>				
5.6.1C(12)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Heritage Reserve zone	

## Rule Table DD5.6.1D – Amenity Reserve Zone

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
5.6.1D(1)	Land use activity carried out in accordance with an approved Management Plan prepared under the Reserves Act 1977	Permitted	Amenity Reserve zone	
5.6.1D(2)	Children's play equipment, picnic facilities and seating	Permitted	Amenity Reserve zone	
5.6.1D(3)	Public shelters, toilets, and changing rooms	Permitted	Amenity Reserve zone	
5.6.1D(4)	Routes for pedestrians and cyclists, including walkways, footpaths, cycle tracks, and bridges	Permitted	Amenity Reserve zone	
5.6.1D(5)	Maintenance and repair of approved reserve structures, buildings and the reserve itself.	Permitted	Amenity Reserve zone	
5.6.1D(6)	Meteorological activities	Permitted	Amenity Reserve zone	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
5.6.1D(7)	Passive and outdoor recreation including the controlled use of dogs for game bird hunting but excluding the use of horses or vehicles, except on driveways, accessways and carparks	Permitted	Amenity Reserve zone	
5.6.1D(8)	Freedom camping	Permitted	Amenity Reserve zone	a) The activity is carried out in accordance with Gisborne District Council Bylaws Manual regarding specific camping locations.
5.6.1D(9)	New landscaping	Permitted	Amenity Reserve zone	
5.6.1D(10)	Lighting	Permitted	Amenity Reserve zone	
<b>Restricted Discretionary Activities</b>				
5.6.1D(11)	Activities listed as Permitted activities which do not comply with the rules in respect of: a) Vibration b) Lighting and Glare c) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction d) Infrastructure, works and services e) Safety	Restricted Discretionary	Amenity Reserve zone	Council shall restrict its discretion to matters a) to l) specified below: a) Vibration. b) Lighting and Glare c) Recession plane provided that the height envelope created by the recession plane is not encroached by more than 1m in any direction. d) Infrastructure, works and services. e) Safety. f) Design. g) Character and amenity.

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
	f) Design g) Character and amenity h) Yards i) Access to daylight j) Landscape design and site layout k) Vegetation clearance of indigenous and/or exotic trees and areas of bush l) Location of toilets, changing rooms, carparks, fences and driveways			h) Yards. i) Access to daylight. j) Landscape design and site layout. k) Vegetation clearance of indigenous and/or exotic trees and areas of bush. l) Location of toilets, changing rooms, carparks, fences and driveways.
<b>Discretionary Activities</b>				
5.6.1D(12)	Activities listed as Permitted which do not comply with the rules, with respect to noise, and are not provided for as Restricted Discretionary activities	Discretionary	Amenity Reserve zone	
5.6.1D(13)	Flood control	Discretionary	Amenity Reserve zone	
5.6.1D(14)	Community facilities including clubrooms	Discretionary	Amenity Reserve zone	
<b>Non-complying Activities</b>				
5.6.1D(15)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Amenity Reserve zone	

# DP1 PORT COASTAL MANAGEMENT AREA

The provisions of DP1 are regional plan, regional coastal plan and district plan provisions. The exception is the rules, which are just regional coastal plan provisions applying only to the coastal marine area.



Regional  
District Plan



Plan



Regional Coastal Plan

Part DP1 is proposed, the provisions reflect Council's decisions on submissions and the resolution of any appeals, but have not yet been made operative.

## DP1.1 Port Coastal Management Area – Introduction

The Port Coastal Management Area includes the existing Port Gisborne basin and a section of the Turanganui River. It does not include the Cook Landing National Historic Reserve which is in the Significant Values Coastal Management Area. The Port Coastal Management Area is a highly modified environment where human structures dominate the environment physically and visually.

The primary purpose of the Port Coastal Management Area is to provide for activities related to the use of vessels and the transport of goods into and out of the Gisborne district, for which a location in the coastal environment is an operational necessity. A high level of integration across the jurisdictional boundary of the line of Mean High Water Springs is essential for the safe and efficient operation of the Port.

Although parts of the Port have significant cultural, amenity and recreational values, the ecological and natural landscape values are greatly modified. However the Port Coastal Management Area has some natural character and it is a matter of national importance to preserve the natural character of the coastal environment.

## DP1.2 Issues

Port Gisborne has undergone considerable modification and is a regionally significant transport and commercial operation with complex infrastructure and continuing development requirements. While natural and heritage values still exist, the continued operation and development of the Port and associated infrastructure and services must be provided for to promote sustainable management.

## DP1.3 Objectives

1. Provision made, in the Port Coastal Management Area, for activities related to the use of vessels, and the transport of goods by vessels or storage of cargo or fuel products prior to distribution, for which a permanent location in the coastal environment is an operational necessity.
2. Port-related activities, including those which provide the port of Gisborne with the means to carry out all of its operations and services in appropriate areas within the Port Coastal Management Area.
3. Adverse effects on the environment arising from the lawful operation of vessels and services within the Port Coastal Management Area are avoided, remedied or mitigated to the fullest extent practicable, recognising that the preservation of natural character is a matter of national importance while promoting the sustainable management of natural and physical resources.
4. Non port-related development provided for in the Port Coastal Management Areas in a way that does not compromise the operational requirements of the Port or those port-related industries and activities which have a direct relationship with marine activities and which benefit from a location in the Port.

5. At the next review of this Plan, the Council should seriously consider the desirability of combining all its regional and district plans into a single document. In the document the Council should seriously consider the desirability of combining all provisions relevant to Ports in a single chapter.

**Principal reasons:**

- **Objective 1:** Ports are regionally important facilities that assist communities to provide for their social, economic and cultural well-being therefore this Plan must recognise the existence of Port Gisborne and provide for its continuing operation.
- **Objective 2:** The activities of Port Gisborne, commercial fishing operations, and other commercial services and industries are part of the functioning of the Port and should be provided for.
- **Objective 3:** Adverse effects on the environment are inevitable in the day-to-day operation of a Port and cannot always be avoided, remedied or mitigated. Nevertheless, natural character should be preserved where this promotes sustainable management.
- **Objective 4:** Non-Port-related activities should be provided for as long as they do not interfere with the operational needs of the Port as should those industries and facilities such as commercial fishing operations which have a direct relationship with marine activities and which benefit from a location in the Port.
- **Objective 5:** Ports straddle MHWS and there is a duty for RMA plans to promote sustainable management.

## DP1.4 Policies

1. In the exercise of any function, power or duty under the Act, a consent authority will give particular regard to the need to provide for activities related to the use and service of vessels, the storage and distribution of cargo and petroleum products, and Port infrastructure for which a location in the coastal environment is an operational necessity, within Port Coastal Management Areas.
2. At the next review of the Plan, the Council should seriously consider the desirability of combining all its regional and district plans into a single document. In the document the Council should seriously consider the desirability of combining all provisions relevant to ports in a single chapter.
3. The development of recreational and commercial enterprises other than those necessary for the continued operation of the Port and fishing industries will be provided for where they do not conflict with the operational requirements of Port Gisborne within the Port Coastal Management Area.

**Principal reasons:**

- **Policy 1:** This recognises the need to provide for the Port of Gisborne as a regionally significant commercial and transport infrastructure for the Gisborne region. The policies in this Plan must ensure that the continued viability of Port operations is provided for even where these operations may cause some environmental damage. The safe and efficient operation of Ports should be the primary focus of consent authorities in Port Coastal Management Areas.
- **Policy 2:** It is expected that the combined Tairāwhiti Plan will promote integrated management and be more administratively convenient and less complex for plan users.
- **Policy 3:** Other recreational and commercial activity may occur in Ports and this must be recognised and provided for while maintaining the safety and integrity of primary port functions.

## DP1.5 Methods

### ADVOCACY

1. Gisborne District Council will encourage the development of and public participation in the preparation of non-statutory Port Management and Development Plans.

2. Provided that Method 1 is achieved with assessment of effects the Gisborne District Council may facilitate, incorporate the area proposed within the Port Coastal Management Area into the coastal provisions of the Tairāwhiti Plan.

**Principal reasons:**

- **Method 1:** to encourage port companies to prepare development plans for ports through open and transparent processes.
- **Method 2:** to further encourage port companies to adopt a process of port development that includes early and full consultation with the public by offering a Plan Change without cost to the port company. This method implements Policy DP1.4(1) and DP1.4(3).

## DP1.6 Rules

### DP1.6.1 Rules for Structures

(Refer to 3.7 – Activities: Structures)

**Note 1:** Section 32 of the Building Act 1991 states that no “building” shall be constructed, altered or demolished without a building consent. It is important, notwithstanding anything else in this Plan, that requirements for a building consent are established prior to the commencement of any work. The definition of “structure” in the Building Act is very broad.

**Note 2:** In addition to rules contained in this Plan the Harbours Act 1950 and Harbour Bylaws may also regulate structures on matters of navigation and safety as the need arises.

**Note 3:** This section should be read in conjunction with the section on occupation of space in the Coastal Marine Area.

**Note 4:** The New Zealand Coastal Policy Statement requires that the Maritime New Zealand and the Hydrographic Office be notified of new structures in the Coastal Marine Area. This Plan implements that policy by requiring consent holders for new structures – or significant changes to existing structures – in the Coastal Marine Area to notify those offices **before** construction begins. This will be a condition of all consents granted.

**Note 5:** It will be a condition of all consents for new structures in the CMA to provide, at their completion, photographic evidence of their completion.

**Note 6:** No resource consent or coastal permit gives the holder rights to occupy or move over the private property of another. Rules in this chapter do not state that the permission of occupiers or landowners is required in order to exercise the resource consent or permit because that requirement should go without saying.

