

ZONE RULES - RECOMMENDED AMENDMENTS**CHAPTER 16 RESIDENTIAL ZONE****Rule 16.2.6.2 Notable tree – Trimming¹**

P1	(a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either: (i) to remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) the maximum branch diameter does not exceed 50mm at <u>the point of severance</u> ; and (iii) No more than 10% of live foliage growth is removed in any single consecutive 12 month period; <u>and</u> (iv) The tree work must meet best arboricultural practices; and (v) All trimming or alteration must retain the natural shape, form and branch habit of the tree.
RD1	(a) The trimming of a notable tree that does not comply with Rule 16.2.6.2. P1. (b) Council's discretion is restricted to the following matters: (i) Timing and manner in which the activity is carried out; <u>and</u> ² (ii) Effects on amenity values; <u>and</u> (iii) Effects on heritage values; and (iii) Effects on the natural shape, form and branch habit of the tree.

Rule 16.2.6.3 Notable tree – Activities within the dripline³

P1	(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not comply with all of the following conditions : (i) No involve excavation, compaction, sealing or soil disturbance and or placement of fill material or cleanfill , except for the sealing of an existing road or footpath; (ii) No involve parking or storage of materials, vehicles or machinery; (iii) Discharge of an eco-toxic substance; and ⁴ (iv) No Involve construction of structures.
RD1	(a) Any activity <u>within the dripline of the notable tree</u> that does not comply with Rule 16.2.6.3 P1. (b) Council's discretion shall be restricted to the following matters: (i) Location of activity in relation to the tree; (ii) Timing and manner in which the activity is carried out; (iii) Remedial measures; (iv) Effect on the health of the tree; and (v) Amenity values.

¹ [697.326]² [697.116]³ [697.117], [697.118], [697.119]⁴ [946.7]

Rule 16.3.11 Historic Heritage items⁵

- (1) The following rules manage heritage items (buildings and monuments):
- (a) 16.3.11.1 - ~~Group A~~ **Ranked**⁶ Heritage item - Demolition, removal or relocation
 - (b) 16.3.11.2 ~~Group B~~ **Ranked**⁷ Heritage Item - Demolition, removal or relocation
 - (c) 16.3.11.3 All heritage items - Alterations or additions
 - (d) 16.3.11.4 All heritage items - Maintenance or repair
 - (e) 16.3.11.5 All Heritage Items - site development
- (2) The rules in 16.3.11.6 - Matangi and Huntly ~~adresse~~ **address**⁸ development within the two precincts.

Rule 16.3.11.1 ~~Group A~~ **Ranked⁹ heritage item - Demolition, removal or relocation**

NC1	Demolition, removal or relocation of any Group A Ranked ¹⁰ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 16.3.11.2 ~~Group B~~ **Ranked¹¹ heritage item- Demolition, removal or relocation**

D1	Demolition, removal or relocation of any Group B Ranked ¹² heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 16.3.11.3 All heritage items - Alterations or addition¹³

P1	(a) Alteration or addition to of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions: (i) no significant feature of interest is removed, destroyed or damaged; (ii) alterations or additions are not visible from a public place.
RD1	(a) Any activity that does not comply with Rule 16.3.11.3 P1 alteration or addition to a heritage item in Schedule 30.1 (Heritage Items). (b) Council's discretion shall be restricted to the following matters: (i) <u>Location</u> , form, <u>scale</u> , style, materials, appearance; and (ii) effects on heritage values; and (iii) <u>Effects on the setting of the heritage item.</u>

⁵ [697.141]⁶ [697.307]⁷ [697.307]⁸ [697.142]⁹ [697.307]¹⁰ [697.307]¹¹ [697.307]¹² [697.307]¹³ [559.104], [559.105], [559.293], [559.294], [559.295], [559.296], [559.297], [697.143], [697.217], [697.287], [697.414], [697.654], [697.814], [697.909], [697.994], [559.106], [559.107], [559.108], [559.109], [559.110], [559.111], [559.112], [697.144], [697.415], [697.653], [697.910].

Rule 16.3.11.4 All heritage items - Maintenance or repair

PI ¹⁴	(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions: (i) no significant feature of interest is destroyed or damaged; and (ii) (i) Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces form, style and appearance.
RDI¹⁵	(a) Any activity that does not comply with Rule 16.3.11.4 PI. (b) Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance; (ii) effects on heritage values.

Rule 16.3.11.5 All heritage items - all site Site¹⁶ development

PI ¹⁷	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions: (i) Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item be set back at least 10m from the heritage item; (ii) — not locate a building between the front of the heritage item and the road.
RDI ¹⁸	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 16.3.11.5 PI. (b) Council's discretion is shall be ¹⁹ restricted to the following matters: (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) The relationship of the heritage item with its the setting.

Rule 16.3.11.6 Heritage precincts – Matangi and Huntly²⁰

C1	(a) Construction of a building in the Matangi or Huntly Heritage Precincts identified on the planning maps that is set back at least 8m from road boundaries. (b) Council's control is reserved over the following matters: (i) Effects on historic heritage, amenity values and character of the precinct; and (ii) Building height, side setbacks, scale, form, materials and architectural style to be consistent with the relevant part of Appendix 3.6 (Matangi Heritage Precinct Design Guide) or Appendix 3.5 (Huntly Heritage Precinct Design Guide).
C2	(a) Alteration of a building in the Matangi or Huntly Heritage Precincts identified on the planning maps.

