Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
7.6 Residential Zone	Policy 7.6.4.7	That residential activities have sufficient land associated with each household unit to provide for **outdoor space**, planting, parking and manoeuvring.	s104(1A)(a)(iii)	Outdoor living space is out of scope.
7.6 Residential Zone	Policy 7.6.4.8	That the portion of a site or of a development that is covered in buildings and other impermeable surfaces be limited so as to provide open space around buildings to enable planting, and to reduce adverse hydrological, ecological and amenity effects.	s104(1A)(a)(vi)	Mostly remains in scope, but **area of landscaping cannot be considered.**
7.6 Residential Zone	Policy 7.6.4.11	That the built form of development allowed on residential sites on the urban fringe, specifically Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333, Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots), and those with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive remains small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.	s104(1A)(a)(vi)	Mostly remains in scope, but **area of landscaping cannot be considered.**
7.6 Residential Zone	Rule 7.6.5.1.7 (c)	Not less than 50% of that part of the site between the road boundary and a parallel line 2m there from (i.e. a 2m wide planting strip along the road boundary) shall be landscaped, on all sites other than Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, and Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333(and any sites created as a result of a subdivision of these lots). For the landscaping required on Lot 1 DP 28017 and Lot 1 DP 46656 (and any sites created as a result of a subdivision of these lots) refer to Rule 7.6.5.1.10 (b) below; and	s104(1A)(a)(vi)	Area of landscaping is out of scope, and this rule indicates an area (depth) to be landscaped but it also requires a length to be landscaped in relation to character and screening. Retain, but effects of a reduced width cannot be considered.
7.6 Residential Zone	Rule 7.6.5.1.8	SCREENING FOR NEIGHBOURS - NON-RESIDENTIAL ACTIVITIES Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.	s104(1A)(f)	Requires outdoor areas [for non-residential activities, parking, loading, and outdoor storage] to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.
7.6 Residential Zone	Rule 7.6.5.1.10 (b)(i)	The entire length of the road boundary, other than access points, shall be fenced using a visually permeable fence of varying heights not exceeding 1.8m and shall be planted **to a depth of at least 3m from the road boundary** with trees and shrubs that reflect the non weed species present along the road corridor. The planting shall predominantly visually mitigate and screen the built development within the site when viewed from the road. Full screening of all built development is not required. This fencing **and planting** shall be maintained in perpetuity.	s104(1A)(a)(vi)	Red text is out of scope, because all forms of landscape planting have a footprint/area associated with them. Here, area of landscaping is required due to the required depth.

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
7.6 Residential Zone	Rule 7.6.5.1.10 (b)(ii)	All other external boundaries of the above sites, not including the road or stream boundaries, shall be fenced using a visually permeable fence not exceeding 1.8m in height and shall be planted to a depth of at least 1.5m from the site boundary with shrubs and trees that will, in time, achieve a height sufficient to ensure the mitigation and screening of buildings within the site from neighbouring properties. Full screening of all buildings is not required. This planting shall be maintained in perpetuity.	s104(1A)(a)(vi) s104(1A)(f)	Area of landscaping is out of scope. Views from private property is out of scope.
7.6 Residential Zone	Rule 7.6.5.1.10 (c) *all points*	Prior to any building work on Lot 1 DP 404507, and Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333 located on Kerikeri Inlet Road, Kerikeri (and any sites created as a result of a subdivision of these lots or any amalgamation of the lots) a landscaping plan that has been approved by Council showing: • Screening of **the entire length of** the Kerikeri Inlet Road boundary, other than the access point, with a pittosporum hedge (or similar dense foliage evergreen hedge, or mix of species) **capable of achieving a minimum height of 3m and a minimum of twenty trees capable of achieving a height of 5m within the 10m setback area behind the required hedge**. Visually impermeable fencing can be installed on the road side of the hedge; • Screening of the eastern boundary of Lot 1 DP 404507 with an evergreen hedge **capable of growing to a minimum height of 3m;** • A hedge of Griselinia littoralis or similar along the western boundary of Lot 1 DP 404507 where it adjoins Lot 2 DP 103531 and Lot 1 DP 181291 **to achieve a minimum height of 2.5m;** • Tree planting along the northern boundary, and within the northern third of Lot 1 DP 404507 and Lot 1 DP 181291. The proposed species must reflect the character of the area and the proximity to the stream, **be capable of attaining a minimum height of 10.0 metres,** and shall be resistant to Myrtle Rust. The trees shall be planted as pb95 specimens. The objective of the tree planting is to soften and fragment views of the site from the north rather than screen views. • All planting shall be implemented and maintained in perpetuity.	s104(1A)(a)(vi)	Area of landscaping out of scope. It is noted that this subdivision has already been implemented.
7.6 Residential Zone	Rule 7.6.5.3.1 matter of discretion (b), (c) ,	(b) the siting of the building(s), decks **and outdoor areas** relative to adjacent properties in order to avoid **visual domination and** loss of privacy and sunlight to those properties; **(c) the size, location and design of open space and** the extent to which trees and garden plantings are utilised for mitigating adverse effects;	s104(1A)(a)(iii) s104(1A)(f)	Views from private property cannot be considered as part of visual domination. Out of scope in relation to outdoor living areas.

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
7.6 Residential Zone	Rule 7.6.5.3.1 matter of discretion (j)	(j) the ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s) permitted on the site;	S104(1A)(a)(iii) s104(1A)(a)(iv)	Retain, but note that **the effects of outdoor living space and area of landscaping (other than for permeability) cannot be considered**.