**Note 7:** Unless clearly stated otherwise all standards and terms in a rule must be met for that rule to apply.

**Rule Table DP1.6.1**

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.1(1)	The construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water.	Permitted	<p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) The Maritime New Zealand and the Hydrographic Office are notified of the proposal to erect the structure and are notified of completion of work on the structure.</p> <p>d) Gisborne District Council has been notified in writing of the structure.</p> <p>Provided that:</p> <p>In the event of a), b) and d) not being met the activity is a discretionary activity under Rule 1.6.1(13).</p> <p>In the event of c) not being met the activity is a controlled activity under Rule DP1.6.1(8)E.</p> <p>Cross-Reference Refer to C3, C3.7, DP1.6.3, F1.</p>
1.6.1(2)	Except as provided for in Rule DD1.6.1.6(for Port Related Structures) the minor alteration or maintenance of any structure in the Coastal Marine Area of the Port Coastal Management Area.	Permitted	<p>a) The physical dimensions of the structure are not altered.</p> <p>b) The alteration or maintenance results in no more disturbance to the foreshore or bed than can be removed by two tide cycles.</p> <p>c) Contaminants are not disposed of into the coastal environment.</p> <p>d) There is no adverse effect on public safety and navigation safety.</p> <p>e) Public access to and along the Coastal Marine Area is not decreased.</p> <p>f) Prior notification of the intention to modify the structure is made to the Gisborne District Council.</p> <p>Provided that:</p> <p>In the event that any of the standards is not met, then Rule DD1.6.1.7 applies.</p> <p>Principal reason 1 below</p>
1.6.1(3)	Structures located in the Coastal Marine Area for which no permits have been granted under the Harbours Act 1950 or the Resource Management Act 1991 are unauthorised structures. Unauthorised structures which were established prior to 1 January 1995 and are located in the Coastal Marine Area are permitted within the coastal environment for a period of two years from the date of this Plan becoming operative	Permitted	Principal reason 2
1.6.1(4)	The removal or demolition of any structure in the Coastal Marine Area.	Permitted	<p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Any disturbance to the seabed is minor enough to be removed by two tide cycles.</p> <p>d) Prior to and immediately after removal of the structure the Maritime New Zealand and the Hydrographic Office are notified.</p> <p>Provided that:</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
			If any of the Standards are not met then Rule DD1.6.1.8 applies. Principal reason 3 below
1.6.1(5)	The construction, placement or erection of signs in the Coastal Marine Area for the purpose of publicising or advising of: a) Rules in this plan; or b) Bylaws or regulations made under any Act; or c) The location of any reserve; or d) Water safety; or e) Refuelling facilities and instructions for use within the Coastal Marine Area.	Permitted	a) The sign does not exceed 0.5 m <sup>2</sup> in area. Provided that: If the Standard and Term is not met, then the construction, placement or erection of signs in the CMA of the Port Coastal Management Area is a restricted discretionary activity under Rule DP1.6.1.10.
1.6.1(6)	The minor alteration of any port related structure in the Coastal Marine Area of the Port Coastal Management Area.	Permitted	a) Prior notice of the alteration is given to the Gisborne District Council and the harbour master. b) The area of the CMA covered by the structure does not increase by more than 5% in any one alteration or 20% cumulatively. c) Contaminants are not disposed of into the coastal environment d) There is no adverse effect on public safety and navigation safety. Principal reason 4 below
1.6.1(6)(A)	Where a standard or term in a rule in this chapter of this plan prevents an activity because contaminants are disposed to the Coastal Environment the activity may occur if it achieves all other standards and terms of the rule and a permit for the discharge is obtained or the discharge satisfies the standards and terms for a permitted discharge.	Permitted	Principal reason 5 below
1.6.1(6)(B)	The erection or placement of any temporary structure (other than whitebait stands) in the Coastal Marine Area of the Port Coastal Management Area.	Permitted	a) Contaminants are not disposed of into the Coastal Environment. b) There is no adverse effect on public safety, navigation safety, and the lawful operation of the Port of Gisborne. c) Public access to and enjoyment of the Coastal Marine Area is not decreased. d) The structure is located for a continuous or cumulative period not exceeding 30 days in any one year. e) The structure is removed immediately after use. f) The harbour master is notified in writing at least five days prior to the construction of the structure. g) The Gisborne District Council is notified in writing prior to construction of the structure. Principal reason 6 below
1.6.1(6)(C)	Construction, placement, erection or modification of any network utility structure	Permitted	a) Contaminants are not disposed of into the Coastal Environment.



Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	that is or will be attached to an existing structure located in the Coastal Marine Area of the Port Coastal Management Area.		<p>b) There is no adverse effect on public safety and navigation safety.</p> <p>c) Prior to and immediately after construction, placement or erection the Maritime New Zealand and the Hydrographic Office are notified.</p> <p>d) The Gisborne District Council is notified in writing prior to construction of the structure.</p> <p>Provided that:</p> <p>In the event of d) not being met the activity is a discretionary activity under Rule DP1.6.1(17) with standards and terms a) to c). Conditions will be set requiring notification of the New Zealand Maritime Safety Authority and the Hydrographic Office</p> <p>Principal reason 7 below</p>
<b>Controlled Activities</b>			
1.6.1(7)	Except as provided for in Rule DD1.6.1.2 and DD1.6.1.6, the minor alteration or maintenance of any structure in the Coastal Marine Area.	Controlled	<p>a) The cumulative increase in the area of bed or foreshore covered by the structure from all minor alterations or maintenance under this plan does not exceed 10% of the original.</p> <p>Provided that:</p> <p>If any Standard is not met then the minor alteration and maintenance of structures in the CMA of the Port Coastal Management Area is a discretionary activity.</p> <p>Principal reason 8 below</p>
1.6.1(8)	<p>Except as provided for in Rule DD1.6.1.4, the removal or demolition of any structure in the Coastal Marine Area and coastal water is a controlled activity provide that:</p> <p>a) Contaminants are not disposed of into the coastal environment.</p> <p>b) There is no adverse effect on public safety and navigation safety.</p>	Controlled	<p>If any of the standards and terms are not met then the removal or demolition of structures in the CMA of the Port Coastal Management Area is a discretionary activity.</p> <p>Council shall limit its control to the matters a) to g) specified below:</p> <p>a) The timing/duration of activities associated with the demolition of the structure</p> <p>b) The rate at which components of the structure are removed or demolished</p> <p>c) Disposal of material on or away from the site</p> <p>d) Monitoring the effects of removal of the structure</p> <p>e) Provision of photographic evidence of removal of the structure</p> <p>f) Requiring bonds or rentals as specified elsewhere in this Plan.</p> <p>g) Setting a condition requiring notification of the New Zealand Maritime Safety Authority and the Hydrographic Office of Land Information New Zealand prior to and on completion of the demolition or removal of the structure.</p> <p>Principal reason 9 below</p>
1.6.1(8)(A)	Except as provided for in Rules DP1.6.1(2), DP1.6.1(7) or DP1.6.1(6)(C), any activity that requires construction, erection or alteration of a network utility structure within the Coastal Marine Area of the Port Coastal Management Area, (but excepting any reclamations), is a controlled activity provided that:	Controlled	<p>Provided that:</p> <p>If these standards or terms are not met the activity is a restricted discretionary activity.</p> <p>Council shall limit its control on matters a) to d):</p> <p>a) The exact location of the structure (to avoid cultural or historic sites); and</p> <p>b) Disposal of material on or away from the site; and</p> <p>c) Requiring rentals or bonds as specified elsewhere in this plan; and</p> <p>d) Monitoring the effects of the structure</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	<ul style="list-style-type: none"> <li>a) There is no adverse effect on public safety and navigation safety.</li> <li>b) There will be no adverse effect on the drainage and navigation capacity of the Turanganui River diversion.</li> <li>c) Contaminants are not disposed of into the Coastal Environment.</li> <li>d) There is no adverse effect on public safety and navigation safety.</li> </ul>		Principal reason 10 below
1.6.1(8)(B)	<p>The construction or placement of pile and swing moorings in the Port Coastal Management Area is a controlled activity provided that:</p> <ul style="list-style-type: none"> <li>a) The Harbour Master is consulted.</li> <li>b) The mooring does not adversely affect port operations.</li> <li>c) The mooring is not located in the Gisborne Harbour Swing Basin.</li> <li>d) Consultation has occurred with the Hapu which is the kaitiaki of the site proposed.</li> </ul> <p>Provided that:</p> <p>In the event of standard and term c) not being met the activity is a prohibited activity for which no Resource Consent will be granted. In the event of standard and terms a), b) or d) not being met, the activity is a discretionary activity.</p>	Controlled	<p>Council shall limit its control to the matters a) to d) specified below:</p> <ul style="list-style-type: none"> <li>a) Disposal of material on or away from the site; <i>and</i></li> <li>b) Requiring rentals or bonds as specified elsewhere in this plan; <i>and</i></li> <li>c) Monitoring the effects of the structure; <i>and</i></li> <li>d) The duration of any permit granted.</li> </ul> <p><u>Note:</u> The construction or placement of moorings within harbour limits must also comply with the Local Government Act 1974 and Navigation Bylaws.</p> <p>Principal reason 11 below</p>
1.6.1(8)(C)	<p>Unless specified elsewhere to the contrary and more specifically and notwithstanding rules DP1.6.1(15) and DP1.6.1(16) of this section any activity that requires the construction, erection or alteration of a structure in the Coastal Marine Area, (but excepting minor alterations and any reclamations), is a controlled activity in the Port Coastal Management Area provided that:</p>	Controlled	<p>Council shall limit its control to the matters a) to d) specified below:</p> <ul style="list-style-type: none"> <li>a) The exact location of the structure (to avoid cultural or historic sites); <i>and</i></li> <li>b) Disposal of material on or away from the site; <i>and</i></li> <li>c) Requiring rentals or bonds as specified elsewhere in this plan; <i>and</i></li> <li>d) Monitoring the effects of the structure.</li> </ul> <p>Provided that:</p> <p>If any of the rule requirements are not met the activity is discretionary.</p> <p>Principal reason 17 below</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	<ul style="list-style-type: none"> <li>a) The structure is directly related to the operational requirements of the port.</li> <li>b) There is no adverse effect on public safety and navigation safety.</li> <li>c) There will be no adverse effect on the drainage and navigation capacity of the Turanganui River diversion.</li> <li>d) Contaminants are not disposed of into the Coastal Environment unless authorised to be so disposed by a rule in a Plan or by resource consent.</li> <li>e) There is no adverse effect on public safety and navigation safety.</li> <li>f) The activity does not cause more than minor adverse effects on ecological processes, bio-diversity, water quality, natural character, natural landscape and flora and fauna identified in a Protection Management Area.</li> </ul>		
1.6.1(8)(D)	<p>Any activity in the Coastal Marine Area of the Port Coastal Management Area involving the erection of structures for the storage or containment of petroleum, petroleum based products or other contaminants is a controlled activity provided that:</p> <ul style="list-style-type: none"> <li>a) The facility is such that a reasonably foreseeable loss of containment would not threaten public safety or result in contamination of the Coastal Marine Area; and</li> <li>b) Contaminants are not disposed of into the Coastal Environment.</li> <li>c) There is no adverse effect on public safety and navigation safety.</li> <li>d) Public access to and along the Coastal Marine Area is not decreased.</li> </ul>	Controlled	<p>Council shall limit its control to the matters a) to e) specified below:</p> <ul style="list-style-type: none"> <li>a) Structure siting); <i>and</i></li> <li>b) Disposal of material on or away from the site; <i>and</i></li> <li>c) Requiring rentals or bonds as specified elsewhere in this plan; <i>and</i></li> <li>d) Ensuring the safety of the public and environment from spillage; <i>and</i></li> <li>e) Monitoring the effects of the structure.</li> </ul> <p>Provided that:</p> <p>If any standard and term is not met then the activity is a discretionary activity.</p> <p>Principal reason 18 below</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	<p>e) Consultation has occurred with the Hapu which is the kaitiaki of the site proposed.<sup>19</sup></p> <p>f) The structure is designed to carry no more than 50,000 litres.</p> <p>g) The activity does not cause more than minor adverse effects on ecological processes, bio-diversity, water quality, natural character, natural landscape and flora and fauna identified in a Protection Management Area near where the structure is proposed to be altered.</p>		
1.6.1(8)E	The construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water where Maritime New Zealand and the Hydrographic Office are not notified of the proposal to erect the structure and are not notified of completion of work on the structure.	Controlled	Council restricting its control to setting conditions on the consent requiring notification of Maritime New Zealand and the Hydrographic Office.
<b>Restricted Discretionary Activities</b>			
1.6.1(9)	<p>Notwithstanding any rule for a permitted or controlled activity in this chapter of this plan, any activity associated with the construction, placement erection, modification, demolition or replacement of any structure that occurs in or immediately adjacent to any site in the Coastal Marine Area as marked on the planning maps of the Tairāwhiti Plan which is recognised by tangata whenua as culturally sensitive to that type of activity is a restricted discretionary activity with, in addition to any standards and terms specified for that activity, the following standards and terms:</p> <p>. a) Contaminants are not disposed of into the Coastal Marine Area.</p>	Restricted Discretionary	<p>Council shall restrict its discretion to the matters a) to h) specified below:</p> <p>a) Structure siting</p> <p>b) The timing and duration of activities associated with the structure</p> <p>c) Disposal of material on or away from the site</p> <p>d) The duration of any Resource Consent</p> <p>e) Conditions relating to monitoring the effects of the activity</p> <p>f) The provision of photographic evidence upon completion of the activity</p> <p>g) The extent to which the structure has an adverse effect on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</p> <p>h) Requiring rentals or bonds as specified elsewhere in this Plan.</p> <p>Principal reason and explanation 12 below</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	b) There is no adverse effect on public safety and navigation safety. c) The activity results in no more disturbance to the foreshore or bed than can be removed by two tide cycles. d) Public access to and enjoyment of the Coastal Marine Area is not decreased. e) Consultation has occurred with the Hapu which is the kaitiaki of the site proposed. <sup>15</sup>		
1.6.1(10)	The construction, placement or erection of signs in the Coastal Marine Area for the purpose of publicising or advising of: a) Rules in this plan; or b) Bylaws or regulations made under any Act; or c) The location of any reserve; or d) Water safety; or e) Refuelling facilities and instructions for use within the Coastal Marine Area. where the permitted activity standard is not met.	Restricted Discretionary	Council shall restrict its discretion to the matters a) to g) specified below: a) The exact location of the sign b) The design and finish of the sign c) Maintenance and upkeep of the sign d) The duration of the consent granted e) Monitoring the use and effects of the sign f) Requiring photographic evidence of erection of the sign g) Requiring rentals or bonds as established elsewhere in this Plan. Principal reason 13 below
<b>Discretionary Activities</b>			
1.6.1(11)	The construction, placement, erection, modification or replacement of fixed (non-floating) navigational aids within the Coastal Marine Area	Discretionary	Principal reason 14 below
1.6.1(12)	The erection or placement of any structure in the Coastal Marine Area which has a predominant purpose of avoiding, remedying or mitigating the effects of	Discretionary	Explanation and principal reason 15 below