¹⁴ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120],[697.288], [697.417], [697.815], [697.911] and [697.995]

¹⁵ [559.121]

¹⁶ [697.145]

¹⁷ [559.137]

¹⁸ [559.133], [559.134], [559.135], [559.136], [559.140], [559.141] and [559.142]

¹⁹ [697.818], [697.914]

²⁰ [559.143], [559.243], [559.244] and [559.245]

	<p>(b) Council's control is reserved over the following matters:</p> <p>(i) Effects on historic heritage, amenity values and character of the precinct; and</p> <p>(ii) Building height, side setbacks, scale, form, materials and architectural style to be consistent with the relevant part of Appendix 3.6 (Matangi Heritage Precinct Design Guide) or Appendix 3.5 (Huntly Heritage Precinct Design Guide).</p>
C3	<p>(a) Attachment of an advertising sign(s) to a building or located within the 8m setback from road boundaries in the Matangi or Huntly Heritage Precincts identified on the planning maps:</p> <p>(b) Council's control is reserved over the following matters:</p> <p>(i) Effects on historic heritage, amenity values and character of the precinct; and</p> <p>(ii) Advertising signs.</p>
RD1	<p>(a) <u>Construction, alteration</u> of to a building in the Matangi Heritage Precinct or the Huntly Heritage Precinct identified on the planning maps that does not comply with Rule 16.3.11.6 C1, C2 or C3.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) Effects on historic heritage, amenity values and character of the precinct;</p> <p>(ii) Building height, side setbacks, scale, form, materials and architectural style to be consistent with the relevant part of Appendix 3.6 (Matangi Heritage Precinct Design Guide) or Appendix 3.5 (Huntly Heritage Precinct Design Guide);</p> <p>(iii) Advertising signs; and</p> <p>(iv) (iii) Setback from road boundaries</p>
<u>RD2</u>	<p><u>(a) Attachment of an advertising sign(s) to a building or located within the 8m setback from road boundaries in the Matangi or Huntly Heritage Precincts identified on the planning maps.</u></p> <p><u>(b) Council's discretion shall be reserved to the following matters:</u></p> <p><u>(i) Effects on historic heritage, amenity values and character of the precinct;</u></p> <p><u>(ii) Advertising signs; and</u></p> <p><u>(iii) Setback from road boundaries.</u></p>

Rule 16.4.10 Subdivision of land containing heritage items²¹

RD1	<p>(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items).</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) Effects on heritage values;</p> <p>(ii) Context and setting of the heritage item; and</p> <p>(iii) The extent to which the relationship of the heritage item with its setting is maintained <u>within one lot.</u></p>
NC1	Subdivision that does not comply with Rule 16.4.10 RD1

²¹ [559.251]

CHAPTER 17 BUSINESS ZONE

Rule 17.2.6.1 Notable tree – removal or destruction

PI	Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) where certification is provided to Council from a works arborist that states that the tree is dead, dying, diseased or unsafe <u>in accordance with Appendix I I Tree Removal Certificate.</u> ²²
CRDI ²³	(a) Removal or destruction of a tree identified in Schedule 30.2 (Notable Trees) that does not comply with Rule 17.2.6.1 PI. (b) Council's control discretion is limited restricted to the following matters: (i) Timing and manner in which the activity is carried out; (ii) Effects on amenity values; and (iii) Effects on heritage values.

Rule 17.2.6.2 Notable tree – trimming²⁴

P1	(a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either: (i) To remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) The maximum branch diameter does not exceed 50mm at the point of severance; and <u>(iii) No no more than 10% of live foliage growth is removed in any single consecutive 12 month period-; and</u> <u>(iv) The tree work must meet best arboricultural practices; and</u> <u>(v) All trimming or alteration must retain the natural shape, form and branch habit of the tree.</u>
RD1	(a) The trimming of a notable tree that does not comply with Rule 17.2.6.2 P1. (b) Council's discretion is limited to the following matters: (i) Timing and manner in which the activity is carried out; and (ii) Effects on amenity values; <u>and</u> <u>(iii) Effects on heritage values; and</u> <u>(iii) Effects on the natural shape, form and branch habit of the tree.</u>

Rule 17.2.6.3 Notable tree – activities within the dripline²⁵

P1	(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not: (i) Involve excavation, compaction, sealing or soil disturbance and or placement of fill material <u>or cleanfill</u> , except for the sealing of an existing road or footpath; (ii) Involve parking or storage of materials, vehicles or machinery; (iii) Discharge of an eco-toxic substance; and ²⁶ (iv) Involve construction of structures.
RD1	(a) Any activity within the dripline of a notable tree that does not comply with Rule 17.2.6.3

²² [697.187]

²³ [697.188]

²⁴ [697.471]

²⁵ [697.189]

²⁶ [946.7]

	<p>P1.</p> <p>(b) Council's discretion is limited to the following matters:</p> <p>(i) Location of the activity in relation to the tree;</p> <p>(ii) Timing and manner in which the activity is carried out;</p> <p>(iii) Remedial measures;</p> <p>(iv) Effect on the health of the tree;</p> <p>(v) Amenity values</p>
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Rule 17.3.8 Heritage **Items**²⁷

- (1) The following rules manage heritage items (buildings and monuments):
- (a) 17.3.8.1 - **Group A Ranked**²⁸ Heritage item - Demolition, removal or relocation
 - (b) 17.3.8.2 **Group B Ranked**²⁹ Heritage Item - Demolition, removal or relocation
 - (c) 17.3.8.3 All heritage items - Alterations or additions
 - (d) 17.3.8.4 All heritage items - Maintenance or repair
 - (e) 17.3.8.5 All Heritage Items - site development

Rule 17.3.8.1 **Group A Ranked**³⁰ heritage item - Demolition, removal or relocation

NC1	Demolition, removal or relocation of any Group A Ranked ³¹ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 17.3.8.2 **Group B Ranked**³² heritage item- Demolition, removal or relocation

D1	Demolition, removal or relocation of any Group B Ranked ³³ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 17.3.8.3 All heritage items - Alterations or addition³⁴

P1	(a) Alteration or addition to a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:
	(i) No significant feature of interest is removed, destroyed or damaged;
	(ii) Alterations or additions are not visible from a public place.
RD1	<p>(a) Any activity that does not comply with Rule 17.3.8.3 P1. Alteration or addition to a heritage item in Schedule 30.1 (Heritage Items).</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ol style="list-style-type: none"> (i) <u>Location</u>, form, <u>scale</u>, style, materials, appearance; and (ii) Effects on heritage values; <u>and</u> (iii) <u>Effects on the setting of the heritage item.</u>

²⁷ [697.216]

²⁸ [697.307]

²⁹ [697.307]

³⁰ [697.307]

³¹ [697.307]

³² [697.307]

³³ [697.307]

³⁴ [559.104], [559.105], [559.293], [559.294], [559.295], [559.296], [559.297], [697.143], [697.217], [697.287], [697.414], [697.654], [697.814], [697.909], [697.994], [559.106], [559.107], [559.108], [559.109], [559.110], [559.111], [559.112], [697.144], [697.415], [697.653], [697.910].

