

Part 3: Area-Specific Matters

ZONES

RESERVES ZONES AND WATER ZONE – NGĀ WHENUA
RĀHUI, NGĀ RAWA Ā-HAPORI ME TE WAI

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CONSERVATION RESERVE (RESERVE 1) ZONE – NGĀ WHENUA RĀHUI

Status: CNSZ is Operative

INTRODUCTION

This part of the plan distinguishes the zone for conservation reserves which are not managed through a designation. The intention of this zones is to manage and allow for appropriate activities relative to the function and intention. These reserves are unique and provide for specific cultural, recreational, historic and natural significance at the national and local level.

Reserves are created and managed under different legislation. Each Act serves a different purpose and protects and addresses different aspects of the reserve and may limit the types of activities that take place on reserve land. The zone identified in this part of the plan manage activities that are beyond the scope of such legislation.

Zone	Code	Description
Reserve 1 Zone Conservation Reserves	CNSZ	Conservation reserves are publicly owned land administered by the Crown and the Rotorua District Council and include esplanade reserve areas and strips. The conservation reserves include areas of native bush and unique biodiversity areas that are nationally and regionally significant such as Mt Ngongotahā Scenic Reserve. Conservation reserves have a range of highly valued cultural and historical characteristics that are worth protecting for future generations and provide for recreation activities and public access to water bodies.

ISSUES

CNSZ-I1 Activities on the Conservation Reserves

Rotorua has a number of reserves containing significant indigenous vegetation, habitats and biodiversity. The lakes, rivers and streams are important components of the District's biodiversity and riparian margins can potentially play an important role to ecologically reconnect such habitats. It is important to manage the use and development to provide opportunities for the restoration of the natural character of riparian margins including habitat enhancement, fencing, re-vegetation and pest control. These reserves are used by the public and are recognised as having local, regional and national significance. A number of different recreational activities are also undertaken in the reserve zones which must be managed and operated in a manner that avoids, minimises or mitigates adverse effects on the amenity, character, biodiversity, cultural and historic values of the reserve and the surrounding area while continuing to allow for public enjoyment.

CNSZ-I2 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

CNSZ-13 Public Access to Lakes, Rivers and Streams

The Rotorua District contains an array of streams, lakes and rivers that support the variety of recreational opportunities that the District is renowned for. The use and values of the lakes, lakeside settlements and other lakeside resources for recreation including boating and the recreational use and value of jetties, boatsheds and boat ramps, have been features of the lakes and part of their character for generations. They provide opportunities for enhanced access to the waterbodies and add to recreational use. Their continued use is to be promoted.

The creation of esplanade reserves and strips is the most secure and effective mechanism to provide public access to these waterbodies, while they may not be appropriate in all areas. Their purpose under the RMA is to provide public access to and along these water bodies, to contribute to the protection of the natural character and water quality of lakes, rivers, streams, and enable recreational use of an esplanade reserve or strip where it is compatible with the conservation values attributed to it. Activities should be promoted which enhance and enable the public's ability to enjoy waterbodies and their margins. Activities that require exclusive use or impede other's use and enjoyment of the district's water bodies need to be managed to ensure that the purpose of these reserves is maintained and provide for the public's ability to enjoy the district's water bodies, whilst respecting adjacent land owners.

OBJECTIVES

Activities on the conservation reserves

CNSZ-01

[10.3(1)]

Maintain the high amenity, natural, cultural and historical values of reserves and provide for public recreation and access, whilst managing the adverse effects of activities, buildings and structures.

Policies CNSZ-P1 to CNSZ-P3

Reverse sensitivity

CNSZ-02

[1.3(10)]

Subdivision, use and development that enables the continued efficient operation of existing development and activities.

Policies CNSZ-P4

Activities located on the Surface of Rivers, Lakes and their Margins

CNSZ-03

[10.3(5)]

Recognising the value of lake structures and activities on the surface of the water, whilst the adverse effects are avoided, remedied or mitigated, including cumulative effects on the natural character and functioning of water bodies and their margins, as well as Māori culture and traditions.

Policies CNSZ-P5 to CNSZ-P6

POLICIES

Activities on the conservation reserves

Objective CNSZ-O1

CNSZ-P1 [10.3(1)(1)]	Manage the adverse effects of buildings, structures and activities on the amenity of the reserve environment and ensure that it is consistent with the purpose for which the land is held or the relevant reserve management plan.
CNSZ-P2 [10.3(1)(2)]	Restrict new buildings and structures on conservation reserves within 25 metres from water bodies, whilst allowing activities and minor structures for reserve management and public access, as well as the operation, maintenance and upgrade of existing structures.
CNSZ-P3 [10.3(1)(3)]	Manage adverse effects of activities on ancestral land, water, sites, wāhi tapu and other taonga through recognition of the relationship of tangata whenua with the land and associated resources.

Reverse Sensitivity

Objective CNSZ-O3

CNSZ-P4 [1.3(10)(1)]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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Activities located on the Surface of Rivers, Lakes and their Margins

Objective CNSZ-O4

CNSZ-P5 [10.3(5)(1)]	<p>Enable recreational and commercial activities, structures and buildings to occur on the surface of lakes and rivers, where adverse effects on the natural character and functioning of water bodies and their margins and Māori culture and traditions are avoided, remedied and mitigated, ensuring that, in particular:</p> <ol style="list-style-type: none"> 1. Existing lake structures continue to be used in a manner that does not increase adverse effects on the lake and lakeside settlements 2. New lake structures are enabled where: <ol style="list-style-type: none"> a. Reasonable need can be demonstrated for the lake structure, having regard to: <ol style="list-style-type: none"> i. The existing provision and availability of similar facilities in the surrounding area. ii. The contribution of the new lake structure to the social wellbeing of the community, the recreational values and use of the lakes, as well as environmental wellbeing. b. The public use of the lake and adjoining public areas are not unduly affected. c. The design of the lake structure takes into account shore morphology and lake depth, and functional needs of water craft using the lake structure. d. The lake structure is in keeping with the character and amenity of the surrounding land, water and environment. e. It will not adversely affect sites of cultural significance to tangata whenua.
CNSZ-P6 [10.3(5)(2)]	Activities on the surface of water are managed to minimise any potential conflict between those activities, and to avoid, remedy or mitigate reverse sensitivity effects.

RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities Reserve 1 Zone include (but are not limited to) earthworks, noise and light emissions, signs, management of activities in sensitive landscapes and significant natural areas, management of items of historical or cultural value and management of natural hazards.
2. For subdivision in Reserve 1 Zone refer to the separate chapter SUB – Subdivision.

Links to the rule categories are provided below:

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Rules for Activities in Conservation Reserves (Reserve 1 Zone)

General		
CNSZ-R1	Accessory buildings and activities	[10.5(3)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> a. Height CNSZ-S1; b. Yards CNSZ-S2; c. Parking, access and turning CNSZ-S3; d. Reflectivity CNSZ-S4; and e. Vegetation in riparian areas CNSZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R1(1). Matters of Discretion: <ol style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design CNSZ-MD1; e. Natural hazards CNSZ-MD2; and f. Financial contribution CNSZ-MD3.

CNSZ-R2	Where an activity is not expressly stated in this table		[10.5(2)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Discretionary Assessment Criteria: a. General CNSZ-AC1 .		
Reserve Activities			
CNSZ-R3	Management of conservation reserves consistent with the purpose for which the land is held or the relevant reserve management plan		[10.5(5)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Performance Standards: a. Height CNSZ-S1 ; b. Yards CNSZ-S2 ; c. Parking, access and turning CNSZ-S3 ; d. Reflectivity CNSZ-S4 ; and e. Vegetation in riparian areas CNSZ-S5 . Advice Note: Section 4 of the Resource Management Act exempts certain works and activities of the Crown from requiring resource consent.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R3(1). Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CNSZ-MD1 ; e. Natural hazards CNSZ-MD2 ; and f. Financial contributions CNSZ-MD3 .	
CNSZ-R4	Outdoor recreation activities, excluding buildings		[10.5(6)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Performance Standards: a. Height CNSZ-S1 ; b. Parking, access and turning CNSZ-S3 ; and c. Vegetation in riparian areas CNSZ-S5 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R4(1) but does not trigger consideration of any special land feature. Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CNSZ-MD1 ; e. Natural hazards CNSZ-MD2 ; and	

		f. Financial contributions CNSZ-MD3 .
CNSZ-R5	Public car parks	[10.5(9)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Parking, access and turning CNSZ-S3; and Vegetation in riparian areas CNSZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R5(1) but does not trigger consideration of any special land feature. Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity CNSZ-MD1; Natural hazards CNSZ-MD2; and Financial contributions CNSZ-MD3.
CNSZ-R6	Additions to and upgrades of holiday parks	[10.5(20)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height CNSZ-S1; Yards CNSZ-S2; Parking, access and turning CNSZ-S3; Reflectivity CNSZ-S4; and Vegetation in riparian areas CNSZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R6(1). Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity CNSZ-MD1; Natural hazards CNSZ-MD2; and Financial contributions CNSZ-MD3.
CNSZ-R7	Buildings for recreational activities	[10.5(4)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Restricted Discretionary Where: The activity is not otherwise specified. Matters of Discretion: <ol style="list-style-type: none"> Where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving 	

	<p>the purpose of the relevant performance standard and the relevant objectives and policies;</p> <p>b. Building design and amenity CNSZ-MD1;</p> <p>c. Natural hazards CNSZ-MD2; and</p> <p>d. Financial contributions CNSZ-MD3.</p>
Lakes and Rivers	
CNSZ-R8	Lake Structures
	<i>[10.5(28), 10.5(29), 10.5(30)]</i>
Applicable Spatial Layers Reserve 1 Zone	<p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. The activity is operation, maintenance, demolition and replacement of existing lawful lake structures.</p> <p>b. Where upgrading or replacement occurs, it does not result in any increase in the base area and/or height of the lake structure and is located within the existing lake structure's footprint.</p> <p>Exceptions:</p> <p>a. The height of a jetty may be increased, but in such an event it shall not exceed 1.2m above the mean lake water level.</p> <p>b. A hand rail may be added.</p> <p>Performance Standards:</p> <p>a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed;</p> <p>b. It is not painted with any anti-fouling coating designed to emit any toxic substance;</p> <p>c. It has design components and surface colours that are the same or similar in character to those existing;</p> <p>d. The use is limited to the purpose for which it was established;</p> <p>e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and</p> <p>f. Vegetation in riparian areas CNSZ-S5.</p>
Applicable Spatial Layers Reserve 1 Zone	<p>2. Activity Status: Controlled</p> <p>Where:</p> <p>The activity is replacement of an existing lawful lake structure outside the existing footprint where the scale is the same or reduced and the number of structures is reduced.</p> <p>Performance Standards:</p> <p>a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed;</p> <p>b. It is not painted with any anti-fouling coating designed to emit any toxic substance;</p> <p>c. It has design components and surface colours that are the same or similar in character to those existing;</p> <p>d. The use is limited to the purpose for which it was established;</p> <p>e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and</p> <p>f. Vegetation in riparian areas CNSZ-S5.</p>

