

## 30.0 Sounds Residential Zone

### 30.1 Permitted Activities

The following activities shall be permitted without a resource consent where together with any relevant definition they conform to the conditions for Permitted Activities as well as the general rules:

- Community and recreational activities carried out on existing school sites;
- Domestic wastewater and stormwater discharges;
- Domestic application of agrichemicals;
- Home occupations;
- Homestay, limited to not more than five visitors;
- Keeping of domestic livestock and grazing of open space;
- Land disturbance;
- Parks, reserves (owned and administered by a Public Authority);
- Pest management carried out in accordance with national or regional pest management strategies;
- Residential Activity - provided that only one residential unit per allotment is allowed as a Permitted Activity; and
- Temporary buildings.

### Conditions for Permitted Activities

Except for sites identified in Appendix E and developed in accordance with the provisions of the Urban Residential Zone the following conditions apply to all Permitted Activities in the Sounds Residential Zone.

#### 30.1.1 Infrastructure and Services

##### 30.1.1.1 Parking

Vehicle parking shall be provided in the following circumstances:

- a) Any lot with road frontage or access used to provide for a dwelling as a Permitted Activity shall contain at least one off road vehicle parking space formed and with an all weather surface, except where the work necessary to provide such a space would require a resource consent. Such a space should be located on the lot so that vehicle access may be achieved in a manner that does not detract from the safe and efficient operation of any road;
- b) Any other activity shall provide for at least one car parking space per 50m<sup>2</sup> of gross floor area of the building devoted to that activity. All such car parking spaces should be located on the lot containing the activity so that vehicle access may be achieved in a manner that does not detract from the safe and efficient operation of any road;

- c) Where a homestay operation is carried out from a site an additional parking space shall be provided; and
- d) No parking space(s) shall be required where a site is serviced solely by water or air access.

#### 30.1.1.2 Vehicle Access

Any driveway formed on a lot for a Permitted Activity shall not exceed a gradient of 1 in 6. Variation of this requirement will be considered by way of a non-notified application.

### 30.1.2 Site Requirements for Buildings

---

30.1.2.1 The erection of any residential building or structure shall be a Permitted Activity on existing titles created prior to the coming into force of the Plan and on any property listed in Appendix E, or for which subdivision approval had been granted prior to the Plan becoming operative.

30.1.2.2 On property listed in Appendix E bulk and location requirements shall be in accordance with the provisions of the Urban Residential Zone.

30.1.2.3 On titles created after the coming into force of the Plan the minimum site area for a site on which it is intended to erect any building or structure which is not connected to any public or community owned sewerage scheme shall be 4,000m<sup>2</sup>.

30.1.2.4 On titles created after the coming into force of the Plan the minimum site area for a site on which it is intended to erect any building or structure and which is served by either a public or community owned sewerage scheme shall be 1,000m<sup>2</sup>.

### 30.1.3 Amenities

---

#### 30.1.3.1 Height

The maximum permitted height of any building shall be 7.5 metres, except when pole foundations are used the maximum permitted height shall be 10 metres.

#### 30.1.3.2 Daylight Control - Applicable to Sites up to 4,000m<sup>2</sup>

30.1.3.2.1 No part of any building shall exceed a height equal to the recession plane angle determined by the application of Figures 25.2 and 25.3 of the Definitions Chapter. To determine the maximum permitted height in relation to boundaries on the lot the diagram in Figure 25.2 (Recession Plane Indicator) must be viewed within the lot, and orientated north. The angle of inclination relative to a particular boundary is determined by the angle on the diagram in Figure 25.3 adjacent to that boundary.

30.1.3.2.2 Provided that no building may be sited closer than 20 metres from a coastal marine area boundary or 8.0 metres of a foreshore reserve.

30.1.3.2.3 Except as provided elsewhere in the Plan, where a lot boundary abuts the street or road no part of any building should exceed a height limit imposed by a line drawn at an angle of 55° from the horizontal and originating and drawn at right angles from a point 2 metres above the boundary of the lot where it abuts the street or road.

**30.1.3.3 Yards - Applicable to all Sites over 4,000m<sup>2</sup>**

Where a building site has been identified on a plan of subdivision for a dwellinghouse it shall be sited thereon. In all cases:

- |    |   |             |
|----|---|-------------|
| a) | Yard abutting the Coastal Marine Area where riparian rights exist | 20.0 metres |
| b) | All other yards   | 8.0 metres  |

**30.1.3.4 Site Coverage**

Not more than 15% of the site may be covered by permanent buildings provided that the maximum permitted site coverage for sites pre-existing the Plan becoming operative is 20%.

**30.1.4 Conservation, Amenity and Heritage**

---

**30.1.4.1 Protected Items**

Refer to rules relating to Heritage. (Refer to General Rules Section).