<sup>15</sup> **NB:** Information on which hapu is the kaitiaki for a particular site and how they can be contacted can be obtained from Runanga, Gisborne District Council, Te Puni Kokiri or the Department of Conservation.

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	natural coastal processes on human property or life		
1.6.1(13)	Except as provided for in Rules DP1.6.1(1) and DP1.6.1(8)(E) the construction, placement, erection, modification or replacement of floating navigational buoys within the Coastal Marine Area or within coastal water	Discretionary	Principal reason 16 below
1.6.1(14)	Any activity involving the erection of a structure or structures which will impound or effectively contain any area of the Coastal Marine Area of the Port Coastal Management Area.	Discretionary	Principal reason 16 below
1.6.1(15)	The erection or placement of any structure or structures in the Coastal Marine Area of the Port Coastal Management Area that is- a) More or less parallel to mean high water springs; and b) Solid (or presents a significant barrier to water or sediment movement); and c) Would extend 300 metres or more but is less than 1000 meters, and including separate structures which with an incremental total of between 300 and 1000 metres, and d) Is not a submarine or sub-aqueous cable.	Discretionary	
1.5.1(16)	The erection of any structure in the Coastal Marine Area of the Port Coastal Management Area that is - a) Oblique or perpendicular to mean high water springs; and b) Solid (or presents a significant barrier to water or sediment movement); and c) Is in the horizontal projection more than 100 meters but less than 1000 meters in length; and d) Is not a submarine or sub-aqueous cable.	Discretionary	



1.6.1(17)	<p>Except as provided for in Rule DP1.6.1(6)(C), the construction, placement, erection or modification of any network utility structure that is or will be attached to an existing structure located in the Coastal Marine Area of the Port Coastal Management Area provided that:</p> <ul style="list-style-type: none"> <li>a) Contaminants are not disposed of into the Coastal Environment.</li> <li>b) There is no adverse effect on public safety and navigation safety.</li> <li>c) Prior to and immediately after construction, placement or erection Maritime New Zealand and the Hydrographic Office are notified.</li> </ul>	Discretionary	
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#### DP1.6.1.1 Principal Reasons and Explanations

1. **Principal reason:** Without maintenance many structures deteriorate. Minor alteration will have minimal adverse effects.
2. **Principal reason:** Illegal structures threaten the very processes this Plan sets up in order to manage adverse effects. To condone illegal structures is entirely inconsistent with responsible resource management and is inconsistent with the purpose of the Resource Management Act (1991).
3. **Principal reason:** Obsolete structures diminish natural character and amenity; their removal is a very good way of improving the quality of the coastal environment.

Cross-Reference refer to C3, C3.9.

4. **Principal reason:** Minor alteration of structures in the Port Coastal Management Area will not have any adverse effects if the standards set are met.
5. **4A. Principal reason:** This rule provides a linkage between the structures chapter and discharge chapters of the plan and provides for consistency between the two chapters. Discharges were included within the structures section of the plan to highlight the inter-relatedness of chapters and to direct readers to other relevant objectives, methods, rules and policies.
6. **4B. Principal reason:** It is not conceivable that a structure which meets the standards of this rule would have significant adverse effects. By providing for this type of structure the utility of the Coastal Environment is recognised without compromising values.
7. **4C. Principal reason:** This rule is necessary in order to manage the potential adverse effects of network utility structures. The intent of the rule is concentrate structures.
8. **Principal Reason:** The type of maintenance anticipated here can have effects of an unpredictable nature. In order to ensure that measures are taken to avoid, remedy or mitigate adverse effects and also to achieve the purpose of the Act the most appropriate option is to utilise the resource consent process.

Cross-Reference refer to C3, C3.9, DP1.6.3, C3.15, F1.

9. **Principal reason:** Obsolete structures diminish natural character and amenity; their removal is a very good way of improving the quality of the coastal environment. This variant of the previous rule ensures that large scale removal is possible.
- Cross-Reference refer to C3, C3.9, C3.15.

10. **6A. Explanation:** Where appropriate, the consent authority will consult with tangata whenua in the consideration of any specific resource consent application and will encourage applicants for resource consent to similarly consult as a matter of good practice. The consultation process should be initiated as soon as practicable.

**Principal reason:** This rule establishes the placement and erection of network utility structures as a legitimate activity in the CMA. The principal reason for this rule is that these structures are essential to provide for the social wellbeing of communities.

11. **6B. Principal reason:** The Port Coastal Management Area is an appropriate place for moorings. This rule ensures certain standards are met and highlights other statutory considerations.
12. **Explanation:** This rule captures activities which might have an impact on cultural values and requires that they be treated as controlled activities with tight terms and conditions. Implicit in this rule is that all applicants for new structures or significant alteration or demolition of existing structures will consult with tangata whenua.