7.6 Residential Zone	Rule 7.6.5.3.2 matter of discretion (i)	(i) the siting of the building(s), decks **and outdoor areas** relative to adjacent properties in order to avoid **visual domination and** loss of privacy and sunlight to those properties;	S104(1A)(a)(iii) s104(1A)(f)	Views from private property cannot be considered as part of visual domination. Out of scope in relation to outdoor living areas.
7.6 Residential Zone	Rule 7.6.5.3.3 matter of discretion (a)	(a) the extent to which adjacent properties will be adversely affected in terms of **visual domination,** overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	Views from private property cannot be considered as part of visual domination
7.6 Residential Zone	Rule 7.6.5.3.3 matter of discretion (b)	the ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.	s104(1A)(a)(vi)	**Area of landscaping out of scope.**
7.6 Residential Zone	Rule 7.6.5.3.4 matter of discretion (a)	(a) the extent to which adjacent properties will be adversely affected in terms of **visual domination**, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	Views from private property cannot be considered as part of visual domination
7.6 Residential Zone	Rule 7.6.5.3.4 matter of discretion (b)	the location and proximity of adjacent residential units, **and the outdoor space used by those units;**	s104(1A)(a)(iii)	Effects on adjacent outdoor living areas out of scope.
7.6 Residential Zone	Rule 7.6.5.3.5 matters of discretion (a), and (g)	(a) the ability to provide adequate landscaping for all activities associated with the site; (g) the extent to which landscaping and other visual mitigation measures may reduce adverse effects;	s104(1A)(a)(vi) s104(1A)(f)	**Size of landscaping areas out of scope for effects assessment. Views from private property also out of scope.**
7.6 Residential Zone	Rule 7.6.5.3.5 matters of discretion (d), (e), (f), and (h).	**(d) the extent to which private open space can be provided for future uses;** (e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, **adjacent sites** and the surrounding environment; (f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, **adjacent sites** and the surrounding environment; (h) the extent to which non-compliance affects the privacy, **outlook and enjoyment of private open spaces** on adjacent sites.	s104(1A)(a)(iii) s104(1A)(f)	(d) is out of scope as it is specifically related to the assessment of oudoor living space. (e),(f), (h) Views from private property also out of scope.
7.6 Residential Zone	Rule 7.6.5.3.7 Matter of Discretion (b)	the extent to which the building(s) intrudes into the street scene or reduces **outlook and** privacy of adjacent properties	s104(1A)(f)	Views from private property out of scope.

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
7.7 Commercial Zone	Rule 7.7.5.1.3 (a)	(a) Along boundaries adjoining any zone other than the Commercial or Industrial Zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.	s104(1A)(f)	Retain as the screening requirement relates to a number of effects, but **Clause (a) in the event of an infringment, views from private property cannot be considered**
7.7 Commercial Zone	Rule 7.7.5.1.3 (b)	At least 50% of that part of the site between the road boundary and a parallel line 3m therefrom, which is not occupied by buildings or driveways, shall be landscaped.	s104(1A)(a)(vi)	**Clause (b)Would be out of scope in relation to residential activities occuring in this zone.**
7.7 Commercial Zone	Rule 7.7.5.2.1 Matter of control(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Clause (a) Views from private property cannot be considered as part of visual domination**
7.7 Commercial Zone	Rule 7.7.5.2.1 Matter of control(b)	the location and proximity of adjacent residential units, and the outdoor space used by those units;	s104(1A)(a)(iii)	**Clause (b)Effects on adjacent outdoor living areas of residential units out of scope.**
7.7 Commercial Zone	Rule 7.7.5.3.1 Matter of discretion (i)	(i) the extent to which adjacent residential properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Views from private property cannot be considered as part of visual domination**
7.7 Commercial Zone	Rule 7.7.5.3.3 Matter of discretion (a)	(a) the visual effect on property in the vicinity of the proposed commercial development;	s104(1A)(f)	**Views from private property cannot be considered**
7.8 Industrial Zone	7.8.5.1.2	(a) Along boundaries adjoining any zone other than the Commercial or Industrial Zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a	s104(1A)(f)	**Clause (a) Views from private property cannot be considered**
7.8 Industrial Zone	Rule 7.8.5.1.2 (b)	At least 50% of that part of the site between the road boundary and a parallel line 3m therefrom, which is not occupied by buildings or driveways, shall be landscaped.	s104(1A)(a)(vi)	**Clause (b) Would be out of scope in relation to residential activities occuring in this zone.**
7.8 Industrial Zone	Rule 7.8.5.2.1 Matter of control(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**views from private property cannot be considered**
7.8 Industrial Zone	Rule 7.8.5.2.1 Matter of control(b)	the location and proximity of adjacent residential units, **and the outdoor space used by those units;**	s104(1A)(a)(iii)	Effects on adjacent outdoor living areas of residential units out of scope.

