

# PROPOSED WAIKATO DISTRICT PLAN

## VARIATION 2 NATURAL HAZARDS & CLIMATE CHANGE



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27 July 2020

# Proposed Variation 2 to the Proposed Waikato District Plan (Stage 1)

How to read this document:

- Variation 2 text is shaded orange.
- Text that is not shaded orange is text from Stage 1 of the Proposed District Plan to provide context for the variation.
- Text that is proposed to be inserted into Stage 1 by Variation 2 is in **orange, bold and underlined.**
- Text in Stage 1 that is proposed to be deleted by Variation 2 is in **orange, bold and strikethrough.**

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### 1.4.2.3 Challenges

(a) Economic development challenges facing the district are as follows:

- (i) Growth across the district is uneven. Population and associated economic growth is occurring predominantly in the north (Tuakau, Pokeno, Te Kauwhata) and in the south around the Hamilton periphery.
- (ii) Industrial diversity and the level of knowledge-intensive employment are low. Most new jobs appear to be in the service (tertiary) sector, whereas many of the industries driving growth in the region are of a primary nature.
- (iii) There are skills constraints, with a relatively low level of people with tertiary qualifications and a high proportion of youth not in employment, education or training.
- (iv) There is a large variation in economic well-being and household income across the district that is likely to remain into the future.
- (v) The ability for the region to manage land and water changes/demands and environmental impacts of extraction across land-based industries may constrain further growth.
- (vi) Soil resources, including soil quality, are under threat due to subdivision and intensification of land use.
- (vii) Environmental limits on water, land, and soils and to a small extent marine space mean that growth in these primary industries will need to come from increasing the value of processed products and services.
- (viii) A decline in the mining sector, with coal resources in particular becoming increasingly difficult and expensive to access, as well as public concerns about the environmental impacts of coal and mineral mining in the region, are a concern, considering its share of the district's GDP.
- (ix) With growth pressure in both the Urban and Rural sectors, maintaining and enhancing the natural environment.
- (x) Natural hazards in certain locations in the district pose a constraint on land development and urban growth in terms of reduced opportunity or cost of mitigation.
- (xi) Climate change will increasingly impact existing settlements in the district, the location of new settlements and design choices will challenge currently understood expectations of environmental limits.

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### 1.4.4 The urban environment

- (a) A key issue for the district is to maintain the productive capacity of the rural resource and ensure that population growth and associated built development is managed in a way that results in efficient and high-amenity urban areas. Development needs to be managed so that emphasis is placed on achieving high amenity standards, while retaining existing valued characteristics as far as practicable. In these areas, development can support local infrastructure, services, and other facilities, while at the same time minimising adverse effects on productive rural activities. Commercial activity should be of a size or function that does not compromise the vitality and viability of the primary commercial centres. It is also important that we take a 'centres-based' approach to retail as per the Waikato Regional Policy Statement (WRPS). A range of housing options should be provided for, with varying land values and amenities.
- (b) Costs and inefficiencies can increase significantly, where development patterns are dispersed. For example, unplanned development, which increases vehicle traffic, may reduce roading efficiency and road safety, compromise rail operations and result in unplanned roading upgrades. Costs can be minimised, and better performance of infrastructure and services achieved, where infrastructure provision is timely in relation to demand, and optimally-sized and located. This may mean that it is necessary to stage infrastructure provision relative to growth in demand as well as ensuring that the natural environment is maintained and enhanced through Low Impact Design infrastructure.
- (c) The district plan manages activities to reduce the risks from natural hazards. The emphasis is on ensuring that appropriate assessments of natural hazard risk are undertaken prior to rezoning and new subdivision and development taking place, and greenfield development and urban intensification are avoided in areas of known high flood risk or high coastal hazard risk as required by the Regional Policy Statement. For existing areas of urban development, such as Raglan, Port Waikato and river communities, natural hazard risk, particularly coastal hazards and flooding, will require management through appropriate mitigation and adaptation over time, taking into consideration projected sea level rise and other climate change factors.

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### 1.5.2 Planning for urban growth and development

- (a) Defined growth areas have been zoned and their development will be guided through the application of objectives and policies and through processes such as the development of master plans, comprehensive structure plans, the district plan and any future changes to the district plan. The agreed Future Proof settlement pattern for urban growth and development is to avoid unplanned encroachment into rural land and is to be contained within defined urban areas to avoid rural residential fragmentation.
- (b) As per the Waikato Regional Policy Statement, the district plan ensures that before land is rezoned for urban development, urban development planning mechanisms such as master plans or structure plans are produced, that will facilitate proactive decisions about the future location of urban development. Development which occurs in accordance with a master plan developed in consultation with the local community is one way of ensuring that valued elements of local character are respected as growth occurs. Structure plans are to be used to guide the staged provision of additional urban land and infrastructure to support areas experiencing growth or sustaining population and business growth pressures. However, when preparing structure plans or spatial plans for developing urban land, consideration of the risk posed by natural hazards such as flooding, land instability, coastal hazards and liquefaction will be important to ensure that the land is suitable for the type of development proposed and avoids increased risk from natural hazards.

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### 1.12.8 Strategic objectives

- (a) The matters set out in paragraphs 4.1.1 – 4.1.7 provide the overarching directions for the development of the objectives, policies and other provisions within the district plan.
- (b) In summary, the overarching directions include the following:
  - (i) Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently.
  - (ii) Promote safe, compact sustainable, good quality urban environments that respond positively to their local context.
  - (iii) Focus urban growth in existing urban communities that have capacity for expansion.
  - (iv) Plan for mixed-use development in suitable locations.
  - (v) Encourage community collaboration in urban growth decisions
  - (vi) Protect and enhance green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance.
- (c) The objectives and policies that implement the strategic directions are included within Part B of the district plan (where they are relevant) at the beginning of each section. They also assist in providing an objective that encompasses more than one zone (such as [Chapter 4](#) Urban Environment) or a range of matters (such as [Chapter 6](#) Infrastructure).
- (d) Objective - Natural Hazards and Climate Change  
The choice, location and design of development in the district takes into account the risks from natural hazards and potential impacts of climate change.

## **DELETED - Chapter 11: Natural Hazards and Climate Change (Stage 2)**

### Stage 2 Content

Chapter 11 Natural Hazards and Climate Change is Stage 2 of the Proposed District Plan and will be notified early 2019.

## Chapter 12 How to use and interpret the rules

### 12.1 Introduction to rules

- (a) Section C of the district plan contains the rules. Rules are one of the methods of achieving the objectives and implementing the policies set out in Section B of the district plan.
- (b) Rules describe activities (land use and subdivision), the activity status and the conditions that must be complied with to meet the specified activity status. These terms are explained in this chapter.
- (c) The rules in Section C that are highlighted in green have immediate legal effect in accordance with s86B of the Resource Management Act 1991.
- (d) Chapter 13 contains all the definitions that are used in the rules within Section C. The definitions form part of the rules and are identified by underlining and are also hyperlinked in ePlan.
- (e) Chapter 14: Infrastructure and Energy and Chapter 15: Natural Hazards and Climate Change (Stage 2 of the district plan review) apply across the whole district.
- (f) There is a chapter of rules for each zone (Chapters 16 – 28). The order of text in each chapter is:
  - (i) Introduction (for some zones only);
  - (ii) Land Use – Activities Rules;
  - (iii) Land Use – Effects Rules;
  - (iv) Land Use – Building Rules; and
  - (v) Subdivision Rules.
- (g) The spatial area of each zone is shown on the planning maps. As well as zones, there are various policy areas (such as Landscape Policy Area), sites/features (such as Historic Heritage buildings) and designations marked on the planning maps. These are referred to where relevant in the rules in each zone chapter. Every part of the district (except for roads) is in one zone and the zones do not overlap.
- (h) Roads appear white on the planning maps and are not zoned. Rules relating to activities occurring in the road corridor are set out Chapter 14: Infrastructure and Energy.
- (i) Lakes and rivers appear with a blue shading to assist users with orientation. Although the rivers and lakes are not given a zone shading, they are in a zone. All waterbodies are zoned Rural, except for Lake Hakanoa and Lake Puketirini, both of which are zoned Reserve and have reserve management plans applying to them.
- (j) The district plan regulates activities on the surface of rivers, lakes and other waterbodies. Activities are subject to the zone rules that apply. The Waikato Regional Plan regulates any structures in, on, under or over the beds of lakes and rivers, and may also be required to obtain resource consent under the Waikato Regional Plan.
- (k) Natural hazards are managed throughout the district through a suite of natural hazard overlays identified on the planning maps and provisions contained in Chapter 15. Assessment matters related to natural hazards also occur in the zone chapters.

### 12.2 Categories of Activities

- (a) Rules determine whether resource consent is required for a particular activity. The Resource Management Act provides categories of permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activities for every land use or subdivision. The following table shows the order and summarises the meaning of these categories.

	Activity class	Rule	Comments



## 12.5 How to find out if a resource consent is needed

- (a) To determine if an activity is provided for by the plan, or is provided for in a certain area, users of the plan should take the following steps.
- (i) Step 1 – Check the zone that applies
    - A. Begin with the planning maps. Locate the relevant property on the zone map and determine its zoning.
  - (ii) Step 2 – Confirm if any notation, overlay or designation applies
    - A. Use the planning maps to confirm whether the property has any special feature, **natural hazard overlay**, or designation applying to it. Make a note of map notations relevant to the land you are interested in.
  - (ii) Step 3 – Confirm the activity status
    - A. Go to the zone rules chapter for the zone your site or property is located in.
    - B. Determine whether the activity is a prohibited activity, by reading the prohibited activity rule at the start of the chapter. If it is prohibited, then the activity is not permitted and no resource consent application can be considered.
    - C. If the activity is not prohibited, read through the permitted activity rules to determine if your activity is permitted. Look at all the rules that are relevant, including rules on policy areas, **natural hazards (Chapter 15)**, notable trees, heritage items or other special features, to see if one of these applies to your property. Note the contents of these, including any conditions.
    - D. If your activity complies with all conditions for permitted activities in activity table, and the Land Use – Effects and Land Use – Building rules, then your activity is permitted and may be undertaken without resource consent. To obtain council confirmation that your proposed development is a permitted activity, you may apply to the Council for a Certificate of Compliance.
  - (ii) Step 4 – Apply for resource consent
    - A. If any condition stated for a permitted activity is not complied with, you must obtain resource consent from the Council.
    - B. Look within the following activity tables, which state the category of resource consent required (controlled, restricted discretionary, discretionary or non-complying).
    - C. After each Land Use – Effects and Land Use – Building rule, look within the table to determine the category of resource consent required.
    - D. If you are not sure, contact the Council’s planning staff, who are available to help you. If more than one condition is not complied with, the whole of the activity will be assessed against the highest activity category that applies.
    - E. Decide if you want to apply for resource consent. You may prefer to redesign your proposal to fit the permitted activity conditions.
    - F. If you want to apply for consent, consider whether you need professional advice to prepare your application. Council staff can assist by providing application forms and general advice on the requirements of the plan, but cannot write the application for you.

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### Annual exceedance probability (AEP)

#### Annual exceedance probability

Means the probability of an event of a specified size occurring or being exceeded in any one year. The probability is expressed as a percentage and in respect to flooding generally refers to storm events of a particular magnitude occurring in any given year. For example:, a large flood which may be calculated to have a 1% chance to occur in any one year, is described as 1% AEP.

- A 1% AEP has a 1% chance of occurring in any one year, or is a 1 in 100-year flood event.
- A 2% AEP has a 2% chance of occurring in any one year, or is a 1 in 50-year flood event.
- A 5% AEP has a 5% chance of occurring in any one year, or is a 1 in 20-year flood event.

## Chapter 14: Infrastructure and Energy

### 14.1 Introduction

- (1) The provisions within this Infrastructure and Energy chapter of the district plan shall apply across the district in all the zones and overlays in the district plan. The zone chapters and their associated overlays, objectives, policies and rules do not apply to infrastructure and energy activities unless specifically referred to within this Infrastructure and Energy chapter. **The provisions of the Natural Hazards and Climate Change chapter (Chapter 15), and associated natural hazard overlays identified in the planning maps, apply to activities in the Infrastructure and Energy chapter.**
- (2) This infrastructure topic includes the land transport networks, network utilities operations, and electricity generation (including renewable electricity sources) and transmission. It should be noted that this chapter also contains a number of rules (such as on-site car parking and stormwater management) relating to district-wide land development activities; and as such these particular rules should be read in conjunction with the relevant zone chapters where applicable.
- (3) The Identified areas within the activity tables below covers the following areas and items identified within this plan:
  - (a) Urban Expansion Area
  - (b) Significant Natural Area
  - (c) Outstanding Natural Feature
  - (d) Outstanding Natural Landscape
  - (e) Significant Amenity Landscape
  - (f) Outstanding Natural Character
  - (g) High Natural Character
  - (h) Heritage Precinct
  - (i) Heritage Items
  - (j) Maaori Sites of Significance
  - (k) Maaori Areas of Significance
  - (l) Notable Trees
- (4) In the activity tables within this chapter, the letters below mean the following:
  - (a) P = Permitted Activity
  - (b) C = Controlled Activity
  - (c) RD = Restricted Discretionary Activity
  - (d) D = Discretionary Activity
  - (e) NC = Non-Complying Activity
  - (f) N/A = Not Applicable
- (5) Where relevant, the requirements of the [National Code of Practice for Utility Operators' Access to Transport Corridors](#) will apply to the placement, maintenance, improvement and removal of utility structures in roads (or unformed roads).
- (6) The requirements of the [Resource Management \(National Environmental Standards for Electricity Transmission Activities\) Regulations 2009](#) ("NESETA") apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated

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14.3.2 Controlled Activities

(a) The activity listed below is a controlled activity.

Activity		Activity-specific conditions	Matters of control
CI	Subdivision to create a utility allotment for accommodating infrastructure	<p>14.3.2.1</p> <p>(1) Is undertaken by a network utility operator as defined by the Resource Management Act 1991; and</p> <p>(2) Is for infrastructure permitted under Chapter 14; or</p> <p>(3) Is for infrastructure that has all necessary resource consents granted or notices of requirement confirmed.</p>	<p>Control is reserved over:</p> <p>(a) The adequacy of the allotment for its intended use;</p> <p>(b) Whether any easement is required.</p> <p>(c) Measures to avoid or mitigate natural hazards, including liquefaction risk (refer to Chapter 15).</p>

## Chapter 16: Residential Zone

- (1) The rules that apply to activities in the Residential Zone are contained in [Rule 16.1](#) Land Use – Activities, [Rule 16.2](#) Land Use – Effects and [Rule 16.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Residential Zone are contained in [Rule 16.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Residential Zone:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity
- (5) The Residential Zone contains a Specific Area that is Lakeside Te Kauwhata Precinct. [Rule 16.5](#) manages all land use, building and subdivision in this location. [Rule 16.5.1](#) sets out how to apply rules to Lakeside Te Kauwhata Precinct that are either different from, or are in addition to, other rules that apply to the rest of the Resident Zone.
  - (1) The activities listed below are restricted discretionary activities.
  - (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

<b>Activity</b>		<b>Council's discretion shall be restricted to the following matters:</b>
RDI	A <u>Multi-Unit development</u> that meets all of the following conditions: <ol style="list-style-type: none"> <li>(a) The Land Use – Effects rules in <a href="#">Rule 16.2</a>;</li> </ol>	(a) Density of the development;

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### 16.1.3 Restricted Discretionary Activities

- (1) The activities listed below are restricted discretionary activities.
- (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity	Council's discretion shall be restricted to the following matters:
<p>RD1 A Multi-Unit development that meets all of the following conditions:</p> <ol style="list-style-type: none"> <li>(a) The Land Use – Effects rules in Rule 16.2;</li> <li>(b) The Land Use – Building rules in Rule 16.3, except the following rules do not apply:               <ol style="list-style-type: none"> <li>(i) Rule 16.3.1, Dwelling;</li> <li>(ii) Rule 16.3.8 Building coverage;</li> <li>(iii) Rule 16.3.9 Living court;</li> <li>(iv) Rule 16.3.10 Service court;</li> </ol> </li> <li>(c) The minimum net site area per residential unit is 300m<sup>2</sup>;</li> <li>(d) The Multi-Unit development is connected to public wastewater and water reticulation;</li> <li>(e) Total building coverage of the site does not exceed 50%;</li> <li>(f) Each residential unit is designed and constructed to achieve the internal design sound level specified in Appendix I (Acoustic Insulation) – Table I4;</li> <li>(g) Service court areas are provided to meet the following minimum requirements for each residential unit:               <ol style="list-style-type: none"> <li>(i) At least 2.25m<sup>2</sup> with a minimum dimension of 1.5 metres of outdoor or indoor space at ground floor level for the dedicated storage of waste and recycling bins;</li> <li>(ii) At least 3m<sup>2</sup> with a minimum dimension of 1.5 metres of outdoor space at ground floor level for washing lines; and</li> <li>(iii) The required spaces in (g)(i) or</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>(a) Density of the development;</li> <li>(b) The manner in which the provisions of the Multi-Unit Design contained in Appendix 3.4 have been incorporated;</li> <li>(c) Contribution of the development to and engagement with adjacent streets and public open space;</li> <li>(d) The visual quality and interest created through design such as the separation of buildings, variety in built form and architectural detailing, glazing, materials and colour;</li> <li>(e) The incorporation of energy efficiency measures such as passive solar principles;</li> <li>(f) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, site design and layout;</li> <li>(g) Staging needed to ensure that development is carried out in a coordinated and timely manner;</li> <li>(h) Avoidance or mitigation of natural hazards;</li> <li>(i) Geotechnical suitability for building <b>including liquefaction risk (refer to Chapter 15)</b>;</li> <li>(j) Provision of infrastructure to individual units</li> </ol>

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### 16.4 Subdivision

- (1) Rule 16.4.1 provides for subdivision density and apply across the Residential Zone.
- (2) The following rules apply to specific areas and/or activities:
  - (a) Rule 16.4.2 - Subdivision - Te Kauwhata Ecological Residential Area;
  - (b) Rule 16.4.3 - Subdivision - Te Kauwhata West Residential Area); and
  - (c) Rule 16.4.4 (Subdivision – Multi-Unit development).
  - (d) Rules 16.4.1 to 16.4.4 are also subject to the following subdivision controls:
    - (i) Rule 16.4.5 – subdivision boundary adjustments;
    - (ii) Rule 16.4.6 – subdivision amendments and updates to cross lease flats plan and conversion to freehold;
    - (iii) Rule 16.4.7 – subdivision title boundaries ~~natural hazard area~~, contaminated land, Significant Amenity Landscape, notable trees, intensive farming and aggregate extraction areas;
    - (iv) Rule 16.4.8 – subdivision title boundaries Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori;
    - (v) Rule 16.4.9 – Title boundaries – Maaori site and Maaori areas of significance
    - (vi) Rule 16.4.10 - subdivision of land containing heritage items;
    - (vii) Rule 16.4.11 – subdivision road frontage;
    - (viii) Rule 16.4.12 – subdivision building platform;
    - (ix) Rule 16.4.13 – subdivision reserves; and
    - (x) Rule 16.4.14 - subdivision esplanade reserves and esplanade strips.
- (3) Rules 16.4.14 and 16.4.15 apply to specific features or areas:
- (4) Rule 16.4.15 – subdivision of land containing mapped off-road walkways; and
- (5) Rule 16.4.16 – subdivision of land containing Environmental Protection Area.