**Principal reason:** Many permitted and controlled activities do not contain a standard/term related to tangata whenua cultural values and hence could be permitted without reference to tangata whenua. This could result in adverse effects on cultural sites and values.

Cross-Reference refer to C3, C3.9, DP1.6.3, C3.15, F1.

13. **Principal reason:** *It is important that signage in the CMA is controlled in order to achieve a level of professionalism of finish.*  
Cross-Reference refer to C3, C3.9, C3.15.
14. **Principal reason:** *(Rules DP.6.1.1 and DP1.6.1.8E): Floating navigational aids are regarded as low impact except in the Significant Values Coastal Management Area where the visual impacts may be unacceptable. Non-floating navigational aids can have significant adverse effects on biota and visual amenity and are thus treated as discretionary activities.*  
Cross-Reference C3, C3.9, DP1.6.3, C3.15, F1.
15. **Explanation:** Structures used to protect property from the effects of coastal processes are usually very conspicuous, have a limited life expectancy and dramatically alter natural physical processes.  
  
**Principal reason:** *The effects of coastal protection works on the environment will almost always have to be weighed up against community benefits. It is considered appropriate to treat these structures as discretionary activities because achieving the purpose of the RMA will require considerable assessment, particularly in respect of sections 5, 6 & 7 of the RMA.*  
Cross-Reference refer to C3, C3.7, DP1.6.3, DP1.6.4, C3.15.
16. **Principal reason:** *These rules are consistent with Schedule 1.2 of the NZCPS 1994.*
17. **Explanation:** Where appropriate, the consent authority will consult with tangata whenua in the consideration of any specific resource consent application and will encourage applicants for resource consent to similarly consult as a matter of good practice. The consultation process should be initiated as soon as practicable.  
  
**Principal reason:** *There are some very specific rules for this management area. This rule ensures that structures not covered by those rules are treated as controlled activities.*
18. **Principal reason:** *The rule recognises the very real risk that spillage of contaminants into the CMA carries.*

## DP1.6.2 Rules for Discharges

### OBSERVANCE OF WATER QUALITY STANDARDS

All discharges to water of the coastal marine area, after reasonable mixing and disregarding the effect of any natural perturbations, shall observe any relevant water quality standards set out in Method C3.10.4(12) for the Classification Area defined in Schedule G14 of this Plan.

**Principal reason:** Compliance with water classification standards is a requirement of Section 69(1) of the Resource Management Act 1991.

#### Rule Table DP1.6.2

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.1(3)	The discharge of stormwater run-off and uncontaminated seawater to the Coastal Marine Area.	Permitted	<p>In the case of stormwater run-off:</p> <p>a) The activity shall not cause any permanent:</p> <p>i. Reduction of the ability of the receiving channel to convey flood flows;</p> <p>ii. Scouring of the foreshore or seabed as a consequence of the discharge; and</p> <p>In the case of stormwater run-off and discharges of uncontaminated seawater:</p> <p>b) The discharge shall not cause the production of conspicuous oil or grease films, scums, or foams, or floatable or suspended materials in any receiving water after reasonable mixing.</p> <p>c) The water classification standards for Poverty Bay set out in C3.10 and Schedule G14 are met.</p> <p>Provided that:</p> <p>If either a) or b) or c) are not met then the discharge of stormwater run-off or uncontaminated seawater to the CMA is a discretionary activity.</p> <p>Principal reason 1 below</p>
1.6.2(2)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999, the discharge to the coastal marine area of biologically and chemically inert and non-radioactive tracers or dyes for the purposes of scientific investigations.	Permitted	<p>a) The tracer or dye will not result in and change in the abundance or diversity of animal or plant life in the receiving environment.</p> <p>b) The GDC is advised at least one week prior to the discharge.</p> <p>Provided that:</p> <p>If a) is not met the activity is a discretionary activity.</p> <p>Principal reason 2 below</p>
<b>Controlled Activities</b>			
1.6.2(3)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999, the discharge to the coastal marine area of biologically and chemically inert and non-radioactive tracers or dyes for the purposes of scientific investigations	Controlled	<p>The Council shall limit its control to matters a) and b) below</p> <p>a) To minimise adverse effects on habitat on target organisms</p> <p>b) To restrict the timing and duration of any herbicide application.</p> <p>Provided that:</p> <p>Any application of Agrichemical sprays that does not meet the standards above is a discretionary activity.</p>

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations												
	<p>a) The application shall be undertaken in a manner that does not exceed any rate, or contravene any other requirement specified in the agrichemical manufacturer's instructions.</p> <p>b) The application shall not occur directly on or above the surface of the CMA, or be undertaken in a manner which would result in any agrichemical entering the CMA, unless the agrichemical is registered for use over waterbodies.</p> <p>c) A hand held appliance is used, and spray is directed to minimise non target organism contact; and</p> <p>d) Council is advised prior to commencement of the activity</p> <p>e) The following standards from NZS8409:1999 Agrichemical Users Code Of Practise and any additional requirements as listed are met:</p> <p>The Council may set conditions:</p> <p>    i. To minimise adverse effects on habitat and on-target organisms</p> <p>    ii. To restrict the timing and duration of any herbicide application.</p> <p>Provided that:</p> <p>Any application of Agrichemical sprays that does not meet the standards above is a discretionary activity.</p> <table><tr><th>NZS8409 REQUIREMENT</th><th>ADDITIONAL REQUIREMENT</th></tr><tr><td>2.4.1, 2.4.2, 2.4.4(b)</td><td></td></tr><tr><td>5.1.1, 5.1.2, 5.3.1(a &amp; b)</td><td></td></tr><tr><td>5.3.2(b)</td><td>Disposal options FF (a,b,c) must be used if available in the region and no spray residue shall be disposed of within 20m of the CMA.</td></tr><tr><td>5.3.3 (second paragraph following (m))</td><td>Cleaning and decontamination of aircraft shall be carried out on a bunded concrete pad. Contaminated residue shall be collected and disposed of in accordance with these conditions.</td></tr><tr><td>5.4.1</td><td></td></tr></table>	NZS8409 REQUIREMENT	ADDITIONAL REQUIREMENT	2.4.1, 2.4.2, 2.4.4(b)		5.1.1, 5.1.2, 5.3.1(a & b)		5.3.2(b)	Disposal options FF (a,b,c) must be used if available in the region and no spray residue shall be disposed of within 20m of the CMA.	5.3.3 (second paragraph following (m))	Cleaning and decontamination of aircraft shall be carried out on a bunded concrete pad. Contaminated residue shall be collected and disposed of in accordance with these conditions.	5.4.1			<p>Cross-Reference refer to C3, C3.10, C3.15.</p> <p>Principal reason 3 below</p>
NZS8409 REQUIREMENT	ADDITIONAL REQUIREMENT														
2.4.1, 2.4.2, 2.4.4(b)															
5.1.1, 5.1.2, 5.3.1(a & b)															
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5.4.1															

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	5.5.1 5.6.2(ci) 5.6.5(a,c) 5.7.1 (e,f) Written contingency plans must be available upon request. 5.7.2 Documented evidence of the target area must be available upon request. 5.8.1 (second paragraph) Wind indicators must be available on-site should any of the factors in Table DD1 for high potential drift hazard be equalled or exceeded. 5.8.2(a,b,c,d,e,f) 5.8.3 Agrichemicals must not be sprayed within 100m of any sensitive area (DD3) or Protection Management Area identified in the Gisborne district Plan if any of the factors in Table DD1 for high potential drift hazard be equalled or exceeded. 5.9 (Note the additional requirements in 5.7.1 (e,f) & 5.7.2 above). 6.1 Disposal options FF(a,b,c) must be used if available in the region and no spray residue shall be disposed of directly to the CMA. Cross-Reference refer to C3, C3.10, C3.15. Principal reason 3 below		
<b>Discretionary activities</b>			
1.6.2(4)	All discharges to water of the coastal marine area not more specifically addressed elsewhere by rules in this plan or the Resource Management (Marine Pollution) Regulations 1998, excepting stormwater and uncontaminated seawater discharges,  Cross-Reference refer to C3, C3.10, C3.15	Discretionary	



1.6.2(5)	Except as provided for in the Resource Management (Marine Pollution) Regulations 1999 and Rule DP1.6.2.6, any discharge of human sewage into the CMA provided that: a) The discharge, after reasonable mixing, shall not result in: i. the production of conspicuous oil or grease films; or ii. the production of any scums or foams; or iii. the production of any floating or suspended materials; or iv. the production of an objectionable odour; or v. any significant adverse effect on aquatic life.	Discretionary	If standard and term a) is not met the activity is a non-complying activity. Cross-Reference refer to C3, C3.10, C3.15. Principal reason 4 below
<b>Prohibited Activities</b>			
1.6.2(6)	As from the 1 July 2000 the discharge of untreated sewage from an off-shore installation within the internal waters of Poverty Bay within 1000m seaward of mean high water springs is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 5 below

#### DP1.6.2.1 Principal Reasons and Explanations

1. **Principal reason:** Stormwater run-off into the Coastal Marine Area is an inevitable consequence of urban development. Stormwater can contain heavy metals, oils/greases and silts; the standards in this rule exist to ensure that measures are taken, where appropriate, to reduce the quantity of these.
2. **Principal reason:** Non-toxic dyes and radiotracers are important tools for the investigation of the effects a discharge may have. For scientific research they are also important tools. It is considered that the slight and very occasional adverse effects of these substances is far outweighed by the potential benefits accrued from their use that their use should be permitted.
3. **Principal reason:** This rule provides for the use of herbicides to control *Spartina* as a controlled activity subject to standards that reduce side effects and allow monitoring of effects. The rule is necessary to ensure that the adverse effects of excessive spraying and consequent contamination do not occur.
4. **Principal Reason:** In dealing with the disposal of human sewage, not only the effects on the physical environment, but also the effects on the feelings of people must be taken into account.
5. **Principal reason:** The Resource Management (Marine Pollution) Regulations 1998 regulate the discharges of treated and untreated sewage from vessels and offshore installations. The Regulations prohibit such discharges closer than 500m from the shoreline. Clause 11(3) of Part 3 of the Regulations provides that, from the 1 July 2000, councils may increase the distance seaward within which no person may discharge sewage into the CMA. Poverty Bay is the major water recreation beach in Gisborne and is used by various forms of water recreation. It is considered that the Regulations provide adequate controls over the discharges of sewage from vessels. However the actual or potential adverse effects relating to such discharges from offshore installations are considered to warrant a more stringent level of control.