**30.1.4.2 Protection of Sites of Ecological, Archaeological and Cultural Significance**

30.1.4.2.1 No activity shall modify the botanical, ecological or wildlife values identified in Appendix B and shown on the relevant Planning Maps.

30.1.4.2.2 No land disturbance may damage or adversely affect any identified site of iwi significance unless expressly agreed to in writing by the iwi who have jurisdiction or manawhenua over it.

30.1.4.2.3 Any person unearthing or otherwise disturbing any historical, cultural, archaeological artefact or waahi tapu of significance to iwi during the course of a land disturbance operation shall cease work immediately and report the discovery to the Council. Work may not recommence unless expressly agreed to it in writing by the iwi who have jurisdiction or manawhenua over it, the New Zealand Historic Places Trust or a resource consent to a Discretionary Activity has been obtained.

30.1.4.2.4 No land disturbance may damage or adversely affect any historical, cultural or registered archaeological artefact or site unless an authority to do so has been granted by the New Zealand Historic Places Trust.

**30.1.5 Land Disturbance Control**

---

**30.1.5.1 Land Disturbance - General**

Any land disturbance activity which meets the following conditions is a Permitted Activity.

**30.1.5.1.1 Conditions**

- a) Any increase in the concentration of suspended sediment shall not be more than 20% as measured by the 'black disk' method, notwithstanding that the concentration of suspended sediment in run-off water shall not

exceed 200 grams/cubic metre at any point of discharge to any receiving water. The effects on the receiving water are to be measured at a distance downstream of two widths of the receiving watercourse or 50 metres, whichever is the lesser;

- b) No woody material of greater than 100mm diameter shall be left in any permanently flowing river, lake, wetland or sea as a result of a land disturbance operation; and
- c) All land disturbance sites are to be stable when subject to a storm event of 10% probability or less.

#### 30.1.5.1.2 Exception

Except any land disturbance activity which does not meet the above conditions or is in an area identified as a hazard area that is required for the purposes of constructing or providing access to any structure requiring a building permit under the Building Act 1991, shall be a Discretionary Activity, with no restriction on the exercise of Council's discretion.

#### 30.1.5.2 Excavation

##### 30.1.5.2.1 Conditions

- a) The maximum volume for either excavation or filling shall not exceed 20m<sup>3</sup> in any continuous ten year period;
- b) The gradient of any side cut excavation must not exceed an average of 9.5 (1:6) and must not exceed 11.3 (1:5) along any length of more than 20 metres;
- c) Stormwater controls, water table cut-offs, and culverts are to be installed to ensure that erosion does not occur on the inside edge of the cut. No culvert size less than 300mm may be used to drain any side-cut excavation;
- d) Batters and side castings are to be established by appropriate measures such as seeding, compacting, drainage and/or other methods of revegetation;
- e) Run-off from watertables or surfaces of side-cut excavations is to be directed to stable land areas; and
- f) Except for direct approaches to bridges, crossings and fords; maintenance of rail and public roads; and trenching for cable laying, no excavation or filling must take place within riparian management zones as specified in the schedule of water bodies and Table 1 in Appendix I and as mapped in Ecology Maps in Volume Three, or in a manner or location where the General Conditions for Land Disturbance above can not be complied with.

##### 30.1.5.2.2 Fill Content

In addition to compliance with the conditions relating to the volume of fill material any filling of land or depressions is a Non-Complying Activity where the fill contains:

- a) Putrecible, inflammable or hazardous components;
- b) Material other than rubble, ballast, stones, soily material and demolition material; or

- c) Vegetation which is not incidental to the clearing of sites, and which comprises more than 5% of the fill material, by volume.

### 30.1.5.2.3 Exemptions

The following activities are exempt from control on the volume of material:

- a) Any works involving the repair or replacement of any utilities; and
- b) Support structures for any permitted or approved buildings, signs, fences and works.

### 30.1.5.3 Vegetation Clearance

#### 30.1.5.3.1 Vegetation clearance is a Permitted Activity provided that:

- a) Blading or root-raking shall not be used to clear vegetation on slopes of more than 20°;
- b) Burning shall not be carried out on Class 7e or Class 8 land, when the Fire Weather Index Parameters for the burn are:
- drought code - 200 or higher, or
  - build up index - 40 or higher
- as notified by the Rural Fire Authority for the burn area, pursuant to the Forest and Rural Fires Act 1977; or
- c) The proposed vegetation clearance site is not within any Riparian Management Zone specified in Appendix I of Volume Two and the ecology maps in Volume Three of the Plan; and
- d) The vegetation clearance site shall be revegetated within 24 months of the end of the operation, to a level where the amount of bare ground is no more than 20% greater than prior to vegetation clearance taking place;
- e) Top soil shall not be removed to a depth greater than 20mm over more than 15% of any vegetation clearance site;
- f) No more than 0.2 hectares of coastal broadleaved scrub and shrubland is cleared, per Certificate of Title within any 12 month period; or
- g) No more than 0.2 hectares of indigenous vegetation on ultramafic substrate is cleared, per Certificate of Title within any 12 month period; or
- h) No more than 0.2 hectares of indigenous forest cleared, per Certificate of Title, within a 12 month period; or
- i) Naturally occurring indigenous wetland vegetation or naturally occurring indigenous duneland vegetation shall not be cleared, and