#### 16.4.1 Subdivision - General

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### 16.4.1 Subdivision - General

RDI	<p>(a) Subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Proposed lots must have a minimum net site area of 450m<sup>2</sup>, except where the proposed lot is an access allotment or utility allotment or reserve to vest;</li> <li>(ii) Proposed lots must be able to connect to public-reticulated water supply and wastewater;</li> <li>(iii) Where roads are to be vested in Council, they must follow a grid layout;</li> <li>(iv) Where 4 or more proposed lots are proposed to be created, the number of rear lots do not exceed 15% of the total number of lots being created;</li> <li>(v) Where the subdivision is within a structure plan area, neighbourhood centres within the site are provided in accordance with that structure plan document.</li> </ul> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Subdivision layout;</li> <li>(ii) Shape of lots and variation in lot sizes;</li> <li>(iii) Ability of lots to accommodate a practical building platform including geotechnical stability for building;</li> <li>(iv) Likely location of future buildings and their potential effects on the environment;</li> <li>(v) Avoidance or mitigation of natural hazards, including liquefaction risk and fire risk (refer to Chapter 15);</li> <li>(vi) Amenity values and streetscape landscaping;</li> <li>(vii) Consistency with the matters contained within Appendix 3.1 (Residential Subdivision Guidelines);</li> <li>(viii) Vehicle and pedestrian networks;</li> <li>(ix) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and</li> <li>(x) Provision of infrastructure.</li> </ul>
DI	Subdivision that does not comply with a condition in Rule 16.4.1 RD1.



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### 16.4.2 Subdivision - Te Kauwhata Ecological Residential Area

RDI	<p>(a) Proposed <u>lots</u> in the Te Kauwhata Ecological Residential Area identified on the planning maps must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Have a minimum <u>net site area</u> of 750m<sup>2</sup>;</li> <li>(ii) Have a minimum <u>average net site area</u> of 875m<sup>2</sup>;</li> <li>(iii) Must be able to be connected to public-reticulated water supply and wastewater;</li> <li>(iv) Where roads are to be vested in Council, they must follow a <u>grid layout</u>;</li> <li>(v) Where 4 or more proposed <u>lots</u> are being created, rear <u>lots</u> must not exceed 15% of the total number of <u>lots</u> being created.</li> </ul> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>Subdivision layout</u>;</li> <li>(ii) <u>Shape of lots</u> and variation in <u>lot sizes</u>;</li> <li>(iii) <u>Ability of lots</u> to accommodate a practical <u>building platform</u> including geotechnical stability for <u>building</u>;</li> <li>(iv) Likely location of future <u>buildings</u> and their potential effects on the environment;</li> <li>(v) Avoidance or mitigation of natural <u>hazards</u>, <u>including liquefaction risk and fire risk (refer to Chapter 15)</u>;</li> <li>(vi) Amenity values and streetscape landscaping;</li> <li>(vii) Consistency with the matters contained within <a href="#">Appendix 3.1</a> (Residential Subdivision Guidelines);</li> <li>(viii) Vehicle and pedestrian networks;</li> <li>(ix) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and <u>neighbourhood centres</u>; and</li> <li>(x) Provision of <u>infrastructure</u>.</li> </ul>
DI	<p><u>Subdivision</u> within the Te Kauwhata Ecological Residential Area that does not comply with Rule 16.4.2 RD1.</p>

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### 16.4.3 Subdivision - Te Kauwhata West Residential Area

RDI	<p>(a) Proposed <u>lots</u> within the Te Kauwhata West Residential Area must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Be a minimum <u>net site area</u> of 650m<sup>2</sup>;</li> <li>(ii) Have a minimum <u>average net site area</u> of 875m<sup>2</sup>;</li> <li>(iii) Be connected to public-reticulated water supply and wastewater;</li> <li>(iv) Where roads are to be vested in Council, they are to follow a <u>grid layout</u>;</li> <li>(v) Where more than 5 proposed <u>lots</u> are being created, rear <u>lots</u> must not exceed 15% of the total number of titles being created.</li> </ul> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>Subdivision layout</u>;</li> <li>(ii) <u>Shape of lots</u> and variation in lot sizes;</li> <li>(iii) <u>Ability of lots</u> to accommodate a practical <u>building platform</u>, including geotechnical stability for <u>building</u>;</li> <li>(iv) Likely location of future <u>buildings</u> and their potential effects on the environment;</li> <li>(v) Avoidance or mitigation of natural <u>hazards</u>, <b>including liquefaction risk (refer to Chapter 15)</b>;</li> <li>(vi) Amenity values and streetscape landscaping;</li> <li>(vii) Consistency with the matters contained within <a href="#">Appendix 3.1</a> (Residential Subdivision Design Guidelines);</li> <li>(viii) Vehicle and pedestrian networks;</li> <li>(ix) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and <u>neighbourhood centres</u>; and</li> <li>(x) Provision of infrastructure.</li> </ul>
DI	<p><u>Subdivision</u> within the Te Kauwhata West Residential Area that does not comply with Rule 16.4.3 RD1.</p>

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16.4.4 Subdivision - Multi-unit development

RDI	<p>(a) <u>Multi-Unit development</u> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) An application for land use consent under <a href="#">Rule 16.1.3</a> (Multi-Unit Development) must accompany the <u>subdivision</u> or have been granted land use consent by Council;</li> <li>(ii) The <u>Multi-Unit development</u> is able to be connected to public wastewater and water reticulation;</li> <li>(iii) The minimum existing <u>lot size</u> where a new freehold (fee simple) <u>lot</u> is being created must be 300m<sup>2</sup> <u>net site area</u>.</li> <li>(iv) Where a <u>residential unit</u> is being created in accordance with the <a href="#">Unit Titles Act 2010</a> it must meet the following minimum residential unit size:</li> </ul> <table border="1" data-bbox="272 685 847 1084"> <thead> <tr> <th data-bbox="272 685 480 775">Unit of Multi-Unit</th> <th data-bbox="480 685 847 775">Minimum Unit Area</th> </tr> </thead> <tbody> <tr> <td data-bbox="272 775 480 904">Studio unit or 1 bedroom unit</td> <td data-bbox="480 775 847 904">60m<sup>2</sup></td> </tr> <tr> <td data-bbox="272 904 480 994">2 bedroom unit</td> <td data-bbox="480 904 847 994">80m<sup>2</sup></td> </tr> <tr> <td data-bbox="272 994 480 1084">3 or more bedroom unit</td> <td data-bbox="480 994 847 1084">100m<sup>2</sup></td> </tr> </tbody> </table> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>Subdivision layout</u> including common boundary and party walls for the <u>Multi-unit development</u>;</li> <li>(ii) Provision of common areas for shared spaces, access and services;</li> <li>(iii) Provision of <u>infrastructure</u> to individual <u>residential units</u>;</li> <li>(iv) Avoidance or mitigation of natural <u>hazards</u>;</li> <li>(v) Geotechnical suitability of <u>site for buildings</u>, <b>including liquefaction risk (refer to Chapter 15)</b>;</li> <li>(vi) Amenity values and streetscape;</li> <li>(vii) Consistency with the matters contained, and outcomes sought, in <a href="#">Appendix 3.4</a> (Multi-Unit Development Guideline)</li> <li>(viii) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and <u>neighbourhood centres</u>;</li> <li>(ix) Vehicle, pedestrian and cycle networks;</li> <li>(x) Safety, function and efficiency of road network and any internal roads or accessways.</li> </ul>	Unit of Multi-Unit	Minimum Unit Area	Studio unit or 1 bedroom unit	60m <sup>2</sup>	2 bedroom unit	80m <sup>2</sup>	3 or more bedroom unit	100m <sup>2</sup>
Unit of Multi-Unit	Minimum Unit Area								
Studio unit or 1 bedroom unit	60m <sup>2</sup>								
2 bedroom unit	80m <sup>2</sup>								
3 or more bedroom unit	100m <sup>2</sup>								
DI	<u>Subdivision</u> that does not comply with Rule 16.4.4 RD1.								

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16.4.7 Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas

RDI	<p>(a) Subdivision of land containing <u>contaminated land</u>, notable trees, <u>intensive farming</u> and <u>Aggregate Extraction Area</u> must comply with all of the following conditions:</p> <p>(i) The boundaries of every proposed <u>lot</u> containing existing <u>buildings</u> must demonstrate compliance with the following <u>building rules</u> (other than where any non-compliance existed lawfully prior to the <u>subdivision</u>) relating to:</p> <ul style="list-style-type: none"> <li>A. daylight admission (<a href="#">Rule 16.3.5</a>);</li> <li>B. building coverage (<a href="#">Rule 16.3.6</a>);</li> <li>C. building setbacks (<a href="#">Rule 16.3.9</a>);</li> </ul> <p>(ii) The boundaries of every proposed <u>lot</u> must not divide the following:</p> <ul style="list-style-type: none"> <li>A. a natural hazard area;</li> <li>A. <u>contaminated land</u>;</li> <li>B. <u>Significant Amenity Landscape</u>; or</li> <li>C. notable tree.</li> </ul> <p>(iii) The boundaries of every proposed <u>lot</u> must provide the following setbacks:</p> <ul style="list-style-type: none"> <li>A. 300m from any <u>intensive farming</u> activity;</li> <li>B. 500m from the boundary of an <u>Aggregate Extraction Area</u> for rock extraction; and</li> <li>C. 200m from the boundary of an <u>Aggregate Extraction Area</u> for sand excavation.</li> </ul> <p>(b) Council’s discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Landscape values;</li> <li>(ii) Amenity values and character;</li> <li>(iii) Reverse sensitivity effects;</li> <li>(iv) Effects on existing <u>buildings</u>;</li> <li>(v) Effects on <u>natural hazard areas</u>;</li> <li>(vi) Effects on <u>contaminated land</u>;</li> <li>(vii) Effects on any notable trees; and</li> <li>(viii) Effects on an <u>intensive farming</u> activity.</li> </ul>
NCI	Subdivision that does not comply with Rule 16.4.7 RD1.

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### 16.4.12 Subdivision - Building platform

RDI	<p>(a) Every proposed <u>lot</u>, other than one designed specifically for access, <u>utility allotment</u> must be capable of containing a <u>building platform</u> upon which a <u>dwelling</u> and <u>living court</u> could be sited as a permitted activity, with the <u>building platform</u> being contained within either of the following dimensions:</p> <ul style="list-style-type: none"><li>(i) a circle with a diameter of at least 18m exclusive of yards; or</li><li>(ii) a rectangle of at least 200m<sup>2</sup> with a minimum dimension of 12m exclusive of yards.</li></ul> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"><li>(i) <u>Subdivision layout</u>;</li><li>(ii) <u>Shape of allotment</u>;</li><li>(iii) <u>Ability of allotment to accommodate a practical building platform</u>;</li><li>(iv) Likely location of future <u>buildings</u> and their potential effects on the environment;</li><li>(v) Avoidance or mitigation of natural <u>hazards</u>;</li><li>(vi) Geotechnical suitability for <u>building</u>, <u>including liquefaction risk (refer to Chapter 15)</u>; and</li><li>(vii) <u>Ponding areas and primary overland flow paths</u>.</li></ul>
DI	<u>Subdivision</u> that does not comply with Rule 16.4.12 RD1.

## 16.5 Lakeside Te Kauwhata Precinct

### 16.5.1 Application of rules

#### 16.5.1 Application of rules

**(a) The activity status tables and standards in the following chapters also apply to activities in the Lakeside Te Kauwhata Precinct:**

**14 Infrastructure and Energy;**

**15 Natural Hazards and Climate Change.**

(1) The rules that apply to a permitted activity in Rule 16.5.2 within the Lakeside Te Kauwhata Precinct as identified on the planning maps are as follows:

(i) Rule 15.2 (Land Use – Effects) except:

- A. Rule 16.2.4.1 (Earthworks – general) and Rule 16.2.4.2 (Earthworks – Maaori Sites and Maaori Areas of Significance) does not apply and Rule 16.5.7.2 applies instead
- B. Rule 16.2.2 (Servicing hours of operation – Bankart Street and Wainui Road Business Overlay Area)
- C. Rule 16.2.6 Notable trees
  - (i) Rule 16.5.7.1 Noise and Vibration – North Island Main Trunk Line (NIMT)
  - (ii) Rule 16.3 (Land Use – Building) does not apply, Rule 16.5.8 (Land Use – Building) applies instead.

(2) The rules that apply to subdivision within the Lakeside Te Kauwhata Precinct are:

(i) Rule 16.4 (Subdivision) except:

- A. Rule 16.4.1 (Subdivision General) does not apply and Rule 16.5.9.1 (Subdivision Lakeside - General) applies instead
- B. Rule 16.4.2 (Subdivision – Te Kauwhata Ecological Residential Area) does not apply
- C. Rule 16.4.3 (Subdivision – Te Kauwhata West Residential Area) does not apply
- D. Rule 16.4.4 (Subdivision – Multi-unit development) does not apply
- E. Rule 16.4.6 (Subdivision – Amendments and updates to cross lease flats plans and conversion to freehold) does not apply
- F. Rule 16.4.9 (Title boundaries – Maaori Sites and Maaori Areas of Significance) does not apply
- G. Rule 16.4.10 (Subdivision of land containing heritage items) does not apply
- H. Rule 16.4.11 (Subdivision – road frontage) does not apply
- I. Rule 16.4.12 (Subdivision – Building platform) does not apply
- J. Rule 16.4.15 (Subdivision of land containing mapped off-road walkways) does not apply
- K. Rule 16.4.16 (Subdivision of land containing an Environmental Protection Area) does not apply

(ii) Rule 16.5.9.2 (Lakeside Comprehensive Subdivision Consent)

(iii) Rule 16.5.9.3 (Subdivisions less than 5ha)

(3) The following precinct plans apply in the Residential Zone within the Lakeside Te Kauwhata Precinct:

(a) Plan I Lakeside Precinct Plan: Precinct Areas

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### 16.5.3 Restricted Discretionary Activities

- (1) The activities listed below are restricted discretionary activities.
- (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

<b>Activity</b>		<b>Council's discretion shall be restricted to the following matters:</b>
RDI	<p>(a) <u>A comprehensive land development consent (CLDC)</u> that meets all of the following conditions:</p> <p>(i) is in accordance with the Te Kauwhata Lakeside Precinct Plan <a href="#">Rule 16.5.1(3)(a)</a>; the roading network, walkways and cycleways shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a>; and the open space shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a> as set out in the precinct parameters below; and</p> <p>(ii) A <u>CLDC</u> is in accordance with the Lakeside Precinct Plans identified above if:</p> <p style="margin-left: 20px;">A. Primary roads are within 50m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a>;</p>	<p>(a) Discretion is reserved over:</p> <p>(i) consistency with the Te Kauwhata Lakeside Precinct Plans in <a href="#">Rule 16.5.1(3)(a)</a>, <a href="#">16.5.1(3)(b)</a> and <a href="#">16.5.1(3)(c)</a>,</p> <p>(ii) <span style="background-color: green; color: black;">matters identified in the assessment criteria in X,</span></p> <p>(iii) managing the effects of</p>

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- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>B. The bus route is either on the alignment shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a> or a continuous alignment that achieves the same circulation;</p> <p>C. The external boundary of the high density area within the Residential Zone is within 10m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(a)</a>;</p> <p>D. Indicative walkways/cycle ways are within 100m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a> provided connections are retained between the Lakeside Walkway and the residential development;</p> <p>E. Lakeside Walkway is within 10m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a>;</p> <p>F. <u>Retirement village</u> boundaries are within 50m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(a)</a>;</p> <p>G. Indicative areas of open space are within 200m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a>;</p> <p>(b) A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a>) must be opened for traffic before the number of residential <u>allotments</u> in the Lakeside Precinct Plan Area exceeds 400 provided that:</p> <p style="margin-left: 20px;">(i) each independent living unit in a <u>retirement village</u> shall count as one <u>allotment</u>;</p> <p style="margin-left: 20px;">(ii) for the purpose of this rule, exceedance of 400 residential <u>allotments</u> shall occur at the time of issue of 224C certificate under the <a href="#">Resource Management Act</a>, and exceedance of independent living unit shall occur at the time of issue of <u>building consent</u> for that unit.</p> <p>(c) The following <u>infrastructure</u> requirements are met:</p> <p style="margin-left: 20px;">(i) Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed <u>subdivision</u> including all necessary treatment required to meet water quality, quantity and disposal requirements; and</p> <p style="margin-left: 20px;">(ii) Any wastewater disposal into Lake Waikare shall be from a new membrane bioreactor treatment plant (or plant of equal or better functionality), provided that wastewater disposal from up to 400 residential <u>allotments</u> may be connected to the existing Te Kauwhata wastewater treatment</p> | <p>wastewater and stormwater,</p> <p>(iv) roading network (including the Te Kauwhata Road level crossing safety) and compliance with a Council approved roading standard,</p> <p>(v) protection, restoration or enhancement of ecological features,</p> <p>(vi) provision and location of existing and future utilities and connections,</p> <p>(vii) location of roads and their connections,</p> <p>(viii) provision for public access to Lake Waikare,</p> <p>(ix) provision of open space, including linkages between residential areas, open space and Lake Waikare,</p> <p>(x) effects of natural hazards (including flooding), geotechnical <u>including liquefaction risk, (refer to Chapter 15)</u> and land contamination,</p> <p>(xi) provision of the historic Iwi overlay area shown on Precinct Plan</p> |
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plant on a temporary basis until a long-term wastewater disposal system is implemented. Where a retirement village is included as part of the first 400 residential allotments, then each independent living unit shall count as one allotment; and

- (iii) Every allotment other than a utility allotment, access allotment or open space allotment, must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (i) above; and
  - (iv) Every allotment other than a utility allotment, access allotment or open space allotment, must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Chapter 14; and
  - (v) Prior to the issue of any building consent for a dwelling or retirement village, the infrastructure requirements detailed in (c)(i)(iii) above shall be implemented and operational.
- (d) A CLDC can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages, provided that an individual stage must be 5ha or more.
- (e) Applications for approval of a CLDC as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.
- (f) CLDC approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.

Rule 16.5.1(3)  
(c).

