

BUSINESS ENVIRONMENT AREA



Introduction

BUSINESS ENVIRONMENT AREAS recognise the differing characters that have evolved within the New Plymouth District in response to local market forces. The BUSINESS A, B, C and D ENVIRONMENT AREAS have different characteristics in terms of bulk and location of BUILDINGS, pedestrian or VEHICLE oriented emphasis, landscaping and general amenity. They recognise the evolution of central business areas, larger scale businesses, local shopping centres, and the ‘fringe’ areas in transition from residential to business character.

The BUSINESS A ENVIRONMENT AREAS are those areas located centrally within the New Plymouth, Waitara and Inglewood retail areas. They are pedestrian orientated with premises located up to the street, and generally provide no parking on the SITE. Most tend to be two story BUILDINGS with verandahs and retail display windows. ADVERTISING SIGNS provide vitality to these areas and are an important and accepted component of these central business and commerce areas.

BUSINESS B ENVIRONMENT AREAS are characterised by larger scale, bulky BUILDINGS (such as warehouses), orientated towards the motorised customer, with parking usually provided on-SITE. Some of these BUILDINGS are set back from the ROAD with car parking provided in front of the BUILDING while others are positioned up to the street with parking areas provided at the side or the rear of the BUILDING. Advertising is generally through SIGNS rather than window displays, and generally no weather protection is provided.

BUSINESS C ENVIRONMENT AREAS are those areas of suburban business that are smaller in scale both in terms of individual shops and number of BUILDINGS. Because they are designed to serve the local catchment, both pedestrian and motorised patrons are catered for with limited parking available, usually in the ROAD reserve. This zoning covers both shopping centres, and small clusters of shops. The specific character of these individual areas may differ but generally they comply with the descriptions above.

BUSINESS D ENVIRONMENT AREAS are those areas that are in transition from residential to business uses or contain business uses which are located in BUILDINGS which are residential in scale and character. Generally businesses in these areas are providing a service and many of them are offices. SITES tend to be small in scale, well landscaped and provide on-SITE parking. They are generally found on the fringes of central retail areas.

Checklist to the BUSINESS ENVIRONMENT AREA

1 Does your activity involve any of the following?

No → go to question 2

Yes



Rules that apply to specific activities:

- | | | |
|---|--------------------------|-----------------|
| | ✓ | Refer to Rule |
| • ERECTION of STRUCTURES including: | | |
| - BUILDINGS | <input type="checkbox"/> | Bus1-3, 8-23 |
| - NETWORK UTILITIES | <input type="checkbox"/> | Bus1-7, 24-27 |
| - SIGNS | <input type="checkbox"/> | Bus1-7, 28-51 |
| - any other type of STRUCTURE | <input type="checkbox"/> | Bus1-7 |
| • Earthworks (EXCAVATION and FILLING) | <input type="checkbox"/> | Bus52-54, 58-60 |
| • Use of HAZARDOUS SUBSTANCES | <input type="checkbox"/> | Bus61-62 |
| • OUTDOOR STORAGE of materials | <input type="checkbox"/> | Bus64 |
| • Consumption of liquor | <input type="checkbox"/> | Bus65-67 |
| • Subdivision of land | <input type="checkbox"/> | Bus70-78 |

2 Do you meet the following standards?

Rules that apply to all land uses:

- | | | |
|--|--------------------------|---------------|
| | ✓ | Refer to Rule |
| • Light emission standards | <input type="checkbox"/> | Bus79-81 |
| • Noise emission standards | <input type="checkbox"/> | Bus82-85 |
| • Requirement to provide VEHICLE ACCESS POINTS, on-SITE parking for MEDIUM SERVICE VEHICLES or larger, loading and standing areas, and on-SITE manoeuvring and queuing | <input type="checkbox"/> | Bus86-94 |

Note: Where a rule in an OVERLAY and a rule in these sections are inconsistent, the rule in the OVERLAY applies.

Rules specific to activities

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
STRUCTURES						
STRUCTURES - rules applying to all STRUCTURES (including BUILDINGS)						
ERECTION of STRUCTURES						
Bus1	(excluding any STRUCTURE located underground) within the shaded area of the railway level crossing sightline area for: - a controlled crossing (refer Diagrams 19.1 and 19.2, Appendix 19)	n/a	n/a	under all circumstances	n/a	1) The potential hazard to ROAD and rail traffic safety and efficiency due to a loss of visibility.
Bus2	- an uncontrolled crossing (refer Diagrams 19.3 and 19.4, Appendix 19) within the restart zone	n/a	n/a	under all circumstances		
Bus3	not within the restart zone	maximum size of 0.3m in diameter or width	n/a	does not meet the conditions for a permitted activity		

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			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
STRUCTURES - rules applying to all STRUCTURES other than BUILDINGS						
ERECTION of STRUCTURES other than BUILDINGS						
Bus5	maximum HEIGHT (excluding TEMPORARY STRUCTURES) BUSINESS A ENVIRONMENT AREAS	20m In addition, any attachment to a STRUCTURE may exceed the permitted HEIGHT of the STRUCTURE provided that the sum of the attachment's three dimensions does not exceed 5.5m (HEIGHT plus width, plus depth); And provided that the STRUCTURE does not penetrate AIRPORT FLIGHT PATH SURFACE 1 (refer to Appendix 11, Diagrams 11.1 and 11.2 of Volume II and section 3 of Volume III). For the purpose of this rule, permitted HEIGHT means allowed by this rule, existing use rights, resource consent, or by an approved outline plan for a designation.	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) The extent to which the increased HEIGHT of the STRUCTURE will: <ul style="list-style-type: none"> - adversely affect the character and visual amenity of the area; - visually dominate the area; - adversely affect OUTSTANDING or REGIONALLY SIGNIFICANT LANDSCAPES; - intrude into and/or block an URBAN VIEWSHAFT (see section 3 of the planning maps); and - adversely affect the natural character of the coastal environment or PRIORITY WATERBODIES. 2) Whether topography, planting, set backs or alternative design will mitigate the adverse effects of extra HEIGHT. 3) Where the site is located in AIRPORT FLIGHT PATH SURFACE 1 (APFPS1 - refer to section 3 of the planning maps), the extent to which the additional HEIGHT of the proposed STRUCTURE will adversely affect the safe and efficient movement of aircraft in the vicinity of New Plymouth Airport. 4) Any adverse visual effects on the New Plymouth entrance corridors. 5) Whether the STRUCTURE is necessary for the operation of an EMERGENCY SERVICE and what alternative locations are available. 6) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

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Bus6	BUSINESS B ENVIRONMENT AREAS	<p>whichever is the greater of:</p> <p>a) 15m; or</p> <p>b) 10m divided by the AVERAGE WIDTH of the STRUCTURE;</p> <p>In addition, any attachment to a STRUCTURE may exceed the permitted HEIGHT of the STRUCTURE provided that the sum of the attachment's three dimensions does not exceed 5.5m (HEIGHT plus width, plus depth);</p> <p>And provided that, in all instances, the STRUCTURE does not penetrate AIRPORT FLIGHT PATH SURFACE 1 (refer to Appendix 11, Diagrams 11.1 and 11.2 of Volume II and section 3 of Volume III).</p> <p>For the purpose of this rule, permitted HEIGHT means allowed by part a) or b) of this rule, existing use rights, resource consent, or by an approved outline plan for a designation.</p>	n/a	does not meet the conditions for a permitted activity		
Bus7	BUSINESS C and D ENVIRONMENT AREAS	<p>whichever is the greater of:</p> <p>a) 10m; or</p> <p>b) 7.5m divided by the AVERAGE WIDTH of the STRUCTURE;</p> <p>In addition, any attachment to a STRUCTURE may exceed the permitted HEIGHT of the STRUCTURE provided that the sum of the</p>	n/a	does not meet the conditions for a permitted activity		

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		<p>attachment's three dimensions does not exceed 5.5m (HEIGHT plus width, plus depth);</p> <p>And provided that, in all instances, the STRUCTURE does not penetrate AIRPORT FLIGHT PATH SURFACE 1 (refer to Appendix 11, Diagrams 11.1 and 11.2 of Volume II and section 3 of Volume III).</p> <p>For the purpose of this rule, permitted HEIGHT means allowed by part a) or b) of this rule, existing use rights, resource consent, or by an approved outline plan for a designation.</p>				
STRUCTURES - BUILDINGS						
ERECTION of BUILDINGS						
Bus8	on SITES adjacent to the Huatoki Stream (excluding TEMPORARY BUILDINGS) within the New Plymouth CBD (See Diagram 9.1 in Appendix 9)	BUILDINGS which do not extend over the stream	n/a	BUILDINGS which extend over the stream	n/a	<ol style="list-style-type: none"> 1) The nature, form and extent of the proposed BUILDING. 2) The necessity for the BUILDING, and any alternative methods and locations available to the APPLICANTS for locating the BUILDING. 3) The impact the BUILDING will have on the openness, historical and cultural values and significance of the stream. 4) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

