Part 2: District Wide Matters

NATURAL ENVIRONMENT VALUES

CONTENTS

ECOSYSTEMS AND BIODIVERSITY – RAUWIRINGA KAIAO ME TE KOIORA 4
Introduction 4
Issues....5
Objectives 5
Policies 5
Rules....7
Rules for Significant Indigenous Vegetation and Habitat (Significant Natural Areas) 8
Rules for Bio-Vegetation Areas 13
Assessment Criteria 14
Anticipated Environmental Results 14
Schedules 15
ECO-SCHED1 – Significant Natural Areas 15
NATURAL CHARACTER– HURU MĀORI 24
Introduction 24
Issues....24
Objectives 25
Policies 25
Rules....26
Rules relating to Natural Character....27
Anticipated Environmental Results 29
NATURAL FEATURES AND LANDSCAPES- NGA AHUATANGA MAOI ME NGA WAAHI 30
Introduction 30
Issues....31
Objectives 32
Policies 32
Rules....36
Assessment Criteria 61
Anticipated Environmental Results 61
Schedules 61
NFL-SCHED1 - Outstanding Natural Features and Landscapes Schedule 61
PUBLIC ACCESS- URUNGA A TE IWI....63
Introduction 63
Issues....63

Objectives 63
Policies 64
Rules 64
Rules for Activities in Relating to Public Access 65
Assessment Criteria 70
Anticipated Environmental Results 70

ECOSYSTEMS AND BIODIVERSITY – RAUWIRINGA KAIAO ME TE KOIORA

Status: ECO is Operative with the exception of:

- the changes proposed by Plan Change 3: Significant Natural Areas (notified 27 July 2019), which are shown in underline and ~~strikethrough~~. The proposed additions to the Significant Natural Areas schedule and associated map changes have immediate legal effect (refer to section 86B of the Act).
- The provisions subject to Plan Change 9, which are shown with in underline and ~~strikethrough.~~

INTRODUCTION

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

> *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (section 6(c)).*

The purpose of this chapter is to recognise and provide for the characteristics identified under Section 6 that are located within the district, without unduly restricting the property rights of landowners. It is important that the District Plan balances the ability to make use of land and resources, whilst at the same time ensuring that those special qualities and characteristics of the feature are retained, or, if opportunities are presented, enhanced.

Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

Significant Natural Areas (SNAs) were identified, assessed and mapped in reports commissioned from ecological consultancies, which are available on the Council's website. The scope of these reports was to identify significant natural areas without formal protection. It is noted that the majority of significant indigenous vegetation and habitat is located on public land administered by the Department of Conservation.

Identified Significant Natural Areas are included in the planning maps and schedule. The provisions of this part of the plan focus on the management of the identified sites.

It is noted that a site can be both a Significant Natural Area and a Significant Geothermal Feature. Management of Significant Geothermal Features is addressed separately in NFL- Natural Features and Landscapes.

Bio-Vegetation areas

This chapter also contains the rules for the Bio-Vegetation Area Overlay in the Waikato Region.

ISSUES

ECO-I14 Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

The district has a wide range of indigenous biodiversity, some of which is unique to Rotorua. Section 6 of the RMA requires protection of significant indigenous vegetation and habitat. Areas of significant indigenous vegetation, habitat and associated ecosystem viability have been reduced due to clearing of forests, draining of wetlands, clearing of geothermal systems and modification of ecosystems.

OBJECTIVES

Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

ECO-O1 *[2.3(5)]*	A network of healthy functioning areas of significant indigenous vegetation and significant habitats of indigenous fauna with a high degree of ecological integrity, intactness, interconnectivity, and cohesiveness. *Policies ECO-P1 to ECO-P3*
ECO-O2 *[2.3(6)]*	Manage the adverse effects of high voltage transmission lines on Significant Natural Areas and/or Outstanding Natural Features and Landscapes, whilst recognising the national benefits of a secure efficient electricity supply. *Policies ECO-P4 to ECO-P5*

POLICIES

Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

Objective ECO-O1

ECO-P1 *[2.3(5)(1)]*	Avoid, remedy or mitigate, the adverse effects of subdivision, use and development in areas of significant indigenous vegetation or habitat where the criteria in Section 11A of the Waikato Regional Policy Statement or Appendix F of the Bay of Plenty Regional Policy Statement are triggered by ensuring that: 1. The clearance of indigenous vegetation or ground disturbance for any activity does not reduce the ecological sustainability or values and characteristics of the Significant Natural Area 2. Any loss of indigenous vegetation or habitat that cannot be avoided is remedied or mitigated to achieve no net loss of biodiversity 3. The health and functioning of Significant Natural Area is maintained through building and development setbacks where appropriate 4. Activities that enhance or restore buffers around Significant Natural Areas and ecological connections and corridors between Significant Natural Areas are encouraged 5. All practical options for locating the activity outside of the Significant Natural Areas have been considered 6. The Māori, historical and community association with the Significant Natural Area is maintained.

ECO-P2 *[2.3(5)(2)]*	Support the integrity of Significant Natural Areas and habitat of indigenous fauna by maintaining or enhancing indigenous vegetation and biodiversity where this enables the establishment and maintenance of ecological corridors and provision of buffers around Significant Natural Areas.
ECO-P3 *[2.3(5)(3)]*	Provide for the reasonable use and enjoyment of land within Significant Natural Areas through: 1. The maintenance and operation of lawfully established infrastructure and utilities 2. The continuation of existing lawfully established land uses of where the effects of such land use remain the same or similar in character, intensity and scale 3. Activities undertaken for the purpose of maintenance or enhancement of indigenous biodiversity 4. The collection of material for maintaining traditional Māori cultural practises 5. Actions necessary to avoid loss of life, injury or serious damage to property.

Objective ECO-O2

ECO-P4 *[2.3(6)(1)]*	New high voltage transmission lines shall only traverse Significant Natural Areas or Outstanding Natural Features and Landscapes where the infrastructure is subject to a significant functional constraint, or where there is no feasible practicable alternative route and/or when significant adverse effects are outweighed by the overall benefits of the proposal.
ECO-P5 *[2.3(6)(2)]*	Enable the continued operation, maintenance and upgrade of existing high voltage transmission lines located within an identified Significant Natural Area or Outstanding Natural Feature and Landscape.

RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

A key point to note is that the other chapters in Natural Environmental Values also contain rules addressing indigenous vegetation clearance in certain locations.

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.

For plantation forestry in or adjacent to Significant Natural Areas refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules in this table will apply.

Activities in or near wetlands, including vegetation clearance, earthworks and land disturbance, may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking activities in or near wetlands should discuss their proposal with the relevant regional council.

Links to the rule categories are provided below:

Rules for Significant Indigenous Vegetation and Habitat (Significant Natural Areas) 8

Buildings and Structures in Significant Natural Areas 8

Tracks 9

Vegetation 10

Earthworks 12

Rules for Bio-Vegetation Areas 13

Vegetation 13

Rules for Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

Buildings and Structures in Significant Natural Areas			
ECO-R1	**Buildings or structures (including lake structures and infrastructure) in a Significant Natural Area**		*[4.5(76), 5.5(21), 7.56(77), 9.5(72), 10.5(53), 9.5(81), 10.5(61), 9.5(78), 4.5(76), 9.5(80), 10.5(62) 4.5(75), 5.5.2(21), 7.5(80), 9.5(77), 10.5(59)]*
Applicable Spatial Layers Significant Natural Areas Overlay	**1. Activity Status:** Permitted **Where:** a. The activity is upgrade, alterations, maintenance or replacement of any lawfully established building or structure; and b. The building or structure does not exceed the building envelope or footprint of the existing building or structure. **Performance Standards** a. Any external walls and roofs of any building, structure (excluding lake structures) or addition shall not exceed a reflectivity value of 37%; and b. Significant indigenous vegetation within the Significant Natural Area shall not be removed.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for ECO-R1(1). **Assessment Criteria:** a. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; b. The extent to which the finished building roofline or structure will be below the nearest ridgeline; c. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and; d. Assessment criteria for the relevant zone.	
Applicable Spatial Layers Significant Natural Areas Overlay: All Rural Zones All Reserves Zones	**3. Activity Status:** Permitted **Where:** The activity is a maimai.		
Applicable Spatial Layers Significant Natural Areas Overlay: Rural 1 Zone	**4. Activity Status:** Permitted **Where:** The activity is a water tank. **Performance Standards** a. The tank does not exceed 25,000l and 3m in height with associated pump and pipe installation work;	**5. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for ECO-R1(4). **Assessment Criteria:** a. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their	

	b. Indigenous vegetation disturbance will be limited to the removal of the understorey only in an area no wider than 2.5m as long as it is the minimum disturbance that is required during a temporary period for the purpose of construction; c. Earthworks are limited to the area used for the placement of the structure supporting the pipe network; d. The vegetation within the Significant Natural Area that is disturbed through the construction works will be reinstated; and e. The exterior surfaces of any water tank with a paint finish shall have a reflectance value of between 0 and 37% and, if plastic, shall not be white.	construction, integrate the building or structure into the surrounding natural environment; b. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and c. Assessment criteria for the relevant zone.
Applicable Spatial Layers Significant Natural Areas Overlay: All Residential Zones All Rural Zones All Reserves Zones	**6. Activity Status:** Discretionary **Where:** a. The activity is a lake structure b. The activity is not permitted in rules ECO-R1(1) or ECO-R1(3). **Assessment Criteria:** a. The extent to which the siting, orientation, design, and bulk of any building and materials used for their construction, integrate the building or structure into the surrounding natural environment; b. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and c. Assessment criteria for the relevant zone.	
Applicable Spatial Layers Significant Natural Areas Overlay	**7. Activity Status:** Non-Complying **Where:** The building or structure is not otherwise provided for in the rules for the Significant Natural Areas Overlay.	
Tracks		
ECO-R2	**Maintenance of existing farm, forestry, skid sites and walking tracks in a Significant Natural Area**	*[4.5(73), 5.5.2(19), 7.5(79), 9.5(75), 10.5(57)]*
Applicable Spatial Layers Significant Natural Areas Overlay	**1. Activity Status:** Permitted **Performance Standards:** a. The track shall not exceed the existing width of the formed track; and b. Construction debris shall not be placed, or allowed to enter a water body.	
Advice Note: For plantation forestry in or adjacent to Significant Natural Areas refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are		

more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.		
ECO-R3	**Formed Walking Tracks (including for pest management) in a Significant Natural Area**	*[4.5(74), 5.5.2(20), 9.5(76), 10.5(58)].*
Applicable Spatial Layers Significant Natural Areas Overlay	**1. Activity Status:** Restricted Discretionary **Matters of Discretion:** a. The prevention of access to or from a state highway. b. The walking track shall not disturb any endangered indigenous fauna or species or their habitat as listed in the ECO-SCHED1 Significant Natural Areas Schedule. c. Methods used to avoid construction debris from entering a water body. d. The extent to which the scale and location of earthworks associated with the tracks detract from the values and characteristics of the Significant Natural Area.	
Vegetation		
ECO-R4	**Indigenous Vegetation Disturbance in a Significant Natural Area**	*[4.5(70), 4.5(72), 4.5(77), 5.5.2(16), 5.5.2(18),5.5.2(22), 7.5(76), 7.5(81), 7.5(78), 9.5(72), 9.5(74), 9.5(79), 10.5(53),10.5.(55), 10.5(60), 15.5(5), 15.5(6)]*
Applicable Spatial Layers Significant Natural Areas Overlay	**1. Activity Status:** Permitted **Where:** a. It is disturbance for: i. unformed tracks for pedestrian or cycling use; ii. removal of trees that endanger human life, structures or utilities or obstruct existing access to utilities; iii. conservation fencing to exclude stock and/or pests; iv. gathering of plants in accordance with Māori custom and values; v. maimai and walking access to it; vi. walking tracks for the purpose of providing access for pest management purposes. vii. access for any of the above purposes and for pest management; or viii. the continuation of grazing in the rural zone where it does not increase the scale and intensity as stated in the report by an agricultural consultant submitted to Rotorua District Council within six months of the Plan being fully operative, provided that the grazing does not cease for more than 12 months. b. It is clearance of indigenous vegetation that is: i. an integral part of the maintenance of lawfully established roads, tracks, earth dams or fence lines as long as it is within the minimum of clearance that is required; ii. vegetation that is in an area which is Public Conservation land managed under the Conservation Act 1987 or the National Parks Act 1980 or subject to management by entities that have certification under: 1. Forest Stewardship Council Certification;	

	2. Programme for the Endorsement of Forest Certification; or 3. Sustainable Forestry Initiative; or iv. an integral part of any of the purposes listed in (a) above; or c. Trimming or pruning of vegetation where it: i. affects the operations of existing high voltage transmission lines or network utility structures and will not result in the death or irreparable damage of the vegetation and will not result in the reduction in the identified values associated with the significant natural area; ii. affects the structural integrity of an existing fence; iii. will not result in the death or irreparable damage of the vegetation; iv. is directly adjoining existing pedestrian and cycle tracks for the purpose of maintaining the use of those tracks; v. will not result in a reduction in the identified values associated with the Significant Natural Area; or vi. affects the structural integrity of an existing building.
Advice Note: For plantation forestry in or adjacent to Significant Natural Areas refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.	
Applicable Spatial Layers Significant Natural Areas Overlay	**2. Activity Status:** Discretionary **Where:** The activity is not provided for in Rule ECO-R4(1) and is vegetation disturbance associated with infrastructure as described in EIT Energy, infrastructure and transport. **Matters of Discretion:** **a.** Infrastructure specific ECO-AC1.
Applicable Spatial Layers Significant Natural Areas Overlay	**3. Activity Status:** Non-Complying **Where:** The activity is not provided for in Rule ECO-R4(1) and is not vegetation disturbance associated with infrastructure in Rule ECO-R4(2).