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### 16.5.7.2 Earthworks - general

P1	<p>(a) <u>Earthworks</u> (excluding the importation of fill, within a <u>flood risk area</u> <u>Flood Ponding Area</u>, or a CLDC), including <u>earthworks</u> necessary for the construction and maintenance of existing public roads or for construction of new roads in accordance with the Te Kauwhata Lakeside Precinct Plan, must meet all the following conditions:</p> <ul style="list-style-type: none"> <li>(i) do not disturb or move more than 200m<sup>2</sup> within an individual <u>site</u> in a single calendar year except where the maximum area at any one time shall not exceed 400m<sup>2</sup>, and</li> <li>(ii) in relation to the <u>height</u> of any cut or batter face do not exceed 2m, or</li> <li>(iii) are necessary for <u>building</u> works authorised by a building consent and: <ul style="list-style-type: none"> <li>A. the area of earthworks is no more than 150% of the area of those <u>building</u> works, or</li> <li>B. the <u>earthworks</u> occur on land with an average gradient no steeper than 1:8, or</li> <li>C. any trenching for network utilities, or on or offsite utilities within the Te Kauwhata Lakeside Precinct Plan Area are backfilled or reinstated to original ground level, or</li> <li>D. traffic associated with the works is managed in accordance with a Construction Traffic Management Plan approved by the Waikato District Council as the road controlling authority;</li> <li>E. Including any cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the <u>earthworks</u> being commenced; and</li> <li>F. Retain sediment within the construction area through the implementation and maintenance of sediment controls.</li> </ul> </li> </ul> <p><b>Note:</b> The Waikato Pest Management Plan addresses the management of identified pest species, including alligator weed. It includes enforceable controls relating to <u>subdivision</u> and land development in infected areas.</p>
P2	<p>(a) <u>Earthworks</u> involving imported <u>fill material</u> (other than <u>earthworks</u> approved as part of a CLDC) meets all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) all material for filling is <u>cleanfill</u>, and</li> <li>(ii) filling that is not part of <u>building</u> work, or construction of roads, or installation of <u>infrastructure</u>: <ul style="list-style-type: none"> <li>A. does not exceed a volume of 20m<sup>3</sup> and a depth of 1m, and</li> <li>B. does not include a <u>building platform</u>, and</li> <li>C. does not include placing fill into an area of significant <u>indigenous vegetation</u> or habitat, or</li> </ul> </li> <li>(iii) is for minor upgrading of existing electricity lines and does not exceed 50m<sup>2</sup>, and</li> <li>(iv) where traffic associated with the work uses public roads, is managed in accordance with an approved Construction Traffic Management Plan or authorised in writing by Waikato District Council as the road controlling authority.</li> </ul> <p><b>Note:</b> The Waikato Pest Management Plan addresses the management of identified pest species, including alligator weed. It includes enforceable controls relating to subdivision and land development in infected areas.</p>

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P3	<p>(a) <u>Earthworks</u> in a <u>Flood Risk Area Flood Ponding Area</u> (other than <u>earthworks</u> approved as part of a <u>CLDC</u>) shall meet the following conditions:</p> <ul style="list-style-type: none"> <li>(i) filling is no more than is necessary to: <ul style="list-style-type: none"> <li>A. provide a foundation for <u>building</u> approved by a <u>building</u> consent, and access to that <u>building</u>, or</li> <li>B. enable minor upgrading of existing electricity lines and does not exceed 50m<sup>2</sup>.</li> </ul> </li> </ul> <p><b>Note 1:</b> The Waikato Pest Management Plan addresses the management of identified pest species, including Alligator Weed. It includes enforceable controls relating to subdivision and land development in infected areas.</p> <p><b>Note 2:</b> Regional <u>earthworks</u> consents may also be needed for works in a high risk erosion area.</p>
C1	<p>(a) <u>Earthworks</u> that do not comply with Rule 16.5.7.2 P1 are a controlled activity provided it meets the following conditions:</p> <ul style="list-style-type: none"> <li>(i) do not exceed 5000m<sup>2</sup> in total area at any one time except a <u>retirement village</u> where the maximum area at any one time shall not exceed 1ha;</li> <li>(ii) does not involve <u>contaminated land</u> unless that land has been remediated;</li> <li>(iii) have erosion and sediment controls in place which will retain sediment on the <u>site</u>;</li> <li>(iv) any cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the <u>earthworks</u> being commenced, or in the cases where the filled area is to be (in part or whole) within a <u>building platform</u> or hard surface area, the base course has been laid and compacted within 12 months of the <u>earthworks</u> being commenced;</li> <li>(v) any surplus material is disposed of within the Te Kauwhata Lakeside Precinct Plan Area in 16.5.1(3)(a), and</li> <li>(vi) does not adversely affect other land through changes to natural water flows or established drainage paths.</li> </ul>
RDI	<p>(a) <u>Earthworks</u> that do not comply with 16.5.7.2 C1.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) effects on amenity values;</li> <li>(ii) visual effects;</li> <li>(iii) mitigation measures including sediment control;</li> <li>(iv) effects on land utilization;</li> <li>(v) effects on erosion;</li> <li>(vi) effects on cultural values;</li> <li>(vii) effects on heritage values;</li> <li>(viii) effects on the Lake Waikare flood plain.</li> </ul>

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RD2	<p>(a) <u>Earthworks</u> that do not comply with Rule 16.5.7.2 P2.</p> <p>(b) Council discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"><li>(i) effects on amenity values;</li><li>(ii) visual effects;</li><li>(iii) effects on <u>indigenous vegetation</u> and habitat;</li><li>(iv) mitigation measures including replacement planting where vegetation removal is involved;</li><li>(v) effects on cultural values;</li><li>(vi) effects on heritage values.</li></ul>
DI	<p><u>Earthworks</u> that do not comply with Rule 16.5.7.2 P3.</p>

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### 16.5.9.1 Subdivision Lakeside - general

C I	<p>(a) <u>Subdivision</u> must comply with all of the following conditions:</p> <ul style="list-style-type: none"><li>(i) <u>Subdivision</u> is for an existing or approved housing development.</li><li>(ii) every <u>allotment</u>, other than a <u>utility allotment</u> or <u>access allotment</u>, has a <u>net site area</u> of at least:<ul style="list-style-type: none"><li>A. Medium Density Precinct – a minimum <u>site size</u> of 300m<sup>2</sup> with an average <u>site size</u> of 450m<sup>2</sup>, subject to (B) below;</li><li>B. Higher Density Precinct – a minimum <u>site size</u> of 225m<sup>2</sup>, with a minimum average <u>site size</u> of 250m<sup>2</sup>. Where a <u>site</u> has legal access to private communal open space, then the percentage of that open space related to the number of properties with legal rights to use the private communal open space, will count towards the average <u>site size</u> (but not minimum <u>site size</u>); or</li><li>C. 2500m<sup>2</sup> in the case of any new <u>allotment</u> that is not connected to a reticulated wastewater system. For the avoidance of doubt this rule does not apply to any <u>allotment</u> created prior to 1 January 2017.</li></ul></li><li>(iii) No <u>allotment</u> adjoining Lot 2 DPS 83606 included in SA66B/985 and/or Lot 4 DPS 83606 included in SA66B/987 shall be smaller than 450m<sup>2</sup> <u>net site area</u>.</li><li>(iv) every <u>allotment</u> with a road <u>boundary</u>, other than an <u>access allotment</u>, access leg or <u>utility allotment</u>, has a width along the road <u>boundary</u> of at least:<ul style="list-style-type: none"><li>A. 12m in the Medium Density Precinct shown on Plan <a href="#">Rule 16.5.1(3)(a)</a> or</li><li>B. 9m in the Higher Density Precinct shown on Plan <a href="#">Rule 16.5.1(3)(a)</a> or</li></ul></li><li>(v) every <u>allotment</u>, other than a <u>utility</u> or <u>access allotment</u>, is capable of containing a <u>building platform</u>:<ul style="list-style-type: none"><li>A. Upon which a <u>dwelling</u> and <u>living court</u> could be sited as a permitted activity or, in the Higher Density Precinct, outdoor living space meets the communal open space <a href="#">Rule 16.5.8.6</a>, or</li><li>B. In the case of vacant <u>sites</u> with no associated <u>building</u> proposal:</li><li>C. A rectangle of at least 200m<sup>2</sup> with a minimum dimension of 12m exclusive of yards, and</li><li>D. No part of the rectangle is located in an area identified as a stream or flood plain.</li></ul></li><li>(vi) every <u>allotment</u> other than a <u>utility</u>, <u>access</u> or <u>open space allotment</u> meets the <u>infrastructure</u> requirements as below:<ul style="list-style-type: none"><li>A. Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed <u>subdivision</u> including all necessary treatment required to meet water quality, quantity and disposal requirements; and</li><li>B. Every <u>allotment</u> other than a <u>utility allotment</u>, <u>access allotment</u> or open space allotment must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (a) above; and</li><li>C. Every <u>allotment</u> other than a <u>utility allotment</u>, <u>access allotment</u> or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Chapter 14.</li></ul></li><li>(vii) any allotment that creates a walkway or cycle way or any walkway or cycle way</li></ul>
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	<p>forming part of a <u>subdivision</u> is:</p> <ul style="list-style-type: none"> <li>A. at least 3 metres wide;</li> <li>B. designed for shared pedestrian and cycle use;</li> <li>C. for connections between roads, has unimpeded visibility along the entire length;</li> <li>D. generally in accordance with the walkway route shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a> (recognising that the detailed alignment is indicative only).</li> </ul> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>subdivision</u> layout;</li> <li>(ii) shape and orientation of <u>allotment</u>;</li> <li>(iii) ability of <u>allotment</u> to accommodate a practical <u>building platform</u>;</li> <li>(iv) variation in <u>allotment</u> size;</li> <li>(v) likely location of future buildings and their potential effects on the environment;</li> <li>(vi) avoidance or mitigation of natural hazards, <b>including liquefaction risk (refer to Chapter 15) and</b> geotechnical suitability for <u>building</u>;</li> <li>(vii) road efficiency and safety;</li> <li>(viii) vehicle and pedestrian networks;</li> <li>(ix) connection to open spaces;</li> <li>(x) amenity and streetscape;</li> <li>(xi) drainage;</li> <li>(xii) land stability;</li> <li>(xiii) amenity matters including batter slopes;</li> <li>(xiv) health and safety;</li> <li>(xv) easements to facilitate development beyond the site.</li> </ul>
RDI	<p>(a) <u>Subdivision</u> that does not comply with conditions in Rule 16.5.9.1 C1.</p> <p>(b) The Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>subdivision</u> layout;</li> <li>(ii) shape and orientation of <u>allotment</u>;</li> <li>(iii) ability of <u>allotment</u> to accommodate a practical building platform;</li> <li>(iv) variation in <u>allotment</u> size;</li> <li>(v) likely location of future <u>buildings</u> and their potential effects on the environment;</li> <li>(vi) avoidance or mitigation of natural hazards geotechnical suitability for <u>building</u>;</li> <li>(vii) road efficiency and safety;</li> <li>(viii) vehicle and pedestrian networks;</li> <li>(ix) connection to open spaces;</li> <li>(x) amenity and streetscape;</li> <li>(xi) drainage;</li> <li>(xii) land stability;</li> <li>(xiii) amenity matters including batter slopes;</li> <li>(xiv) health and safety;</li> <li>(xv) easements to facilitate development beyond the site.</li> </ul>

## Proposed Waikato District Plan

### 16.5.9.2 Lakeside Comprehensive Subdivision Consent (CS)

RDI	<p>(a) A <b>Comprehensive Subdivision Consent (CS)</b> that meets all of the following conditions:</p> <ul style="list-style-type: none"><li>(i) is in accordance with Te Kauwhata Lakeside Precinct Plan <a href="#">Rule 16.5.1(3)(a)</a>; the roading network, walkways and cycle ways shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a>; and the open space shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a> as set out in the precinct parameters below; and</li><li>(ii) A <b>CS</b> is in accordance with the Lakeside Precinct Plans identified above if:<ul style="list-style-type: none"><li>A. Primary roads are within 50m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a>;</li><li>B. Bus route is either on the alignment shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a> or a continuous alignment that achieves the same circulation;</li><li>C. The external <u>boundary</u> of the high density area within the Residential Zone is within 10m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(a)</a>;</li></ul></li><li>(iii) Indicative walkways/cycle ways are within 100m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a> provided connections are retained between the Lakeside Walkway and the residential development;</li><li>(iv) The Lakeside Walkway is within 10m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a>;</li><li>(v) <u>Retirement village boundaries</u> are within 50m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a>; and</li><li>(vi) Indicative areas of open space are within 200m of the location shown on Precinct Plan <a href="#">Rule 16.5.1(3)(c)</a>.</li><li>(vii) A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan <a href="#">Rule 16.5.1(3)(b)</a>) must be opened for traffic before the number of residential <u>allotments</u> in the Lakeside Precinct Plan Area exceeds 400 provided that:<ul style="list-style-type: none"><li>A. each independent living unit in a <u>retirement village</u> shall count as one <u>allotment</u>;</li><li>B. for the purpose of this rule, exceedance of 400 residential <u>allotments</u> shall occur at the time of issue of 224C certificate under the Resource Management Act, and exceedance of independent living unit shall occur at the time of issue of building consent for that unit.</li></ul></li><li>(viii) The following <u>infrastructure</u> requirements are met:<ul style="list-style-type: none"><li>A. Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements; and</li><li>B. Any wastewater disposal into Lake Waikare shall be from a new membrane bioreactor treatment plant (or plant of equal or better functionality), provided that wastewater disposal from up to 400 residential <u>allotments</u> may be connected to the existing Te Kauwhata wastewater treatment plant on a temporary basis until a long-term wastewater disposal system is implemented. Where a <u>retirement village</u> is included as part of the first 400 residential <u>allotments</u>, then each independent living unit shall count as one <u>allotment</u>; and</li><li>C. Every allotment other than a utility allotment, access allotment or open space</li></ul></li></ul>
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## Proposed Waikato District Plan

- allotment, must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (i) above; and
- D. Every allotment other than a utility allotment, access allotment or open space allotment, must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Chapter 14;
- E. and prior to the issue of any 224C approval, the infrastructure requirements detailed in (viii) A-D above shall be implemented and operational.
- (ix) Individual site sizes shall not be less than the following for the identified areas on the Te Kauwhata Lakeside Precinct Plan Rule 16.5.1(3)(a).
- A. Medium Density– a minimum site size of 300m<sup>2</sup> with a minimum average site size of 450m<sup>2</sup>, subject to E below.
- B. Higher Density – a minimum site size of 225m<sup>2</sup> with a minimum average site size of 250m<sup>2</sup>. Where a site has legal access to private communal open space, the percentage of that open space related to the number of properties with legal rights to use the private communal open space, will count towards average site size (but not minimum site size).
- C. Retirement village – Medium Density precinct – a minimum exclusive area for an independent dwelling of 120m<sup>2</sup>.
- D. Retirement village – Higher Density precinct – no density limit.
- E. No allotment adjoining Lot 2 DPS 83606 included in SA66B/985 and/or Lot 4 DPS 83606 included in SA66B/987 shall be smaller than 450m<sup>2</sup> net site area.
- F. Where the averaging rule applies in A and B above this shall be calculated as the average of all sites zoned Residential, intended for residential purposes, and less than 2000m<sup>2</sup>. Any allotment greater than 2000m<sup>2</sup> or any allotment primarily intended for roading or public infrastructure shall not be included within the average calculation.
- (x) A CS can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages, provided that an individual stage must be 5ha or more.
- (b) Council's discretion shall be restricted to the following matters:
- (i) consistency with the Te Kauwhata Lakeside Precinct Plan in Rules 16.5.1(3)(a), 16.5.1(3)(b) and 16.5.1(3)(c);
- (ii) matters identified in the assessment criteria in X;
- (iii) managing the effects of wastewater and stormwater;
- (iv) extent of any non-compliance with site density control;
- (v) roading network (including the Te Kauwhata Road level crossing safety);
- (vi) compliance with a Council-approved roading standard;
- (vii) protection, restoration or enhancement of ecological features;
- (viii) provision and location of existing and future utilities and connections;
- (ix) location of roads and their connections;
- (x) provision for public access to Lake Waikare;
- (xi) provision of open space, including linkages between residential areas, open space and Lake Waikare;
- (xii) effects of natural hazards (including flooding), geotechnical including liquefaction



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	<p style="text-align: center;"><b>risk, (refer to Chapter 15)</b> and land contamination;</p> <p>(xiii) provision of the historic Iwi overlay area shown on Precinct Plan Rule 3/7 16.5.1(3) (c).</p> <p>(c) Applications for approval of a <b>Comprehensive Subdivision</b> Consent as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p><b>Note 1:</b>  <b>CS</b> approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of <b>Section 357 of the Local Government Act 1974</b>. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p>
DI	<p>(a) A <b>CS</b> that does not comply with Rule 16.5.9.2 RD1 and meets all of the following conditions and conditions 16.5.9.2 RD1 (i) and (ii) relating to secondary access and infrastructure:</p> <ul style="list-style-type: none"> <li>(i) Primary roads are within 50m-100m of the location shown on Precinct Plan <b>Rule 16.5.1(3)(b)</b>;</li> <li>(ii) Bus route is either on the alignment shown on Precinct Plan Rule 16.5.1(3)(b) or a continuous alignment that achieves the same circulation;</li> <li>(iii) The external <u>boundary</u> of the high density area within the Residential Zone is within 10m-20m of the location shown on Precinct Plan <b>Rule 16.5.1(3)(a)</b>;</li> <li>(iv) Indicative walkways/cycleways are within 100m-200m of the location shown on Precinct Plan Rule 15.5.2.3 provided that connections are retained between the Lakeside Walkway and the residential development;</li> <li>(v) Lakeside Walkway is within 10m-20m of the location shown on Precinct Plan <b>Rule 16.5.1(3)(c)</b>;</li> <li>(vi) <u>Retirement village boundaries</u> are within 50m-100m of the location shown on Precinct Plan <b>16.5.1(3)(a)</b>;</li> <li>(vii) Indicative areas of open space are within 200-400m of the location shown on Precinct Plan <b>16.5.1(3)(c)</b>.</li> </ul> <p>(b) The matters over which Council reserves discretion shall be used for assessing discretionary activity applications under this rule.</p>
NC1	<p>A <b>CS</b> that does not meet the requirements of Rule 16.5.9.2 RD1 (vii) and (viii) relating to Secondary Road Access Control and/or the Infrastructure Requirements, shall be a non-complying activity.</p>
NC2	<p>A <b>CS</b> that does not meet any of the parameters for a discretionary activity outlined in Rule 16.5.9.2 DI (i) to (vii) is a non-complying activity.</p>

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### 16.5.9.3 Subdivision – Sites less than 5ha

RDI	<p>(a) <u>Subdivision</u> on sites less than 5 ha that complies with the conditions as set out below:</p> <ul style="list-style-type: none"><li>(i) it is in accordance with the Te Kauwhata Lakeside Precinct Plan in 16.5.1(3)(a), 16.5.1(3)(b) and 16.5.1(3)(c),</li><li>(ii) environmental improvements required by the Te Kauwhata Lakeside Precinct Plan (including, but not limited to landscaping and provision of walkways and cycleways shown on the Precinct Plan Rules 16.5.1(3)(c) have been implemented to the extent required, or</li><li>(iii) the requisite environmental improvements in (ii) above are proposed to be implemented as a condition of <u>subdivision</u> consent to be completed or bonded prior to the issue of a section 224(c) <u>certificate</u> for the subdivision.</li></ul> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"><li>(i) consistency with the Te Kauwhata Lakeside Precinct Plans Rules 16.5.1(3)(a), 16.5.1(3)(b) and 16.5.1(3)(c),</li><li>(ii) matters identified in the <b>assessment criteria in X</b>,</li><li>(iii) managing the effects of wastewater and stormwater,</li><li>(iv) extent of any non-compliance with <u>site</u> density control,</li><li>(v) roading network and compliance with a Council approved roading standard,</li><li>(vi) provision and location of existing and future utilities and connections,</li><li>(vii) location of roads and their connections,</li><li>(viii) effects of natural hazards (including flooding), geotechnical <b>including liquefaction risk (refer to Chapter 15)</b> and land contamination.</li></ul>
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## Chapter 17: Business Zone

- (1) The rules that apply to activities in the Business Zone are contained in [Rule 17.1](#) Land Use – Activities, [Rule 17.2](#) Land Use – Effects and [Rule 17.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Business zone are contained in [Rule 17.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Business Zone:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity
- (5) The Business Zone contains a Specific Area that is Lakeside Te Kauwhata Precinct. [Rule 17.5](#) manages all land use, building and subdivision in this location. [Rule 17.5.1](#) sets out how to apply rules to the Lakeside Te Kauwhata Precinct that are either different from, or are in addition to, other rules that apply to the rest of the Business Zone.

