Section 16B

16B Purpose of the Rural Marae Community Zone

The Rural Marae Community Zone is based around rural marae and provides for marae-based activities. Marae activities may range from tangi and hui through to the provision of residential accommodation, health, education, recreation and social services. The mix, design and operation of these facilities can be considered unique to marae. Rural marae are not able to connect to reticulated services and housing numbers and the environmental effects on local water and soil values of increases in housing numbers must be carefully considered.

16B.1 Objectives for the Rural Marae Community Zone

16B.1.1 Objective - Marae Community Development

a) To recognise and provide for the use and development of marae to meet the evolving needs of their iwi, hapu and whanau;
b) To allow tangata whenua opportunities to exercise kaitiakitanga over marae resources in their respective hapu areas.

16B.1.1.1 Policy - Rural Marae Community Zone

Applying a Marae Community Zone which:
a) Recognises marae as a focus and integral component of kainga;
b) Permits the establishment of education, health, social service, recreation and housing facilities and home-based businesses, as well as facilities associated with more traditional marae uses where these comply to Permitted Activity conditions including development thresholds;
c) Provides for residential activities at a density higher than in the other rural zones provided that water supply and waste disposal can be addressed on-site.

Note: Council supports the use of Te Keteparaha Mo Nga Papakainga (Maori Housing Toolkit) as a guide for tangata whenua considering undertaking a papakainga development in their Rural Marae Community Zone.

16B.1.2 Objective – Bulk and Scale of Buildings in the Rural Marae Community Zone

Buildings that are of a bulk and scale compatible with the existing and anticipated rural character of low height of building, and separation of buildings.

16B.1.2.1 Policy - Bulk and Scale of Buildings in the Rural Marae Community Zone - Building Height and Overshadowing

By ensuring buildings are restricted to a height and building envelope that:
a) Provides flexibility for a range of rural and residential building forms in the varied topographical conditions of the Rural Marae Community Zone;
b) Avoids the potential adverse impacts of over height buildings on surrounding dwellings, and, as viewed from public open space including the streetscape or skyline, overshadowing, overlooking or visual dominance of buildings;
c) Avoids potential adverse effects of overshadowing on surrounding properties, particularly on dwellings.
16B.1.3 Objective – Site Layout and Building Design in the Rural Marae Community Zone

Development within the Rural Marae Community Zone provides for the cultural mix of activities within the marae, but is still compatible with the existing and anticipated rural character and amenity of the zone and is set out on site to address potential reverse sensitivity effects for primary production activities on surrounding sites.

16B.1.3.1 Policy – Site Layout and Building Design in the Rural Marae Community Zone

By ensuring development in the Rural Marae Community Zone:

a) Provides flexibility for the owners to direct the internal development of multiple housing;

b) Provides at the external boundaries of the Rural Marae Community Zone for:
   i) Building setbacks with adjoining sites that ensure a physical separation of buildings which contribute to the visual and aural privacy of adjoining sites;
   ii) Building setbacks that ensure a physical separation between sensitive activities such as residential activity, pig farming and factory farming;
   iii) Building setbacks from the road boundary to provide a consistent streetscape that provides opportunities for landscape planting and the maintenance of an open rural character as viewed from roads;

c) Provides for physical needs of the development, in terms of water supply and waste disposal, without adverse effects on the environment;

d) Provides an appropriate setback from areas of natural character, or land within the Conservation Zone sufficient to preserve the amenity, character and intrinsic natural values of those areas.
16B.2 Activity Status Rules

16B.2.1 Activities in Rural Marae Community Zones

All activities in Rural Marae Community Zones shall have the status identified in Table 16B.1: Rural Marae Community Zones Activity Status. Symbols used in Table 16B.1: Rural Marae Community Zones Activity Status have the meaning described in Table 1A.2: Activity Status.