ECO-R5	**Restoration, re-vegetation or enhancement of indigenous vegetation in a Significant Natural Area**	*[4.5(70), 5.5.2(16), 7.5(76), 9.5(72), 10.5(53)]*

Applicable Spatial Layers Significant Natural Areas Overlay	**1. Activity Status:** Permitted **Performance Standards:** a. Planting shall be undertaken with locally sourced indigenous species the same as existing indigenous species already present or that would have been historically present onsite. b. The restoration of the Significant Natural Area shall not result in existing indigenous vegetation being removed.	**2. Activity Status:** Discretionary **Where:** The activity does not meet the performance standards of Rule ECO-R5(1). **Assessment Criteria:** a. The extent to which the vegetation removal affects natural character of the water body and associated natural environment; b. The extent to which the vegetation removal affects habitat of fauna, water quality or the ecological values

		of the water body and riparian margin; and c. Assessment criteria for the relevant zone.

Earthworks

ECO-R6	Earthworks in a Significant Natural Area	*[4.5(96), 7.5(96), 9.5(121), 10.5(56)]*
Applicable Spatial Layers Significant Natural Areas Overlay	**1. Activity Status:** Permitted **Where:** a. The earthworks are: i. Earthworks incidental to either an approved subdivision, or construction of a building platform, or installation of utility services, or to provide access to an activity which is a permitted activity or authorised by a resource consent. ii. Excavations that do not exceed 2m in depth for the purpose of installing foundations for telecommunication masts. iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works within: 1. Electricity Generation Core Sites; 2. Land zoned Industrial 2 at Ohaaki identified on Planning Maps 545 and 546. iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities. v. Earthworks associated with the replacement or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. vi. Land preparation and earthworks accessory to and reasonably necessary for fencing and existing forestry activity. vii. Earthworks activity undertaken for the purpose of the maintenance of indigenous biodiversity. viii. Normal domestic gardening and other earthworks accessory to the use and occupation of a ~~household~~ residential unit. ix. Normal reserve gardening activities, turf and pasture preparation, maintenance and renovation practices. x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices, provided that the track shall not exceed the existing width of the formed track. xi. Earthworks on land not under water that is accessory to lake structures. xii. Ploughing as part of normal farm practices, which result in recontouring the land. xiii. Troughs and their associated pipe network and realignment of fences associated with normal farming practices. xiv. Ploughing as part of normal farm practices within an Outstanding Natural Landscape.	

	xv. New drains within pastoral landscape that forms part of an Outstanding Natural Feature and Landscape.
Applicable Spatial Layers: Significant Natural Areas Overlay	**2. Activity Status:** Discretionary **Where:** An activity is not provided for in ECO-R6(1). **Assessment Criteria:** a. Assessment criteria for the relevant zone.

Rules for Bio-Vegetation Areas

Vegetation		
ECO-R7	**Removal of indigenous vegetation in a Bio-vegetation Area**	*[9.5(122), 10.5(94)*
Applicable Spatial Layers Bio-vegetation Area Overlay: All Rural Zones Reserve 1 Zone Water Zone	**1. Activity Status:** Restricted Discretionary **Performance Standards:** a. An ecological assessment by a suitably qualified expert is to be submitted with an application for resource consent. **Matters of Discretion** a. The extent to which the removal of vegetation will: i. Contribute to the cumulative loss or degradation of indigenous habitats and ecosystems; ii. Fragment or isolate indigenous habitats and ecosystems; iii. Adversely affect corridors or connections linking indigenous habitats and ecosystems, ecological sequences, migratory pathways, water quality, ecosystem services; iv. Adversely affect the extent and quality of indigenous habitats and ecosystems; or v. Result in an increased threat from plant or animal pests. b. The extent to which the proposal will promote positive indigenous biodiversity outcomes including through enhancement, restoration and pest control. c. The extent to which those areas/ecosystems that support (including through buffering and/or linking) habitats and areas identified as significant natural areas are maintained. d. The extent to which tangata whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment will be maintained or enhanced. e. The extent to which the removal of vegetation can be mitigated through the application of the “no net loss” principle. f. The extent to which the removal of vegetation will adversely affect the restoration and protection of the health and wellbeing of the Waikato River and its catchment. g. The management of the density, range and viability of indigenous flora and fauna. h. The consideration and application of biodiversity offsets as a means to achieve no net loss where significant residual adverse effects are unable to be avoided, remedied or mitigated. i. The location, nature, scale, timing and duration of the activity.	

Advice Note:

For the removal of indigenous vegetation associated with plantation forestry refer instead to the National Environmental Standards.

Assessment Criteria

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

ECO-AC1 Infrastructure Specific

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the values of the Significant Natural Area.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

ANTICIPATED ENVIRONMENTAL RESULTS

ECO-AER1	Retention and protection of the areas and values associated with Significant Natural Areas associated habitats and ecosystems.
ECO-AER2	Maintenance of existing access within Significant Natural Areas.
ECO-AER3	No loss of values or significance of significant indigenous vegetation due to inappropriate use and development of infrastructure.

SCHEDULES

ECO-SCHED1 – Significant Natural Areas

Unique ID #	Item	Planning map	Geothermal Vegetation
1	Mamakū	354, 514, 515, 518, 519, 520, 521, 532, 536	Yes
2	Ōhinenui Stream	536	No
3	South Road	536	No
4	Ōhinenui Side stream	536	No
5	Waitētahi Stream	532	No
6	Mt Ngongotahā Scenic Reserve Extension	515, 516, 517, 519	No
7	Mountain Road	319, 323	No
8	Waiowhiro Flat Wetland	317, 318	No
9	Ngongotahā Railway Kahikatea	315, 316, 317	No
11	Tapapakurua Stream	532	Yes
12	Kōmutumutu Steam A	513, 532	Yes
13	State Highway 5	532	No
14	Kōmutumutu Stream B	532	No
15	Waiteti Stream	511, 513, 532	No
16	Ōturoa Road Junction	532	No
18	Upper Waiteti Stream	532	No
20	Hamurana Road Wetland	310	No
21	Te Waerenga Gorge Scenic Reserve Extension	508	No
22	Mission Bay Bush	306, 307	No
23	Hamurana Road	307, 357, 522	No
24	Ohau Channel Wetland	358, 522	No
26	Te Weta Bay	374	No

Unique ID #	Item	Planning map	Geothermal Vegetation
27	Te Tī Bay	372, 375	No
29	Te Ārero Bay	372, 534	No
31	Lake Te Hapua	534	No
32	Tumoana Point	376	No
33	Motuōha Point	377, 534	Yes
34	Te Ngae Junction Wetland	359, 362	No
35	Hell's Gate	361, 523	Yes
36	Tikitere Northwest	361	Yes
37	Maraeroa	376, 523	Yes
38	Ruahine Springs	534	Yes
39	Tītoki Farm Forest	534	No
42	Lake Rotokawau	523, 524, 534	Yes
43	Te Ngae Kahikatea Stand	362, 365	No
44	Te Ngae Bush	363, 366	No
45	Cookson Road	524, 525, 538	No
46	Hamurana Cliffs	305, 306, 307	No
47	Rotokawa Road	525	No
49	Lake Rotokawa	368, 369, 537	Yes
58	Lake Okataina Scenic Reserve Extension	377, 524, 525, 534, 538	No
61	Waikururu Stream Wetlands	537	No
73	Mt Tarawera	539, 543	No
78	Okataina Scenic Reserve Extension (Eastern)	379, 534, 538, 539	No
79	Lake Ōkataina Scenic reserve Extension (Northern)	377, 378, 379, 380, 534	No
80	Horohoro	535, 538, 539	No

Unique ID #	Item	Planning map	Geothermal Vegetation
81	Maungawhakamana-Hinehopu Scenic Reserve Extension	381, 382, 383, 391, 392, 393, 534, 535, 539	Yes
82	Hinehopu Mire	535	No
83	Matawhāura	384, 385, 386, 388, 535	No
84	Lake Rotoehu Margins	385, 386, 387, 388, 535	No
85	Rotoiti Forest Wetlands	535, 538	No
87	Lake Rotomā Scenic Reserve Extension	388, 389, 390, 393, 397, 535	No
89	Rotoma Recreation Reserve Extension	386, 388	No
98	Edwards Road	539	Yes
100	Awahou Stream	506, 511, 512, 532	No
104	Ridgetop Road	538, 539	No
106	Whakarewarewa	345, 537	Yes
108	Ngāpuna	336, 337	Yes
109	Ōhinemutu	325	Yes
110	Cemetery Reserve	336, 337	Yes
111	Pūarenga Park	336, 337	Yes
112	Arikikapakapa (Golf Course)	344, 345	Yes
113	Tangatarua (Old Taupo Road Reserve)	344	Yes
114	Kuirau Park	325	Yes
115	Lake Rotoiti	357, 358, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 522, 523, 534	No

Unique ID #	Item	Planning map	Geothermal Vegetation
116	Lake Rotorua	301, 302, 303, 304, 305, 306, 307, 309, 310, 312, 315, 317, 318, 321, 325, 326, 327, 328, 336, 337, 357, 359, 362, 364, 365, 367, 368, 522, 533, 537	No
117	Lake Rotoehu	384, 385, 386, 387, 535	No
118	Lake Rotomā	389, 390, 391, 392, 393, 397, 535	No
119	Lake Rerewhakaaitu	394, 543	No
120	Redwood Grove Pool	346	Yes
121	Pārengarenga Springs	376	Yes
122	Te Rei Bay	523	Yes
123	Wharetata Bay	523, 534	Yes
124	Ōtutatara Springs	534, 523	Yes
125	Papakiore Springs	534	Yes
127	Ōtutatara Road Lake	361, 523	No
129	Arawa Park Racecourse	336	Yes
130	Marguerita Street (Wonderland; Leisureland)	336	Yes
133	Five Mile Gate Swamp	355, 537	No
134	Waipa Wetland	352	No
136	Ōhineuia Stream B	537	No
139	Ngapuna Wetlands	327, 337	No
142	Poplar Avenue Wetlands	356	No
144	Waitangi Soda Springs Hot Springs	388, 535	Yes
145	Waitangi Soda Springs Mire	388, 535	Yes

Unique ID #	Item	Planning map	Geothermal Vegetation
147	Tikitere Kahikatea	363	No
154	Te Miri Road	518, 519	No
155	Horohoro Forest East	518, 536	No
156	Horohoro Forest Extension	515, 532, 536	No
157	Anderson Road	532	No
158	Hauraki Stream	506, 532	No
162	Government Gardens (including Rachel Springs)	326	Yes
163	Old Government Gardens	326, 327	Yes
167	Tikitere Hill Forest	534	No
172	Upper Wairau Bay	376, 523	No
176	Te Weta Bay Geothermal Area	374	Yes
177	Pohaturoa	345, 352	Yes
178	Sulphur Point	326, 327, 336	Yes
179	Mokoia Island	533	Yes
302	Makatiti Dome Extension	538, 539	No
304	Waterfall Road Wetland	539	No
305	Maungawhakamana	539	No
313	Mt Tarawera Northeast	539	No
315	Purutai Road Forest Blocks	539, 543	No
411	Mamakū South Road Bush	536	No
412	Mangakōtaha Stream	531, 536	No
413	Takapūhurihuri Stream	531, 536	No
414	Ōraka Stream Riparian	531, 536	No
415	Barker Road	531	No
416	Off-Road New Zealand	531	No

Unique ID #	Item	Planning map	Geothermal Vegetation
417	Arahiwi	531	No
550	Turēpo Bush	521, 536, 537	No
551	Horohoro Bluff	536, 540	No
552	Horohoro Geothermal area	536	Yes
553	Tumunui Bush	541, 542	No
555	Waiōtapu South	542	Yes
556	Mangamingi Stream Bush	545	No
557	Te Kōpia Road Swamp	544, 545	No
558	Akatārewa Stream	544	Yes
559	Ōrākeikōrako	544	Yes
560	Whangairorohea Hot Pool	545	No
561	Will's Swamp	546	No
562	Torepatutahi Stream	546	No
563	Hardcastle Lagoon	546	No
564	Rāwhiti Lagoon	545	No
565	Waihunuhunu Geothermal area	544	Yes
~~566~~	~~Red Hills Geothermal area~~	~~544~~	~~Yes~~
567	Golden Springs	545, 546	Yes
568	Waikato River Springs	545	Yes
571	Wharepapa Road	546	Yes
572	Ngāpouri	542	Yes
573	Waiōtapū North	542	Yes
574	Waikite Valley	541, 542	Yes
575	Hamill's Wetland	537, 541	No
577	Rahopakapaka Stream	540	No