	Matters of Control: <ul style="list-style-type: none">a. The extent to which the character and environmental quality of the adjoining properties, the streetscape and the properties within the zone is maintained and enhanced.b. Building design and amenity CNSZ-MC1;c. Natural Hazards CNSZ-MC3; andd. Lake structures CNSZ-MC5.	
Applicable Spatial Layers Reserve 1 Zone	3. Activity Status: Restricted Discretionary Where: The lake structure is not otherwise provided for as a permitted or controlled activity. Matters of Discretion <ul style="list-style-type: none">a. Building design and amenity CNSZ-MD1;b. Natural hazards CNSZ-MD2; andc. Lake Structures CNSZ-MD4.	
Advice Note: The lake structure must be securely connect into the bank or bed of the lake to meet the standards set under the Building Code.		
CNSZ-R9	The use, erection, construction, placement, alteration or extension of a navigational marker, sign, ski land marker or canoe gate	<i>[10.5(22)]</i>
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Where: Where the activity is required by Harbour Masters under the Bay of Plenty Regional Navigation and Safety Bylaw 2010 or Waikato Regional Council Navigation Safety Bylaw 2013. Performance Standards: <ul style="list-style-type: none">a. Height CNSZ-S1;b. Reflectivity CNSZ-S4; andc. Vegetation in riparian areas CNSZ-S5.	2 Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R9(1). Matters of Discretion: <ul style="list-style-type: none">a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;c. How the activity provides more efficient and practical use of the remainder of the site;d. Building design and amenity CNSZ-MD1;e. Natural hazards CNSZ-MD2; andf. Financial contributions CNSZ-MD3.
CNSZ-R10	Works for the avoidance of flooding	<i>[10.5(25)]</i>
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none">a. Provided they:<ul style="list-style-type: none">i. Safeguard existing ecological and habitat values and wetlands outside the beds of	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R10(1). Matters of Discretion:

	<p>rivers or lakes or provide compensatory works; and</p> <p>ii. Do not adversely affect any permanent or ephemeral watercourse which flows into or across land; except where a consent for the same activity has been issued by a regional council and where the Rotorua District Council has been consulted as an affected party.</p> <p>b. Height CNSZ-S1;</p> <p>c. Yards CNSZ-S2;</p> <p>d. Reflectivity CNSZ-S4; and</p> <p>e. Vegetation in riparian areas CNSZ-S5.</p>	<p>a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Building design and amenity CNSZ-MD1;</p> <p>e. Natural hazards; CNSZ-MD2 and</p> <p>f. Financial contributions CNSZ-MD3.</p>
CNSZ-R11	Restoration and re-vegetation of riparian margins, including disturbance of exotic plants and removing pest plants	[10.5(21)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted	
CNSZ-R12	Disturbance or removal of riparian vegetation	[10.5(31)]
Applicable Spatial Layers Reserve 1 Zone	<p>1. Activity Status: Restricted Discretionary</p> <p>Matters of Discretion:</p> <p>a. Where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies</p> <p>b. Building design and amenity CNSZ-MD1;</p> <p>c. Natural hazards CNSZ-MD2.</p>	
Retail and Commercial		
CNSZ-R13	Ancillary retail activities	[10.5(35)]
Applicable Spatial Layers Reserve 1 Zone	<p>1. Activity Status: Permitted</p> <p>Performance Standards:</p> <p>a. Height CNSZ-S1;</p> <p>b. Yards CNSZ-S2;</p> <p>c. Parking, access and turning CNSZ-S3;</p> <p>d. Reflectivity CNSZ-S4; and</p>	<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>Compliance is not achieved with the performance standards in CNSZ-R13(1) but does not trigger consideration of any special land feature.</p> <p>Matters of Discretion:</p>

	<div>e. Vegetation in riparian areas CNSZ-S5.</div>	<div>a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;</div> <div>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</div> <div>c. How the activity provides more efficient and practical use of the remainder of the site;</div> <div>d. Building design and amenity CNSZ-MD1;</div> <div>e. Natural hazards CNSZ-MD2; and</div> <div>f. Financial contributions CNSZ-MD3.</div>
<div>CNSZ-R14Commercial outdoor recreation activities, including associated buildings and structures<div>[10.5(32)(a)]</div></div>		
<div>Applicable Spatial Layers</div> <div>Reserve 1 Zone</div>	<div>1. Activity Status: Discretionary</div> <div>Assessment Criteria:</div> <div>a. General CNSZ-AC1.</div>	
<div>CNSZ-R15Restaurants</div>		<div>[10.5(33)]</div>
<div>Applicable Spatial Layers</div> <div>Reserve 1 Zone</div>	<div>1. Activity Status: Discretionary</div> <div>Assessment Criteria:</div> <div>a. General CNSZ-AC1 .</div>	
<div>CNSZ-R16Retail activities</div>		<div>[10.5(34)]</div>
<div>Applicable Spatial Layers</div> <div>Reserve 1 Zone</div>	<div>1. Activity Status: Non-Complying</div>	
<div>Primary Rural Industry</div>		
<div>Advice Note:</div> <div>For plantation forestry refer to the National Environmental Standards for Plantation Forestry.</div>		
<div>Other Activities</div>		
<div>CNSZ-R17Felling or destruction of any indigenous tree</div>		<div>[10.5(93)]</div>
<div>Applicable Spatial Layers</div> <div>Reserve 1 Zone</div>	<div>1. Activity Status: Permitted</div> <div>Where:</div> <div>a. The tree has a:</div> <div><div>i. height of less than 6 meters; and</div><div>ii. trunk circumference of less than 90cm at a height of 1.4 meters above ground level.</div></div> <div>b. Where a tree has multiple trunks, the trunk circumference shall be the aggregate measurement of all trunks.</div>	

Advice Note:

For indigenous vegetation disturbance associated with plantation forestry refer to the National Environmental Standards for Plantation Forestry.

Refer also to Natural Environmental Values for additional rules for vegetation.

CNSZ-R18 Felling of exotic vegetation		[10.5(94)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted	

Advice Note:

For plantation forestry refer to the National Environmental Standards for Plantation Forestry.

Refer also to Natural Environmental Values for additional rules for vegetation.

CNSZ-R19 Navigational aids and beacons and the establishment, operation and maintenance of meteorological services with utilities in accordance with EIT – Energy, Infrastructure and Transport		[10.5(96)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Permitted Performance Standards: a. Height CNSZ-S1 ; b. Yards CNSZ-S2 ; c. Reflectivity CNSZ-S4 ; and d. Vegetation in riparian areas CNSZ-S5 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R19(1) Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CNSZ-MD1 ; e. Natural hazards CNSZ-MD2 ; and f. Financial contributions CNSZ-MD3 .

CNSZ-R20 Stockpiling of fill or other materials not otherwise associated with recreational activities		[10.5(97)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Discretionary Assessment Criteria: a. How the visual effects will adversely affect the amenity and character of the reserve and the surrounding environment; b. How the fill or other materials adversely affects the amenity, character and pleasantness of the reserve; c. The frequency, timing, duration and location of stockpiling on-site and the extent to which these would not conflict with the pleasant use and enjoyment of adjoining properties; and	

	d. General CNSZ-AC1.	
CNSZ-R21	Helicopter take-off and landing areas	[10.5(95)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Discretionary Assessment Criteria: <ol style="list-style-type: none"> Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal; Proposals for the monitoring and regular audit of noise and other environmental impacts; How the activity complies with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and General CNSZ-AC1. 	
CNSZ-R22	Offensive trades	[10.5(98)]
Applicable Spatial Layers Reserve 1 Zone	1. Activity Status: Prohibited	

Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

CNSZ-S1 Maximum height and daylight envelope

[10.6(1)]

- The maximum height of a building or structure shall not exceed 7.5m above the natural ground level.
- The maximum height specified under CNSZ-S1(1) is subject to complying with the following:
 - Where sites adjoin a residential zone no part of the building shall extend outside the daylight envelope.
 - For sites where the building platform has to be raised to be above the stated maximum lake level, the roof structure may exceed the maximum height limit by up to 1m, providing the building does not extend outside the daylight envelope.

CNSZ-S2 Yard requirements

[10.6(2)]

- Where the site adjoins another zone, the minimum yards shall be 10m

CNSZ-S3 Parking, access and turning

[10.6(5)]

- Parking, access and turning shall be provided in accordance with the provisions of Appendix APP1 - Parking, Access and Turning. All vehicle crossings into local roads, shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway written consent from the New Zealand Transport Agency shall be provided.

CNSZ-S4 Reflectivity*[10.6(11)]*

1. For buildings that are visible from any lake, the finished exterior surfaces, including the roof, shall have reflectivity values between 0 and 37%.

CNSZ-S5 Vegetation in riparian areas*[10.6(12)]*

1. Vegetation within a minimum distance of 10m from a water body shall be retained, except for the purpose of pest plant management.

Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

CNSZ-MC1 Building design, site layout and amenity

1. The design and orientation of buildings and structures and location of outdoor activities to mitigate potential adverse cumulative effects on adjoining sites and the streetscape.
2. Ensuring landscaping is provided to enhance streetscape amenity whilst promoting the safety of pedestrians.
3. Ensuring soil retention and mitigation measures are provided where earthworks are necessary.
4. The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced.

CNSZ-MC2 Parking, access and turning

1. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
2. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
3. Where access is gained onto or within the vicinity of a State Highway ensuring that the proposal is consistent with the standards of the Road Controlling Authority.

CNSZ-MC3 Natural Hazards

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

CNSZ-MC4 Financial contributions

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

CNSZ-MC5 Lake Structures

1. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.

2. The availability of the jetty for public use from public places at reasonable times and periods, without preventing the reasonable use of the lake structure by the owner of the lake structure.
3. The extent to which public access along public areas adjoining the lake are adversely affected.
4. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
5. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

CNSZ-MD1 Building design, site layout and amenity

[10.8(1)(1)]

1. The amenity of the streetscape is maintained and enhanced.
2. The extent to which the activity would affect ecological values of the area or the quality of the water.
3. The extent to which the activity maintains the passage of flood flows and the maintenance and enhancement of riparian habitat.
4. The extent to which the activity would maintain or enhance indigenous biodiversity vegetation and natural character.
5. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes, or archaeological sites.
6. The extent to which the activity adversely affects the natural character, cultural, amenity and landscape values.
7. The extent to which the activity produces smoke, odour, fumes, dust, noise, glare or any other nuisance effects.
8. The extent to which the activity adversely affects adjoining sites or land-based activities.
9. The extent to which the activity adversely affects the public access to the lake or waterway.
10. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
11. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
12. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites.
13. Implementation of the principles of Crime Prevention through Environmental Design (CPTED) and sustainable building design.
14. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

CNSZ-MD2 Natural hazards

[10.8(1)(2)]

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.

2. A flood risk assessment by a suitably qualified person that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.
3. New habitable buildings located within the fault avoidance area.
 - a. In order to assess the risk arising from locating a habitable building within a fault avoidance area, a natural hazard assessment report from a suitably qualified person/geotechnical engineer shall be provided for new buildings located within the fault avoidance area. The identification of the potential location of the fault line, its recurrence interval and any subsequent building design and location requirements or restrictions on use.

CNSZ-MD3 Financial contributions

[10.8(1)(3)]

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

CNSZ-MD4 Lake structures

[10.8(2)(2)]

1. The existing provision, availability and suitability of existing lake structures in the vicinity of the site that would otherwise enable reasonable lake access.
2. The extent to which the new structure would contribute to the cumulative adverse effects on the carrying capacity of the bay and the recreational opportunity.
3. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
4. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
5. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
6. The availability of the jetty for public use from public places at reasonable times and periods without preventing use of the lake structure by the owner of the structure.
7. The extent to which the main design components and surface colours of the lake structure are in harmony with the landscape character and amenity of the surrounding area, whilst allowing reasonable provision for the safety and protection of vessels using the structure.
8. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.
9. The management of adverse effects on resources, sites or areas of spiritual, cultural and historical significance to tangata whenua where those resources, sites or areas have been identified by tangata whenua.

Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

CNSZ-AC1 General assessment criteria*[10.9(1)]*

1. How the activity will detract from the amenity of the zone and will result in visual domination of the adjoining sites.
2. The compatibility of the activity with the intended use and purpose of the reserve or community asset zone.
3. The proximity to a zone interface and any potential reverse sensitivity effects that may occur.
4. Consideration against alternative locations for the activity.
5. How the hours of operation may conflict with existing surrounding land uses.
6. The level of glare, illumination, and light levels that adversely affects surrounding residents and the manner this is mitigated.
7. Any cumulative effects resulting from the operation and development of the activity.
8. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the Historical and Cultural Values and the Natural Environmental Values schedules, as well as other relevant matters that are identified in the corresponding chapters.
9. Effects on biodiversity, the indigenous vegetation, habitat of indigenous fauna and natural character, as well as the functioning of ecological processes, water quality and connectivity between habitats and significant natural areas.
10. Adverse effects from natural hazards or the worsening of any hazard.
11. How the activity complies with the Objectives and Policies of the zone and for Strategic Direction, Historical and Cultural Values and the Natural Environmental Values.
12. Any required financial contribution under FC – Financial Contributions.
13. Provision of on-site parking in accordance with the provisions of Appendix APP1 - Parking Turning and Access.
14. Access is gained onto or within the vicinity of a State Highway that the proposal is consistent with the standards of council and the Road Controlling Authority.
15. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
16. Any noise emitted from the activity and its adverse effects on any adjoining residential sites.
17. The proximity to and adverse effects on noise sensitive activities or facilities.
18. Potential mitigation measures to reduce the level of noise emissions created by the facility to be in accordance with performance standards of the zone.
19. The ability to adequately service the proposal and connect to council reticulation where available.
20. The level of compliance with performance standards.
21. Natural Hazards
 - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.

- b. A flood risk assessment by a suitably qualified person that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
- 22. The assessment criteria for development and activities that affect a Significant Geothermal Feature.
- 23. The extent to which the activity adversely affects adjoining sites or land-based activities.
- 24. The extent to which the activity adversely affects the public access to the lake or waterway.
- 25. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
- 26. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
- 27. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

ANTICIPATED ENVIRONMENTAL RESULTS

The efficiency and effectiveness of the policy framework of this part will be the focus of on-going monitoring and review. Effectiveness or achievement of the objectives will be assessed through performance indicators. The performance indicators will be developed to measure the following outcomes that the policy framework was put in place to achieve:

CNSZ-AER1	No loss of natural character, amenity or biodiversity as it relates to the conservation values attributed to the conservation reserves.
CNSZ-AER2	Avoidance of reverse sensitivity effects.

DESTINATION RESERVE (RESERVE 2) ZONE

Status: DSTZ is Operative

INTRODUCTION

This part of the plan distinguishes the zone for destination reserves which are not managed through a designation. The intention of this zones is to manage and allow for appropriate activities relative to the function and intention. These reserves are unique and provide for specific cultural, recreational, historic and natural significance at the national and local level.

Reserves are created and managed under different legislation. Each Act serves a different purpose and protects and addresses different aspects of the reserve and may limit the types of activities that take place on reserve land. The zone identified in this part of the plan manage activities that are beyond the scope of such legislation.

Temporary events usually take place on council owned destination reserves. These events are a major contributor to Rotorua's economy and the district's vibrancy. However, the way events are managed is important in protecting any significant elements of these reserves and to manage any adverse effects on the surrounding area. Refer to TEMP- Temporary Activities for the provisions for temporary events.

Zone	Code	Description
Reserve 2 Zone Destination Reserves	DSTZ	Destination reserves are reserves that are administered by the Rotorua District Council. These are widely used areas of public open space where a significant number of people can congregate at any one time. Some of these reserves have high cultural and historical values which are widely recognised by the Rotorua community. For example the Government Gardens has received wāhi tapu registration and has been recognised as an historical significant site. The destination reserves zone allows tourism and recreation activities and temporary events while preserving these values.

ISSUES

DSTZ-I1 Activities on the Destination Reserves

Rotorua has a number of reserves containing significant indigenous vegetation, habitats and biodiversity. The lakes, rivers and streams are important components of the District's biodiversity and riparian margins can potentially play an important role to ecologically reconnect such habitats. It is important to manage the use and development to provide opportunities for the restoration of the natural character of riparian margins including habitat enhancement, fencing, re-vegetation and pest control. These reserves are used by the public and are recognised as having local, regional and national significance. A number of different recreational activities are also undertaken in the reserve zones which must be managed and operated in a manner that avoids, minimises or mitigates adverse effects on the amenity, character, biodiversity, cultural and historic values of the reserve and the surrounding area while continuing to allow for public enjoyment.

DSTZ-I2 The Government Garden Reserve's cultural and historical significance

A number of reserves cover areas or have features and buildings of historic and cultural significance, for example Government Gardens. Activities taking place in these reserves must consider, respect and protect these values from inappropriate use or adverse effects. The Government Gardens has been recognised as an area of importance to Māori and has received wāhi tapu registration and historic area status from Heritage New Zealand, and requires additional consultation when considering effects of activities on Government Gardens.

DSTZ-I3 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

OBJECTIVES**Activities on the Destination Reserves****DSTZ-O1**

[10.3(1)]

Maintain the high amenity, natural, cultural and historical values of reserves and provide for public recreation and access, whilst managing the adverse effects of activities, buildings and structures.

Policies DSTZ-P1 to DSTZ-P3

Government Gardens Reserves' cultural and historical significance**DSTZ-O2**

[10.3(4)]

Cultural and historical natural areas, historic heritage buildings and formal gardens within the Government Garden reserve are protected and enjoyed by the community.

Policies DSTZ-P4

Reverse sensitivity**DSTZ-O3**

[1.3(10)]

Subdivision, use and development that enables the continued efficient operation of existing development and activities.

Policies DSTZ-P5

Activities located on the surface of rivers, lakes and their margins**DSTZ-O4**

[10.3(5)]

Recognising the value of lake structures and activities on the surface of the water, whilst the adverse effects are avoided, remedied or mitigated, including cumulative effects on the natural character and functioning of water bodies and their margins, as well as Māori culture and traditions.

Policies DSTZ-P6 to DSTZ-P7

POLICIES**Activities on the Destination Reserves**

Objective DSTZ-O1

DSTZ-P1

[10.3(1)(1)]

Manage the adverse effects of buildings, structures and activities on the amenity of the reserve environment and ensure that it is consistent with the purpose for which the land is held or the relevant reserve management plan.

DSTZ-P2 [10.3(1)(2)]	Restrict new buildings and structures on conservation reserves within 25 metres from water bodies, whilst allowing activities and minor structures for reserve management and public access, as well as the operation, maintenance and upgrade of existing structures.
DSTZ-P3 [10.3(1)(3)]	Manage adverse effects of activities on ancestral land, water, sites, wāhi tapu and other taonga through recognition of the relationship of tangata whenua with the land and associated resources.

Government Garden Reserves' cultural and historical significance

Objective DSTZ-O3

DSTZ-P4 [10.3(4)]	Manage adverse effects on activities on the natural areas and buildings and structures identified in the schedules for Historical and Cultural Values within the Government Gardens.
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Reverse sensitivity

Objective DSTZ-O4

DSTZ-P5 [1.3(10)(1)]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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Activities located on the surface of rivers, lakes and their margins

Objective DSTZ-O5

DSTZ-P6 [10.3(5)(1)]	<p>Enable recreational and commercial activities, structures and buildings to occur on the surface of lakes and rivers, where adverse effects on the natural character and functioning of water bodies and their margins and Māori culture and traditions are avoided, remedied and mitigated, ensuring that, in particular:</p> <ol style="list-style-type: none"> Existing lake structures continue to be used in a manner that does not increase adverse effects on the lake and lakeside settlements New lake structures are enabled where: <ol style="list-style-type: none"> Reasonable need can be demonstrated for the lake structure, having regard to: <ol style="list-style-type: none"> The existing provision and availability of similar facilities in the surrounding area. The contribution of the new lake structure to the social wellbeing of the community, the recreational values and use of the lakes, as well as environmental wellbeing. The public use of the lake and adjoining public areas are not unduly affected. The design of the lake structure takes into account shore morphology and lake depth, and functional needs of water craft using the lake structure. The lake structure is in keeping with the character and amenity of the surrounding land, water and environment. It will not adversely affect sites of cultural significance to tangata whenua.
DSTZ-P7 [10.3(5)(2)]	Activities on the surface of water are managed to minimise any potential conflict between those activities, and to avoid, remedy or mitigate reverse sensitivity effects.

RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities Reserve 2 Zone include (but are not limited to) earthworks, noise and light emissions, signs, management of activities in sensitive landscapes and significant natural areas, management of items of historical or cultural value and management of natural hazards.
2. For subdivision in Reserve 2 Zone refer to the separate chapter SUB – Subdivision

Links to the rule categories are provided below:

General	7
Reserve Activities.....	8
Lakes and Rivers	10
Retail and Commercial.....	12
Primary Rural Industry.....	13
Other Activities	13

Rules for Activities in Destination Reserves (Reserve 2 Zone)

General		
DSTZ-R1	Accessory buildings and activities	
		[10.5(3)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> a. Height DSTZ-S1; b. Yards DSTZ-S2; c. Parking, access and turning DSTZ-S3; d. Reflectivity DSTZ-S4; and e. Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in DSTZ-R1(1) but does not trigger consideration of any special land feature. Matters of Discretion: <ol style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site;

		d. Building design and amenity DSTZ-MD1 ; e. Natural hazards DSTZ-MD2 ; and f. Financial contributions DSTZ-MD3 .	
DSTZ-R2		Where an activity is not expressly in this table	<i>[10.5(2)]</i>
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Discretionary Assessment Criteria: a. General DSTZ-AC1 .		
Reserve Activities			
DSTZ-R3		Lake Structures	<i>[10.5(28), 10.5(29), 10.5(30)]</i>
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Where: a. The activity is operation, maintenance, demolition and replacement of existing lake structures. b. Where upgrading or replacement occurs, it does not result in any increase in the base area and/or height of the lake structure and is located within the existing lake structure’s footprint. c. Except, the height of a jetty may be increased, but in such an event it shall not exceed 1.2m above the mean lake water level. Performance Standards: a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and f. Vegetation in riparian areas DSTZ-S5 .		
Applicable Spatial Layers Reserve 2 Zone	2. Activity Status: Controlled Where: The activity is replacement of an existing lake structure outside the existing footprint where the scale is the same or reduced and the number of structures is reduced. Performance Standards: a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and		

	f. Vegetation in riparian areas DSTZ-S5 . Matters of Control: a. The extent to which the character and environmental quality of the adjoining properties, the street-scape and the properties within the zone is maintained and enhanced; b. Building design and amenity DSTZ-MC1 c. Natural Hazards DSTZ-MC3 ; and d. Lake structures DSTZ-MC5 .	
Applicable Spatial Layers Reserve 2 Zone	3. Activity Status: Restricted Discretionary Where: The lake structure is not otherwise provided for as permitted or controlled activities Matters of Discretion a. Building design and amenity DSTZ-MD1 ; b. Natural hazards DSTZ-MD2 ; and c. Lake Structures DSTZ-MD5 .	
Advice Note: The lake structure must be securely connect into the bank or bed of the lake to meet the standards set under the Building Code.		
DSTZ-R4	Management of conservation reserves consistent with the purpose for which the land is held or the relevant reserve management plan	<i>[10.5(5)]</i>
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: a. Height DSTZ-S1 ; b. Yards DSTZ-S2 ; c. Parking, access and turning DSTZ-S3 ; d. Reflectivity DSTZ-S4 ; and e. Vegetation in riparian areas DSTZ-S5 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in DSTZ-R4(1) but does not trigger consideration of any special land feature.) Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1 ; e. Natural hazards DSTZ-MD2 ; and f. Financial contributions DSTZ-MD3 .
DSTZ-R5	Outdoor recreation activities, excluding buildings	<i>[10.5(6)]</i>
Applicable Spatial Layers	1. Activity Status: Permitted Performance Standards:	2. Activity Status: Restricted Discretionary Where:

Reserve 2 Zone	<ul style="list-style-type: none"> a. Height DSTZ-S1; b. Parking, access and turning DSTZ-S3; and c. Vegetation in riparian areas DSTZ-S5. 	<p>Compliance is not achieved with the performance standards of DSTZ-R5(1).</p> <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1; e. Natural hazards DSTZ-MD2; and f. Financial contributions DSTZ-MD3.
DSTZ-R6 Visitor, student and staff accommodation within the hospital site and private schools		[10.5(8)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height DSTZ-S1; b. Yards DSTZ-S2; c. Parking, access and turning DSTZ-S3; d. Reflectivity DSTZ-S4; and e. Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: <p>Compliance is not achieved with the performance standards of DSTZ-R6(1).</p> <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1; e. Natural hazards DSTZ-MD2; and f. Financial contributions DSTZ-MD3.
DSTZ-R7 Public car parks		[10.5(9)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Parking, access and turning DSTZ-S3; b. Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: <p>Compliance is not achieved with the performance standards of DSTZ-R7(1).</p> <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;

		<ul style="list-style-type: none"> b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1; e. Natural hazards DSTZ-MD2; and f. Financial contributions DSTZ-MD3.
DSTZ-R8	Sports fields and club rooms	[10.5(11)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height DSTZ-S1; b. Yards DSTZ-S2; c. Parking, access and turning DSTZ-S3; d. Reflectivity DSTZ-S4; and e. Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of DSTZ-R8(1) . Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1; e. Natural hazards DSTZ-MD2; and f. Financial contributions DSTZ-MD3.
DSTZ-R9	Flood lights on sports fields	[10.5(13)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height DSTZ-S1; b. Yards DSTZ-S2; c. Reflectivity DSTZ-S4; and d. Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of DSTZ-R9(1) Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1;

		e. Natural hazards DSTZ-MD2 ; and f. Financial contributions DSTZ-MD3 .
Advice Note: For the avoidance of doubt, the LIGHT – Light chapter also applies.		
DSTZ-R10	Public art	[10.5(14)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height DSTZ-S1; Yards DSTZ-S2; Reflectivity DSTZ-S4; and Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of DSTZ-R10(1) Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity DSTZ-MD1; Natural hazards DSTZ-MD2; and Financial contributions DSTZ-MD3.
DSTZ-R11	Operation and upgrade of community facilities	[10.5(15)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height DSTZ-S1; Yards DSTZ-S2; Parking, access and turning DSTZ-S3; Reflectivity DSTZ-S4; and Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of DSTZ-R11(1) . Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity DSTZ-MD1; Natural hazards DSTZ-MD2; and Financial contributions DSTZ-MD3.

DSTZ-R12		Additions to and upgrades of holiday parks	[10.5(17)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: a. Height DSTZ-S1 ; b. Yards DSTZ-S2 ; c. Parking, access and turning DSTZ-S3 ; d. Reflectivity DSTZ-S4 ; and e. Vegetation in riparian areas DSTZ-S5 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of DSTZ-R12(1) . Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1 ; e. Natural hazards DSTZ-MD2 ; and f. Financial contributions DSTZ-MD3 .	
DSTZ-R13		Buildings for recreational activities unless otherwise stated	[10.5(4)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Restricted Discretionary Matters of Discretion: a. Where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. Building design and amenity DSTZ-MD1 ; c. Natural hazards DSTZ-MD2 ; and d. Financial contributions DSTZ-MD3 .		
DSTZ-R14		New community facilities	[10.5(16)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Restricted Discretionary Matters of Discretion: a. Where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. Building design and amenity DSTZ-MD1 ; c. Natural hazards DSTZ-MD2 ; and d. Financial contributions DSTZ-MD3 .		

Lakes and Rivers		
DSTZ-R15	The use, erection, construction, placement, alteration or extension of a navigational marker, sign, ski land marker or canoe gate on the water body	[10.5(22)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Where: Where the activity is required by Harbour Masters under the Bay of Plenty Regional Navigation and Safety Bylaw 2010 or Waikato Regional Council Navigation Safety Bylaw 2013 Performance Standards: <ol style="list-style-type: none"> Height DSTZ-S1; Yards DSTZ-S2; Reflectivity DSTZ-S4; and Vegetation in riparian areas DSTZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in DSTZ-R15(1). Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity DSTZ-MD1; Natural hazards DSTZ-MD2; and Financial contributions DSTZ-MD3.
DSTZ-R16	Restoration and re-vegetation of riparian margins, including disturbance of exotic plants and removing pest plants	[10.5(21)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted	
DSTZ-R17	Disturbance or removal of riparian vegetation	[10.5(31)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Restricted Discretionary Matters of Discretion: <ol style="list-style-type: none"> Where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies; Natural hazards DSTZ-MD2; 	
Retail and Commercial		
DSTZ-R18	Ancillary retail activities	[10.5(35)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height DSTZ-S1; Yards DSTZ-S2; 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in DSTZ-R18(1) but does not trigger consideration of any special land feature.

	c. Parking, access and turning DSTZ-S3 ; d. Reflectivity DSTZ-S4 ; and e. Vegetation in riparian areas DSTZ-S5 .	Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1 ; e. Natural hazards DSTZ-MD2 ; and f. Financial contributions DSTZ-MD3 .
DSTZ-R19	Commercial outdoor recreation activities, including associated buildings and structures	[10.5(32)(a)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Discretionary Assessment Criteria: a. General DSTZ-AC1	
DSTZ-R20	Restaurants	[10.5(33)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Discretionary Assessment Criteria: a. General DSTZ-AC1	
DSTZ-R21	Retail activities	[10.5(34)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Non-Complying	
Primary Rural Industry		
Advice Note: For plantation forestry refer to the National Environmental Standards for Plantation Forestry.		
Other Activities		
DSTZ-R22	Felling or destruction of any indigenous tree	[10.5(93)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Where: a. The tree has a: i. height of less than 6m; and ii. trunk circumference of less than 90cm at a height of 1.4m above ground level. b. Where a tree has multiple trunks, the trunk circumference shall be the aggregate measurement of all trunks.	
Advice Note:		

For indigenous vegetation disturbance associated with plantation forestry refer to the National Environmental Standards for Plantation Forestry.			
Refer also to Natural Environmental Values for additional rules for vegetation.			
DSTZ-R23		Felling of exotic vegetation	[10.5(94)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted		
Advice Note: For plantation forestry refer to the National Environmental Standards for Plantation Forestry. Refer also to Natural Environmental Values for additional rules for vegetation.			
DSTZ-R24		Navigational aids and beacons and the establishment, operation and maintenance of meteorological services with utilities in accordance with EIT Energy Infrastructure and Transport	[10.5(96)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Permitted Performance Standards: a. Height DSTZ-S1 ; b. Yards DSTZ-S2 ; c. Reflectivity DSTZ-S4 ; and d. Vegetation in riparian areas DSTZ-S5 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in DSTZ-R24(1) but does not trigger consideration of any special land feature. Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity DSTZ-MD1 ; e. Natural hazards DSTZ-MD2 ; and f. Financial contributions DSTZ-MD3 .	
DSTZ-R25		Stockpiling of fill or other materials not otherwise associated with recreational activities	[10.5(97)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Discretionary Assessment Criteria: a. How the visual effects will adversely affect the amenity and character of the reserve and the surrounding environment; b. How the fill or other materials adversely affects the amenity, character and pleasantness of the reserve; c. The frequency, timing, duration and location of stockpiling on-site and the extent to which these would not conflict with the pleasant use and enjoyment of adjoining properties; and		

	d. General DSTZ-AC1 .	
DSTZ-R26	Helicopter take-off and landing areas	[10.5(95)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Discretionary Assessment Criteria: <ol style="list-style-type: none"> Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal; Proposals for the monitoring and regular audit of noise and other environmental impacts; How the activity complies with NZS6870:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and General DSTZ-AC1. 	
DSTZ-R27	Offensive trades	[10.5(98)]
Applicable Spatial Layers Reserve 2 Zone	1. Activity Status: Prohibited	

Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

DSTZ-S1 Maximum height and daylight envelope

[10.6(1)]

- The maximum height of a building or structure shall not exceed 7.5m above the natural ground level.
- The maximum height specified under DSTZ-S1(1) is subject to complying with the following:
 - Where sites adjoin a residential zone no part of the building shall extend outside the daylight envelope.
 - For sites where the building platform has to be raised to be above the stated maximum lake level, the roof structure may exceed the maximum height limit by up to 1m, providing the building does not extend outside the daylight envelope.

DSTZ-S2 Yard requirements

[10.6(2)]

- Where the site adjoins another zone, the minimum yards shall be 10m.

DSTZ-S3 Parking, access and turning

[10.6(5)]

- Parking, access and turning shall be provided in accordance with the provisions of Appendix APP1 - Parking, Access and Turning. All vehicle crossings into local roads, shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are

proposed onto a State Highway written consent from the New Zealand Transport Agency shall be provided.

DSTZ-S4 Reflectivity

[10.6(11)]

1. For buildings that are visible from any lake, the finished exterior surfaces, including the roof, shall have reflectivity values between 0 and 37%.

DSTZ-S5 Vegetation in riparian areas

[10.6(12)]

1. Vegetation within a minimum distance of 10m from a water body shall be retained, except for the purpose of pest plant management.

Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

DSTZ-MC1 Building design, site layout and amenity

1. The design and orientation of buildings and structures and location of outdoor activities to mitigate potential adverse cumulative effects on adjoining sites and the streetscape.
2. Ensuring landscaping is provided to enhance streetscape amenity whilst promoting the safety of pedestrians.
3. Ensuring soil retention and mitigation measures are provided where earthworks are necessary.
4. The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced.

DSTZ-MC2 Parking, access and turning

1. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
2. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
3. Where access is gained onto or within the vicinity of a State Highway ensuring that the proposal is consistent with the standards of the Road Controlling Authority.