Rule ~~17.3.7.4~~ **17.3.8.4** ³⁵ **All heritage items - maintenance or repair**

PI ³⁶	(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions: (i) no significant feature of interest is destroyed or damaged; and (ii) (i) Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces form, style and appearance.
RD1 ³⁷	(a) Any activity that does not comply with Rule 16.3.11.4 PI. (b) Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance; (ii) effects on heritage values.

Rule ~~17.3.7.5~~ **17.3.8.5** ³⁸ **All heritage items - All site development**

PI ³⁹	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) shall must comply with the following condition: (i) Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item. be set back at least 10m from the heritage item; (ii) not locate a building between the front of the heritage item and the road.
RD1 ⁴⁰	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 17.3.7.5 PI. (b) Council's discretion shall be restricted to the following matters: (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) The relationship of the heritage item with its the setting including the area between the front of the heritage item and the road. ⁴¹

Rule 17.4.1.5 Subdivision - land containing heritage items⁴²

RD1	(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items). (b) Council's discretion shall be restricted to the following matters: (i) Effects on heritage values; (ii) Context and setting of the heritage item; (iii) The extent to which the relationship of the heritage item with its setting is
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³⁵ [697.218]

³⁶ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120],[697.288], [697.417], [697.815], [697.911] and [697.995]

³⁷ [559.122]

³⁸ [697.219]

³⁹ [559.138]

⁴⁰ [559.133], [559.134], [559.135], [559.136], [559.140], [559.141] and [559.142]

⁴¹ [FS1323.72], [FS1323.73], [FS1323.74], [FS1323.75] and [FS1323.77]

⁴² [559.246]

	maintained <u>within one lot</u> .
NC1	Subdivision that does not comply with Rule 17.4.1.5 RD1

CHAPTER 18 BUSINESS TOWN CENTRE ZONE

Rule 18.2.6.2 Notable tree – trimming ⁴³

P1	(a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either: (i) To remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) The maximum branch diameter does not exceed 50mm at the point of severance; and <u>(iii) No no more than 10% of live foliage growth is removed in any single consecutive 12 month period-; and</u> <u>(iv) The tree work must meet best arboricultural practices; and</u> <u>(v) All trimming or alteration must retain the natural shape, form and branch habit of the tree.</u>
RD1	(a) The trimming of a notable tree that does not comply with Rule 18.2.6.2 P1. (b) The Council’s discretion is limited to the following matters: (i) Timing and manner in which the activity is carried out and by whom; (ii) Effects on public safety; (iii) Effects on amenity values; <u>and</u> <u>(iii) Effects on heritage values; and</u> <u>(iii) Effects on the natural shape, form and branch habit of the tree.</u>

Rule 18.2.6.3 Notable tree - activities within the dripline ⁴⁴

P1	(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) <u>complies with the following conditions must not:</u> (i) <u>No involve</u> excavation, compaction, sealing or soil disturbance <u>and or</u> placement of fill material <u>or cleanfill</u> , except for the sealing of an existing road or footpath; <u>and</u> (ii) <u>No involve</u> parking or storage of materials, vehicles or machinery; and (iii) <u>No discharge of</u> an eco-toxic substance; and ⁴⁵ (iv) <u>No involve construction of</u> structures.
RD1	(a) Any activity <u>within the dripline of a notable tree</u> that does not comply with Rule 18.2.6.3 P1. (b) The Council’s discretion is limited to the following matters: (i) Location of activity in relation to the tree; (ii) Timing and manner in which the activity is carried out; (iii) Remedial measures; (iv) Effect on the health of the tree; (v) Amenity values.

Rule 18.3.10 ~~Historic~~ Heritage items ⁴⁶

⁴³ [697.472]

⁴⁴ [697.269]

⁴⁵ [946.7]

(1) The following rules manage heritage items (buildings and monuments) ~~within the Business town Centre:~~

- (a) 18.3.10.1 ~~Group A Ranked~~⁴⁷ Heritage item - Demolition, removal or relocation;
- (b) 18.3.10.2 ~~Group B Ranked~~⁴⁸ Heritage Item - Demolition, removal or relocation;
- (c) 18.3.10.3 All heritage items - Alteration or addition;
- (d) 18.3.10.4 All heritage items - Maintenance or repair; and
- (e) 18.3.10.5 All heritage Items - all site development

Rule 18.3.10.1 ~~Group A Ranked~~⁴⁹ heritage item - Demolition, removal or relocation

NC1	Demolition, removal or relocation of any Group A Ranked ⁵⁰ heritage item listed in Schedule 30.1 (Heritage Items).
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Rule 18.3.10.2 ~~Group B Ranked~~⁵¹ heritage item- Demolition, removal or relocation

P1 ⁵²	(a) Demolition, removal or relocation of Group B heritage item 104 Ngaruawahia Plunket Rooms listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions: (i) The owner advises the Ngaruawahia Community Board in writing 20 working days prior to the removal or demolition (in whole or part) of the building; (ii) A heritage research report on the building by a qualified heritage researcher as well as a comprehensive photographic record of the interior and exterior of the building is completed and made available in Council records.
D1	Demolition, removal or relocation of any Group B Ranked ⁵³ heritage item listed in Schedule 30.1 (Heritage Items)
D2 ⁵⁴	Demolition, removal or relocation of Group B heritage item 104 Ngaruawahia Plunket Rooms that does not meet Rule 18.3.10.2.

Rule 18.3.10.3 All heritage items - alteration or addition⁵⁵

P1	(a) Alteration or addition to of a heritage item listed in Schedule 30.1 (Heritage Items) where: (i) No significant feature of interest is removed, destroyed or damaged; and (ii) Alterations or additions are not visible from a public place.
RD1	(a) Any A alteration or addition of to a heritage item that does not comply with Rule 18.3.10.3 P1 in Schedule 30.1 (Heritage Items). (b) The Council's discretion shall be limited <u>restricted</u> to the following matters:

⁴⁶ [697.284], [697.285]

⁴⁷ [697.307]

⁴⁸ [697.307]

⁴⁹ [697.307]

⁵⁰ [697.307]

⁵¹ [697.307]

⁵² [559.95]

⁵³ [697.307]

⁵⁴ [559.103]

⁵⁵ [559.104], [559.105], [559.293], [559.294], [559.295], [559.296], [559.297], [697.143], [697.217], [697.287], [697.414], [697.654], [697.814], [697.909], [697.994], [559.106], [559.107], [559.108], [559.109], [559.110], [559.111], [559.112], [697.144], [697.415], [697.653], [697.910].