Unique ID #	Item	Planning map	Geothermal Vegetation
579	Tahunaatara Stream Gorge	540	No
581	Lake Ātiamuri	540	No
582	Lake Atiamuri North Faces	540	No
583	Lake Atiamuri South Faces	540	No
584	Lake Ōhakuri	526, 540, 541, 544, 545, 546	No
585	Lake Ohakuri Northwest Riparian Faces	540	No
589	Lake Ohakuri Northeast Riparian Faces	540, 544	No
590	Waihunuhunu Arm Riparian Faces and Wetland	544	No
592	Orakeikorako Extension (Excludes Geothermal Areas)	544, 545	No
595	Te Kōpia Scenic Reserve Extension	541	No
596	Pukemoremore	545	No
599	Lake Ngāhewa	542	No
650	Capella Road Wetland	531, 532	No
652	Galaxy Road North Forest Remnant	532	No
653	Upper Mangorewa River	532	No
654	Mamakū Lagoon	532	No
655	Mangorewa Extension	532	No
656	Lagoon Road	532	No
657	Upper Mangapouri Gorge	532	No
658	Upper Pipikārihi Road	501, 502	No
659	Mervyn Street	501	No
660	Mid Mangorewa Gorge	532, 533, 501-503	No
661	Te Waerenga Road	508	No
662	Kapukapu Road	504	No

Unique ID #	Item	Planning map	Geothermal Vegetation
663	Lake Rotongata	504	No
664	Onaia Stream	504, 505, 533	No
665	Hururu Stream	533	No
666	Maungarangi Road A	533	No
667	Kaituna River	533, 534	No
668	Paretero	534	No
669	Tāheke Geothermal Area	371, 534	Yes
670	Tāheke Forest	534	No
671	Pokopoko Stream	534	No
672	Lichtenstein Road	534	No
673	Maniatutu Road B	534	No
674	Roydon Downs Scenic Reserve Extension	534	No
675	Tokerau	534	No
676	Maniatutu Road A	372, 534	No
677	Te Iringa	533, 534	No
678	Upper Kaituna	370, 533, 534	No
679	Te Waerenga Road 2	507, 508, 509	No
680	Jackson Road	506, 507	No
681	Mangorewa Kaharoa	509, 510, 522	No
700	Mangaharakeke Waterfall	542	No
701	Mangaharakeke Wetland	543	No
703	Torepatutahi Stream Riparian	546, 547	No
706	Handcock Bush	541	No
707	Te Pōhue - Te Māhorehore ~~Wetlands~~	309, 310	No
708	Tokerau Wetland A	534	No

Unique ID #	Item	Planning map	Geothermal Vegetation
709	Tokerau Wetland B	534	No
710	Akatarewa East	544	Yes
712	Te Kopia	545	Yes
713	Mangamingi Station	545	Yes
714	Matapan Road	540	Yes
715	Ohaaki Steamfield East	546	Yes
717	Upper Atiamuri West	540	Yes
718	Western Te Kopia	541	Yes
800	Northern Paeroa Range	542	Yes
801	Murphy's Springs	541	Yes

NATC

NATURAL CHARACTER– HURU MĀORI

Status: NATC is operative and is subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough.~~

INTRODUCTION

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

> *The preservation of the natural character of wetlands, and lakes and rivers and their margins and the protection of them from inappropriate subdivision, use, and development (section 6(1)).*

The purpose of this chapter is to recognise and provide for those characteristics identified under Section 6 that are located within the district, without unduly restricting the property rights of landowners. It is important that the District Plan balances the ability to make use of land and resources, whilst at the same time ensuring that those special qualities and characteristics of the feature are retained, or, if opportunities are presented, enhanced.

The chapter contains rules for earthworks adjacent to waterbodies, as well as rules for buildings and indigenous vegetation clearance located in the operating easement adjacent to the Waikato River.

ISSUES

NATC-I1 The natural character of lakes, rivers and streams

Rotorua has a diverse environment that contributes to the identity of the district. There are 16 natural lakes, 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 opportunities, and support a number of commercial operations. Each has varying degrees of residential development, man-made structures and activities that can reduce the natural character of these areas.

The District Plan is required to preserve the natural character and ecosystems of these features by providing direction to the location and design of subdivision, use and development. Retiring lake, river and stream margins to protect the natural character, biodiversity and ecological functions will enhance the water quality of the lakes, rivers and streams within the district by providing a buffer area between the land and water edge and maintain ecological values of these ecosystems.

OBJECTIVES

Natural character of lakes, rivers and streams

NATC-O1 *[2.3(1)]*	The natural character of the district's lakes, rivers, streams, wetlands and their margins is protected from inappropriate subdivision, use and development *Policy NATC-P1*
NATC-O2 *[2.3(2)]*	Management of riparian margins and waterbodies to protect natural conservation values, aquatic habitats, and improve water quality *Policy NATC-P2*

POLICIES

Natural character of lakes, rivers and streams

Objective NATC-O1

NATC-P1 *[2.3(1)(1)]*	Ensure the design, location and form of subdivision, use and development adjacent to waterbodies (outside of the Lakes A zone) is appropriate to the level of natural character of the area and avoids, remedies or mitigates potential adverse effects on the natural character of lakes, rivers and streams and their margins.

Objective NATC-O2

NATC-P2 *[2.3(1)(2)]*	Avoid, remedy or mitigate adverse effects of subdivision, use and development on riparian margins and water bodies to maintain or enhance natural character, ecological functions, biodiversity, water quality, and aquatic habitats.

RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

A key point to note is that PA - Public Access also contains rules specifically addressing activities adjacent to waterbodies.

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.

These rules shall not apply to activities associated with plantation forestry. Refer instead to the National Environmental Standards for Plantation Forestry.

Activities in or near wetlands, including vegetation clearance, earthworks and land disturbance, may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking activities in or near wetlands should discuss their proposal with the relevant regional council.

Links to the rule categories are provided below:

Waikato River 27

Earthworks Adjacent to Water Bodies 27

Rules relating to Natural Character

Waikato River		
NATC-R1	**Buildings and indigenous vegetation clearance and earthworks adjacent to the Waikato River Operating Easement Boundary**	*[9.2(120)]*
Applicable spatial layer: All Zones	**1. Activity Status:** Restricted Discretionary **Where:** The activity is: a. Buildings located within 25m of the Waikato River Operating Easement Boundary; or b. Clearance of indigenous vegetation and earthworks (excluding where associated with the reasonable and normal activity of forestry) located within 20m of the Waikato River Operating Easement boundary. **Matters of Discretion:** a. The potential adverse effects on the character, health and wellbeing of the Waikato River and its surroundings; b. How the activity complies with the objectives for the zone, Natural Environmental Values and Historical and Cultural Values; and c. The extent to which the activity provides for the ongoing functioning of ecological processes, maintenance and enhancement of natural character and amenity values, water quality, restoration and connectivity of habitats and improved public access to and along the river.	
Earthworks Adjacent to Water Bodies		
NATC-R2	**Earthworks adjacent to water bodies**	*[A10.2.1, 6.5(86), 9.5(110), 10.5(86)]*
Applicable spatial layer: All Zones	**1. Activity Status:** Permitted **Where:** a. The earthworks are carried out within 25m from the margin of a lake, wetland or from a river or stream; and b. The earthworks are: i. Incidental to either an approved subdivision, or construction of a building platform, or installation of utility services, or to provide access to an activity which is a permitted activity or authorised by a resource consent; ii. Excavations that do not exceed 2m in depth for the purpose of installing foundations for telecommunication masts; iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works within: 1. Electricity Generation Core Sites; and 2. Land zoned Industrial 2 at Ohaaki identified on Planning Maps 545 and 546. iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities.	

	v. Earthworks associated with the replacement or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011; vi. Land preparation and earthworks accessory to and reasonably necessary for fencing and existing forestry activity; vii. Earthworks activity undertaken for the purpose of the maintenance of indigenous biodiversity; viii. Normal domestic gardening and other earthworks accessory to the use and occupation of a ~~ousehold~~ residential unit; ix. Normal reserve gardening activities, turf and pasture preparation, maintenance and renovation practices; x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices; xi. Earthworks on land not under water that is accessory to lake structures; xii. Ploughing as part of normal farm practices; xiii. Troughs and their associated pipe network and realignment of fences associated with normal farming practices; or xiv. Earthworks in Commercial Zones, Rural Zones, Reserve Zones or the Water Zone and accessory to activities permitted in the rules for PA-Public Access.
Applicable spatial layer: Residential Zones Industrial Zones Business and Industrial Zones	**2. Activity Status:** Restricted Discretionary **Where:** a. The earthworks are carried out within 25m from the margin of a lake, wetland or from a river or stream; and b. The activity is not provided for in NATC-R2(1). **Matters of Discretion:** a. the extent to which the activity will avoid, remedy or mitigate the effects of the location within 25m from the margin of a lake, wetland or from a river or stream in achieving the objectives and.
Applicable spatial layer: All Zones except: Residential Zones Industrial Zones Business and Industrial Zones	**3. Activity Status:** Discretionary **Where:** c. The earthworks are carried out within 25m from the margin of a lake, wetland or from a river or stream; and d. The activity is not provided for in NATC-R2(1). **Assessment Criteria:** a. The extent to which the activity affects the natural character of the water body and associated natural environment; b. The extent to which the vegetation removal earthworks affects habitat of fauna, water quality or the ecological values of the water body and riparian margin; c. How the location of the building, structure or earthworks continues to provide for the ability to obtain an esplanade reserve or strip in accordance with the esplanade requirements. This matter shall not apply to the Te Puia site (Section 1 SO390094 and Section 1 SO408975); d. Construction debris shall not be placed, or allowed to enter a water body; e. Where the earthworks are located within 25m of a river or stream identified in the Esplanade Acquisition Waterbody Overlay:

	i. The extent to which the proposal affects the purposes of the esplanade reserves and strips in relation to being able to: 1. contribute to the protection of conservation values, 2. enable public access, or 3. enable public recreational use. f. Assessment criteria for the relevant zone.

ANTICIPATED ENVIRONMENTAL RESULTS

NATC-AER1	Protection of natural character of wetlands, lakes, rivers and their margins.

NFL

NATURAL FEATURES AND LANDSCAPES- NGA AHUATANGA MAOI ME NGA WAAHI

Status: NFL is Operative and is subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough.~~

INTRODUCTION

Outstanding Natural Features and Landscapes

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

> *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development (section 6(b));*

The purpose of this chapter is to recognise and provide for those features, landscapes, and characteristics identified under Section 6 that are located within the district, without unduly restricting the property rights of landowners. It is important that the District Plan balances the ability to make use of land and resources, whilst at the same time ensuring that those special qualities and characteristics of the feature are retained, or, if opportunities are presented, enhanced.

The landscapes and natural features of a district define what it is that make an area distinct and different. Rotorua has a diverse environment including 16 natural lakes over 8 hectares and several geothermal systems with internationally renowned geothermal features. These landscape features are highly valued by the residents of Rotorua due to their high aesthetic values, significant contribution to the tourism industry and their cultural significance to local Iwi and hapū because they have historically been a food source, or are linked to culturally significant sites and events.

Four landscape assessment reports have been completed covering the Rotorua district; Lake Rotorua Catchment Landscape Assessment, Northern Lakes Landscape Assessment, Eastern Lakes Landscape Assessment and Southern Area Landscape Assessment.

Those landscapes and features that are important, and that contribute to the Rotorua identity, have been identified and are included in the schedules. The provisions of this part of the plan focuses on the management of the features identified in the schedules, and provide guidance to ensure activities are mindful of the qualities and attributes that require special consideration.

The Significant Geothermal Features within the Bay of Plenty region are being identified by the Bay of Plenty Regional Council and will later be included on the planning maps and schedule by way of a plan change. Until such time as the identification is complete, Significant Geothermal Features will be identified using the method, definitions and criteria of the Bay of Plenty Regional Policy Statement.

Significant Geothermal Features within Development or Limited Development Geothermal Systems in the Waikato Region are those identified, listed and mapped in the Waikato Regional Plan in accordance with Method 9.2.2 of the Waikato Regional Policy Statement. Significant Geothermal Features in other geothermal systems within the Waikato region are those meeting the assessment Section 9B of the Waikato Regional Policy Statement.

Rotorua Caldera

There is an expectation that future rural living growth will occur in the part of the Rotorua caldera that is zoned as rural. However the upper part of the caldera contributes significantly to the amenity values of the urban area. There is a strong community desire that the open rural character of the caldera is maintained. In order to accommodate residential growth whilst maintaining the open rural character that provides a natural setting to the urban parts of Rotorua, this chapter provides a framework for assessing the potential impact of development on the landscape of the caldera rim.