DSTZ-MC3 Natural hazards

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

DSTZ-MC4 Financial contributions

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

DSTZ-MC5 Lake structures

1. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
2. The availability of the jetty for public use from public places at reasonable times and periods, without preventing the reasonable use of the lake structure by the owner of the lake structure.
3. The extent to which public access along public areas adjoining the lake are adversely affected.
4. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
5. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

DSTZ-MD1 Building design, site layout and amenity

[10.8(1)(1)]

1. The amenity of the streetscape is maintained and enhanced.
2. The extent to which the activity would affect ecological values of the area or the quality of the water.
3. The extent to which the activity maintains the passage of flood flows and the maintenance and enhancement of riparian habitat.
4. The extent to which the activity would maintain or enhance indigenous biodiversity vegetation and natural character.
5. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes, or archaeological sites.
6. The extent to which the activity adversely affects the natural character, cultural, amenity and landscape values.
7. The extent to which the activity produces smoke, odour, fumes, dust, noise, glare or any other nuisance effects.
8. The extent to which the activity adversely affects adjoining sites or land-based activities.
9. The extent to which the activity adversely affects the public access to the lake or waterway.
10. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
11. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
12. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites.
13. Implementation of the principles of Crime Prevention through Environmental Design (CPTED) and sustainable building design.
14. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

DSTZ-MD2 Natural hazards*[10.8(1)(2)]*

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.
3. New habitable buildings located within the fault avoidance area.
 - a. In order to assess the risk arising from locating a habitable building within a fault avoidance area, a natural hazard assessment report from a suitably qualified person/geotechnical engineer shall be provided for new buildings located within the fault avoidance area. The identification of the potential location of the fault line, its recurrence interval and any subsequent building design and location requirements or restrictions on use.

DSTZ-MD3 Financial contributions*[10.8(1)(3)]*

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

DSTZ-MD4 Lake structures*[10.8(2)(2)]*

1. The existing provision, availability and suitability of existing lake structures in the vicinity of the site that would otherwise enable reasonable lake access.
2. The extent to which the new structure would contribute to the cumulative adverse effects on the carrying capacity of the bay and the recreational opportunity.
3. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
4. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
5. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
6. The availability of the jetty for public use from public places at reasonable times and periods without preventing use of the lake structure by the owner of the structure.
7. The extent to which the main design components and surface colours of the lake structure are in harmony with the landscape character and amenity of the surrounding area, whilst allowing reasonable provision for the safety and protection of vessels using the structure.
8. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.
9. The management of adverse effects on resources, sites or areas of spiritual, cultural and historical significance to tangata whenua where those resources, sites or areas have been identified by tangata whenua.

Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

DSTZ-AC1 General assessment criteria

[10.9(1)]

1. How the activity will detract from the amenity of the zone and will result in visual domination of the adjoining sites.
2. The compatibility of the activity with the intended use and purpose of the reserve or community asset zone.
3. The proximity to a zone interface and any potential reverse sensitivity effects that may occur.
4. Consideration against alternative locations for the activity.
5. How the hours of operation may conflict with existing surrounding land uses.
6. The level of glare, illumination, and light levels that adversely affects surrounding residents and the manner this is mitigated.
7. Any cumulative effects resulting from the operation and development of the activity.
8. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the Historical and Cultural Values and the Natural Environmental Values schedules, as well as other relevant matters that are identified in the corresponding chapters.
9. Effects on biodiversity, indigenous vegetation, habitat of indigenous fauna and natural character, as well as the functioning of ecological processes, water quality and connectivity between habitats and significant natural areas.
10. Adverse effects from natural hazards or the worsening of any hazard.
11. How the activity complies with the Objectives and Policies of the zone and for Strategic Direction, Historical and Cultural Values and the Natural Environmental Values.
12. Any required financial contribution under FC – Financial Contributions.
13. Provision of on-site parking in accordance with the provisions of APP1 Parking Turning and Access.
14. Where access is gained onto or within the vicinity of a State Highway whether the proposal is consistent with the standards of council and the Road Controlling Authority.
15. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
16. Any noise emitted from the activity and its adverse effects on any adjoining residential sites.
17. The proximity to and adverse effects on noise sensitive activities or facilities.
18. Potential mitigation measures to reduce the level of noise emissions created by the facility to be in accordance with performance standards of the zone.
19. The ability to adequately service the proposal and connect to council reticulation where available.
20. The level of compliance with the performance standards.
21. Natural Hazards

- a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
 - b. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
22. The assessment criteria for development and activities that affect a Significant Geothermal Feature.
 23. The extent to which the activity adversely affects adjoining sites or land-based activities.
 24. The extent to which the activity adversely affects the public access to the lake or waterway.
 25. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
 26. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
 27. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

ANTICIPATED ENVIRONMENTAL RESULTS

DSTZ-AER1	An increase in the number of temporary events in destination reserves.
DSTZ-AER2	No loss of natural character, amenity or biodiversity as it relates to the conservation values attributed to the destination reserves.
DSTZ-AER3	No loss of historic heritage sites and structures or their values that make them significant.
DSTZ-AER4	Avoidance of reverse sensitivity effects.



COMMUNITY ASSET (RESERVE 3) ZONE – NGĀ RAWA Ā-HAPORI

Status: CAZ is Operative

INTRODUCTION

This part of the plan distinguishes four zones for reserves and assets which are not managed through a designation. These are the conservation reserve zone, the destination reserve zone, the community asset zone and the water zone. The intention of these zones is to manage and allow for appropriate activities relative to the function and intention of each zone. These reserves are unique and provide for specific cultural, recreational, historic and natural significance at the national and local level.

Reserves are created and managed under different legislation. Each Act serves a different purpose and protects and addresses different aspects of the reserve and may limit the types of activities that take place on reserve land. The zones identified in this part of the plan manage activities that are beyond the scope of such legislation.

Temporary events usually take place in council owned community assets zone. These events are a major contributor to Rotorua's economy and the district's vibrancy. However, the way events are managed is important in protecting any significant elements of these reserves and to manage any adverse effects on the surrounding area. Refer to TEMP- Temporary Activities chapter for the provisions for temporary events.

Zone	Code	Description
Reserve 3 Zone Community Assets Zone	CAZ	This zone includes the Rotorua public hospital, and state integrated schools (Rotorua Seventh Day Adventist School, St Mary's Catholic Primary School, St Michael's Catholic Primary School, and John Paul College) that are not under a designation by the Ministry of Education. Also included in this zone are the Rotorua International Stadium, and Arawa Racecourse. A wide range of activities that complement the purpose of each asset are accommodated in this zone. With exception of the stadium, the Community Asset Reserves are privately maintained and operated.

ISSUES

CAZ-I1 The functionality of community asset areas

A number of community areas in the Rotorua District provide for essential activities and services. The hospital provides public medical care, and private and state integrated schools in Rotorua provide education to students ranging from primary school through to high school. The stadium accommodates large sporting and cultural activities as does the racecourse. These specific activities are the intended use of community asset zones. The zone provides for this varied intended use, whilst managing the adverse effects on the adjoining zone to ensure the continued and effective service of these activities.

CAZ-I2 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

OBJECTIVES**The functionality of community asset areas**

CAZ-O1 [10.3(3)]	Community assets that serve the public in a specific manner in which they are intended, whilst managing the adverse effects on the adjoining zone. <i>Policies CAZ-P1 to CAZ-P2</i>
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Reverse sensitivity

CAZ-O2 [1.3(10)]	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policies CAZ-P3</i>
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POLICIES**The functionality of community asset areas***Objective CAZ-O1*

CAZ-P1 [10.3(3)(1)]	Manage activities, additions or alterations to buildings and the operation and maintenance of the community asset so it minimises the adverse effect on the character of the surrounding areas.
CAZ-P2 [10.3(3)(2)]	Ensure effective on-site parking and turning of vehicles and pedestrian pathways and a safe and efficient road network about the site.

Reverse sensitivity*Objective CAZ-O2*

CAZ-P3 [1.3(10)(1)]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities Reserve 3 Zone include (but are not limited to) earthworks, noise and light emissions, signs and management of natural hazards.
2. For subdivision in Reserve 3 Zone refer to the separate chapter SUB – Subdivision.

Links to the rule categories are provided below:

General	24
Reserve Activities.....	25
Lakes and Rivers	31
Retail and Commercial.....	31
Primary Rural Industry.....	32
Other Activities	32

Rules for Activities in the Community Asset Zone (Reserve 3 Zone)

General		
CAZ-R1	Accessory buildings and activities	
		[10.5(3)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: a. Height CAZ-S1 ; b. Yards CAZ-S2 ; c. Parking, access and turning CAZ-S3 ; d. Reflectivity CAZ-S4 ; and e. Vegetation in riparian areas CAZ-S5 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for CAZ-R1(1). Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1 ; e. Natural hazards CAZ-MD2 ; and f. Financial contributions CAZ-MD3 .

CAZ-R2		Where an activity is not expressly stated in this table	[10.5(2)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Discretionary Assessment Criteria: a. General CAZ-AC1 .		
Reserve Activities			
CAZ-R3		Outdoor recreation activities, excluding buildings	[10.5(6)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: a. Height CAZ-S1 ; b. Parking, access and turning CAZ-S3 ; and c. Vegetation in riparian areas CAZ-S5 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R3(1) Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1 ; e. Natural hazards CAZ-MD2 ; and f. Financial contributions CAZ-MD3 .	
CAZ-R4		Hospitals	[10.5(7)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: a. Height CAZ-S1 ; b. Yards CAZ-S2 ; c. Parking, access and turning CAZ-S3 ; and d. Reflectivity CAZ-S4 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CAZ-R4(1). Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1 ; e. Natural hazards CAZ-MD2 ; and f. Financial contributions CAZ-MD3 .	

CAZ-R5 Visitor, student and staff accommodation within the hospital site and private schools		[10.5(8)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height CAZ-S1; Yards CAZ-S2; Parking, access and turning CAZ-S3 Reflectivity CAZ-S4; and Vegetation in riparian areas CAZ-S5. 	2 Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R5(1) . Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity CAZ-MD1; Natural hazards CAZ-MD2; and Financial contributions CAZ-MD3.
CAZ-R6 Public car parks		[10.5(9)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Parking, access and turning CAZ-S3; Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R6(1) . Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity CAZ-MD1; Natural hazards CAZ-MD2; and Financial contributions CAZ-MD3.
CAZ-R7 Sports fields and club rooms		[10.5(11)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height CAZ-S1; Yards CAZ-S2; Parking, access and turning CAZ-S3 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R7(1) . Matters of Discretion:

	<ul style="list-style-type: none"> d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. 	<ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1; e. Natural hazards CAZ-MD2; and f. Financial contributions CAZ-MD3.
CAZ-R8 Racecourse and golf course facilities		[10.5(12)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height CAZ-S1; b. Yards CAZ-S2; c. Parking, access and turning CAZ-S3 d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R8(1) . Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1; e. Natural hazards CAZ-MD2; and f. Financial contributions CAZ-MD3.
CAZ-R9 School and educational facilities		[10.5(10)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height CAZ-S1; b. Yards CAZ-S2; c. Parking, access and turning CAZ-S3 d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R9(1) . Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1;

		e. Natural hazards CAZ-MD2 ; and f. Financial contributions CAZ-MD3 .
CAZ-R10 Flood lights on sports fields		[10.5(13)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height CAZ-S1; Yards CAZ-S2; Reflectivity CAZ-S4; and Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R10(1). Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity CAZ-MD1; Natural hazards CAZ-MD2; and Financial contributions CAZ-MD3.
CAZ-R11 Public art		[10.5(14)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height CAZ-S1; Yards CAZ-S2; Reflectivity CAZ-S4; and Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R11(1). Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity CAZ-MD1; Natural hazards CAZ-MD2; and Financial contributions CAZ-MD3.
CAZ-R12 Additions to and upgrades of holiday parks		[10.5(17)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height CAZ-S1; Yards CAZ-S2; 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R12(1). Matters of Discretion:

	<ul style="list-style-type: none"> c. Parking, access and turning CAZ-S3 d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. 	<ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1; e. Natural hazards CAZ-MD2; and f. Financial contributions CAZ-MD3.
CAZ-R13 Community Facilities		[10.5(15) 10.5(16)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height CAZ-S1; b. Yards CAZ-S2; c. Parking, access and turning CAZ-S3 d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards of CAZ-R13(1) . Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1; e. Natural hazards CAZ-MD2; and f. Financial contributions CAZ-MD3.
CAZ-R14 Buildings for recreational activities unless otherwise stated		[10.5(4)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Restricted Discretionary Matters of Discretion: <ul style="list-style-type: none"> a. Where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. Building design and amenity CAZ-MD1; c. Natural hazards CAZ-MD2; and d. Financial contributions CAZ-MD3. 	

