

## 11.1 TE MATA SPECIAL CHARACTER ZONE

### 11.1.1 INTRODUCTION

The Te Mata Hills area has been the subject of competing demands for the development of its natural resources. The area's location on the lower slopes of Te Mata Peak, have made it a desirable place for rural/residential occupation, while its soils and aspect have allowed its development as a centre for viticulture.

In addition to the competing land uses, the area abuts the Havelock North urban area and on these boundaries urban-rural interface issues 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 locality.

The locality contains a unique mix of uses that together give the area a special ambience.

By identifying these features; 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.

### 11.1.2 RESOURCE MANAGEMENT ISSUES

- ***The need to identify and recognise the special character of the Te Mata area which is differentiated from other rural areas in the District and to protect it from the effects of inappropriate use and development.***

The Te Mata locality has a special character because of a combination of many attributes and their location concentrated in a small and geographically distinct area. These attributes are potentially under threat from inappropriate use and development, including urban development. Therefore, the special character of the area should be recognised.

The attributes which particularly distinguish the area from the surrounding district are; clear geographical boundaries to the east, west and south; soils which are particularly suitable for high quality grapes for high quality wines (albeit some of these soils also are desirable for pip and stone production); the natural and dominating landform of the Te Mata spur; the cultural landscape, in particular several buildings of heritage character; and the visual amenity created by viticultural development.

- ***The recognition and protection of the landscape character and heritage buildings in the area from inappropriate use and development.***

The landscape and heritage character of the Te Mata locality comprises of a combination of landforms, particularly the Te Mata spur and foothills. Significant features include an open rural character, elevated foothills that dominate the landscape below, a pastoral character, a scattered density of housing, open treeless areas with contrasting areas of significant plantings, heritage buildings and buildings of architectural merit. However this character is potentially under threat from the effects of; heritage or character buildings being demolished or inappropriately "renovated" (exterior facades); tree removal and tree planting; inappropriate siting of new buildings on the hills; inappropriate design of buildings on the foothills; buildings in areas close to the foothills impacting on the landscape character of the area; earthworks and filling; and an area that has limited capacity to screen houses on the foothills through topography.

- ***The protection of the unique agricultural resources of the area (existing and potential) from the effects of inappropriate use and development***

The Te Mata locality has particular suitability for productive land use activities dependent on the soils and microclimate of the area. In particular the area is prominent in the production of grapes and high quality wines produced in its wineries or from grapes sourced from the area. The area also is noted for its pip and stonefruit production and the organic growing of herbs for pharmaceutical production.

These resources can potentially be adversely affected by the impacts of other activities. These effects need to be controlled, if conditions are to be provided for the sustainable management of the agricultural resource. The following activities have potential to adversely affect sustainable management of agricultural resources; urban development (by removing the resource on a permanent basis and resulting in interface rural/urban pressures for living environment Performance Standards); subdivision to lot sizes which are not adequate for utilising the potential of the land, resulting in lifestyle development (and interface rural/urban pressures for living environment Performance Standards); the use of inorganic sprays and fertilisers with "run-off" to the Weleda property (specific to that property because of its requirements for an almost pristine environment, free from contaminants) and the development of non-rural activities.

- ***The management of the effects of urban activities on rural activities, and rural activities on urban activities at the urban/rural interface***

The urban living environment areas of the Hastings District are where high levels of environmental Standards and amenity are expected and generally provided. In contrast, rural environments are production orientated and such activities can create adverse effects. Generally these effects can be avoided or controlled at property boundaries because of the larger lot sizes in rural areas. Where rural and urban development are adjoining, there is greater potential for conflict and difficulty in management of effects.

Urban growth pressures can also adversely affect the productive capacity of rural land. In the absence of clear and long term urban edge policies, uncertainty and speculative pressures may result in a lack of investment in rural economic activities.

- ***The management of the effects of rural activities on the environment***

By their nature, rural activities have beneficial and adverse effects. It is desirable to create conditions where beneficial effects (such as employment, enhancement of the built and planted landscape, soil retention) are maintained, developed and enhanced. It is also necessary to balance the adverse effects of these activities to maintain development and productive potential, but also protect the life supporting capacity of the air, water, soil or ecosystems.