### 17.1 Land Use – Activities

#### 17.1.1 Prohibited Activities

- (1) The following activity is a prohibited activity. No application for resource consent for a prohibited activity can be made and a resource consent must not be granted.

PR I	Any <u>building</u> , structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (refer to Appendix 8).
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#### 17.1.2 Permitted Activities

- (1) The following activities are permitted activities if they comply with all of the:
  - (a) Land Use – Effects rules in [Rule 17.2](#) and Land Use – Building rules in [Rule 17.3](#) (unless the activity-specific rule and/or conditions identifies a condition(s) that does not apply); and
  - (b) Activity-specific conditions.

Activity	Activity-specific conditions
P1	<u>Commercial activity</u>
P2	<u>Commercial services</u>
P3	<u>Community activity</u>
P4	<u>Residential activity</u>
P5	<u>Education facility</u>

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P17	<u>Temporary event</u>	<ul style="list-style-type: none"> <li>(a) The event occurs no more than 3 times per consecutive 12 month period;</li> <li>(b) The duration of each event is less than 72 hours;</li> <li>(c) It may operate between 7.30am and 8:30pm Monday to Sunday;</li> <li>(d) Temporary structures are: <ul style="list-style-type: none"> <li>(i) erected no more than 2 days before the event occurs; and</li> <li>(ii) removed no more than 3 days after the end of the event;</li> </ul> </li> <li>(e) The <u>site</u> is returned to its previous condition no more than 3 days after the end of the event;</li> <li>(f) There is no direct <u>site</u> access from a national route or regional arterial road.</li> </ul>
P18	Cultural event on <u>Maaori Freehold Land containing a Marae Complex</u>	Nil

### 17.1.3 Restricted Discretionary Activities

- (1) The activities listed below are restricted discretionary activities.
- (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity		Matters of Discretion
RDI	<ul style="list-style-type: none"> <li>(a) A <u>multi-unit development</u> that meets all of the following conditions: <ul style="list-style-type: none"> <li>(i) Land Use – Effects rules in <a href="#">Rule 17.2</a>;</li> <li>(ii) Land Use – Building rules in <a href="#">Rule 17.3</a>, except the following rules do not apply: <ul style="list-style-type: none"> <li>(i) <a href="#">Rule 17.3.8 Dwelling</a>;</li> <li>(ii) <a href="#">Rule 17.3.9 Living court</a>;</li> </ul> </li> <li>(iii) The <u>multi-unit development</u> must be located above the ground floor level;</li> <li>(iv) A detailed site plan depicting the proposed lot</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Council's discretion is limited to the following matters: <ul style="list-style-type: none"> <li>(i) The extent to which the development is consistent with Town Centre Guidelines contained in <a href="#">Appendix 3.3</a>;</li> </ul> </li> </ul>

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- boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule 17.4.2 (Subdivision of multi-unit housing developments);
- (v) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in Appendix 1 (Acoustic Insulation), Table 14;
  - (vi) A communal service court is provided comprising:
    - A. a minimum of 20m<sup>2</sup>; and
    - B. a minimum dimension of 3m;
  - (vii) Living court areas are provided above ground floor level to meet the following minimum requirements for each residential unit:

Residential Unit	Minimum Area	Minimum Dimension
Studio unit or 1 bedroom	10m <sup>2</sup>	2m
2 or more bedroom	15m <sup>2</sup>	2m

- (ii) The extent to which the development is consistent with the Multi-unit design guidelines contained in Appendix 3.4;
- (iii) The extent to which the development contributes to and engages with adjacent streets and public open space;
- (iv) The extent to which the development creates visual quality and interest through the separation of buildings, variety in built form and architectural detailing, glazing, and materials;
- (v) The extent to which the design of the development incorporates energy efficiency measures such as passive solar principles;
- (vi) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, site design and layout;
- (vii) The extent to which staging is necessary to ensure that development is carried out in a coordinated and

## Proposed Waikato District Plan

		timely manner; (viii) Avoidance or mitigation of natural hazards; (ix) Geotechnical suitability for building, including liquefaction (refer to Chapter 15).
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### 17.1.4 Discretionary Activities

(I) The activities listed below are discretionary activities.

D1	Any activity that does not comply with Land Use – Effects or Land Use –Building rules, unless specified in <a href="#">Rule 17.2</a> or <a href="#">17.3</a> applies.
D2	Any activity that does not comply with one or more activity-specific conditions for a permitted activity under <a href="#">Rule 17.1.2</a> .
D3	Any <u>multi-unit development</u> that does not comply with one or more conditions for a restricted discretionary activity under <a href="#">Rule 17.1.3</a> RD1.

### 17.1.5 Non-Complying Activities

(I) The activities below are non-complying activities.

NC1	<u>Multi-unit development</u> that does not comply with a condition for a restricted discretionary activity under <a href="#">Rule 17.1.3(a)(iii)</a> .
NC2	<u>Residential activity</u> that does not comply with an activity-specific condition for a permitted activity under <a href="#">Rule 17.1.2</a> P4.
NC3	Any activity that is not listed as Prohibited, Permitted, Restricted Discretionary or Discretionary.

## 17.2 Land Use – Effects

### 17.2.1 Noise

- (1) Rules 17.2.1.1 and 17.2.1.2 provide the permitted noise limits for noise generated by land use activities.
- (2) Rule 17.2.1.1 Noise – general provides permitted noise limits in the Business Zone.
- (3) Rule 17.2.1.2 Noise – Construction provides the noise limits for construction activities.

#### 17.2.1.1 Noise – General

PI	<u>Farming noise</u> , and noise generated by <u>emergency generators</u> and emergency sirens.
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### 17.4.1 General subdivision

RDI	<p>(a) Subdivision of land must comply with all of the following conditions:</p> <ul style="list-style-type: none"><li>(i) Proposed lots must have a minimum size of 225m<sup>2</sup> net site area with the exception of access or utility allotments or reserves to vest;</li><li>(ii) Proposed lots must be connected to public-reticulated water supply and wastewater.</li></ul> <p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"><li>(i) amenity values;</li><li>(ii) the extent to which a range of future business activities can be accommodated; <b>and</b></li><li><b>(iii) avoidance and/or mitigation of natural hazards risk, including liquefaction (refer to Chapter 15).</b></li></ul>
DI	Subdivision that does not comply with Rule 17.4.1 RDI.

#### 17.4.1.1 Subdivision - Multi-unit development

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RDI	<p>(a) <u>Subdivision for multi-unit development</u> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) An application for land use consent under Rule 17.1.4 (Multi-unit housing development) must either accompany the <u>subdivision</u> or been granted resource consent by Council;</li> <li>(ii) Be connected to public wastewater and water reticulation; and</li> <li>(iii) Where a residential unit is being created in accordance with the <a href="#">Unit Titles Act 2010</a>, it meets the following minimum unit size:</li> </ul> <table border="1" style="margin-left: 40px; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Unit of Apartment</th> <th style="padding: 5px;">Minimum Unit Area</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Studio unit or 1 bedroom unit</td> <td style="padding: 5px;">60m<sup>2</sup></td> </tr> <tr> <td style="padding: 5px;">2 bedroom unit</td> <td style="padding: 5px;">80m<sup>2</sup></td> </tr> <tr> <td style="padding: 5px;">3 bedroom unit</td> <td style="padding: 5px;">100m<sup>2</sup></td> </tr> </tbody> </table>	Unit of Apartment	Minimum Unit Area	Studio unit or 1 bedroom unit	60m <sup>2</sup>	2 bedroom unit	80m <sup>2</sup>	3 bedroom unit	100m <sup>2</sup>
Unit of Apartment	Minimum Unit Area								
Studio unit or 1 bedroom unit	60m <sup>2</sup>								
2 bedroom unit	80m <sup>2</sup>								
3 bedroom unit	100m <sup>2</sup>								
DI	<p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>Subdivision layout including notional boundaries for the multi-unit development</u>;</li> <li>(ii) Provision of common areas for shared spaces, access and services;</li> <li>(iii) Avoidance or mitigation of natural hazards;</li> <li>(iv) Geotechnical suitability of <u>site for buildings</u>, including liquefaction risk (refer to <a href="#">Chapter 15</a>);</li> <li>(v) Amenity values and streetscape;</li> <li>(vi) Consistency with the matters contained, and outcomes sought, in <a href="#">Appendix 3.4</a> (Multi-unit development guideline);</li> <li>(vii) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and <u>neighbourhood centres</u>;</li> <li>(viii) Vehicle, pedestrian and cycle networks;</li> <li>(ix) Safety, function and efficiency of road network and any internal roads or accessways.</li> </ul> <p>Subdivision that does not comply with Rule 17.4.1.1 RDI.</p>								

### 17.4.1.2 Subdivision – Boundary adjustments



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### 17.5.1 Application of rules

- (1) Rules 17.5.2, 17.5.3 and 17.5.4 apply in the Lakeside Te Kauwhata Precinct in addition to the activity rules in 17.1.2 (Permitted Activities), 17.1.3 (Restricted Discretionary Activities), 17.1.4 (Discretionary Activities) and 17.1.5 (Non-Complying Activities).
- (2) The rules that apply to a permitted activity in Rule 17.5.2 PI-PI7 within the Lakeside Te Kauwhata Precinct as identified on the planning maps are as follows:
  - (a) Rule 17.2 (Land use – Effects), except:
    - (i) Rule 17.2.5.1 (Earthworks - General) does not apply where earthworks consent has been obtained under Rule 17.5.2 (Comprehensive Land Development Consent);
  - (b) Rule 17.3 (Land use – Building), except:
    - (i) Rule 17.3.2 (Daylight admission) does not apply and Rule 17.5.5 applies instead.
    - (ii) Rule 17.3.4 (Building setbacks) does not apply and Rule 17.5.8 applies instead.
  - (c) Rule 17.5.6 (Gross floor area);
  - (d) Rule 17.5.7 (Gross leasable floor area).
- (3) Rule 17.5.9 applies in addition to Rule 17.4 (Subdivision) for subdivision within the Lakeside Te Kauwhata Precinct.
- (4) Precinct Plans 1-3 are contained in Rule 16.5.1(3).
- (5) The activity status tables and standards in the following chapters also apply to activities in the Lakeside Te Kauwhata Precinct:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change.

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17.5.2 Restricted Discretionary Activities

Activity		Council's discretion shall be restricted to the following matters:
RDI	<p>(a) A <u>comprehensive land development consent (CLDC)</u> that meets all of the following conditions:</p> <p>(i) is in accordance with Te Kauwhata Lakeside Precinct Plan 16.5.1 (3)(a); the roading network, walkways and cycle ways shown on Precinct Plan 16.5.1 (3)(b); and the open space shown on Precinct Plan 16.5.1 (3)(c) as set out in the precinct parameters below; and</p> <p>(b) A <u>CLDC</u> is in accordance with the Lakeside Precinct Plans identified above if:</p> <p>(i) Primary roads are within 50m of the location shown on Precinct Plan 16.5.1 (3)(b); and</p> <p>(ii) Bus route is either on the alignment shown on Precinct Plan 16.5(3)(b) or a continuous alignment that achieves the same circulation; and</p>	<p>(a) Council's discretion is reserved over:</p> <p>(i) consistency with the Te Kauwhata Lakeside Precinct Plans in 16.5.1 (3)(a), 16.5.1 (3)(b) and 16.5.1 (3)(c);</p> <p>(ii) matters identified in the assessment criteria in X;</p> <p>(iii) managing the effects of wastewater and stormwater;</p>

## Proposed Waikato District Plan

<p>(iii) Indicative areas of open space are within 200m of the location shown on Precinct Plan I 6.5 (3) (b).</p> <p>(c) The following <u>infrastructure</u> requirements are met:</p> <p>(i) Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed <u>subdivision</u> including all necessary treatment required to meet water quality, quantity and disposal requirements; and</p> <p>(ii) Every <u>Allotment</u> other than a <u>utility Allotment</u>, <u>access allotment</u> or <u>open space Allotment</u> must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per <u>infrastructure</u> standard (i) above; and</p> <p>(iii) Every <u>Allotment</u> other than a <u>utility allotment</u>, <u>access allotment</u> or <u>open space Allotment</u> must be able to demonstrate how it will provide land drainage and stormwater disposal, either through a reticulated network or in accordance with <a href="#">Chapter 14</a>.</p> <p>(d) A <u>CLDC</u> can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages beyond the Business Zone, provided that an individual stage is 5ha or more.</p> <p>(e) Applications for approval of a <u>CLDC</u> as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p>(f) <u>LDC</u> approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of <a href="#">section 357 of the Local Government Act 1974</a>. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p>	<p>(iv) roading network and compliance with a Council-approved roading standard;</p> <p>(v) provision and location of existing and future utilities and connections;</p> <p>(vi) location of roads and their connections;</p> <p>(vii) provision of open space, including linkages between residential areas, open space and Lake Waikare;</p> <p>(viii) effects of natural hazards (including flooding), geotechnical suitability <u>including liquefaction risk (refer to Chapter 15)</u> and land contamination.</p>
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## Proposed Waikato District Plan

### 17.5.9 Subdivision

RDI	<p>(a) A <b>Comprehensive Subdivision Consent (CS)</b> that meets all of the following conditions:</p> <ul style="list-style-type: none"><li>(i) is in accordance with Te Kauwhata Lakeside Precinct Plan <b>16.5.1(3)(a)</b>; the roading network, walkways and cycleways shown on Precinct Plan <b>16.5.1(3)(b)</b>; and the open space shown on Precinct Plan <b>15.5.2.3</b>, as set out in the precinct parameters below; and</li><li>(ii) A <b>CS</b> is in accordance with the Lakeside Precinct Plans identified above if:<ul style="list-style-type: none"><li>A. Primary roads are within 50m of the location shown on Precinct Plan <b>16.5.1(3)(b)</b>; and</li><li>B. Bus route is either on the alignment shown on Precinct Plan <b>16.5.1(3)(b)</b> or a continuous alignment that achieves the same circulation; and</li></ul></li><li>(i) Indicative areas of open space are within 200m of the location shown on Precinct Plan <b>16.5.1(3)(b)</b>.</li></ul> <p>(b) The following <u>infrastructure</u> requirements are met:</p> <ul style="list-style-type: none"><li>(i) Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed <u>subdivision</u> including all necessary treatment required to meet water quality, quantity and disposal requirements;</li><li>(ii) Every <u>allotment</u> other than a <u>utility allotment</u>, <u>access allotment</u> or open space <u>allotment</u> must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (i) above; and</li><li>(iii) Every <u>allotment</u> other than a utility allotment, <u>access allotment</u> or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Chapter 14.</li></ul> <p>(c) A <b>CS</b> can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages beyond the business zone, provided that an individual stage is 5ha or more.</p> <p>(d) Applications for approval of a <u>CLDC</u> as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p>(e) <u>CLDC</u> approval does not constitute authorisation by Waikato District Council as road controlling authority in terms of <b>Section 357 of the Local Government Act 1974</b>. Written authorisation is required from Waikato District Council prior to any works commencing that affect public roads.</p> <p>(f) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"><li>(i) consistency with the Te Kauwhata Lakeside Precinct Plan in <b>16.5.1(3)(a),(b)</b> and (c);</li><li>(ii) <b>matters identified in the assessment criteria in X;</b></li><li>(iii) managing the effects of wastewater and stormwater;</li><li>(iv) roading network and compliance with a Council approved roading standard;</li><li>(v) provision and location of existing and future utilities and connections;</li><li>(vi) location of roads and their connections;</li><li>(vii) provision of open space, including linkages between residential areas, open space and Lake Waikare;</li><li>(viii) effects of natural hazards (including flooding), geotechnical suitability <b>including</b></li></ul>
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## Proposed Waikato District Plan

	<p style="text-align: center;"><b>liquefaction risk (refer to Chapter 15)</b> and land contamination;</p> <p>(ix) provision of the historic lwi overlay area shown on Precinct Plan 16.5.1.3(b).</p> <p>(g) Applications for approval of a CS as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p>(h) CS approval does not constitute authorisation by Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from Waikato District Council prior to any works commencing that affect public roads.</p>
DI	<p>(a) A CS that does not comply with Rule 17.5.9 RDI and meets all of the following conditions and condition 17.5.9 RDI(c) relating to <u>infrastructure</u>:</p> <p>(i) Primary roads are within 50m-100m of the location shown on Precinct Plan 16.5.1(3)(b);</p> <p>(ii) Bus route is either on the alignment shown on Precinct Plan 16.5.1(3)(b) or a continuous alignment that achieves the same circulation;</p> <p>(iii) Indicative areas of open space are within 200-400m of the location shown on Precinct Plan 16.5.1(3)(b).</p> <p>(b) The matters over which Council reserves discretion shall be used for assessing discretionary activity applications under this rule.</p>
NC1	A CS that does not meet the requirements of Rule 17.5.9 RDI(c) relating to Infrastructure Requirements, shall be a non-complying activity.
NC2	A CS that does not meet any of the parameters for a discretionary activity outlined in Rule 17.5.9 DI.