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Bus9	daylighting requirement from the ROAD BOUNDARY with Devon Street for SITES in the BUSINESS A ENVIRONMENT AREA adjoining Devon Street	no part of the BUILDING shall project beyond the daylighting envelope shown in Diagrams 3.3 and 3.4 in Appendix 3	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) The extent and effect of the additional shading on the ROAD from the projection beyond the daylighting envelope, taking into account the amount of shadow cast and the period of time the ROAD or public place will be affected. 2) The extent to which the exceedence of the daylighting envelope is necessary due to the shape or natural and physical features of the SITE. 3) The characteristics, including the peak flows, of the pedestrian traffic and use on any area affected. 4) The ability to mitigate adverse effects of the additional shading on the ROAD, from the projection beyond the daylighting envelope, through alternative design or location. 5) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus10	from SIDE BOUNDARIES in the BUSINESS B and D ENVIRONMENT AREAS which adjoin a RESIDENTIAL or BUSINESS D ENVIRONMENT AREA	no part of the BUILDING shall project beyond the daylighting envelope shown in Diagram 3.2 in Appendix 3	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) The extent of additional shading from the projection beyond the daylighting envelope, taking into account the amount of shadow cast and the period of time the adjacent SITES are affected. 2) The nature of the activities undertaken on any affected SITE. 3) The extent to which the projection beyond the daylighting envelope is necessary due to the shape or natural and physical features of the SITE. 4) The ability to mitigate adverse effects. 5) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

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Bus11	maximum HEIGHT - including TEMPORARY BUILDINGS in the BUSINESS D ENVIRONMENT AREA	8m In addition, any attachment to a STRUCTURE may exceed the permitted HEIGHT of the STRUCTURE provided that the sum of the attachment's three dimensions does not exceed 5.5m (HEIGHT plus width, plus depth).	n/a	greater than 8m	n/a	<ol style="list-style-type: none"> 1) The extent to which the extra HEIGHT of the proposed BUILDING will: <ul style="list-style-type: none"> - adversely affect the character and visual amenity of the surrounding area; - have an overbearing effect on SITES within the RESIDENTIAL ENVIRONMENT AREA; - adversely affect OUTSTANDING and REGIONALLY SIGNIFICANT LANDSCAPES; - intrude into and/or block an URBAN VIEWSHAFT (see section 3 of the planning maps); and - adversely affect the natural character of the coastal environment or PRIORITY WATERBODIES. 2) The extent to which SITE layout, separation distances, topography, planting or set backs can mitigate the adverse effects of extra HEIGHT. 3) Where the site is located in AIRPORT FLIGHT PATH SURFACE 1 (APFPS1 - refer to section 3 of the planning maps), the extent to which the additional HEIGHT of the proposed BUILDING will adversely affect the safe and efficient movement of aircraft in the vicinity of New Plymouth Airport. 4) Any adverse visual effects on the New Plymouth entrance corridors. 5) Whether the BUILDING is necessary for the operation of an EMERGENCY SERVICE and what alternative locations are available. 6) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
	- excluding TEMPORARY BUILDINGS in the BUSINESS A ENVIRONMENT AREA	14m In addition, a single roof tower may exceed the permitted HEIGHT of a BUILDING by up to 5m provided that the roof tower is not greater than 0.6m in horizontal dimension nor higher above GROUND LEVEL than the horizontal distance between the tower and the nearest dwelling in a RESIDENTIAL, OPEN SPACE or RURAL ENVIRONMENT AREA. And, in addition, any attachment to a BUILDING or roof tower may exceed the permitted HEIGHT provided that the sum of the attachment's three dimensions does not exceed 5.5m (HEIGHT plus width, plus depth).	n/a	greater than 14m		

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Bus13	in the BUSINESS B ENVIRONMENT AREA	10m In addition, a single roof tower may exceed the permitted HEIGHT of a BUILDING by up to 5m provided that the roof tower is not greater than 0.6m in horizontal dimension nor higher above GROUND LEVEL than the horizontal distance between the tower and the nearest dwelling in a RESIDENTIAL, OPEN SPACE or RURAL ENVIRONMENT AREA. And, in addition, any attachment to a BUILDING or roof tower may exceed the permitted HEIGHT provided that the sum of the attachment's three dimensions does not exceed 5.5m (HEIGHT plus width, plus depth).	n/a	greater than 10m		
Bus14	in the BUSINESS C ENVIRONMENT AREA	8m In addition, a single roof tower may exceed the permitted HEIGHT of a BUILDING by up to 5m provided that the roof tower is not greater than 0.6m in horizontal dimension nor higher above GROUND LEVEL than the horizontal distance between the tower and the nearest dwelling in a RESIDENTIAL, OPEN SPACE or RURAL ENVIRONMENT AREA. And, in addition, any attachment to a BUILDING or roof tower may exceed the permitted HEIGHT	n/a	greater than 8m		

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		provided that the sum of the attachment's three dimensions does not exceed 5.5m (HEIGHT plus width, plus depth).				
Bus15	maximum COVERAGE (excluding TEMPORARY BUILDINGS) of a SITE in the BUSINESS D ENVIRONMENT AREA	50%	n/a	greater than 50%	n/a	<ol style="list-style-type: none"> 1) The adverse effects of the increased COVERAGE of the SITE on: <ul style="list-style-type: none"> - the character and visual amenity of the area; - the privacy and outlook of adjoining SITES; - the ability to provide adequate outdoor living space on the SITE or the location of alternate recreation areas; - OUTSTANDING or REGIONALLY SIGNIFICANT LANDSCAPES; and - the natural character of the coastal environment or PRIORITY WATERBODIES. 2) The ability to mitigate adverse effects through the imposition of conditions such as landscaping. 3) Whether the protection and reuse of a Category A heritage BUILDING or item mitigates the adverse effects of increased SITE COVERAGE. 4) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus16	maximum COVERAGE of the FRONT YARD of a SITE within a BUSINESS D ENVIRONMENT AREA	50%	n/a	greater than 50%	n/a	<ol style="list-style-type: none"> 1) The adverse effects of the increased COVERAGE of the FRONT YARD on: <ul style="list-style-type: none"> - the streetscape of the area; - the privacy and outlook of adjoining SITES; and - the visibility for traffic leaving the SITE. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the SITE. 4) The ability of existing topography or vegetation to mitigate any adverse visual effects on the streetscape.

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						5) The ability to mitigate adverse effects of the increased COVERAGE of the FRONT YARD on adjoining SITES and the streetscape through screening, planting and alternative design. 6) Whether the protection and reuse of a Category A heritage BUILDING or item mitigates the adverse effects of increased COVERAGE of the FRONT YARD. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Note: For the definition of FRONT YARD including dimensions, refer to the definitions section of this plan.						
Bus17	minimum setback from the SIDE BOUNDARIES of a SITE in the BUSINESS D ENVIRONMENT AREA	1.5m or less than 1.5m where: 1) the length of the wall of the BUILDING, being erected adjacent to the SIDE BOUNDARY, does not exceed 12m or 50% of the boundary whichever is the lesser; and 2) the wall of the BUILDING, being erected adjacent to the boundary, contains no windows or doors.	n/a	does not meet the conditions for a permitted activity	n/a	1) The adverse effects of non-compliance on the outlook and privacy of adjoining SITES. 2) The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the SITE. 3) The HEIGHT, bulk and location of windows of the non-complying portion of the BUILDING and how it may affect the adjacent SITE. 4) The ability to mitigate adverse effects of the non-complying portion of the BUILDING on adjoining SITES through BUILDING design, including location of windows and HEIGHT, screening and planting. 5) The extent to which the existing topography or vegetation will mitigate the adverse effects of the non-complying portion of the BUILDING on the adjoining SITE. 6) Whether the protection and reuse of a Category A heritage BUILDING or item mitigates the adverse effects of reduced setbacks. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

