

8C: TE MATA SPECIAL CHARACTER ZONE

8C.1 INTRODUCTION

The Te Mata area is subject to ongoing competing demands for the development of its natural resources. The area's location on the lower slopes of Te Mata Peak has made it a desirable place for rural-residential lifestyle living, while its soils and aspect have allowed its development as a centre for viticulture. The area abuts the Havelock North urban area and on these boundaries urban-rural interface issues also impact on competing land uses.

The area is also associated with the early settlement of Havelock North and coastal Hawke's Bay, and a significant number of notable heritage buildings exist within the area. The locality contains a unique mix of attributes that together give the area a special ambience. By identifying these attributes, the Te Mata Special Character Zone integrates a wide range of legitimate, but competing activities, while establishing a long term sustainable development strategy for the area.

The Te Mata Special Character Zone also contains the Outstanding Natural Feature and Landscape Area - Te Mata Peak and a Significant Amenity Character Area (foothills of Te Mata Peak). These areas are to be treated with particular care to ensure the ongoing protection of their special landscape qualities. These aspects of the area will be addressed under Section 15.4 Landscape of the District Plan.

8C.2 ANTICIPATED OUTCOMES

It is anticipated that the following specific environmental Outcomes will be achieved.

- TM1** Protection of the special character and landscape values of the Zone.
- TM2** Wineries that provide a range of activities that are aligned with, and proportionate to, the viticulture use of the land.
- TM3** Maintenance of the open rural character of the area.
- TM4** Protection of heritage buildings.
- TM5** Protection of the potential of the land and soils for sustainable management purposes.
- TM6** The further development of rural productive activities based upon the land, soils and microclimate of the area.
- TM7** The development of rural activities ancillary to primary production or based upon the heritage and landscape character of the area.
- TM8** Continuation of limited rural lifestyle opportunities.
- TM9** Containment of smaller block lifestyle development to areas of limited productive potential, where interface effects on productive enterprises can be managed, and where landscape quality is not adversely affected.

- TM10** Avoidance of subdivision or development which could result in adverse effects on groundwater or soil erosion.
- TM11** Landscapes will not be visually compromised as a result of inappropriate building development, earthworks and plantations.
- TM12** New building development are sensitively integrated into their landscape surroundings.
- TM13** Visual integration of plantations with underlying landforms and the surrounding landscape.

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8C.3 OBJECTIVES AND POLICIES

OBJECTIVE TMO1 To retain the existing special character and amenity values of the Te Mata Special Character Zone

POLICY TMP1 *Identify and protect the features which make up the special character of the Te Mata Special Character Zone.*

Explanation

The attributes that distinguish the Zone from the surrounding District are: clear geographical boundaries to the east, west and south; soils which are particularly suitable for grape growing, wine production, olive growing and other pip and stone fruit production; the natural and dominating landform of the Te Mata spur; the cultural landscape, in particular several buildings with heritage and architectural value and the visual amenity created by viticultural development on the north facing lower slopes of the Te Mata hills. Other features relate to an open and pastoral character on the upper slopes, elevated foothills, a scattered density of housing and open treeless areas with contrasting areas of significant plantings.

POLICY TMP2 *Enable a range of activities to establish provided that they maintain the life supporting capacity of the soil resource of the Te Mata Special Character Zone for future use and have a direct relationship to the character of the area and do not conflict with its landscape values.*

Explanation

The unique condition of soil, water, climate and topography makes the Te Mata area suitable for a wide range of soil based activities. A wide range of land based activities are allowed for in the area, though Standards are included, and will be progressively reviewed, to ensure that the land management regimes undertaken are sustainable.

POLICY TMP3 *Enable the use of heritage buildings as residential dwellings and for commercial activities where it ensures the retention, enhancement or protection of the building at a level that is appropriate for the Te Mata Special Character Zone.*

Explanation

The Te Mata Special Character Zone contains a number of heritage buildings that could be preserved or enhanced if they were able to be used for a suitable alternative use. Council will encourage the use of these for commercial facilities or residential uses, where the use supports their preservation, and where the environmental effects of the activity can be managed and be in keeping with the Special Character of the area.

OBJECTIVE TMO2 To ensure that new development and activities are consistent with the unique landscape, land use patterns, soil and building qualities of the Te Mata environment and do not create adverse affects.

POLICY TMP4 *Require that any subdivision in the Te Mata Special Character Zone does not result in reducing the potential for versatile land to be used in a productive and sustainable manner and that it protects the valued aspects of the landscape.*

Explanation

The Te Mata Special Character Zone is primarily a soil based agricultural area, particularly outside of the 'Lifestyle Area' and, as such, Subdivision criteria reflects the need to maintain site sizes which are capable of sustained, independent production. Those parts of the Zone identified as 'Lifestyle Area' are recognised as having limited economic potential, and the District Plan therefore provides for the subdivision of smaller lifestyle blocks and for residential farm parks where the interface effects with agricultural activities can be managed and where landscape quality is not significantly adversely effected.