## DP1.6.3 Rules for the occupation of space in the CMA

Rule Table DP1.6.3

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.3(1)	The transfer of a permit for the occupation of space to another site in the Coastal Marine Area	Permitted	<p>a) The transfer does not result in a change of use associated with the permit or, where the existing permit does not describe a use or purpose, the use at the new location is the same as that usually associated with the original location.</p> <p>b) When transfer occurs at least 90% of the space transferred will be used for the purpose for which the transfer relates.</p> <p>c) Transfer does not occur between different management areas.</p> <p>d) The occupation of space does not adversely affect any value identified within, or sought to be protected by a Significant Values Coastal Management Area.</p> <p>e) Transfer does not result in a reduction of public access to and across the Coastal Marine Area.</p> <p>f) Any existing structures at the site where the currently occupied space is held can be removed as a permitted or controlled activity under this plan.</p> <p>g) All parties to the transfer agree to terms of the transfer, and these include an agreement relating to the removal of all structures associated with the existing site.</p> <p>h) Council is notified in writing prior to the transfer.</p> <p>i) Consultation has occurred with the Hapu which is the kaitiaki of the site proposed.<sup>16</sup></p> <p>Footnote: Any person wishing to exercise this rule in relation to the transfer of permits involving marine farming permits or spat-catching permits is strongly advised to consult with the Ministry for Primary Industries prior to exercising any right conferred by this rule.</p> <p>Principal reason and explanation 1</p>
1.6.3(2)	Any use or occupation of the Coastal Marine Area for which no permit has been granted under the Harbours Act 1950 or the Resource Management Act 1991 are unauthorised. Unauthorised occupation or use which was established prior to January 1, 1995 and which is located in the Coastal Marine Area is a permitted activity for a period of two years from the date of this plan becoming operative	Permitted	<p>a) Gisborne District Council is notified in writing of the location, owner and purpose of the structure within 3 months of this Plan becoming operative.</p> <p>Principal reason 2 below</p>
<b>Controlled Activities</b>			

<sup>16</sup> **NB:** Information on which hapu is the kaitiaki for a particular site and how they can be contacted can be obtained from Runanga, Gisborne District Council, Te Puni Kokiri or the Department of Conservation.

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
1.6.3(3)	<p>The temporary occupation of space for a recreational or cultural activity which restricts or excludes public access to or across land of the Crown located in the Coastal Marine Area is a controlled activity provided that the following standards and terms are met</p> <ul style="list-style-type: none"> <li>a) Any restriction or exclusion of the public from the Coastal Marine Area is for a period not exceeding two days.</li> <li>b) In the case of exclusion of access the exclusion is restricted to an area of 0.5 Ha. or less.</li> <li>c) Any exclusion does not prevent the use of boat ramps, public amenities or other structures.</li> <li>d) Any disturbance to the foreshore or seabed caused as a consequence of the occupation are no more than can be removed by two tide cycles.</li> <li>e) Public notice of the occupation is given in a local newspaper at least 10 working days prior to the activity occurring.</li> </ul>	Controlled	<p>Council shall limit its control to matters a) to c) specified below:</p> <ul style="list-style-type: none"> <li>a) limiting the direct or indirect adverse effects of the occupation of space on fragile ecosystems</li> <li>b) public access to and along the CMA</li> <li>c) ensuring public safety.</li> </ul> <p>Principal reason 3 below</p>
<b>Restricted Discretionary Activities</b>			
1.6.3(4)	<p>Notwithstanding anything else in DP1.6 of this plan, the exclusive occupation of space of land of the Crown in the Coastal Marine Area, under Section 12(2) of the Resource Management Act 1991, for an activity that is permitted or controlled in DP1.6 of this plan</p> <p>Cross-Reference refer to C3, C3.8.</p>	Restricted Discretionary	<p>Council shall restrict its discretion to matters a) to c) specified below:</p> <ul style="list-style-type: none"> <li>a) The extent to which the exclusive occupation of space adversely affects any value identified within, or sought to be protected by, a Significant Values Coastal Management Area.</li> <li>b) The extent to which the exclusive occupation of space restricts or prevents public access to and along the Coastal Marine Area.</li> <li>c) The extent to which the exclusive occupation of space adversely affects any value identified within, or sought to be protected by, a Significant Values Coastal Management Area.</li> </ul> <p>Principal reason 4 below</p>
<b>Discretionary activities</b>			
1.6.3(5)	<p>Except as provided for in other rules of DP1.6, any occupation of space involving Crown land within the Coastal Marine Area of the Port Coastal Management Area is a discretionary activity.</p> <p>Cross-Reference refer to:- C2, C3.8, C3.15.</p>	Discretionary	Principal reason 5 below
1.6.3(6)	<p>Any activity involving the occupation of Crown land in the Coastal Marine Area which:</p> <ul style="list-style-type: none"> <li>a) Would exclude or effectively exclude public access from areas of the Coastal Marine Area over 10 hectares; or</li> </ul>	Discretionary	

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
	b) Would exclude or effectively exclude the public from more than 316m along the length of the foreshore; or c) Would involve the occupation or use of areas greater than 50 hectares of the Coastal Marine Area and such occupation or use would restrict public access to or through such area Is a discretionary activity. Cross Reference C3, C3.10, C3.15.		

#### DP1.6.3.1 Principal Reasons and Explanations

1. **Explanation:** Notwithstanding the above, nothing in this section of this Plan implies the granting of a resource consent for any other activity set out in section 12 of the Resource Management Act (1991) should a permit to occupy space be obtained through transfer, and nothing in this section absolves the owners of existing structures of the responsibility for ensuring that existing structures legally occupy space in the CMA.

**Principal reason:** The principal reason for this rule is to provide a method of transferring consents to occupy space from inefficient to more efficient uses. The coastal environment is dominated by open space, is a public resource and is arguably utilised inefficiently. A huge number of existing structures exist and have no or limited use. This rule is supposed to encourage the transfer of permits to occupy from some of these lesser used structures to more efficient uses and result in a clean-up of the coast. Many of the standards in this rule are similar to those used in the structures section and are primarily concerned with ensuring tangata whenua values are not undermined by transfer of occupation rights, that the values of a Significant Values Coastal Management Area are preserved and that existing (and presumably less efficient occupiers of space) are removed **prior** to transfer. The latter is a matter for parties to negotiate.

2. **Principal reason:** This rule provides both Council and illegal owners with leeway to establish lawful status for occupations.
3. **Principal reason:** The adverse effects of a temporary event that meets the standards would be minor if suitable conditions are set.
4. **Principal reason:** This rule requires very minor and almost exclusively beneficial coastal activities which require an exclusive occupation of space consent in the CMA to obtain a resource consent but limits the concerns of the Council to two narrow areas of cultural concern for unknown sites, any adverse effect on public access to and along the CMA and the possible effects on areas with high natural values. The requirements and standards elsewhere in the Plan are not lessened by this rule.
5. **Principal reason:** This method ensures that occupation of space occurs in a fashion that is consistent with the policies for this chapter. The rule principally affects structures which are treated as discretionary or non-complying.

## DP1.6.4 Rules for the Alteration of Foreshore and Seabed

Rule Table DP1.6.4

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.4(1)	The shifting and burial of marine mammals in the Coastal Marine Area.	Permitted	<p>a) The consent authority has been consulted.</p> <p>b) The Department of Conservation has been consulted.</p> <p>c) The shifting or burial is supervised by an authorised officer of the Department of Conservation.</p> <p>NOTE: The removal of marine mammals (dead or alive) is prohibited under the Marine Mammals Protection Act 1978, unless a permit has been obtained from the Director General of Conservation. In respect of (c) above, an authorised officer will be the holder of warrant under the Marine Mammals Protection Act 1978.</p> <p>Principal reason 1 below</p>
1.6.4(2)	The deposition of dredge spoils from the Port Coastal Management Area within the Port Coastal Management Area.	Permitted	<p>a) Deposition occurs within the Spoil Dump Outer zone as depicted on the planning maps of this Plan.</p> <p>The Spoil Dump Outer zone is defined by four corner points having the following NZMG co-ordinators:</p> <p><b>Northings Eastings</b></p> <p>6264555 2942481</p> <p>6265899 2943969</p> <p>6263518 2944289</p> <p>6264035 2944822</p> <p>b) Involves quantities of less than 50,000 cubic metres over any twelve month period; and</p> <p>c) Does not result, after reasonable mixing, in the production of conspicuous oil or grease scums or floating scums or foams.</p> <p>Provided that:</p> <p>If these standards are not met the activity is a discretionary activity.</p> <p>Principal reason 2 below</p>
<b>Controlled Activities</b>			
1.6.4(3)	<p>Maintenance dredging in the Port Management Area of the Coastal Marine Area for navigation purposes provided that:</p> <p>a) Any resource consents required for the disposal of dredge spoil have been obtained.</p> <p>Cross-Reference refer to C3, C3.8.</p>	Controlled	<p>Council shall limit its control to matters a) and b) specified below:</p> <p>a) The timing of any dredging activity.</p> <p>b) The exact location of any dredging if this is required to avoid any important site or value.</p> <p>Principal reason 3 below</p>