	<ul style="list-style-type: none"> (i) <u>Location, Form, scale, style, materials, appearance;</u> (ii) <u>Effects on heritage values; and</u> (iii) <u>Effects on the setting of the heritage item.</u>
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Rule 18.3.10.4 All heritage items - maintenance or repair

PI ⁵⁶	<p>(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) where must comply with the following condition:</p> <p>(i) no significant feature of interest is destroyed or damaged; and</p> <p>(ii) (i) Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces form, style and appearance.</p>
RD1 ⁵⁷	<p>(a) Any activity that does not comply with Rule 16.3.11.4 PI.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) form, style, materials, appearance; (ii) effects on heritage values.

Rule 18.3.10.5 All heritage items - all site development

PI ⁵⁸	<p>(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must <u>comply with the following condition:</u></p> <ul style="list-style-type: none"> (i) Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item. be set back at least 10m from the heritage item; (ii) not locate a building between the front of the heritage item and the road.
RD1 ⁵⁹	<p>(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 18.3.10.5 PI.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) The relationship of the heritage item with <u>its the</u> setting.

Rule 18.4.6 Subdivision - land containing heritage items⁶⁰

RD1	<p>(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items) where the heritage item is wholly contained within one lot.</p> <p>(b) The Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) Effects on heritage values; (ii) Context and setting of the heritage item; (iii) The extent to which the relationship of the heritage item with its setting is maintained <u>within one lot.</u>
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⁵⁶ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120],[697.288], [697.417], [697.815], [697.911] and [697.995]

⁵⁷ [559.123]

⁵⁸ [559.128]

⁵⁹ [559.133], [559.134], [559.135], [559.136], [559.140], [559.141] and [559.142]

⁶⁰ [559.247] and [559.254]

D1-NC1	Subdivision that does not comply with Rule 18.4.6 RD1
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CHAPTER 20 INDUSTRIAL ZONE

Rule 20.3.5 Historic Heritage items⁶¹

- (1) The following rules manage heritage items (buildings and monuments):
- 20.3.5.1 - ~~Group A~~ **Ranked**⁶² heritage item - demolition, removal or relocation
 - 20.3.5.2 - ~~Group B~~ **Ranked**⁶³ heritage Item - demolition, removal or relocation
 - 20.3.5.3 - All heritage items - alteration or addition
 - 20.3.5.4 - All heritage items - maintenance or repair
 - 20.3.5.5 - All Heritage Items - all site development

Rule 20.3.5.1 ~~Group A~~ **Ranked⁶⁴ heritage item - demolition, removal or relocation**

NC1	Demolition, removal or relocation of any Group A Ranked ⁶⁵ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 20.3.5.2 ~~Group B~~ **Ranked⁶⁶ heritage item- demolition, removal or relocation**

D1	Demolition, removal or relocation of any Group B Ranked ⁶⁷ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 20.3.5.3 All heritage items -alteration or addition⁶⁸

P1	(a) Alteration of, or addition to a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions: (i) no significant feature of interest is removed, destroyed or damaged; and (ii) alterations or additions are not visible from a public place.
RD1	(a) Any activity that does not comply with Rule 20.3.5.3 P1 alteration or addition to a heritage item in Schedule 30.1 (Heritage Items). (b) Council's discretion is restricted to the following matters: (i) Location , form, scale , style, materials and appearance; and (ii) eEffects on heritage values; and (iii) Effects on the setting of the heritage item.

⁶¹ [697.141], [FS1323.53]

⁶² [697.307]

⁶³ [697.307]

⁶⁴ [697.307]

⁶⁵ [697.307]

⁶⁶ [697.307]

⁶⁷ [697.307]

⁶⁸ [559.104], [559.105], [559.293], [559.294], [559.295], [559.296], [559.297], [697.143], [697.217], [697.287], [697.414], [697.654], [697.814], [697.909], [697.994], [559.106], [559.107], [559.108], [559.109], [559.110], [559.111], [559.112], [697.144], [697.415], [697.653], [697.910].

Rule 20.3.5.4 All heritage items - maintenance or repair

PI ⁶⁹	(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions: (i) no significant feature of interest is destroyed or damaged; and (ii) (i) Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces form, style and appearance.
RD1 ⁷⁰	(a) Any activity that does not comply with Rule 16.3.11.4 PI. (b) Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance; (ii) effects on heritage values.

Rule 20.3.5.5 All heritage items - all site development

PI ⁷¹	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions: (i) Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item. be set back at least 10m from the heritage item; (ii) not locate a building between the front of the heritage item and the road.
RD1 ⁷²	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 20.3.5.5 PI. (b) Council's discretion is shall be ⁷³ restricted to the following matters: (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) The relationship of the heritage item with its the setting including the area between the front of the heritage item and the road. ⁷⁴

Rule 20.4.5 Subdivision of land containing heritage items⁷⁵

RD1	(a) The boundaries of every proposed lot must not divide any of the following: Subdivision of land containing a (i) A heritage item listed in Schedule 30.1 (Heritage Items) where the heritage item is wholly contained within one lot. (ii) Maaori sites of significance in Schedule 30.3 (Maori sites of significance); (iii) Maaori area of significance in Schedule 30.4 (Maori areas of significance). (b) Council's discretion is restricted to the following matters: (i) effects on heritage values; (ii) context and setting of the heritage item; and
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⁶⁹ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120],[697.288], [697.417], [697.815], [697.911] and [697.995]

⁷⁰ [559.124]

⁷¹ [559.132] and [559.139]

⁷² [559.133], [559.134], [559.135], [559.136], [559.140], [559.141] and [559.142]

⁷³ [697.818], [697.914]

⁷⁴ [FS1323.72], [FS1323.73], [FS1323.74], [FS1323.75] and [FS1323.77]

⁷⁵ [559.248], [697.667] and [FS1323.79]

