

Provided that:

On Secondary Arterial Roads, and a railway corridor or designation for railway purposes, *lots* created by way of an application for subdivision consent approved prior to 1 January 2010 will be exempt.

(d) Standards for accommodation facilities

- (i) Have a maximum occupancy of four persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers is no greater than 60m² *gross floor area*;
- (iii) Must not contain a *kitchen* or otherwise be self contained;
- (iv) For Discretionary *accommodation facilities*, information is to be provided in accordance with ~~4A.5.2~~ 4A.6.2.

(e) Standards for home enterprises

- (i) Shall be conducted in an area that does not exceed 500m² of which a maximum of 120m² shall be available for a building floor area. Carparks shall be excluded from the maximum area calculation of the activity;
- (ii) Is carried out by a maximum of three persons;
- (iii) Does not have access from Omokoroa Road;
- (iv) Does not involve sales of products other than those produced on the site. This does not apply to the sale of any goods stored, distributed and manufactured off the site that are sold via the internet.
- (v) Any advertising shall comply with Section ~~4D.3.1.1~~ 4D.3.1.
- (vi) Parking shall be provided in accordance with Rule 4B.4.7.

Explanatory Note:

The above Activity Performance Standards shall apply cumulatively to all *home enterprises* per *lot*.

- (f) **Standards for minor dwellings and dwellings where a minor dwelling was constructed after 9 February 2009 in accordance with 15.3.2(c) and (d)**
- (i) Shall be located within 20m of the principal *dwelling* or *minor dwelling* on the site; and
 - (ii) Shall share vehicle access with the principal *dwelling* or *minor dwelling* on the site; and
 - (iii) If an attached or detached garage or carport is to be built, it shall have a gross floor area not exceeding 18m²; and
 - (iv) Shall pay 50% of the financial contributions that applies to the subdivision of land.
- (g) **Transportation, Access, Parking and Loading** - See Section 4B.
- (h) **Noise and Vibration** - See Section 4C.1.
- (i) **Storage and Disposal of Solid Waste** - See Section 4C.2.
- (j) **Lighting and Welding** - See Section 4C.3.
- (k) **Offensive Odours, Effluent Aerosols and Spray Drift** - See Section 4C.4.
- (l) **Screening** - See Section 4C.5.
- (m) **Signs** - See Section 4D.
- (n) **Natural Environment** - See Section 5.
- (o) **Landscape** - See Section 6.
- (p) **Historic Heritage** - See Section 7.
- (q) **Natural Hazards** - See Section 8.
- (r) **Hazardous Substances** - See Section 9.
- (s) **Financial Contributions** - See Section 11.

15.4.2 Subdivision and Development (See also Section 12)

Minimum average net *lot* size – 4.0ha.

15.5 Matters of Discretion

15.5.1 Restricted Discretionary Activities – Non Compliance with Activity Performance Standards

~~*Council's discretion is restricted to the actual or potential adverse effects arising from the particular non-compliance, having regard to the extent and nature of the non-compliance.*~~

~~*Council will limit its discretion to the effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies.*~~

15.5.2 Restricted Discretionary Activities – Omokoroa Stage 2 Structure Plan

In assessing a Restricted Discretionary Activity, *Council* will limit its discretion to and may set conditions on:

- (a) Avoiding, remedying or mitigating the potential adverse effects on the ecological values of the reserves.
- (b) In the Omokoroa Structure Plan area retaining the integrity of the Omokoroa Peninsula Stormwater Management Plan (June 2002) including the efficiency and effectiveness of stormwater infiltration, detention, discharge downstream and discharge to the Tauranga Harbour with particular regard to storm events.
- (c) Avoiding, remedying or mitigating the potential for natural hazard events such as flooding i.e. natural hazards must not be made more severe as the consequence of a proposal.
- (d) Avoiding, remedying or mitigating the adverse effects on public amenity values of the reserves including public walkway/cycleway functions.
- (e) Avoiding, remedying or mitigating the potential adverse effects on the functioning of Omokoroa Road (see 4B.4.2 and 12.4.4.4(c)).