Lakes and Rivers		
CAZ-R15	Lake Structures	[10.5(28), 10.5(29), 10.5(30)]
Applicable Spatial Layers Reserve 3 Zone	<p>1. Activity Status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is operation, maintenance, demolition and replacement of existing lake structures. b. Where upgrading or replacement occurs, it does not result in any increase in the base area and/or height of the lake structure and is located within the existing lake structure's footprint. c. Except, the height of a jetty may be increased, but in such an event it shall not exceed 1.2m above the mean lake water level. <p>Performance standards:</p> <ul style="list-style-type: none"> a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and f. Vegetation in riparian areas CAZ-S5. 	
Applicable Spatial Layers Reserve 3 Zone	<p>2. Activity Status: Controlled</p> <p>Where:</p> <p>The activity is replacement of an existing lake structure outside the existing footprint where the scale is the same or reduced and the number of structures is reduced.</p> <p>Performance Standards:</p> <ul style="list-style-type: none"> a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and f. Vegetation in riparian areas CAZ-S5. <p>Matters of Control</p> <ul style="list-style-type: none"> a. The extent to which the character and environmental quality of the adjoining properties, the streetscape and the properties within the zone is maintained and enhanced. b. Building design and amenity CAZ-MC1 c. Natural Hazards CAZ-MC3; and d. Lake structures CAZ-MC5. 	

Applicable Spatial Layers Reserve 3 Zone	3. Activity Status: Restricted Discretionary Where: The lake structure is not otherwise provided for as a permitted or controlled activity. Matters of Discretion <ul style="list-style-type: none"> a. Building design and amenity CAZ-MD1; b. Natural hazards CAZ-MD2; and c. Lake structures CAZ-MD4. 		
Advice Note: The lake structure must be securely connect into the bank or bed of the lake to meet the standards set under the Building Code.			
CAZ-R16 Restoration and re-vegetation of riparian margins, including disturbance of exotic plants and removing pest plants			
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted		
Retail and Commercial			
CAZ-R17 Ancillary retail activities			
Applicable Spatial Layers Reserve 3 Zone	<table border="1"> <tr> <td data-bbox="383 1111 855 1771"> 1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height CAZ-S1; b. Yards CAZ-S2; c. Parking, access and turning CAZ-S3 d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. </td><td data-bbox="855 1111 1393 1771"> 2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CAZ-R17(1) Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1; e. Natural hazards CAZ-MD2; and f. Financial contributions CAZ-MD3. </td></tr> </table>	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height CAZ-S1; b. Yards CAZ-S2; c. Parking, access and turning CAZ-S3 d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CAZ-R17(1) Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1; e. Natural hazards CAZ-MD2; and f. Financial contributions CAZ-MD3.
1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Height CAZ-S1; b. Yards CAZ-S2; c. Parking, access and turning CAZ-S3 d. Reflectivity CAZ-S4; and e. Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CAZ-R17(1) Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity CAZ-MD1; e. Natural hazards CAZ-MD2; and f. Financial contributions CAZ-MD3. 		

CAZ-R18	Commercial outdoor recreation activities, including associated buildings and structures	[10.5(32)(a)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Discretionary Assessment Criteria: a. General CAZ-AC1 .	
CAZ-R19	Restaurants	[10.5(33)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Discretionary Assessment Criteria: a. General CAZ-AC1 .	
CAZ-R20	Retail activities	[10.5(34)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Non-Complying	
Other Activities		
CAZ-R21	Felling or destruction of any indigenous tree	[10.5(93)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Where: a. The tree has a: i. height of less than 6 meters; and ii. trunk circumference of less than 90cm at a height of 1.4 meters above ground level. b. Where a tree has multiple trunks, the trunk circumference shall be the aggregate measurement of all trunks.	
Advice Note: For the disturbance of indigenous vegetation associated with plantation forestry refer to the National Environmental Standards for Plantation Forestry. Refer also to Natural Environmental Values for additional rules for vegetation.		
CAZ-R22	Felling of exotic vegetation	[10.5(94)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted	
Advice Note: For plantation forestry refer instead to the National Environmental Standards for Plantation Forestry. Refer also to Natural Environmental Values for additional rules for vegetation.		

CAZ-R23 Navigational aids and beacons and the establishment, operation and maintenance of meteorological services with utilities in accordance with EIT Energy Infrastructure and Transport		[10.5(96)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Height CAZ-S1; Yards CAZ-S2; Reflectivity CAZ-S4; and Vegetation in riparian areas CAZ-S5. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CAZ-R23(1) Matters of Discretion: <ol style="list-style-type: none"> The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; How the activity provides more efficient and practical use of the remainder of the site; Building design and amenity CAZ-MD1; Natural hazards CAZ-MD2; and Financial contributions CAZ-MD3.
CAZ-R24 Helicopter take-off and landing areas		[10.5(95)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Discretionary Assessment Criteria: <ol style="list-style-type: none"> Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal; Proposals for the monitoring and regular audit of noise and other environmental impacts; How the activity complies with NZS6870:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and General CAZ-AC1. 	
CAZ-R25 Offensive trades		[10.5(98)]
Applicable Spatial Layers Reserve 3 Zone	1. Activity Status: Prohibited	

Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

CAZ-S1 Maximum height and daylight envelope

[10.6(1)]

- The maximum height of a building or structure shall not exceed 20m above the natural ground level.

2. The maximum height specified under CAZ-S1(1) is subject to complying with the following:
 - a. Where sites adjoin a residential zone no part of the building shall extend outside the daylight envelope.
 - b. For sites where the building platform has to be raised to be above the stated maximum lake level, the roof structure may exceed the maximum height limit by up to 1m, providing the building does not extend outside the daylight envelope.

CAZ-S2 Yard requirements

[10.6(2)]

1. Museums and schools:
 - a. Where the site adjoins another zone, the minimum yards shall be as follows:

i.	Front yard:	5m
ii.	Side yard:	2.5m
iii.	Rear and rear site yard:	2.5m
2. All other sites:
 - a. Where the site adjoins another zone, the minimum yards shall be as follows:

i.	Front yard:	10m
ii.	Side yard:	10m
iii.	Rear and rear site yard:	10m

CAZ-S3 Parking, access and turning

[10.6(5)]

1. Parking, access and turning shall be provided in accordance with the provisions of Appendix APP1 - Parking, Access and Turning. All vehicle crossings into local roads, shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway written consent from the New Zealand Transport Agency shall be provided.

CAZ-S4 Reflectivity

[10.6(11)]

1. For buildings that are visible from any lake, the finished exterior surfaces, including the roof, shall have reflectivity values between 0 and 37%.

CAZ-S5 Vegetation in riparian areas

[10.6(12)]

1. Vegetation within a minimum distance of 10m from a water body shall be retained, except for the purpose of pest plant management.

Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

CAZ-MC1 Building design, site layout and amenity

1. The design and orientation of buildings and structures and location of outdoor activities to mitigate potential adverse cumulative effects on adjoining sites and the streetscape.
2. Ensuring landscaping is provided to enhance streetscape amenity whilst promoting the safety of pedestrians.
3. Ensuring soil retention and mitigation measures are provided where earthworks are necessary.
4. The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced.

CAZ-MC2 Parking, access and turning

1. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
2. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
3. Where access is gained onto or within the vicinity of a State Highway ensuring that the proposal is consistent with the standards of the Road Controlling Authority.

CAZ-MC3 Natural Hazards

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

CAZ-MC4 Financial contributions

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

CAZ-MC5 Lake Structures

1. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
2. The availability of the jetty for public use from public places at reasonable times and periods, without preventing the reasonable use of the lake structure by the owner of the lake structure.
3. The extent to which public access along public areas adjoining the lake are adversely affected.
4. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
5. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

CAZ-MD1 Building design, site layout and amenity*[10.8(1)(1)]*

1. The amenity of the streetscape is maintained and enhanced.
2. The extent to which the activity would affect ecological values of the area or the quality of the water.
3. The extent to which the activity maintains the passage of flood flows and the maintenance and enhancement of riparian habitat.
4. The extent to which the activity would maintain or enhance indigenous biodiversity vegetation and natural character.
5. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes, or archaeological sites.
6. The extent to which the activity adversely affects the natural character, cultural, amenity and landscape values.
7. The extent to which the activity produces smoke, odour, fumes, dust, noise, glare or any other nuisance effects.
8. The extent to which the activity adversely affects adjoining sites or land-based activities.
9. The extent to which the activity adversely affects the public access to the lake or waterway.
10. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
11. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
12. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites.
13. Implementation of the principles of Crime Prevention through Environmental Design (CPTED) and sustainable building design.
14. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

CAZ-MD2 Natural hazards*[10.8(1)(2)]*

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

CAZ-MD3 Financial contributions*[10.8(1)(3)]*

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

CAZ-MD4 Lake structures*[10.8(2)(2)]*

1. The existing provision, availability and suitability of existing lake structures in the vicinity of the site that would otherwise enable reasonable lake access.
2. The extent to which the new structure would contribute to the cumulative adverse effects on the carrying capacity of the bay and the recreational opportunity.
3. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
4. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
5. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
6. The availability of the jetty for public use from public places at reasonable times and periods without preventing use of the lake structure by the owner of the structure.
7. The extent to which the main design components and surface colours of the lake structure are in harmony with the landscape character and amenity of the surrounding area, whilst allowing reasonable provision for the safety and protection of vessels using the structure.
8. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.
9. The management of adverse effects on resources, sites or areas of spiritual, cultural and historical significance to tangata whenua where those resources, sites or areas have been identified by tangata whenua.

Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

CAZ-AC1 General assessment criteria*[10.9(1)]*

1. How the activity will detract from the amenity of the zone and will result in visual domination of the adjoining sites.
2. The compatibility of the activity with the intended use and purpose of the reserve or community asset zone.
3. The proximity to a zone interface and any potential reverse sensitivity effects that may occur.
4. Consideration against alternative locations for the activity.
5. How the hours of operation may conflict with existing surrounding land uses.
6. The level of glare, illumination, and light levels that adversely affects surrounding residents and the manner this is mitigated.
7. Any cumulative effects resulting from the operation and development of the activity.
8. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the Historical and Cultural Values and the Natural Environmental Values schedules, as well as other relevant matters that are identified in the corresponding chapters.

