

Plan Change 3 Tracked changes following Decision of the Hearings Panel

Tracked changes for PC3 are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 report in red, and recommendations as a result of the s42A Planner’s Report in green. Minor amendments under Clause 16(2) are shown in blue. Terms defined in the District Plan have been **bolded** under Clause 16(2) also.

Activity Status Table						
Change #	Activity #	Activity	Zone	Activity Status	Section #	Proposed Changes
1	3	Four or more dwellings per lot	Mixed Use	RD	5.4.7	<p>Add a new section (5.4.7) to the Operative District Plan:</p> <p>5.4.7 Four or more dwellings per lot in the Mixed Use Zone</p> <p>5.4.7.1 Council shall restrict its discretion to;</p> <p>a. amenity of the site and adjacent public areas in terms of;</p> <ul style="list-style-type: none"> i. shadowing; ii. physical domination; iii. privacy; iv. noise; v. lighting; vi. visual character and variety through variation in building form and building materials (including but not limited to building facades and roof forms); vii. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone as outlined in Rule 5.4.5; viii.traffic safety; ix. safe access to, and egress from the site; x. safe on-site manoeuvring of vehicles; xi. landscaping including vegetation that; <ul style="list-style-type: none"> • will enhance privacy and mitigate physical domination by buildings; • does not exacerbate shadowing and vehicle-pedestrian conflict; and xii. the degree to which the building incorporates elements that promote sustainability including but not limited to energy efficiency and water conservation.

2	5	Papakāinga Housing	Mixed Use	RD	5.4.8	<p>Add a new section (5.4.8) to the Operative District Plan:</p> <p>5.4.8 Papakāinga Housing in the Mixed Use Zone</p> <p>5.4.8.1 Council shall restrict its discretion to;</p> <p>a. amenity of the site and adjacent public areas in terms of;</p> <ul style="list-style-type: none"> i. shadowing; ii. physical domination; iii. privacy; iv. noise; v. lighting; vi. visual character and variety through variation in building form and building materials (including but not limited to building facades and roof forms); vii. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone as outlined in Rule 5.4.5; viii. traffic safety; ix. safe access to, and egress from the site; x. safe on-site manoeuvring of vehicles; xi. landscaping including vegetation that; <ul style="list-style-type: none"> • will enhance privacy and mitigate physical domination by buildings; and • does not exacerbate shadowing and vehicle-pedestrian conflict; xiii.xii. the degree to which the building incorporates elements that promote sustainability including but not limited to energy efficiency and water conservation; <u>and</u> xv.xiii. the manner in which the matters identified in section 7.3.1.1a-g are met. <p>Advice Note: Refer to Rule 3.5.1.1e</p>
3	11	Places of assembly (not provided for by any other category): designed	Rural Ōhiwa	C	7.3.2	<p>Add a new section (7.3.2) to the Operative District Plan:</p>