- ***The recognition that some non-agricultural activities will be appropriate in the Te Mata area where potential adverse effects on the landscape, heritage character, soil resources and productive activities can be managed, mitigated or avoided***

The Te Mata locality is an attractive rural environment, with an agricultural resource of diverse potential. Considerable parts of the zone have high actual and potential value for productive activities, while other sites have a low potential for productive activities, particularly where they have been subdivided into small parcel sizes on the Te Mata foothills. The Te Mata foothills has had much of its limited productive potential reduced by historical subdivision patterns. This part of the zone is most sensitive to development impacting on its landscape quality and character and in parts of the area there is potential and demand for further lifestyle development, where the primary productive potential of the land, the effects of these activities on primary production, and landscape quality is not compromised, and people can live in an attractive, rural environment.

Some non-agricultural activities utilise the rural resources and result in “added value”. Activities functioning in the area, such as; visitor facilities and cafe/winebars, are not necessarily dependant on the productive capacity of the soils but offer alternative land uses that are appropriate for the area where their effects can be managed.

### 11.1.3 OBJECTIVES

- TMO1 To recognise and protect the special character of the Te Mata locality, based upon land and soil resources, microclimate, landscape and heritage character.*
- TMO2 To protect the special character of the area by promoting the sustainable management of the natural and physical resources while avoiding, remedying or mitigating any significant adverse effects on the environment.*

### 11.1.4 POLICIES

- TMP1 Enable the establishment of a range of activities provided they maintain the life supporting capacity of the soil resource of the Te Mata Special Character Zone for future use.**

#### 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.

- TMP2 Avoid or mitigate any significant adverse effects of activities on the community, adjoining activities and the environment.**

#### Explanation

The District Plan introduces 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 the 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.

- TMP3 Protect the landscape features and character of the Te Mata Special Character Zone by controlling or restricting inappropriate land use activities.**

#### Explanation

The Te Mata foothills are of landscape significance to the region and, due to historic subdivision trends, have limited potential and capacity to absorb further development without adverse effects on landscape quality. Buildings have the greatest potential to adversely affect the landscape quality of the zone and therefore the density, location and appearance of all new buildings or alterations/additions will be controlled throughout the zone.

Council will control excavation and filling where it has the potential to adversely affect the landscape character of the area and where development occurs Council will encourage the retention of trees where they contribute to the character of the zone, in appropriate locations.

- TMP4 Provide for a range of visitor and tourism based activities that are dependant upon the rural resources and special character of the Te Mata Special Character Zone.**

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 tourist 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.

- TMP5 Allow 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 it 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.

- TMP6 Base subdivision provisions and Standards on the sustainable management of resources, and the management of effects, including landscape protection.**

Explanation

The Te Mata Special Character Zone is primarily a soil based agricultural area and as such subdivisional criteria reflects the need to maintain site sizes which are capable of sustained, independent production. Some parts of the zone 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.

- TMP7 Allow shelter belts 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 the impact of them on adjoining properties, or roads, where shading, frost spots and bird habitats can have a potential significant adverse effect.

- TMP8 Ensure noise Standards are not inconsistent with the character and amenity of the Te Mata Special Character Zone.**

Explanation

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, 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.

- TMP9 Control access and egress to ensure the safe and efficient movement of traffic to and from the District Roding Network.**

Explanation

Traffic entering or leaving the roading network, which is associated with activities in the Te Mata area may cause traffic safety conflicts. Appropriate Standards for access and egress are included in the District Plan to ensure that the safety and efficiency of the roading network is maintained.

- TMP10 Monitor the effects of land use activities in the Te Mata Special Character Zone to determine the on-going appropriateness and necessity of development and Performance Standards included in the Hastings District Plan, to avoid, remedy or mitigate adverse effects on the environment.**

Explanation

Council wishes to regulate activities only where there are actual adverse effects associated with them. To ensure that only minimal controls are imposed, Council will monitor adverse effects of land use activities and will address these effects in the most appropriate manner. These methods will be regulatory, and non-regulatory in nature.