1.6.4(4)	The disturbance of the foreshore or bed of the Coastal Marine Area in the Port Coastal Management Area for the purpose of providing for network utility services, or the maintenance of existing port structures. Cross-Reference refer to C3, C3.8.	Controlled	Council shall limit its control to matters a) to b) specified below: a) The timing of any dredging activity. b) The exact location of any dredging if this is required to avoid any important site or value. Principal reason 4 below
<b>Discretionary Activities</b>			
1.6.4(5)	Reclamations within the Port Coastal Management Area, for the operational needs of the Port. Cross-Reference refer to C3, C3.10, C3.9, C8.5, C3.15.	Discretionary	Principal reason 5 below
1.6.4(6)	Capital dredging in the Port Coastal Management Area of the Coastal Marine Area. Cross-Reference refer to C3, C3.8, C3.9, C3.15.	Discretionary	Principal reason 6 below
<b>Prohibited activities</b>			
1.6.4(7)	Notwithstanding other rules in this plan, any reclamation for the purpose of disposal of septic tank sludge, toxic wastes, or any other domestic or industrial refuse or waste material is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 7 below

#### DP1.6.4.1 Principal Reasons and Explanations

1. **Principal reason:** The adverse environmental effects of not burying a marine mammal are likely to be greater than those of burying it. The standards will ensure that burial occurs in a sensitive and appropriate fashion.
2. **Principal reason:** Dredging of the Harbour Basin and navigation channels are necessary for the continuation and safety of Port operations. The disposal of dredged material into the authorised site is reasonable in order to provide for the Port operations.
3. **Principal reason:** Dredging of the Port is an essential and important part of Port operations. This rule provides certainty that the activity can occur in the future but recognises that some adverse effects may be avoided, remedied or mitigated.
4. **Principal reason:** This rule recognises the fact that this type of activity is very unlikely to have any adverse effect in the area. The activity is controlled in order to ensure the effects are minor and to provide for safety. (Note: The structures chapter of this Plan contains thresholds for maintenance activities).
5. **Principal reason:** The rule is designed to ensure that an assessment of effects is undertaken before a consent is granted for an activity in the CMA.
6. **Principal reason:** Capital dredging has the potential to disturb sites of cultural sensitivity or occur on a scale and at an intensity that could result in adverse effects both in and beyond the Port Coastal Management Area.
7. **Principal reason:** This type of activity is inconsistent with the purpose of the Resource Management Act and cannot be countenanced. The activity is prohibited to preclude it from the Coastal Marine Area.

## DP1.6.5 Rules for the Take, Use, Damming and Diversion of Coastal Water

Rule Table DP1.6.5

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal reasons and explanations
<b>Permitted Activities</b>			
1.6.5(1)	Any activity involving the taking or use of water, other than water found in any river, stream, estuary, or aquifer in the coastal marine area.	Permitted	<p>a) The taking or use of water will not result in removal from the coastal environment of organisms greater than 5mm in diameter.</p> <p>For the purposes of this rule the Gisborne Harbour Basin bounded by Kaiti Beach Road to the south east, the Esplanade to the east, Wainui Road to the north, the seawall structure separating the Harbour Basin from the river to the west and the open sea to the south is to be considered as open coastal water and not as a river, stream, estuary or aquifer.</p> <p>Principal reason 1 below</p>
1.6.5(2)	Notwithstanding any other rule in this plan, the taking of any coastal waters in the any Management Area for firefighting purposes, marine mammal reserve, or for the operational needs of vessels.	Permitted	Principal reason 2 below
<b>Discretionary Activities</b>			
1.6.5(3)	Any activity involving the taking, use, damming or diversion of water found in any river, stream, estuary, or aquifer in the Coastal Marine Area, other than open coastal water is a discretionary activity. For the purposes of this rule the Gisborne Harbour Basin bounded by Kaiti Beach Road to the south east, the Esplanade to the east, Wainui Road to the north, the seawall structure separating the Harbour Basin from the river to the west and the open sea to the south is to be considered as open coastal water and not as a river, stream, estuary or aquifer. Cross-Reference refer to C3, C3.11, C3.15, F1.	Discretionary	Principal reason 3 below



#### DP1.6.5.1 Principal Reasons and Explanations

1. **Principal reason:** *It is unlikely that taking, using, damming or diverting open water of the Coastal Marine Area will have adverse effects outside of those specifically addressed by the standards and terms of this rule. It is considered most likely that structures, effects on the foreshore and bed and discharges to the CMA pose a far greater risk to the CMA than reasonably foreseeable takes.*
2. **Principal reason:** *This rule implements Policy 5.2.5 of the NZCPS 1994 and reflects the fact that this type of activity is infrequent, cannot reasonably be expected to obtain a resource consent and in all likelihood reflects sustainable management of resources (i.e. enabling communities to protect infrastructural resources). (Note: other provisions of this Plan may apply to the activity.)*
3. **Principal reason:** *Taking, using, damming or diverting confined waters can have adverse effects. This rule is necessary in order to ensure that the effects of the activity are addressed.*

## DP1.6.6 Rules for Exotic Plants

Rule Table DP1.6.6

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Discretionary Activities</b>			
1.6.6(1)	The introduction of exotic plants to an area of the Coastal Marine Area that already contains established plants of that species. Cross-Reference refer to C3, C3.9, C3.12, C3.15, F1.	Discretionary	Principal reason 1 below
<b>Non- Complying Activities</b>			
1.6.6(2)	The introduction of exotic plants to an area of the Coastal Marine Area that does not already contain established plants of that species. Cross-Reference refer to C3, C3.9, C3.12, C3.15, F1.	Non-complying	Principal reason 2 below
<b>Prohibited Activities</b>			
1.6.6(3)	Notwithstanding Rules DP1.6.6.1 and DP1.6.6.2 above, the planting of noxious plants or class B target plants within the Coastal Marine Area is a prohibited activity for which no Resource Consent will be granted.	Prohibited	Principal reason 3 below

#### DP1.6.6.1 Principal Reasons and Explanations

1. **Principal reason:** *This rule is necessary to ensure that the possible adverse effects of a new plant being introduced are fully assessed. This rule reflects potential costs that would fall upon the community should the adverse effects be significant.*
2. **Principal reason:** *This rule is necessary to ensure that the possible adverse effects of a new plant being introduced are fully assessed. This rule reflects potential costs that would fall upon the community should the adverse effects be significant.*
3. **Principal reason:** *This rule reflects the established costs of introducing these plants and ties this chapter of the plan in with existing statutory documents.*

Rule Table DP1.6.7

Rule Number	Rule	Status	Activity Standards; Matters of Control or Discretion; Principal Reasons and Explanations
<b>Permitted Activities</b>			
1.6.7(1)	The establishment and use of Specific Activity Areas for the exclusive use of specific types of ships or specific classes of recreational activities on the surface of the sea.	Permitted	<p>a) The use of the Specific Activity Area is required for a period not exceeding 14 days in any one calendar year.</p> <p>b) All permissions necessary under the Gisborne District Navigation Bylaws, and any Resource Consents necessary, have been obtained prior to providing written notification to the Council as set out in d) below.</p> <p>c) Public notification of the intention to use a Specific Activity Area, including a description of any activity to be undertaken in the area and its timing and duration, and any restrictions imposed on other activities, shall be made at least two weeks prior to the establishment of such an area.</p> <p>d) The Council is notified, in writing, of the intention to use an exclusive or semi-exclusive Specific Activity Area. Such notification must occur at least two weeks prior to the use of such an area and shall include:</p> <ul style="list-style-type: none"> <li>i. The name, address, contact phone number and contact person of the group or organisation seeking to use a Specific Activity Area.</li> <li>ii. A precise description and chart of the area to be used, and how it is to be marked and patrolled; and</li> <li>iii. A statement of the type of activity or class of ship for which the area is to be used and any restrictions on those ships or activities that will be imposed; and</li> <li>iv. A statement concerning restrictions on any other ship or activity within the area proposed to be used.</li> <li>v. The duration of the event which requires the use of a Temporary Specific Activity Area.</li> <li>vi. A summary of the consultation undertaken and the response made to issues raised during the consultation.</li> </ul> <p>Provided that:            If the standards and terms are not met then the establishment and use of Specific Activity Areas is a prohibited activity for which no resource consent can be granted.            (NB: Nothing in this rule may be substituted for or read as a permission under any other Act, Regulation or Bylaw.)            Principal reason 1 below</p>

## DP1.6.7 Rules for Activities on the Surface of the Coastal Marine Area

### DP1.6.7.1 Principal Reasons and Explanations

1. **Principal reason:** *Activities that may exclude or restrict public rights of access and recreational opportunity should be held up to public scrutiny and allowed only if sufficient public consultation has occurred and all other permissions necessary have been obtained.*

# DP2 PORT MANAGEMENT ZONES

The provisions of DP2 are district plan provisions.



District Plan

**Part DP2 is proposed. A hearing is yet to be held on the cone of vision policy DP2.4.1(4), cone of vision methods DP2.5(1) and (3), and the cone of vision rules. The remainder of DP2 reflects Council's decisions on submissions and the resolution of any appeals, but has not yet been made operative.**

## DP2.1 Port Management zone: Introduction

The Port Management zones include the existing Port Gisborne and part of the site of the former meat processing works. The Cook Landing National Historic Reserve is also located within the Port Management zones.

Port Gisborne is a regionally significant transport facility. A large percentage of the primary produce grown in the district is exported through the Port. The Port is an essential facility for the continued economic growth and well-being of the district.

The Plan seeks to ensure that a balance is found whereby the continued operation of the Port is enabled while ensuring that adverse effects on the environment are avoided, remedied or mitigated. The primary purpose of the Port Management zones is to provide for activities that have a direct relationship with the use of the Port by vessels. This includes the transport of goods into and out of the Gisborne district, the processing and storage of products which pass through the Port, and the storage of materials and equipment related to the operation of any marine based activities.