		<p>to have a maximum occupancy or attendance of less than 10 people at any one time.</p>				<p>7.3.23 Places of Assembly (not provided for by any other category): designed to have a maximum attendance of less than 10 people at any one time in the Rural Ōhiwa Zone</p> <p>7.3.23.1 Council shall exercise its control over;</p> <ul style="list-style-type: none"> a. the nature of the surrounding landform (context) and how the proposed activity is sympathetic with these values; b. any adverse effect on vegetation, particularly kanuka stands, which contributes to the natural character of the site; c. the extent and nature of other vegetative mitigation proposed; d. proposed building location; e. proposed building materials and finish and, in particular, choice of finishes that tone with the surrounding environment; f. reverse sensitivity as outlined in Rule 3.7.41; g. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone (see Rule 5.4.5); h. adverse effects on identified cultural heritage places; i. adverse effects on riparian margins of the Ōhiwa Harbour and tributaries within the catchment of the harbour; j. the hours of operation; k. the management of traffic movements and the effect traffic movements will have on the area, including access to and egress from the site; l. the level of parking proposed; m. landscaping and planting; n. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, rubbish disposal, electricity, telecommunications, gas, utility; o. signage as outlined in Rule 11.2.19; p. the provision of on-site effluent treatment as set out in Section Rule 13.2.27; and q. the effect of stormwater resulting from within the development on māhinga kai and the natural character of the Coastal Environment, particularly Ōhiwa Harbour.
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4	11	<p>Places of assembly (not provided for by any other category);</p> <p>Designed to have a maximum occupancy or attendance of between 10-50 people</p>	Large Format Retail	RD	5.4.9	<p>Add a new section (5.4.9) to the Operative District Plan:</p> <p>5.4.9 Places of assembly (not provided for by any other category): designed to have a maximum occupancy of between 10 to 50 people in the Large Format Retail Zone</p> <p>5.4.9.1 Council shall restrict its discretion to;</p> <ol style="list-style-type: none"> a. design development and site development, the degree to which; <ol style="list-style-type: none"> i. buildings have been designed and located to minimise any adverse effects, including noise, dust, fumes, and glare; ii. a suitable buffer has been provided where activities adjoin existing dwellings; iii. where visible from a public road, buildings have been designed to present an attractive appearance to passing traffic; and b. traffic effects (including but not limited to access, on-site vehicle manoeuvring areas, the provision of bus bays, drop off zones, measures to separate pedestrians, buses, cyclists and vehicles, traffic volumes and traffic mix, parking and loading, pedestrian and cyclist safety, construction traffic and the practicability of combining accessways serving more than one site or lot); c. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, effluent and rubbish disposal, electricity, telecommunications, gas, utility; d. landscaping; and on-site amenity as outlined in Rule 3.7.1; e. signage as outlined in Rule 11.2.19; f. noise; and g. hours of operation.
5	11	<p>Places of assembly (not provided for by any other category);</p> <p>Designed to have a maximum occupancy of more</p>	Mixed Use, Business Centre, Commercial, Large Format Retail	RD	5.4.10	<p>Add a new section (5.4.10) to the Operative District Plan:</p> <p>5.4.10 Places of Assembly (not provided for by any other category) in the Mixed Use, Business Centre, Commercial and Large Format Retail Zones</p> <p>5.4.10.1 Council shall restrict its discretion to;</p> <ol style="list-style-type: none"> a. reverse sensitivity as outlined in Rule 3.7.41;

		than 50 people at any one time.				<p>b. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone as outlined in Rule 5.4.5;</p> <p>c. design development and site development;</p> <p>d. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, effluent and rubbish disposal, electricity, telecommunications, gas, utility;</p> <p>e. internal noise and noise insulation; the criterion listed in 3.7.10 (Noise Effect);</p> <p>f. landscaping as outlined in Rule 3.7.1;</p> <p>g. the management of traffic movements and the effect traffic movements will have on the area, including access to and egress from the site; and traffic effects as outlined in Rule 3.7.17;</p> <p>h. signage as outlined in Rule 11.2.19; and</p> <p>i. the intended hours of use.</p> <p>5.4.10.2 Council shall have regard to:</p> <p>a. whether the use of the community facility will be in conflict with the business activities on neighbouring sites and elsewhere in Mixed Use, Business Centre, Commercial and Large Format Zones;</p> <p>b. the numbers of people to be accommodated;</p> <p>c. the intended hours of use</p> <p>Advice Note: Refer to Section 10.2.5.</p>
6	11	<p>Places of assembly (not provided for by any other category);</p> <p>Designed to have a maximum occupancy of more than 50 people at any one time.</p>	Light Industrial, Industrial	RD	6.4.5	<p>Add a new section (6.4.5) to the Operative District Plan:</p> <p>6.4.5 Places of assembly (not provided for by any other category): designed to have a maximum occupancy or attendance of more than 50 people at any one time in the Light Industrial and Industrial Zones</p> <p>6.4.5.1 Council shall restrict its discretion to;</p> <p>a. design development and site development;</p> <p>b. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, effluent and rubbish disposal, electricity, telecommunications, gas, utility;</p>