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
7.8 Industrial Zone	Rule 7.8.5.3.5 Matter of control(a)	(a) the extent to which the building(s) reduces outlook and privacy of adjacent properties;	s104(1A)(f)	**Views from private property cannot be considered**
8.6 Rural Production Zo	8.6.5.2.2 Matter of control (iii)	screening and planting	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
8.6 Rural Production Zo	8.6.5.2.3	Note: a definiton of Minor Residential unit is contained in Chapter 3 and reads as follows:	s104(1A)(v)	Because **the size is part of the definition which defines the activity classification, it remains in scope. Exceedances of the size will be treated as a dwelling**
8.6 Rural Production Zo	8.6.5.2.5 (a) and (g)	(a) the ability to provide adequate landscaping for all activities associated with the site; (g) the extent to which landscaping and other visual mitigation measures may reduce adverse effects;	s104(1A)(a)(vi)	**Area of landscaping out of scope if a residential activity is proposed**
8.6 Rural Production Zo	8.6.5.2.5 (e)	(e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, adjacent sites and the surrounding environment; (f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual effects and visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.6 Rural Production Zo	8.6.5.2.5 (d) and (h)	(d) the extent to which private open space can be provided for future uses; (h) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
8.6 Rural Production Zo	8.6.5.3.2(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.6 Rural Production Zo	8.6.5.3.3 (a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.6 Rural Production Zo	8.6.5.3.3 (b)	the location and proximity of adjacent residential units, **and the outdoor space used by those units;**	s104(1A)(a)(iii)	the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities**.**
8.6 Rural Production Zo	8.6.5.3.4 (a)	(a) the extent to which the building(s) reduces outlook and privacy of adjacent properties;	s104(1A)(f)	**Effects on outlook of adjacent privately owned sites out of scope**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
8.6 Rural Production Zo	8.6.5.3.6 (f), (g), and (k)	(f) the siting of the building(s), decks **and outdoor areas** relative to adjacent properties (including the road boundary) in order to avoid visual domination and loss of privacy and sunlight to those adjacent dwellings and properties; **(g) the size, location and design of open space associated with each residential unit,** and the extent to which trees and garden plantings are utilised for mitigating adverse effects; (k) the extent of visual and aural privacy between residential units on the site **and their associated outdoor spaces;**	s104(1A)(a)(iii)	The provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.
8.6 Rural Production Zo	8.6.5.3.6 (g), and (j)	(g) the size, location and design of open space associated with each residential unit, and the extent to which trees and garden plantings are utilised for mitigating adverse effects; (j) the ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s);	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping for a residential activity**
8.6 Rural Production Zo	8.6.5.3.6 (f)	(f) the siting of the building(s), decks and outdoor areas relative to adjacent properties (including the road boundary) in order to avoid visual domination and loss of privacy and sunlight to those adjacent dwellings and properties;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.6 Rural Production Zo	8.6.5.3.7©	(c) the siting of the building(s), decks and outdoor areas relative to adjacent properties and the road frontage in order to avoid visual domination and loss of privacy and sunlight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.7 Rural Living Zone	Policy 8.7.4.3	**That residential activities have sufficient land associated with each household unit to provide for outdoor space**…	s104(1A)(a)(iii)	The provision of outdoor living spaces is out of scope in the context of residential activities.
8.7 Rural Living Zone	Rule 8.7.5.1.6	(c) a continuous shelter belt is to be established comprising species capable of growing to a height of 6m on any boundary which adjoins a Rural Production and Minerals Zone, provided that a break in this shelter belt is permitted where it is necessary in order to provide access to the site;	s104(1A)(a)(vi)	**In the context of establishing a residential activity the requirement for a shelter belt is within scope but the required height is out of scope.**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
8.7 Rural Living Zone	Rule 8.7.5.1.7	**SCREENING FOR NEIGHBOURS - NON-RESIDENTIAL ACTIVITIES Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.**	s104(1A)(f)	Requires outdoor areas [for non-residential activities, parking, loading, and outdoor storage] to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.
8.7 Rural Living Zone	8.7.5.2.1 Matter of control (iii)	screening and planting	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
8.7 Rural Living Zone	8.7.5.3.1 Matter of discretion (a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.7 Rural Living Zone	8.7.5.3.2 (a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.7 Rural Living Zone	8.7.5.3.2 (b)	the location and proximity of adjacent residential units, **and the outdoor space used by those units;**	s104(1A)(a)(iii)	the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.
8.7 Rural Living Zone	8.7.5.3.4 (a) and (g)	(a) the ability to provide adequate landscaping for all activities associated with the site; (g) the extent to which landscaping and other visual mitigation measures may reduce adverse effects;	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping for a residential activity**
8.7 Rural Living Zone	8.7.5.3.4 (d) and (h)	**(d) the extent to which private open space can be provided for future uses;** (h) the extent to which non-compliance affects the privacy, outlook and enjoyment of **private open spaces on** adjacent sites.	s104(1A)(a)(iii)	The provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.
8.7 Rural Living Zone	8.7.5.3.4 (e) and (f)	(e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, adjacent sites and the surrounding environment; (f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual effects and visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
8.7 Rural Living Zone	8.7.5.3.5(a)	(a) the siting of the building(s), decks and outdoor areas relative to adjacent properties and road frontage in order to avoid visual domination and loss of privacy and sunlight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
8.7 Rural Living Zone	8.7.5.3.6(a)	(a) the extent to which the building(s) reduces outlook and privacy of adjacent properties;	s104(1A)(f)	**Effects on outlook of adjacent privately owned sites out of scope**
8.8 Minerals Zone	8.8.5.2.1(a)	(a) the siting of mineral extraction activities, buildings, machinery and stockpiles relative to adjacent properties in order to avoid visual domination, loss of privacy and sunlight to those properties and nuisance due to traffic, dust, noise and vibration;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
9.6 RECREATIONAL AC	9.6.5.1.9	**SCREENING FOR NEIGHBOURS Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites in the Residential, Conservation, Russell Township and Coastal Residential Zones by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.**	s104(1A)(f)	Requires outdoor areas [for non-residential activities, parking, loading, and outdoor storage] to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.