	(iii) the extent to which the relationship of the heritage item with its setting is maintained <u>within one lot.</u>
NC1	Subdivision that does not comply with Rule 20.4.5 RD1

CHAPTER 22 RURAL ZONE

Rule 22.2.5.2 Notable tree - trimming⁷⁶

P1	(a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either: (i) To remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) The maximum branch diameter does not exceed 50mm at the point of severance; and (iii) No more than 10% of live foliage growth is removed in any single 12 month period; <u>and</u> <u>(iv) The tree work must meet best arboricultural practices; and</u> <u>(v) All trimming or alteration must retain the natural shape, form and branch habit of the tree.</u>
RD1	(a) The trimming of a notable tree that does not comply with Rule 22.2.5.2 P1. (b) Council's discretion is restricted to the following matters: (i) timing and manner in which the activity is carried out and by whom; <u>and</u> (ii) health of the tree; ⁷⁷ (iii) effects on amenity values; <u>and</u> <u>(iii) Effects on heritage values; and</u> <u>(iii) Effects on the natural shape, form and branch habit of the tree.</u>

Rule 22.2.5.3 Notable tree activities within the dripline⁷⁸

P1	(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not: (i) Involve excavation, compaction, sealing or soil disturbance and or placement of fill material <u>or cleanfill</u> , except for sealing of an existing road or footpath; and (ii) Involve parking or storage of materials, vehicles or machinery; and (iii) Discharge an eco-toxic substance; and (iv) Involve construction of structures.
RD1	(a) Any activity <u>within the dripline of a notable tree</u> that does not comply with Rule 22.2.5.3 P1 (b) Council's discretion is restricted to the following matters: (i) location of activity in relation to the tree; (ii) timing and manner in which the activity is carried out ; (iii) remedial measures; (iv) effect on the health of the tree; (v) amenity values

⁷⁶ [697.473]

⁷⁷ [697.779]

⁷⁸ [697.781], [697.782]

Rule 22.3.4.4 Height - Buildings, structures and vegetation in a battlefield view shaft

P1	The maximum height of a building, structure or vegetation within a battlefield view shaft as shown on the planning map must not exceed 5m.
D1	Any building, structure or vegetation that does not comply with Rule 22.3.4.4 P1.

Rule 22.3.8 Heritage items

- (a) The following rules manage heritage items (buildings and monuments):
- (i) 22.3.8.1 ~~Group A~~ Ranked⁷⁹ Heritage item - demolition, removal or relocation;
 - (ii) 22.3.8.2 ~~Group B~~ Ranked⁸⁰ Heritage Item - demolition, removal or relocation;
 - (iii) 22.3.8.3 All Heritage Items - alterations or additions;
 - (iv) 22.3.8.4 All Heritage Items - maintenance or repair;
 - (v) 22.3.8.5 All Heritage Items - all site development.

Rule 22.3.8.1 ~~Group A~~ Ranked⁸¹ heritage item - demolition, removal or relocation

NC1	Demolition, removal or relocation of any Group A <u>Ranked</u> ⁸² heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 22.3.8.2 ~~Group B~~ Ranked⁸³ heritage item- demolition, removal or relocation

D1	Demolition, removal or relocation of any Group B <u>Ranked</u> ⁸⁴ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 22.3.8.3 All heritage items - alteration or addition⁸⁵

P1	(a) Alteration or addition to a heritage item listed in Schedule 30.1 (Heritage Items) where: (i) No significant feature of interest is removed, destroyed or damaged; (ii) Alterations or additions are not visible from a public place.
RD1	(a) Any activity that does not comply with Rule 22.3.8.3 P1 <u>alteration or addition to a heritage item in Schedule 30.1 (Heritage Items).</u> (b) Council's discretion is restricted to the following matters: (i) <u>Location, Form, scale,</u> style, materials and appearance; (ii) Effects on heritage values; <u>and</u> (iii) <u>Effects on the setting of the heritage item.</u>

⁷⁹ [697.307]

⁸⁰ [697.307]

⁸¹ [697.307]

⁸² [697.307]

⁸³ [697.307]

⁸⁴ [697.307]

⁸⁵ [559.104], [559.105], [559.293], [559.294], [559.295], [559.296], [559.297], [697.143], [697.217], [697.287], [697.414], [697.654], [697.814], [697.909], [697.994], [559.106], [559.107], [559.108], [559.109], [559.110], [559.111], [559.112], [697.144], [697.415], [697.653], [697.910].

Rule 22.3.8.4 All heritage items - maintenance or repair

PI ⁸⁶	(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) where must comply with the following condition: (i) no significant feature of interest is destroyed or damaged; (ii) (i) Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces form, style and appearance.
RD1 ⁸⁷	(a) Any activity that does not comply with Rule 16.3.11.4 PI. (b) Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance; (ii) effects on heritage values.

Rule 22.3.8.5 All heritage items - all site development

PI ⁸⁸	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must <u>comply with the following condition:</u> ⁸⁹ (i) Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item. be set back at least 10m from the heritage item; (ii) not locate a building between the front of the heritage item and the road.
RD1 ⁹⁰	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 22.3.8.5 PI. (b) Council's discretion is shall be ⁹¹ restricted to the following matters: (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) The relationship of the heritage item with its the setting.

Rule 22.4.8 Subdivision of land containing heritage items⁹²

RD1	(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items). (b) Council's discretion is restricted to the following matters: (i) Effects on heritage values; (ii) Context and setting of the heritage item; (iii) The extent to which the relationship of the heritage item with its setting is maintained <u>within one lot.</u>
NC1	Subdivision that does not comply with Rule 22.4.8 RD1

⁸⁶ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120],[697.288], [697.417], [697.815], [697.911] and [697.995]

⁸⁷ [559.125]

⁸⁸ [559.129]

⁸⁹ [697.817]

⁹⁰ [559.133], [559.134], [559.135], [559.136], [559.140], [559.141] and [559.142]

⁹¹ [697.818]

⁹² [559.252]