POLICY TMP5 *Allow shelterbelts and artificial windbreaks to be erected in the Te Mata Special Character zone, where they support activities associated with the sustainable management of the soil resource without significant adverse effects upon adjacent activities.*

Explanation

Shelterbelts are a key element in the management of horticultural activities and crops. Their erection in the Zone will be allowed, but controlled by Standards to minimise their impact on adjoining properties, or roads, where shading, frost spots and bird habitats can have a potential significant adverse effect.

POLICY TMP6 *Provide for a range of visitor and tourism based activities that are dependent upon the rural resources and special character of the Te Mata Special Character Zone.*

Explanation

The District Plan recognises the relationship between activities utilising the unique soil resource of the Te Mata area, and tourism. Where commercial activity requires a Resource Consent, the District Plan will have regard to the activity's tourism potential as well as its ability to avoid, remedy or mitigate any adverse effects on the environment.

The utilisation of existing heritage buildings will be encouraged, however activities will be kept at a level that is consistent with the character and amenity of the area.

POLICY TMP7 *Provide for relevant industrial and commercial activities with limits on scale to protect the special character of the Te Mata Special Character Zone and to protect the sustainability of the District's Commercial and Industrial Zones.*

Explanation

The ability to establish industrial and commercial activities of an appropriate scale within the Zone for the purpose of allowing primary producers to add value to produce that has been grown on the site. The scale of such development is an important consideration as it should not be such as to adversely impact on the versatile land on which the activity is sited. To ensure that adverse effects on neighbouring properties such as noise or traffic generation, are not experienced. The limits on scale will also ensure that the special character of the Zone is protected.

It is also recognised that the use of existing buildings to accommodate industrial or commercial activities may be an efficient use of resources, particularly for activities compatible with the Te Mata Special Character Zone. The fact that buildings are present, however, does not justify their use for industrial, commercial or other activities not otherwise permitted in this Zone. The use of this Zone for such activities undermines the sustainability of the physical resource of the District's Commercial and Industrial Zones, generally encourages more vehicle trips away from urban areas and lessens the economic benefits of the clustering of industrial and/or commercial activities together.

POLICY TMP8

Restrict the number of residential dwelling units and accessory buildings allowed as of right in Te Mata Special Character Zone

Explanation

Te Mata Special Character Zone is a high amenity area with a scattered density of housing; this contributes to its sense of openness and rural amenity. It is intended that there should not be a situation where multiple dwellings occur on the site. A Principal Dwelling plus a limited floor area Supplementary Residential Building is permitted on each site. The limitation on the floor area is to ensure that the building is supplementary to the main dwelling and also to ensure that it has only a minor effect on the openness of the area. Supplementary dwellings will have a permitted maximum floor area and there is no provision for them to have accessory buildings.

Note: Although Supplementary residential dwellings are a Permitted activity subject to a specified maximum floor area, it is not appropriate to use them for a permitted baseline comparison for other buildings as they are directly related to the residential use of the site and they cannot be subdivided off as they remain in the curtilage of the main dwelling. Nor should the maximum building footprints for any other activities be used as permitted baseline for supplementary dwellings.

POLICY TMP9

Limit the establishment of Places of Assembly in the Te Mata Special Character Zone.

Explanation

Places of Assembly, by nature have large buildings together with extensive car parking areas. The special character of the Te Mata Special Character Zone is in part defined by its attractive landscape (visual amenity) and in part by its low density and low scale of buildings. The Zone is also in close proximity to Havelock North's urban area, wherein Places of Assembly are provided in some capacity. The Te Mata Special Character Zone is also highly suited to viticulture and other agricultural activities; the soil resource has value for these more rural activities. For these reasons, Places of Assembly are Discretionary Activities so that the effects of the activity can be assessed in terms of its effect on the Te Mata Special Character environment.

POLICY TMP10 *Provide for and recognise existing commercial and industrial activities within the Te Mata Special Character Zone*

Explanation

In Te Mata Special Character Zone there are some established businesses that contribute to the special character and tourism of the Havelock North area; businesses such as: Arataki Honey and WELEDA. It is therefore important to ensure that these activities are not adversely affected by reverse sensitivity or other effects from neighbouring activities.