9.6 RECREATIONAL AC	9.6.5.2.2(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
9.6 RECREATIONAL AC	9.6.5.2.5(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
9.6 RECREATIONAL AC	9.6.5.2.5(b)	(b) the location and proximity of adjacent residential units, **and the outdoor space used by those units;**	s104(1A)(a)(iii)	the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.
9.6 RECREATIONAL AC	9.6.5.2.6(b)	(b) the extent to which the building(s) intrudes into the street scene **or reduces outlook and privacy of adjacent properties;**	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
9.6 RECREATIONAL AC	9.6.5.2.8	**(d) the extent to which private open space can be provided for future uses;** (h) the extent to which non-compliance affects the privacy, outlook and enjoyment of **private open spaces on** adjacent sites.	s104(1A)(a)(iii)	The provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.
9.6 RECREATIONAL AC	9.6.5.2.8	(e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, adjacent sites and the surrounding environment; (f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual effects and visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
9.7 Conservation zone	9.7.5.1.6	**SCREENING FOR NEIGHBOURS Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites in the Residential, Conservation, Russell Township and Coastal Residential Zones by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.**	s104(1A)(f)	Requires outdoor areas [for non-residential activities, parking, loading, and outdoor storage] to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.
9.7 Conservation zone	9.7.5.2.2(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
9.7 Conservation zone	9.7.5.2.3(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
9.7 Conservation zone	9.7.5.2.3(b)	(b) the location and proximity of adjacent residential units, **and the outdoor space used by those units;**	s104(1A)(a)(iii)	the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
10.6 General Coastal zo	10.6.5.1.1 (a)	any new building(s) not for human habitation provided that the gross floor area of any new building permitted under this rule, does not exceed 50m^2 or for human habitation provided that the gross floor area does not exceed 25m2; and	s104(1A)(v)	The rule controls internal GFA of a building for human habitation (res unit) which would normally be out of scope, however in this context, it is clearly used as a proxy for controlling the external building size and managing effects on coastal character (as per relevant policy framework). It is considered to be in scope, based on the intent of the out-of-scope matter and applying a practical approach.
10.6 General Coastal zo	10.6.5.2.1 Matter of control (iii)	screening and planting	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.6 General Coastal zo	10.6.5.2.2 (iii)	the extent to which planting can mitigate visual effects;	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.6 General Coastal zo	10.6.5.2.2 (ix), and (xi)	(ix) the extent to which private open space can be provided for future uses; (xi) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
10.6 General Coastal zo	10.6.5.2.2 (x)	(x) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.6 General Coastal zo	10.6.5.3.1 (iv)	the extent to which planting can mitigate visual effects;	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.6 General Coastal zo	10.6.5.3.1 (x), and (xii)	(x) the extent to which private open space can be provided for future uses; (xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
10.6 General Coastal zo	10.6.5.3.1 (xi)	(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
10.6 General Coastal zo	10.6.5.3.2(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.6 General Coastal zo	10.6.5.3.3(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.6 General Coastal zo	10.6.5.3.3(b)	(b) the location and proximity of adjacent residential units, **and the outdoor space used by those units;**	s104(1A)(a)(iii)	the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.
10.6 General Coastal zo	10.6.5.3.4(a)	(a) the extent to which the building(s) reduces outlook and privacy of adjacent properties;	s104(1A)(f)	**Effects on outlook of adjacent privately owned sites out of scope**
10.7 Coastal Living Zon	10.7.5.1.1 (a)	any new building(s), provided that the gross floor area of any new building(s) permitted under this rule does not exceed 50m^2; or	s104(1A)(v)	The rule controls internal GFA of a building which would normally be out of scope in relation to a residential unit, however in this context, it is clearly used as a proxy for controlling the external building size and managing effects on coastal character (as per relevant policy framework). It is considered to be in scope, based on the intent of the out-of-scope matter and applying a practical approach.
10.7 Coastal Living Zon	Rule 10.7.5.1.8	**SCREENING FOR NEIGHBOURS - NON-RESIDENTIAL ACTIVITIES Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.**	s104(1A)(f)	Requires outdoor areas [for non-residential activities, parking, loading, and outdoor storage] to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
10.7 Coastal Living Zon	10.7.5.2.1 Matter of control (iii)	screening and planting	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.7 Coastal Living Zon	10.7.5.2.2 (iii)	the extent to which planting can mitigate visual effects;	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.7 Coastal Living Zon	10.7.5.2.2 (x), and (xii)	(ix) the extent to which private open space can be provided for future uses; (xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
10.7 Coastal Living Zon	10.7.5.2.2 (xi)	(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.7 Coastal Living Zon	10.7.5.3.1 (iv)	the extent to which planting can mitigate visual effects;	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.7 Coastal Living Zon	10.7.5.3.1 (x), and (xii)	(ix) the extent to which private open space can be provided for future uses; (xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
10.7 Coastal Living Zon	10.7.5.3.1 (xi)	(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.7 Coastal Living Zon	10.7.5.3.2(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.7 Coastal Living Zon	10.7.5.3.3(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.7 Coastal Living Zon	10.7.5.3.3 (b)	the location and proximity of adjacent residential units, and the outdoor space used by those units;	s104(1A)(a)(iii)	**effects on outdoor living spaces is out of scope in the context of residential activities.**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
10.7 Coastal Living Zon	10.7.5.3.5(a)	(a) the siting of the building(s), decks and outdoor areas relative to adjacent properties in order to avoid visual domination and loss of privacy and sunlight to those properties;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.7 Coastal Living Zon	10.7.5.3.6(a)	(a) the extent to which the building(s) reduces outlook and privacy of adjacent properties;	s104(1A)(f)	**Effects on outlook of adjacent privately owned sites out of scope**
10.8 Coastal Residentia	10.8.5.1.7	(c) not less than 50% of that part of the site between the road boundary and a parallel line 2m therefrom shall be landscaped.	s104(1A)(a)(vi)	**Area of landscaping is out of scope, and this rule indicates an area (depth) to be landscaped but it also requires a length to be landscaped in relation to character and screening, but effects of a reduced width cannot be considered.**
10.8 Coastal Residentia	10.8.5.1.8	**SCREENING FOR NEIGHBOURS - NON-RESIDENTIAL ACTIVITIES Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.**	s104(1A)(f)	Requires outdoor areas [for non-residential activities, parking, loading, and outdoor storage] to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.