CHAPTER 23 COUNTRY LIVING ZONE

Rule 23.2.5.2 Notable tree - trimming⁹³

P1	(a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either: (i) to remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) the maximum branch diameter does not exceed 50mm at the point of severance; and (iii) No more than 10% of live foliage growth is removed in any single consecutive 12 month period; and (iv) <u>The tree work must meet best arboricultural practices; and</u> (v) <u>All trimming or alteration must retain the natural shape, form and branch habit of the tree.</u>
RD1	(a) The trimming of a notable tree that does not comply with Rule 23.2.5.2 P1. (b) Council's discretion is restricted to the following matters: (i) Timing and manner in which the activity is carried out; <u>and</u> ⁹⁴ (ii) Effects on amenity values; <u>and</u> (iii) <u>Effects on heritage values; and</u> (iii) <u>Effects on the natural shape, form and branch habit of the tree.</u>

Rule 23.2.5.3 Notable tree activities within the dripline⁹⁵

P1	(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not involve : (i) <u>involve</u> excavation, compaction, sealing or soil disturbance and <u>or</u> placement of fill material <u>or cleanfill</u> , except for sealing of an existing road or footpath; (ii) <u>involve</u> parking or storage of materials, vehicles or machinery; (iii) discharge of an eco-toxic substance; and ⁹⁶ (iv) <u>involve</u> construction of any structure.
RD1	(a) Any activity <u>within the dripline of a notable tree</u> that does not comply with Rule 23.2.5.3 P1. (b) Council's discretion is restricted to the following matters: (i) location of activity in relation to the notable tree; (ii) timing and manner in which the activity is carried out; (iii) remedial measures; (iv) effect on the health of the notable tree; (v) amenity values.

Rule 23.3.9 Historic Heritage items⁹⁷

- (1) The following rules manage heritage items (buildings and monuments):
- (a) 23.3.9.1 ~~Group A~~ Ranked⁹⁸ Heritage item - demolition, removal or relocation;
 - (b) 23.3.9.2 ~~Group B~~ Ranked⁹⁹ Heritage Item - Demolition, removal or relocation;

⁹³ [697.474]

⁹⁴ [697.875]

⁹⁵ [697.876], [697.877]

⁹⁶ [946.7]

⁹⁷ [697.908]

⁹⁸ [697.307]

⁹⁹ [697.307]

- (c) 23.3.9.3 All Heritage Items - alteration or addition;
- (d) 23.3.9.4 All Heritage Items - maintenance or repair;
- (e) 23.3.9.5 All Heritage Items - all site development.

Rule 23.3.9.1 Group A **Ranked**¹⁰⁰ heritage item - demolition, removal or relocation

NC1	Demolition, removal or relocation of any Group A Ranked ¹⁰¹ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 23.3.9.2 Group B **Ranked**¹⁰² heritage item- demolition, removal or relocation

D1	Demolition, removal or relocation of any Group B Ranked ¹⁰³ heritage item listed in Schedule 30.1 (Heritage Items).
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Rule 23.3.9.3 All heritage items - alteration or addition¹⁰⁴

P1	(a) Alteration of, or addition to a heritage item listed in Schedule 30.1 (Heritage Items) comply with the following conditions: (i) No significant feature of interest is removed, destroyed or damaged; (ii) Alterations or additions are not visible from a public place.
RD1	(a) Any activity that does not comply with Rule 23.3.9.3 P1 <u>alteration or addition to a heritage item in Schedule 30.1 (Heritage Items).</u> (b) Council's discretion is restricted to the following matters: (i) <u>Location, Form, scale,</u> style, materials and appearance; (ii) Effects on heritage values; <u>and</u> (iii) <u>Effects on the setting of the heritage item.</u>

Rule 23.3.9.4 All heritage items - maintenance or repair

PI ¹⁰⁵	(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) <u>must</u> comply with the following conditions: (i) no significant feature of interest is destroyed or damaged; (ii) (i) Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces form, style and appearance.
RD1 ¹⁰⁶	(a) Any activity that does not comply with Rule 16.3.11.4 P1. (b) Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance; (ii) effects on heritage values.

¹⁰⁰ [697.307]

¹⁰¹ [697.307]

¹⁰² [697.307]

¹⁰³ [697.307]

¹⁰⁴ [559.104], [559.105], [559.293], [559.294], [559.295], [559.296], [559.297], [697.143], [697.217], [697.287], [697.414], [697.654], [697.814], [697.909], [697.994], [559.106], [559.107], [559.108], [559.109], [559.110], [559.111], [559.112], [697.144], [697.415], [697.653], [697.910].

¹⁰⁵ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120], [697.288], [697.417], [697.815], [697.911] and [697.995]

¹⁰⁶ [559.126]

Rule 23.3.9.5 All heritage items - All site development¹⁰⁷

PI ¹⁰⁸	<p>(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions:</p> <p>(i) Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item. be set back at least 10m from the heritage item;</p> <p>(ii) not locate a building between the front of the heritage item and the road.</p>
RD1	<p>(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 23.3.9.5 PI.</p> <p>(b) Council's discretion is <u>shall be</u>¹⁰⁹ restricted to the following matters:</p> <p>(i) effects on the values, context and setting of the heritage item;</p> <p>(ii) location, design, size, materials and finish;</p> <p>(iii) landscaping;</p> <p>(iv) The relationship of the heritage item with its the setting.</p>

Rule 23.4.6 Subdivision of land containing heritage items¹¹⁰

RD1	<p>(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items) must contain the heritage item wholly within one lot.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Effects on heritage values;</p> <p>(ii) Context and setting of the heritage item;</p> <p>(iii) The extent to which the relationship of the heritage item with its setting is maintained <u>within one lot</u>.</p>
NC1	Subdivision that does not comply with Rule 23.4.6 RD1

¹⁰⁷ [697.915]¹⁰⁸ [559.130]¹⁰⁹ [697.914]¹¹⁰ [559.249]

CHAPTER 24 VILLAGE ZONE

Rule 24.2.6.1 Notable tree – removal or destruction

P1	Removal or destruction of a tree identified in Schedule 30.2 (Notable Trees) where certification is provided to Council from a works arborist that states the tree is dead, dying, diseased or is unsafe.
E1 RD1 ¹¹¹	<p>(a) Removal or destruction of a tree identified in Schedule 30.2 (Notable Trees) that does not comply with Rule 24.2.6.1 P1.</p> <p>(b) Council's discretion is shall reserve its control over <u>restricted to</u> the following matters:</p> <ul style="list-style-type: none"> (i) Timing and manner in which the activity is carried out; (ii) Effects on amenity values; and (iii) Effects on heritage values.