Table 16B.1 – Rural Marae Community Zones Activity Status

<table>
<thead>
<tr>
<th>Use/Activity</th>
<th>Relevant Rule</th>
<th>Rural Marae Community Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory buildings, structures or activities</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Business activities not listed elsewhere in this Activity Table</td>
<td>16B.7</td>
<td>NC</td>
</tr>
<tr>
<td>Cemeteries</td>
<td>16B.7</td>
<td>NC</td>
</tr>
<tr>
<td>Health centres</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Home-based businesses</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Independent dwelling unit</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Industrial activities</td>
<td>16B.7</td>
<td>NC</td>
</tr>
<tr>
<td>Marae-based activities including wharenui, wharekai, whareumu, pataka, tari (offices) and recreational and community facilities</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Mineral Prospecting and Mineral Exploration</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Mining</td>
<td>16B.6</td>
<td>D</td>
</tr>
<tr>
<td>Pig farming</td>
<td>16B.7</td>
<td>NC</td>
</tr>
<tr>
<td>Primary production activities, including forestry or factory farming</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Produce stall</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Minor public recreational facilities and activities</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Schools, Kohanga Reo, Kura Kaupapa Maori, Whare Kura</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Secondary independent dwelling unit</td>
<td>16B.7</td>
<td>NC</td>
</tr>
<tr>
<td>Tertiary education premises</td>
<td>16B.3</td>
<td>P</td>
</tr>
<tr>
<td>Urupa</td>
<td>16B.3</td>
<td>P</td>
</tr>
</tbody>
</table>
16B.3 Permitted Activity Rules

Note: Where an activity does not comply with a Permitted Activity Rule it shall be considered a Restricted Discretionary Activity unless stated otherwise.

16B.3.1 Development Density and Scale

Maximum development density on a site shall be one independent dwelling unit per 800 m² or such greater area of land required to service the independent dwelling unit by an approved on-site effluent treatment system, up to a maximum total of independent dwelling units within a Rural Marae Community Zone as follows:

<table>
<thead>
<tr>
<th>Rural Marae Community</th>
<th>Total Independent Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Ngati Hangarau</td>
<td>50</td>
</tr>
<tr>
<td>b) Tamapahore</td>
<td>35</td>
</tr>
<tr>
<td>c) Tahuwhakatiki</td>
<td>30</td>
</tr>
<tr>
<td>d) Hungahungatoroa</td>
<td>50</td>
</tr>
<tr>
<td>e) Waikari</td>
<td>50</td>
</tr>
<tr>
<td>f) Other Rural Marae Community Zone</td>
<td>2</td>
</tr>
</tbody>
</table>

Note: Any activity that does not comply with Permitted Activity Rule 16.B.3.1 a), b), c), or d) or e) – Development Density and Scale shall be considered a Non-Complying Activity.

Note: Any activity that does not comply with Permitted Activity Rule 16B.3.1 f) – Development Density and Scale shall be considered a Controlled Activity.

16B.3.2 Building Height

a) The maximum height of any building, with the exception of the permitted intrusions in Rule 4H.2.3 – Permitted Height and Viewshaft Protection Area Intrusions shall be 9 metres;

b) Provided that no building or structure within any identified Viewshaft Protection Area with the exception of the Permitted Intrusions in Rule 4H.2.3 – Permitted Height and Viewshaft Protection Area Intrusions, shall exceed the maximum height identified within the Plan Maps (Part B).

Note: Any activity that does not comply with the Permitted Activity Rule 16B.3.2 – Building Height shall be considered a Discretionary Activity.

16B.3.3 Streetscape

a) All buildings with a frontage to a legal road shall be setback 5 metres from the road boundary of the site;

b) All buildings on a site adjoining a Future Road Widening designation (as identified on the Plan Maps (Part B) shall have the required setback measured from that designation boundary;

c) The provision of on-site parking shall not be located within the required streetscape setback.

16B.3.4 Setbacks

a) All buildings, excluding any setback intrusions permitted under Rule 4H.2.1 – Permitted Setback Intrusions, shall be setback a minimum of 5 metres to any external zone boundary;

b) No dwelling (other than a dwelling on the subject site), school or tertiary education premises shall be established closer than 500 metres to an existing factory farming activity or pig farming activity (either intensive or extensive);

c) All new buildings, excluding minor structures and activities, and artificial crop protection structures, shall be setback a minimum of 60 metres from Mean High Water Springs;
d) All new buildings, excluding minor structures and activities and artificial crop protection structures, shall be setback a minimum of 20 metres from the edge of a bank of a permanently flowing river or stream, or wetland;

e) No activity shall result in the clearance of more than $10m^2$ of indigenous vegetation on any site within 60 metres from Mean High Water Springs or 20 metres from the edge of a bank of a permanently flowing river or stream, or wetland in any calendar year, excluding:

i) Minor structures and activities;

ii) Minor public recreational facilities and activities (in relation to the Greenbelt Zone only);

iii) The construction and maintenance of stormwater reserves and stormwater overland flowpaths;

iv) The maintenance of existing farm tracks and fencelines in existence at the date of notification of the Plan (17th October 2009);

f) Where a site adjoins an Open Space Zone or the Coastal Marine Area, the common boundary (that being the zone boundary) may be fenced to a maximum of:

i) 1.2 metres in height; or

ii) 1.8 metres in height, being either constructed entirely of visually permeable materials or with the upper 0.6 metres consisting of visually permeable materials.