- TMP11 Control forestry and farm forestry activities in the Te Mata Special Character Zone in order 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.

### 11.1.5 METHODS

The Objectives and Policies will be implemented through the following Methods.

- **Hastings District Plan**

Te Mata Special Character Zone: Includes Standards to mitigate the effects of activities on the environment, and to manage the effects at the interface between adjoining land users.

Rules for the adjoining General Residential Zone (Section 8.0): Introduces provision for buffer strips to separate incompatible activities. This will establish greater separation

distances between residential dwellings in the urban zones and activities in the Te Mata Special Character Zone.

Heritage Items & Trees RMU (Section 12.5): The standards in this Section of the District Plan control the modification of significant heritage buildings and trees.

Conservation Lots: These Rules provide for the creation of a separate title containing a heritage item identified in Appendix 12.5-2(A) and or Appendix 12.5-2(C) of the District Plan in return for the legal and physical protection in perpetuity of the nominated heritage item.

- **Hawke's Bay Regional Policy Statement and Plans**
- **Provision of information including:**

Land Information Memorandum

When Council is requested to supply a LIM relating to a site(s) located within the Te Mata Special Character Zone, a statement will be included that the area is a productive rural area, and that residents live in an environment where agricultural management practices such as agrichemical spraying, use of farm machinery, the seasonal operation of bird scarers, and night harvesting occur.

- **Industry Codes of Practice**

The following Codes of Practice are relevant in the Te Mata Special Character area and could be used as guidelines for setting conditions for resource consents, where appropriate.

*NZS 8409:1999 Code of Practice for the Management of Agrichemicals*

- **Subdivision and Infrastructure Development in Hastings: Best Practice Design Guide (Best Practice Design Guide)**

This document promotes innovative and sustainable land development, subdivision and infrastructure solutions which aim to create high quality urban environments. The guide incorporates examples and pictorial layouts from best practice within New Zealand and encourages landowners and developers to explore designs that will deliver improved living environments for our community. Guidance within this document will help landowners and developers meet the Objectives Policies and Rules of the District Plan.

- **Hastings District Council's Engineering Code of Practice**

The Engineering Code of Practice establishes guidelines for the design and construction of transport and service infrastructure which can be used as a means of compliance with the Objectives, Policies and Rules of the District Plan

#### 11.1.6 ANTICIPATED OUTCOMES

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

- Protection of the potential of the land and soils for sustainable management purposes
- Maintenance of the open rural character of the area
- Protection of heritage buildings
- Protection of the landscape quality of the zone

- The further development of rural productive activities based upon the land, soils and microclimate of the area
- The development of rural activities ancillary to primary production or based upon the heritage and landscape character of the area
- Continuation of limited lifestyle opportunities
- 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
- Avoidance of subdivision or development which could result in adverse effects on groundwater or soil erosion.

### 11.1.7 RULES

**The activity status and Performance Standard requirements provided for in the rules of the Zone may be modified by the specific provision of individual Resource Management Units (RMUs). It will be necessary to check first whether the activity is located within a RMU. Any activity must comply with the RMU provisions first, before applying the following Rules.**

#### 11.1.7.1 PERMITTED ACTIVITIES

The following activities shall be Permitted provided that they comply with the General Performance Standards and Terms in Section 11.1.8 and the relevant Specific Performance Standards and Terms in Section 11.1.9.

- LAND BASED PRIMARY PRODUCTION (EXCLUDING FORESTRY)
- RESIDENTIAL ACTIVITIES
- COMMERCIAL ACTIVITIES
- INDUSTRIAL ACTIVITIES
- BEEKEEPING AND THE EXTRACTION, PROCESSING, PACKAGING, WAREHOUSING STORAGE, DISTRIBUTION AND SALE OF HONEY AND HONEY PRODUCTS ON LOTS 1 & 2 DP 9095 AND SEC 16 AND LOT 2 DP 26368, BLK IV TE MATA SD (ARATAKI HONEY) IN EXISTING OR NEW BUILDINGS.
- PROCESSING, MANUFACTURE, SALE AND DISTRIBUTION OF ORGANICALLY BASED PHARMACEUTICALS AND BODY PRODUCTS, HERBS AND PLANTS IN EXISTING BUILDINGS ON LOTS 2 & 3 DP 7047 (WELEDA).
- TEMPORARY EVENT DAYS

#### 11.1.7.2 CONTROLLED ACTIVITIES

(a) The following activities shall be Controlled Activities provided they comply with the General Performance Standards and Terms in Section 11.1.8 and any relevant Specific Performance Standards in Section 11.1.9.