If the vegetation clearance is:

- under plantation forest or
- within 50 metres of a plantation forest,

and is reasonably necessary to enable the management or harvesting of an existing plantation forest, then conditions (f)-(i) do not apply and the vegetation clearance is permitted subject to conditions (a)-(e).

### 30.1.5.3.2 Riparian Management Zone

Woody vegetation, Sedges (*Carex* spp.), Native Toe Toe (*Cortaderia* spp.), and Flax (*Phormium* spp.), shall not be removed by chemical, fire or mechanical means within any riparian management zones as specified in Appendix I and Ecology Maps in Volume Three.

#### 30.1.5.3.2.1 Exceptions to this rule are:

- a) Existing plantations of commercial forest; or
- b) Other exotic trees occupying less than 100 metres per kilometre of legal riparian boundary; or
- c) Plant pests (including those listed in regional or national pest management strategies); or
- d) Vegetation within 10 metres either side of the centreline of a public road or which is otherwise impairing the safe and efficient use of that road.

#### 30.1.5.3.2.2 Where vegetation clearance has been undertaken in accordance with Rule 30.1.5.3.2.1 (a) - (d) above, the following conditions must be met:

- a) Any trees that can be felled as specified above shall be directionally felled away from the waterbody, except wood vegetation leaning over a waterbody, which may be felled in accordance with safety practices;
- b) Except as above no logs may be dragged through the bed of any flowing river, or through any lake or wetland;
- c) The vegetation clearance site shall be revegetated within 24 months of the end of the operation, to a level where the amount of bare ground is no more than 20% greater than prior to vegetation clearance taking place; and
- d) Top soil shall not be removed to a depth greater than 20mm over more than 15% of any vegetation clearance site.

## 30.1.6 Noise

---

All permitted activities shall be conducted so as to ensure that noise arising from such activities does not exceed the following noise limits at or within the notional boundary of any dwelling within the Sounds Residential Zone.

- 0700 hours - 2200 hours Monday to Friday and 0700 hours - 1200 hours Saturday 50 dBA L10
- On any day between 0700 hours - 2200 hours No L<sub>max</sub> limit
- At all other times including any public holiday 45 dBA L10 and 70 dBA L<sub>max</sub>

### 30.1.6.1 Exemption

Notwithstanding the conditions in Rule 30.1.6, above, the following exemption to that rule shall apply.

#### 30.1.6.1.1 Any generator or wind powered equipment used solely for the generation of electricity shall be so operated that noise emissions measured at the notional boundary of any dwelling in any zone shall not exceed the following limit:

- At all times 55 dBA L10

Provided that the activity shall be no louder than necessary, and shall comply with the requirements of section 16 of the Act.

### **30.1.7 Hazards/Riparian Management**

---

**30.1.7.1** Except for internal alterations within an existing structure, building activity is not a Permitted Activity within the coverage of the Natural Hazards overlay identified on the Planning Maps.

**30.1.7.2** Unless specified in the schedule of water bodies and Table 1 in Appendix I and the Ecology Maps in Volume Three, or to the contrary elsewhere in the Plan, all proposed buildings and structures shall be set back at least 8 metres from the top of any bank of any river, or where there is a stopbank at least 8 metres from the landward toe of that stopbank, except that this shall not apply to road structures across rivers. Buildings and structures shall be set back at least 20 metres from the coast, lakes and wetlands.

### **30.1.8 Rules Applicable to Temporary Buildings**

---

Notwithstanding anything to the contrary in this zone, the following shall be permitted:

- a) Temporary buildings ancillary to a building or construction project, provided that any such building does not exceed 40m<sup>2</sup> in area, or remain on the site for longer than the duration of the project or twelve months, whichever is the lesser;
- b) Temporary buildings or other structures including tents, ancillary to carnivals, bazaars, public meetings, provided that such activities or buildings shall not remain on site longer than one month; and
- c) Where a building is intended for the care of a nominated dependent relative and the maximum site coverage requirement for buildings has already been reached then a building of not more than 65m<sup>2</sup> will be permitted subject to the building being relocatable. The landowner shall enter into a bond with the Council to ensure that the building is removed when no longer required for the housing of the nominated dependent relative (the bond shall be registered under the Land Transfer Act 1952 against the Certificate of Title to the land and shall be of a covenant running with the land which binds all subsequent owners of the land).