The landscape character of the caldera rim has been analysed and those parts that are most sensitive to change have been identified as sensitive rural area on the planning maps. Design guidance for new development manages the intensity and scale of built structures while minimising bulk earthworks associated with subdivision and development, maintaining the important rural amenity values.

ISSUES

NFL-I1 Outstanding Natural Features and Landscapes

There are many outstanding natural features and landscapes within the district, with most located in the rural areas, but a small number are located in, or near, the Rotorua urban area, including for example Whakarewarewa, Mt Ngongotahā and Mokoia Island. Most of the Outstanding Natural Features and Landscapes are located on private land, and the challenge is to ensure that the features are managed in a way that protects them from inappropriate subdivision, use and development and reflects their significance but does not prejudice the landowner's ability to provide for their economic wellbeing.

Within a small and peripheral area of the Mt Ngongotahā Outstanding Natural Feature and Landscape, the Plan allows for a discretionary activity application to be made for extensions to an existing well-established quarry operation. This provision recognises the need of the community for quarry aggregate and other rock products to be efficiently met from an economic perspective, while seeking to minimise landscape and visual impacts from public viewpoints. Given that the provisions require a discretionary activity consent to be sought, they do not pre-suppose the outcome of any resource consent application to undertake quarrying activity within the identified area.

Many of the lakes or parts of these lakes are also important to the social, economic and cultural wellbeing of residents and holiday makers. A balance is needed between protecting the features of the lakes and providing for the people that use them.

NFL-I2 Significant Geothermal Features

The Significant Geothermal Features present throughout the district are iconic to both New Zealand and Rotorua with Rotorua being identified as containing the last remaining significant geysers within New Zealand. These features do not exist in isolation and are commonly part of a landscape, group of features, or a unique vegetative habitat.

There is a need to balance development, both for tourism and energy purposes, to ensure the values of the Rotorua geothermal resource are maintained. Rotorua District's geothermal systems have been classified by the Regional Councils resulting in some systems being protected from development due to their outstanding features, intrinsic, cultural and ecological values. The remaining systems have been identified for sustainable

use and development subject to the provisions of Regional Policy Statements and the relevant parts of the Rotorua District Plan being met.

NFL-I3 The landscape of the Rotorua caldera

The Rotorua caldera is an important natural feature that forms a largely unbuilt backdrop to the city and settlements around the lake. It is valued highly by the local community, although it is not identified as an outstanding landscape of wider significance. The land use is a combination of natural vegetation and working farms that include grazing, dairy and forestry uses. Land use changes that are encouraged in order to improve water quality have the potential to adversely affect the rural character and amenity of the caldera rim. Over time it is anticipated that the urban edge will seek to extend into the higher slopes of the caldera, which provide sought after views of the lake and a semi-rural environment. This needs to be balanced with the maintenance of amenity values that the rural landscape provides close to the city.

OBJECTIVES

Outstanding Natural Features and Landscapes

NFL-O1 *[2.3(4)]*	Outstanding Natural Features and Landscapes that are managed and protected from the adverse effects, including cumulative effects of inappropriate subdivision, use and development. *Policies NFL-P1 to NFL-P7*

Significant Geothermal Features

NFL-O2 *[2.3.(7)]*	Significant Geothermal Features are protected from inappropriate subdivision, use, and development in accordance with the regional geothermal classification system, so that a unique element of Rotorua's environment and identity is available for future generations and tourism. *Policies NFL-P8 to NFL-P13*

The landscape of the Rotorua caldera

NFL-O3 *[9.3.6(1)]*	The rural character of the sensitive landscape area of the Rotorua caldera is maintained to provide a visual setting to the lake, its margins and the urban area of Rotorua. *Policies NFL-P14 to NFL-P16*

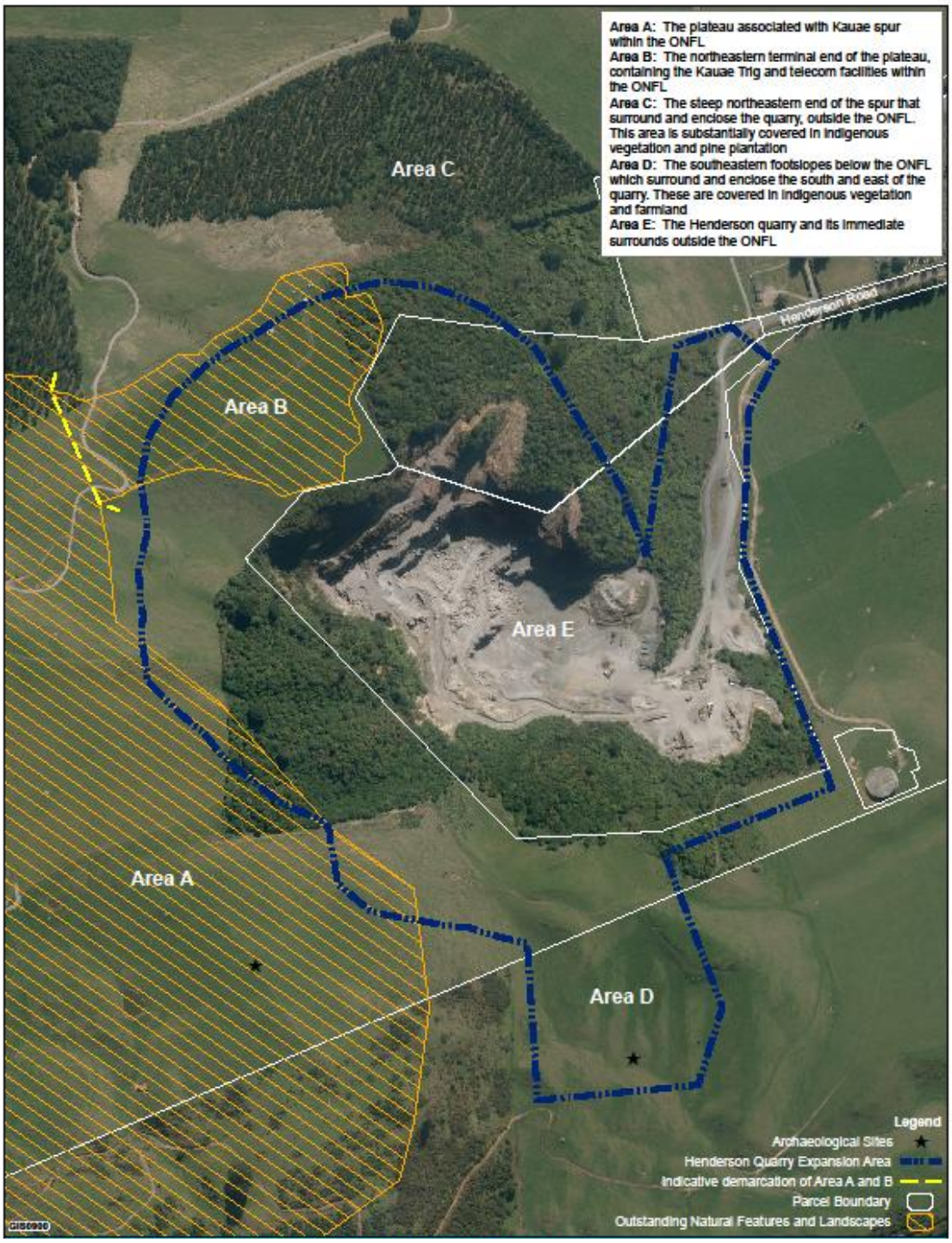
POLICIES

Outstanding Natural Features and Landscapes

Objective NFL-O1

NFL-P1 *[2.3(4)(1)]*	Avoid, remedy or mitigate adverse effects, including cumulative effects of subdivision, use and development where the following landscape qualities and characteristics of Outstanding Natural Features and Landscapes may be impacted: 1. Natural science factors such as representativeness, diversity, resilience, vulnerability and rarity 2. Aesthetic values 3. Shared and recognised values such as historical, scientific or educational values 4. Expressiveness, transient values and Māori values.

NFL-P2 *[2.3(4)(2)*	Enable the reasonable use and appropriate development of existing freehold land located within the identified boundaries of Mount Ngongotahā, Rainbow Mountain, Horohoro Bluffs, Lake Rotoiti, Lake Rotoehu and Lake Rotomā and within the Mamakū Tors Outstanding Natural Features or Landscapes where these: 1. Do not result in significant earthworks or indigenous vegetation removal that detract from the associated values and characteristics that deem the site to be outstanding 2. Do not result in physical alteration of a Mamaku Tor feature identified on the planning maps 3. Do not result in the removal of indigenous vegetation cover on a Mamaku Tor feature identified on the planning maps as being vegetated or partially vegetated 4. Continue an existing lawfully established use of land where the effects of such land use and development remain the same or in similar character, intensity and scale and do not detract from the values and characteristics that deem a site to be outstanding 5. Maintain the operation of lawfully established infrastructure and utilities 6. Maintain or enhance indigenous biodiversity or values of the Outstanding Natural Feature or Landscape 7. Are necessary to avoid loss of life, injury or serious damage to property.
NFL-P3 *[2.3(4)(3)]*	Enable recreational opportunities within areas identified as Outstanding Natural Features and Landscapes where they: 1. Maintain existing amenity values including ambient noise levels consistent with amenity values 2. Are serviced by appropriate access and facilities to meet the needs of residents and visitors.
NFL-P4 *[2.3(4)(4)]*	To maintain and enhance the lake catchments as Outstanding Natural Features and Landscapes each with its unique character.
NFL-P5 *[2.3(4)(5)*	Enable the reasonable use and appropriate development of Henderson Quarry within Mt Ngongotahā Outstanding Natural Feature and Landscape where it minimises effects on the identified values and characteristics of the Kauae spur and its flanks identified as areas A, B, C and D in Figure NFL-1.
NFL-P6 *[2.3(4)(6)]*	Recognise the benefit to be produced by continued extraction of the regionally significant mineral resource surrounding Henderson Quarry.
NFL-P7 *[2.3(4)(7)]*	Enable appropriate development of the Whakarewarewa Geothermal Outstanding Natural Landscape where it minimises effects on the identified values and characteristics and it's consistent with section 14 of the New Zealand Māori Arts and Craft Institute Act 1963.



NFL-FIGURE1 - Henderson Quarry Expansion Area

Significant Geothermal Features

Objective NFL-O2

NFL-P8 *[2.3(&)(1)*	Protect Significant Geothermal Features located within Protected Geothermal Systems as shown on the planning maps from inappropriate subdivision use and development.
NFL-P9 *[2.3(7)(2)]*	Avoid, remedy or mitigate in accordance with the regional classification system, the adverse effects of subdivision, use and development on the qualities and characteristics that contribute to the uniqueness and importance of Significant Geothermal Features within the Rotorua and Limited/Conditional Development Geothermal on the planning maps.
NFL-P10 *[2.3(7)(3)]*	In the Waikato Region, avoid adverse effects from uses of non-geothermal water and land uses on Significant Geothermal Features located within Development Geothermal Systems as shown on the planning maps.
NFL-P11 *[2.3(7)(4)]*	In The Bay of Plenty Region, remedy or mitigate significant adverse effects on Significant Geothermal Features located within Development Geothermal Systems as shown on the planning maps.
NFL-P12 *[2.3(7)(5)]*	Protect the special cultural connection with geothermal features in the Ōhinemutu, Ngāpuna and Whakarewarewa villages in the management of the features and associated land use activities in these villages.
NFL-P13 *[2.3(7)(6)]*	Recognise and provide for tangata whenua as Kaitiaki when assessing land use and subdivision proposals that may impact Significant Geothermal Features.

Advice Note:

1. The Significant Geothermal Features within the Bay of Plenty region are in the process of being identified by the Bay of Plenty Regional Council. As these are identified these will be included in the Planning Maps of the District Plan by a plan change.
2. The direction to avoid, remedy or mitigate in Policy NFL-P9, NFL-P10 and NFL-P11 must be applied in the context of the relevant Regional Geothermal Classification System and the provisions of the Waikato Regional Policy Statement or Bay of Plenty Regional Policy Statement.

The landscape of the Rotorua caldera (Rural Zones)

Objective NFL-O3

NFL-P14 *[9.3(6)(1)]*	Maintain the distinctive natural landscape feature of the sensitive rural area in the Rotorua caldera through: 1. Confining buildings predominately to lake terraces 2. Minimising the visual effects associated with new subdivision, use and development 3. Limiting earthworks associated with new subdivision 4. Integrating buildings into the landscape by making use of indigenous vegetation and existing topographical features.
NFL-P15 *[9.3(6)(2)]*	Ensure subdivision, use and development within the sensitive landscape area is consistent with the design guidance of the Boffa Miskell Ltd report 'Rotorua Caldera Rim – Caldera Rim Rural Character Design Guideline, September 2012' in order to protect and enhance the natural landscape of the caldera as a setting for the lake, its margins and the urban areas of Rotorua.
NFL-P16 *[9.3(6)(3)]*	Manage the effects of activities within the sensitive landscape area in the Rotorua caldera to ensure that its character and amenity is maintained by:

	1. Avoiding subdivision, use and development that may lead to significant landscape and visual adverse effects through the design and location of buildings, roads and infrastructure 2. Providing for limited subdivision use and development within the sensitive landscape area 3. Promoting subdivision use and development in areas that are screened from public view by existing development, landscape features or natural topography 4. Ensuring that the intensity and scale of proposed subdivision or land use in the sensitive landscape area foes not create adverse cumulative effects.

RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

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.

For plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules in this table will apply.

Links to the rule categories are provided below:

Rules for Activities in Outstanding Natural Features and Landscapes 37

Buildings and Structures 37

Tracks 39

Mining and Quarrying 41

Earthworks 42

Vegetation 44

Te Puia Site (Section 1 SO390094 and Section 1 SO408975) 45

Rules for Activities in or Adjacent to Significant Geothermal Features 55

General 55

Rules for Activities in the Rotorua Caldera Rim 58

Rules for Activities in Outstanding Natural Features and Landscapes

Buildings and Structures		
NFL-R1	**Buildings and structures (including lake structures and infrastructure) in an Outstanding Natural Feature or Landscape**	*[4.5(78), 9.5(84), 10.5(74), 4.5(83), 4.5(87), 4.5(84), 6.5(66), 8.5(16), 9.5(83), 10.5(68), 10.5(80), [4.5(88), 6.5(72), 8.5(19), 9.5(90), 9.5(91), 9.5(100), 10.5(72), 15.5(5), 9.5(104), 10.5(78)]*
Applicable Spatial Layers Outstanding Natural Features and Landscape Overlay except Mamakū Tors Outstanding Natural Landscape	**1. Activity Status:** Permitted **Where:** a. The activity is maintenance, replacement or upgrade of an existing lawfully established building or structure; and b. Any upgrade, or replacement of existing buildings or structures shall not exceed the existing building envelope or footprint. c. In Rural 1 and 2 Zones and Reserve Zones, the activity is not a building that protrudes into the skyline when viewed from outside the site. **Performance Standards:** a. Any external walls and roofs of any building, structure (excluding lake structures) or addition shall not exceed a reflectivity value of 37%.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R1(1). **Assessment Criteria:** a. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the building or structure into the surrounding natural environment. b. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; c. The extent to which the finished building roofline or structure will be below the nearest ridgeline; d. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and e. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and f. Assessment criteria for the relevant zone.
Advice Note: For the avoidance of doubt maintenance, replacement and upgrade of buildings located within private freehold lots within Mount Ngongotahā and Whakarewarewa Outstanding Natural Features and Landscapes are addressed in Rule NFL-R1(1).		
Applicable Spatial Layers	**3. Activity Status:** Permitted **Where:**	

<table>
<tr><td>Mamakū Tors Outstanding Natural Landscape</td><td colspan="2">a. The activity is a building, accessory residential building or rural production activity and;
b. The activity does not physically alter a Mamakū Tor feature.</td></tr>
<tr><td>Applicable Spatial Layers
Outstanding Natural Features and Landscapes Overlay:
All Rural Zones except Mamakū Tors Outstanding Natural Landscape</td><td>4. Activity Status: Restricted Discretionary
Where:
The activity is a new building accessory to agricultural production activities within pastoral landscapes.
Performance Standards:
a. If the new building is visible from a road or other public place it does not extend above any ridgeline and does not have a backdrop of a lake or sky; and
b. The building does not exceed 7m in height or 350m^2 gross floor area.
Matters of Discretion:
a. The functional and locational requirements for the building to be located within the Outstanding Natural Feature and Landscape;
b. The extent to which any additional buildings may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature and Landscape;
c. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; and
d. The extent to which external walls and roof of any building or addition exceeds a reflectivity of 37%.</td><td>5. Activity Status: Discretionary
Where:
The activity does not comply with the performance standards for NFL-R1(4).
Assessment Criteria:
a. The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape.
b. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;
c. The extent to which the finished building roofline or structure will be below the nearest ridgeline;
d. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks;
e. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and
f. Assessment criteria for the relevant zone.</td></tr>
<tr><td>Applicable Spatial Layers
Outstanding Natural Features and Landscapes Overlay</td><td colspan="2">6. Activity Status: Discretionary
Where:
The building or structure is not otherwise provided for in this rule.
Assessment Criteria:
a. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;
b. The extent to which the finished building roofline or structure will be below the nearest ridgeline;
c. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks;</td></tr>
</table>

	d. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; e. Where the activity is a building that protrudes into the skyline when viewed from outside the site in the Rural 1 or 2 Zones (excluding Mamaku Tors): The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape; f. Assessment criteria for the relevant zone; and g. Infrastructure Specific NFL-AC1
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: All Reserves Zones	**7. Activity Status:** Non-Complying **Where:** The activity is a building that protrudes into the skyline when viewed from outside the site.

Tracks

NFL-R2	**The maintenance of existing farm, forestry skid sites, walking and cycling tracks in an Outstanding Natural Feature or Landscape**		*[4.5(79), 6.5(67), 8.5(17), 9.5(85)], 10.5(69)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay	**1. Activity Status:** Permitted **Where:** The track shall not exceed the existing width of the formed track. **Performance Standards:** a. Construction debris shall not be placed, or allowed to enter a water body.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R2(1). **Assessment Criteria:** a. Assessment criteria for the relevant zone.	

Advice Note:

For plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.

NFL-R3	**Construction of new farm, forestry or walking tracks in an Outstanding Natural Feature or Landscape**	*[4.5(82), 6.5(69), 8.5(18), 9.5(89), 9.5(87), 9.5(88), 10.5(71)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay:	**1. Activity Status:** Permitted	

Commercial 5 Zone	
Advice Note: Refer instead to the National Environmental Standards for Plantation Forestry for the status of new plantation forestry tracks in the Outstanding Natural Features and Landscapes Overlay in Commercial Zones.	
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Rural 1 Zone	**2. Activity Status:** Controlled **Where:** The activity is a farm track. **Matters of Control:** a. The prevention of access to or from a state highway; b. The protection of recorded features listed in the schedules for Historical or Cultural Values or Natural Environmental Values and wāhi tapu shall not be disturbed; c. The walking track shall not disturb any endangered indigenous fauna or species or their habitat as listed in the schedule of significant natural areas; d. Methods used to avoid construction debris from entering a water body; e. The extent to which the scale and location of earthworks associated with roads, tracks, building sites detract from the values and characteristics of the Outstanding Natural Feature and Landscape or Significant Natural Area; f. The extent to which the location and/or design avoids or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and g. The functional and locational requirements for tracks to be located within the Outstanding Natural Feature and Landscape.
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: All Zones except Commercial Zones	**3. Activity Status:** Restricted Discretionary **Where:** In Rural 1 Zone it is not a farm track. **Matters of Discretion:** a. The prevention of access to or from a state highway; b. The protection of recorded historic heritage features listed in NFL-Sched1 – Outstanding Natural Features and Landscapes, ECO-Sched1 – Significant Natural Areas, and wāhi tapu shall not be disturbed; c. The walking track shall not disturb any endangered indigenous fauna or species or their habitat as listed in ECO-Sched1 – Significant Natural Areas; d. Methods used to avoid construction debris from entering a water body; e. The extent to which the scale and location of earthworks associated with roads, tracks, building sites detract from the values and characteristics of the Outstanding Natural Feature and Landscape or Significant Natural Area; f. The extent to which the location and/or design avoids or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; g. The functional and locational requirements for tracks to be located within the Outstanding Natural Feature and Landscape; and h. Assessment criteria for the relevant zone.
Advice Note:	

For plantation forestry tracks in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.

Mining and Quarrying

NFL-R4	Mining and quarrying inside or adjoining the Outstanding Natural Feature or Landscape Overlay	[9.5(93)]
Applicable Spatial Layers Rural 1 Zone	**1. Activity Status:** Discretionary **Where:** The land to be mined or quarried adjoins the boundary of an Outstanding Natural Feature or Landscape. **Assessment Criteria:** a. The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape; b. The extent to which the finished building roofline or structure will be below the nearest ridgeline; c. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; d. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and e. Assessment criteria for the relevant zone.	
Applicable Spatial Layers Rural 2 Zone	**2. Activity Status:** Non-Complying **Where:** The land to be mined or quarried adjoins the boundary of an Outstanding Natural Feature or Landscape.	

NFL-R5	Mining and quarrying associated with Henderson Quarry including any planting associated with vegetation screening or rehabilitation in an Outstanding Natural Feature or Landscape	[9.5(94)]
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Rural 1 Zone-Henderson Quarry Expansion Area	**1. Activity Status:** Discretionary **Where:** a. The activity is within the Mount Ngongotahā Henderson Quarry Expansion Area; and b. The activity is within the Mount Ngongotahā Outstanding Natural Feature and Landscape. **Assessment Criteria:** a. The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape; b. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;	

	c. The extent to which the finished building roofline or structure will be below the nearest ridgeline; d. The extent to which re-vegetation and planting/ landscaping is proposed in order to mitigate adverse effects of building, structures and earthworks; e. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and f. Assessment criteria for the relevant zone.
NFL-R6	**Mining and quarrying associated with Henderson Quarry in an Outstanding Natural Feature or Landscape** *[9.5(95)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Rural 1 Zone-Henderson Quarry Expansion Area	**1. Activity Status:** Non-Complying **Where:** a. The activity is outside the Mount Ngongotahā Henderson Quarry Expansion Area; and b. The activity is within the Mount Ngongotahā Outstanding Natural Feature and Landscape.
Earthworks	
NFL-R7	**Earthworks in an Outstanding Natural Feature or Landscape** *[4.5(80),4.5(81) 6.5(67), 6.5(70), 8.5(20), 8.5(21), 9.5(86),9.5(92)], 10.5(70),10.5(73)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay	**1. Activity Status:** Permitted **Where:** a. The earthworks are: i. Earthworks incidental to either an approved subdivision, or construction of a building platform, or installation of utility services, or to provide access to an activity which is a permitted activity or authorised by a resource consent; ii. Excavations that do not exceed 2m in depth for the purpose of installing foundations for telecommunication masts; iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works within: 1. Electricity Generation Core Sites; 2. Land zoned Industrial 2 at Ohaaki identified on Planning Maps 545 and 546; iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities; v. Earthworks associated with the replacement or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011; vi. Land preparation and earthworks accessory to and reasonably necessary for fencing and existing forestry activity;

	vii. Earthworks activity undertaken for the purpose of the maintenance of indigenous biodiversity; viii. Normal domestic gardening and other earthworks accessory to the use and occupation of a ~~household~~ residential unit; ix. Normal reserve gardening activities, turf and pasture preparation, maintenance and renovation practices; x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices; xi. Earthworks on land not under water that is accessory to lake structures; xii. Troughs and their associated pipe network and realignment of fences associated with normal farming practices; xiii. Ploughing as part of normal farm practices within an Outstanding Natural Landscape but which does not alter a Mamakū Tor feature; or xiv. New drains within pastoral landscape that forms part of an Outstanding Natural Feature and Landscape.
Outstanding Natural Features and Landscapes Overlay	**2. Activity Status: Discretionary** **Where:** An activity is not provided for in NFL-R7(1) or (3). **Assessment Criteria:** a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape; b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape; c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated; d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape; e. The extent to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas; and f. Assessment criteria for the relevant zone.
Applicable Spatial Layers Mamakū Tors Outstanding Natural Landscape	**3. Activity Status:** Non-Complying **Where:** The activity is earthworks or recontouring of land associated with normal farming practices that results in the modification of a Mamakū Tor feature.

Advice Note:

1. For the avoidance of doubt, the rules in EW-Earthworks also apply to earthworks in the Outstanding Natural Landscape Overlay.
2. For earthworks associated with plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.

Vegetation

NFL-R8	Removal of indigenous vegetation in an Outstanding Natural Feature or Landscape		*[4.5(85), 6.5(71), 6.5(83), 8.5(22), 9.5(97), 10.5(76), 10.5(77)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: All Residential Zones All Rural Zones All Reserves Zones Water Zone	**1. Activity Status:** Permitted **Performance Standards:** a. Except within residential zoned lots in the Mount Ngongotahā Outstanding Natural Feature and Landscape, the removal does not exceed 200m².	**2. Activity Status:** Non-Complying **Where:** Compliance is not achieved with the performance standards for NFL-R8(1).	
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: All Commercial Zones Business and Innovation 1 Zone	**3. Activity Status:** Non-Complying **Where:** a. The vegetation removal is not otherwise provided for or associated with the rules for the Te Puia Site NFL-R11 to NFL-R16 or PA-R1(4). b. The activity is not otherwise provided.		
Applicable Spatial Layers Mamakū Tors Outstanding Landscape	**4. Activity Status:** Non-complying **Where:** The vegetation is on a Mamakū Tor feature identified on the planning maps.		