- RELOCATED BUILDINGS
- PROCESSING, MANUFACTURE, SALE AND DISTRIBUTION OF ORGANICALLY BASED PHARMACEUTICALS AND BODY PRODUCTS, HERBS AND PLANTS IN BUILDINGS ON LOTS 2 & 3 DP 7047 (WELEDA) NOT IN EXISTENCE ON 20 MAY 1995.
- INTENSIVE RURAL PRODUCTION

- ANY NEW BUILDING ASSOCIATED WITH A PERMITTED OR CONTROLLED ACTIVITY
- (b) Applications for Controlled Activities will be considered without notification or the need to obtain the written approval of affected parties. Conditions may be imposed in relation to the matters over which control will be exercised, identified in the Assessment Criteria in Section 11.1.10 of the Plan.

#### 11.1.7.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) For the following activities Council will restrict the exercise of its discretion to the ability of the activity to achieve the particular outcome(s) of the General or relevant Specific Performance Standard(s) and Terms in Sections 11.1.8 and 11.1.9, which it fails to meet, the ability of the activity to meet the remaining General and relevant Specific Performance Standards and Terms in Sections 11.1.8 and 11.1.9, and the Assessment Criteria in Section 11.1.11. Council will, in addition to the existing provisions, restrict its discretion to the ability of activity to achieve the particular outcome(s) of the General or Specific Performance Standards and Terms in Sections 14.1.8 and 14.1.9.
- ANY PERMITTED OR CONTROLLED ACTIVITY THAT DOES NOT COMPLY WITH ONE OR MORE OF THE GENERAL PERFORMANCE STANDARDS IN SECTION 11.1.8 OR THE RELEVANT SPECIFIC PERFORMANCE STANDARDS AND TERMS 11.1.9.2 (2) TO 11.1.9.3.
- (b) Applications for Restricted Discretionary Activities may be considered without the need to obtain the written approval of affected persons and may be considered without notification. Activities will be assessed and conditions may be imposed in relation to those matters identified in Section 11.1.11 that Council has restricted its discretion over. Council will, in addition to the existing provisions, assess activities and impose conditions in relation to those matters identified in Section 14.1.10 (Assessment Criteria - Restricted Discretionary Activities) that Council has restricted its discretion over.

#### 11.1.7.4 DISCRETIONARY ACTIVITIES

- (a) The following activities shall be Discretionary Activities, and will be assessed against, but not restricted to those matters identified in the Assessment Criteria in Section 11.1.11 of the Plan, and the Objectives and Policies of the Zone.
- ANY PERMITTED OR CONTROLLED ACTIVITY THAT DOES NOT COMPLY WITH ONE OR MORE SPECIFIC STANDARDS AND TERMS 11.1.9.1, 11.1.9.2 (1) OR 11.1.9.4.

#### 11.1.7.5 NON COMPLYING ACTIVITIES

The following activities shall be Non-Complying Activities.

- ANY ACTIVITY WHICH IS NOT PROVIDED FOR AS A PERMITTED, CONTROLLED, RESTRICTED-DISCRETIONARY, OR DISCRETIONARY ACTIVITY.

### 11.1.8 GENERAL PERFORMANCE STANDARDS AND TERMS

The following General Performance Standards and Terms apply.

#### 11.1.8.1 BUILDING HEIGHT

- (a) The maximum height of buildings or structures shall be 10 metres.
- Outcome*  
*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*
- (b) 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 11.1-1.