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Bus18	minimum setback between the closest part of any HABITABLE BUILDING and the centre line of a high voltage transmission LINE (66kv or greater)	22m	n/a	less than 22m	n/a	1) The extra level of electric magnetic field (EMF) exposure residents in the HABITABLE BUILDING encounter due to a reduced separation distance (refer to International Commission on Non-Ionising Radiation Protection Guidelines). 2) The ease of operational access to the LINES by staff and contractors responsible to the NETWORK UTILITY operator to allow for upgrades and maintenance. 3) The integrity of the electrical supply provided by the LINE.
Bus19	landscaping of ROAD BOUNDARIES for SITES within BUSINESS B ENVIRONMENT AREAS (excluding TEMPORARY BUILDINGS)	1) One TREE per six full metres of ROAD BOUNDARY shall be planted and maintained. 2) The TREE(S) shall be located on the SITE anywhere within 5m of the ROAD BOUNDARY. 3) The TREE(S) shall be a minimum of 1.5m in HEIGHT at installation. Where existing TREES located within this area are to be retained, these may be used as part of the required landscaping provided they meet the above conditions.	n/a	does not meet the conditions for a permitted activity	n/a	1) The adverse effects of reduced, alternative or no planting on the streetscape of the area. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) Alternative methods used to soften the appearance of the BUILDING from the ROAD and enhance the streetscape. 4) The extent to which existing topography, planting and SITE design can mitigate the adverse visual effects resulting from reduced, alternative or no planting. 5) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus20	landscaping of SIDE BOUNDARIES for SITES within BUSINESS B ENVIRONMENT AREAS which adjoin a SITE in a RESIDENTIAL ENVIRONMENT AREA (excluding TEMPORARY BUILDINGS)	shall be screened by either: 1) a solid fence or wall of a minimum HEIGHT of 1.8m; or 2) landscaping or TREES of a minimum HEIGHT of 1m at installation which will achieve a continuous screen of 1.8m in HEIGHT and 1.5m in width within five years; or	n/a	does not meet the conditions for a permitted activity	n/a	1) The adverse effects of reduced, alternative or no screening on the outlook and amenity of adjoining SITES in RESIDENTIAL ENVIRONMENT AREAS. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) The scale of the BUILDING and its distance from the boundary with the RESIDENTIAL ENVIRONMENT AREA. 4) The ability of existing vegetation and topography on the SITE or adjoining SITES to mitigate any adverse visual effects of reduced, alternative or no screening on the adjoining SITES in the RESIDENTIAL ENVIRONMENT AREA.

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		3) a combination of both located between the BUILDING and those boundaries which adjoin the RESIDENTIAL ENVIRONMENT AREA				5) The ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods. 6) The design, layout and use of the SITE which may compensate for reduced, alternative or no screening. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Note: A recommended list of species for specific locations within the district is available from the COUNCIL.

Bus21	requirement for financial contributions for DWELLING HOUSES	meets the requirements specified in Appendix 5	n/a	does not meet the conditions for a permitted activity	n/a	1) Ability to provide services to an acceptable standard by alternative means. 2) Any proposed measures to avoid, remedy or mitigate adverse effects, including any environmental compensation proposed. 3) The extent to which a financial contribution may be met by offsets (see Appendix 5).
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ERECTION or use of BUILDINGS for NOISE SENSITIVE ACTIVITIES

Bus22	requirement for sound attenuation of any BUILDING (excluding TEMPORARY BUILDINGS)	shall be designed and constructed in accord with an acoustic design certificate from an acoustic engineer so that the level of noise received within a NOISE SENSITIVE ROOM, excluding noise from CONSTRUCTION WORK, does not exceed 40 dBA L ₁₀ between 10pm and 7am on any day	n/a	does not meet the conditions for a permitted activity	n/a	1) The necessity for soundproofing any NOISE SENSITIVE ROOM having regard to the design, construction and room layout of the proposed BUILDING or BUILDINGS. 2) The extent to which other features on the SITE, including natural topography or proposed ground contouring, vegetation and other STRUCTURES, will mitigate the effects of noise on any NOISE SENSITIVE ROOM. 3) The primary purpose of a BUILDING and the anticipated frequency of use of any of its NOISE SENSITIVE ROOMS. 4) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
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Note: To achieve compliance with rule Bus22 while at the same time ensuring adequate ventilation, NOISE SENSITIVE ROOMS with doors and windows or other openings opening to the outdoors may need to utilise other methods to meet the ventilation requirements of the Building Act 2004 and relevant codes hereunder.

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RELOCATION of BUILDINGS

Bus23	within the BUSINESS C and D ENVIRONMENT AREAS	<ol style="list-style-type: none"> 1) non-HABITABLE BUILDINGS; or 2) HABITABLE BUILDINGS less than 10 years old; or 3) BUILDINGS associated with CONSTRUCTION WORK 	<p>does not meet the conditions for a permitted activity</p> <p>Except for where the COUNCIL considers that special circumstances exist in relation to an application, applications for resource consents for the RELOCATION of BUILDINGS need not be served or publicly notified, and written approval from affected persons need not be required.</p>	n/a	<ol style="list-style-type: none"> 1) The reinstatement work, including any repair, replacement, painting or cleaning, to be completed. 2) The time frame for the specified work to be completed within. 3) The imposition of a refundable bond equal to the cost of the specified work. 	n/a
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Note: Full information on the notification of applications for resource consents is given in the implementation section of the plan (page 391).

STRUCTURES - NETWORK UTILITIES

Installation and operation of transformers, LINES and necessary associated equipment for conveying electricity

Bus24	maximum electric field strength measured in areas reasonably accessible to the public	5 kV/m (root-mean-square)	n/a	n/a	n/a	n/a
Bus25	maximum magnetic flux density measured in areas reasonably accessible to the public	100 microtesla (root-mean-square)	n/a	n/a	n/a	n/a

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			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Installation and operation of COMMUNICATION FACILITIES						
Bus26	maximum field strength	shall not exceed the levels specified within NZS2772.1:1999 and NZS2772.1:1999A1, measured in accordance with NZS6609.2:1990 and NZS6609.2:1990AA	n/a	n/a	n/a	n/a
Note: The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 (NES-TF) apply to the planning and operation, by a network operator (as defined in those regulations), of a telecommunication facility that generates radio frequency fields. Rule [Res22, Rur36, Bus26, Ind25 or OS22 as appropriate] applies to those parties that generate radio frequency fields, to which the NES-TF does not apply.						
ERECTION of SUBSTATIONS AND SWITCHING STATIONS (see also the rules for BUILDINGS where applicable)						
Bus27	requirement to provide landscaping where a SUBSTATION or SWITCHING STATION is greater than 10 m ² in area and greater than 3m in HEIGHT, where visible from an adjoining RESIDENTIAL ENVIRONMENT AREA or ROAD	shall be screened by: 1) a solid fence or wall with a minimum HEIGHT of 1.8m, or 2) landscaping or TREES of a minimum HEIGHT of 1m at installation which will achieve a continuous screen of a minimum of 1.8m in HEIGHT and 1.5m in width within five years, or 3) a combination of both located along those boundaries of the SITE which adjoin the RESIDENTIAL ENVIRONMENT AREA or ROAD	n/a	does not meet the conditions for a permitted activity	n/a	1) The adverse effects resulting from reduced or no screening on the outlook and visual amenity of adjoining SITES and ROADS. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) The ability to mitigate any adverse visual effects resulting from reduced or no screening on adjoining SITES and ROADS through alternative means. 4) The ability of the topography and existing vegetation of the locality to mitigate any adverse visual aspects resulting from reduced or no screening on adjoining SITES and ROADS. 5) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Note: A recommended list of species for specific locations within the district is available from the COUNCIL.						