OBJECTIVE TMO3 **Enable wineries to vertically integrate activities associated with the production of grapes where they do not compromise the versatile soils or amenity values.**

POLICY TMP11 *In providing for vertical integration, to allow wineries and cellar door sales and cafés to establish on the site of viticultural production, the industrial wine production component of the activity shall be proportionate to the viticultural activity within, and respect the amenity of, the Te Mata Special Character Zone.*

Explanation

Viticulture is a particular characteristic of the Te Mata Special Character Zone. Wineries are an activity that has a direct linkage to the use of the land for viticulture. It is therefore appropriate to provide for the vertical integration of grape processing and associated commercial activities. This vertical integration promotes tourism and allows the consumer to experience the location of the production of the wine. Wineries are an appropriate activity in the Te Mata Special Character zone but the scale of them is to be controlled. Large 'industrial scale processing facilities' having little relationship to any viticulture on the site, with the processing capacity dependent on sourcing grapes from elsewhere, are more appropriately located on an Industrially Zones Site. Industrial scale wine processing plants will impact on the sustainability of the versatile soils and the visual amenity of the Te Mata area. Furthermore, there are specific Zones within the District that provide for Industrial activity and the limitation of these activities in the Te Mata Special Character Zone will contribute to the physical resource of the Industrial Zones being used in an efficient and effective manner.

Although wineries are a Permitted activity, subject to a specific maximum floor area, their viability is dependent on a number of factors including the viticulture potential of the site and desirable amenity for the commercial component. Therefore, it is not appropriate to use 'wineries' as an activity for permitted baseline comparison for other buildings with no vertical integration to a particular site.

POLICY TMP12 *Control forestry and farm forestry activities to ensure that any adverse effects on existing viticultural activities are avoided or mitigated.*

Explanation

While forestry and farm forestry activities play an important role in rural based primary production, it is recognised that the presence of forestry in close proximity to existing viticultural activities can generate adverse effects associated with bird habitat and tree shading.

OBJECTIVE TMO4 **Require a buffer between Te Mata Special Character Zone activities and Residential and Rural Residential activities in a manner that will mitigate the adverse effects of these activities both within the Te Mata Special Character Zone and at the Zone interfaces.**

POLICY TMP13 *Ensure that Noise Standards in the District Plan are consistent with the character and amenity of the Te Mata Special Character Zone.*

This Policy recognises that activities in the area can generate significant amounts of noise. Noise may be generated from the operation of machinery such as tractors, bird scaring devices, harvesters, windmills, frost protection fans or it may be generated from animals housed in buildings. Performance Standards for Noise are provided which are set at a level which recognises the need for activities to operate in a way that does not unduly restrict normal, economic practice usually associated with activities in the area in order to protect their continued economic operation.

POLICY TMP14 *Require that land use activities located at the interface of Te Mata Special Character Zone and urban environments do not result in significant adverse effects on adjoining activities and the community.*

Explanation

The District Plan has a range of Standards to protect adjoining properties from the effects of activities carried out on any site. The Standards reflect the present agricultural and viticultural nature of the zone and accepted management Standards in the zone. The District Plan also encourages the adoption of industry Standards and Codes of Practice by individual land users, as a non-statutory method. Where the zone abuts new residential zones the District Plan will introduce greater separation distances for residential activities from activities in the Te Mata Special Character Zone. Where there are existing boundaries, land users will be expected to manage the effects of their operation to avoid significant adverse effects on adjoining urban properties.

Note: The Objectives and Policies will be implemented through the Methods. See Section 8.0 Havelock North Strategic Management Area for Methods.

8C.4 RULES

The following table sets out the status of activities in the Te Mata Special Character Zone.

All activities listed below are subject to the relevant Standards and Terms of the District Plan.

8C.4.1 ACTIVITY STATUS

RULE	ACTIVITY	STATUS
1.	Land based primary production (excluding forestry)	P
2.	Residential activities	P
3.	Temporary events	P
4.	Specified Commercial activities within threshold limits	P
5.	Wineries within specified limits	P
6.	Specified Industrial activities within threshold limits	P
7.	Beekeeping and the extraction, processing, packaging, warehousing storage, distribution and sale of honey and honey products on (add legal description) (Arataki Honey) in existing or new buildings.	P
8.	Processing, manufacture, sale and distribution of organically based pharmaceuticals and body products, herbs and plants in <u>existing</u> buildings on (WELEDA) add the legal description.	P
9.	Processing, manufacture, sale and distribution of organically based pharmaceuticals and body products, herbs and plants in <u>new</u> or externally altered buildings on (WELEDA) (add legal description).	C
10.	Any new building or external alterations to existing buildings associated with a Permitted or Controlled Activity, except #9 above.	RDNN
11.	Relocated Dwellings	RDNN
12.	Intensive Rural Production	RD
13.	Industrial activities involving buildings with a gross floor area between 100m ² and 1000m ² for processing, storage and/or packaging of agricultural, horticultural, and or viticultural crops and/or produce.	D
14.	Places of Assembly	D
15.	Intensive Rural Production that does not comply with one or more of the General Performance Standards in Section 8C.5 or the relevant Specific Performance Standards and Terms 8C.6.	D
16.	Any new residential building or building being part of a marae, Commercial activity or Industrial activity erected on another site within 400 metres of an Intensive Rural Production activity involving buildings housing animals reared intensively and yards accommodating animals reared intensively.	D