## Chapter 18: Business Town Centre Zone

- (1) The rules that apply to activities in the Business Town Centre Zone are contained in [Rule 18.1](#) Land Use – Activities, [Rule 18.2](#) Land Use – Effects and [Rule 18.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Business Town Centre zone are contained in [Rule 18.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Business Town Centre Zone:
  - I4 Infrastructure and Energy;
  - I5 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity.

### 18.1 Land Use - Activities

#### 18.1.1 Prohibited Activities

- (i) The following activity is a prohibited activity. No application for resource consent for a prohibited activity can be made and resource consent must not be granted.

PRI	Any <u>building</u> , structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (refer to <a href="#">Appendix 8</a> ).
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#### 18.1.2 Permitted Activities

- (a) The following activities are permitted activities if they meet all the following:
  - (i) Land Use – Effects rules in [Rule 18.2](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (ii) Land Use – Building rules in [Rule 18.3](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (iii) Activity-specific conditions.

Activity		Activity-specific conditions
P1	<u>Commercial activity</u>	Nil
P2	<u>Residential activity</u>	Located above ground floor level
P3	<u>Commercial services</u>	Nil
P4	<u>Retail activity</u>	Nil
P5	<u>Travellers' accommodation</u>	Nil

## Proposed Waikato District Plan

P6	Community activity	Excluding a cemetery
P7	Health facility	Excluding a hospital
P8	Office	Located above ground floor level
P9	Public transport facility	Nil
P10	A temporary event	<p>(a) The event occurs no more than 3 times per consecutive 12 month period;</p> <p>(b) The duration of each event is less than 72 hours;</p> <p>(c) It may operate between 7.30am and 8:30pm Monday to Sunday;</p> <p>(d) Temporary structures are:</p> <p style="padding-left: 20px;">(i) erected no more than 2 days before the event occurs; and</p> <p style="padding-left: 20px;">(ii) removed no more than 3 days after the end of the event; and</p> <p>(e) The site is returned to its original condition no more than 3 days after the end of the event; and</p> <p>(f) There is no direct site access from a national route or regional arterial road.</p>

### 18.1.3 Restricted Discretionary Activities

- (1) The activities listed below are restricted discretionary activities.
- (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity	The Council's discretion shall be limited to the following matters:
RDI (a) A multi-unit development that meets all of the following conditions:	(a) The extent to which the development is consistent

Proposed Waikato District Plan

- (i) The Land Use – Effects in [Rule 18.2](#);
- (ii) The Land Use – Building in [Rule 18.3](#) except;
  - A. [Rule 18.3.9 \(Dwellings\)](#) does not apply;
  - B. [Rule 18.3.10 \(Living court\)](#) does not apply;
- (b) The [multi-unit development](#) must be located above the ground floor level;
- (c) A detailed site plan depicting the proposed [title boundaries](#) for each [residential unit](#) and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title [subdivision](#) complies with [Rule 18.4.2 \(Subdivision of multi-unit developments\)](#);
- (d) Each [residential unit](#) must be designed and constructed to achieve the internal design sound levels specified in [Appendix 1 \(Acoustic Insulation\)](#), Table 14;
- (e) A communal service court is provided;
- (f) [Living court](#) areas are provided above ground floor level to meet the following minimum requirements for each [residential unit](#):

<a href="#">Residential Unit</a>	<a href="#">Minimum Living Court Area</a>	<a href="#">Minimum Dimensions</a>
Studio unit or 1 bedroom	10m <sup>2</sup>	2m
2 or more bedrooms	15m <sup>2</sup>	2m

- (b) The extent to which the development is consistent with the Multi-unit design guidelines contained in [Appendix 3.3](#);
- (c) The extent to which the development contributes to and engages with adjacent streets and public open space;
- (d) The extent to which the development creates visual quality and interest through the separation of [buildings](#), variety in built form and architectural detailing, glazing, and materials;
- (e) The extent to which the design of the development incorporates energy efficiency measures such as passive solar principles;
- (f) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, living court orientation, [site design](#) and layout;
- (g) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner;
- (h) Avoidance or mitigation of natural hazards;
- (i) Geotechnical suitability for building, [including liquefaction risk \(refer to Chapter 15\)](#);
- (j) Adequacy of the communal [service court](#) for the intended purpose.

RD2

(a) The construction of any new building that

(a) The Council's discretion



## Proposed Waikato District Plan

meets all of the following conditions:

- (i) The Land Use – Effects in [Rule 18.2](#);
- (ii) The Land Use – Building in [Rule 18.3](#) except;
  - A. [Rule 18.3.9 \(Dwellings\)](#) does not apply;
  - B. [Rule 18.3.10 \(Living court\)](#) does not apply.

shall be limited to the following matters:

- (i) The extent to which the building is consistent with the following matters listed in [Appendix 3.3 \(Town Centre Design Guidelines\)](#) including:
  - A. A site and contextual analysis that identifies and addresses the matters listed in section 3.3;
  - B. A connectivity and movement network analysis that addresses the matters listed in section 4.3;
  - C. A neighbourhood character assessment that identifies and addresses the elements listed in section 5;
  - D. Detailed design illustrating how the building will promote these character elements to achieve the outcomes sought in section 5.2 of the design guide;
- (ii) Consistency with the relevant Town Centre Character Statement contained within [Appendix 10.1-10.6](#)

## Proposed Waikato District Plan

### 18.4.1 Subdivision - general

RDI	<p>(a) Subdivision shall comply with all of the following conditions:</p> <p>(i) Proposed lots shall have a minimum size of 225m<sup>2</sup> net site area, with the exception of access or utility allotments or reserves to vest;</p> <p>(ii) Proposed lots shall be connected to public-reticulated water supply and wastewater.</p> <p>(b) The Council's discretion shall be limited to the following matters:</p> <p>(i) Amenity values;</p> <p>(ii) The extent to which a range of future business activities can be accommodated;</p> <p><b>and</b></p> <p><b>(iii) Avoidance and/or mitigation of natural hazards risk, including liquefaction (refer to Chapter 15).</b></p>
DI	Subdivision that does not comply with Rule 18.4.1. RDI.

## Proposed Waikato District Plan

### 18.4.2 Subdivision - Multi-unit subdivision

RDI	<p>(a) Subdivision for multi-unit development shall comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) An application for land use consent under <a href="#">Rule 18.1.3</a> (Multi-Unit Development) must either accompany the subdivision or have been granted resource consent by Council;</li> <li>(ii) Be connected to public wastewater and water reticulation;</li> <li>(iii) Where a residential unit is being created in accordance with the <a href="#">Unit Titles Act 2010</a>, it meets the following minimum unit size:</li> </ul> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: center;">Unit of Apartment</th> <th style="text-align: center;">Minimum Unit Area</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Studio unit or 1 bedroom unit</td> <td style="text-align: center;">60m<sup>2</sup></td> </tr> <tr> <td style="text-align: center;">2 bedroom unit</td> <td style="text-align: center;">80m<sup>2</sup></td> </tr> <tr> <td style="text-align: center;">3 bedroom unit</td> <td style="text-align: center;">100m<sup>2</sup></td> </tr> </tbody> </table> <p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Subdivision layout including notional boundaries for the multi-unit development;</li> <li>(ii) Provision of common areas for shared spaces, access and services;</li> <li>(iii) Avoidance or mitigation of natural hazards;</li> <li>(iv) Geotechnical suitability of site for buildings, including liquefaction risk (refer to <a href="#">Chapter 15</a>);</li> <li>(v) Amenity values and streetscape;</li> <li>(vi) Consistency with the matters contained, and outcomes sought, in <a href="#">Appendix 3.4</a> (Multi-unit development guideline);</li> <li>(vii) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and neighbourhood centres;</li> <li>(viii) Vehicle, pedestrian and cycle networks;</li> <li>(ix) Safety, function and efficiency of road network and any internal roads or accessways.</li> </ul>	Unit of Apartment	Minimum Unit Area	Studio unit or 1 bedroom unit	60m <sup>2</sup>	2 bedroom unit	80m <sup>2</sup>	3 bedroom unit	100m <sup>2</sup>
Unit of Apartment	Minimum Unit Area								
Studio unit or 1 bedroom unit	60m <sup>2</sup>								
2 bedroom unit	80m <sup>2</sup>								
3 bedroom unit	100m <sup>2</sup>								
DI	Subdivision that does not comply with Rule 18.4.2 RDI.								

## Chapter 19: Business Zone Tamahere

- (1) The rules that apply to activities in the Business Zone Tamahere are contained in [Rule 19.1](#) Land Use – Activities, [Rule 19.2](#) Land Use – Effects and [Rule 19.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Business Zone Tamahere are contained in [Rule 19.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Business Zone Tamahere:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) P Permitted activity
  - (b) C Controlled activity
  - (c) RD Restricted discretionary activity
  - (d) D Discretionary activity
  - (e) NC Non-complying activity

### 19.1 Land Use – Activities

#### 19.1.1 Permitted Activities

- (1) The following activities are permitted activities if they meet all the following:
  - (a) Land Use – Effects rules in [Rule 19.2](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in [Rule 19.3](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (c) Activity specific conditions.

Activity		Activity specific conditions
P1	<u>Retail activity</u>	Nil
P2	<u>Office</u>	Located above ground floor level
P3	<u>Health facility</u>	Excluding day hospitals
P4	<a href="#">Commercial activity</a>	Nil
P5	Community facility	Nil

## Chapter 20: Industrial Zone

- (1) The rules that apply to activities in the Industrial Zone are contained in [Rule 20.1](#) Land Use – Activities, [Rule 20.2](#) Land Use – Effects and [Rule 20.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Industrial Zone are contained in [Rule 20.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Industrial Zone:
  - I4 Infrastructure and Energy;
  - I5 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity
- (5) The Industrial Zone contains a Specific Area that is Nau Mai Business Park. [Rule 20.5](#) manages all land use, building and subdivision in this location. [Rule 20.5.1](#) sets out how to apply rules to Nau Mai Business Park that are either different from, or are in addition to, other rules that apply to the rest of the Industrial Zone.

### 20.1 Land Use – Activities

#### 20.1.1 Permitted Activities

- (a) The following activities are permitted activities if they meet all the following:
  - (a) Land Use – Effects rules in [Rule 20.2](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in [Rule 20.3](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (c) Activity specific conditions.

Activity	Activity specific conditions	
P1	Industrial activity	Nil
P2	Trade and industry training activity	Nil
P3	Truck stop for refuelling	Nil
P4	Office ancillary to an industrial activity	(a) Less than 100m <sup>2</sup> gfa; or (b) Does not exceed 30% of all buildings on the site.
P5	Food outlet	(a) Less than 200m <sup>2</sup> gfa.
P6	Ancillary retail	Does not exceed 10% of all buildings on the site.

#### 20.1.2 Discretionary Activities

- (a) The activities listed below are discretionary activities.

DI	Any permitted activity that does not comply with an activity specific condition in <a href="#">Rule 20.1.1</a> .
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## Proposed Waikato District Plan

### 20.4.1 Subdivision - General

RDI	<p>(a) <u>Subdivision</u> must comply with all of the following conditions:</p> <ul style="list-style-type: none"><li>(i) proposed <u>lots</u> must have a minimum <u>net site area</u> of 1000m<sup>2</sup>;</li><li>(ii) proposed <u>lots</u> must have an average area of at least 2000m<sup>2</sup>; and</li><li>(iii) no more than 20% rear <u>lots</u> are created.</li></ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"><li>(i) the extent to which a range of future <u>industrial activities</u> can be accommodated; and</li><li>(ii) amenity values <u>: and</u></li><li><u>(iii) Avoidance and/or mitigation of natural hazards risk, including liquefaction (refer to Chapter 15).</u></li></ul>
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## Proposed Waikato District Plan

### 20.5.1 Application of rules

- (a) The activity rules in [20.1.1](#) (Permitted Activities), [20.1.2](#) (Discretionary Activities) and [20.1.3](#) (Non-complying Activities) do not apply within the Nau Mai Business Park Specific Area and Rules [20.5.2](#), [20.5.3](#) and [20.5.4](#) apply instead.
- (b) The rules that apply to a permitted activity in Rule [20.5.2](#) PI-PI3 within the Nau Mai Business Park Specific Area as identified on the planning maps are as follows:
  - (i) [Rule 20.2](#) (Land Use – Effects), except:
    - A. [Rule 20.2.2](#) (Landscape Planting) does not apply and [Rule 20.5.5](#) applies instead;
    - B. [Rule 20.2.3.1](#) (Noise – General) does not apply and [Rule 20.5.6](#) applies instead;
    - C. [Rule 20.2.7.1](#) (Signs – General) does not apply and [Rule 20.5.7](#) applies instead;
    - D. [Rule 20.2.8](#) (Outdoor storage of goods and material) does not apply and [Rule 20.5.8](#) applies instead.
  - (ii) [Rule 20.3](#) (Land Use – Building), except:
    - A. [Rule 20.3.1](#) (Building Height) does not apply and [Rule 20.5.9](#) applies instead.
  - (iii) [Rule 20.5.10](#) (Construction Materials);
  - (iv) [Rule 20.5.11](#) (Building Coverage); and
  - (v) [Rule 20.5.12](#) (Gross Floor Area);
  - (vi) [Rule 20.5.13](#) (Building Location and Setbacks); and
  - (vii) [Rule 20.5.14](#) (Acoustic Insulation for Dwelling)
- (c) [Rule 20.4](#) (Subdivision) applies for subdivision within the Nau Mai Business Park Specific Area.
- (d) [The activity status tables and standards in the following chapters also apply to activities in the Nau Mai Business Park:](#)
  - [14 Infrastructure and Energy;](#)
  - [15 Natural Hazards and Climate Change.](#)

## Chapter 21: Industrial Zone Heavy

- (1) The rules that apply to activities in the Heavy Industrial Zone are contained in [Rule 21.1](#) Land Use – Activities, [Rule 21.2](#) Land Use – Effects and [Rule 21.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Industrial Zone Heavy are contained in [Rule 21.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Heavy Industrial Zone:
  - I4 Infrastructure and Energy;
  - I5 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity

### 21.1 Land Use – Activities

#### 21.1.1 Permitted Activities

- (1) The following activities are permitted activities if they meet all the following:
  - (a) Land Use – Effects rules in [Rule 21.2](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply); and
  - (b) Land Use – Building rules in [Rule 21.3](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply).

Activity	Activity specific conditions
P1	Industrial activity
P2	Trade and industry training activity
P3	Truck stop for refuelling
P4	Office ancillary to an industrial activity
P5	Food outlet
P6	Ancillary retail

#### 21.1.2 Discretionary Activities

- (1) The activities listed below are discretionary activities.

D1	Any activity that does not comply with the Land Use – Effects <a href="#">Rule 21.1</a> or Land Use – Building <a href="#">Rule 21.3</a> unless the activity is specified as a controlled, restricted discretionary or non-complying activity.
D2	A waste management facility
D3	Storage, processing or disposal of hazardous waste
D4	An extractive industry
D5	An office
D6	A retail activity



## Proposed Waikato District Plan

### 21.4.1 Subdivision - General

RD1	(a) Subdivision must comply with all of the following conditions: (i) proposed lots must have a minimum net site area of 1000m <sup>2</sup> ; (ii) proposed lots must have an average net site area of at least 2000m <sup>2</sup> ; and (iii) no more than 20% rear lots are created.
RD2	(a) Council's discretion is restricted to the following matters: (i) the extent to which a range of future activities can be accommodated; and (ii) amenity values; and (iii) avoidance and/or mitigation of natural hazards risk, including liquefaction (refer to Chapter 15).

## Chapter 22: Rural Zone

- (1) The rules that apply to activities in the Rural Zone are contained in [Rule 22.1](#) Land Use – Activities, [Rule 22.2](#) Land Use – Effects and [Rule 22.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Rural Zone are contained in [Rule 22.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Rural zone:
  - I 4 Infrastructure and Energy;
  - I 5 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity
- (5) The Rural Zone contains four Specific Areas listed below. These Specific Areas contain rules that are either in addition to, or different from, other rules that apply to the rest of the Rural Zone.
  - (a) [Rule 22.5](#) Agricultural Research Centre;
  - (b) [Rule 22.6](#) Huntly Power Station - Coal and Ash Water;
  - (c) [Rule 22.7](#) Whaanga Coast Development Areas
  - (d) [Rule 22.8](#) Lakeside Te Kauwhata Precinct

### 22.1 Land Use - Activities

#### 22.1.1 Prohibited Activities

- (1) The following activity is a prohibited activity. No application for resource consent for a prohibited activity can be made and a resource consent cannot be granted.

PRI	Any <u>building</u> , structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (refer to <a href="#">Appendix 7</a> ).
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#### 22.1.2 Permitted Activities

- (1) The following activities are permitted activities if they meet all the following:
  - (a) Land Use – Effects rules in [Rule 22.2](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in [Rule 22.3](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (c) Activity specific conditions.