Advice Note:

For the removal of indigenous vegetation associated with plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.

NFL-R9	Removal of pest plants on a Mamakū Tor feature	*[9.5(103)]*
Applicable Spatial Layers Mamakū Tors Outstanding Landscape	**1. Activity Status:** Permitted	

NFL-R10	Forestry in an Outstanding Natural Feature or Landscape	[9.5(99), 10.5(79), [9.5(96), 10.5(75)]]
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay:	**1. Activity Status:** Permitted **Where:** a. The activity is existing forestry; b. The activity is not plantation forestry; and c. The activity is in the Horohoro Bluffs, Mamakū Tors or Rainbow Mountain Outstanding Landscapes.	
Advice Note: For plantation forestry in these parts of the Outstanding Natural Features and Landscapes Overlay refer instead to the National Environmental Standards for Plantation Forestry.		
Applicable Spatial Layers Outstanding Natural Features and Landscapes: All Rural Zones All Reserves Zones	**2. Activity Status:** Non-Complying **Where:** a. The activity is plantation forestry; and b. The activity is not provided for in NFL-R10(1).	

Te Puia Site (Section 1 SO390094 and Section 1 SO408975)

Advice Note:

In the event of conflict between the general NFL rules above and the rules for the Te Puia site below, the rules below take precedence in respect of the activities and locations addressed.

NFL-R11	Buildings in an ONFL at the Te Puia Site		[6.5(73), 6.7(75), 6.7(78), 6.7(79)]
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	**1. Activity Status:** Permitted **Where:** a. The activity is located within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape (as shown in Figure NFL-2); and b. The maximum net floor area is 30m^2. **Performance Standards:** a. The combined maximum net floor area of all buildings constructed under this rule shall be no more than 100m^2; b. Be a maximum of 5m above natural ground level;	**3. Activity Status:** Restricted Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R11(1) or NFL-R11(2). **Matters of Discretion:** a. The extent to which any buildings or activities may cause cumulative adverse effects on the identified values or characteristics that make the Whakarewarewa Geothermal Area outstanding including naturalness, visual and amenity values; b. The extent to which the activity avoids adverse effects on the identified values and characteristics	

	c. Not be seen from a public road or reserve; d. Building shall not protrude above the indigenous vegetation canopy. This standard would not apply to structures that are not defined as a building; e. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%; f. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each. g. The indigenous vegetation disturbance for buildings must result in less than a 2m width clearance of indigenous vegetation from the external footprint; and h. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on site.	of the Whakarewarewa Geothermal Area; c. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; d. The extent to which the finished building roofline or structure will be below the nearest ridgeline; e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks; f. The extent to which any external wall and roofs of any building or structure has a reflectively value at or below 37%. Where reflectivity is exceeded, modulated and surface design, building design, location and buffering with vegetation will be considered; and g. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural feature and Landscape or water bodies is avoided, remedied or mitigated.
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	**2. Activity Status:** Controlled **Where:** a. The activity is within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape (as shown in Figure NFL-2); and b. The maximum net floor area is between 31m^2 and 80m^2. **Performance Standards:** a. Be a maximum of 5m above natural ground level; b. Not be seen from a public road or reserve;	

	c. Building shall not protrude above the indigenous vegetation canopy. This standard does not apply to structures that are not defined as a building; d. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%; e. The combined maximum net floor area of all buildings constructed shall be no more than 240m^2; f. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each; g. The indigenous vegetation disturbance for buildings must result in less than a 2m width clearance of indigenous vegetation from the external footprint; and h. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on site. **Matters of Control:** a. Mitigation of cumulative effects on the identified values or characteristics that make Whakarewarewa Geothermal Area outstanding including its naturalness, visual and amenity values; b. The extent to which built elements have been architecturally designed to be sympathetic to the landscape values of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape; c. Siting, orientation, design and bulk of any buildings, impervious	

	surfaces and materials used for construction to integrate into the surrounding natural environment; d. Appropriateness of location of buildings and activities in relation to other built structures or outstanding features; e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks; and f. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural Feature and landscape or water bodies are avoided, remedied or mitigated.	
Advice Note: For the avoidance of doubt the 240m^2 combined maximum net floor area in NFL-R11(2) is in addition to the 100m^2 combined maximum net floor area allowed under NFL-R11(1) above and any additional net floor area consented to will be assessed as a restricted discretionary activity.		
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	**4. Activity Status:** Restricted Discretionary **Where:** Buildings and activities are located within Area B of the Whakarewarewa Geothermal Area Outstanding Natural Features and Landscapes (as shown in Figure NFL-2). **Matters of Discretion:** a. The extent to which any buildings or activities may cause cumulative adverse effects on the identified values or characteristics that make the Whakarewarewa Geothermal Area outstanding including naturalness, visual and amenity values; b. The extent to which the activity avoids adverse effects on the identified values and characteristics of the Whakarewarewa Geothermal Area; c. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; d. The extent to which the finished building roofline or structure will be below the nearest ridgeline; e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks; f. The extent to which any external wall and roofs of any building or structure has a reflectively value at or below 37%. Where reflectivity is exceeded, modulated and surface design, building design, location and buffering with vegetation will be considered; and g. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the	

	Outstanding Natural feature and Landscape or water bodies is avoided, remedied or mitigated.

NFL-R12	**Construction of new walking and cycling tracks (including boardwalks) in an ONFL at Te Puia**	*[6.5(82)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	**1. Activity Status: Permitted** **Where:** a. The activity is not provided for in NFL-R13, NFL-R14 or NFL-R15. **Performance Standards:** a. Any indigenous vegetation disturbance for structures and activities will be limited to the removal of vegetation under 3m in height and must be limited to the minimum disturbance required for the placement of the structure or safe operation of the activity; and b. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous vegetation already present or that would have been historically present on site.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R12(1). **Assessment Criteria:** a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape; b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape; c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated; d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape; e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas; f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and g. Assessment criteria for the relevant zone.

NFL-R13	**Viewing and observation platforms or rock climbing structures in an ONFL at Te Puia**	*[6.5(74)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay:	**1. Activity Status:** Permitted **Where:** a. The activity is located within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Feature	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R13(1). **Assessment Criteria:**

Commercial 5 Zone - Te Puia Site	and Landscape (as shown in Figure NFL-2); and b. The activity has a maximum net floor area of 16m$^{2.}$ **Performance Standards:** a. Be a maximum of 5m above natural ground level; b. Not be seen from a public road or reserve; c. Buildings shall not protrude above the indigenous vegetation canopy; d. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%; e. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each; f. The indigenous vegetation disturbance for buildings structures and activities will be limited to the removal of vegetation under 3m in height and must be limited to the minimum disturbance required for the placement of the structure or safe operation of the activity; and g. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for the safe operation of the activity. Planting shall also be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or they would have been historically present on the site.	a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape; b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape; c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated; d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape; e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas; f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; g. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the building or structure into the surrounding natural environment; h. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; i. The extent to which the finished building roofline or structure will be below the nearest ridgeline; j. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; k. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and l. Assessment criteria for the relevant zone.

NFL-R14	Non-motorised aerial tourisms activities, zip lines, suspended bridges and boardwalks in an ONFL at Te Puia	[6.5(76)]
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone- Te Puia Site	**1. Activity Status:** Controlled **Where:** a. The activity is located within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Features and Landscapes; and b. Has a height greater than 2m. **Performance Standards:** a. Be a maximum of 5m above natural ground level; b. Not be seen from a public road or reserve; c. Buildings shall not protrude above the indigenous vegetation canopy; d. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%; e. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each f. The indigenous vegetation disturbance for buildings, structures and activities will be limited to the removal of vegetation under 2m in height and must be limited to the minimum disturbance required for the placement of the structure or safe operation of the activity; and g. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for the safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R14(1). **Assessment Criteria:** a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape; b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape; c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated; d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape; e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas; f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and g. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the building or structure into the surrounding natural environment. h. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; i. The extent to which the finished building roofline or structure will be below the nearest ridgeline;

	present or that would have been historically present on the site. **Matters of Control:** a. Mitigation of cumulative effects on the identified values or characteristics that make Whakarewarewa Geothermal Area outstanding including its naturalness, visual and amenity a values; b. The extent to which built elements have been architecturally designed to be sympathetic to the landscape values of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape; c. Siting, orientation, design and bulk of any buildings, impervious surfaces and materials used for their construction to integrate the building or structure into the surrounding natural environment; d. Appropriateness of location of buildings and activities in relation to other built structures or outstanding features; e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks; and f. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural Feature and Landscape or water bodies are avoided, remedied or mitigated.	j. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and k. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and l. Assessment criteria for the relevant zone.
NFL-R15	**Concreted or sealed tracks in ONFL at Te Puia**	*[6.5(77)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay:	**1. Activity Status:** Controlled **Where:** The activity is located within Area A or B of the Whakarewarewa Geothermal Area Outstanding Natural Features and Landscapes (as shown in Figure NFL-2). **Performance Standards:** a. Not be seen from a public road or reserve;	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R15(1). **Assessment Criteria:** a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the

Commercial 5 Zone- Te Puia Site	b. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan; c. The indigenous vegetation disturbance for concreted or sealed tracks will be limited to the removal of vegetation under 3m in height in an area no wider than 3m for the formed track; and d. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for the safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on site. **Matters of Control:** a. Mitigation of cumulative effects on the identified values or characteristics that make Whakarewarewa Geothermal Area outstanding including its naturalness, visual and amenity a values; b. The extent to which built elements have been architecturally designed to be sympathetic to the landscape values of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape; c. Siting, orientation, design and bulk of any buildings, impervious surfaces and materials used for their construction to integrate the building or structure into the surrounding natural environment; d. Appropriateness of location of buildings and activities in relation to other built structures or outstanding features; e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of	Outstanding Natural Feature or Landscape; b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape; c. The extent to which any cut and fill can be minimized and the final contours can be re-vegetated; d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape; e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas; f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and g. Assessment criteria for the relevant zone.

	buildings, structures and earthworks; and f. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural Feature and Landscape or water bodies are avoided, remedied or mitigated.	
NFL-R16	**Construction of new pou waharoa, poumaumahara or pūhara in an ONFL at Te Puia**	*[6.5(83)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	**1. Activity Status:** Permitted **Performance Standards:** a. Be a maximum of 5m above natural ground level; b. Buildings shall not protrude above the indigenous vegetation canopy; c. Shall be limited to a maximum of four structures in total; d. Be no greater than 8m in height; and e. Be made of natural materials.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R16(1). **Assessment Criteria:** a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape; b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape; c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated; d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape; e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas; f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and g. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the

		building or structure into the surrounding natural environment. h. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; i. The extent to which the finished building roofline or structure will be below the nearest ridgeline; j. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and k. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and l. Assessment criteria for the relevant zone.
NFL-R17	**Earthworks at Te Puia**	*[A10.2.1)]*
Applicable Spatial Layers Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	**1. Activity Status:** Permitted **Where:** The earthworks are accessory to permitted structure or activity or assessed and authorised as part of a resource consent for buildings, structures and activities.	

Rules for Activities in or Adjacent to Significant Geothermal Features

General
Advice Note: The Significant Geothermal Features within the Bay of Plenty region are being identified by the Bay of Plenty Regional Council. Once Significant Geothermal Features are identified these will be included on the planning maps and in the schedules of the District Plan, by way of a plan change. Until such time as the identification is complete, Significant Geothermal Features will be identifies using the method, definitions and criteria of the Bay of Plenty Regional Policy Statement. To identify a Significant Geothermal Features within the Waikato region, Significant Geothermal Features are assessed in accordance with Section 9B of the Waikato Regional Policy Statement, except that within Development or Limited Development Geothermal Systems, Significant Geothermal Features are those identified, listed and mapped in the Waikato Regional Plan in accordance with Method 9.2.2 of the Waikato Regional Policy Statement.

NFL-R18	**Restoration, re-vegetation or enhancement of indigenous vegetation associated with Significant Geothermal Features**	*[4.5(65),4.5(69), 6.5(93),6.5(97),8.5.1(11) 6.5(71), 6.5(75), 9.5(67), 9.5(71),10.5(63),10.5(67)*
Applicable Spatial Layers All Zones	**1. Activity Status:** Permitted **Performance Standards:** a. Planting shall be undertaken with locally sourced indigenous species the same as existing indigenous species already present or that would have been historically present on site; b. The restoration of the geothermal vegetation area within a Significant Geothermal Feature shall not result in existing indigenous vegetation being removed.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R18(1). **Assessment Criteria:** a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system. c. Assessment criteria for the relevant zone.