RULE	ACTIVITY	STATUS
17.	Any new Residential building or building being part of a marae, Commercial activity or Industrial activity erected on another site within 150 metres of an Intensive Rural Production activity involving organic matter and effluent storage, treatment and utilisation.	D
18.	Any new residential building or building being part of a marae, commercial activity or industrial activity erected on another site within 15 metres of any buildings used for any other intensive rural production activity not listed as above.	D
19.	Any Permitted, Controlled or Restricted Discretionary Activity – Non Notified not complying with the Specific Performance Standards in section 11.6.2, 11.6.3, 11.6.8 and 11.6.9.	D
20.	Any activity which is not provided for as a Permitted, Controlled, Restricted-Discretionary, or Discretionary Activity.	NC
21.	Any activity not meeting the Site Area Threshold Standard 8C.6.6.	NC
22.	Industrial activities involving buildings with a gross floor area that exceeds 1000m ² for processing, storage and/or packaging of agricultural, horticultural, and or viticultural crops and/or produce.	NC

Note: Subdivision and Land Development provisions are contained in Section 16.1 of the District Plan.

8C.5 GENERAL PERFORMANCE STANDARDS AND TERMS

The following General Performance Standards and Terms apply.

8C.5.1 BUILDING HEIGHT

- | | |
|--|--|
| <p>(a) Frost protection fans (measured from ground level to tip of the blade).</p> <p style="padding-left: 40px;">Maximum height 15 metres</p> | <p><i>Outcome</i></p> <p>The open character and amenity of the Te Mata Special Character Zone will be maintained by preventing tall obtrusive structures or buildings, and access to daylight on adjoining properties will be protected.</p> |
| <p>(b) All other buildings or structures.</p> <p style="padding-left: 40px;">Maximum height 10 metres</p> | |
| <p>(c) Buildings shall be contained within a building envelope constructed by recession planes from points 2.75 metres above internal boundaries. The angle of such recession planes shall be determined for each site by the use of the Recession Plane Indicator in Appendix 8C.1-1.</p> | |

8C.5.2 YARDS

The following setback distances are required:

1. Residential Activities

Residential Buildings in Te Mata Special Character Zone Lifestyle Area

Front yard	7.5 metres
All other yards	15 metres

Residential Buildings on Te Mata Special Character Zone Rural Lots

Front yard	7.5 metres
All other yards	5.0 metres

2. Commercial, Industrial, Winery buildings or Structures and Frost Fans

Front Yard	15 metres
All other yards	15 metres

(to be kept clear of all buildings and of sales or display produce)

3. Accessory Buildings

Front Yard	7.5 metres
All other yards	5.0 metres

Outcome

The open character and amenity of the Te Mata Special Character Zone will be maintained by buildings being set back a generous distance from roads.

Buildings will be separated from adjoining sites to ensure that potential conflicts between adjoining land uses are avoided.

Yards for Accessory Buildings and loading ramps may be reduced to 1.5 metres where the adjoining owner's written consent is obtained.

Loading ramps fronting local roads (ie: roads that are not defined as collector or arterial routes in Appendix 2.5-1) are exempt from the front yard requirements.

Note: Under the Regional Resource Management Plan, there is a requirement that buildings, structures, fences, planting, the deposit of earth, shingle or debris, or any activity which impedes access to any river, lake or watercourse to be set back from the bed of a river, lake or watercourse which is within a land drainage or flood control scheme area.

8C.5.3 SCREENING

- (a) Outdoor storage areas of Commercial, Industrial and Winery activities shall be fully screened by planting and/or fencing so that they are not visible from adjoining roads or residential buildings on adjacent properties.
- (b) Outdoor display areas and parking areas of Commercial, Industrial and Winery activities shall have landscaping which consists of a mixture of groundcover and specimen trees with a minimum width of 2.5 metres.
- (c) The maximum height of any fence shall be 1.8 metres.

Outcome

The screening of display, storage or parking areas will ensure that the rural amenity of the Zone is protected.

8C.5.4 LIGHT AND GLARE

All external lighting shall be shaded or directed away from any residential buildings or roads, and be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.

Outcome

Residential properties will not be adversely affected by light or glare from adjacent activities. The safety of roads will be maintained by preventing glare and light spill onto them.

8C.5.5 TRAFFIC SIGHTLINES, PARKING, ACCESS AND LOADING

Activities shall comply with the provisions of Section 15.11 of the District Plan on Transport and Parking.

Outcome

The outcomes of Section 15.11 of the District Plan on Transport and Parking will be achieved.

8C.5.6 NOISE

Activities shall comply with the provisions of Section 15.12 of the District Plan on Noise.

Outcome

The outcomes of Section 15.12 of the District Plan on Noise will be achieved.

Note: There are exemptions and/or Specific Standards provided under Section 15.12 of the District Plan on Noise for the use of agricultural machinery, audible bird scaring devices, hail cannons and frost protection fans.