Note: Any activity that does not comply with Permitted Activity Rule 16B.3.4 Setbacks, unless stated otherwise shall be considered a Restricted Discretionary Activity.

Note: Rule 16B.3.4 c) – f) Setbacks shall not apply to the Matapihi Peninsula as identified in Appendix 16A: Matapihi Rural Area.

16B.3.5 Overshadowing

All buildings, excluding any overshadowing intrusions permitted under Rule 4H.2.2 – Permitted Overshadowing Envelope Intrusions, shall be within a building envelope calculated in accordance with Appendix 14C: Overshadowing, with the exception that Appendix 14C: Overshadowing shall apply only at the boundaries of the zone, and shall not apply between buildings on the site.

16B.3.6 Home-based business

a) Every home-based business may employ not more than two other persons (Full Time Equivalent (FTE)), additional to the members of the household who permanently reside on the site and who own and operate the business from that site;

b) The activity shall be carried out either wholly within a dwelling, within an accessory building, or in an outdoor yard clearly designed and constructed for the purpose. The maximum gross floor area of any associated building and/or outdoor activity area used in conjunction with the home-based business shall be $50m^2$;

c) Retail sales from a home-based business shall be limited to those goods and materials produced by the business and shall take place within a building or structure located on the same site and the area occupied for retail sales shall be a constituent part of the total gross area used for the home-based business or combination of businesses.

Note: Any activity that does not comply with Permitted Activity Rule 16B.3.6 – Home-based Business shall be considered a Non-Complying Activity.

16B.3.7 Produce Stalls

Produce stalls shall have a maximum gross floor area per site of $50m^2$.

Note: Any activity that does not comply with Permitted Activity Rule 16B.3.7 – Produce Stalls shall be considered a Non-Complying Activity.

16B.3.8 Factory Farming

No factory farming activity (either intensive or extensive) shall be established closer than 500 metres from the boundary of the site on which the activity is proposed to be established.
16B.3.9 Forestry
a) The last row of tree plantings for any forestry activity shall be located no closer than 20 metres to any dwelling, or any road boundary, or a non-Rural Zone boundary.

16B.3.10 Kohanga reo, Kura Kaupapa Maori, Whare kura, Schools and Tertiary Education Premises
a) The total overall maximum number of students on-site in each Rural Marae Community Zone shall be 50.

Note: Any activity that does not comply with Permitted Activity Rule 16B.3.10 – Kohanga reo, Kura Kaupapa Maori, Whare kura, Schools and Tertiary Education Premises shall be considered a Discretionary Activity.

16B.3.11 Health Centre
a) Health centres shall be designed to ensure the maximum occupancy of Full Time Equivalent Staff on the site is 4;
b) Only one health centre may be established in each Rural Marae Community Zone.

Note: Any activity that does not comply with Permitted Activity Rule 16B.3.11 – Health Centre shall be considered a Discretionary Activity.

16B.3.12 Clearance of Indigenous Vegetation
No activity shall result in the clearance of more than 100m² of indigenous vegetation in any calendar year.

Note: Any activity that does not comply with Permitted Activity Rule 16B.3.12 – Clearance of Indigenous Vegetation shall be considered a Non-Complying Activity.

Note: Rule 16B.3.4 e) – Setbacks - is required to be met where indigenous vegetation is proposed to be cleared or removed within 60 metres from mean high water springs, 20 metres of the edge of a bank of any permanently flowing river or stream or 20 metres from any wetland.