### **30.1.9 Discharges**

---

#### **30.1.9.1 Domestic Wastewater Management**

Provision must be made for the satisfactory management of all domestic wastewater in accordance with the requirements of the Plan. The requirements of the Plan are deemed to have been met where all domestic wastewater is connected to a public system expressly designed for this purpose or the conditions for on-site domestic wastewater discharges (Rule 30.1.9.2) are met.

### 30.1.9.2 The Discharge of Domestic Wastewater into Land

The discharge of domestic wastewater, through any on-site wastewater management system lawfully established without resource consent prior to 21 April 2005, into land is a Permitted Activity providing:

- 30.1.9.2.1 A public sewer is not located within 30 metres of the lot boundary or 60 metres of the closest building on the lot to be serviced.
- 30.1.9.2.2 Garbage grinders are not installed in any building that the on-site wastewater management system services.
- 30.1.9.2.3 The rate of discharge does not exceed 2000 litres per day, averaged over any one week period.
- 30.1.9.2.4 There is no increase in the rate of discharge due to an increased occupancy of the building(s) that the on-site wastewater management system serves following an extension or alteration of the building(s).
- 30.1.9.2.5 The domestic wastewater, following primary treatment, is able to infiltrate through at least 600mm of unsaturated soil or, following secondary treatment, is able to infiltrate through at least 300mm of unsaturated soil.
- 30.1.9.2.6 There is no ponding of any domestic wastewater, or no run-off or infiltration of any contaminant beyond the property boundary or into any surface waterbody, groundwater or coastal water or drainage channel.
- 30.1.9.2.7 The on-site wastewater management system is maintained in an efficient operating condition at all times.
- 30.1.9.2.8 No objectionable odours can be detected.



### 30.1.9.3 Stormwater Discharges (Point Source and Non Point Source)

The discharge of point source stormwater, to land or natural water, by gravity and/or the discharge of non point source stormwater, to land or any natural water; shall be a Permitted Activity provided that;

- a) The rate of point source discharge shall not exceed 25 litres per second.
- b) The discharge shall not cause any significant erosion or inundation of land;
- c) The discharge shall not have any significant adverse effect on water quality;
- d) The discharge shall not have any adverse effect on any fisheries, wildlife habitats or recreational values of a waterbody; and
- e) The discharge does not contain stormwater from an area where hazardous substances are stored unless:
  - Hazardous substances cannot enter the stormwater; or
  - There is an interceptor system in place to collect hazardous contaminants or diverted contaminated stormwater to a trade waste system;
- f) The above provisions do not apply to the drainage of naturally occurring wetlands or lakes.

Note: The discharge of stormwater into the Coastal Marine Area is dealt with in the rules for the Coastal Marine Zone.

### 30.1.9.4 Swimming Pool

30.1.9.4.1 The discharge of swimming pool wastewater into natural water is a Permitted Activity subject to the following:

- a) That wherever practicable swimming pool wastewater is discharged into a sewerage system otherwise;
- b) That the rate of discharge does not exceed 5 litres per second;

- c) That the discharge does not have an adverse effect on the water quality of the receiving environment;
- d) That the discharge of swimming pool wastewater shall not have any adverse effect on fisheries, wildlife habitats, or recreational values of any waterbody; and
- e) The discharge shall contain no algaecides.

### **30.1.9.5 Domestic Application of Agrichemicals Use**

**30.1.9.5.1** The discharge of a contaminant or contaminants onto land or into air in connection with the spray application of agrichemicals on domestic or residential properties is permitted provided that the person responsible for the activity shall:

- a) Apply sprays in accordance with the manufacturer's recommendations;
- b) Notify the Council as soon as practicable but no later than one hour in the case of accidental discharge into a waterbody;
- c) Take all reasonable steps to ensure that no spray drift occurs beyond the boundary of the property; and
- d) Apply sprays in a manner which does not cause or is not likely to cause deposition into surfacewaters.

### **30.1.9.6 Incineration**

**30.1.9.6.1** The discharge of contaminants to air from incineration of untreated wood, vegetation, newspapers, magazines and cardboard shall be a Permitted Activity provided that:

- a) The waste is incinerated in an incinerator.
- b) The waste is generated on the property where incineration occurs.
- c) The waste being incinerated shall not include:
  - Car tyres;
  - Plastic agrichemical containers; and
  - Hazardous substances or containers of hazardous substances.
- d) The waste does not cause offensive or objectionable smoke or particulate deposition beyond the boundary of the property.

## 30.2 Controlled Activities

### 30.2.1 Excavation

The excavation of more than 5 cubic metres of material within 10 metres (measured horizontally and perpendicular to the road) from the road is a Controlled Activity.