9. Effects on biodiversity, the indigenous vegetation, habitat of indigenous fauna and natural character, as well as the functioning of ecological processes, water quality and connectivity between habitats and significant natural areas.
10. Adverse effects from natural hazards or the worsening of any hazard.
11. How the activity complies with the Objectives and Policies of the zone and for Strategic Direction, Historical and Cultural Values and the Natural Environmental Values .
12. Any required financial contribution under FC – Financial Contributions.
13. Provision of on-site parking in accordance with the provisions of Appendix APP1 – Parking Access and Turning.
14. Access is gained onto or within the vicinity of a State Highway that the proposal is consistent with the standards of council and the Road Controlling Authority.
15. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
16. Any noise emitted from the activity and its adverse effects on any adjoining residential sites.
17. The proximity to and adverse effects on noise sensitive activities or facilities.
18. Potential mitigation measures to reduce the level of noise emissions created by the facility to be in accordance with performance standards of the zone.
19. The ability to adequately service the proposal and connect to council reticulation where available.
20. The level of compliance with performance standards.
21. Natural Hazards
 - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
 - b. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
22. The assessment criteria for development and activities that affect a Significant Geothermal Feature.
23. The extent to which the activity adversely affects adjoining sites or land-based activities.
24. The extent to which the activity adversely affects the public access to the lake or waterway.
25. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
26. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
27. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

ANTICIPATED ENVIRONMENTAL RESULTS

The efficiency and effectiveness of the policy framework of this part will be the focus of on-going monitoring and review. Effectiveness or achievement of the objectives will be assessed through performance indicators. The performance indicators will be developed to measure the following outcomes that the policy framework was put in place to achieve:

CAZ-AER1	Services and activities within the community asset zone are able to carry out their roles and functions within limited restriction.
CAZ-AER2	Avoidance of reverse sensitivity effects.

WTRZ

WATER ZONE

WTRZ is Operative

INTRODUCTION

The intention of the Water Zone is to manage and allow for appropriate activities relative to the function and intention of the zone. The zone provides for specific cultural, recreational, historic and natural significance at the national and local level.

The Water zone contains provisions that relate to the surface of lakes, rivers and streams. The Bay of Plenty and Waikato Regional Councils have jurisdiction under the Resource Management Act over the water below the surface. This includes such matters as structures on the bed of the lake, river or stream. The Rotorua District Council has transferred its responsibilities for the consenting, under this plan, of structures on the surface of water in the Bay of Plenty to the Bay of Plenty Regional Council. The Rotorua District Council will continue to consider other activities such as recreation on the surface of water.

Te Arawa Lakes Trust is a key partner with Council in the development of the Te Arawa Lakes Strategy and Lakes programme reflecting the purposes and principles of the Te Arawa Lakes Settlement Act 2006 and the Deed of Settlement. The Trust has a dual role as landowner and kaitiaki of the lakes. Prior to applying for consent under the Resource Management Act for approval for a new structure an applicant must gain from the Te Arawa Lakes Trust a lease to occupy the lake bed.

Zone	Code	Description
Water Zone	WTRZ	<p>The Rotorua District has 16 natural lakes (over 8 ha), three major rivers and a number of streams, some of which provide for a wide range of recreational opportunities such as swimming, boating, water skiing and tourism ventures for which the district is renowned. A number of Rotorua lakes are included in Iwi settlements and provisions of these settlements must be recognised. Section 6 of the RMA requires the protection of the natural character and water quality of water bodies. Water zone seeks to control activities on the surface of water.</p> <p>Two of the lakes in the District (Lake Ōhakuri and Lake Atiamuri) were created when the Waikato Hydro Scheme was constructed. These lakes continue to be managed as integral parts of the Waikato Hydro Scheme within defined operating ranges.</p> <p>While recreation, tourism and amenity values are important attributes of the hydro lakes, their primary purpose is for the generation of renewable hydroelectricity. Infrastructure such as the Electricity Generation Core Site is managed through the provisions in EIT- Energy, Infrastructure and Transport.</p>

ISSUES

WTRZ-I1 Activities located on rivers, lakes and their margins

There are 16 natural lakes (over 8 ha), and three major rivers in the District. These complement the volcanic landscape and provide not only spectacular views but an abundance of passive and active recreation and commercial opportunities. The lake environments include lakeside settlements and lake structures such as boatsheds, jetties and boat ramps.

There is a need to achieve a balance between the protection of waterbodies and its natural character with the values that the waterbodies have for commercial and recreational activities, for adjacent residential living and for lake structures. These activities and associated lake structures, if not managed, could have an adverse effect on the natural character of lakes and rivers and lead to competing uses on the allocation of water space. Lake Ōhakuri and Lake Atiamuri were created when the Waikato Hydro Scheme was constructed. Natural character in this context recognises that the hydro lakes comprise a modified landscape with associated amenity values.

Those areas where there is a high degree of natural character are identified and exclude lakeside settlements.

WTRZ-I2 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

WTRZ-I3 Public access to lakes, rivers and streams

The Rotorua District contains an array of streams, lakes and rivers that support the variety of recreational opportunities that the District is renowned for. The use and values of the lakes, lakeside settlements and other lakeside resources for recreation including boating and the recreational use and value of jetties, boatsheds and boat ramps, have been features of the lakes and part of their character for generations. They provide opportunities for enhanced access to the waterbodies and add to recreational use. Their continued use is to be promoted.

The creation of esplanade reserves and strips is the most secure and effective mechanism to provide public access to these waterbodies, while they may not be appropriate in all areas. Their purpose under the RMA is to provide public access to and along these water bodies, to contribute to the protection of the natural character and water quality of lakes, rivers, streams, and enable recreational use of an esplanade reserve or strip where it is compatible with the conservation values attributed to it. Activities should be promoted which enhance and enable the public's ability to enjoy waterbodies and their margins. Activities that require exclusive use or impede other's use and enjoyment of the district's water bodies need to be managed to ensure that the purpose of these reserves is maintained and provide for the public's ability to enjoy the district's water bodies, whilst respecting adjacent land owners.

OBJECTIVES

Activities located on the surface of rivers, lakes and their margins

WTRZ-O1

[10.3(5)]

Recognising the value of lake structures and activities on the surface of the water, whilst the adverse effects are avoided, remedied or mitigated, including cumulative effects on the natural character and functioning of water bodies and their margins, as well as Māori culture and traditions.

Policies WTRZ-P1 to WTRZ-P2

Reverse sensitivity

WTRZ-02 <i>[1.3(10)]</i>	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policies WTRZ-P3</i>
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POLICIES**Activities located on the surface of rivers, lakes and their margins***Objective WTRZ-01*

WTRZ-P1 <i>[10.3(5)(1)]</i>	Enable recreational and commercial activities, structures and buildings to occur on the surface of lakes and rivers, where adverse effects on the natural character and functioning of water bodies and their margins and Māori culture and traditions are avoided, remedied and mitigated, ensuring that, in particular: <ol style="list-style-type: none"> 1. Existing lake structures continue to be used in a manner that does not increase adverse effects on the lake and lakeside settlements 2. New lake structures are enabled where: <ol style="list-style-type: none"> a. Reasonable need can be demonstrated for the lake structure, having regard to: <ol style="list-style-type: none"> iii. The existing provision and availability of similar facilities in the surrounding area. iv. The contribution of the new lake structure to the social wellbeing of the community, the recreational values and use of the lakes, as well as environmental wellbeing. b. The public use of the lake and adjoining public areas are not unduly affected. c. The design of the lake structure takes into account shore morphology and lake depth, and functional needs of water craft using the lake structure. d. The lake structure is in keeping with the character and amenity of the surrounding land, water and environment. e. It will not adversely affect sites of cultural significance to tangata whenua.
WTRZ-P2 <i>[10.3(5)(2)]</i>	Activities on the surface of water are managed to minimise any potential conflict between those activities, and to avoid, remedy or mitigate reverse sensitivity effects.

Reverse sensitivity*Objective WTRZ-03*

WTRZ-P3 <i>[1.3(10)(1)]</i>	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities the Water Zone include (but are not limited to):
 - earthworks,
 - noise and light emissions,
 - signs
 - management of sensitive landscapes and significant natural areas in the following chapters: PA - Public Access, NC - Natural Character, ECO - Ecosystems, NFL - Natural Landscapes and Features.

Links to the rule categories are provided below:

General	61
Recreation Activities	61
Structures and Craft.....	62
Vegetation	65
Retail and Commercial.....	65
Other Activities	65

Rules for Activities in the Water Zone

General		
WTRZ-R1	Where an activity is not expressly stated in this table	[10.5(2)]
Applicable Spatial Layers Water Zone	1. Activity Status: Discretionary Assessment Criteria: a. General WTRZ-AC1 .	
Recreation Activities		
WTRZ-R2	Outdoor recreation activities, excluding buildings	[10.5(6)]
Applicable Spatial Layers Water Zone	1. Activity Status: Permitted Performance Standards: a. Parking, access and turning WTRZ-S1 ; and b. Vegetation in riparian areas WTRZ-S3 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in WTRZ-R2(1) Matters of Discretion: a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;

		<ul style="list-style-type: none"> c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity WTRZ-MD1; e. Natural hazards WTRZ-MD2; and f. Financial contributions WTRZ-MD3.
Structures and Craft		
WTRZ-R3	Lake Structures	[10.5(28), 10.5(29), 10.5(30)]
Applicable Spatial Layers Water Zone	<p>1. Activity Status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity is operation, maintenance, demolition and replacement of existing lake structures. b. Where upgrading or replacement occurs, it does not result in any increase in the base area and/or height of the lake structure and is located within the existing lake structure's footprint. c. Except, the height of a jetty may be increased, but in such an event it shall not exceed 1.2m above the mean lake water level. <p>Performance Standards:</p> <ul style="list-style-type: none"> a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and f. Vegetation in riparian areas WTRZ-S3. 	
Applicable Spatial Layers Water Zone	<p>2. Activity Status: Controlled</p> <p>Where:</p> <p>The activity is replacement of an existing lake structure outside the existing footprint where the scale is the same or reduced and the number of structures is reduced.</p> <p>Performance Standards:</p> <ul style="list-style-type: none"> a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure; and f. Vegetation in riparian areas WTRZ-S3. <p>Matters of Control:</p>	

	<ul style="list-style-type: none">a. The extent to which the character and environmental quality of the adjoining properties, the street scape and the properties within the zone is maintained and enhanced.b. Building design and amenity WTRZ-MC1c. Natural Hazards WTRZ-MC3; andd. Lake structures WTRZ-MC5.	
Applicable Spatial Layers Water Zone	3. Activity Status: Restricted Discretionary Where: The lake structure is not otherwise provided for as a permitted or controlled activity. Matters of Discretion <ul style="list-style-type: none">a. Building design and amenity WTRZ-MD1;b. Natural hazards WTRZ-MD2; andc. Lake Structures WTRZ-MD4.	
Advice Note: The lake structure must be securely connect into the bank or bed of the lake to meet the standards set under the Building Code.		
WTRZ-R4	The use, erection, construction, placement, alteration or extension of a navigational marker, sign, ski land marker or canoe gate on the water body	<i>[10.5(22)]</i>
Applicable Spatial Layers Water Zone	1. Activity Status: Permitted Where: Where the activity is required by Harbour Masters under the Bay of Plenty Regional Navigation and Safety Bylaw 2010 or Waikato Regional Council Navigation Safety Bylaw 2013. Performance Standards: <ul style="list-style-type: none">a. Reflectivity WTRZ-S2; andb. Vegetation in riparian areas WTRZ-S3.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in WTRZ-R4(1) . Matters of Discretion: <ul style="list-style-type: none">a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;c. How the activity provides more efficient and practical use of the remainder of the site;d. Building design and amenity WTRZ-MD1;e. Natural hazards WTRZ-MD2; andf. Financial contributions WTRZ-MD3.
WTRZ-R5	Structures for the purposes of lake water quality improvement and nutrient reduction	<i>[10.5(23)]</i>
Applicable Spatial Layers Water Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none">a. The design components and surface colours are in keeping with the natural character, does not impede public access to the lake or remove vegetation	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in WTRZ-R5(1) . Matters of Discretion:

	<p>important for maintaining biodiversity.</p> <p>b. Reflectivity WTRZ-S2; and</p> <p>c. Vegetation in riparian areas WTRZ-S3.</p>	<p>a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Building design and amenity WTRZ-MD1;</p> <p>e. Natural hazards WTRZ-MD2; and</p> <p>f. Financial contributions WTRZ-MD3.</p>
WTRZ-R6 Use of craft for aquatic weed management		[10.5(24)]
Applicable Spatial Layers Water Zone	1. Activity Status: Permitted	
WTRZ-R7 Works for the avoidance of flooding		[10.5(25)]
Applicable Spatial Layers Water Zone	<p>1. Activity Status: Permitted</p> <p>Performance Standards:</p> <p>a. Works for avoidance of flooding are permitted provided they:</p> <p>i. Safeguard existing ecological and habitat values and wetlands outside the beds of rivers or lakes or provide compensatory works; and</p> <p>ii. Do not adversely affect any permanent or ephemeral watercourse which flows into or across land; except where a consent for the same activity has been issued by a regional council and where the Rotorua District Council has been consulted as an affected party.</p> <p>b. Reflectivity WTRZ-S2; and</p> <p>c. Vegetation in riparian areas WTRZ-S3.</p>	<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>Compliance is not achieved with the performance standards in WTRZ-R7(1) .</p> <p>Matters of Discretion:</p> <p>a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Building design and amenity WTRZ-MD1;</p> <p>e. Natural hazards WTRZ-MD2; and</p> <p>f. Financial contributions WTRZ-MD3.</p>
WTRZ-R8 Motorised and non-motorised water based recreational activities within Water Zone		[10.5(26)]
Applicable Spatial Layers Water Zone	<p>1. Activity Status: Permitted</p> <p>Where:</p> <p>The activity is not provided for in Rule WTRA-R13.</p>	

WTRZ-R9		Houseboats for permanent residency	[10.5(32)]
Applicable Spatial Layers Water Zone	1. Activity Status: Non-Complying		
Vegetation			
WTRZ-R10		Restoration and re-vegetation of riparian margins, including disturbance of exotic plants and removing pest plants	[10.5(21)]
Applicable Spatial Layers Water Zone	1. Activity Status: Permitted		
WTRZ-R11		Disturbance or removal of riparian vegetation	[10.5(31)]
Applicable Spatial Layers Water Zone	1. Activity Status: Restricted Discretionary Matters of Discretion: a. Where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies; and b. Natural hazards WTRZ-MD2 .		
Retail and Commercial			
WTRZ-R12		Commercial outdoor recreation activities, including associated buildings and structures	[10.5(32)(a)]
Applicable Spatial Layers Water Zone	1. Activity Status: Discretionary Assessment Criteria: a. General WTRZ-AC1 .		
WTRZ-R13		Motorised water based commercial activities on the Waikato River	[10.5(27)]
Applicable Spatial Layers Water Zone	1. Activity Status: Discretionary Assessment Criteria: a. General WTRZ-AC1 .		
Other Activities			
WTRZ-R14		Boardwalks, Bridges and harvesting of resources within the Te Puia site	[10.5(100)]
Applicable Spatial Layers Water Zone	1. Activity Status: Permitted Performance Standards: a. Vegetation in riparian areas WTRZ-S3 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in WTRZ-R14(1) but does not trigger consideration of any special land feature. Matters of Discretion:	

		<ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity WTRZ-MD1; e. Natural hazards WTRZ-MD2; and f. Financial contributions WTRZ-MD3.
WTRZ-R15 Navigational aids and beacons and the establishment, operation and maintenance of meteorological services with utilities in accordance with EIT- Energy Infrastructure and Transport		[10.5(96)]
Applicable Spatial Layers Water Zone	1. Activity Status: Permitted Performance Standards: <ul style="list-style-type: none"> a. Reflectivity WTRZ-S2; and b. Vegetation in riparian areas WTRZ-S3. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards in CNSZ-R15(1) but does not trigger consideration of any special land feature. Matters of Discretion: <ul style="list-style-type: none"> a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and amenity WTRZ-MD1; e. Natural hazards WTRZ-MD2; and f. Financial contributions WTRZ-MD3.
WTRZ-R16 Helicopter take-off and landing areas		[10.5(95)]
Applicable Spatial Layers Water Zone	1. Activity Status: Discretionary Assessment Criteria: <ul style="list-style-type: none"> a. Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal; b. Proposals for the monitoring and regular audit of noise and other environmental impacts; c. How the activity complies with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and d. General WTRZ-AC1; 	

WTRZ-R17 Offensive trades		[10.5(98)]
Applicable Spatial Layers Water Zone	1. Activity Status: Prohibited	

Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

WTRZ-S1 Parking, access and turning

[10.6(5)]

1. Parking, access and turning shall be provided in accordance with the provisions of Appendix APP1- Parking, Access and Turning. All vehicle crossings into local roads, shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway written consent from the New Zealand Transport Agency shall be provided.

WTRZ-S2 Reflectivity

[10.6(11)]

1. For buildings that are visible from any lake, the finished exterior surfaces, including the roof, shall have reflectivity values between 0 and 37%.

WTRZ-S3 Vegetation in riparian areas

[10.6(12)]

1. Vegetation within a minimum distance of 10m from a water body shall be retained, except for the purpose of pest plant management.

Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

WTRZ-MC1 Building design, site layout and amenity

1. The design and orientation of buildings and structures and location of outdoor activities to mitigate potential adverse cumulative effects on adjoining sites and the streetscape.
2. Ensuring landscaping is provided to enhance streetscape amenity whilst promoting the safety of pedestrians.
3. Ensuring soil retention and mitigation measures are provided where earthworks are necessary.
4. The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced.

WTRZ-MC2 Parking, access and turning

1. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
2. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.

3. Where access is gained onto or within the vicinity of a State Highway ensuring that the proposal is consistent with the standards of the Road Controlling Authority.

WTRZ-MC3 Natural Hazards

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

WTRZ-MC4 Financial contributions

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

WTRZ-MC5 Lake structures

1. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
2. The availability of the jetty for public use from public places at reasonable times and periods, without preventing the reasonable use of the lake structure by the owner of the structure.
3. The extent to which public access along public areas adjoining the lake are adversely affected.
4. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
5. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

WTRZ-MD1 Building design, site layout and amenity

[10.8(1)(1)]

1. The amenity of the streetscape is maintained and enhanced.
2. The extent to which the activity would affect ecological values of the area or the quality of the water.
3. The extent to which the activity maintains the passage of flood flows and the maintenance and enhancement of riparian habitat.
4. The extent to which the activity would maintain or enhance indigenous biodiversity vegetation and natural character.
5. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes, or archaeological sites.
6. The extent to which the activity adversely affects the natural character, cultural, amenity and landscape values.
7. The extent to which the activity produces smoke, odour, fumes, dust, noise, glare or any other nuisance effects.

8. The extent to which the activity adversely affects adjoining sites or land-based activities.
9. The extent to which the activity adversely affects the public access to the lake or waterway.
10. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
11. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
12. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites.
13. Implementation of the principles of Crime Prevention through Environmental Design (CPTED) and sustainable building design.
14. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

WTRZ-MD2 Natural hazards

[10.8(1)(2)]

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

WTRZ-MD3 Financial contributions

[10.8(1)(3)]

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

WTRZ-MD4 Lake structures

[10.8(2)(2)]

1. The existing provision, availability and suitability of existing lake structures in the vicinity of the site that would otherwise enable reasonable lake access.
2. The extent to which the new structure would contribute to the cumulative adverse effects on the carrying capacity of the bay and the recreational opportunity.
3. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
4. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
5. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
6. The availability of the jetty for public use from public places at reasonable times and periods without preventing use of the lake structure by the owner of the structure.
7. The extent to which the main design components and surface colours of the lake structure are in harmony with the landscape character and amenity of the surrounding area, whilst allowing reasonable provision for the safety and protection of vessels using the structure.

8. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.
9. The management of adverse effects on resources, sites or areas of spiritual, cultural and historical significance to tangata whenua where those resources, sites or areas have been identified by tangata whenua.

Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

WTRZ-AC1 General assessment criteria

[10.9(1)]

1. How the activity will detract from the amenity of the zone and will result in visual domination of the adjoining sites.
2. The compatibility of the activity with the intended use and purpose of the reserve or community asset zone.
3. The proximity to a zone interface and any potential reverse sensitivity effects that may occur.
4. Consideration against alternative locations for the activity.
5. How the hours of operation may conflict with existing surrounding land uses.
6. The level of glare, illumination, and light levels that adversely affects surrounding residents and the manner this is mitigated.
7. Any cumulative effects resulting from the operation and development of the activity.
8. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the Historical and Cultural Values and the Natural Environmental Values schedules, as well as other relevant matters that are identified in the corresponding chapters.
9. Effects on biodiversity, the indigenous vegetation, habitat of indigenous fauna and natural character, as well as the functioning of ecological processes, water quality and connectivity between habitats and significant natural areas.
10. Adverse effects from natural hazards or the worsening of any hazard.
11. How the activity complies with the Objectives and Policies of the zone and for Strategic Direction, Historical and Cultural Values and the Natural Environmental Values.
12. Any required financial contribution under FC – Financial Contributions.
13. Provision of on-site parking in accordance with the provisions of Appendix APP1 – Parking, Access and Turning and Access.
14. Access is gained onto or within the vicinity of a State Highway that the proposal is consistent with the standards of council and the Road Controlling Authority.
15. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
16. Any noise emitted from the activity and its adverse effects on any adjoining residential sites.
17. The proximity to and adverse effects on noise sensitive activities or facilities.

18. Potential mitigation measures to reduce the level of noise emissions created by the facility to be in accordance with performance standards of the zone.
19. The ability to adequately service the proposal and connect to council reticulation where available.
20. The level of compliance with performance standards.
21. Natural Hazards
 - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
 - b. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
22. The assessment criteria for development and activities that affect a Significant Geothermal Feature.
23. The extent to which the activity adversely affects adjoining sites or land-based activities.
24. The extent to which the activity adversely affects the public access to the lake or waterway.
25. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
26. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
27. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

ANTICIPATED ENVIRONMENTAL RESULTS

The efficiency and effectiveness of the policy framework of this part will be the focus of on-going monitoring and review. Effectiveness or achievement of the objectives will be assessed through performance indicators. The performance indicators will be developed to measure the following outcomes that the policy framework was put in place to achieve:

WTRZ-AER1	Increased public access to water bodies and greater connectivity between esplanade reserves and strips.
WTRZ-AER2	No loss of natural character, amenity or biodiversity as it relates to the conservation values attributed to the conservation reserves.
WTRZ-AER3	No loss of historic heritage sites and structures or their values that make them significant.
WTRZ-AER4	Avoidance of reverse sensitivity effects.