16B.3.13 Rules in Other Sections of the Plan
Activities within the Rural Marae Community Zone shall also comply with the following Permitted Activity conditions found in other sections of the Plan:
a) The provisions of Chapter 4 – General Rules;
b) The provisions of Chapter 7 - Heritage;
c) The provision of Chapter 8 - Natural Hazards;
d) The provisions of Chapter 9 - Hazardous Substances and Contaminated Land;
e) The provisions of Chapter 11 – Financial Contributions;
f) The provisions of Chapter 12 – Subdivision, Services and Infrastructure, Section 12G – Purpose of the Services and Infrastructure Provisions;
g) The provisions of any Plan Area.
16B.4 Controlled Activity Rules

The following are Controlled Activities:

a) Any Permitted Activity that does not meet Rule 16B.3.1 f) – Development Density and Scale.

16B.4.1 Controlled Activities – Standards and Terms for Independent Dwelling Units in a Rural Marae Community Zone

Note: Any activity listed as a Controlled Activity that does not comply with a Controlled Activity Standards and Terms other than Rule 16B.4.1 d) shall be considered a Restricted Discretionary Activity.

Note: Any activity that does not comply with Permitted Activity Rule 16B.4.1 d) – Controlled Activities – Rural Marae Community Zone shall be considered a Non-Complying Activity.

a) The maximum density of independent dwelling units in a Rural Marae Community Zone shall be 10 independent dwelling units at maximum development intensity of one independent dwelling unit per 800m² or such greater area of land required to service the independent dwelling units by an approved on-site effluent treatment disposal system;

b) The independent dwelling units shall comply with the permitted activity conditions for the Rural Marae Community Zone in Rule 16B.3.2 – Building Height, Rule 16B.3.3 - Streetscape, Rule 16B.3.4 - Setbacks and Rule 16B.3.5 – Overshadowing;

c) The independent dwelling units shall comply with the permitted activity conditions in Rule 16B.3.12 - Clearance of Indigenous Vegetation and Rule 16B.3.13 - Rules in Other Sections of the Plan;

d) Home-based businesses: Each independent dwelling unit on the subject site may operate one home-based business in accordance with Rule 16B.3.6 – Home-based Business;

e) An Outline Development Plan shall be prepared for the subject site showing:

i) The location and extent of the area proposed to be used for housing within the Rural Marae Community Zone and the proposed layout and location of the independent dwelling units;

ii) Location of any wastewater, water supply, roading, stormwater services and associated equipment, reticulations and facilities;

iii) Details of any proposed staging of the development including time frames for completion.

16B.4.2 Controlled Activities – Matters of Control and Conditions – Independent Dwelling Units in the Rural Marae Community Zone

In assessing an application for a development containing 3 to 10 independent dwelling units in the Rural Marae Community Zone the matters over which Council has reserved control are:

a) The ability to mitigate potential adverse visual impacts on the low density and intensity character of the surrounding Rural Zones and potential impacts on primary production activities on the balance of the site and surrounding rural sites through the impositions of conditions relating to:

i) The layout and location of the dwellings on-site and proposed staging and timeframes;

ii) The provision of landscaping;

iii) The location of the access to serve the site development;

iv) Infrastructure provision, including financial contributions.

16B.5 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

a) Any Permitted Activity that does not comply with:

i) Rule 16B.3.3 – Streetscape;

ii) Rule 16B.3.4 - Setbacks;

iii) Rule16B.3.5 – Overshadowing;

iv) Rule 16B.3.8 - Factory Farming;

v) Rule 16B.3.9 – Forestry;

vi) Rule 16B.3.10 – Other.
b) New, or alterations to existing fences, where a site adjoins an Open Space Zone, the Coastal Marine Area or the edge of a bank of a permanently flowing river or stream, or wetland located within the defined setback where that fence is proposed to be constructed greater than:
   i) 1.2 metres in height;
   ii) 1.8 metres in height and does not consist of visually permeable materials;

c) The clearance of more than 10m² of indigenous vegetation on a site in any calendar year;

d) Any activity described as a Controlled Activity that does not comply with a Controlled Activity standard and term other than Rule 16B.3.2 – Building Height;

e) Any activity listed in Table 16B.1: Rural Marae Community Zones Activity Status as Restricted Discretionary.