### 30.2.2 Matters Over Which Control is Reserved

The Council retains control over and may impose conditions with respect to:

- a) The need to protect the road from subsidence;
- b) The control of stormwater flows;
- c) The need for retention structures;
- d) The disposal of spoil; and
- e) The retention and enhancement of vegetation.

## 30.3 Limited Discretionary Activities

- Minor Non Compliance;
- Activities within Riparian Management Zones (specified in Appendix I and Volume Three Maps); and
- The discharge of domestic wastewater authorised by resource consent prior to 21 April 2005, or the discharge of domestic wastewater through any on-site wastewater management system installed after 21 April 2005, into or onto land.

### 30.3.1 Minor Non-Compliance

Minor non-compliance with the conditions for Permitted Activities may be permitted to the extent specified below and will be considered by way of a Limited Discretionary Consent:

- Buildings and structures within 8 metres of any stopbank up to 100% dispensation;
- Buildings encroaching the height envelope created by the recession plane angles by a maximum of 1.0 metre in any direction;
- Buildings exceeding the maximum permitted height up to a maximum of 20% of the specified condition;
- Buildings exceeding the maximum permitted site coverage up to a maximum of 20% of the specified condition;
- Excavation or filling of land exceeding the maximum permitted by up to 20% of the specified conditions;
- Parking requirements where site circumstances make it impracticable to comply with conditions, or would lead to inappropriate modification to the environment or activity is serviced by water access only; and
- Yard requirements - up to 50%.

### **30.3.2 Limits to the Council's Discretion**

---

In each of the above cases the Council's discretion shall be limited to a consideration of the adverse effects expected to directly result from the proposed non-compliance; together with such matters listed in 30.3.3 below as are relevant to the non-compliance.

All applications for minor non-compliance shall be non-notified, however, the Council may require the written approval of every person who may in the Council's judgement be adversely affected by the granting of the consent for non-compliance unless it is considered unreasonable in the circumstances to require such approval.

### **30.3.3 Matters for Consideration in the Exercise of Councils Discretion**

---

**30.3.3.1** In considering any application for minor non-compliance the Council will in the exercise of its discretion give consideration to the following matters:

**30.3.3.2** The non-compliance should not:

- a) Diminish the natural character of the locality, having regard to the natural character areas identified in Appendix Two, Volume One;
- b) Significantly and adversely obstruct views from nearby residential properties to the surrounding hills and the sea;
- c) Adversely affect privacy enjoyed on adjoining residential properties;
- d) Significantly diminish the daylight available to adjoining properties or cause shading of outdoor living areas, open space or habitable rooms on adjoining properties;
- e) Significantly reduce the usability or amenity of open space, living courts, or service courts on the applicant's site;
- f) Adversely affect on-site vehicle manoeuvring or car parking areas or affect the safe flow of traffic on adjoining roads;
- g) Allow any building to be erected closer than 20 metres to the coastal marine area; and
- h) Adversely affect the hydraulic integrity of any waterbody.

### **30.3.4 Conditions**

---

Any resource consent may include conditions relating to any one or more of the following, in addition to those matters contained in section 108 of the Act:

- a) The bulk and location of buildings and structures including fences;
- b) The protection of public and private amenity values;
- c) The design and appearance of any buildings;
- d) Landscape design and appearance and site layout;
- e) The retention of any vegetation on the site;
- f) The protection of the roading network and any traffic impacts; and
- g) Bonds or covenants to secure the performance of consent conditions.

### **30.3.5 Activities within Riparian Management Zones (specified in Appendix I and Ecology Maps in Volume Three)**

---

- Vegetation clearance except for commercial forestry trees and plant pests, including those listed in the Regional or National Pest Management Strategies;
- Excavation and filling.

#### **30.3.5.1 Matters to which Council has restricted the exercise of its discretion:**

- a) The effects on the natural clarity of any river, lake, wetland or the sea;
- b) The effects of the entry of any woody material into any river, lake, wetland or the sea;
- c) The effects on natural hazard management, including stability of riparian management zones and river control matters;
- d) Protection of riparian habitat diversity;
- e) Protection of in-stream habitat; and
- f) Provision of physical public access where legal public access is provided for.