*daylight on adjoining properties will be protected.*

### 11.1.8.2 YARDS

The following set back distances are required:

#### (1) Residential Activities

##### All Residential Buildings on Rural Lots

Front yard	7.5 metres
All other yards	5.0 metres

##### Residential Buildings in Lifestyle Area

Front yard	7.5 metres
All other yards	15 metres

#### (2) Industrial and Commercial Buildings

Front Yard	15 metres
All other yards (to be kept clear of all buildings and of sales or display produce)	15 metres

#### (3) Accessory Buildings

Front Yard	7.5 metres
All other yards	5 metres

Yards for accessory buildings and loading ramps may be reduced to 1.5 metres where the adjoining owners 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.

##### 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.*

### 11.1.8.3 PROTECTION OF FLOOD CHANNELS

Note: Under the Regional Plan, no building, structure, fence, planting, deposit of earth, shingle or debris, or any activity which impedes access to any river, lake or watercourse is permitted within 6 metres of the bed of a river, lake or watercourse which is within a land drainage or flood control scheme area.

### 11.1.8.4 SCREENING

- (a) Storage areas, outdoor display areas and parking areas shall be screened by landscaping or fences so that they are not visible from adjoining roads or residential buildings on adjacent properties.

##### Outcome

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

- (b) The maximum height of any fence shall be 1.8m.

#### 11.1.8.5 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*

#### 11.1.8.6 TRAFFIC SIGHTLINES, PARKING, ACCESS AND LOADING

Activities shall comply with the provisions of Section 14.1 of the District Plan on Traffic Sightlines, Parking, Access and Loading.

Outcome

*The outcomes of Section 14.1 of the District Plan on Traffic Sightlines, Parking, Access and Loading will be achieved.*

#### 11.1.8.7 NOISE

Activities shall comply with the provisions of Section 14.2 of the District Plan on Noise.

Outcome

*The outcomes of Section 14.2 of the District Plan on Noise will be achieved.*

NOTE: There are exemptions and/or Specific Standards provided under Section 14.2 of the District Plan on Noise for the use of agricultural machinery, audible bird scaring devices, hail cannons and frost protection fans.

#### 11.1.8.8 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 from an adjoining property boundary.

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.*

Except that

- (b) This requirement may be reduced with the written consent of the affected adjoining landowner.

##### (2) Trees Adjoining Public Roads

- (a) Trees forming a plantation or shelter belt shall be located a minimum of 5 metres from a public road.

#### 11.1.8.9 FINANCIAL CONTRIBUTIONS

Activities shall be required to provide financial contributions where appropriate in compliance with the provisions of Section 15.2 of the District Plan on

Outcome

*The outcomes of Section 15.2, 15.3 and*

Reserves Contributions, Section 15.3 of the District Plan on Development Levies, and Section 15.4 of the District Plan on Roading Contributions.

15.4 of the District Plan on Financial Contributions will be achieved.

### 11.1.9 SPECIFIC PERFORMANCE STANDARDS AND TERMS

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

#### 11.1.9.1 INDUSTRIAL ACTIVITIES

##### (1) Industrial Activities Threshold Limits

The following activity threshold limits shall apply. These activities can be carried out singly or in combination on one site, until the cumulative limit per site has been reached without trading maximum floor space limits between activities.

##### 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.*

Activity	Threshold Measure	Maximum Limit per Site
Processing, Storage and Packaging	No limits on crops, produce and agricultural materials	50 metres <sup>2</sup> gross floor area.
Processing, Storage and Packaging	Limited to crops, produce and agricultural materials Wineries shall be located on a minimum site of 4 hectares in area, with at least 2 hectares planted in grapes for wine production	2500m <sup>2</sup> gross floor area.
Repair and servicing of machinery	At least one person resident on the site shall carry out the activity	Maximum number of employees shall be two persons and 50m <sup>2</sup> of gross floor area.
Manufacturing	At least one person resident on the site shall carry out the activity	Maximum number of employees shall be two persons and 50m <sup>2</sup> of gross floor area.

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

### 11.1.9.2 COMMERCIAL ACTIVITIES

#### (1) Commercial Activities Threshold Limits

The following activity threshold limits shall apply. These activities can be carried out singly or in combination on one site, until the cumulative limit per site has been reached without trading maximum floor space limits between activities.