16B.5.1 Restricted Discretionary Activities – Standards and Terms
Independent Dwelling Units in a Rural Marae Community Zone

Note: Any activity that does not comply with Rule 16B.5.1 – Restricted Discretionary – Standards and Terms for Independent Dwelling Units in a Rural Marae Community Zone shall be considered a Non-Complying Activity.

a) The maximum density of independent dwelling units in a Rural Marae Community Zone shall be 30 independent dwelling units at maximum development intensity of one independent dwelling unit per 800m² or such greater area of land required to service the independent dwelling units by an approved on-site effluent treatment disposal system;

b) The independent dwelling units shall comply with the permitted activity conditions for the Rural Marae Community Zone in Rule 16B.3.2 – Building Height, Rule 16B.3.3 - Streetscape, Rule 16B.3.4 - Setbacks and Rule 16B.3.5 – Overshadowing;

c) The independent dwelling units shall comply with the permitted activity conditions in Rule 16B.3.12 - Clearance of Indigenous Vegetation and Rule 16B.3.13 - Rules in Other Sections of the Plan;

d) Home-based businesses: Each independent dwelling unit on the subject site may operate one home-based business in accordance with Rule 16B.3.6 – Home-based Business;

e) An Outline Development Plan shall be prepared for the subject site showing:
   i) The location and extent of the area proposed to be used for housing within the Rural Marae Community Zone and the proposed layout and location of the independent dwelling units;
   ii) Location of any wastewater, water supply, roading, stormwater services and associated equipment, reticulations and facilities;
   iii) Details of any proposed staging of the development, including time frames for completion.

16B.5.2 Restricted Discretionary Activities – Activities that do not comply with Rule 16B.3.4 c) – f) Setbacks; Activities subject to Rule 16B.5 b) and c) – Standards and Terms

Restricted Discretionary Activities shall comply with the following standards and terms:

a) A qualified landscape architect shall prepare a landscape and visual assessment for any application for resource consent;

b) The assessment shall have particular regard to the open space character and factors, values and associations that contribute to the areas landscape character and natural character, including its interface with the Coastal Marine Area, permanently flowing river or stream or wetland.

Note: Any activity that does not comply with Rule 16B.5.2 – Restricted Discretionary Activity – Activities that do not comply with Rule 16B.3.4 c) – f), Activities subject to Rule 16B.5 b) and c) – Restricted Discretionary Activity Rules - Standards and Terms shall be considered a Discretionary Activity.
16B.5.3 Restricted Discretionary Activities – Matters of Discretion and Conditions

The Council restricts the exercise of its discretion to:

16B.5.3.1 Streetscape

In considering activities that do not comply with Rule 16B.3.3 - Streetscape the Council restricts the exercise of its discretion to the extent to which a decrease in streetscape would:

a) Impact on the visual and aural privacy of occupants on adjoining and adjacent sites;

b) Lead to the visual dominance of buildings as viewed from the road and from adjoining and adjacent properties;

c) Adversely impact on the existing and anticipated rural landscape character as viewed from public areas, including the road and surrounding properties;

d) The extent of any mitigation measures proposed, including landscaping, the retention of existing vegetation, and the positioning of the development in relation to the existing physical contours of the site;

e) Imposition of conditions, that would avoid, remedy or mitigate these potential adverse impacts.

16B.5.3.2 Setbacks

a) In considering activities that do not comply with Rule 16B.3.4 - Setbacks the Council restricts the exercise of its discretion to the extent to which a decrease in setback would:

i) Impact on the visual and aural privacy of occupants in adjoining sites;

ii) Adversely impact on the existing and anticipated rural landscape character as viewed from public areas including the road and surrounding properties;

iii) The extent to which the proposal would address potential adverse impacts through design measures including but not restricted to, step in breaks in façades, and minimisation of the length of encroachment into the setback;

iv) The extent of any mitigation measures proposed including landscaping, the retention of existing vegetation, and the positioning of the development in relation to the existing physical contours of the site;

v) Imposition of conditions, that would avoid, remedy or mitigate these potential adverse impacts;

b) In considering activities that do not comply with Rule 16B.3.4 c), d), e), f) - Setbacks or Rule 16B.5 b) or c) – Restricted Discretionary Activity Rules the Council restricts the exercise of its discretion to:

i) The height, scale, and location of any building, structure, or sign;

ii) The use of material on the exterior of any building or structure, including the use of colour;

iii) The nature, location and extent of any proposed earthworks;

iv) The location and design of access, parking areas; infrastructure and services or fences;

v) Whether the proposed activity, building or structure will adversely affect the indigenous flora and fauna values and whether retention of indigenous and exotic vegetation, reinstatement of indigenous vegetation or provision of new indigenous planting is required;

vi) Whether the proposed activity, building or structure will adversely affect the factors, values and associations of a specific landscape feature and whether retention of specific landscape features or reinstatement of those features is required.