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
STRUCTURES - SIGNS						
ERECTION of OFFICIAL SIGNS						
Bus28		under all circumstances	n/a	n/a	n/a	n/a
ERECTION of ADVERTISING SIGNS, where clearly visible from any ROAD (note: these rules apply to all ADVERTISING SIGNS)						
Bus29	location of SIGNS intended to attract the attention of motorists on a SITE visible from a ROAD where the posted speed limit is greater than or equal to 70km/h	shall be located: 1) not less than (0.6 x the posted speed limit) metres from another ADVERTISING SIGN; and 2) so that the ADVERTISING SIGN presents an unrestricted view to any approaching motorist for a distance of not less than 180m measured horizontally between the ADVERTISING SIGN and the approaching motor VEHICLE.	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to a reduction in SIGN separation or visibility distances of the proposed ADVERTISING SIGN, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes. 2) The topography of the locality and the contour of the ROAD. 3) The proximity of other ADVERTISING SIGNS.
Bus30	general appearance of SIGN	shall not emulate the form, colours, shape or message of any OFFICIAL SIGN or signal	n/a	n/a	n/a	n/a
Bus31	illumination	shall not be internally or externally illuminated by means of flashing blinking or moving lights	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) The frequency, intensity and duration of the intermittent or flashing light source and illumination. 2) The proximity of the ADVERTISING SIGN to other properties and the likely effects on amenity values, particularly at night-time. 3) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to inappropriate illumination of the proposed ADVERTISING SIGN, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
	minimum lettering size where clearly visible from a ROAD and intended to attract the attention of motorists where the posted speed limit is:				n/a	1) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to a reduction in lettering size of the proposed ADVERTISING SIGN, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes.
Bus32	less than 70km/h	120mm	n/a	less than 120mm		
Bus33	70km/h or greater	160mm	n/a	less than 160mm		
Bus34	movement of SIGN where it is clearly visible from any STATE HIGHWAY or ARTERIAL ROAD	shall not involve the mechanised movement of any of its parts	n/a	does not meet the conditions for a permitted activity	n/a	1) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to movement of the proposed ADVERTISING SIGN, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes.
Bus35	removal of a TEMPORARY SIGN	shall be removed within seven days after the SIGN has either completed its purpose or the event being advertised has passed	n/a	does not meet the conditions for a permitted activity	n/a	1) Any adverse effects on the visual amenity of the locality and whether the proposed ADVERTISING SIGN would be obtrusively visible having regard to the intended duration of the display. 2) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to the extended ERECTION of the ADVERTISING SIGN, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes.
FREESTANDING SIGNS and ADVERTISING SIGNS attached to or painted on a BUILDING and/or other STRUCTURE (see also rules that apply to all ADVERTISING SIGNS)						
Bus36	location of FREESTANDING SIGNS intended to attract the attention of motorists within a COUNCIL or STATE HIGHWAY ROAD reserve	n/a	n/a	under all circumstances	n/a	1) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to the ADVERTISING SIGN being within the ROAD reserve, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes. 2) The topography of the locality and the contour of the ROAD. 3) The proximity of other ADVERTISING SIGNS.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
Bus37	maximum SIGN DISPLAY AREA - TEMPORARY SIGNS	3m ² per SIGN FACE, up to 6m ² per ROAD BOUNDARY	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) The area of the proposed sign in relation to the architectural characteristics of the BUILDING(S) on-SITE. 2) The adverse effects of the additional area on the architectural characteristics and visual amenity of BUILDINGS and/or SITES in the immediate vicinity, taking into account the number and sizes of any other outdoor ADVERTISING SIGN and the need to avoid the cumulative effect of visual intrusion or clutter. 3) Whether any support STRUCTURE is likely to be visually obtrusive in relation to the architectural features of the BUILDING to which it is attached, or in the context of the street scene. 4) Whether any alternative forms of support would be less likely to be visually obtrusive. 5) The length of time the SIGN will be on the SITE (TEMPORARY SIGNS only). 6) Any adverse visual effects on the New Plymouth entrance corridors.
Bus38	- PERMANENT FREESTANDING SIGNS: BUSINESS B and C ENVIRONMENT AREAS	15m ² per SITE	n/a	greater than 15m ²		
Bus39	BUSINESS D ENVIRONMENT AREA	the greater of: 1) 2 m ² , or 2) 0.5m ² for every 20m of ROAD BOUNDARY or part thereof, per SITE	n/a	greater than 2m ²		
Bus40	- PERMANENT SIGNS that are attached to or painted on a BUILDING or STRUCTURE where SITE has a ROAD BOUNDARY: BUSINESS B and C ENVIRONMENT AREAS	40% of front wall 30% of side wall on any one SIGN FACE	n/a	does not meet the conditions for a permitted activity		
Bus41	BUSINESS D ENVIRONMENT AREA	the greater of: 1) 2 m ² , or 2) 0.5m ² for every 20m of ROAD BOUNDARY or part thereof, per SITE	n/a	does not meet the conditions for a permitted activity		

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			Controlled	Discretionary		
	maximum HEIGHT - FREESTANDING SIGNS in:				n/a	<ol style="list-style-type: none"> 1) The HEIGHT of the proposed sign in relation to the architectural characteristics of the BUILDING(s) on-SITE. 2) The adverse effects of the additional HEIGHT on the architectural characteristics and visual amenity of BUILDINGS and/or SITES in the immediate vicinity, taking into account the number and sizes of any other outdoor ADVERTISING SIGN and the need to avoid the cumulative effect of visual intrusion or clutter. 3) Whether any support STRUCTURE is likely to be visually obtrusive in relation to the architectural features of the BUILDING to which it is attached, or in the context of the street scene. 4) Whether any alternative forms of support would be less likely to be visually obtrusive. 5) The impact of the HEIGHT of the ADVERTISING SIGN on the visual amenity of the BUILDING(S) facade and skyline. 6) The length of time the sign will be on the SITE (TEMPORARY SIGNS only). 7) Any adverse visual effects on the New Plymouth entrance corridors.
Bus42	BUSINESS B and C ENVIRONMENT AREAS	9m	n/a	greater than 9m		
Bus43	BUSINESS D ENVIRONMENT AREA	3m	n/a	greater than 3m		
Bus44	- SIGNS that are attached to or painted on a BUILDING or STRUCTURE	shall not project above, at the point of attachment, any part of the roof of a BUILDING or the highest point of a STRUCTURE provided that where a SIGN is attached to a BUILDING or STRUCTURE with differing roof HEIGHTS it shall not project above the highest point of the BUILDING or STRUCTURE to which it is attached	n/a	does not meet the conditions for a permitted activity		
Bus45	projection of SIGN over a ROAD BOUNDARY	not greater than 2m provided that the minimum ground clearance and distance from the kerb line comply with those specified in Diagram 1.1 in Appendix 1	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) The nature of land use below or adjacent to the proposed ADVERTISING SIGN and in particular, the intensity of pedestrian activity in the vicinity. 2) The location of the ADVERTISING SIGN in relation to the ROAD CARRIAGEWAY and any adverse effects from the additional projection of the sign on the safety of pedestrian and vehicular traffic. 3) The length of time the ADVERTISING SIGN will be on the SITE (TEMPORARY SIGNS only).

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
FOOTPATH SIGNS (see also rules that apply to all ADVERTISING SIGNS)						
Bus46	location	shall be located in that area of the ROAD reserve directly adjoining the SITE and shall not obstruct or impede traffic or pedestrian movement	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to the FOOTPATH SIGN being located inappropriately within the ROAD reserve, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes and pedestrian count. 2) The necessity of the FOOTPATH SIGN to be located in a position that may impede or adversely affect the safety of pedestrians or VEHICLES. 3) Whether any measures can be used to mitigate any adverse effects on pedestrian and vehicular traffic safety.
Bus47	maximum number per SITE	one	n/a	more than one	n/a	<ol style="list-style-type: none"> 1) The proximity of dwellings and the visual intrusion of the additional FOOTPATH SIGN(S) on other SITES adjacent to the proposed SIGN, taking into account the character of the area. 2) The potential for conflict or hazard with either vehicular or pedestrian movement.
Bus48	HEIGHT minimum	600mm	n/a	less than 600mm	n/a	<ol style="list-style-type: none"> 1) The HEIGHT relative to the area of the proposed FOOTPATH SIGN. 2) Any effect the HEIGHT of the FOOTPATH SIGN has on the safety of pedestrian or vehicular traffic. 3) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to a reduced or increased HEIGHT of the proposed FOOTPATH SIGN, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes and pedestrian count.
Bus49	maximum	900mm	n/a	greater than 900mm		
Bus50	width minimum	400mm	n/a	less than 400mm	n/a	<ol style="list-style-type: none"> 1) The width relative to the area of the proposed FOOTPATH SIGN. 2) Any effect the width of the FOOTPATH SIGN has on the safety of pedestrian or vehicular traffic. 3) Distraction or confusion to motorists in their observance of traffic conditions, directions, controls and OFFICIAL SIGNS due to a reduced or increased width of the proposed FOOTPATH SIGN, taking into account the classification of the ROAD (by reference to the ROADING HIERARCHY), the speed environment and the average daily traffic volumes and pedestrian count.
Bus51	maximum	600mm	n/a	greater than 600mm		