Rule 24.2.6.2 Notable tree – trimming¹¹²

P1	<p>(a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either:</p> <ul style="list-style-type: none"> (i) To remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) The maximum branch diameter does not exceed 50mm at severance; and (iii) No more than 10% of live foliage growth is removed in any consecutive 12 month period; <u>and</u> (iv) The tree work must meet best arboricultural practices; and (v) All trimming or alteration must retain the natural shape, form and branch habit of the tree.
RD1	<p>(a) The trimming of a notable tree that does not comply with Rule 24.2.6.2 P1.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Timing and manner in which the activity is carried out; <u>and</u>¹¹³ (ii) Effects on amenity values; <u>and</u> (iii) Effects on heritage values; and (iii) Effects on the natural shape, form and branch habit of the tree.

Rule 24.2.6.3 Notable tree – activities within the dripline¹¹⁴

P1	<p>(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not:</p> <ul style="list-style-type: none"> (i) Involve excavation, compaction, sealing or soil disturbance and or <u>placement</u> of fill material <u>or cleanfill</u>, except for sealing of an existing road or footpath; (ii) Involve parking or storage of materials, vehicles or machinery; (iii) Discharge of an eco-toxic substance; and¹¹⁵ (iv) Involve construction of structures.
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¹¹¹ [697.963]

¹¹² [697.475]

¹¹³ [697.964]

¹¹⁴ [697.965]

¹¹⁵ [946.7]

RD1	<p>(a) Any activity <u>within the dripline of a notable tree</u> that does not comply with Rule 24.2.6.3 P1.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Location of activity in relation to the tree;</p> <p>(ii) Timing and manner in which the activity is carried out;</p> <p>(iii) Remedial measures;</p> <p>(iv) Protection of the tree; and</p> <p>(v) Amenity values.</p>
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Rule 24.3.8 **Historic Heritage items**¹¹⁶

- (1) The following rules manage heritage items (buildings and monuments):
- (a) 24.3.8.1 - **Group A Ranked**¹¹⁷ Heritage item - Demolition, removal or relocation
- (b) 24.3.8.2 - **Group B Ranked**¹¹⁸ Heritage Item - Demolition, removal or relocation
- (c) 24.3.8.3 - All heritage items - Alterations or additions
- (d) 24.3.8.4 - All heritage items - Maintenance or repair
- (e) 24.3.8.5 - All Heritage Items - Site development

Rule 24.3.8.1 **Group A Ranked**¹¹⁹ Heritage item - Demolition, removal or relocation

NC1	Demolition, removal or relocation of any Group A Ranked ¹²⁰ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 24.3.8.2 **Group B Ranked**¹²¹ Heritage item- Demolition, removal or relocation

D1	Demolition, removal or relocation of any Group B Ranked ¹²² heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 24.3.8.3 **All heritage items - Alteration or addition**¹²³

P1	(a) Alteration or addition of a heritage item listed in Schedule 30.1 (Heritage Items) if: <p>(i) No significant feature of interest is removed, destroyed or damaged;</p> <p>(ii) Alterations or additions are not visible from a public place.</p>
RD1	<p>(a) Any <u>activity that does not comply with Rule 24.3.8.3 P1 alteration or addition to a heritage item in Schedule 30.1 (Heritage Items).</u></p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) <u>Location, Form, scale,</u> style, materials and appearance;</p> <p>(ii) Effects on heritage values; <u>and</u></p> <p>(iii) <u>Effects on the setting on the heritage item.</u></p>

¹¹⁶ [697.993]

¹¹⁷ [697.307]

¹¹⁸ [697.307]

¹¹⁹ [697.307]

¹²⁰ [697.307]

¹²¹ [697.307]

¹²² [697.307]

¹²³ [559.104], [559.105], [559.293], [559.294], [559.295], [559.296], [559.297], [697.143], [697.217], [697.287], [697.414], [697.654], [697.814], [697.909], [697.994], [559.106], [559.107], [559.108], [559.109], [559.110], [559.111], [559.112], [697.144], [697.415], [697.653], [697.910].

Rule 24.3.8.4 All heritage items - maintenance or repair

PI ¹²⁴	(a) Maintenance and repair of a heritage item listed in Schedule 30.1 (Heritage Items) where must comply with the following condition: (i) no significant feature of interest is destroyed or damaged; (ii) (i) Replacement materials are the same as, or similar to, the original in terms of colour, texture, form and design to the original that it replaces form, style and appearance.
RD1 ¹²⁵	(a) Any activity that does not comply with Rule 16.3.11.4 PI. (b) Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance; (ii) effects on heritage values.

Rule 24.3.8.5 All heritage items - all site development

PI ¹²⁶	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must <u>comply with the following condition:</u> ¹²⁷ (i) <u>Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item. be set back at least 10m from the heritage item;</u> (ii) not locate a building between the front of the heritage item and the road.
RD1 ¹²⁸	(a) <u>Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 24.3.8.5 PI.</u> (b) Council's discretion is <u>shall be</u> ¹²⁹ restricted to the following matters: (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) The relationship of the heritage item with <u>its the</u> setting.

Rule 24.4.8 Subdivision of land containing heritage items¹³⁰

RD1	(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items) must contain the heritage item wholly within one lot. (b) Council's discretion is restricted to the following matters: (i) Effects on heritage values; (ii) Context and setting of the heritage item; and (iii) The extent to which the relationship of the heritage item with its setting is maintained <u>within one lot.</u>
NC1	Subdivision that does not comply with Rule 16.4.10 RD1

¹²⁴ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120],[697.288], [697.417], [697.815], [697.911] and [697.995]

¹²⁵ [559.127]

¹²⁶ [559.131]

¹²⁷ [697.997]

¹²⁸ [559.133], [559.134], [559.135], [559.136], [559.140], [559.141] and [559.142]

¹²⁹ [697.818], [697.914]

¹³⁰ [559.250] and [559.257]