Activity	Activity specific conditions
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### 22.4.1

- (1) [Rule 22.4.1.1](#) lists prohibited subdivision activities in the Rural Zone
- (2) The following rules provide for various types of subdivision in the Rural Zone
  - (a) [Rule 22.4.1.2](#) - General Subdivision
  - (b) [Rule 22.4.1.3](#) – Subdivision of Maaori Freehold Land
  - (c) [Rule 22.4.1.4](#) - Boundary Relocation
  - (d) [Rule 22.4.1.5](#) - Rural Hamlet Subdivision
  - (e) [Rule 22.4.1.6](#) - Conservation Lot Subdivision
  - (f) [Rule 22.4.1.7](#) - Reserve Lot Subdivision
- (3) The following rules apply to the types of subdivision provided for in Rules 22.4.1.2 to 22.4.1.7
  - (a) [Rule 22.4.2](#) Title boundaries (~~natural hazard area~~ contaminated land, significant amenity landscape, notable trees, intensive farming and aggregate extraction areas)
  - (b) [Rule 22.4.3](#) Title boundaries, SNA’s heritage items
  - (c) [Rule 22.4.4](#) Road frontage
  - (d) [Rule 22.4.5](#) Subdivision within identified area
  - (e) [Rule 22.4.6](#) Subdivision of land containing all or part of an Environmental Protection Area
  - (f) [Rule 22.4.7](#) Esplanade Reserve and Esplanade strips
  - (g) [Rule 22.4.8](#) Subdivision of land containing heritage items
  - (h) [Rule 22.4.9](#) Subdivision – building platform

#### 22.4.1.1 Prohibited subdivision

The following activities are prohibited activities. No application for resource consent can be made for a prohibited activity and no resource consent can be granted:

PR1	Any subdivision within the Urban Expansion Area involving the creation of any additional lot.
PR2	<ol style="list-style-type: none"> <li>(a) <u>Subdivision of a Record of Title</u> issued prior to 6 December 1997, which results in more than one additional <u>lot</u> being located on <a href="#">high class soil</a>.</li> <li>(b) Exceptions to PR2(a) are where an additional <u>lot</u> is created by any of the following rules:           <ol style="list-style-type: none"> <li>(i) The conservation lot <u>subdivision</u> (<a href="#">Rule 22.4.1.6</a>);</li> <li>(ii) Reserve lot <u>subdivision</u> (<a href="#">Rule 22.4.1.7</a>);</li> <li>(iii) <u>Access allotment</u> or <u>utility allotment</u> using <a href="#">Rule 14.12</a> (Transportation);</li> <li>(iv) <u>Subdivision of Maaori Freehold Land</u> (<a href="#">Rule 22.4.1.3</a>).</li> </ol> </li> </ol>

## Proposed Waikato District Plan

### 22.4.1.2 General subdivision

RDI	<p>(a) <u>Subdivision</u> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The <u>Record of Title</u> to be subdivided must have issued prior to 6 December 1997;</li> <li>(ii) The <u>Record of Title</u> to be subdivided must be at least 20 hectares in area;</li> <li>(iii) The proposed <u>subdivision</u> must create no more than one additional <u>lot</u>, excluding an <u>access allotment</u>.</li> <li>(iv) The additional <u>lot</u> must have a proposed area of between 8,000m<sup>2</sup> and 1.6 ha;</li> <li>(v) Land containing <b>high class soil</b> (as determined by a Land Use Capability Assessment prepared by a suitably qualified person) must be contained within the <u>boundaries</u> of only two <u>lots</u> as follows: <ul style="list-style-type: none"> <li>A. one <u>lot</u> must contain a minimum of 80% of the <b>high class soil</b>; and</li> <li>B. the other <u>lot</u> may contain up to 20% of <b>high class soil</b>.</li> </ul> </li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>subdivision</u> layout and design including dimensions, shape and orientation of the proposed <u>lot</u>;</li> <li>(ii) effects on rural character and amenity values;</li> <li>(iii) effects on landscape values;</li> <li>(iv) potential for reverse sensitivity effects;</li> <li>(v) extent of <u>earthworks</u> including <u>earthworks</u> for the location of <u>building platforms and accessways</u> ;</li> <li>(vi) <b>natural hazards risk, including liquefaction risk and fire risk (refer to Chapter 15).</b></li> </ul>
NCI	General <u>subdivision</u> that does not comply with Rule 22.4.1.2. RDI.

## Proposed Waikato District Plan

### 22.4.1.5 Rural Hamlet Subdivision

RDI	<p>(a) <u>Subdivision</u> to create a Rural Hamlet must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) It results in 3 to 5 proposed <u>lots</u> being clustered together;</li> <li>(ii) All existing <u>Records of Title</u> form one <u>continuous landholding</u>;</li> <li>(iii) Each proposed <u>lot</u> has a minimum area of 8,000m<sup>2</sup>.</li> <li>(iv) Each proposed <u>lot</u> has a maximum area of 1.6ha;</li> <li>(v) The proposed balance <u>lot</u> has a minimum area of 20ha; and</li> <li>(vi) It does not create any additional <u>lots</u> beyond the number of existing <u>Records of Title</u>.</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>subdivision</u> layout and design including dimension, shape and orientation of the proposed <u>lots</u>;</li> <li>(ii) effects on rural character and amenity values;</li> <li>(iii) effects on landscape values;</li> <li>(iv) potential for reverse sensitivity effects;</li> <li>(v) extent of <u>earthworks</u> including <u>earthworks</u> for the location of <u>building platforms</u> and access ways;</li> <li>(vi) <u>natural hazards risk, including liquefaction risk and fire risk (refer to Chapter 15)</u>.</li> </ul>
NCI	Subdivision that does not comply with Rule 22.4.1.5 RDI.

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22.4.2 Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas

RDI	<p>(a) Subdivision of land containing any natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities or Aggregate Extraction Areas must comply with all of the following conditions:</p> <p>(i) The boundaries of every proposed lot containing existing buildings must demonstrate that existing buildings comply with the Land Use - Building rules in Rule 22.3 relating to:</p> <ul style="list-style-type: none"> <li>A. Rule 22.3.1 (Number of Dwellings within a Record of Title);</li> <li>B. Rule 22.3.5 (Daylight admission);</li> <li>C. Rule 22.3.6 (Building coverage);</li> <li>D. Rule 22.3.7 (Building setbacks);</li> </ul> <p>(ii) Rule 22.4.2 RDI (a)(i) does not apply to any non-compliance with the Land Use - Building rules in Rule 22.3 that existed lawfully prior to the subdivision.</p> <p>(iii) The boundaries of every proposed lot must not divide any of the following:</p> <ul style="list-style-type: none"> <li>A. A natural hazard area;</li> <li>A. Contaminated land;</li> <li>B. Significant Amenity Landscape;</li> <li>C. Notable trees.</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) landscape values;</li> <li>(ii) amenity values and character;</li> <li>(iii) reverse sensitivity effects;</li> <li>(iv) effects on existing buildings;</li> <li>(v) effects on natural hazard areas;</li> <li>(vi) effects on contaminated land;</li> <li>(vii) effects on any notable trees;</li> <li>(viii) effects on an intensive farming activity;</li> <li>(ix) effects on any Aggregate Extraction Area.</li> </ul>
DI	Subdivision that does not comply with Rule 22.4.2 RDI.

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### 22.4.9 Subdivision - Building platform

RDI	<p>(a) <u>Subdivision, other than an access or utility allotment, must provide a building platform on the proposed lot that:</u></p> <ul style="list-style-type: none"> <li>(i) Has an area of 1,000m<sup>2</sup> exclusive of <u>boundary setbacks</u>;</li> <li>(ii) Has an average gradient not steeper than 1:8;</li> <li>(iii) Is certified by a geotechnical engineer as geotechnically stable;</li> <li>(iv) Has vehicular access in accordance with <a href="#">Rule 14.12.1 PI (Transportation)</a></li> <li>(v) Is not subject to inundation in a 2% <u>AEP</u> storm or flood event;</li> <li>(vi) a <u>dwelling</u> could be built on as a permitted activity in accordance with Land Use - Building Rules in <a href="#">Rule 22.3</a>.</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>Earthworks and fill material required for building platforms and access</u>;</li> <li>(ii) Geotechnical suitability for <u>building, including liquefaction risk (refer to Chapter 15)</u>;</li> <li>(iii) Likely location of future <u>buildings</u> and their potential effects on the environment;</li> <li>(iv) Avoidance <u>and/or mitigation</u> of natural <u>hazards</u>;</li> <li>(v) Effects on landscape and amenity;</li> <li>(vi) Measures to avoid storm or flood events.</li> </ul>
DI	<u>Subdivision that does not comply with Rule 22.4.9 RDI.</u>

## 22.5 Specific Area – Agriculture Research Centres

### 22.5.1 Application of Rules

- (a) The rules that apply to a permitted activity are set out in [Rule 22.5.2](#).
- (b) For any other activity not provided in Rule 22.5.2, the following rules in the Rural Zone apply:
  - (i) [Rule 22.1](#) Land Use – Activities
  - (ii) [Rule 22.2](#) Land Use – Effects
  - (iii) [Rule 22.3](#) Land Use – Building; and
  - (iv) [Rule 22.4](#) - Subdivision

**(c) The activity status tables and standards in the following chapters also apply to activities in the Agriculture Research Centres:**

**14 Infrastructure and Energy;**

**15 Natural Hazards and Climate Change.**

### 22.5.2 Permitted Activities – Agricultural and Horticultural Research

- (a) The rules that apply to a permitted activity within the Agricultural Research Centres Specific Area as identified on the planning maps are as follows:
  - (i) [Rule 22.2](#) Land Use – Effects;
  - (ii) [Rule 22.3](#) Land Use – Building; except for building within a campus:
    - A. [Rule 22.3.4.1](#) Height – Building general will not apply and [Rule 22.5.3](#) will apply instead; and
    - B. [Rule 22.3.6](#) Building coverage will not apply and [Rule 22.5.4](#) will apply instead.

P1	An agricultural or horticultural research activity
P2	An <u>education facility</u> that is incidental to agricultural or horticultural research
P3	An <u>industrial activity</u> that is incidental to agricultural or horticultural research
P4	A trade or engineering workshop that is incidental to agricultural or horticultural research
P5	<u>Intensive farming</u> that is incidental to agricultural or horticultural research where an associated <u>building</u> and animal feedlot are located at least 200m inside any <u>boundary</u> of an <a href="#">Agricultural Research Centre site</a> .
P6	Disposal or storage of solid organic waste or <u>cleanfill</u> that is incidental to agricultural or horticultural research where the extracted material is used on the <a href="#">Agricultural Research Centre site</a> .
P7	A staff facility that is incidental to agricultural or horticultural research that includes: <ul style="list-style-type: none"> <li>(1) a <u>dwelling</u> located at least 200m from the <u>site</u> containing Inghams Feed Mill in Hamilton City Council’s jurisdiction;</li> <li>(2) a recreational facility</li> </ul>

### 22.5.3 Discretionary Activities – Agricultural and Horticultural Research

- (a) The activities listed below are discretionary activities.

DI	Any activity that does not comply with <a href="#">Rule 22.5.2</a> P1-P7.
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### 22.5.4 Building Height – within a Campus



## 22.6 Specific Area - Huntly Power Station - Coal and Ash Water

### 22.6.1 Application of Rules

(a) The rules that apply to a permitted activity are set out in [Rule 22.6.2](#) within the Huntly Power Station: Coal and Ash Water Specific Area as identified on the planning maps are as follows:

- (i) [Rule 22.2](#) Land Use – Effects
- (ii) [Rule 22.3](#) Land Use – Building, except:
  - A. [Rule 22.3.7](#) Building setbacks do not apply and [Rule 22.6.3](#) applies instead; and
  - B. [Rule 22.3.4](#) Height does not apply and [Rule 22.6.4](#) applies instead.
  - C. [Rule 22.6.5](#);
  - D. [Rule 22.6.6](#); and
  - E. [Rule 22.6.7](#)

(b) The rules that apply to any other activity that is not provided in [Rule 22.6.2](#) are those that apply to the Rural Zone as follows:

- (i) [Rule 22.1](#) Land Use – Activities
- (ii) [Rule 22.2](#) Land Use – Effects
- (iii) [Rule 22.3](#) Land Use – Building; and
- (iv) [Rule 22.4](#) Subdivision

**(c) The activity status tables and standards in the following chapters also apply to activities in the Huntly Power Station – Coal and Ash Water:**

**[14 Infrastructure and Energy](#);**

**[15 Natural Hazards and Climate Change](#).**

### 22.6.2 Permitted Activities – Huntly Power Station

(a) The rules that apply to a specific permitted activity within the Huntly Power Station: Coal and Ash Water Specific Area as identified on the planning maps are as follows:

- (i) [Rule 22.2](#) Land Use – Effects
- (ii) [Rule 22.3](#) Land Use – Building, except:
  - A. [Rule 22.3.7](#) Building setbacks do not apply and [Rule 22.6.3](#) applies instead; and
  - B. [Rule 22.3.4](#) Height does not apply and [Rule 22.6.4](#) applies instead.
  - C. [Rule 22.6.6](#) Coal stockpile height, setback and coverage;
  - D. [Rule 22.6.7](#) Ash disposal and transport of coal ash water; and
  - E. [Rule 22.6.8](#) Energy corridor – transportation of minerals and substances

PI	(a) Coal related activities involving: <ul style="list-style-type: none"> <li>(i) stockpiling;</li> <li>(ii) screening and sorting;</li> <li>(iii) use of transportation conveyors;</li> <li>(iv) erection, operation, and maintenance of loading and unloading facilities; and</li> <li>(v) an activity that is ancillary to those listed in (i) – (iv) above.</li> </ul>
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### 22.6.3 Discretionary Activities – Huntly Power Station

(a) The activities listed below are discretionary activities.

DI	An activity that does not comply with Rule 22.6.2 PI.
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## 22.7 Specific Area – Whaanga Coast Development Areas

- (a) [Rule 22.7.1](#) provides all the rules relating to development and subdivision within Whaanga Coast Development Area.
- (b) [Rule 22.7.2](#) provides all the rules relating to development and subdivision outside a Whaanga Coast Development Area.

### 22.7.1 Application of Rules within a Whaanga Coast Development Area

- (1) The rules that apply to a permitted activity under [Rule 22.7.2](#) within a Whaanga Coast Development Area as identified on the planning maps are as follows:
  - (a) [Rule 22.2](#) Land Use – Effects; except that:
    - A. [Rule 22.2.3.1](#) (Earthworks – General) does not apply and [Rule 22.7.1.3](#) applies instead.
  - (b) [Rule 22.3](#) Land Use – Building; except that:
    - A. [Rule 22.3.1](#) (Number of Dwellings within a Record of Title) does not apply;
    - B. [Rule 22.3.2](#) (Minor Dwelling) does not apply;
    - C. [Rule 22.3.3](#) (Building and structures in Landscape and Natural Character Areas) does not apply and [Rule 22.7.1.4](#) applies instead;
    - D. [Rule 22.3.4.1](#) (Height – Building General) does not apply and [Rule 22.7.1.4](#) applies instead;
    - E. [Rule 22.3.6](#) (Building Coverage) does not apply;
    - F. [Rule 22.3.7](#) (Building Setbacks) does not apply and [Rule 22.7.1.6](#) applies instead;
    - G. [Rule 22.7.1.5](#) applies;
    - H. [Rule 22.7.1.7](#) applies; and
    - I. [Rule 22.7.1.8](#) applies.
  - (c) [Rule 22.4](#) applies to subdivision within a Whaanga Coast Development Area.
- (2) The activity status tables and standards in the following chapters also apply to activities within any Whaanga Coast Development Area:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change (Placeholder)
- (3) The following symbols are used in the tables below:
  - PR Prohibited activity
  - P Permitted activity
  - C Controlled activity
  - RD Restricted discretionary activity
  - D Discretionary activity
  - NC Non-complying activity

#### 22.7.1.1 Permitted Activities

- (1) The following activities are permitted activities within a Whaanga Coast Development Area if they meet all the following:
  - (a) Land Use – Effects rules in [Rule 22.7.1\(1\)\(a\)](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in [Rule 22.7.1\(1\)\(b\)](#) (unless the activity rule and/or activity specific

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### 22.7.2 Application of Rules outside a Whaanga Coast Development Area

- (1) The activity status tables and standards in the following chapters also apply to activities outside a Whaanga Coast Development Area:
- I4 Infrastructure and Energy;
  - I5 Natural Hazards and Climate Change (Placeholder).
- (2) The following symbols are used in the table below:
- D Discretionary activity
  - NCI Non-complying activity

#### 22.7.2.2 Discretionary Activities

- (1) The following activities are discretionary activities outside a Whaanga Coast Development Area

D1	Any land use activity or building located outside a Whaanga Coast Development Area
D2	Subdivision for a full partition of Maori Freehold Land outside a Whaanga Coast Development Area under <a href="#">Te Ture Whenua Act 1993</a> .

#### 22.7.2.3 Non-complying Activities

- (1) The following activities are non-complying activities outside a Whaanga Coast Development Area

NCI	Subdivision of Maori freehold land not provided for in Rule 22.7.2.2 D2.
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## 22.8 Lakeside Te Kauwhata Precinct

### 22.8.1 Application of rules

(a) Rules 22.8.2, 22.8.4 and 22.8.5 apply in the Lakeside Te Kauwhata Precinct, in addition to the activity rules in:

- (i) 22.1.2 (Permitted Activities);
- (ii) 22.1.3 (Restricted Discretionary Activities);
- (iii) 22.1.4 (Discretionary Activities); and
- (iv) 22.1.5 (Non-complying Activities).

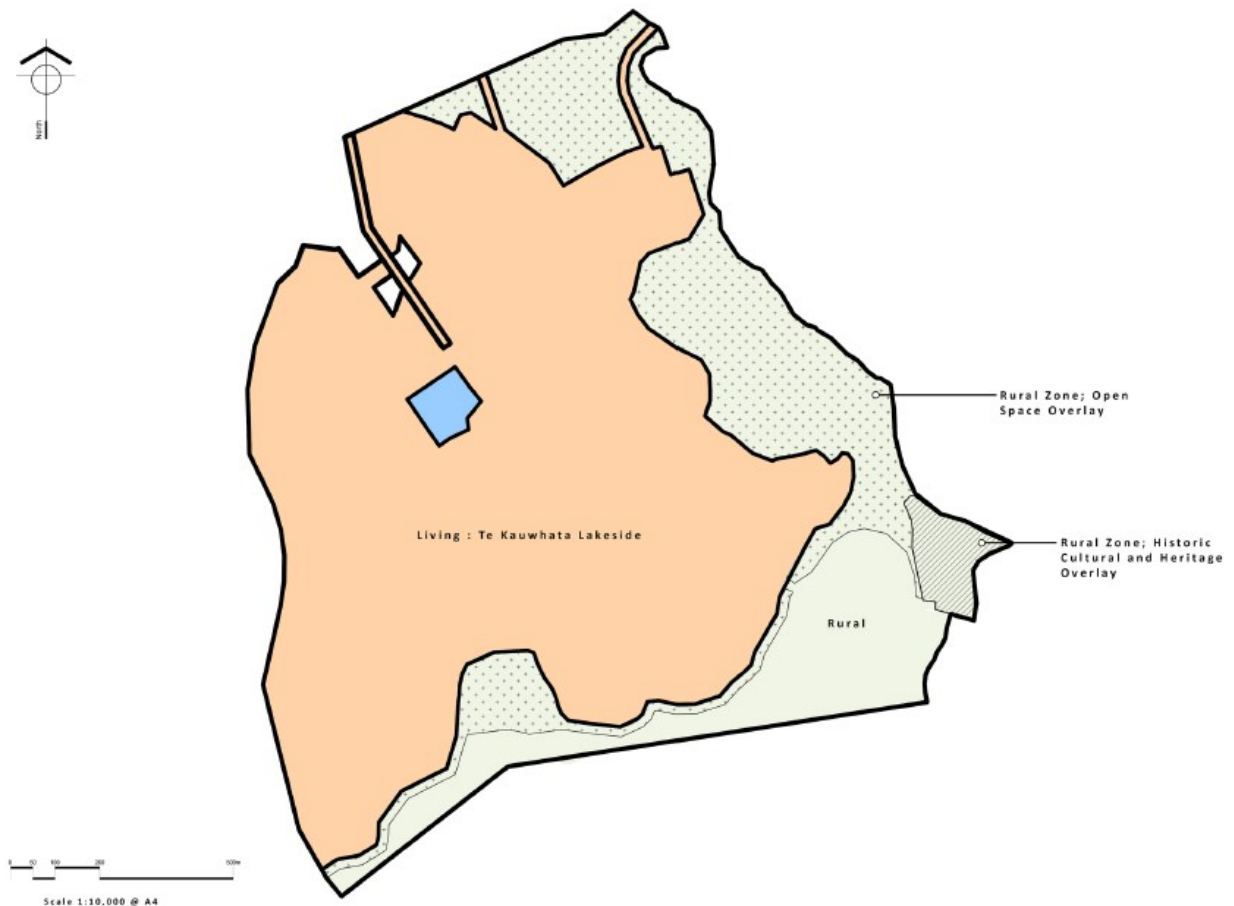
**(b) The activity status tables and standards in the following chapters also apply to activities in the Lakeside Te Kauwhata Precinct:**