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			Controlled	Discretionary		
EARTHWORKS						
EXCAVATION and FILLING						
Bus52	restrictions based on slope of land: as part of an approved BUILDING consent under the Building Act 2004 or an approved subdivision consent	under all circumstances	n/a	n/a	n/a	n/a
Bus53	all other EXCAVATION and FILLING on a slope	<p>on an AVERAGE SLOPE of up to 22 degrees or on an AVERAGE SLOPE greater than 22 degrees where:</p> <ol style="list-style-type: none"> 1) the HEIGHT of FILL or depth of EXCAVATION is no greater than 1.5m in the vertical; or 2) the HEIGHT of the slope on which EXCAVATION or FILLING is being undertaken is no greater than 3m in the vertical; or 3) the slope created by the EXCAVATION or FILLING is no greater than: <ol style="list-style-type: none"> (a) 3m in HEIGHT in the vertical; or (b) 22 degrees. <p>Where a slope is benched, no bench shall be greater than 3m in HEIGHT and the benching shall not result in an AVERAGE SLOPE that is steeper than existed prior to the EXCAVATION or FILLING.</p>	<p>on an AVERAGE SLOPE greater than 22 degrees but no greater than 40 degrees where the criteria listed in the permitted column are not met</p>	<p>on an AVERAGE SLOPE greater than 40 degrees where the criteria in the permitted column are not met</p>	<ol style="list-style-type: none"> 1) Drainage of water from the SITE to prevent slope instability. 2) Clearance of vegetation. 3) Location, depth and quantity of earthworks. 4) Amount of impervious surfaces. 5) Location of BUILDINGS. 	<ol style="list-style-type: none"> 1) Physical attributes of the slope, including: <ul style="list-style-type: none"> - slope angle, HEIGHT, and shape (convex or concave); - soil composition (grain size, potential for liquefaction or compression); - drainage (potential for saturation); - shear strength; and - climatic factors which may affect slope stability (such as heavy rainfall). 2) Any potential effects of the EXCAVATION or FILLING on the stability or slope overland flow on the property or on any adjacent properties. 3) Any increase in risk to human safety. 4) Any increase in the likelihood or magnitude of a natural hazard event. 5) Any engineering, design or SITE measures proposed to reduce slope instability (e.g. retention of vegetation, provision for ground reinforcement, sub and surface water control). 6) Proposed mitigation measures such as revegetation, slope restoration, etc. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Bus54	all other EXCAVATION and FILLING relative to a slope greater than 40 degrees	1) not closer than H to the: (a) base of the slope (EXCAVATION only) (b) top of the slope (FILLING only); or 2) where the depth of the EXCAVATION or FILLING plus H is not greater than 3m. (where H is the HEIGHT of the slope - refer to Diagram 10.3 in Appendix 10)	n/a	does not meet the conditions for a permitted activity	1) Drainage of water from the SITE to prevent slope instability. 2) Clearance of vegetation. 3) Location, depth and quantity of earthworks. 4) Amount of impervious surfaces. 5) Location of BUILDINGS.	1) Physical attributes of the slope, including: <ul style="list-style-type: none"> - slope angle, HEIGHT, and shape (convex or concave); - soil composition (grain size, potential for liquefaction or compression); - drainage (potential for saturation); - shear strength; and - climatic factors which may affect slope stability (such as heavy rainfall). 2) Any potential effects of the EXCAVATION or FILLING on the stability or slope overland flow on the property or on any adjacent properties. 3) Any increase in risk to human safety. 4) Any increase in the likelihood or magnitude of a natural hazard event. 5) Any engineering, design or SITE measures proposed to reduce slope instability (e.g. retention of vegetation, provision for ground reinforcement, sub and surface water control). 6) Proposed mitigation measures such as revegetation, slope restoration, etc. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Bus58	maximum quantity, measured in non-compacted form	20m ³ per 100m ² of SITE area in any 12 month period	n/a	greater than 20m ³ per 100 m ² of SITE area in any 12 month period	n/a	<ol style="list-style-type: none"> 1) Extent, location and timing of EXCAVATION and FILLING. 2) Adverse visual effects on adjoining SITES, ROADS and public areas of the additional quantity of EXCAVATION and FILLING. 3) Proposed measures for, and timing of, the restoration, rehabilitation and/or screening of the additional quantity of EXCAVATION or FILLING. 4) The adverse effects on OUTSTANDING OR REGIONALLY SIGNIFICANT LANDSCAPES. 5) Any adverse effects on the natural character of PRIORITY WATERBODIES. 6) Any adverse visual effects on the New Plymouth entrance corridors. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Bus59	reinstatement of earthworks for any EXCAVATION or FILLING of greater than 150m ³ per SITE in any 12 month period	all bare earth shall, as soon as is practicable, but not later than six months from the date of disturbance, be: 1) stabilised so that no earth moves off-SITE or presents a danger to life or property; and 2) vegetated, SEALED, paved, metallised or built over	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Extent, location and timing of EXCAVATION and FILLING. 2) The ability to mitigate adverse visual effects through other means (such as topography or retention of vegetation). 3) Potential for EXCAVATION or FILLING to increase the likelihood or magnitude of a natural hazard event (including erosion) to occur, and any measures undertaken to avoid such an event. 4) Proposed alternative measures for the restoration or rehabilitation of the SITE. 5) The adverse effects on OUTSTANDING OR REGIONALLY SIGNIFICANT LANDSCAPES. 6) Any adverse effects on the natural character of PRIORITY WATERBODIES. 7) Any adverse visual effects on the New Plymouth entrance corridors. 8) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Bus60	composition of FILL	soil, concrete, brick and/or rubble of not greater than 600mm particle size with less than 5% organic matter by volume	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Proposed composition of FILL. 2) Potential for decomposition, slippage, or settlement of materials. 3) Potential danger to human health or safety. 4) Any adverse visual effects and the mitigation measures proposed. 5) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Note: Earthworks near a WATERCOURSE may require resource consent from Taranaki Regional Council.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
HAZARDOUS SUBSTANCES						
Establishment of HAZARDOUS FACILITIES						
Bus61	EFFECTS RATIO where the HAZARDOUS FACILITY is located: within 10m of RESIDENTIAL ENVIRONMENT AREA	equal to or less than 0.02 provided the conditions in Appendix 6 are satisfied	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) The extent to which the EFFECTS RATIO is exceeded. 2) Location of the facility and proximity to sensitive features including: <ul style="list-style-type: none"> - activities and areas involving people such as child care facilities, schools, rest homes, hospitals, shopping centres and residential areas; - WATERCOURSES, catchments, aquifers and the coast; - identified hazard areas such as the COASTAL HAZARD AREA, FLOOD HAZARD AREA, VOLCANIC HAZARD AREA or the Norfolk or Inglewood FAULT LINES; and - any wildlife habitats including bush areas and wetlands. 3) Choice of SITE location including the nature of the subsoil and SITE geology. 4) SITE design and management including: <ul style="list-style-type: none"> - SITE drainage and OFF-SITE INFRASTRUCTURE, e.g. stormwater drainage systems, sewer type and capacity; - the disposal of wastes containing HAZARDOUS SUBSTANCES - adherence to health and safety and/or environmental management systems; and - self monitoring and maintenance procedures. 5) Risk mitigation and management measures including: <ul style="list-style-type: none"> - spill contingency and emergency planning, including potential hazards, failure modes and exposure pathways; - emergency procedures; and - fire safety and fire water management. 6) Any potential cumulative or synergistic effects that may result from the establishment and operation of the HAZARDOUS FACILITY. 7) Transport of HAZARDOUS SUBSTANCES and any adverse effects on the operation and safety of the roading network. 8) Alternative locations or methods for undertaking the activity.
Bus62	anywhere else within the BUSINESS ENVIRONMENT AREA	equal to or less than 0.2 provided the conditions in Appendix 6 are satisfied	n/a	does not meet the conditions for a permitted activity		

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
						9) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