16B.5.3.3 Overshadowing

In considering activities that do not comply with Rule 16B.3.5 - Overshadowing the Council restricts the exercise of its discretion to:

a) The extent to which the proposal would overshadow other sites, particularly dwellings resulting in reduced sunlight and daylight;

b) Imposition of conditions, that would avoid, remedy or mitigate these potential adverse impacts.
16B.5.3.4 Factory Farming
In considering activities that do not comply with Rule 16B.3.8 - Factory Farming the Council restricts the exercise of its discretion to:

a) The imposition of conditions which would avoid, remedy or mitigate any adverse off-site effects arising from the activity’s failure to comply with the specified standard;

b) Consideration of any existing methods, rules or guidelines by the relevant industry which may assist in managing the effects of the activity on the environment.

16B.5.3.5 Forestry
In considering activities that do not comply with Rule 16B.3.9 - Forestry the Council restricts the exercise of its discretion to:

a) In the case of forestry not meeting the required setback from dwelling, or any road boundary, or a non-Rural Zone boundary the potential adverse effects of overshadowing effects on these adjoining properties and potential public safety effects in the event of trees toppling.

16B.5.4 Independent Dwelling Units in a Rural Marae Community Zone
The Council restricts the exercise of its discretion to:

a) The extent to which the intensity, density, building height and bulk and location of the proposed development will impact on the maintenance of open space and vegetation on the site, and on the overall pattern of low intensity and density that exists and is anticipated within the Rural Zones;

b) The extent of any mitigation measures proposed to address impacts on rural character and amenity including:
   i) The extent of proposed landscaping, including the retention of existing vegetation proposed to maintain and enhance an open vegetated character;
   ii) The use of the existing physical contours of the site and positioning or clustering of the development to contribute to the maintenance of a low intensity rural character;

c) The extent to which the development will impact on the maintenance of opportunities to use the balance of the site for primary production activities and the maintenance of opportunities to use the surrounding properties for primary production activities;

d) The infrastructure and servicing of the development;

e) The extent to which vehicular traffic generated by any activity can be accommodated without compromising the functionality of the road (taking into account its place in the hierarchy, traffic volumes, safety and efficient pedestrian movement);

f) Imposition of conditions, in relation to the matters of discretion.

16B.6 Discretionary Activity Rules
The following are Discretionary Activities:

a) All activities that are not listed as Permitted, Controlled, Restricted Discretionary or Non-Complying Activities;

b) Any activity listed as a Discretionary Activity in Table 16B.1: Rural Marae Community Zones Activity Status;

c) Any activity that does not comply with Permitted Activity Rule 16B.3.10 – Kohanga reo, Kura Kaupapa Maori, Whare kura, Schools and Tertiary Education Premises;

d) Any activity that does not meet Rule 16B.5.2 Restricted Discretionary Activity – Activities that do not comply with Rule 16B.3.4 c) – f), Activities subject to Rule 16B.5 b) and c) – Restricted Discretionary Activity Rules - Standards and Terms.

16B.6.1 Assessment of Discretionary Activities
In considering a Discretionary Activity the Council’s discretion is unrestricted. The Council will consider any matter within reason with particular regard to the relevant Objectives and Policies of the Plan.
16B.7 Non-Complying Activity

The following are Non-Complying Activities:

a) Any activity listed as a Permitted Activity that does not meet Rule 16B.3.1 a), b), c), d) or e) - Development Density and Scale;

b) Any activity listed as a Permitted Activity that does not meet Rule 16B.3.6 - Home-based Businesses;

c) Any activity listed as a Permitted Activity that does not meet Rule 16B.3.7 - Produce Stalls;

d) Any activity listed as a Permitted Activity that does not meet Rule 16B.3.10 – Kohanga reo, Kura Kaupapa Maori, Whare kura, Schools and Tertiary Education Premises;

e) Any activity listed as a Permitted Activity that does not meet Rule 16B.3.11 - Health Centres;

f) Any activity that does not meet Rule 16B.3.12 - Clearance of Indigenous Vegetation;

g) Any activity that does not meet Rule 16B.5.1 – Restricted Discretionary Activities – Standards and Terms for Independent Dwelling Units in a Rural Marae Community Zone;

h) Any activity listed in Table 16B.1: Rural Marae Community Zones Activity Status as Non-Complying Activities.