#### 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 Te Mata Special Character Zone soil resource will be safeguarded by limiting the size of Commercial Activities in the Plains 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.*

Activity	Threshold Measure	Maximum Limit per Site
Retailing	At least 75% of the floor area shall be stocked with goods that have been produced on the site.	50m <sup>2</sup> gross building floor area including outdoor display areas.
Professional and personal services	At least one person resident on the site shall carry out the activity.	Maximum number of employees shall be 3 persons.
Visitor Accommodation	Number of rentable rooms.	6 rooms.
Entertainment facilities including serving food and beverages	The total area used for serving customers (or maximum number of persons to be accommodated).	100m <sup>2</sup> and a maximum of 40 persons.

#### (2) Hours of Operation

Activities which 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.*

### 11.1.9.3 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.
- (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

#### Outcome

*Effects beyond the site will not be inconsistent with those associated with established agricultural practices.*

- 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.*

#### 11.1.9.4 RESIDENTIAL ACTIVITIES

- (1) Residential Buildings
- (a) One residential building shall be allowed per site with an area greater than 2500m<sup>2</sup>
  - (b) One additional residential building shall be allowed per site with an area of 20 hectares or greater.
  - (c) 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.*
- (2) Secondary Residential Buildings
- (a) One secondary residential building shall be allowed per site or per residential site on a residential farm park.
  - (b) The secondary residential building shall be clearly incidental to the residential building on the site.
  - (c) The maximum gross floor area, excluding integral garages, shall be 80 square metres.
- Outcome*  
*Flexibility to provide secondary accommodation in association with the sustainable management of the soil resource.*  
*Secondary residential buildings will have minimal effects and result in the loss of only a small area of land and will result in the efficient use of services.*

#### 11.1.9.5 TEMPORARY EVENT DAYS

- (a) Only six temporary Event Days 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.
- 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.*

- (c) Temporary Event Days 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 Day at least 10 days prior to the event taking place.
- (e) All parking associated with a temporary event shall occur on the site.
- (f) Other than Noise (Refer Standard 14.2.8.3) and Traffic Sightline Distances (Refer Standard 14.1.8.2), the General and Specific Performance Standards for the Zone do not apply to Temporary Event Days.

#### 11.1.10 ASSESSMENT CRITERIA - CONTROLLED ACTIVITIES

##### Explanation of Assessment Criteria:

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.

##### 11.1.10.1 RELOCATED BUILDINGS

The external appearance of the relocated building shall be compatible with the amenity of the surrounding area. Appropriate work on the relocated building shall be completed in a time frame specified by Council, otherwise financial contributions may be taken.

##### Outcome

*Relocated buildings will be integrated into the amenity of the local environment.*

##### 11.1.10.2 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 '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 detraction from the natural landscape quality and to enhance the visual amenity of the area.*

#### **11.1.10.3 DEVELOPMENT WITHIN 30 METRES OF THE WELEDA PROPERTY BOUNDARY (LOTS 2 & 3 DP 7047)**

This Criteria will apply only while the 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.

#### **11.1.10.4 INTENSIVE RURAL PRODUCTION**

##### **Effects beyond the site**

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.

*Outcome*

*Effects beyond the site will not be inconsistent with those associated with established agrichemical practices.*

**11.1.11 ASSESSMENT CRITERIA FOR RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES**

Explanation of Assessment Criteria:

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.

- (a) Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural servicing needs of the development.
- (b) 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 12.5-2(A) or (C).
- (c) The extent to which the proposed development is able to utilise existing vacant buildings in the locality.
- (d) The sustainability of the site, and the extent to which alternative sites, locations, or zones have been considered.
- (e) The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
- (f) The potential for the activity to generate significant effects on the environment in relation to traffic, parking demand, or visitor numbers.
- (g) 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.
- (h) 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 area (as described in the explanations of the first two issues in Section 11.1)
- (i) The ability of the roading hierarchy to accommodate any additional traffic generated by the activity.
- (j) The need to take Reserves Contributions (see Section 15.2 of the District Plan on Reserves Contributions) or Roading Contributions (see Section 15.4 of the District Plan on Roading Contributions).

### 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 1900's.	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 1920's.	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 12.5 Heritage Items and Trees)

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

METHOD OF DETERMINING RESSION PLANES

