

17.13 PAPAKAINGA ZONE RULES

Refer to Policy sets 5.2, 5.3, 5.4, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 7.4, 9.1, 9.2, 9.3, 11.1, 11.2, 13.1.

17.13.1 Scope of Section

This section deals with land uses in the Papakainga Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

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12/20

17.13.2 Land Use**17.13.2.1 Permitted Activities (Land Use)**

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

- (a) The activity is one of the following:
- (i) community activity;
 - (ii) elderly persons' housing (kaumatua flats);
 - (iii) telecommunication and radio communication facilities;
 - (iv) dwelling for a caretaker;
 - (v) the use of any building or land for short-term accommodation in connection with cultural events or courses run on the marae or for support housing;
 - (vi) market gardening or grazing of animals.

Noise

- (b) Noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Papakainga Zone, Rural Zone (other than any dwelling on the site from which the noise is being generated), Rural Residential or Tourist Services zone, or at or within any site within a Residential Zone, does not exceed:

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

C19 5/10 Op 8/12

Except that this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

- (i) mobile horticultural and agricultural equipment;
- (ii) forest and tree harvesting activities;
- (iii) animals, except when associated with intensive livestock farming and animal boarding activities;
- (iv) bird scarers and hail cannons.

N.B. Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays).
Night = All other times, plus public holidays.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

C19 5/10
Op 8/12

Setbacks

- (c) Buildings are set back at least 10 metres from any road boundary, except that telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.
- (d) Residential and educational buildings are set back at least 10 metres from sites in adjoining rural zones.
- (e) Buildings other than in (d) are set back at least 5 metres from any boundary other than a road boundary, except that telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.
- (ea) The building is not located within, or within 10m of, any indicative road or indicative reserve, except for the following:
 - (i) This rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.
 - (ii) No building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.
 - (iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road

C73
Op 6/23

Height

- (f) The maximum height of any building is 7.5 metres, subject to condition 16.6.2.1(k).

Building Coverage

- (g) Maximum building coverage is 33 percent.

C59 11/15
Op 3/16

Outdoor Living Space

- (h) Each dwelling has an area of outdoor living space which:
 - (i) has a minimum area of 60 square metres and can contain a circle with a minimum diameter of six metres;
 - (ii) is on the north or north-western side of the dwelling;
 - (iii) is readily accessible from a living area of the dwelling.

Site Development Plan

- (i) An overall site development plan is prepared and submitted to the Council showing the proposed layout of buildings and servicing of the site.

Stormwater

- (j) (i) EITHER
All stormwater from buildings and impervious surfaces is discharged to a

C7 7/07
Op 10/10

Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.13.2.2 Discretionary Activities (Land Use)

The following activities are discretionary activities:

- (a) trades training facilities for apprenticeships or work experience;
- (b) sale of goods produced on site;
- (c) any activity that does not comply with permitted conditions 17.13.2.1 (c) to (j).

C43 4/13
Op 1/15

A resource consent is required and may include conditions.

17.13.20 Principal Reasons for Rules

The Papakainga Zone is special in that a diverse range of traditional, spiritual and cultural activities occur within close proximity to one another. The majority of activities are permitted, subject to conditions, designed to ensure that adverse cross-boundary effects do not occur.

Rules also reflect the need to protect residential amenities for those who live on the site.

Discretionary activities are restricted to small-scale business activities that can operate on the site in an unobtrusive manner and within the capacity of the level of services available on site.