### **30.3.6 The Discharge of Domestic Wastewater Authorised by Resource Consent Prior to 21 April 2005, or the Discharge of Domestic Wastewater, Through any On-site Wastewater Management System Installed after 21 April 2005, into or onto Land.**

---

#### **30.3.6.1 Standards and Terms**

- (a) The domestic wastewater shall not be discharged into soil determined to be Category 1, 4, 5 or 6 soil (in accordance with the Council's guidelines for the investigation, design, installation and maintenance of on-site wastewater management systems) if it is proposed to use a conventional on-site wastewater management system; and
- (b) The term of the discharge permit shall not exceed 15 years;

#### **30.3.6.2 Matters to Which the Council has Restricted the Exercise of its Discretion:**

- (a) The proximity of the discharge to any surface water, groundwater or coastal water and any actual or potential adverse effects of the discharge on water quality;
- (b) The proximity of the discharge to any public sewer;
- (c) The proximity of the discharge to other discharges of domestic wastewater and the potential for cumulative effects;
- (d) The potential for the discharge to adversely affect the quality of water in any river or aquifer, or in the coastal marine area;
- (e) The potential for the discharge to initiate instability or make existing instability worse;

The next page is 30-13A

- (f) The extent to which the proposed on-site wastewater management system complies with the Council's guidelines for the investigation, design, installation and maintenance of on-site wastewater management systems;
- (g) The site conditions, including the nature of the soil and soil depth;
- (h) The nature of the on-site wastewater management system and the appropriateness of the system to the site conditions;
- (i) The capacity of the treatment unit and the level of treatment;
- (j) The rate and method of discharge;
- (k) The size of the land application area and alternative locations for the land application area;
- (l) The necessity for monitoring the performance of the on-site wastewater management system; and
- (m) The management and maintenance of the on-site wastewater management system, including the ability to access the on-site system for maintenance purposes.; and
- (n) Alternative on-site wastewater management systems.

### 30.4 Discretionary Activities

Application must be made for a Resource Consent for a Discretionary Activity for the following:

- Activities listed as permitted activities which do not comply with conditions or with the provisions for minor non compliance dealt with as Limited Discretionary Activities;
- Any activity listed as a Permitted Activity and either adversely affecting or being affected by any hazard area identified on the Planning Maps as a hazardous area, with the exception of community and recreational activities carried out on existing school sites;
- Any activity listed as a Permitted Activity or Controlled Activity which modifies a botanical, ecological or wildlife value identified in Appendix B and shown on relevant Planning Maps;
- Community facilities, places of assembly, education facilities;
- Hazardous facilities having an effects ratio no greater than 1.0;
- Marae;
- Recreational facilities (other than parks and reserves);
- Relocated Structures;
- Restaurants and licenced premises;
- Retail facilities of up to 200m<sup>2</sup>;
- Visitor accommodation, including camping grounds, and the use of facilities and services by visitors not living on site;
- Building construction in riparian management zones as identified in Appendix I and the Ecology Maps in Volume Three;

- Vegetation clearance of more than 0.2ha of coastal broadleaved scrub and shrubland, per Certificate of Title, except where plantation forestry exemptions in Rule 30.1.5.3.1 exist;
- Vegetation clearance of more than 0.2ha of indigenous vegetation on ultramafic substrate, per Certificate of Title except where plantation forestry exemptions in Rule 30.1.5.3.1 exist;
- Vegetation clearance of more than 0.2ha of indigenous forest, per Certificate of Title, except where plantation forestry exemptions in Rule 30.1.5.3.1 exist; and
- Vegetation clearance of naturally occurring indigenous duneland vegetation or naturally occurring indigenous wetland vegetation, except where plantation forestry exemptions in Rule 30.1.5.3.1 exist.

### **30.4.1 General Assessment Criteria**

---

Any application for a Discretionary or Non-Complying Activity shall generally comply with the conditions for Permitted Activities. In addition they shall be considered in terms of the following assessment criteria. For some activities specific standards as specified also apply.

#### **30.4.1.1 Matters the Subject of Assessment**

30.4.1.1.1 Any relevant objectives, policies and rules of the Plan.

30.4.1.1.2 Any relevant objectives, policies and rules of the New Zealand Coastal Policy Statement.

30.4.1.1.3 Any relevant objectives, policies and rules of any policy, statement or plan prepared under the Resource Management Act.

30.4.1.1.4 The requirements of section 104 of the Act.

30.4.1.1.5 The likely effects of the proposal on:

30.4.1.1.5.1 The locality and wider community and in particular:

- a) Whether the proposal will enhance or maintain the amenity values of the Sounds Residential Zone;
- b) Whether the proposal creates any demand for services or infrastructure at a cost to the wider community;
- c) Whether the proposal contributes to the character of the surrounding area and helps maintain the cultural values of the community;
- d) The safety and convenience of vehicle, cycle and pedestrian traffic on adjacent roads; and the need for safe on-site provision for vehicle access and parking;
- e) The landscape and natural features of the locality and water environment; and the need for landscape planting or treatment to supplement the existing landscape or to compensate for any expected change in the landscape; and
- f) Whether the proposal has any adverse effects on roading, traffic movement or road safety.