A high level of integration across the jurisdictional boundary of the line of MHWS is essential for the safe and efficient operation of the Port. This chapter of the Tairāwhiti Plan should be read in conjunction DP1.

## DP2.2 Issues

1. Port Gisborne falls across MHWS. It is a regionally significant transport and commercial operation with complex infrastructure and continuing development requirements. Sustainable management of the Port zones recognises the continued operation and development of the Port and associated infrastructure and services must be provided for, provided adverse environmental effects are avoided, remedied or mitigated.
2. The Port is centrally located within the Gisborne urban area. Its operation is physically constrained by a limited land resource and this land needs to be sustainably managed to ensure the future economic and social well-being of the Gisborne district.
3. The Port is location-bound and generates a range of effects. Land uses that are sensitive to these effects should be discouraged from locating in positions where they will have an adverse impact on the operation of the Port.

## DP2.3 Objectives

### DP2.3.1 Management of Port Objectives

1. Enable continued operation and development of the Port Management zones, recognising the importance of the Port as a major regional transport facility.
2. Recognise or provide for the operational needs of the Port while ensuring adverse effects of Port activities are avoided, remedied or mitigated.

3. Enable the utilisation of land within the Port zone that is unsuitable to accommodate Port-related activities provided that adverse effects of the introduced activity on the operation of the Port itself, on the sustainability of the city centre and on other land uses are avoided, remedied or mitigated.

### DP2.3.2 Access Objectives

1. Recognition that within operational areas of the Port, continual access by the public to and along the coastal marine area margin may be inappropriate for public health and safety reasons.
2. Free, unhindered and safe vehicular and pedestrian access to the inner harbour area.

### DP2.3.3 Rail and Road Links Objective

1. Rail and road access within the Port Management zones which avoids, remedies or mitigates adverse effects on the natural and physical environment.

#### **Principal reasons:**

- **Management of Port 1-3:** *The Port is a major regional transport facility. It contributes to the economic and social well-being of the Gisborne district. Its operation and development should be enabled provided the adverse environmental effects that are created can be avoided, remedied or mitigated. It would be unwise to introduce sensitive activities into the area where they may be affected by existing adverse effects which have been lawfully created.*
- **Access 1-3:** *Recent development at Port Gisborne has shown a trend toward recreational and social pursuits. These pursuits do not contribute to the operation of the Port but rely on the atmosphere and nature of the Port for their commercial and functional viability. Such activities should be provided for as long as they do not interfere with the operational needs of the Port.*
- **Rail and Road Links 1:** *The functional efficiency of the Port is reliant on established supporting infrastructure. This Plan must therefore recognise the existence of Port Gisborne and provide for its continuing operation. There are however certain environmental implications for the continuation of Port Gisborne (e.g. logging trucks).*

## DP2.4 Policies

### DP2.4.1 Management of Port Policies

1. Provide for Port and non Port-related activities within the Port zone provided that:
  - a) non Port-related activities do not have an adverse effect on the operation of the Port
  - b) the effects of Port and non Port-related activities on the environment can be avoided, remedied or mitigated
  - c) non Port-related activities do not have any adverse effect on the sustainability of the city centre, particularly the area zoned Inner Commercial.
2. In respect of residential areas surrounding the Port Management zone ensure that:
  - a) an adequate level of screening either by means of fencing or landscaping or a combination of both is provided to at least maintain the existing level of amenity
  - b) the effects of noise on residential properties are avoided, remedied or mitigated primarily through the acoustic treatment of new dwellings, alterations or additions to habitable rooms of existing dwellings where this is necessary and appropriate.
3. In circumstances where parking cannot be provided in any Port Management zone, in considering whether to grant consent or impose conditions on any resource consent or designation Council may:

- a) waive, partially waive or accept a financial contribution in lieu of parking where:
    - i. the provision of parking could lead to the loss of a structure listed on a heritage schedule
    - ii. the adaptive reuse of a heritage building would be precluded or the efficient use of a building could not be attained
    - iii. adequate on-site vehicle parking and manoeuvring areas are provided for all developments
    - iv. a financial contribution in lieu of parking will assist Council in purchasing suitable land within reasonable walking distance to an existing or proposed Council carpark
    - v. the owner/developer has the ability to provide a suitable off-site alternative for parking
    - vi. the existing parking areas have the capacity to cope with the likely increase demand created by the activity
    - vii. the volume of parking likely to be generated by the activity will not place a burden on available parking in the area
    - viii. the peak demand of the activity does not coincide with the peak demand of surrounding activities
    - ix. the nature of the topography of the site is such that parking cannot be provided
    - x. size of the lot
    - xi. where the use does not generate the demand for the required parking or loading requirements.
  - b) the creation and formation of on-site parking would contribute loss of visual amenity values, adopting measures to soften the external appearance of carparks and prevent them from dominating the streetscape.
4. To ensure that whilst enabling the continued operation of the Port:
- a) the visual linkage between the landing place of Captain Cook, the waters of Poverty Bay and the outstanding landscape of Te Upoko o te Kuri a Paoa (Young Nick's Head) is preserved
  - b) the visual amenity of the Cook "cone of vision" is maintained and enhanced
  - c) the cultural symbolism of the Cook landing site is recognised and protected.

#### DP2.4.2 Access Policies

1. To restrict public access to operational areas of the Port where public safety is at risk.
2. To enable the establishment of commercial and recreational activities within the inner harbour area provided that these activities do not affect the safe and efficient operation of the Port or have any environmental effects on adjoining land uses that cannot be avoided, remedied or mitigated.

#### DP2.4.3 Rail and Road Links Policies

1. To locate, design and manage road and rail links to ensure safe and efficient flow of traffic while avoiding, remedying or mitigating adverse effects on the natural and physical environment particularly in respect of new roading and infrastructure.
2. To provide a defined road network to assist in the management of traffic in the Port Management zones and its immediate roads.

#### Principal reasons:

- **Management of Port 1:** *It is acknowledged that the Port generates adverse effects but it is location-bound and a certain level of effect needs to be tolerated. These effects should however be avoided, remedied or mitigated. The introduction of "non-Port related" activities, if not carefully controlled, could restrict the operation of the Port. The effects on any non-Port activity needs to be assessed against the effect the activity could have on the operation of the Port, the sustainability of the city centre and on the environment.*



- **Management of the Port 2:** Many of the activities envisaged in the Port Management zones are of an industrial nature and while the operation of the Port should not be retarded, satisfactory controls need to be in place to ensure that there is suitable screening between sensitive activities.
- **Management of the Port 3:** There are circumstances where the sustainable use of a building will require that the parking requirement be waived provided any adverse environmental effects can be avoided, remedied or mitigated.
- **Management of the Port 4:** The visual relationship between the landing place, the waters of Poverty Bay and the headland of Young Nick's Head is of such importance that it is protected by an amenity yard described in the district Scheme as a "cone of vision". This policy seeks to protect these values.
- **Management of Port 1-4:** These policies meet the requirements sections 5, 6(b), 6(c), 6(e), 7(c) and 7(f) of the Act.
- **Access 1 and 2:** Non-port activities should be provided for so long as they do not create a situation where the primary purpose of the Port is compromised. This policy meets the requirements of sections 6(d), 7(c) and 7(f) of the Act.
- **Rail and Road Links 1 and 2:** It is anticipated that the Port company will require new roading within the Port Management zones in order to improve access and traffic flows for heavy duty vehicles particularly logging trucks. The assessment of any new roading would need to consider the safety implications for bypassing traffic as the Port is located at a major access point to the urban area and the activity itself is a generator of vehicular traffic. There are also high pedestrian flows in the area and their safety must be provided for. The location of new roads must take into account the amenity values of residential areas and the need to protect residents from noise, vibration and air pollution. New roads should be located in such a way as not to attract non-residential traffic into residential areas.

## DP2.5 Methods

### Regulation

1. zones
2. rules
3. amenity yards
4. Port Management and Development Plans

### Principal reasons:

### Regulation

- **Method 1:** The Port Management zones have been divided into areas: zone A and zone B, with the Cook "cone of vision" amenity yard in zone B.

Zone A is the inner harbour basin and applies to that area containing the No. 1, 2 and 3 sheds, the boat ramp and the historic three gabled freezing works building. This zone makes provision for non-port-related activities such as recreation, cultural, community facilities, retail activities and restaurants. Existing port-related activities defined in the permitted activity class for the General Port Coastal Management Areas will also be permitted. This area:

- is highly visible from the Central Business District;
- adjoins recreational and residential areas;
- has a high degree of cultural heritage value;
- has high recreational potential.

The type of activities that occur in this area need to be sensitive to the values identified above while taking into account that the Port is an essential operation for the social and economic well-being of the Gisborne district.

Zone B is the operational area of the Port. It includes those areas adjacent to residentially zoned land. There is an expectation that amenity values for residential dwellers will, at least, be maintained. It is envisaged that the adverse effects generated by the Port can be contained within this area and there should be limited impact on the environment. The zone is of an industrial nature with Port activities interfacing with each other.

- **Method 2:** Rules are the principal means of obtaining compliance to ensure that the adverse effects of Port activities are avoided, remedied or mitigated.
- **Method 3:** An amenity yard, the Cook “cone of vision” is used to ensure the linkage between the landing place of Captain Cook, the waters of Poverty Bay and the outstanding landscape of Young Nick’s Head is preserved. The intent is to protect those identified values within the amenity yard, while simultaneously allowing the continued operation of the port.
- **Method 4:** In the event that the Port company voluntarily elects to prepare a Port Management and Development Plan which results in an environmental management strategy which is compatible with Council’s resource management objectives Council may, after due consideration, include parts of the resultant strategy in its Tairāwhiti Plan.