8C.5.7 SHADING OF LAND, BUILDINGS AND ROADS**1. Trees on Property Boundaries**

- (a) Trees forming a plantation or shelterbelt shall be located a minimum of 10 metres along the property boundary from an adjoining property boundary.
- (b) Where planted between 5-10 metres from an adjoining property boundary trees shall be maintained at a height of no more than their distance from the boundary +4 metres (eg at a distance of 5m from a boundary, the height limit is 9m).

Outcome

Adjoining land will not be significantly adversely affected by shading from trees. The safety of roads will be maintained by preventing ice forming in shaded areas and preserving visibility for motorists.

Except that: these requirements may be reduced with the written consent of the affected adjoining landowner.

2. Trees Adjoining Public Roads

Trees forming a plantation or shelter belt shall be located a minimum of 5 metres from the formed edge of a public road.

8C.5.8 TOTAL BUILDING COVERAGE AND IMPERMEABLE SURFACES ON SITES UP TO 3.5 HECTARES IN AREA

The maximum combined building coverage and impermeable surface coverage on sites up to 3.5 hectares in area shall not exceed **20%** of the net site area or **1000m²** whichever is the lesser.

Outcome

Retention of the open character of the Te Mata area by limiting the total scale of buildings on and impermeable areas over smaller sites and the management of any increase in stormwater runoff from sites and adequate land for on-site wastewater disposal.

8C.6 SPECIFIC PERFORMANCE STANDARDS AND TERMS

The following Specific Performance Standards and Terms shall apply to the activities specified below.

8C.6.1 INTENSIVE RURAL PRODUCTION

Effects beyond the site

- (a) The location of any buildings housing animals, or any outdoor pen associated with the keeping of animals, shall be located so that any noise, or odour, associated with the activity shall not cause a nuisance to any residential building on any adjoining site.
- Outcome*
Effects beyond the site will not be inconsistent with those associated with established agricultural practices.
- (b) New buildings housing animals reared intensively and yards accommodating animals reared intensively or on feedlots shall be located a minimum distance of:
- (i) 400 metres from a residential building on another site.
 - (ii) 50 metres from a residential building on the same site.
 - (iii) 20 metres from a property boundary.
Except that any of the above requirements may be reduced with the written consent of affected persons.
 - (iv) 20 metres from a public road.
- (c) Organic matter and effluent storage, treatment and utilisation shall be located in accordance with the following minimum distances:
- (i) 50 metres from a residential building on the same site.
 - (ii) 150 metres from a residential building on another site.
 - (iii) 20 metres from a property boundary.
Except that any of the above requirements may be reduced with the written consent of affected persons.
 - (iv) 20 metres from a public road.
- Outcome*
Neighbouring activities will not be adversely affected by odour associated with the storage, treatment or utilisation of organic matter and effluent from the Intensive Rural Production Activity.

8C.6.2 RESIDENTIAL ACTIVITIES

1. Residential Buildings

- (a) One residential building shall be allowed per site with an area greater than 2500m²
- (b) One residential building shall be allowed per residential site on a residential farm park.
- Outcome*
The potential to utilise the land resource, in a manner that supports the life supporting capacity of the soil resource, will be facilitated by providing for residential accommodation.

8C.6.3 SUPPLEMENTARY RESIDENTIAL BUILDINGS

(a) One Supplementary Residential Building shall be allowed per site, or per residential site on a residential farm park.

Outcome
Flexibility to provide Supplementary accommodation in association with the sustainable management of the soil resource.

(b) An existing occupied Residential Building must be located on the site.

The Supplementary Residential building shall share driveways (to ensure that services are not duplicated needlessly).

(c) The maximum gross floor area, including integral garage, shall be 100m². If the existing Residential building is 100m² or less, it may become the Supplementary Residential building provided that all Standards and Terms are met.

Supplementary residential buildings will have minimal effects.

8C.6.4 COMMERCIAL ACTIVITIES**1. Commercial Activity Threshold Limits**

The following activity threshold limits shall apply.

These activities can be carried out singly or in combination. However there is a cumulative limit of 100 m² per site (refer rule **8C.6.6**).

Outcome
Commercial Activities which have a relationship to goods produced in the District will have the opportunity to establish. The life-supporting capacity of the soil resource will be safeguarded by limiting the size of Commercial Activities in Te Mata Special Character Zone. Commercial Activities will be of a size and scale that have a potential for minor adverse effects and are compatible with the character of the Te Mata Special Character Zone.