OUTDOOR STORAGE

OUTDOOR STORAGE of items

Bus64	landscaping of SIDE BOUNDARIES for OUTDOOR STORAGE areas which: <ol style="list-style-type: none"> 1) amount to 14m³ or more 2) are stored for a period of eight, or more, consecutive weeks in any 12 month period; and 3) are visible from an adjoining RESIDENTIAL ENVIRONMENT AREA 	shall be screened by either: <ol style="list-style-type: none"> 1) a solid fence or wall of a minimum HEIGHT of 1.8m, or 2) landscaping or TREES of a minimum HEIGHT of 1m at installation which will achieve a continuous screen of a minimum of 1.8m in HEIGHT and 1.5m in width within five years; or 3) a combination of both located between the OUTDOOR STORAGE area and those boundaries of the SITE which adjoin the RESIDENTIAL ENVIRONMENT AREA	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Any adverse visual effects resulting from reduced, alternative or no screening of the OUTDOOR STORAGE area on the outlook and visual amenity of adjoining SITES in the RESIDENTIAL ENVIRONMENT AREAS. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) The distance of the OUTDOOR STORAGE area from the relevant boundary. 4) The time period, type and volume of goods for which the OUTDOOR STORAGE area will be used. 5) The ability of the topography or existing vegetation within the locality to mitigate any adverse visual effects, resulting from reduced or no screening, on adjoining SITES in the RESIDENTIAL ENVIRONMENT AREA. 6) The ability to mitigate any adverse visual effects resulting from reduced or no screening of the OUTDOOR STORAGE area through alternative means. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
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Note 1: A recommended list of species for specific locations within the district is available from the COUNCIL.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
CONSUMPTION OF LIQUOR						
Use of a SITE for the on-SITE consumption of liquor where a license is required under the Sale of Liquor Act 1989 (excluding TEMPORARY EVENTS)						
Bus65	hours of operation: - SITE located within 50m of a RESIDENTIAL or RURAL ENVIRONMENT AREA	n/a	n/a	at all times	n/a	1) The nature and scale of the activity and its compatibility with surrounding activities. 2) Noise (including from entertainment and patrons) and traffic generation effects. 3) The topography of the SITE and neighbouring areas. 4) The ability to remedy or mitigate any adverse effects of the activity by the layout or design of the SITE or BUILDINGS, or by the provision of landscaping or similar measures. 5) The location of on-SITE car parking in relation to residential activities. 6) The days of the week which the premises are open and the frequency of entertainment activities.
Bus66	- SITE located further than 50m from a RESIDENTIAL or RURAL ENVIRONMENT AREA: BUSINESS A and B ENVIRONMENT AREAS	7am to 3am	n/a	does not meet the conditions for a permitted activity		
Bus67	BUSINESS C and D ENVIRONMENT AREAS	Sunday to Thursday 7am to 11pm Friday to Saturday 7am to 1am	n/a	does not meet the conditions for a permitted activity		
Note: Rule Bus69 was removed by Update 8af.						

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
SUBDIVISION						
Subdivision of land						
Bus70	of an ALLOTMENT where there is an increase in the number of ALLOTMENTS being served by, or having ownership of, a RIGHT OF WAY	n/a	n/a	under all circumstances	1) Design and layout of the subdivision, including position of boundaries. 2) Development of the subdivision and SITES having regard to: <ul style="list-style-type: none"> - appropriate VEHICLE access; and - provision and location of services. 3) Protection of: <ul style="list-style-type: none"> - natural features; - OUTSTANDING and REGIONALLY SIGNIFICANT LANDSCAPES; and - vegetation. 4) Legal protection of SIGNIFICANT NATURAL AREAS. 5) Provision of public space areas for recreation, conservation, or pedestrian/cycle access purposes. 6) Works to mitigate against the adverse effects of natural and/or other hazards. 7) Alteration of contour, earthworks and clearance of vegetation.	1) Where access is via a RIGHT OF WAY: <ul style="list-style-type: none"> - the extent to which the RIGHT OF WAY is capable of handling extra traffic or parking from the land use associated with the subdivision; - whether the RIGHT OF WAY could be reasonably upgraded to meet the extra usage; - whether the extra use of the RIGHT OF WAY places it beyond the scale of development which a RIGHT OF WAY could reasonably be expected to provide access; - effects on the amenity of ALLOTMENTS adjoining the RIGHT OF WAY; and - any adverse effects on the ROAD TRANSPORTATION NETWORK 2) Where an ALLOTMENT includes a CONTAMINATED SITE, the extent of contamination, proposed use of the ALLOTMENT and mitigation measures proposed. 3) Effects of ALLOTMENT size and shape on the character of the area, amenities of the neighbourhood and the potential efficiency and range of uses of the land. 4) The effect of the subdivision on natural features, SIGNIFICANT NATURAL AREAS, OUTSTANDING or REGIONALLY SIGNIFICANT LANDSCAPES, Category A heritage BUILDINGS or items and their settings, vegetation, wetlands, or other habitats of wildlife and any existing or proposed protection or enhancement measures. 5) The effect of any methods used to make the ALLOTMENT suitable for the purpose of the subdivision on: <ul style="list-style-type: none"> - the land form; or - the likelihood or magnitude of natural hazard events. 6) Effects of natural hazards on potential uses of the ALLOTMENT and any methods proposed to avoid or mitigate against them. 7) Any intensification of land use due to the subdivision or consequent use and the extent to which this will increase risk to human life, property, INFRASTRUCTURE and the environment.
Bus71	minimum ALLOTMENT size, not including the area required to give access to rear ALLOTMENTS where created solely for NETWORK UTILITIES, ROADS, reserves or access or within the BUSINESS A, B and C ENVIRONMENT AREAS	n/a	no minimum	n/a		
Bus72	within the BUSINESS D ENVIRONMENT AREAS	n/a	300m ²	250m ²		
Bus73	requirement to provide PRACTICABLE vehicular access to ALLOTMENTS from a ROAD*, except where created solely for NETWORK UTILITIES, ROADS or reserves	n/a	meets the requirements specified in Appendix 22.2A	does not meet the standards and terms for a controlled activity		
Bus74	of an ALLOTMENT that will require a ROAD to be vested as legal ROAD	n/a	n/a	under all circumstances		
Bus75	requirement for services - stormwater disposal, water supply and sewage disposal	n/a	meets the requirements specified in Appendix 22.2	does not meet the standards and terms for a controlled activity		
Bus76	requirement for a BUILDING platform	n/a	meets the requirements specified in Appendix 22.1	does not meet the standards and terms for a controlled activity		

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Bus77	requirement for existing BUILDINGS to meet standards in relation to the new boundaries	meets the relevant conditions for a permitted activity	meets the relevant standards and terms for a controlled activity	does not meet the conditions for a permitted activity nor the standards and terms for a controlled activity	8) Amalgamation requirements. 9) Easement requirements. 10) Financial contributions. 11) INDICATIVE ROADS	8) Whether the size of the ALLOTMENTS enables use of them in compliance with the relevant rules of the plan for permitted activities or standards and terms for controlled activities (i.e. setback requirements, etc). 9) Whether the non-compliance of BUILDINGS with the required standards for permitted activities will adversely affect the character or other aspects of the environment. 10) Effects of the proposed ROADING pattern and subdivision on the INDICATIVE ROADING pattern shown on the planning maps. 11) Effects on existing traffic levels, the ROAD TRANSPORTATION NETWORK, access, stormwater management, POTABLE WATER supply, and wastewater reticulation. 12) Ability to provide services to an acceptable standard by alternative means. 13) The effect of the subdivision on the ability to service adjoining ALLOTMENTS. 14) The extent to which public space areas for recreation, conservation, or pedestrian/cycle access purposes are provided for. 15) The extent to which the proposal has regard to Maori values, particularly any traditional, cultural, or spiritual aspect relating to the land. 16) Any proposed measures to avoid, remedy or mitigate adverse effects, including any environmental compensation proposed. 17) Extent to which the financial contribution may be met by offsets as outlined in Appendix 5. 18) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus78	requirement for financial contributions	n/a	meets the requirements specified in Appendix 5	does not meet the standards and terms for a controlled activity		

* Note: Where a subdivision proposal requires access from a STATE HIGHWAY, applicants should consult Transit New Zealand.