- 30.4.1.1.5.2 The amenities of the area and in particular that any proposal does not have any significant effects on:
- a) Views of surrounding hills and of the sea enjoyed from nearby residential properties;
  - b) The privacy and residential amenities enjoyed on nearby residential properties and on the applicant's own site;
  - c) Daylight and shading of adjoining properties;
  - d) The usual background noise characteristics of the locality and the likely extent and significance of any increase in noise;
  - e) Adversely impact on the natural amenity of any tree, bush, or stand of trees which makes a significant contribution to the visual qualities of the surrounding area; or
  - f) Detract from any view or vista which contribute to the aesthetic coherence of a locality.
- 30.4.1.1.5.3 Any significant environmental features and in particular that the proposal does not:
- a) Adversely affect any habitat of any indigenous species; or
  - b) Compromise the integrity of any terrestrial or maritime ecosystem;
  - c) Diminish the natural character of the locality, having regard to the natural character areas identified in Appendix Two, Volume One.
- 30.4.1.1.5.4 Natural and physical resources so that any proposal:
- a) Complements any building or other feature constructed by people in the locality which contributes to the character of the locality;
  - b) Does not have an adverse effect on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga;
  - c) Does not have an adverse effect on any historic place or archaeological site;
  - d) Does not reduce water quality; or
  - e) Does not increase any risk from natural hazards.
- 30.4.1.1.5.5 The physical and natural environment or community such that some form of financial contribution is necessary and should be imposed as a condition of consent. A financial contribution may be required in the following circumstances (except for a single dwellinghouse on one lot) or as otherwise required in the Plan where:
- a) Any activity will lead to increased pressure on or demand for the use of any public reserve, facilities or infrastructure including roads, walkways, refuse disposal systems;
  - b) Any activity is likely to impact negatively upon the development capability of any adjoining land in terms of sewage servicing capacity;
  - c) Any activity lends or will lend to a situation where off-site effects can be mitigated, but unless required by condition of consent be at the cost of the Council; and
  - d) Where the proposal will create a need for public works, services, reserves, or capital expenditure.

- 30.4.1.1.5.6 In terms of the discharge of contaminants that any proposal:
- a) Does not result in any decrease in water quality; or
  - b) Does not generate noise, dust fumes, smoke or odours which are likely to be noxious, dangerous, offensive or objectionable to any occupier of an adjoining property.

**30.4.2 Particular Criteria and Standards Applicable to Listed Discretionary Activities**

---

The criteria specified for any particular Discretionary Activity as listed below shall be considered in addition to the General Assessment Criteria set out in Rule 30.4.1.

The conditions for Permitted Activities may be used as guidelines for siting.

**30.4.2.1 Matters Applicable to all Activities**

**30.4.2.1.1 Parking Requirements**

Activity	Parking Spaces Required
Camping ground	One per camp site or cabin, plus one for every two employees.
Care Centre	One for every member of staff plus one for every 10 children or people the facility is designed to accommodate.
Community Welfare Facility	One for every employee.
Education Facility	Primary - One per employee plus one space for every four classrooms. Secondary - One per employee plus one for every 15 pupils aged 16 or over. Tertiary and Other Facilities - One per every equivalent full-time employee plus one for every two equivalent full-time students.
Entertainment Facility	One for every four people the facility is designed to accommodate.
Health Care Services	One for every employee plus one for every 26 m <sup>2</sup> of ground floor area.
Home for the Aged	One for every two employees plus one for every five people the facility is licensed to accommodate.
Hospital	One for each patient the facility is designed to accommodate.
Visitor Accommodation	One for every two employees plus one for every motel unit, or one for every four residents the boarding house is designed to accommodate.
Places of Assembly	One space for every four people a community or recreation facility is designed to accommodate, or for churches, one for every 4.5 m <sup>2</sup> of floor area of the auditorium of the church or one for every 4.5 m <sup>2</sup> of the total floor area of all meeting rooms (whichever is the greater). Provided that the term auditorium shall mean the primary place of assembly (including any nave/ congregational seating area) and any adjoining gallery or room which is separated by non-permanent partitions, but shall not include any chancel, sanctuary or stage.

Activity	Parking Spaces Required
Premises for cultural activity or natural display	One space for every five people the facility is designed to accommodate.
Professional Offices	One for every 35 m <sup>2</sup> of gross floor area.
Buildings used for Recreation and recreational facilities	One for every four people the facility (including Grandstands) is designed to accommodate.
Retail Premises	One for every 17 m <sup>2</sup> of ground floor area, plus one for every 17 m <sup>2</sup> of outdoor retail.

### 30.4.2.2 Matters Applicable to Specific Activities

#### 30.4.2.2.2 Site Density for Residential Activities

- a) The minimum net site area for each individual residential unit shall not be less than 300m<sup>2</sup>; and
- b) shall be such that an area of at least 150m<sup>2</sup>, north facing, with a minimum dimension of 3 metres is available as outdoor living space for the exclusive use of the unit.