NFL-R19	**Development and earthworks adjacent to a Significant Geothermal Features**	*[4.5(66), 4.5(67), 4.5(69), 6.5(94), 6.5(95), 6.5(97), 7.5(72),7.5(73), 7.5(75),8.5(1)(12), 8.5(1)(13),8.5(1)(15), 9.5(68), 9.5(69), 9.5(71), 10.5(64), 10.5(65), 10.5(67), 15.5(5)]*
Applicable Spatial Layers All Zones	**1. Activity Status:** Permitted **Performance Standards:** a. Any building, structure (including infrastructure) or activity shall be set back at least 5m from the edge of any Significant Geothermal Feature unless a resource consent has been granted by a Regional Council for the existence of that building, structure or activity; b. Any earthworks shall be at least 5m from the edge of any Significant Geothermal Feature; c. Earthworks shall not divert water into or out of a Significant Geothermal Feature. Exemptions: a. Walkways at Te Puia (that site being subject to the New Zealand Māori Arts and Crafts	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R19(1). **Assessment Criteria:** a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system. c. Assessment criteria for the relevant zone.

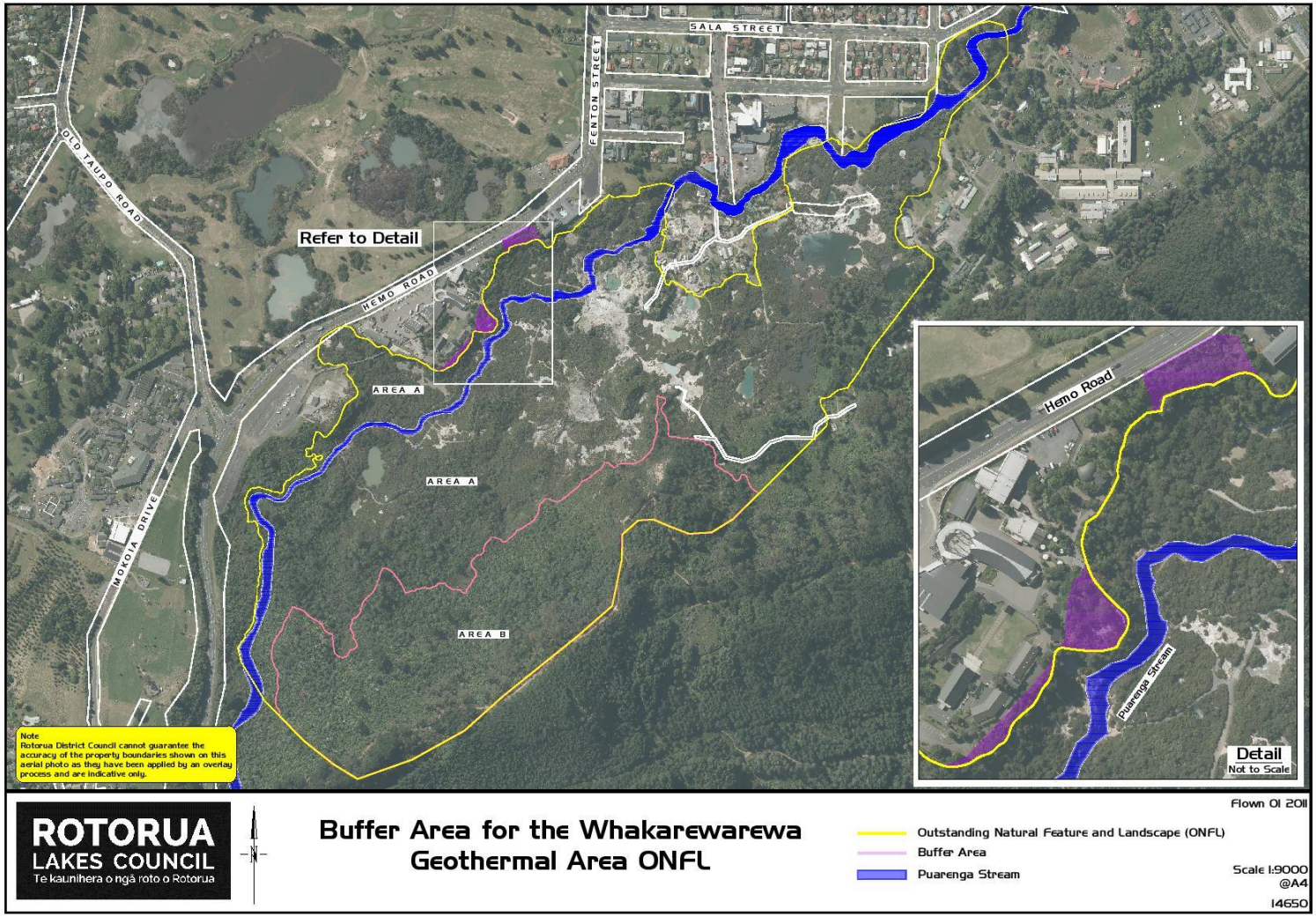
	Institute Act 1963 including the general functions set out in section 14) are exempt from the above and can be constructed up to the edge of the feature; or b. The activity is electricity generation and accessory activities c. The activity is operation, upgrade and maintenance of existing infrastructure described in EIT – Energy Infrastructure and Transport.	
NFL-R20	**Development and earthworks that will affect a Significant Geothermal Feature**	*[4.5(66), 4.5(67), 4.5(69), 6.5(94), 6.5(95), 6.5(97), 7.5(72),7.5(73), 7.5(75),8.5(1)(12), 8.5(1)(13),8.5(1)(15), 9.5(68), 9.5(69), 9.5(71), 10.5(64), 10.5(65), 10.5(67), 15.5(5)]*
Applicable Spatial Layers Significant Geothermal Features	**1. Activity Status:** Discretionary **Exemptions** a. The development or earthworks has a granted resource consent under a Regional Rule which has required an assessment of the effects on the Significant Geothermal Feature; b. The development or earthworks are permitted by a Regional rule relating to the Significant Geothermal Feature; or c. The activity is geothermal electricity generation and accessory activities. d. The activity is operation, upgrade and maintenance of existing infrastructure described in EIT- Energy Infrastructure and Transport. **Assessment Criteria:** a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system. c. Assessment criteria for the zone.	
NFL-R21	**Maintenance of existing tracks including realignment and reinstatement due to geothermal damages within a Significant Geothermal Feature**	*[4.5(68), 4.5(69), 6.5(96), 6.5(97), 7.5(74), 7.5(75), 8.5(1)(14)8.5(1)(15), 9.5(70), 9.5(71), 10.5(66), 10.5(67)]*
Applicable Spatial Layers Significant Geothermal Features	**1. Activity Status:** Permitted **Performance Standards:** a. Tracks shall not exceed the existing width of the formed track;	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R21(1). **Assessment Criteria:**

	b. Construction debris shall not be placed, or allowed to enter a water body; and c. The maintenance of the track shall not cause the water to be diverted into or out of the Significant Geothermal Feature.	a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system. c. Assessment criteria for the relevant zone.

Rules for Activities in the Rotorua Caldera Rim

NFL-R22	**Buildings in the Rotorua Caldera Rim (Sensitive or Less Sensitive Area Overlays)**		*[9.36(1), 9.6(12), 9.6(15), 9.5(15)]*
Applicable Spatial Layers Rotorua Caldera Rim Sensitive Landscape Area Overlay or Less Sensitive Landscape Area Overlay: All Rural Zones	**1. Activity Status:** Permitted **Where:** The activity is not an additional ~~household~~ residential or minor ~~household~~ residential unit in the Sensitive Landscape Area provided for in Rule NFL-22(3). **Performance Standards:** a. The reflectivity value of external walls and roof shall not exceed 37%; and b. The maximum height of a building shall not exceed 6m above the natural ground level for sites within the Sensitive Landscape Area Overlay on the Rotorua caldera rim; c. No new building shall be erected within 20m of the top of an escarpment with a slope of 15 degrees or more; and d. Within Lot 68 DP 418749 no buildings shall be located between the 340m and 370m contour.	**2. Activity Status:** Restricted Discretionary **Where:** Compliance is not achieved with the performance standards for NFL-R22(1). **Matters of Discretion:** a. The extent to which the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the particular standard. b. The extent to which the activity adversely affects the character and amenity values of the zone.	
Applicable Spatial Layers Rotorua Caldera Rim Sensitive Landscape Area Overlay: All Rural Zones	**3. Activity Status:** Discretionary **Where:** The activity is a ~~household~~residential or minor ~~household~~residential unit and there will be more than one ~~household~~residential unit on the site. **Assessment Criteria:**		

	a. The extent to which buildings, roads and infrastructure in the sensitive rural area are located to be sympathetic to the landscape character and amenity by avoiding ridgelines, escarpments, and the edge of prominent terrace areas; b. The ability to cluster development to minimise adverse effects on landscape and rural character; c. The extent to which buildings are designed to blend in with the surrounding landscape avoiding earthworks that change the land contour to any significant extent; d. The extent of compliance with the reflectivity performance standards relating to the colour and finish of buildings; e. The effectiveness of building design to avoid adverse visual effects by using modulation to minimise the dominance of buildings; f. The extent to which natural materials are used on buildings to integrate into the rural environment; g. The extent to which earthworks for access, building sites and infrastructure result in visual effects that cannot be mitigated or result in a significant change to the rural character of the area; h. The extent to which proposed roads and access ways cut across a hillside or into a prominent slope; i. The extent to which new infrastructure is located to avoid the caldera rim ridgeline and prominent upper slopes of the caldera; j. The extent to which buildings and development exceeds the permitted activity standards; and k. Assessment criteria for the relevant zone.
NFL-R23	**New infrastructure buildings, structures or activities in the Rotorua Caldera Sensitive Area Overlay** *[15.5(7)]*
Applicable Spatial Layers Rotorua Caldera Rim Sensitive Landscape Area Overlay	**1. Activity Status:** Discretionary **Where:** The infrastructure is of the type described in EIT- Energy, Infrastructure and Transport. **Assessment Criteria:** a. Assessment criteria for EIT- Energy, Infrastructure and Transport.



NFL-FIGURE2 Te Puia Site (Whakarewarewa Geothermal Area) Area A and B

Assessment Criteria

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

NFL-AC1 Infrastructure Specific

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the Outstanding Natural Features and Landscapes Schedule.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

ANTICIPATED ENVIRONMENTAL RESULTS

NFL-AER1	Management of Significant Geothermal Features in accordance with the classification system set by the relevant Regional Policy Statements and/or Regional Plans.
NFL-AER2	Protection of amenity and identified values associated with Outstanding Natural Features and Landscapes.
NFL-AER3	Maintenance of existing access within Outstanding Natural Features and Landscapes
NFL-AER4	No loss of values or significance of outstanding natural features and landscapes due to inappropriate use and development of infrastructure.

SCHEDULES

NFL-SCHED1 - Outstanding Natural Features and Landscapes Schedule

Item	Planning map
Hamurana Caldera Rim	533, 508, 509
Hamurana Springs	303, 304, 533
Horohoro Dome and escarpments	536, 540
Lake Rerewhakaaitu and margins	394, 543
Lake Rotoehu and margins	384, 385, 386, 387, 535
Lake Rotoiti and margins	357, 358, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 533, 534, 535, 522, 523
Lake Rotokawa	534, 523, 524
Lake Rotomā and caldera	388, 389, 390, 391, 392, 393, 535

Item	Planning map
Lake Rotorua and margins	301- 307, 309, 310, 312, 315, 317, 318, 321, 325-328, 336, 337, 357, 359, 362, 364-368, 533, 537
Makatiti Dome: North Eastern Slopes	538, 539
Mamakū Tors	531, 532, 514
Mangorewa Forest	532, 501
Mokoia Island	533
Mount Ngongotahā	532, 533, 537, 515, 516, 517, 519
Mount Tarawera: Tarawera Ridge	538, 539, 543
Paeroa Range western scarps	541, 545
Rainbow Mountain/ Maungakākaramea	542
Rotomā Forest	392, 393, 535, 539
Tikitere Geothermal area	523, 534
Tumunui Hill	541, 542
Waiōtapu Geothermal area	542
Whakarewarewa Geothermal area	344, 345, 351, 352, 537

PA

PUBLIC ACCESS- URUNGA A TE IWI

Status: PA is Operative

INTRODUCTION

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

> *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers (section 6(4);*

This plan seeks to improve and enhance public access to waterbodies within the district. The creation of esplanade reserves and strips is the most secure and effective mechanism to provide this access. The consent process provides opportunity to consult with land owners to secure the creation of appropriate reserves and strips.

The District Plan maps identify those priority lakes, rivers, and streams where esplanade provisions will be implemented, with the exception of multiple owned Māori Land (refer to the Esplanade Priority Acquisition Waterbody Overlay). This will achieve a focussed direction to esplanade acquisition, and a strategic, connected esplanade network. The esplanade provisions that apply to subdivision to give effect to the objectives and policies in this chapter are contained in SUB- Subdivision.

This chapter contains additional provisions that apply to landuse to protect existing or potential public access and natural character values of the priority esplanade acquisition areas.

This chapter should also be read alongside NATC- Natural Character, which contains rules for earthworks adjacent to water bodies.