Rules that apply to all land uses

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
LIGHT						
Emission of light (excluding TEMPORARY EVENTS)						
Bus79	maximum level of LIGHT OVERSPILL, measured at: - any point at a distance of 2m or greater from within the boundary of any RECEIVING SITE ; or where any part of a BUILDING located within a RECEIVING SITE is within 2m of the boundary of that SITE, LIGHT OVERSPILL may be measured at the exterior surface of any window of any HABITABLE ROOM RESIDENTIAL ENVIRONMENT AREAS	10 lux (in both the horizontal and vertical planes)	n/a	greater than 10 lux (in both the horizontal and vertical planes)	n/a	1) HEIGHT, direction, angle and shielding of light source. 2) Screening of the light source, including fences and planting. 3) Contrast of background illumination. 4) Duration of light emission. 5) The amount of light emission measured in lux. 6) The extent to which the light source: - adversely impacts on local amenity; - is necessary for reasons of safety or security, enhanced amenity or public enjoyment; and - can be modified, shielded, screened or operated so as to mitigate any adverse effects arising from excessive light levels. 7) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus80	BUSINESS, INDUSTRIAL or OPEN SPACE ENVIRONMENT AREAS	20 lux (in both the horizontal and vertical planes)	n/a	greater than 20 lux (in both the horizontal and vertical planes)		
Bus81	- the NOTIONAL BOUNDARY of any RECEIVING SITE located within the RURAL ENVIRONMENT AREA	10 lux (in both the horizontal and vertical planes)	n/a	greater than 10 lux (in both the horizontal and vertical planes)		

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
NOISE						
Emission of noise						
Bus82	noise generated by CONSTRUCTION WORK, measured in accordance with NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work	meets the conditions for a permitted activity as specified in Table 12.1 in Appendix 12	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Ambient noise levels. 2) The length of time, and the level by which, the noise standards (refer to Appendix 12) will be exceeded, particularly at night. 3) The nature and location of nearby activities and the effects they may experience resulting from increased noise levels. 4) Whether the noise levels are likely to detract from the amenity or general environmental quality of the area in which they are received. 5) Whether the noise levels are likely to cause sleep disturbance or result in adverse health effects. 6) The topography of the SITE and any influence this may have on noise transmission. 7) Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. SITE layout and design, design and location of STRUCTURES, BUILDINGS and equipment and the timing of operations). 8) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus83	noise generated by wind turbines, measured in accordance with NZS 6808:2010 Acoustics - Wind Farm Noise	meets the conditions for a permitted activity as specified in Table 12.1 in Appendix 12	n/a	does not meet the conditions for a permitted activity		
Bus84	noise generated by EMERGENCY SERVICES, measured in accordance with NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound	meets the conditions for a permitted activity as specified in Table 12.1 in Appendix 12	n/a	does not meet the conditions for a permitted activity		
Bus85	noise generated by any other activity (excluding TEMPORARY EVENTS), measured in accordance with NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound	meets the conditions for a permitted activity as specified in Table 12.1 in Appendix 12	n/a	does not meet the conditions for a permitted activity		

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
TRAFFIC AND TRANSPORT						
Requirement to provide VEHICLE ACCESS POINTS, on-SITE parking for MEDIUM SERVICE VEHICLES or larger, standing areas, and on-SITE manoeuvring and queuing (excluding TEMPORARY EVENTS)						
Note: If parking is provided, then the design of it is required to meet the dimension requirements as required by Bus87 and Part B of Appendix 23.						
Bus86	VEHICLE ACCESS POINT	meets the conditions for a permitted activity as specified in Part A in Appendix 23	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Whether the VEHICLE ACCESS POINT is sufficiently removed from an intersection having regard to traffic volumes on the roads, the 85th percentile speed of VEHICLES on ROADS and any other factors that will prevent congestion and confusion between VEHICLES turning at the VEHICLE ACCESS POINT or at the intersection. 2) Whether there is a need to separate entry and exit points in order to reduce potential traffic confusion or congestion. 3) Whether the physical form of the ROAD will minimise the adverse effects of inappropriate access manoeuvres, for example whether the ROAD offers good visibility, the presence of solid median to stop right hand turns, or a flush median to assist right hand turns. 4) Whether particular mitigation measures such as an acceleration or deceleration lane are required due to the volume of and speed of VEHICLES on the ROAD. 5) Any cumulative effects of extra VEHICLE ACCESS POINTS on the function of the ROAD BOUNDARY in terms of its position in the ROADING HEIRARCHY. 6) Whether the speed environment on the ROAD, as determined by the 85th percentile speed data, is such that the sight distance standards in the plan can be safely reduced. 7) The types of VEHICLES serving the SITE, their intensity, the time of day the SITE is frequented and the likely anticipated VEHICLE generation. 8) Whether parking provided on a separate SITE is compatible with the surrounding land uses. 9) Whether it can be demonstrated that a less than normal incidence of traffic generation and associated parking for MEDIUM SERVICE VEHICLES or larger, LOADING or STANDING SPACES will be required by the proposal. 10) Whether it is physically practicable to provide the required parking for MEDIUM SERVICE VEHICLES. LOADING, STANDING , QUEUING and/or MANOEUVRING SPACES in the SITE in terms of existing location of the BUILDINGS, DEFINED RETAIL FRONTAGE, and access to the ROAD, or topography.
Bus87	parking	meets the conditions for a permitted activity as specified in Part B in Appendix 23	n/a	does not meet the conditions for a permitted activity	<ol style="list-style-type: none"> 1) Signage 2) Design 3) Location 4) Formation 	
Bus88	LOADING and STANDING SPACE	meets the conditions for a permitted activity as specified in Part C in Appendix 23	n/a	does not meet the conditions for a permitted activity	n/a	
Bus89	DRIVEWAY	meets the conditions for a permitted activity as specified in Part D in Appendix 23	n/a	does not meet the conditions for a permitted activity	n/a	
Bus90	on-SITEMANOEUVRING SPACE	meets the conditions for a permitted activity as specified in Part E in Appendix 23	n/a	does not meet the conditions for a permitted activity	n/a	
Bus91	on-SITE QUEUING SPACE	meets the conditions for a permitted activity as specified in Part F in Appendix 23	meets the standards and terms for a controlled activity as specified in Part F in Appendix 23	does not meet the conditions for a permitted activity nor the standards and terms for a controlled activity	<ol style="list-style-type: none"> 1) QUEUING SPACE 2) Design 3) Location 4) Formation 	