#### 30.4.2.2.3 Relocated Structures

Permission to erect or re-erect, in whole or in part, an existing structure moved to a site within the Sounds Residential Zone may be given, but subject to the approval of a non-notified application for a Discretionary Activity. Resource consent must be obtained before the building's re-erection.

The application is to be accompanied by an assessment of effects that address the Fourth Schedule of the Act and the following additional matters:

##### 30.4.2.2.3.1 Assessment Criteria

- a) The age and architectural design of the building to be relocated and those other buildings in the vicinity of the proposed site;
- b) The external appearance of the building and its compatibility with the standard of other buildings in the vicinity of the proposed site; and
- c) The effect on the visual amenities of the area in the vicinity of the proposed site.

##### 30.4.2.2.3.2 Matters Over Which Council Will Retain Control

- a) The building shall be reinstated to a standard of external appearance consistent with structures on properties in the immediate vicinity of the new site;
- b) Landscaping of the new site shall be carried out in accordance with a landscape plan prepared by a landscape professional;
- c) The applicant shall arrange a bond with the Council to cover the cost of the reinstatement work;
- d) All reinstatement work shall be completed within six months of the building being moved to the proposed site; and
- e) The developer shall notify the Council prior to moving the structure to the proposed site.

Note: All relocated buildings must fully comply with the rules for permitted activities for the zone and all other relevant rules.

#### 30.4.2.2.4 Hazardous Facilities (District Function) (Refer to Appendix C for Methodology to Calculate Effects Ratio)

##### 30.4.2.2.4.1 Criteria for Assessment

- a) The location of any special natural features, or other environmentally sensitive areas, to be protected;
- b) The possibility of exposure to natural hazards;
- c) The density of surrounding development;
- d) The availability of and access to suitable transport routes;
- e) The risks associated with transportation to or from the site; and
- f) Compliance with any relevant Codes of practice or guidelines.

30.4.2.2.4.2 Specific requirements may be imposed to ensure that any undue risk posed by the facility is avoided or mitigated. Particular regard will be given to site layout, site management and emergency procedures and monitoring systems. Consideration will be given, as appropriate, to issues such as:

- a) The equipment relating to the particular risk posed by the facility;
- b) Stormwater detention and treatment;
- c) Sustainable treatment and disposal methods for hazardous waste;
- d) Adherence to management systems such as the NZCIC Responsible Care Programme or recognised Standards for Environmental Management Systems;
- e) Provision for site management (operational) plans and emergency plans;
- f) Proposals for monitoring the storage, use and transportation of hazardous substances; and
- g) Consideration of practicable alternative operating methods or sites.

##### 30.4.2.2.5 Vegetation Clearance

###### Assessment Criteria

- a) Whether the application adequately avoids, remedies or mitigates adverse effects on indigenous vegetation and habitats of indigenous fauna.
- b) In assessing consent applications for the clearance of any indigenous vegetation, Council will consider the significance of the vegetation affected (including the presence of rare or endangered plant or animal species) and the impact of the proposal on ecological values of the area. Council will also take into account the extent of the reduction on the indigenous vegetation type in the District, should the application proceed, and the impact on the sustainability of that indigenous vegetation type.

### 30.4.3 Resource Consent Conditions

---

Any resource consent may include conditions relating to any one or more of the following:

- a) All those matters contained in section 108 of the Act;

- b) The bulk and location of buildings;
- c) The protection or enhancement of amenity values;
- d) The protection or enhancement of the quality and quantity of natural waters or water systems;
- e) The protection of any significant environmental feature;
- f) The protection of any iwi, heritage or archaeological sites or feature;
- g) The design and appearance of any buildings;
- h) Financial contributions in accordance with the requirements of the Plan;
- i) Bonds or covenants to secure the performance of consent conditions;
- j) Landscape design and appearance, and site layout;
- k) The protection of future roading options and the management of traffic impacts;
- l) The hours of operation; and
- m) The scale of development.

### **30.5 Non-Complying Activities**

- Any activity other than a Prohibited Activity which is neither a Permitted Activity, Controlled Activity, Limited Discretionary Activity nor a Discretionary Activity shall be deemed to be a Non-Complying Activity.

### **30.6 Prohibited Activities- being activities for which no resource consent shall be granted**

- The disposal of waste hazardous substances to land or water.
- The combustion of:
  - materials associated with the recovery of metals from insulated electrical cables; or
  - materials and metals used in motor vehicles; or
  - any other PVC plastic, or rubber tyres, treated timber, or agricultural chemical wastes.
- The discharge of domestic wastewater, through any soak pit established after 21 April 2005, into land.