						<ul style="list-style-type: none"> c. landscaping and on-site amenity as outlined in Rule 3.7.1; d. hours of operation as outlined in Rule 17.2.4; the intended hours of use and other criteria outlined in 3.7.36; e. reverse sensitivity as outlined in Rule 3.7.41; f. the management of traffic movements and the effect traffic movements will have on the area, including access to and egress from the site; traffic effects as outlined in Rule 3.7.17; g. signage as outlined in Rule 11.2.19; h. internal noise and noise insulation; and the criterion listed in 3.7.10 (Noise Effect); and i. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone. <p>6.4.5.2—Council shall have regard to:</p> <ul style="list-style-type: none"> a.—whether the use of the community activity will be in conflict with the business activities on neighbouring sites and elsewhere in the Light Industrial or Industrial Zone. Particular regard will be given to the numbers of people to be accommodated, the intended hours of use, and the level of parking proposed; b.—whether the noise, odour or dust from business activities, or from the storage or transportation of hazardous substances, and permitted activities in the adjoining zone, and the ability to safely evacuate people in an emergency, will present a risk to the concentration of people attending the community activity; and c.—whether the effects of any community activity will be sensitive to the operation of industrial and other business activities anticipated by the zone. <p>6.4.5.3—Refer to section 10.2.5.</p>
7	11	Places of assembly (not provided for by any other category): designed to have a maximum occupancy or attendance of	Rural Plains, Rural Foothills	RD	7.4.7	<p>Add a new section (7.4.7) to the Operative District Plan:</p> <p>7.4.7 Places of assembly (not provided for by any other category) designed to have a maximum occupancy or attendance of more than 50 people at any one time in the Rural Plains and Rural Foothills Zones</p> <p>7.4.7.1 Council shall restrict its discretion to;</p>

		more than 50 people at any one time.				<ul style="list-style-type: none"> a. hours of operation; b. landscaping and on-site amenity <u>as outlined in Rule 3.7.1;</u> c. the management of traffic movements and the effect traffic movements will have on the area, including access to and egress from the site; <u>traffic effects as outlined in Rule 3.7.17;</u> d. the level of parking proposed; e. signage as outlined in Rule 11.2.19; f. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, effluent and rubbish disposal, electricity, telecommunications, gas, utility; g. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone as outlined in Rule 5.4.5; h. reverse sensitivity as outlined in Rule 3.7.41; i. the use of versatile land for non-rural purposes such as; <ul style="list-style-type: none"> i. the degree to which versatile land on the site is already compromised or has lost its life supporting capacity; ii. constraints on the ability to use the soil. For example, stability of slopes, climatic conditions, drainage, topography, gradient of land, need for irrigation or the location of small, isolated pockets of higher quality soil; iii. the loss of future productive rural land use options resulting from the proposal; iv. the requirements of the land use to be located on versatile land, including technical or logistical requirements; and j. amenity values and rural or urban character effects such as; <ul style="list-style-type: none"> i. the likelihood that the proposed activity will contribute to cumulative adverse effects on rural character, the Coastal Environment, general amenity values and recreational values; ii. the nature and degree of adverse effects from the proposed activity upon the existing and future amenities of the locality, including recreational values, and on the health and safety of the community; iii. the nature and extent of any planting including the replacement of specimen trees; iv. the cumulative visual effect of the length and height of building bulk; v. potential adverse effects on people such as neighbouring property owners or the immediate community through increased overshadowing or loss of visual privacy; and
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						vi. compatibility with the existing character and pattern of land development in proximity to the site .
8	11	Places of assembly (not provided for by any other category): additions, alterations or extensions where the extension is to buildings less than 50m ² in floor area used for a place of assembly which will not increase the existing occupancy or attendance.	Rural Ōhiwa	C	7.3.3	<p>Add a new section (7.3.3) to the Operative District Plan:</p> <p>7.3.34 Places of assembly (not provided for by any other category): additions, alterations or extensions where the extension is to buildings less than 50m² in floor area used for a place of assembly which will not increase the existing occupancy or attendance in the Rural Ōhiwa Zone</p> <p>7.3.34.1 Council shall exercise its control over;</p> <ol style="list-style-type: none"> a. the nature of the surrounding landform (context) and how the proposed activity is sympathetic with these values; b. any adverse effect on vegetation, particularly kanuka stands, which contributes to the natural character of the site; c. the extent and nature of other vegetative mitigation proposed; d. proposed building location; e. proposed building materials and finish and, in particular, choice of finishes that tone with the surrounding environment; f. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone (see Rule 5.4.5); g. adverse effects on identified cultural heritage places; h. adverse effects on riparian margins of the Ōhiwa Harbour and tributaries within the catchment of the harbour; i. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, rubbish disposal, electricity, telecommunications, gas, utility; j. signage as outlined in Rule 11.2.19; k. the provision of on-site effluent treatment as set out in Section Rule 13.2.27; l. the effect of stormwater resulting from within the development on māhinga kai and the natural character of the Coastal Environment, particularly Ōhiwa Harbour; and m. landscaping and planting. <p>Advice Note: Refer to Section 17.2.4.</p>