**14 Infrastructure and Energy;**

**15 Natural Hazards and Climate Change.**

~~(b)~~(c) The following precinct plan applies to the Rural Zone in the Lakeside Te Kauwhata Precinct as identified on the planning maps:

Lakeside Open Space and Lakeside Cultural and Heritage Overlay



### 22.8.2 Permitted Activities

(a) The rules that apply to a permitted activity listed in Rule 22.8.2 P1-P23 within the Lakeside Te Kauwhata Precinct as identified on the planning maps are as follows:

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### 22.8.6 Earthworks - General

PI	<p>(a) <u>Earthworks</u> in a <u>Flood Risk Area</u> <u>Flood Ponding Area</u> (other than earthworks approved as part of a <u>CLDC</u>) shall meet the following conditions:</p> <p>(i) filling is no more than is necessary to:</p> <p>A. provide a foundation for <u>building</u> approved by a <u>building</u> consent, and access to that <u>building</u>, or</p> <p>B. enable minor upgrading of existing electricity lines and does not exceed 50m<sup>2</sup>.</p> <p>(b) The Waikato Pest Management Plan addresses the management of identified pest species, including alligator weed. It includes enforceable controls relating to <u>subdivision</u> and land development in infected areas.</p> <p>(c) Regional <u>earthworks</u> consents may also be needed for works in a high risk erosion area.</p>
RDI	<p>(a) <u>Earthworks</u> that do not comply with Rule 22.8.6 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) effects on amenity values,</p> <p>(ii) visual effects,</p> <p>(iii) mitigation measures including sediment control,</p> <p>(iv) effects on land utilisation,</p> <p>(v) effects on erosion,</p> <p>(vi) effects on cultural values,</p> <p>(vii) effects on heritage values,</p> <p>(viii) effects on the Lake Waikare flood plain.</p>

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### 22.8.8 Lakeside Comprehensive Subdivision Consent

RDI	<p>(a) A <b>Comprehensive Subdivision Consent (CS)</b> that meets all of the following conditions:</p> <ul style="list-style-type: none"><li>(i) is in accordance with Te Kauwhata Lakeside Precinct Plan <b>16.5.1(3)(a)</b>; the roading network, walkways and cycleways shown on Precinct Plan <b>16.5.1(3)(b)</b>; and the open space shown on Precinct Plan <b>16.5.1(3)(c)</b> as set out in the precinct parameters below; and</li><li>(ii) A <b>CS</b> is in accordance with the Lakeside Precinct Plans identified above if:<ul style="list-style-type: none"><li>A. Primary roads are within 50m of the location shown on Precinct Plan <b>16.5.1(3)(b)</b>; and</li><li>B. Bus route is either on the alignment shown on Precinct Plan <b>16.5.1(3)(b)</b> or a continuous alignment that achieves the same circulation; and</li><li>C. Indicative walkways/cycleways are within 100m of the location shown on Precinct Plan <b>16.5.1(3)(c)</b> provided connections are retained between the Lakeside Walkway and the residential development; and</li><li>D. Lakeside Walkway is within 10m of the location shown on Precinct Plan <b>16.5.1(3)(c)</b>.</li></ul></li></ul> <p>(b) A <b>CS</b> can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages, provided that an individual stage must be 5ha or more.</p> <p>(c) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"><li>(i) consistency with the Te Kauwhata Lakeside Precinct Plan in <b>16.5.1(3)(a)</b>, <b>16.5.1(3)(b)</b> and <b>16.5.1(3)(c)</b>,</li><li>(ii) matters identified in the assessment criteria in <b>X</b>,</li><li>(iii) managing the effects of wastewater and stormwater,</li><li>(iv) roading network (including the Te Kauwhata Road level crossing safety) and compliance with a Council approved roading standard,</li><li>(v) protection, restoration or enhancement of ecological features,</li><li>(vi) provision and location of existing and future utilities and connections,</li><li>(vii) location of roads and their connections,</li><li>(viii) provision for public access to Lake Waikare,</li><li>(ix) provision of open space, including linkages between residential areas, open space and Lake Waikare,</li><li>(x) effects of natural hazards, including flooding and liquefaction risk (refer to Chapter <b>15</b>), geotechnical and land contamination,</li><li>(xi) provision of the historic Iwi overlay area shown on Precinct Plan <b>16.5.1(3)(c)</b>.</li></ul> <p>(d) Applications for approval of a <b>CS</b> as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p>(e) <b>CS</b> approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of section 357 of the <b>Local Government Act 1974</b>. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p>
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## Chapter 23: Country Living Zone

- (1) The rules that apply to activities in the Country Living zone are contained in [Rule 23.1 Land Use – Activities](#), [Rule 23.2 Land Use – Effects](#) and [Rule 23.3 Land Use – Building](#).
- (2) The rules that apply to subdivision in the Country Living zone are contained in [Rule 23.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Country Living Zone:
  - [14 Infrastructure and Energy](#);
  - [15 Natural Hazards and Climate Change](#) ([Placeholder](#)).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity

### 23.1 Land Use – Activities

#### 23.1.1 Permitted Activities

- (1) The following activities are permitted activities if they meet all the following:
  - (a) Land Use – Effects rules in [Rule 23.2](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in [Rule 23.3](#) (unless the activity rule and/or activity specific conditions identify a condition(s) that does not apply);
  - (c) Activity specific conditions.

Activity		Activity-specific conditions
P1	<u>Residential activity</u> , unless specified below.	Nil
P2	<u>Home stay</u>	Nil
P3	<u>A temporary event</u>	<ol style="list-style-type: none"> <li>(a) The event occurs no more than 3 times per single 12 month period;</li> <li>(b) The duration of each event is less than 72 hours;</li> <li>(c) It may operate between 7.30am and 8.30pm Monday to Sunday;</li> <li>(d) Temporary structures are:                             <ol style="list-style-type: none"> <li>(i) erected no more than 2 days before the event occurs, and</li> <li>(ii) removed no more than 3 days after the end of the event;</li> </ol> </li> <li>(e) The <u>site</u> is returned to its original condition no more than 3 days after the end of the event;</li> <li>(f) There is no direct site access from a national route or regional arterial road.</li> </ol>

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23.4.2 General Subdivision

<p>RD1</p>	<p>(a) <u>Subdivision</u> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) All proposed <u>lots</u> must have a <u>net site area</u> of at least 5000m<sup>2</sup>.</li> <li>(ii) Where the land being subdivided is inside the Airport Subdivision Control Boundary or inside the SEL 95 Boundary identified on the planning maps, the average <u>net site area</u> of all proposed <u>lots</u> must be at least 1.1ha;</li> <li>(iii) Where the land being subdivided straddles the Airport Subdivision Control Boundary, the maximum number of proposed titles must be the smallest nearest whole number calculated by the following formula:</li> </ul> <p>Proposed Record of Titles = <math>\frac{\text{area (ha) outside}^*}{0.5} + \frac{\text{area (ha) inside}^*}{1.1}</math></p> <p>* outside and inside Airport Subdivision Control Boundary</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Adverse effects on amenity values;</li> <li>(ii) Effects on the Airport Subdivision Control Boundary or the SEL 95 Boundary <b>;</b></li> <li><b>and</b></li> <li><b>(iii) <u>Avoidance and/or mitigation of natural hazards risk, including liquefaction risk and fire risk (refer to Chapter 15).</u></b></li> </ul>
<p>NC1</p>	<p>General <u>Subdivision</u> that does not comply with Rule 23.4.1 RD1.</p>



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23.4.4 Title boundaries – ~~natural hazard area~~, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction areas

RDI	<p>(a) Subdivision of land containing any <del>natural hazard area</del>, contaminated land, Significant Amenity Landscape, notable tree, intensive farming activity or Aggregate Extraction Area must comply with all of the following conditions:</p> <p>(i) The boundaries of every proposed lot containing an existing building must demonstrate compliance with the Land Use - Building rules in Rule 23.3 relating to:</p> <p>A. Rule 23.3.5 (Daylight admission);</p> <p>B. Rule 23.3.6 (Building coverage);</p> <p>C. Rule 23.3.7 (Building Setbacks);</p> <p>(ii) Rule 23.4.4 RD1 (a)(i) does not apply to any non-compliance with the Land Use – Building rules in Rule 23.3 that existed lawfully prior to the subdivision.</p> <p>(iii) Any boundary of a proposed lot must not divide the following:</p> <p><del>A.</del> a natural hazard area;</p> <p><del>B.</del> contaminated land;</p> <p><del>C.</del> Significant Amenity Landscape;</p> <p><del>D.</del> Notable tree.</p> <p>(iv) Any boundary of a proposed lot must provide the following setbacks:</p> <p>A. 300m from any intensive farming activity;</p> <p>B. 200m from an Aggregate Extraction Area for sand extraction;</p> <p>C. 500m from an Aggregate Extraction Area for rock extraction.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <p>(i) Landscape values;</p> <p>(ii) Amenity values and character;</p> <p>(iii) Reverse sensitivity effects;</p> <p>(iv) Effects on any existing building;</p> <p><del>(v)</del> Effects on a natural hazard area;</p> <p><del>(vi)</del> Effects on contaminated land;</p> <p><del>(vii)</del> Effects on a notable tree;</p> <p><del>(viii)</del> Effects on an intensive farming activity;</p> <p><del>(ix)</del> Effects on an Aggregate Extraction Area.</p>
NCI	Subdivision that does not comply with Rule 23.4.4 RDI.

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23.4.8 Subdivision - Building platform

RDI	<p>(a) <u>Subdivision, other than an access allotment or utility allotment, must provide a building platform on the proposed lot that:</u></p> <ul style="list-style-type: none"> <li>(i) has an area of 1000m<sup>2</sup> exclusive of <u>boundary setbacks</u>;</li> <li>(ii) has an average gradient no steeper than 1:8;</li> <li>(iii) has vehicular access in accordance with <a href="#">Rule 14.12.1 P 1 Infrastructure Chapter 14</a>;</li> <li>(iv) is certified by a geotechnical engineer as geotechnically stable;</li> <li>(v) is not subject to inundation in a 2% <u>AEP</u> storm or flood event;</li> <li>(vi) a <u>dwelling</u> could be built on as a permitted activity in accordance with <a href="#">Rule 23.3</a>.</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>Earthworks and fill material required for building platform and access</u>;</li> <li>(ii) Geotechnical suitability for a <u>building, including liquefaction risk (refer to Chapter 15)</u>;</li> <li>(iii) Avoidance or mitigation of natural <u>hazards</u>;</li> <li>(iv) Effects on landscape and amenity;</li> <li>(v) Measures to avoid storm or flood events.</li> </ul>
DI	<p><u>Subdivision</u> that does not comply with Rule 23.4.8 RD1.</p>

## Chapter 24: Village Zone

- (1) The rules that apply to activities in the Village Zone are contained in [Rule 24.1](#) Land Use – Activities, [Rule 24.2](#) Land Use – Effects, [Rule 24.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Village Zone are contained in [Rule 24.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Village zone:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity

### 24.1 Land Use - Activities

#### 24.1.1 Permitted Activities

- (1) The following activities are permitted activities if they meet all the following:
  - (a) Land Use – Effects rules in [Rule 24.2](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in [Rule 24.3](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (c) Activity specific conditions.

Activity		Activity-specific Conditions
PI	Residential activity, unless specified below.	Nil

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### 24.4 Subdivision

- (1) [Rule 24.4.1](#) provides for subdivision density and applies across the Village Zone.
- (2) The following rules apply to specific areas and/or activities:
  - (a) [Rule 24.4.2](#) – Subdivision in Te Kowhai and Tuakau, applies to the Village Zone in these two areas.
  - (b) Rules 24.4.1 and 24.4.2 are also subject to the following subdivision controls:
    - (i) [Rule 24.4.3](#) – Subdivision boundary adjustments;
    - (ii) [Rule 24.4.4](#) – Subdivision amendments and updates to cross lease flats plans and conversions;
    - (iii) [Rule 24.4.5](#) – Title boundaries ~~natural hazard area~~, contaminated land, Significant Amenity Landscape Dune, notable trees and intensive farming activities, aggregate extraction areas;
    - (iv) [Rule 24.4.6](#) – Title boundaries Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori;
    - (v) [Rule 24.4.7](#) – Title boundaries Maaori sites and Maaori areas of significance;
    - (vi) [Rule 24.4.8](#) - Subdivision of land containing heritage items;
    - (vii) [Rule 24.4.9](#) – Road frontage;
    - (viii) [Rule 24.4.10](#) – Subdivision building platform;
    - (ix) [Rule 24.4.11](#) – Subdivision Reserves; and
    - (x) [Rule 24.4.12](#) - subdivision esplanade reserves and esplanade strips
    - (xi) [Rule 24.4.13](#) – subdivision of land containing mapped off-road walkways.

#### 24.4.1 Subdivision – General

RDI	<p>(a) Proposed <u>lots</u> must have a minimum net site area of 3000m<sup>2</sup>, except where the proposed lot is an <u>access allotment, utility allotment or reserve to vest</u>.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> <li>(i) Shape, location and orientation of proposed <u>lots</u>;</li> <li>(ii) Matters referred to in the <a href="#">Infrastructure chapter</a>;</li> <li>(iii) Consistency with the matters, and outcomes sought, in <a href="#">Appendix 3.1</a> (Residential Subdivision Guidelines);</li> <li>(iv) Impacts on stormwater and wastewater disposal;</li> <li>(v) Impacts on <u>Significant Natural Areas</u>;</li> <li>(vi) Impacts on identified <a href="#">Maaori Sites of Significance</a>; <b>and</b></li> <li>(vii) Roads and pedestrian network; <b>and</b></li> <li>(viii) <b>Avoidance and/or mitigation of natural hazards risk, including liquefaction risk and fire risk (refer to Chapter 15).</b></li> </ol>
DI	<p><u>Subdivision</u> that does not comply with a condition of Rule 24.4.1 RDI.</p>

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### 24.4.2 Subdivision – Te Kowhai and Tuakau

RDI	<p>(a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions:</p> <p>(i) Proposed lots not connected to public water and wastewater infrastructure must have a minimum net site area of 3000m<sup>2</sup>, except where the proposed lot is an access allotment or reserve lot.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Shape, location and orientation of proposed lots;</p> <p>(ii) Position of proposed building platforms and driveways to ensure future subdivision is not compromised;</p> <p>(iii) Matters referred to in the <a href="#">Infrastructure chapter</a>;</p> <p>(iv) Consistency with the matters, and outcomes sought, in <a href="#">Appendix 3.1</a> (Residential Subdivision Guidelines);</p> <p>(v) Impacts on stormwater and wastewater disposal;</p> <p>(vi) Impacts on <a href="#">Significant Natural Areas</a>;</p> <p>(vii) Impacts on identified archaeological sites and <a href="#">Maaori Sites of Significance</a>; and</p> <p>(viii) Roads and pedestrian networks; and</p> <p>(ix) <b>Avoidance and/or mitigation of natural hazards risk, including liquefaction risk and fire risk (refer to Chapter 15).</b></p>
RD2	<p>(a) Subdivision in Te Kowhai and Tuakau must comply with all of the following conditions:</p> <p>(i) Proposed lots connected to public water and wastewater infrastructure must have a minimum net site area of 1,000m<sup>2</sup>, except where the proposed lot is an access allotment or reserve lot.</p> <p>(b) The Council's discretion shall be limited to the following matters:</p> <p>(i) Shape, location and orientation of proposed lots;</p> <p>(ii) Position of proposed building platforms and driveways to ensure future subdivision is not compromised;</p> <p>(iii) Matters referred to in the <a href="#">Infrastructure chapter</a>;</p> <p>(iv) Consistency with the matters and outcomes sought in <a href="#">Appendix 3.1</a> (Residential Subdivision Guidelines);</p> <p>(v) Impacts on stormwater and wastewater disposal;</p> <p>(vi) Impacts on <a href="#">Significant Natural Areas</a>;</p> <p>(vii) Impacts on identified archaeological sites and <a href="#">Maaori Sites of Significance</a>; and</p> <p>(viii) Roads and pedestrian networks; and</p> <p>(ix) <b>Avoidance and/or mitigation of natural hazards risk, including liquefaction risk and fire risk (refer to Chapter 15).</b></p>
DI	Subdivision that does not comply with Rule 24.4.2 RDI or RD2.

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24.4.5 Title boundaries – ~~natural hazard area~~, Contaminated land, Significant Amenity Landscape - Dune, notable trees and intensive farming activities

RDI	<p>(a) <u>Subdivision of land containing contaminated land, notable trees and intensive farming activities and Aggregate Extraction Areas must comply with all of the following conditions:</u></p> <p>(i) <u>The boundaries of every proposed lot with existing buildings must demonstrate compliance with the following building rules (other than where any non-compliance existed lawfully prior to the subdivision) relating to:</u></p> <p>A. Daylight admission (Rule 24.3.4);          B. Building coverage (Rule 24.3.5);          C. Building setbacks (Rule 24.3.6);</p> <p>(ii) <u>The boundaries of every proposed lot must not divide the following:</u></p> <p><del>A. A natural hazard area;</del>  <del>A. Contaminated land;</del>  <del>B. Significant Amenity Landscape; or</del>  <del>C. Notable tree.</del></p> <p>(iii) <u>The boundaries of every proposed lot must be setback by 300m from any area operating an intensive farming activity.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) Landscape values;          (ii) Amenity values and character;          (iii) Reverse sensitivity;          (iv) <u>Effects on existing buildings;</u>  <del>(v) Effects on natural hazard areas;</del>  <del>(v) Effects on contaminated land;</del>  <del>(vi) Effects on any notable tree;</del>  <del>(vii) Effects on an intensive farming activity.</del></p>
DA	<u>Subdivision that does not comply with Rule 24.4.5 RDI.</u>

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### 24.4.10 Subdivision - Building platform

RDI	<p>(a) Every proposed lot, other than a new lot specifically for access, utility allotment and access allotment must be capable of containing a building platform upon which a dwelling could be sited as a permitted activity, with the building platform being contained within either of the following dimensions:</p> <ul style="list-style-type: none"> <li>(i) A circle with a diameter of at least 18m exclusive of yards; or</li> <li>(ii) A rectangle of at least 200m<sup>2</sup> with a minimum dimension of 12m exclusive of yards.</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Subdivision layout;</li> <li>(ii) Shape of allotment;</li> <li>(iii) Ability of allotment to accommodate a practical building platform;</li> <li>(iv) Likely location of future buildings and their potential effects on the environment;</li> <li>(v) Avoidance or mitigation of natural hazards;</li> <li>(vi) Geotechnical suitability for building, including liquefaction risk (refer to Chapter 15);</li> <li>(vii) Ponding areas and primary overland flow paths.</li> </ul>
DI	Subdivision that does not comply with Rule 24.4.10 RD1.