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
						<p>11) Whether the parking for MEDIUM SERVICE VEHICLES or larger, LOADING, STANDING, QUEUING and/or MANOEUVRING SPACES will be required for use outside of peak traffic, cyclist or pedestrian flows.</p> <p>12) Whether the design, grade or formation of the alternative construction of LOADING or STANDING SPACE, or DRIVEWAY will assist in managing any actual or potential adverse effects that arise.</p> <p>13) The adverse effects of using parking, LOADING or STANDING SPACES for manoeuvring and/or QUEUING SPACE.</p> <p>14) Whether a significant adverse visual or nuisance effect on the character and amenity of the surrounding area will occur as a result of not providing the required parking for MEDIUM SERVICE VEHICLES or larger, design or formation of all parking spaces, LOADING, STANDING, QUEUING and/or MANOEUVRING SPACE or access in the required manner.</p> <p>15) The adverse effects on the safety of people, both on and off the SITE, due to not providing the required parking for MEDIUM SERVICE VEHICLES or larger, design or formation of all parking spaces, LOADING, STANDING, QUEUING or MANOEUVRING SPACE, VEHICLE ACCESS POINT or DRIVEWAY and/or inappropriate design or construction of these.</p> <p>16) The extent to which the safety and efficiency of the ROAD TRANSPORTATION NETWORK would be adversely affected by parking, loading, manoeuvring and/or queuing VEHICLES due to inappropriate design or construction.</p> <p>17) Whether the protection and reuse of a Category A heritage BUILDING or item mitigates the adverse effects of reduced number of parking spaces for MEDIUM SERVICE VEHICLES or larger, LOADING and/or STANDING SPACES and the provision or reduction of QUEUING and/or MANOEUVRING SPACES.</p> <p>18) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising:</p> <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Bus92	requirement to provided landscaping where a SITE located within the BUSINESS B or C ENVIRONMENT AREAS contains eight or more formed car parking spaces or an equivalent sized parking area, visible from an adjoining ROAD	<ol style="list-style-type: none"> 1) One TREE per eight spaces shall be planted and maintained. 2) The TREE(S) shall be located anywhere within the parking area or between the parking area and the ROAD 3) The TREE(S) shall be a minimum of 1.5m in HEIGHT at installation. 4) Where VEHICLE parking or manoeuvring is located within the DRIPLINE AREA of any of these TREES barriers shall be installed to ensure that VEHICLES do not damage these TREES. 5) Where existing TREES located within this area are to be retained, these may be used as part of the required landscaping provided they meet the above conditions. 	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Any adverse visual effects due to reduced or no planting of the parking area, on the character of the area. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) The ability to mitigate any adverse visual effects from the ROAD, resulting from reduced or no planting of the parking area, through alternative means. 4) The ability of the topography, existing planting and the layout of the SITE to mitigate any adverse visual effects from the ROAD, resulting from reduced or no planting of the parking area. 5) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus93	requirement to provide landscaping where a SITE located within a BUSINESS D ENVIRONMENT AREA contains four or more formed CAR PARKING spaces or an equivalent sized parking area, visible from an adjoining ROAD	<ol style="list-style-type: none"> 1) One TREE per four spaces shall be planted and maintained. 2) The TREE(S) shall be located anywhere within the parking area or between the parking area and the ROAD. 3) The TREE(S) shall be a minimum of 1.5m in HEIGHT at installation. 	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Any adverse visual effects due to reduced or no planting of the parking area, on the character of the area. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) The ability to mitigate any adverse visual effects from the ROAD, resulting from reduced or no planting of the parking area, through alternative means. 4) The ability of the topography, existing planting and the layout of the SITE to mitigate any adverse visual effects from the ROAD, resulting from reduced or no planting of the parking area.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
		<p>4) Where VEHICLE parking or manoeuvring is located within the DRIPLINE AREA of any of these TREES barriers shall be installed to ensure that VEHICLES do not damage these TREES.</p> <p>5) Where existing TREES located within this area are to be retained, these may be used as part of the required landscaping provided they meet the above conditions.</p>				<p>5) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising:</p> <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.
Bus94	requirement to provide landscaping, where a SITE contains four or more formed car parking spaces or an equivalent sized parking area, visible from an adjoining RESIDENTIAL ENVIRONMENT AREA	<p>shall be screened by either:</p> <ol style="list-style-type: none"> 1) a solid fence or wall of a minimum HEIGHT of 1.8m, or 2) landscaping or TREES of a minimum HEIGHT of 1m at installation which will achieve a continuous screen of a minimum of 1.8m in HEIGHT and 1.5m in width within five years; or 3) a combination of both located between the parking area and those boundaries which adjoin the RESIDENTIAL ENVIRONMENT AREA. <p>Where VEHICLE parking or manoeuvring is located within the DRIPLINE AREA of any of this landscaping or TREES, barriers shall be installed</p>	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1) Any adverse visual effects of non-compliance on the outlook and privacy of adjoining SITES in RESIDENTIAL ENVIRONMENT AREAS. 2) Any adverse visual effects on the New Plymouth entrance corridors. 3) The distance of the parking area from the boundary with the RESIDENTIAL ENVIRONMENT AREA. 4) The time period for which the parking area will be used. 5) The number and type of VEHICLES parked in the area. 6) The ability of the topography or existing vegetation within the locality to mitigate any adverse visual effects, resulting from non-compliance, on adjoining SITES in the RESIDENTIAL ENVIRONMENT AREA. 7) The ability to mitigate any adverse visual effects of the car parking area on adjoining SITES in the RESIDENTIAL ENVIRONMENT AREA through alternative methods. 8) Where the use of a SITE is for RENEWABLE ELECTRICITY GENERATION ACTIVITIES, the alternative locations and methods that have been considered to avoid, remedy or mitigate any adverse effects, recognising: <ul style="list-style-type: none"> - the practical constraints associated with RENEWABLE ELECTRICITY GENERATION ACTIVITIES; and - the environmental benefits of RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
			Controlled	Discretionary		
		to ensure that VEHICLES do not damage this landscaping or TREES.				

Note: A recommended list of species for specific locations within the district is available from the COUNCIL.

TEMPORARY EVENTS

Requirement to operate a TEMPORARY EVENT

Bus95	the operation of a TEMPORARY EVENT	n/a	a TEMPORARY EVENT that occurs no more than six times on any one SITE in a calendar year	does not meet the conditions for a controlled activity	<ol style="list-style-type: none"> 1) On-site CONSUMPTION OF LIQUOR. 2) LIGHT OVERSPILL. 3) Noise management. 4) The management of traffic. 5) The provision of information about the activity to adjoining and nearby neighbours. 6) Storage, preparation and sale of food. 7) Toilet and other facilities necessary for the health and safety of patrons, staff, contractors and performers. 8) Potable water supply. 9) First aid facilities. 10) Fire safety and emergency egress. 11) Recycling and solid waste disposal facilities. 12) Duration of the event and hours of operation. 13) Advertising signage. 14) Location and construction of STRUCTURES and BUILDINGS. 	<ol style="list-style-type: none"> 1) Whether traffic management techniques have been considered and where necessary have been implemented for the event (eg road closure, on-site maneuvering) and if the techniques are considered appropriate to mitigate adverse effects associated with increased traffic. 2) Whether the sale and consumption of liquor is being effectively managed. 3) LIGHT OVERSPILL is managed to reduce impacts on surrounding properties. 4) Whether all potential adverse effects associated with the surrounding amenity have been appropriately mitigated. 5) The surrounding neighbours to the event have been informed about the event and given appropriate information. 6) Noise has been appropriately assessed by a qualified and experienced person and potential adverse effects mitigated. (e.g. noise monitoring condition).
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Note: Full information on the notification of applications for resource consents is given in the implementation section of the plan (page 381)

Rule No.	Parameter	Conditions Permitted	Standards and Terms		Matters over which control is reserved	Assessment Criteria
			Controlled	Discretionary		COUNCIL has <u>restricted</u> the exercise of its discretion to these matters for <u>land use consents</u>
Bus96	noise generated by a TEMPORARY EVENT measured in accordance with NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound	meets the conditions for a permitted activity as specified in Table 12.1A in Appendix 12	n/a	does not meet the conditions for a permitted activity	n/a	<ol style="list-style-type: none"> 1). Consideration of the existing ambient noise levels. 2) The length of time that specified noise levels will be exceeded (particularly at night). 3) The potential for cumulative noise effects which may result in adverse effects on noise receivers. 4) The maximum level of noise likely to be generated, its nature, character and frequency, and the disturbance this may cause to people in the vicinity. 5) The extent to which the noise effects can be appropriately mitigated. 6) The positive effects associated with the TEMPORARY EVENT. 7) The potential adverse effects on the amenity, health and safety of surrounding environment.

TOPICS

Amenity, Health and Safety

HAZARDOUS
SUBSTANCES

Heritage

Natural
Hazards

Traffic and Transport

Works and
Services

Policy Number

Rule	1.1	1.2	1.3	2.1	2.3	2.4	2.5	3.1	5.1	5.2	5.3	7.1	7.2	10.1	10.2	10.3	11.4	12.1	13.1	20.1	20.2	20.3	20.4	20.6	20.7	22.1	22.2	Rule	
Bus25								•																				Bus28	
Bus26								•																					Bus29
Bus27	•	•									•	•																	Bus30
Bus28																								•					Bus31
Bus29																								•					Bus32
Bus30																								•					Bus33
Bus31																								•					Bus34
Bus32																								•					Bus35
Bus33																								•					Bus36
Bus34																								•					Bus37
Bus35	•											•																	Bus38
Bus36	•											•												•					Bus39
Bus37	•											•												•					Bus40
Bus38	•											•												•					Bus41
Bus39	•											•												•					Bus42
Bus40	•											•												•					Bus43
Bus41	•											•												•					Bus44
Bus42	•											•												•					Bus45
Bus43	•											•												•					Bus46
Bus44	•											•												•					Bus47
Bus45																								•					Bus48
Bus46	•											•												•					Bus49
Bus47	•											•												•					Bus50
Bus48																								•					Bus51
Bus49																								•					Bus52
Bus50																								•					Bus53

TOPICS																													
Amenity, Health and Safety														HAZARDOUS SUBSTANCES		Heritage	Natural Hazards	Traffic and Transport						Works and Services					
Policy Number																													
Rule	1.1	1.2	2.1	2.3	4.3	5.1	5.2	5.3	6.3	6.4	7.1	8.1	9.1	10.1	10.2	10.3	11.4	12.1	13.1	20.1	20.2	20.3	20.4	20.6	20.7	22.1	22.2	Rule	
Bus77	•																											Bus77	
Bus78						•																					•	•	Bus78
Bus79	•	•	•																										Bus79
Bus80	•	•	•																										Bus80
Bus81	•	•	•																										Bus81
Bus82	•			•																									Bus82
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Bus91																						•							Bus91
Bus92	•							•			•																		Bus92
Bus93	•							•			•																		Bus93
Bus94		•						•																					Bus94
Bus95				•	•				•	•	•	•	•																Bus95
Bus96																													Bus96