9	15	Emergency Services facilities	Rural Coastal	RD	7.4.8	<p>Add a new section (7.4.8) to the Operative District Plan.</p> <p>7.4.89 Emergency services facilities in the Rural Coastal Zone</p> <p>7.4.89.1 Council shall restrict its discretion to;</p> <ol style="list-style-type: none"> a. reverse sensitivity as outlined in Rule 3.7.41; b. traffic effects as outlined in Rule 3.7.17; c. the level of parking proposed; d. noise effects as outlined in Rule 3.7.10; e. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, effluent and rubbish disposal, electricity, telecommunications, gas, utility; f. adverse effects on identified cultural heritage places and values; <u>and</u> g. Rule 3.7.2.1(a-i).
10	15	Emergency Services facilities	Rural Ōhiwa	C	7.3.4	<p>Add a new section (7.3.4) to the Operative District Plan.</p> <p>7.3.45 Emergency services facilities in the Rural Ōhiwa Zone</p> <p>7.3.45.1 Council shall exercise its control over;</p> <ol style="list-style-type: none"> a. reverse sensitivity as outlined in Rule 3.7.41; b. traffic effects as outlined in Rule 3.7.17; c. the level of parking proposed; d. noise effects as outlined in Rule 3.7.10; e. provision and location of network utilities including supply or upgrading of access, stormwater treatment and disposal facilities, water supply, effluent and rubbish disposal, electricity, telecommunications, gas, utility; f. adverse effects on identified cultural heritage places and values; and g. Rule 3.7.2.1(a-i).
11	29	Car parking	Business Centre, Commercial	RD	5.4.11	<p>Add a new section (5.4.11) to the Operative District Plan.</p> <p>5.4.11 Car Parking in the Business Centre and Commercial Zones</p>

						<p>5.4.112.1 Council shall restrict its discretion to;</p> <ul style="list-style-type: none"> a. traffic effects (including but not limited to access, on-site vehicle manoeuvring areas, the provision of bus bays, drop off zones, measures to separate pedestrians, buses, cyclists and vehicles, traffic volumes and traffic mix, parking and loading, pedestrian and cyclist safety, construction traffic and the practicability of combining accessways serving more than one site or lot); b. landscape and visual effects as outlined in Rule 3.7.1; c. site design, including formation and marking; d. natural light as outlined in Rule 5.4.1 and lighting; e. shadowing and physical domination if the proposal is for a carpark building; f. signage as outlined in Rule 11.2.19; and g. on-site stormwater management.
12	29	Car Parking	Rural Plains, Rural Foothills	RD	7.4.9	<p>Add a new section (7.4.9) to the Operative District Plan:</p> <p>7.4.910 Car Parking in the Rural Plains and Rural Foothills Zones</p> <p>7.4.910.1 Council shall restrict its discretion to;</p> <ul style="list-style-type: none"> a. on-site stormwater management; b. the visual quality, visual absorption and visibility of the proposal in the context of the surrounding natural environment; c. traffic effects including but not limited to access, on-site vehicle manoeuvring areas, the provision of bus bays, drop off zones, measures to separate pedestrians, buses, cyclists and vehicles, parking and loading, pedestrian and cyclist safety, construction traffic, and traffic volumes and traffic mix; d. site design including formation and marking; e. versatile land used for non-rural purposes; <ul style="list-style-type: none"> i. the degree to which versatile land on the site is already compromised or has lost its life-supporting capacity; ii. constraints on the ability to use the soil. For example, stability of slopes, climatic conditions, drainage, topography, gradient of land,