10.8 Coastal Residentia	10.8.5.2.1 (c)	(c) the size, location and design of open space and the extent to which trees and garden plantings are utilised for mitigating adverse effects, and the effect of planting on neighbours;	s104(1A)(a)(iii)	**open space as it relates to outdoor living space for a residential activity is out of scope**
10.8 Coastal Residentia	10.8.5.2.1 (j)	(j) the ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s) permitted on the site;	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.8 Coastal Residentia	10.8.5.2.3(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
10.8 Coastal Residentia	10.8.5.2.4(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.8 Coastal Residentia	10.8.5.2.4(b)	the location and proximity of adjacent residential units, and the outdoor space used by those units;	s104(1A)(a)(iii)	**effects on outdoor living spaces is out of scope in the context of residential activities.**
10.8 Coastal Residentia	10.8.5.2.6(b)	(b) the extent to which the building(s) intrudes into the street scene **or reduces outlook and privacy of adjacent properties;**	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope
10.9 Russell Township	10.9.4.2	That residential activities have sufficient land associated with each household unit to **provide for outdoor space**, and where a reticulated sewerage system is not provided, sufficient land for onsite effluent disposal.	s104(1A)(a)(iii)	The provision of outdoor living spaces is out of scope in the context of residential activities.
10.9 Russell Township	10.9.5.1.8©	(c) not less than 50% of that part of the site between the road boundary and a parallel line 6m there-from shall be landscaped.	s104(1A)(a)(vi)	**Area of landscaping is out of scope, and this rule indicates an area (depth) to be landscaped but it also requires a length to be landscaped in relation to character and screening. Retain, but effects of a reduced width cannot be considered.**
10.9 Russell Township	10.9.5.2.1 (b)	(b) the siting of the building(s), decks and outdoor areas relative to adjacent properties in order to avoid visual domination and loss of privacy and sunlight to those properties;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.9 Russell Township	10.9.5.2.1(c)	(c) the size, location and design of open space and the extent to which trees and garden plantings are utilised for mitigating adverse effects;	s104(1A)(a)(iii)	**open space as it relates to outdoor living space for a residential activity is out of scope**
10.9 Russell Township	10.9.5.2.1 (j)	(j) the ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s) permitted on the site;	s104(1A)(a)(vi)	**The presence of planting can be considered, but cannot require a particular area of landscaping**
10.9 Russell Township	10.9.5.2.2(i)	(i) the siting of the building(s), decks and outdoor areas relative to adjacent properties in order to avoid visual domination and loss of privacy and sunlight to those properties;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.9 Russell Township	10.9.5.2.3(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
10.9 Russell Township /	10.9.5.2.3(b)	(b) the ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.	s104(1A)(a)(vi)	**Area of landscaping out of scope for a residential activity.**
10.9 Russell Township /	10.9.5.2.4(a)	(a) the size, location and design of open space and the extent to which trees and garden plantings are utilised for mitigating adverse effects;	s104(1A)(a)(vi)	**Area of landscaping (size of open space) out of scope for a residential activity.**
10.9 Russell Township /	10.9.5.2.5(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.9 Russell Township /	10.9.5.2.5(b)	the location and proximity of adjacent residential units, and the outdoor space used by those units;	s104(1A)(a)(iii)	**effects on outdoor living spaces is out of scope in the context of residential activities.**
10.9 Russell Township /	10.9.5.2.6(b)	(b) the extent to which the building(s) intrudes into the street scene or reduces outlook and privacy of adjacent properties;	s104(1A)(f)	**Effects on the outlook from adjacent privately owned sites out of scope**
10.10 South Kerikeri Inlet Zone	10.10.1.2	Because of the generally smaller lot sizes, rural residential development in the coastal environment can have adverse visual effects and consequently can affect the amenity of the area for **adjoining land owners and** the public.	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites cannot be considered as part of the amenity effects
10.10 South Kerikeri Inlet Zone	10.10.5.1.1(a)	any new building(s) not for human habitation provided that the gross floor area of any new building permitted under this rule, does not exceed 50m^2 or for human habitation provided that the gross floor area does not exceed 25m2; and	s104(1A)(v)	The rule controls internal GFA of a building for human habitation (res unit) which would normally be out of scope, however in this context, it is clearly used as a proxy for controlling the external building size and managing effects on coastal character (as per relevant policy framework). It is considered to be in scope, based on the intent of the out-of-scope matter and applying a practical approach.
