

Appendix 1.2 – Officers Recommended Amendments to General approach Chapter

Note the below provisions represent the Section 42A Report Writing Officer's recommended amendments to the provisions of the Proposed District Plan, in response to submissions (with underline used for new text and ~~strikethrough~~ for deleted text).

Applications Subject to Multiple Provisions

The overall activity status of a proposal will be determined on the basis of **all rules which apply to the proposal**. This includes rules in the District-Wide Matters and Area-Specific Matters. When a proposal involves several activities that are subject to multiple rules with different activity statuses, and/or involves an activity/activities across multiple zones, precincts, areas, overlays or features, and it is appropriate to "bundle" the activities, **the proposal will be assessed on the basis of the most restrictive activity status**, (unless otherwise stated specified) (see paragraph below regarding Treaty Settlement Land overlay). If a proposal is subject to one or more provisions, that have a permitted activity status the proposal will need to comply with all the provisions and their standards.

In the case that rules have the same status such as the activity is permitted in the Rural Production zone and the Coastal environment overlay the activity will need to meet all the standards within these permitted rules.

In the case of the Treaty Settlement Land overlay, as Note 3 in the chapter identifies, the provisions of the underlying zone apply unless otherwise specified. The rules provide that where the activity for the relevant zone provides for the same activity, or where there is conflict between a rule or standard in the underlying zone chapter, the less restrictive rule applies.¹

Where a rule for an overlay, zone or precinct controls an activity by reference to a proportion or percentage of the site, the control will be limited to that part of the site to which the overlay or zone applies.

Some of the Overlay chapters only include rules for certain types of activities (e.g. natural character, natural features and landscapes or coastal environment). If your proposed activity is within one of these overlays, but there are no overlay rules that are applicable to your activity, then your activity can be treated as a permitted activity under the Overlay Chapter unless stated otherwise. Resource consent may still be required under other Part 2: District-Wide Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone).

An application for resource consent for a proposal must address all rules under which consent is required for that proposal under the District Plan and all relevant matters, or must clearly set out the reason why the application is not in relation to all such matters.

Application forms and detailed guidance on how to make an application and the information that is to be submitted with an application are available on the Council website.

¹ TACD Ltd (S339.001)