## Chapter 25: Reserve Zone

- (1) The rules that apply to activities in the Reserve Zone are contained in [Rule 25.1](#) Land Use – Activities, [Rule 25.2](#) Land Use – Effects and [Rule 25.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Reserve Zone are contained in [Rule 25.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Reserve Zone:
  - I4 Infrastructure and Energy;
  - I5 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity
- (5) The Reserve Zone contains a Specific Area listed below. This Specific Area contains rules that are either in addition to, or different from, other rules that apply to the rest of the Reserve Zone:
  - (a) [25.5](#) Tamahere Park and Tamahere Village Green

### 25.1 Land Use - Activities

#### 25.1.1 Prohibited Activities

- (1) The following activity is a prohibited activity. No application for resource consent can be made for a prohibited activity and no resource consent can be granted:

PRI	Any building, structure, objects or vegetation that obscures the sight lines of the Raglan navigation beacons as identified in <a href="#">Appendix 7</a> (Raglan Navigation Beacon) for vessels entering Raglan Harbour (Whaingaroa).
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#### 25.1.2 Permitted Activities

- (1) The activities listed below are permitted activities if they meet all the:
  - (a) Land Use – Effects rules in [Rule 25.2](#) (unless the activity-specific rule and/or conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in [Rule 25.3](#) (unless the activity-specific rule and/or conditions identify a condition(s) that does not apply);
  - (c) Activity-specific conditions.

Activity		Activity-specific conditions
P1	Any activity provided in a Reserve Management Plan approved under the <a href="#">Reserves Act 1977</a>	Nil
P2	<u>Informal recreation</u>	Nil



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### 25.5.1 Application of rules

The following rules of the Reserve Zone apply in the Tamahere Park and Tamahere Village Green:

- (a) [Rule 25.1.2](#) Permitted Activities
- (b) [Rule 25.1.3](#) Discretionary Activities
- (c) [Rule 25.1.4](#) Non-Complying Activities
- (d) The Land Use – Effects rules in [Rule 25.2](#) apply except:
  - (i) [Rule 25.5.2.1](#) applies instead of [Rule 25.2.7.1](#) Signs – General
- (e) The Land Use – Building rules in [Rule 25.3](#) apply except:
  - (i) [Rule 25.5.3.1](#) Building Coverage applies instead of [Rule 25.3.3](#) Building Coverage; and
  - (ii) [Rule 25.5.3.2](#) Building applies instead of [Rule 25.3.1](#) Height – General and [Rule 25.3.3](#) Building Coverage.
- (f) [Rule 25.4](#) Subdivision.
- (g) The activity status tables and standards in the following chapters also apply to activities in the Tamahere Park and Tamahere Village Green:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change.

## Chapter 26: Hampton Downs Motor Sport and Recreation Zone

- (1) The rules that apply to activities in the Hampton Downs Motor Sport and Recreation Zone are contained in Rule 26.1 Land Use – Activities, Rule 26.2 Land Use – Effects and Rule 26.3 Land Use – Building.
- (2) The rules relating to subdivision within the Motor Sport and Recreation Zone are contained in Rule 26.4.
- (3) The activity status tables and standards in the following chapters also apply to activities in the Motor Sport and Recreation Zone:
  - 14 Infrastructure and Energy;
  - 15 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) P Permitted activity
  - (b) C Controlled activity
  - (c) RD Restricted discretionary activity
  - (d) D Discretionary activity
  - (e) NC Non-complying activity.

### 26.1 Land Use - Activities

#### 26.1.1 Permitted Activities

- (1) The following activities are permitted activities if they meet all the following:
  - (i) Land Use – Effects rules in [Rule 26.2](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (ii) Land Use – Building rules in [Rule 26.3](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (iii) Activity-specific conditions.

##### 26.1.1.1 Permitted Activities - Operational Motorsport Area - Precinct A Activity

Activity		Activity-specific conditions
P1	A <a href="#">motor sport and recreation facility</a>	The activity is carried out in Precinct A (Operational Motor Sport Area)
P2	A <a href="#">day-to-day activity</a>	The activity is carried out in Precinct A (Operational Motor Sport Area)

##### 26.1.1.2 Permitted Activities– Business and Industrial Area - Precinct B Activity

Activity		Activity-specific conditions
P1	<a href="#">Automotive activities</a>	The activity is carried out in Precinct B (Business and Industrial Area)
P2	<a href="#">Non-automotive activities</a>	The activity is carried out in Precinct B (Business and Industrial Area)
P3	<a href="#">General warehousing</a>	The activity is carried out in Precinct B (Business and Industrial Area)

## Chapter 27: Te Kowhai Airpark Zone

- (1) The rules that apply to activities in the Te Kowhai Airpark Zone are contained in [Rule 27.2](#) Land Use – Effects and, [Rule 27.3](#) Land Use – Building.
- (2) The provision for subdivision in the Te Kowhai Airpark Zone are contained in [Rule 27.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Te Kowhai Airpark Zone:
  - 14 Infrastructure and Energy as specified in [Rule 27.2](#);
  - 15 Natural Hazards and Climate Change ~~(Placeholder)~~.
- (4) The following symbols are used in the tables:
  - (a) P Permitted activity
  - (b) C Controlled activity
  - (c) RD Restricted discretionary activity
  - (d) D Discretionary activity
  - (e) NC Non-complying activity
- (5) The Te Kowhai Airpark comprises four separate precinct areas:
  - (a) Precinct A: Runway and Operations;
  - (b) Precinct B: Commercial;
  - (c) Precinct C: Medium Density Residential;
  - (d) Precinct D: Residential.
- (6) The Te Kowhai Airpark Zone is shown on the planning maps along with the location of the four precinct areas within the zone.
- (7) Rule Table [27.1.1](#) identifies Permitted activities (P), Controlled Activities (C), Discretionary activities (D) and Non-complying activities (NC) within each precinct.

### 27.1 Land Use - Activities

- (a) All Permitted and Controlled activities identified in Activity Status Table [27.1.1](#) must comply with all Land Use - Effects rules in [Rule 27.2](#) and Land Use - Building rules in [Rule 27.3](#).
- (b) With respect to controlled activities, Council reserves control over the following matters:
  - (i) the proposed site design and layout in relation to:
    - A. the sensitivity of the surrounding natural, human and physical environment,
    - B. potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities, and
    - C. interaction with natural hazards (flooding, instability), as applicable,
  - (ii) proposed emergency management planning (spills, fire and other relevant hazards), and
  - (iii) proposed procedures for monitoring and reporting of incidents.
- (c) To reference the activity status use the following format:
  - (i) Rule
  - (ii) Activity status and number
  - (iii) Activity
  - (iv) Precinct(for example 21.7 D I I Navigation Equipment Precinct B Commercial)

#### 27.1.1 Activity Status Table

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### 27.4.6 Building platform

RDI	<p>(a) In ALL PRECINCTS, every allotment must be capable of containing a building platform:</p> <p>(i) Upon which a dwelling could be sited as a permitted activity in accordance with Rule 27.3; and</p> <p>(ii) The building platform is able to accommodate either:</p> <p style="margin-left: 20px;">A. A circle with a diameter of at least 10m exclusive of boundary setbacks; or</p> <p style="margin-left: 20px;">B. A rectangle of at least 100 m<sup>2</sup>, exclusive of boundary setbacks, of which each dimension is at least 8m.</p> <p>(b) Rule 27.4.6 RDI (a) does not apply to a utility allotment or an access allotment.</p> <p>(c) Council's discretion is restricted to the following matters:</p> <p>(i) Subdivision layout;</p> <p>(ii) Shape of allotments;</p> <p>(iii) Ability of allotments to accommodate a practical building platform;</p> <p>(iv) Likely location of future buildings and their potential effects on the environment;</p> <p>(v) Geotechnical suitability for building, including liquefaction risk if present (refer to Chapter 15);</p> <p>(vi) Avoidance and/or mitigation of natural hazards.</p>
DI	Subdivision that does not comply with Rule 27.4.6 RDI.

## Chapter 28: Rangitahi Peninsula Zone

- (1) The rules that apply to activities in the Rangitahi Peninsula zone are contained in [Rule 28.1](#) Land Use – Activities, [Rule 28.2](#) Land Use – Effects and [Rule 28.3](#) Land Use – Building.
- (2) The activity status tables and standards in the following chapters also apply to activities in the Rangitahi Peninsula zone:
  - I4 Infrastructure and Energy;
  - I5 Natural Hazards [and Climate Change](#) [\(Placeholder\)](#).
- (3) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity
- (4) The rules providing for subdivision in the Rangitahi Peninsula Zone are contained in [Rule 28.4](#).

### 28.1 Land Use – Activities

- (1) The following activities are permitted activities if they comply with all of the:
  - (a) Land Use - Effects rules in [Rule 28.2](#) (except for P7);
  - (b) Land Use – Building rules in [Rule 28.3](#) (except for P7);
  - (c) Activity specific conditions.

#### 28.1.1 Specific Activities – Permitted Activities

- (1) The activities listed below are permitted activities.

Activity		Conditions
PI	<u>Residential activity</u>	<ol style="list-style-type: none"> <li>(a) An activity that is in accordance with the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>); and</li> <li>(b) Is located within Plan I Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>).</li> </ol>

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### 28.1.3 Specific Activities - Restricted Discretionary Activities

- (1) The activities listed below are restricted discretionary activities.
- (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

<b>Activity</b>		<b>Matters of Discretion</b>
RDI	<p>(a) Any activity that does not comply with a condition for <a href="#">Rule 28.1.1 P5</a> or <a href="#">Rule 28.1.1 P6</a> is a restricted discretionary activity provided that:</p> <p style="margin-left: 20px;">(i) For a <u>community activity</u>, the total <u>gross floor area</u> within the Rangitahi Peninsula Structure Plan Area does not exceed 300m<sup>2</sup> within the whole of the Structure Plan Area.</p> <p>(b) For <u>Rangitahi commercial activity</u>:</p> <p style="margin-left: 20px;">(i) The total <u>gross floor area</u> does not exceed 600m<sup>2</sup> within any of the seven neighbourhoods shown on the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>), or</p> <p style="margin-left: 20px;">(ii) The total <u>gross floor area</u> does not exceed 1000m<sup>2</sup> within the whole of the Structure Plan Area.</p>	<p>(a) Council discretion is restricted to the following matters:</p> <p style="margin-left: 20px;">(i) Effects on the role, function, and vitality, of the Raglan town centre;</p> <p style="margin-left: 20px;">(ii) Traffic impacts on the safety and efficiency of the road network;</p> <p style="margin-left: 20px;">(iii) Consistency with the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>);</p> <p style="margin-left: 20px;">(iv) Character and amenity of development within the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>).</p>
RD2	<p>(a) A Comprehensive Residential Development that meets the following conditions:</p> <p style="margin-left: 20px;">(i) The Land Use – Effects in <a href="#">Rule 28.2</a>; and</p>	<p>(a) Council discretion is restricted to the following matters:</p> <p style="margin-left: 20px;">(i) Adequacy of the information provided to</p>

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- (ii) The Land Use – Building in [Rule 28.3](#); and
  - A. [Rule 28.3.3](#) (Building height) does not apply; and
  - B. [Rule 28.3.7](#) (Living court) does not apply; and
- (iii) The site is located within the Comprehensive Residential Development locations shown in Plan 5 of the Rangitahi Peninsula Structure Plan ([Appendix 8](#)); and
- (iv) Construction or alteration of a building does not exceed 11m height; and
- (v) A detailed site plan is provided that identifies proposed title boundaries for each residential unit and any common areas (including access and services), ensuring that a freehold (fee simple) or unit title subdivision could occur in accordance with [Appendix 8](#) - Rangitahi Peninsula Structure Plan; and
- (vi) The residential unit is designed and constructed to comply with Table 14 - Internal Sound Levels in [Appendix 1](#) (Acoustic Insulation); and
- (vii) A communal service court area is provided; and
- (viii) Outdoor living courts are provided to meet the following minimum requirements for each residential unit:

<u>Duplex Dwelling</u>	Living Court Area	Minimum Dimension
Studio unit or 1 bedroom	30m <sup>2</sup>	4m
2 bedroom	40m <sup>2</sup>	4m
3 bedroom	40m <sup>2</sup>	4m
<u>Apartment Building</u> Ground Level Residential Unit	Living Court Area	Minimum Dimension
Studio unit or 1 bedroom	20m <sup>2</sup>	4m

- address matters specified, and outcomes sought, within the Multi-Unit Design Guide ([Appendix 3.4](#));
- (ii) The extent to which the development contributes to and engages with adjacent streets and public open space;
- (iii) The extent to which the access, car parking and garaging is integrated into the development in a way that is safe for pedestrians and cyclists;
- (iv) The extent to which the development incorporates environmental efficiency measures such as passive solar principles;
- (v) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, outdoor living court orientation, site design and layout;
- (vi) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner;
- (vii) Avoidance or mitigation of natural hazards;
- (viii) The safety and efficiency of roads due to traffic associated with the development;
- (ix) Geotechnical stability for building, including liquefaction risk if present (refer to Chapter 15);

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	<table border="1"> <tr> <td>2 bedroom</td> <td>30m<sup>2</sup></td> <td>4m</td> </tr> <tr> <td>3 bedroom</td> <td>30m<sup>2</sup></td> <td>4m</td> </tr> <tr> <td>Apartment Building Upper Level Residential Unit</td> <td>Living Court Area</td> <td>Minimum Dimension</td> </tr> <tr> <td>Studio unit or 1 bedroom</td> <td>10m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>2 bedroom</td> <td>15m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>3 bedroom</td> <td>15m<sup>2</sup></td> <td>2m</td> </tr> </table>	2 bedroom	30m <sup>2</sup>	4m	3 bedroom	30m <sup>2</sup>	4m	Apartment Building Upper Level Residential Unit	Living Court Area	Minimum Dimension	Studio unit or 1 bedroom	10m <sup>2</sup>	2m	2 bedroom	15m <sup>2</sup>	2m	3 bedroom	15m <sup>2</sup>	2m	(x) Consistency with (Appendix 8) Rangitahi Peninsula Structure Plan.
2 bedroom	30m <sup>2</sup>	4m																		
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Apartment Building Upper Level Residential Unit	Living Court Area	Minimum Dimension																		
Studio unit or 1 bedroom	10m <sup>2</sup>	2m																		
2 bedroom	15m <sup>2</sup>	2m																		
3 bedroom	15m <sup>2</sup>	2m																		
RD3	<p>(a) Any mixed use activity comprising of a comprehensive residential development and a Rangitahi commercial activity or a community facility is a restricted discretionary activity and shall meet the conditions in Rules 28.1.1 P5-P6 and 28.1.3 RD1 and RD2;</p> <p>(b) Mixed use activities provided for under Rule RD3(a) are exempt from the requirements of Rule 28.3.6 (Accessory buildings).</p>	Council's discretion is restricted to the matters of discretion of Rules 28.1.3 RD1 (b) and RD2 (b).																		



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### 28.4.1 Subdivision - General

RDI	<p>(a) <u>Subdivision</u> must comply with the following conditions:</p> <ul style="list-style-type: none"> <li>(i) <u>Subdivision</u> must be in accordance with the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>), including the density ranges specified therein for each neighbourhood in the Neighbourhood Outcomes Plans; and</li> <li>(ii) Compliance with the following variances will be determined to be in accordance with the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>) (the base figures and locations are as stated or shown in the Neighbourhood Outcome Plans that form part of the Rangitahi Peninsula Structure Plan): <ul style="list-style-type: none"> <li>(i) Development Precinct areas (hectares) - variance up to and including 10%;</li> <li>(ii) Development Precinct boundaries - variance up to and including 100m;</li> <li>(iii) Development Precinct densities - variance up to and including 10% from the upper and lower end of the range specified;</li> <li>(iv) Collector Road locations - variance up to and including 50m movement outside of the road reserve;</li> <li>(v) Secondary access location - any variance and up to and including 30% variance in length; and</li> </ul> </li> <li>(iii) Environmental improvements required by the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>) (including, but not limited to, restoration planting shown on the Indicative Open Space Framework Plan and provision of walkways and cycle ways shown on the Indicative Movement Network Plan) have been implemented to the extent required;</li> <li>(iv) The primary access to the Rangitahi Peninsula Structure Plan Area by way of an upgraded Opotoru Road (inclusive of the Opotoru Road/Wainui Road intersection and the bridge/causeway at each end) has been formed; and</li> <li>(v) There must be secondary legal access for all road users when the Opotoru Road connection is not available for any reason.</li> <li>(vi) Council shall consider Tainui Hapuu as an affected party and require that its written approval be obtained or that notice be served on a limited notified basis.</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Extent to which <u>subdivision</u> is consistent with the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>);</li> <li>(ii) Extent of variation in <u>allotment</u> sizes from provisions of the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>);</li> <li>(iii) Matters referred to in <a href="#">Chapter 14</a> Infrastructure and Energy;</li> <li>(iv) Amenity and streetscape;</li> <li>(v) Vehicle and pedestrian networks;</li> <li>(vi) Implementation of environmental improvements required by the Rangitahi Peninsula Structure Plan (<a href="#">Appendix 8</a>);</li> <li>(vii) <u>Avoidance and/or mitigation of natural hazards risk, including liquefaction risk if present (refer to Chapter 15).</u></li> </ul>
DI	Subdivision that does not comply with one or more conditions in Rule 28.4.1 RDI.

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### 28.4.6 Subdivision - Building platform

RDI	<p>(a) Every proposed lot, other than an access or utility allotment, must be capable of containing a building platform that meets all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Has, exclusive of boundary setbacks, a circle with a diameter of at least 18m or a rectangle of at least 200m<sup>2</sup> with a minimum dimension of 12m, except that this condition shall not apply to Comprehensive Residential Development Lots;</li> <li>(ii) Has an average gradient not steeper than 1:8;</li> <li>(iii) Has vehicular access in accordance with Rule 14.12.1.1 Infrastructure and Energy Chapter;</li> <li>(iv) Is geotechnically stable;</li> <li>(v) Is not subject to inundation in a 2% AEP storm or flood event;</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Earthworks and fill material required for subsequent buildings;</li> <li>(ii) Geotechnical suitability for building, including liquefaction risk if present (refer to Chapter 15);</li> <li>(iii) Likely location of future buildings and their potential effects on the environment;</li> <li>(iv) Avoidance or mitigation of natural hazards;</li> <li>(v) Effects on landscape and amenity;</li> <li>(vi) Measures to avoid storm or flood events.</li> </ul>
DI	Subdivision that does not comply with one or more condition in Rule 28.4.6 RDI.