## DP2.6 Rules

### DP2.6.1 Rules for Port Management zone

#### Note:

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

#### DP2.6.1.1 General Standards

The following General Standards shall apply to all permitted activities conducted in the Port Management zones, where applicable:

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

#### A. Height and Recession Plane

- a) Maximum height for any structure in zone A: 12m.

##### **provided that**

- structures do not include antennas and their supporting structures and network utility poles and streetlights;
- on any site having a common boundary with any land zoned residential or reserve, structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

- b) Maximum height for any structure in zone B (excluding structures associated with essential port activities): 30m

##### **provided that**

- structures adjoining land zoned reserve and structures to be constructed adjacent to the edge of the “cone of vision” shall not project beyond a recession plane comprising a vertical height on the boundary of 6m and an inclined plane extending from 6m above the ground away from the cone of vision at an angle of 45 degrees.

- ii. on any site having a common boundary with any land zoned residential or reserve, structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

**B. Yard Distances**

Yards are only required where the site adjoins:

- a) a road adjacent to a residential zone: 4.5m
- b) the Hirini Street Cemetery: 3m.

**C. Fencing – Cook “Cone of Vision”**

- a) Security fencing shall not be located closer than 65m to the south-western boundary of the Cook Memorial Reserve (described as Lot 1 DP7903 and Lot 57 DP 7819).
- b) Fences shall be constructed of open wire mesh with steel poles of 100mm diameter and shall be no higher than 2.4m.
- c) No structures shall be erected within or protrude into the zone identified as the “Cone of Vision” in the Plan.

**D. Landscaping**

- a) The landscaping rules for yards shall apply in respect of any new development or any extension to an existing development comprising a total floor area of 100m<sup>2</sup> or greater.
- b) With respect to landscaping rules for yards, the rule may be modified or waived at the request of the owner of the affected adjoining site provided that copies of the site plan, elevations and landscaping plan which have been sighted by both the adjoining owner and the owner of the industrial site are deposited with the Council.
- c) Detailed landscaping plans and a maintenance schedule covering a two year period after planting shall accompany all Discretionary and Non-complying consent applications.
- d) All sites separated from residentially zoned land by a roadway, shall be planted along the entire frontage. Planting shall comprise a mix of trees, shrubs and ground cover contiguous to and to a minimum depth of 2m measured from the road boundary, exclusive of vehicular accessways.
- e) A two metre high solidly clad fence shall be provided and maintained along all boundaries adjoining residentially zoned land (except where separated by a road). All sites shall be planted along the entire boundary. Planting shall comprise a mix of trees, shrubs and ground cover contiguous to and to a minimum depth of 2m measured from the residential property boundary.

**Rule Table DP2.6.1A – Port Management Zone A**

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
2.6.1A(1)	Construction, maintenance, repair and use of port operational facilities, including wharves, breakwaters and seawalls	Permitted	Port Management A	
2.6.1A(2)	Construction, use and maintenance of navigational aids and equipment	Permitted	Port Management A	
2.6.1A(3)	Roadways, footpaths and railway lines	Permitted	Port Management A	
2.6.1A(4)	Commercial fishing activities including maintenance and repair of commercial fishing equipment	Permitted	Port Management A	
2.6.1A(5)	Cargo loading and unloading	Permitted	Port Management A	
2.6.1A(6)	Retail including restaurants and outlets for the sale of food (including licensed facilities)	Permitted	Port Management A	
2.6.1A(7)	Offices	Permitted	Port Management A	
2.6.1A(8)	Hotels and motels and other visitor accommodation	Permitted	Port Management A	
2.6.1A(9)	Recreational activities and clubrooms	Permitted	Port Management A	
2.6.1A(10)	Community facilities	Permitted	Port Management A	
2.6.1A(11)	Educational facilities	Permitted	Port Management A	
2.6.1A(12)	Installation or alteration of, antennas and supporting structures (other than network utility activities)	Permitted	Port Management A	
2.6.1A(13)	Service stations and the storage and sale of LPG	Permitted	Port Management A	
2.6.1A(14)	Any other activities not specifically provided for in the Port Management zone A	Permitted	Port Management A	
2.6.1A(15)	Meteorological activities	Permitted	Port Management A	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
2.6.1A(16)	Temporary activities	Permitted	Port Management A	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 (Figure C11.9).

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
				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. <i>Note:</i> Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety, can be obtained from the Environmental Health and Building Inspectorates of Council.
<b>Restricted Discretionary Activities</b>				
2.6.1A(17)	Activities which do not comply with the rules for Permitted activities in respect of: a) Noise and vibration b) Height and recession plane c) Yards d) Infrastructure, Works and Services e) Landscaping f) Duration, frequency and hours of operation of the activity	Restricted Discretionary	Port Management A	Council shall limit its discretion to matters a) to g) below: a) Amenity values including shading b) Health and safety c) Landscaping, fencing and walling d) Parking and access, including alternative sites, volumes, existing areas e) Infrastructure, works and services f) Heritage values in the heritage alert layer g) Financial contributions
2.6.1A(18)	Light industrial activities, transfer stations and recycling depots	Restricted Discretionary	Port Management A	Council shall limit its discretion to matters a) to f) specified below a) Amenity values including shading b) Health and safety c) Landscaping, fencing and walling d) Parking and access, including alternative sites, volumes, existing areas e) Heritage values in the heritage alert layer f) Financial contributions
<b>Discretionary Activities</b>				
2.6.1A(19)	Activities listed as Permitted which do not comply with the rules, and are not provided for as Restricted Discretionary activities	Discretionary	Port Management A	
2.6.1A(20)	Log debarking, bundling and chipping	Discretionary	Port Management A	
2.6.1A(21)	Industrial activities	Discretionary	Port Management A	
2.6.1A(22)	Open storage, bulk storage and storage facilities including storage for wood and wood products	Discretionary	Port Management A	

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
2.6.1A(23)	New roading	Discretionary	Port Management A	
2.6.1A(24)	Irradiation plants	Discretionary	Port Management A	

**Rule Table DP2.6.1B – Port Management Zone B (excluding Cook Cone of Vision)**

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
2.6.1B(1)	Meteorological activities	Permitted	Port Management B	a) Associated structures shall have a ground coverage of 50m <sup>2</sup> or less; and have a height not exceeding 15m; b) Site area shall be 500m <sup>2</sup> or less.
2.6.1B(2)	Installation or alteration of, antennas and supporting structures (other than network utility activities)	Permitted	Port Management B	
2.6.1B(3)	Temporary activities	Permitted	Port Management B	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 (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.  <i>Note:</i> Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety, can be obtained from the Environmental Health and Building Inspectorates of Council.
2.6.1B(4)	Any activities not specifically provided for in the Port Management zone B	Permitted	Port Management B	
<b>Restricted Discretionary Activities</b>				
2.6.1B(5)	Activities listed as Permitted which do not comply with the rules in respect of: a) Noise and vibration b) Height and recession plane c) Yards	Restricted Discretionary	Port Management B	Council shall restrict its discretion to matters a) to e) that are unable to be complied with.

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
	d) Infrastructure, Works and Services e) Duration, frequency and hours of operation of the activity			
<b>Discretionary Activities</b>				
2.6.1B(6)	Activities listed as Permitted which do not comply with the rules, and are not provided for as Restricted Discretionary activities	Discretionary	Port Management B	
2.6.1B(7)	Noise sensitive activities	Discretionary	Port Management B	
2.6.1B(8)	New roading	Discretionary	Port Management B	
2.6.1B(9)	Irradiation plants	Discretionary	Port Management B	
2.6.1B(10)	The erection of any noise sensitive activities within the 65dBA Inner Noise Control Boundary for the Port of Gisborne	Discretionary	Port Management B	
2.6.1B(11)	Retail activities	Discretionary	Port Management B	

**Rule Table DP2.6.1C – Port Management Zone B, Cook “Cone of Vision”**

Rule Number	Rule	Status	Zone	Activity Standards; Matters of Control or Discretion
<b>Permitted Activities</b>				
2.6.1C(1)	Use and maintenance of breakwaters, breastworks, wharves and training walls (excluding all buildings and structures not otherwise provided for below)	Permitted	Cone of Vision	
2.6.1C(2)	Laying down, construction, use and maintenance of roads, footpaths and railway lines and reserves but excluding formal parking areas	Permitted	Cone of Vision	
2.6.1C(3)	Aids, lights and equipment required for navigation	Permitted	Cone of Vision	a) The location is necessary and essential for safety
2.6.1C(4)	Ship manoeuvring and berthing	Permitted	Cone of Vision	
2.6.1C(5)	Fencing	Permitted	Cone of Vision	
2.6.1C(6)	Loading, unloading and provisioning of vessels including: a) temporary use of mobile cranes and mobile loading and unloading equipment b) cargo aggregation and disaggregation associated with immediate ship loading and unloading	Permitted	Cone of Vision	
<b>Restricted Discretionary Activities</b>				
2.6.1C(7)	Activities listed as Permitted which do not comply with the rules in respect of: a) Noise and vibration b) Yards c) Infrastructure, works and services	Restricted Discretionary	Cone of Vision	Council shall restrict its discretion to matters a) to h) specified below: a) Visual amenity b) Cultural symbolism c) Visual linkages d) Visual amenity on residential, reserve or land e) Health and safety f) Traffic flow, traffic safety, access and safety. g) Infrastructure, works and services h) Financial contributions  In determining an application for resource consent Council shall restrict its discretion to only matters associated with conditions a) to f) above which are unable to be complied with.
<b>Discretionary Activities</b>				
2.6.1C(8)	Activities listed as Permitted activities which do not comply with the rules, and are not provided for as Restricted Discretionary Activities	Discretionary	Cone of Vision	
<b>Non-complying Activities</b>				
2.6.1C(9)	Activities which are not provided for as Permitted, Restricted Discretionary or Discretionary activities	Non-complying	Cone of Vision	