TYPE OF ACTIVITY	COMMERCIAL ACTIVITY THRESHOLD MEASURE	MAXIMUM LIMIT PER SITE (PERMITTED ACTIVITIES)
Retailing	i) Maximum retail display area	<ul style="list-style-type: none"> 50m² (including outdoor display areas)
	ii) Minimum percentage of display area to be stocked with goods produced on the site: <ul style="list-style-type: none"> Total display area <50m² Total display area >50m² <p>Within the period April – September the percentage of the fresh goods produced on the site may be reduced to 50% for display areas <50m² and 60% for display areas >50m².</p>	<ul style="list-style-type: none"> 75% 85%

TYPE OF ACTIVITY	COMMERCIAL ACTIVITY THRESHOLD MEASURE	MAXIMUM LIMIT PER SITE (PERMITTED ACTIVITIES)
All Commercial Activities (including Visitor Accommodation, entertainment facilities including the serving of food and beverages.	iii) Personnel limits	<ul style="list-style-type: none"> At least one person resident on the site shall carry out the activity. Maximum number of additional employees – 3
	iv) Total maximum gross floor area for all activities per site (not per activity) including structures without external walls and outdoor dining areas	<ul style="list-style-type: none"> 100m²
<p style="text-align: center;">Additional limitations to gross floor limitation</p> <p>(a) Outdoor storage use - 100m²; and</p> <p>(b) Maximum number of persons to be accommodated by entertainment facilities including serving food and beverages is 40.</p>		

Note 1: Visitor accommodation within an existing residential dwelling will be exempt from the 100m² maximum floor area, provided that the existing Residential activity does not cease.

2. Hours of Operation

Any day of the week 8.00am – 10.00pm.

Outcome

The effects of activities will be mitigated by limiting the hours of operation of Commercial activities in the Te Mata Special Character Zone.

8C.6.5 INDUSTRIAL ACTIVITIES

1. Industrial Activities Threshold Limits

The following activity Threshold limits shall apply. These activities can be carried out singly or in combination. However there is a cumulative limit of 100 m² per site (refer rule 8C.6.6).

Outcome

Industrial Activities which have a relationship to crops produced in the zone will have the opportunity to establish. The life-supporting capacity of the Te Mata Special Character Zone soil resource will be safeguarded by limiting the size of Industrial Activities to a size and scale that have a potential for minor adverse effects and is compatible with the character of the Te Mata Special Character Zone.

TYPE OF ACTIVITY	INDUSTRIAL ACTIVITY THRESHOLD MEASURE	MAXIMUM LIMIT PER SITE (PERMITTED ACTIVITIES)
(a) Processing, storage and/or packaging of agricultural, horticultural and/or viticultural crops and/or produce	Maximum gross floor area (including any roofed structure without external walls)	<ul style="list-style-type: none"> • 100m²
(b) All other Industrial activities	Maximum Gross Floor Area Personnel Limits	<ul style="list-style-type: none"> • 100m² <p>At least one person resident on the site shall carry out the activity.</p> <p>Maximum number of additional employees (to those resident on the site) shall be three persons.</p>
	Outdoor storage/use or display land area	<ul style="list-style-type: none"> • 100m²

Note 1: Any retailing associated with Industrial Activities shall be assessed as a Commercial Activity.

Note 2: Buildings used for the processing, storage and/or packaging of agricultural, horticultural and/or viticultural crops and/or produce grown only from the site on which they are located are accessory to Land Based Primary Production and therefore are not subject to the industrial building threshold limits of Standard 8C.6.5 (1) above.

8C.6.6 SITE AREA THRESHOLDS

The activity thresholds for rules 8C.6.3, 8C.6.4, 8C.6.5 (b) apply to an individual site.

The activities under these Rules can therefore be carried out singly on a site up to the 100m² threshold, or in combination, until the cumulative limit of 100m² per site is reached.

8C.6.7 TEMPORARY EVENTS

- (a) Only six Temporary Events shall take place on a site over a 12 month calendar period (January to December).
- (b) Maximum attendance at any one time shall be 1000 persons.
- (c) Temporary Events shall only be operated consecutively for up to a maximum of three days.
- (d) The Hastings District Council shall receive notification of the Temporary Event at least 10 days prior to the event taking place.
- (e) All parking associated with a temporary event shall occur on the site.

Outcome

It will be possible for Temporary Events to take place where it is possible to avoid or mitigate adverse effects.

The temporary nature of the events will ensure that any adverse effects are for a short time only.

- (f) Other than Noise (Refer Standard X) and Traffic Sightline Distances (Refer Standard X), the General and Specific Performance Standards for the Zone do not apply to Temporary Events.

8C.6.8 WINERIES

1. Winery Threshold Limits

The following Threshold limits apply. Maximum floor area limits cannot be traded between the different activities.

TYPE OF ACTIVITY	WINERY THRESHOLD MEASURE	MAXIMUM LIMIT PER SITE
Winery	Wineries shall be located on a minimum site of 4 hectares in area, with at least 2 hectares of planted grapes for wine production	-
Winemaking and associated bottling, storage and packaging	Maximum gross floor area (including any roofed structure without external walls)	<ul style="list-style-type: none"> • 2500m²
Retailing	Maximum gross floor area Minimum percentage of display area to be stocked with goods produced on the site: <ul style="list-style-type: none"> • Total display area <50m² • Total display area >50m² 	<ul style="list-style-type: none"> • 100m² • 75% • 85%
Entertainment facilities, including serving food and beverages	Maximum gross floor area for serving customers (excluding uncovered outdoor areas) Maximum number of persons to be accommodated	<ul style="list-style-type: none"> • 100 m² • 100 persons

2) Hours of Operation

Activities that involve the retailing of goods and/or the serving of food or beverages to the public shall be restricted to the following hours of operation:

Any day of the week 8.00am – 10.00pm

Outcome

The effects of activities will be mitigated by limiting the hours of operation of Commercial activities in the Te Mata Special Character Zone.