ISSUES

PA-I1 Provision of public access to lakes, rivers and streams

The Rotorua District contains water bodies, and indigenous flora and fauna that support the variety of recreational opportunities that the district is known for. Currently the connectivity of esplanade reserves is poor. The District Plan has a role in the maintenance and enhancement of public access to and along the margins of waterbodies which also maintain and enhance natural character. Therefore, where appropriate, a proactive approach to maintaining and enhancing public access to these waterbodies is required.

OBJECTIVES

Provision of public access to lakes, rivers and streams

PA-O1 *[2.3(3)]*	A network of healthy functioning areas of significant indigenous vegetation and significant habitats of indigenous fauna with a high degree of ecological integrity, intactness, interconnectivity, and cohesiveness. A strategic esplanade network adjoining Lake Rotorua

	and other lakes, rivers and streams for the purpose of public access, recreation and conservation. *Policies PA-P1*

POLICIES

Provision of public access to lakes, rivers and streams

Objective PA-O1

PA-P1 *[2.3(3)(1)]*	Require esplanade reserves or esplanade strips where appropriate on sites that adjoin lakes, rivers, or streams of the district including those on Planning Map 203 to provide a connected esplanade network.

RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

A key point to note is that NATC- Natural Character also contains rules specifically addressing activities adjacent to waterbodies.

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.

These rules shall not apply to activities associated with plantation forestry. Refer instead to the National Environmental Standards for Plantation Forestry

Activities in or near wetlands, including vegetation clearance, earthworks and land disturbance, may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking activities in or near wetlands should discuss their proposal with the relevant regional council.

Links to the rule categories are provided below:

Rules for Activities in Relating to Public Access 65

Buildings, Structures and Infrastructure 65

Tracks 67

Vegetation 68

Rules for Activities in Relating to Public Access

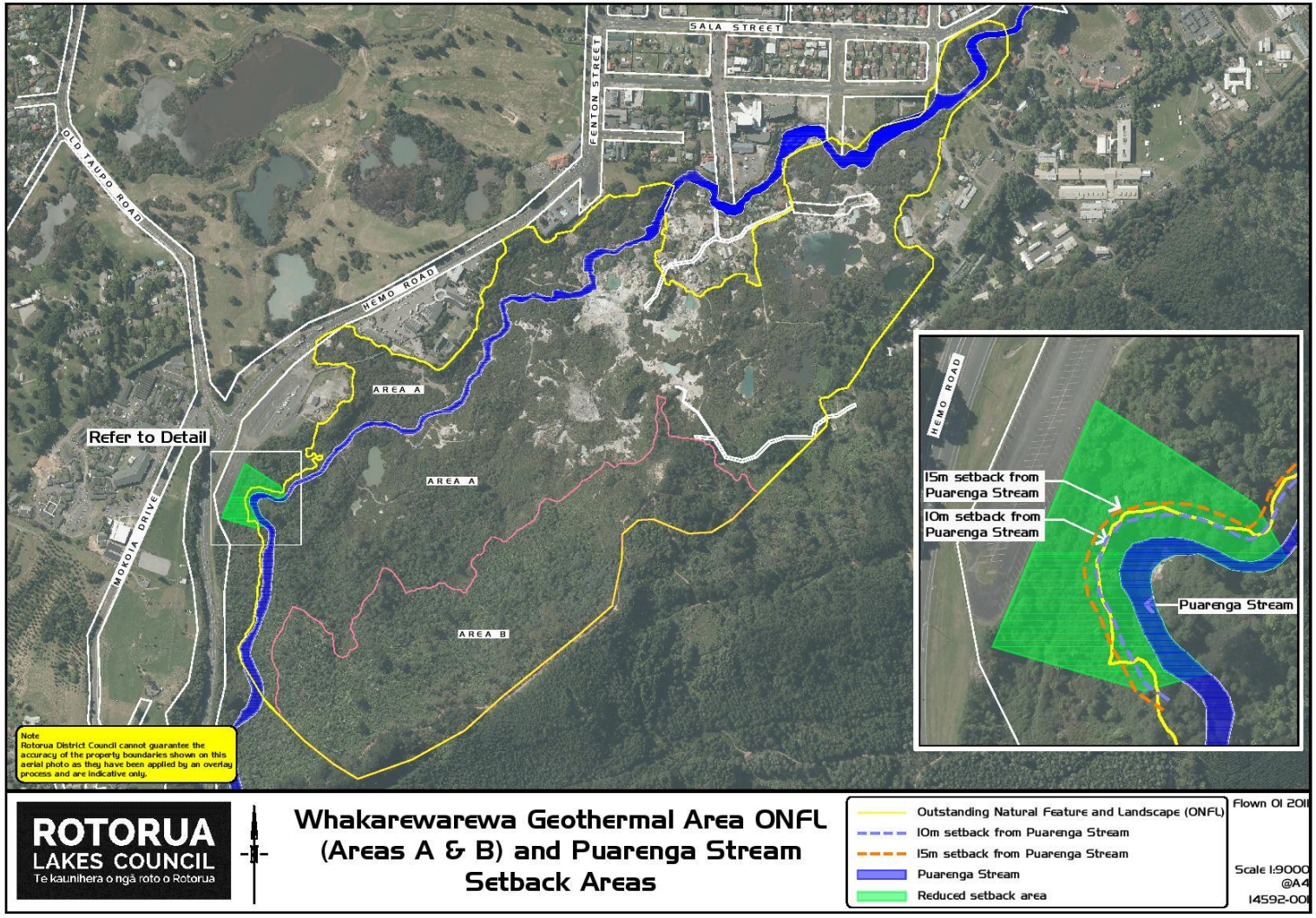
Buildings, Structures and Infrastructure		
PA-R1	**Buildings and structures (including lake structures and infrastructure) located within** **i. 25m of the edge of a lake;** **ii. 25m of a river or stream identified in the Esplanade Priority Acquisition Waterbody Overlay; or** **iii. 5m of an esplanade reserve or strip**	*[4.5(89), 9.5(108), 10.5(84), [7.5(92), 9.5(112), 10.5(88) 4.5(90), 6.5(80), 6.5(81), 6.5(88), 7.5(92), 9.5(109), 10.5(85)]]*
Applicable spatial layer: Industrial 1E Zone	**1. Activity Status:** Permitted	
Applicable spatial layer: All Zones except Industrial 1E Zone	**1. Activity Status:** Permitted **Where:** The activity is maintenance and replacement of existing lawfully established buildings and structures. **Performance Standards** a. Any upgrade, or replacement of existing buildings or structures shall not exceed the existing building envelope or footprint. b. Any external walls and roofs of any building, structure (excluding lake structures) or addition shall not exceed a reflectivity value of 37% c. Exception: the above performance standards shall not apply to the Electricity Generation Core Site.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for PA-R1(1). **Assessment Criteria:** a. Assessment criteria for the relevant zone.
Applicable spatial layer: All Zones except Industrial 1E Zone	**3. Activity Status:** Permitted **Where:** a. The activity is either: i. A maimai structure located in the Rural 1 Zone, Reserve 1 Zone, Reserve 2 Zone, Water Zone, Industrial 1 Zone or Industrial T Zone; ii. A bridge located in Business and Innovation Zones; iii. Commercial Zones: not a building; iv. Residential Zone, Rural Zone or Reserve Zones: not a building or lake structure; or v. A building or structure associated with infrastructure as described in EIT Energy, infrastructure and transport and not requiring earthworks or the removal of indigenous vegetation.	
Applicable Spatial Layers	**4. Activity Status:** Permitted **Where:** a. The activity is a building located more than 10m from the bank of	**5. Activity Status:** Discretionary **Where:**

Te Puia Site Reduced Setback Area	the Puarenga Stream in the reduced setback area shown in Figure PA-1. **Performance Standards:** a. Where the building is located within 15m of the bank of the Puarenga Stream the following standards apply: i. Maximum height: 10m ii. Have exterior surfaces, including any roof, finished in reflectivity values of between 0% and 37%; iii. The indigenous vegetation disturbance for building must result in less than a 2m width clearance of indigenous vegetation from the external footprint. iv. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction will be reinstated. This requirement does not apply the area cleared for the permanent placement of the structure, track of the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on the site.	Compliance is not achieved with the performance standards for PA-R1(4). **Matters of Discretion:** a. Assessment criteria for the relevant zone.
Applicable spatial layer: All Zones except: Te Puia Site Industrial 1, 1E and T Zones	**6. Activity Status:** Restricted Discretionary **Where:** a. The building or structure is not otherwise provided for in this table. **Matters of Discretion** a. How the location of the building or structure continues to provide for the ability to obtain an esplanade reserve or strip in accordance with the esplanade requirements b. How the design and location avoids, remedies or mitigates any effects on the natural character of the water body and associated natural environment; c. How the building or structure avoids, remedies or mitigates adverse effects on habitat of fauna, or the ecological values of the water body; d. Construction debris shall not be placed, or allowed to enter a water body; e. The extent to which the disturbance and removal of indigenous vegetation is avoided, remedied or mitigated.	

Te Puia Site	**7. Activity Status:** Restricted Discretionary **Where:** a. The building or structure is located: i. within 10m of the bank of the Puarenga Stream in the Te Puia Site Reduced Setback Area; or ii. within 15m of the bank of the Puarenga Stream in the remainder of the Te Puia Site. **Matters of Discretion** a. How the design and location avoids, remedies or mitigates any effects on the natural character of the water body and associated natural environment; b. How the building or structure avoids, remedies or mitigates adverse effects on habitat of fauna, or the ecological values of the water body; c. Construction debris shall not be placed, or allowed to enter a water body; d. The extent to which the scale and location of earthworks associated with roads, tracks, building sites detract from the values and characteristics of the Outstanding Natural Feature and Landscape and Significant Natural Area; and e. The extent to which the disturbance and removal of indigenous vegetation is avoided, remedied or mitigated.
Applicable spatial layer: Industrial 1 Zone	**8. Activity Status:** Discretionary **Where:** a. The activity is not otherwise provided for in this table. **Matters of Discretion** a. Assessment criteria for the relevant zone.
Applicable spatial layer: Industrial T Zone	**9. Activity Status:** Non-Complying **Where:** The activity is not otherwise provided for in this table.

Tracks		
PA-R2	**Construction of public walking tracks within esplanade reserves or strips**	*[4.5(91),6.5(87), 9.5(111), 10.5(87)]*
Applicable spatial layer: All Zones	**1. Activity Status:** Permitted **Performance Standards:** a. The track formation shall be no more than 2.5m wide after restoration of the site. b. Recorded heritage features including historic places, archaeological sites, and wāhi tapu shall not be disturbed. c. The walking track shall not disturb threatened indigenous species or their habitats. d. Construction debris shall not be placed, or allowed to enter a water body.	**2. Activity Status:** Discretionary **Where:** Compliance is not achieved with the performance standards for PA-R2(1). **Assessment Criteria:** a. Assessment criteria for the relevant zone.

	e. The track shall not require access to or from a state highway.	
Vegetation		
PA-R3	**Removal of indigenous vegetation adjacent to priority esplanade waterbodies**	*[6.5(86), 9.5(110), 10.5(86)]*
Applicable spatial layer: Adjacent to the Esplanade Priority Acquisition Waterbody Overlay: All Commercial Zones All Rural Zones All Reserve Zones Water Zone.	**1. Activity Status:** Permitted **Where:** a. The activity is located within 25m of the bank of a river or stream identified in the Esplanade Priority Acquisition Waterbody Overlay; and b. The activity is associated with activities permitted under the rules in this table.	
Applicable spatial layer: Adjacent to the Esplanade Priority Acquisition Waterbody Overlay: All Commercial Zones All Rural Zones All Reserve Zones Water Zone	**2. Activity Status:** Discretionary **Where:** a. The activity is carried out within 25m from the margin of a lake, wetland or from a river or stream; and b. The activity is not provided for in PA-R5(1). **Assessment Criteria:** a. The extent to which the vegetation removal affects natural character of the water body and associated natural environment; b. The extent to which the vegetation removal affects habitat of fauna, water quality or the ecological values of the water body and riparian margin; c. Adjacent to the main stem of the Waikato River in Rural Zones: i. The potential adverse effects on the character, health and wellbeing of the Waikato River and its surroundings; ii. How the activity complies with the objectives for the zone, Natural Environmental Values and Historical and Cultural Values; and iii. The extent to which the activity provides for the ongoing functioning of ecological processes, maintenance and enhancement of natural character and amenity values, water quality, restoration and connectivity of habitats and improved public access to and along the river; d. Assessment criteria for the relevant zone; and e. Infrastructure specific PA-AC1.	



PA-FIGURE1 - Te Puia Site Reduced Setback Area

Assessment Criteria

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

PA-AC1 Infrastructure specific

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.

~~2.~~ The extent to which the proposal detracts from the physical, natural and cultural values.

3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.

4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

ANTICIPATED ENVIRONMENTAL RESULTS

PA-AER1	Maintenance and where appropriate increased public access along water bodies.