10.10 South Kerikeri Inlet Zone	10.10.5.1.8	**Outdoor areas which are to be used for manufacturing, altering, repairing, dismantling or processing of any materials, live produce, goods or articles, shall be screened from adjoining sites by landscaping, walls, fences, or a combination thereof to at least 1.8m in height along the length of the area used for such purposes. Where such screening is by way of landscaping it shall be for a minimum depth of 2m.**	s104(1A)(f)	Requires outdoor areas to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
10.10 South Kerikeri Inlet Zone	10.10.5.2.1 (ix), and (xi)	(ix) the extent to which private open space can be provided for future uses; (xi) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
10.10 South Kerikeri Inlet Zone	10.10.5.2.1 (x)	(x) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.10 South Kerikeri Inlet Zone	10.10.5.3.1 (ix), and (xi)	(ix) the extent to which private open space can be provided for future uses; (xi) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
10.10 South Kerikeri Inlet Zone	10.10.5.3.1 (x)	(x) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.10 South Kerikeri Inlet Zone	10.10.5.3.2(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.10 South Kerikeri Inlet Zone	10.10.5.3.2(b)	(b) the ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.	s104(1A)(a)(vi)	**Area of landscaping out of scope for a residential activity.**
10.10 South Kerikeri Inlet Zone	10.10.5.3.3(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.10 South Kerikeri Inlet Zone	10.10.5.3.3(b)	(b) the location and proximity of adjacent residential units, and the outdoor space used by those units;	s104(1A)(a)(iii)	**effects on outdoor living spaces is out of scope in the context of residential activities.**
10.10 South Kerikeri Inlet Zone	10.10.5.3.5(a)	(a) the siting of the building(s), decks and outdoor areas relative to adjacent properties in order to avoid visual domination and loss of privacy and sunlight to those properties;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
10.10 South Kerikeri Inlet Zone	10.10.5.3.6(a)	(a) the extent to which the building(s) reduces **outlook and** privacy of adjacent properties;	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
11 Assessment Criteria	11.1 (b), and (n)	11.1(b) The siting of the building(s), decks and outdoor areas relative to adjacent properties and the road frontage, in order to avoid visual domination and loss of privacy and sunlight. 11.1(n) visual and aural privacy between residential units on the site and their associated outdoor spaces.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
11 Assessment Criteria	11.1 (b)	(b) The siting of the building(s), decks and outdoor areas relative to adjacent properties and the road frontage, in order to avoid visual domination and loss of privacy and sunlight.	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
11 Assessment Criteria	11.1 (c)	(c) The size, location and design of open space and the extent to which trees and garden plantings are utilised for mitigating adverse effects.	s104(1A)(a)(vi)	**Area of landscaping out of scope for a residential activity.**
11 Assessment Criteria	11.1 (k)	(k) The ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s) permitted on the site.	s104(1A)(a)(vi)	**Area of landscaping out of scope for a residential activity.**
11 Assessment Criteria	11.2(a)	(a) The extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
11 Assessment Criteria	11.2(b)	(b) The ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.	s104(1A)(a)(vi)	**Area of landscaping out of scope.**
11 Assessment Criteria	11.2 (d)	(d) spatial relationship between new building and adjacent residential unit and the outdoor space used by those units.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**
11 Assessment Criteria	11.4(a)	(a) The extent to which activities and buildings on the site are visible from adjoining sites, and the extent to which, if any, reducing the landscaping incurs adverse effects in terms of the visual impacts of buildings and outdoor storage areas on those sites.	s104(1A)(f)	**Visual effects on adjacent privately owned sites out of scope**
11 Assessment Criteria	11.5(b)	(b) The extent to which landscaping of the site, and in particular the planting of indigenous trees, can mitigate adverse visual effects.	s104(1A)(a)(vi)	**Area of landscaping out of scope for a residential activity.**
11 Assessment Criteria	11.5(h)	(h) the extent to which private open space can be provided for future uses ;	s104(1A)(a)(iii)	**the provision of outdoor living spaces is out of scope in the context of residential activities.**
11 Assessment Criteria	11.5(i)	(i) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
11 Assessment Criteria	11.5(j)	(j) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**Effects on outdoor living spaces are out of scope in the context of residential activities.**
11 Assessment Criteria	11.6(b)	(b) The extent to which the building(s) intrudes into the street scene or reduces outlook and privacy of adjacent properties.	s104(1A)(f)	**Effects on the outlook from adjacent privately owned sites out of scope**
11 Assessment Criteria	11.7(a)	**(a) Any adverse effects on the outlook from adjoining sites.**	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope
11 Assessment Criteria	11.8(b)	(b) The extent to which measures are adopted to reduce any adverse effects on adjoining sites and roads.	s104(1A)(f)	**Visual effects on adjacent privately owned sites out of scope**
11 Assessment Criteria	11.20(a)	(a) The siting of buildings, machinery and stockpiles relative to adjacent properties in order to avoid visual domination, loss of privacy and sunlight to those properties and nuisance due to traffic, dust, noise and vibration.	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
11 Assessment Criteria	11.21©	(c) Window size and shape should be appropriate to the style of building.	s104(1A)(a)(i)	**Window size is out of scope unless in relation to heritage**
11 Assessment Criteria	11.23(a)	(a) The extent to which activities and buildings on the site are visible from adjoining sites, and the extent to which, if any, reducing the landscaping incurs adverse effects in terms of the visual impact of buildings on those sites.	s104(1A)(f)	**Visual effects on adjacent privately owned sites out of scope**
11 Assessment Criteria	11.24(d)	(d) the extent to which private open space can be provided for future uses.	s104(1A)(a)(iii)	**the provision of outdoor living spaces is out of scope in the context of residential activities.**
11 Assessment Criteria	11.24 (e)	(e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, adjacent sites and the surrounding environment.	s104(1A)(f)	**Visual effects on adjacent privately owned sites out of scope**
11 Assessment Criteria	11.24(f)	(f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment.	s104(1A)(f)	**Visual dominance effects on adjacent privately owned sites out of scope in relation to views from private property**
11 Assessment Criteria	11.24(h)	(h) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**Effects on outdoor living spaces are out of scope in the context of residential activities.**
12 Natural and Physical Resources	12.1.4.10(b)	12.1.4.10 That landscape values be protected by encouraging development that takes in account: ...(b) the visibility of the development;	s104(1A)(f)	**Visibility from private property cannot be taken into account as part of visibility of the development**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
12 Natural and Physical Resources	12.1.6.1.5(a)	The following are permitted activities in an Outstanding Landscape, as shown on the Resource Maps: (a) where the zoning of the building platform is General Coastal any new building(s) not for human habitation provided that the gross floor area of any new building or buildings permitted under this rule, does not exceed 25m2;	s104(1A)(v)	The rule controls GFA of a building including res units. This would normally be out of scope in relation to res units, however in this context, it is clearly used as a proxy for controlling the external building size and managing effects on outstanding landscape (as per relevant policy framework). It is considered to be in scope, based on the intent of the out-of-scope matter and applying a practical approach.