						<ul style="list-style-type: none"> need for irrigation or the location of small isolated pockets of higher quality soil; iii. the loss of future productive rural land use options resulting from the proposal; iv. the requirements of the land use to be located on versatile land, including technical or logistical requirements; asand f. adverse effects on riparian margins on the Ōhiwa Harbour and tributaries within the catchment of the harbour; g. indigenous biodiversity effects; h. amenity values and rural character effects; i. reverse sensitivity as outlined in Rule 3.7.41; j. signage as outlined in Rule 11.2.19; and k. landscaping and on-site amenity as outlined in Rule 3.7.1.
13	36	Exploration of aggregate, sand, gravel or pumice. See also Rules 11.2.1-11.2.4	Rural Ōhiwa	C	7.3.5	<p>Add a new section (7.3.5) to the Operative District Plan:</p> <p>7.3.57 Exploration of aggregate, sand, gravel or pumice in the Rural Ōhiwa Zone</p> <p>7.3.57.1 Council shall exercise its control over;</p> <ul style="list-style-type: none"> a. any temporary adverse effects of earthworks associated with the exploration of aggregate, sand, gravel or pumice on land uses in the vicinity of the site, including noise, dust, vibration or traffic movements; b. adverse effects on identified cultural heritage places and values; c. any adverse effects on indigenous biodiversity; d. any adverse effects on underground aquifers and/or groundwater seepage; e. any adverse visual or landscape effect on an Outstanding Natural Feature or Landscape listed in Appendix 17.7, or dominant landscape feature listed in Objectives LS2 Policy 4; f. reverse sensitivity as outlined in Rule 3.7.41; g. amenity values and rural or urban character effects; h. any increased risk associated with a natural hazard event that may arise from undertaking exploration for aggregate, sand, gravel or pumice; i. how the site will be restored and the timing of the restoration, or where the site or part of the site is not intended to be restored, the effects of this on the environment; j. the control of erosion, sediment and stormwater, including riparian planting;

						<p>k. any adverse effect on the ecological values of the Rural Ōhiwa Zone that adversely affects the ecological diversity and healthy function of the Ōhiwa Harbour; and</p> <p>l. site restoration as outlined in Rule 11.2.5.</p> <p>Advice Note: Refer also to Rules 11.2.1 – 11.2.4.</p>
14	45	Accessory buildings to any permitted activity (not for habitation); See also Item 10 Buildings on Public Reserves	Rural Ōhiwa	C	7.3.6	<p>Add a new section (7.3.6) to the Operative District Plan:</p> <p>7.3.6 Accessory Buildings to any Permitted Activity (not for habitation); See also Item 10 Buildings on Public Reserves in the Rural Ōhiwa Zone</p> <p>7.3.6.1 Council shall exercise its control over;</p> <p>a. the nature of the surrounding landform (context) and how the proposed activity is sympathetic with these values;</p> <p>b. the visual quality, visual absorption and visibility of the proposal in the context of the location as outlined in Rule 17.2.2;</p> <p>c. proposed building materials and finish and, in particular, choice of finishes that tone with the surrounding environment as outlined in Rule 17.2.4;</p> <p>d. adverse effects on identified natural heritage places and values;</p> <p>e. earthworks and temporary construction effects;</p> <p>f. landscaping and planting;</p> <p>g. the screening of buildings from beyond the boundary of the site and consistency with surrounding buildings within the zone as outlined in Rule 5.4.5; and</p> <p>h. adverse effects on indigenous biodiversity.</p>
15	45	Accessory buildings to any permitted activity (not for habitation) See also Item 10 Buildings on Public Reserves	Large Format Retail	C	5.3.1	<p>5.3.1 Activities in the Large Format Retail Zone (see Activity Status Table 3.4 Items 19, 26, 45 and 48).</p> <p>5.3.1.1 Council shall exercise its control over;</p> <p>a. design development and site layout, the degree to which;</p> <p>i. buildings have been designed and located to minimise any adverse effects, including noise, dust, fumes, and glare;</p> <p>ii. a suitable buffer has been provided where activities adjoin existing industrial or any nuisance producing activities; and</p>