8C.7 ASSESSMENT CRITERIA - CONTROLLED ACTIVITIES

For Controlled Activities, the following identify those matters which Council may exercise its control over, or matters in respect of which Council may impose conditions, in accordance with the Rules above.

8C.7.1 DEVELOPMENT WITHIN THE WELEDA SITE

Refer to the assessment criteria under 8C.8.8 - ALL OTHER ACTIVITIES

8C.8 ASSESSMENT CRITERIA FOR RESTRICTED DISCRETIONARY (INCLUDING NON NOTIFIED) AND DISCRETIONARY ACTIVITIES

For Restricted Discretionary Activities, the following identify those matters which Council has restricted its discretion over in assessing Resource Consent applications. For Discretionary Activities, the following identify those matters which Council may assess the activity against; Council's assessment is not however restricted to these matters.

An assessment of the effects of activity shall be made considering the following:

8C.8.1 ALL BUILDINGS AND ASSOCIATED DEVELOPMENT, INCLUDING EARTHWORKS, AND ACCESS

- (a) No building should be located on those areas marked "Restricted Buildings Area" as indicated on the planning maps, in such a location that the building, including any accessory building, access and site development dominate the ridge and the area immediately to the north of the ridge as viewed from Te Mata Road. As a guide, the height of buildings should be located at least 20 metres below the ridge as viewed from Te Mata Road.
- Outcome*
Buildings dominating the ridge, which forms the backdrop to the Te Mata Hills when viewed from Te Mata Road, will be avoided.
- (b) No building or designated building platform should penetrate any ridgeline of the Te Mata foothills when viewed from Te Mata Road.
- Outcome*
The penetration of any ridgelines by buildings, as viewed from Te Mata Road when travelling along it between Fulford Road and Waimarama Road, will be avoided.
- (c) That in respect of Lots 5 and 8, DP 23415, and Lots 2 and 3, DP 19462, which received a Subdivision Consent from the Council prior to 20 May 1995, buildings may be located within those areas marked 'Restricted Buildings Area' or on the ridgelines, where the applicant demonstrates there are no practicable alternative building platforms available that are capable of accommodating a building, or which could better achieve the relevant Performance Outcomes for landscape protection.
- (d) Colours and building materials of buildings located on those areas marked 'Restricted Buildings Area' and Te Mata Special Character Zone Lifestyle Area should be selected to relate to the colours of the landscape and generally avoid the use of mirror glass on the exterior of buildings.
- (e) Existing vegetation should be retained as far as practicable.

- (f) Earthworks and filling shall generally not exceed that required for access and a building/garden platform.
- (g) A landscaping plan shall be prepared indicating how any larger buildings and associated access will be landscaped to achieve the Performance Standards and will consider:
- (i) Early replanting of any areas which earthworks have laid bare.
 - (ii) Methods of ensuring successful establishment, including watering requirements.
 - (iii) Ability to harmonise the development with the landscape quality and visual amenity of the area.

Outcome

Buildings and associated access will be located, built of materials or painted, and landscaped so as to reduce any detracting from the natural landscape quality and to enhance the visual amenity of the area.

8C.8.2 SUPPLEMENTARY RESIDENTIAL BUILDINGS NOT COMPLYING WITH STANDARD 8C.6.3(b)

- (a) Whether the proposal detrimentally affects the visual or landscape quality of the site and surroundings. This shall include reference to the proposed nature and location of building platforms, accessways, landscaping, planting, and the position, form and appearance of building development. In particular, any such development should be of a scale, design and location that does not dominate the landscape.
- (b) The extent to which the cumulative effects of the oversized Supplementary Residential building, together with other development on the site, would adversely affect the character, amenity and openness of the surrounding area.
- (c) Whether the proposal will utilise an existing formed access and building platform, whilst being consistent with (a) above.

8C.8.3 INTENSIVE RURAL PRODUCTION**Effects Beyond the Site**

- (a) Any buildings housing animals, or any outdoor pen associated with the keeping of animals, shall be located and managed so that any noise or odour associated with the activity shall not cause a nuisance to any residential building on any adjoining site.
- (b) The extent to which the buildings associated with the Intensive Rural Production will compromise the visual amenity value of the surrounding area, recognising the special character of the Te Mata locality.