12 Natural and Physical Resources	12.1.6.2.1(a)	any new building, including relocated buildings, exceeding a gross floor area of 25m2; or (b) any alteration/addition to an existing building which does not exceed 40% of the gross floor area of the building which is being altered or added to, provided that any alteration/addition does not exceed the height of the existing building.	s104(1A)(v)	The rule controls GFA of a building including res units. This would normally be out of scope in relation to res units, however in this context, it is clearly used as a proxy for controlling the external building size and managing effects on outstanding landscape (as per relevant policy framework). It is considered to be in scope, based on the intent of the out-of-scope matter and applying a practical approach.
12 Natural and Physical Resources	12.1.7(b), (e), (g)	References to visibility of landscape in the assessment criteria	s104(1A)(f)	**Visibility from private property cannot be taken into account as part of visibility effects**
12 Natural and Physical Resources	12.5B.6.2.1(a)	**(a) the extent to which adjacent properties will be adversely affected in terms of visual domination;**	s104(1A)(f)	Visual domination effects from private property out of scope
12 Natural and Physical Resources	12.5B.6.2.2(ii)	the extent to which adjacent properties will be adversely affected in terms of **visual domination,** overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	Visual domination effects from private property out of scope
12 Natural and Physical Resources	12.5B.6.2.3(iii)	the extent to which the building(s) intrudes into the street scene or reduces **outlook and** privacy of adjacent properties;	s104(1A)(f)	Effects on the outlook from private property out of scope
12 Natural and Physical Resources	12.9.6.2.1 (a)	(a) the extent to which the adjacent properties will be adversely affected in terms of **visual domination,** overshadowing, loss of privacy and loss of access to sunlight and daylight, and the ability to mitigate any adverse effects; and	s104(1A)(f)	Visual domination effects from private property out of scope

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
12 Natural and Physical Resources	12.9.6.2.3(b)	(b) In considering a breach of 12.9.6.1.3(d) Council will consider the effects on neighbouring properties and existing structures; and	s104(1A)(f)	**Views from neighbouring properties cannot be taken into account**
12 Natural and Physical Resources	12.9.6.2.4(b)	In considering a breach of 12.9.6.1.4(d) or (e) Council will consider the effects on neighbouring properties, existing structures, facilities or public roads, including shadow flicker and glare; and	s104(1A)(f)	Views from neighbouring properties cannot be taken into account
12 Natural and Physical Resources	12.9.6.2.5(b)	(b) In considering a breach of 12.9.6.1.5(h) or (i) Council will consider the effects on neighbouring properties, existing structures, facilities or public roads, including shadow flicker and glare; and	s104(1A)(f)	Views from neighbouring properties cannot be taken into account
16 Signs and Lighting	16.7.3 (b)	(b) The degree of visibility of the activity to **neighbours and** the public generally.	s104(1A)(f)	Red text out of scope as relates to views from private property
17 Designations and Utility Services	17.2.7 (a), (b), and (c)	In considering whether or not to grant consent or impose conditions the Council shall also have regard to the following assessment matters: (a) The visual impacts of the utility services on adjoining properties and the general locality. (b) The cumulative visual effects with respect to existing facilities within an area, particularly radio communication and telecommunication facilities. (c) The extent to which the design, colours and amenity treatment mitigate the visual impact of utility structures on residential neighbourhoods.	s104(1A)(f)	**Effects on views from neighbouring properties cannot be taken into account**
18 Special Areas	18.1.6.1.3(a)	The following are permitted activities in the Moturoa Island Zone: (a) any new building with a gross floor area of less than 25m^2; or	s104(1A)(v)	The rule controls GFA of a building including res units. This would normally be out of scope in relation to res units, however in this context, it is clearly used as a proxy for controlling the external building size and managing effects on landscape (as per relevant policy framework). It is considered to be in scope, based on the intent of the out-of-scope matter and applying a practical approach.