						<ul style="list-style-type: none"> iii. where visible from a public road, buildings have been designed to present an attractive appearance to passing traffic and, in particular; <ul style="list-style-type: none"> • large featureless building facades facing the road are avoided; • any plant or machinery relating to the activity (except where displayed for sale) is not placed at the front of the building unless fully screened; • any loading, storage, or service areas should not be located in an area immediately adjoining the road; • the location of buildings, parking areas and outdoor storage areas has had regard to their potential impact on the amenity of any adjoining land; and b. vehicular, cycle and pedestrian provision, the degree to which; <ul style="list-style-type: none"> i. car parking areas have been designed to ensure they are, readily accessible and convenient for users and are designed to promote passive surveillance; ii. access has been designed and located to allow safe and efficient movement to and from the adjacent road network; iii. access has been designed to minimise effects on major arterial roads; iv. internal vehicular layout has been designed in order to minimise conflicts between pedestrian, cycle, vehicular, and service access; and c. landscaping, the degree to which landscaping; <ul style="list-style-type: none"> i. mitigates the impacts of development on the amenity values of the surrounding neighbourhood and on the arterial roading network; ii. incorporates plants that form a green edge to the site; iii. accentuates particular features of plants against a less prominent background; iv. uses plants to vary the width of the green edge; v. incorporates plants of different heights and textures; vi. incorporates a mixture of evergreen and deciduous plants; vii. is planted in lines and clumps, depending on visual context, including topography and surface appearance of the surrounds; viii. uses established plants (at least 3 years old) to reduce the exposure period and to provide amenity and mitigate potential adverse effects as soon as possible; and
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						d. retail activities , the degree to which the activity has the potential to compromise by itself, or in combination with other existing or consented activities, the vitality and viability of any Business Centre Zone.
16	56	Subdivision - Esplanade Reserve or Strip Waivers	All Zones	RD	12.8.6	<p>Add new criteria to 12.8.6.1 of the Operative District Plan</p> <p>12.8.6 Esplanade Reserve or Strip Waivers</p> <p>12.8.6.1 Council shall restrict its discretion to;</p> <p>a. whether the watercourse is an artificial watercourse;</p> <p>b. whether protection of the riparian area is more appropriately achieved by an alternative protection mechanism;</p> <p>c. whether there are any conservation or public access benefits to be gained; <u>whether public access is impractical due to topography and/or alternative free and practical public access is available or provided;</u></p> <p>d. <u>the public's use of the land both existing and potentially in the future;</u></p> <p>e. <u>whether there are no conservation values to be protected and restoration and rehabilitation are not practicable;</u></p> <p>f. whether the subdivision is a boundary adjustment only;</p> <p>g. whether the land is already protected under a QEII Trust Covenant, protective covenant under the Reserves or Conservation Act, marginal strip under the Conservation Act, or the land is already protected for conservation purposes by a Land Improvement Agreement with the Bay of Plenty Regional Council or New Zealand Forests Accord; and appropriate alternative provision has been made for public access to land along the water body concerned;</p> <p>h. whether for reasons of public safety and/or security, an esplanade reserve would be inappropriate and security cannot be assured by some other means; For example, where there are Defence lands, existing public road reserve, sensitive machinery, network utilities or works. Where appropriate, alternative access to deviate around the facility and maintain a continuous public access route in the vicinity may be required; <u>and</u></p> <p>i. Rule 12.7.1.1(a-v).</p>

17	56	Subdivision within the Kawerau Geothermal Exploration Area	Rural Plains, Rural Foothills – Kawerau Geothermal Exploration Area.	RD	12.8.7	<p>Add new criteria to 12.8.7.1 of the Operative District Plan</p> <p>12.8.7 Subdivision within the Kawerau Geothermal Exploration Area</p> <p>12.8.7.1 Council shall restrict its discretion to the following matters;</p> <ul style="list-style-type: none"> a. the extent to which the subdivision design, including the location of building platforms minimises the potential for reverse sensitivity effects on existing and consented geothermal electricity generation activities. The potential reverse sensitivity effects arising from new dwellings are limited to subsidence risk, noise, vibration, lighting/glare, dust, odour and traffic; b. whether written approval has been secured from the holder of the relevant geothermal consent, which includes the land to be subdivided (the extent of such person’s interest is limited to the matters listed in paragraph (a)); <u>and</u> c. Rule 12.7.1.1(a-v).
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