8C.8.4 ACTIVITIES ESTABLISHING WITHIN THE YARD REQUIREMENT (SET BY RULE 8C.6.2) OF A BUILDING KNOWN TO BE USED FOR INTENSIVE RURAL PRODUCTION

In assessing Resource Consent applications for potentially incompatible activities seeking to establish within a 400m buffer zone around an existing building known to be used for Intensive Rural Production, Council will have regard to the following effects and to what extent, and by what means, these are able to be avoided, remedied or mitigated:

- (a) The likelihood of the proposed activity to generate reverse sensitivity effects on the Intensive Rural Production activity, and the potential impact these may have on the continuing effective and efficient operation of the Intensive Rural Production activity.
- (b) The extent to which alternative locations have been considered.

8C.8.5 WINERIES

- (a) Whether the winery will maintain or enhance the amenity values of the surrounding area.
- (b) The impact of the scale, character and/or effects of the winery and its compatibility with surrounding activities.
- (c) The potential for the winery to generate adverse effects in the environment in terms of stormwater quality, quantity, noise, dust, glare, vibration and road safety.
- (d) The potential for the winery to generate significant adverse effects on the environment in terms of noise, dust, glare, vibration and road safety.
- (e) Whether the winery is required to locate on the site in accordance with the concept of vertical integration (linking aspects of grape growing, wine making, retailing and entertainment activities) in terms of the extent that it utilises and enhances the surrounding landscape.

8C.8.6 RELOCATED BUILDINGS

Whether the external appearance of the relocated building and necessary works are compatible with the visual amenity value of the surrounding area, recognising the special character of the locality. Council will determine the time frame for the completion of any necessary works.

8C.8.7 DEVELOPMENT WITHIN 30 METRES OF THE WELEDA PROPERTY BOUNDARY (LOTS 2 & 3 DP 7047)

This criteria will apply only while the Weleda property is used for the purpose of growing and processing organic pharmaceuticals.

Outcome

Adverse effects of activities and development affecting activities on the Weleda site will be avoided.

Run-off and effluent soakage shall be controlled so as to avoid contamination of the Weleda property.

An assessment of any development within 30 metres of the Weleda property, including access, effluent systems, building and planting shall be provided, which demonstrates how any potential contamination of the Weleda property will be avoided, provided that this Criteria shall not apply to that boundary adjoining the access way for a distance of 250 metres from Te Mata Road.

8C.8.8 ALL OTHER ACTIVITIES

- (a) Whether the activity is of such a scale that it is better to be relocated (or established) in another zone where infrastructure and employment are more readily available and the receiving environment is less sensitive.
- (b) Whether the proposal will significantly compromise the visual amenity value of the surrounding area, recognising the special character of the Te Mata locality.
- (c) The extent to which the activity is identified with the locality and the contribution of the activities to the wider amenity and character of the Te Mata locality.
- (d) Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural servicing needs of the development.

- (e) The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
- (f) Whether the activity will process, store and/or package agricultural, horticultural and/or viticultural crops and/or produce, the majority of which are grown from within Hastings District.
- (g) The extent to which the proposed development maintains or enhances any heritage building or building of architectural merit and specifically any building listed in Appendix 8C-1.
- (h) The extent to which the proposed development is able to utilise existing vacant buildings in the locality.
- (i) The potential for the activity to generate significant effects on the environment in relation to traffic, parking demand, or visitor numbers.
- (j) The potential for the activity to generate significant adverse effects in terms of noise, dust, glare, or vibration, and the extent to which mitigation options have been considered and evaluated.
- (k) The ability of the roading hierarchy to accommodate any additional traffic generated by the activity.

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APPENDIX 8C-1 - HERITAGE BUILDINGS IN THE TE MATA SPECIAL CHARACTER ZONE

BUILDING	COMMENT	LEGAL DESCRIPTION
1. Te Mata Homestead	Designed for a member of the Chambers family by eminent NZ architects Gummer and Ford in 1935.	Lot 6 DP 23415
2. Original Chambers Homestead	Now located on the Havelock Kennels property. Part of the homestead dates back to 1852.	Lot 2 DP 9701
3. Peloha	Part of the Weleda property. Originally built as a summer residence for a member of the Chambers family in the early 1900s.	Lot 3 DP 7047
4. Rush Cottage	Now located on a separate allotment on the Te Mata foothills. Designed by William Rush in the Arts and Crafts style in the 1920s.	Lot 1 DP 23421
5. Te Mata Estate Winery (part)	The oldest surviving winery building in New Zealand, part of the Te Mata Estate Winery Ltd development.	Lot 1 DP 23580, Lot 3 DP 19464, Lot 10 DP 7481.

Note:

Item 1 is included in Appendix 12.5-2(A) Heritage Items as a Historic Category I Building (refer Section 15.14 Heritage Items and Notable Trees)

Items 2 - 5 are included in Schedule 12.5-2(C) Heritage Buildings Te Mata Special Character Zone (refer Section 15.14 Heritage Items and Notable Trees).

APPENDIX 11.1-1

METHOD OF DETERMINING RECESSION PLANES