18 Special Areas	18.3.6.2.2(d), (h)	(d) the extent to which private open space can be provided for future uses; (h) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(a)(iii)	**the provision of outdoor living spaces, and effects on outdoor living spaces is out of scope in the context of residential activities.**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
18 Special Areas	18.3.6.2.2(e), (f) (h)	(e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, adjacent sites and the surrounding environment; (f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment; (h) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.	s104(1A)(f)	**Visual outlook and visual domination effects from private property out of scope**
18 Special Areas	18.4.6.2.2(a)	**(a) the extent to which adjacent properties will be adversely affected in terms of visual domination of buildings;**	s104(1A)(f)	Visual domination effects from private property out of scope
18 Special Areas	18.4.6.3.1(a)	(a) the extent to which adjacent properties will be adversely affected in terms of **visual domination**, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	Visual domination effects from private property out of scope
18 Special Areas	18.4.6.3.2(a)	**(a) the extent to which adjacent properties will be adversely affected in terms of visual domination of buildings;**	s104(1A)(f)	Visual domination effects from private property out of scope
18 Special Areas	18.5.6.1.1 Point Veronica Zc	Each site may contain a single residential unit for a single household provided it complies with the Development Plan set out in (Appendix 6D). In addition a minor household unit not exceeding 65m2 may be constructed as part of, or adjoining, the principal residential unit, provided: (a) the minor household unit adjoins or is part of the structure of the main residential unit; (b) the minor household unit is retained in the same ownership as the main residential unit on the site.	s104(1A)(v)	**The definition of minor unit already contains the 65m2 size, and remains within scope for the purpose of classifying an activity - see above. So whether or not the size is also included within this provision doesn't change anything. However this may be overridden by the NES-DMRU and a larger minor unit may be achievable**
18 Special Areas	18.5.6.1.7	**Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas which are to be used for manufacturing, altering, repairing, dismantling or processing of any materials, live produce, goods or articles, shall be screened from adjoining sites by landscaping, walls, fences, or a combination thereof to at least 1.8m in height along the length of the area used for such purposes. Where such screening is by way of landscaping it shall be for a minimum depth of 2m.**	s104(1A)(f)	Requires outdoor areas to be screened from adjoining residential sites. Relates solely to views from private property, out of scope.
18 Special Areas	18.5.6.2.1(a)	(a) the siting of the building(s), decks and outdoor areas relative to adjacent properties in order to avoid visual domination and loss of privacy and sunlight to those properties;	s104(1A)(f)	**Visual domination effects from private property out of scope**
18 Special Areas	18.5.6.2.2(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual domination effects from private property out of scope**
18 Special Areas	18.5.6.2.3(a)	(a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual domination effects from private property out of scope**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
18 Special Areas	18.5.6.2.3(b)	(b) the location and proximity of adjacent residential units, and the outdoor space used by those units;	s104(1A)(a)(iii)	**effects on outdoor living spaces is out of scope in the context of residential activities.**
18 Special Areas	18.6.6.2.1(ii)	**the extent to which the building(s) or activities may reduce outlook and privacy of adjacent properties;**	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope
18 Special Areas	18.6.6.3.1(b)	**the extent to which the building(s) or activities may reduce outlook and privacy of adjacent properties;**	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope
18 Special Areas	18.6.6.3.2(a)	**the extent to which the building(s) reduces outlook and privacy of adjacent properties;**	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope
18 Special Areas	18.6.6.3.4(b)	the visual appearance of the building from other parts of the zone;	s104(1A)(f)	**Effects on views from neighbouring properties cannot be taken into account**
18 Special Areas	18.7.6A.1.2(a)	The following are permitted within the Lodge sub-zone: (a) any new building with a gross floor area less than 25m^2; or	s104(1A)(v)	The rule controls GFA of a building including res units. This would normally be out of scope in relation to res units, however in this context, it is clearly used as a proxy for controlling the external building size and managing effects on landscape (as per relevant policy framework). It is considered to be in scope, based on the intent of the out-of-scope matter and applying a practical approach.
18 Special Areas	18.8.6.2.1	(a) the extent to which adjacent properties will be adversely affected in terms of **visual domination**, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	Visual domination effects from private property out of scope
18 Special Areas	18.8.6.2.1	(b) the location and proximity of adjacent residential units, and the outdoor space used by those units;	s104(1A)(a)(iii)	**effects on outdoor living spaces is out of scope in the context of residential activities.**
18 Special Areas	18.8.6.3.1	(a) the extent to which the coastal environment and adjacent Coastal Living or Recreational Activies zoned properties and public road corridors will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;	s104(1A)(f)	**Visual domination effects from private property out of scope**

Zone/Chapter	Clause Ref	Content	Which clause of s104(1A) applies	Extent Provision is Out of Scope and comments
18 Special Areas	18.9.6.1.3	Signs are to be located either: (a) immediately adjacent to the Rainbow Falls Road frontage of the site and shall comply with the permitted activity standards for signs in the Residential zone in Part 3 of the Plan - District Wide Provisions; or be (b) located elsewhere on the site **and not be visible from adjacent properties**, including the adjoining scenic reserve.	s104(1A)(f)	Requirement to not be visible from private property out of scope.
18 Special Areas	18.9.6.3.1A&B (b)	the extent to which the buildings(s) or activities may reduce the **outlook and** privacy of adjacent properties,	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope
18 Special Areas	18.9.6.3.2(a)	the extent to which the building(s) reduces **outlook and** privacy of adjacent properties, particularly reserves;	s104(1A)(f)	Effects on the outlook from adjacent privately owned sites out of scope
18 Special Areas	18.9.6.3.3(a)	(a) the extent to which adjacent properties are adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight; and	s104(1A)(f)	**Visual domination effects from private property out of scope**
18 Special Areas	18.9.6.3.3(b)	(b) the location and proximity of adjacent residential units and the outdoor space used by those units.	s104(1A)(a)(iii)	**effects on outdoor living spaces is out of scope in the context of residential activities.**