CHAPTER 25 RESERVE ZONE

Rule 25.2.6.1 Notable tree – removal or destruction

P1	Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) where certification is provided to Council by a works arborist that states the tree is dead, dying, diseased or is unsafe.
D1 RD1 ¹³¹	<p>(a) Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) that does not comply with Rule 25.2.6.1 P1</p> <p><u>b) Council's discretion is restricted to the following matters:</u></p> <p><u>(i) Timing and manner in which the activity is carried out;</u></p> <p><u>(ii) Effects on amenity values; and</u></p> <p><u>(iii) Effects on heritage values.</u></p>

Rule 25.2.6.2 Notable tree - trimming¹³²

P1	<p>(a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) must:</p> <p>(i) Be to remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; and</p> <p>(ii) Not remove branches with a diameter greater than 50mm at the point of severance; and</p> <p><u>(iii) No no more than 10% of live foliage growth is removed in any consecutive 12 month period; and</u></p> <p><u>(iv) The tree work must meet best arboricultural practices; and</u></p> <p><u>(v) All trimming or alteration must retain the natural shape, form and branch habit of the tree.</u></p>
RD1	<p>(a) The trimming of a notable tree that does not comply with a condition in Rule 25.2.6.2 P1.¹³³</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Timing and manner in which the activity is carried out and by whom; <u>and</u>¹³⁴</p> <p>(ii) Effects on amenity values; <u>and</u></p> <p><u>(iii) Effects on heritage values; and</u></p> <p><u>(iii) Effects on the natural shape, form and branch habit of the tree.</u></p>

Rule 25.2.6.3 Notable tree activities within the dripline¹³⁵

P1	<p>(a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must not:</p> <p>(i) Involve excavation, compaction, sealing or soil disturbance and or placement of fill material <u>or cleanfill</u>, except for sealing of an existing road or footpath;</p> <p>(ii) Involve parking or storage of materials, vehicles or machinery;</p> <p>(iii) Discharge of an eco-toxic substance <u>and</u>; ¹³⁶</p>
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¹³¹ [697.1034]

¹³² [697.476]

¹³³ [697.1035]

¹³⁴ [697.1035]

¹³⁵ [697.1036]

¹³⁶ [946.7]

	(iv) Involve construction of structures.
RD1	(a) Any activity <u>within the dripline of a notable tree</u> that does not comply with one or more conditions in Rule 25.2.6.3 PI (b) Council's discretion is restricted to the following matters: (i) Location of activity in relation to the tree; (ii) Timing and manner in which the activity is carried out; (iii) Remedial measures; (iv) Effects on health of the tree; (v) Amenity values

Rule 25.3.6 Heritage Items¹³⁷

(1) The following rules manage heritage items (buildings and monuments) ~~within the Reserve Zone:~~

- (a) 25.3.6.1 ~~Group A~~ Ranked¹³⁸ Heritage item - demolition, removal or relocation;
- (b) 25.3.6.2 ~~Group B~~ Ranked¹³⁹ Heritage Item - demolition, removal or relocation;
- (c) 25.3.6.3 All heritage items - alterations or addition;
- (d) 25.3.6.4 All heritage items - maintenance or repair; and
- (e) 25.3.6.5 All heritage items - all site development.

Rule 25.3.6.1 ~~Group A~~ Ranked¹⁴⁰ Heritage item - demolition, removal or relocation

NC1	Demolition, removal or relocation of any Group A <u>Ranked</u> ¹⁴¹ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 25.3.6.2 ~~Group B~~ Ranked¹⁴² Heritage item- demolition, removal or relocation

D1	Demolition, removal or relocation of any Group B <u>Ranked</u> ¹⁴³ heritage item listed in Schedule 30.1 (Heritage Items)
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Rule 25.3.6.3 All heritage items - alteration or addition *(note consequential change to ensure consistency between rules)*

P1	(a) Alteration or addition of a heritage item listed in Schedule 30.1 (Heritage Items) where: (i) No significant feature of interest is removed, destroyed or damaged; (ii) Alterations or additions are not visible from a public place.
RD1	(a) Any activity that does not comply with Rule 25.3.6.3 P1 alteration or addition to a heritage item in Schedule 30.1 (Heritage Items). (b) Council's discretion is restricted to the following matters: (i) <u>Location, Form, scale,</u> style, materials and appearance;

¹³⁷ [697.413]

¹³⁸ [697.307]

¹³⁹ [697.307]

¹⁴⁰ [697.307]

¹⁴¹ [697.307]

¹⁴² [697.307]

¹⁴³ [697.307]

	(ii) Effects on heritage values; <u>and</u> (iii) <u>Effects on the setting of the heritage item.</u>
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Rule 25.3.6.4 All heritage items - maintenance and or repair¹⁴⁴

PI ¹⁴⁵	(a) Maintenance <u>and or</u> repair of a heritage item listed in Schedule 30.1 (Heritage Items) <u>where must comply with the following condition:</u> (i) no significant feature of interest is destroyed or damaged; (ii) (i) Replacement materials are the same as, or similar to, the original in terms of <u>colour, texture, form and design to the original that it replaces form, style and appearance.</u>
RDI ¹⁴⁶	(a) Any activity that does not comply with Rule 16.3.11.4 PI. (b) Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance; (ii) effects on heritage values.

Rule 25.3.6.5 All heritage items – all site development

PI ¹⁴⁷	(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must <u>comply with the following condition:</u> ¹⁴⁸ (i) <u>Development does not involve the placement or construction of a building or buildings within the setting as defined in the Heritage Report for the heritage item. be set back at least 10m from the heritage item;</u> (ii) not locate a building between the front of the heritage item and the road.
RDI ¹⁴⁹	(a) <u>Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) Any activity that does not comply with one or more conditions of Rule 25.3.6.5 PI.</u> (b) Council's discretion <u>is shall be</u> ¹⁵⁰ restricted to the following matters: (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) The relationship of the heritage item with <u>its the</u> setting.

¹⁴⁴ [697.416]

¹⁴⁵ [559.114], [559.115], [559.116], [559.117], [559.118], [559.119], [559.120],[697.288], [697.417], [697.815], [697.911] and [697.995]

¹⁴⁶ Consequential change as a result of [559.121], [559.122], [559.123], [559.124], [559.125], [559.126] and [559.127]

¹⁴⁷ Consequential change

¹⁴⁸ [697.419]

¹⁴⁹ [559.133], [559.134], [559.135], [559.136], [559.140], [559.141] and [559.142]

¹⁵⁰ [697.818], [697.914]