

## Section 2 - Residential Zone

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### 2.1 Introduction

2.1.1 The Residential Zone of the District is where most people in Waipā live. It is principally located in the two main towns of Cambridge and Te Awamutu with a small existing area located at Karāpiro. Over the lifetime of this Plan most of the new residential growth will be directed to Cambridge and Te Awamutu and by 2050 it is anticipated that these two towns will have nearly doubled in size. Development within the zone is anticipated to be consistent with the Strategic Policy Framework including the Waikato River Vision and Strategy. The projected increase in population is due to:

- (a) Changing demographics (an ageing population and greater demand for single occupancy households); and
- (b) The high levels of amenity and services available in Cambridge and Te Awamutu; and
- (c) The central location of the District which makes it an attractive place to live.

In order to meet future demand, this Plan provides for new growth areas (refer to Section 1 - Strategic Policy Framework) and also greater redevelopment within the existing Residential Zone in identified locations.

2.1.2 Providing for changing housing demands while maintaining existing character and amenity expectations will be challenging. The Town Concept Plans 2010 prepared for Cambridge, Te Awamutu and Kihikihi provide guidance on how these competing demands can be managed. Policy direction and rules have been included in this Plan which support the key elements and outcomes in the Town Concept Plans 2010. These Plans highlight that a change in the current density and form of residential development will need to occur if future housing demands are to be met in a sustainable manner. The aim of this Plan is to manage this change carefully so that the distinguishing characteristics of each place are maintained. For example there are groups of dwellings within the zone that have special character, this Plan seeks to maintain this character through provisions relating to character clusters in this section, and in Section 22 - Heritage and Archaeology as they relate to the Karāpiro Hydro-Electric Village. In addition, there are also some streets that have high existing character because of the built form and/or because of the presence of existing mature street trees and the road boundary setback rules seek to maintain this character.

2.1.3 There is a need to make future provision for more sustainable forms of living. Sustainable forms of living are required in order to manage resources that have a limited supply (such as land) as well as to reduce the overall 'footprint' on the environment. In the Residential Zone this outcome is achieved by enabling the establishment of secondary dwellings; and providing for infill development, retirement village accommodation and compact housing development options (such as may include semidetached dwellings, duplexes, terrace housing or low rise apartments). These development options are required to be comprehensively designed, co-ordinated with infrastructure provision, take into account key elements of character, and address effects on neighbouring properties. In some locations, the need to protect existing character will potentially outweigh the benefits obtained from providing for a range of housing options. Sustainable living is also supported through rules that require dwellings to be positioned for passive solar gain and by ensuring enough open space is provided on site for a range of activities such as the establishment of vegetable gardens. In addition to a range of living options, working from home is provided for through the home occupation provisions. Other sections of the Plan are also relevant and will need to be referred to for particular developments,

including Section 15 - Infrastructure, Hazards, Development and Subdivision and Section 16 - Transportation.

- 2.1.4 The maintenance of the social and community function of the Residential Zone is important. This function can be undermined by the location of non-residential activities in Residential Zones. This Plan makes clear provision for commercial and industrial activities within their respective zones. The only exception in this zone is for some activities within listed heritage buildings. This exception has been specifically provided as an incentive to enable the adaptive re-use of listed Heritage Items.
- 2.1.5 A number of National Grid transmission lines traverse the Residential Zone of Waipā District. The subdivision, use and development of land is controlled within a defined National Grid Corridor to ensure potential adverse effects are appropriately addressed. The greatest level of restriction on landowners is within the National Grid Yard (particularly the support structures) which is the area that is closest to the transmission line and where there is the greatest potential for adverse effects to occur. The restrictions recognise that the greatest potential effects are generated by sensitive activities and intensive development. Notwithstanding such restrictions, any lawfully established activities within the National Grid Corridor can continue as long as they meet the criteria for existing use rights in the Resource Management Act 1991 or are a permitted activity.
- 2.1.6 The management of subdivision within the National Grid Corridor is addressed in Section 15 (Infrastructure, Hazards, Development and Subdivision).
- 2.1.7 There are specific provisions that apply to the St Kilda Residential Area, the Cambridge Park Residential area, and the C1 and C2/C3 Structure Plan areas. These areas have particular design outcomes that were developed through a structure planning processes and are integral to the overall development of the area. In addition to these areas, there are new growth areas such as the Te Awamutu South residential area. ~~The deferred status of the area identified on the Planning Maps as the Cambridge North Deferred Residential Zone is also subject to the provisions of Section 14 - Deferred Zones. [PC13]~~

## 2.2 Resource Management Issues

### Health and well-being of the Waikato and Waipā Rivers

- 2.2.1 Development within the Residential Zone has the potential to adversely affect the health and well-being of the Waikato and Waipā Rivers. Careful consideration should be given to the following; (but not limited to) potential impacts of increased impervious surfaces, vegetation clearance, earthworks and residential intensification within river catchments.

### Residential character

- 2.2.2 The density, design and layout of new developments and subdivisions can undermine key elements of existing character.
- 2.2.3 There are clusters of existing dwellings in the District that have a special character. New developments, relocated buildings and subdivisions have the potential to detract from the character of these clusters.

### **Neighbourhood amenity**

- 2.2.4 Developments and subdivisions can have adverse visual and functional effects on the amenity of the Residential Zone. The amenity values of the Residential Zone include:
- (a) A road boundary setback that is characterised by lawns, gardens and trees; and
  - (b) Sites that are spacious with ample opportunities for outdoor living and landscaping; and
  - (c) A low ambient noise environment; and
  - (d) Neighbourhoods that are well maintained, safe, and are free from activities, developments and associated signs that can result in adverse visual and nuisance effects.
- 2.2.5 Sites where buildings and impermeable surfaces cover large areas of the site can compromise the ability to adequately dispose of stormwater, and restrict on-site vehicle manoeuvring.
- 2.2.6 Relocated buildings can adversely affect the existing amenity of the neighbourhood.
- 2.2.7 There is the potential for reverse sensitivity effects when noise sensitive activities locate close to some existing activities such as the Te Awamutu Dairy Manufacturing site, roads with high traffic volumes, and railway lines.
- 2.2.8 Trends towards more compact residential development can lead to conflicts as the noise environment is potentially greater than people anticipate, and privacy levels are not the same as those existing in traditional residential areas.
- 2.2.9 Signs are not consistent with the character of residential neighbourhoods. Signs can also detract from the character and values associated with identified heritage items and character clusters.
- 2.2.10 Home occupations provide a sustainable working option provided that the scale and nature of the business being carried out is compatible with the character and amenity of the zone.
- 2.2.11 While the keeping of domestic pets is an accepted activity in the Residential Zone, some animals and insects generate noise, odour or nuisance effects that are not acceptable within a Residential Zone.

### **Neighbourhood safety**

- 2.2.12 Inappropriate building design, fence design, and site layout affects the opportunity for passive surveillance from dwellings to roads and other public places and as a consequence adversely affect community safety.

### **On-site amenity values**

- 2.2.13 Buildings that are poorly positioned on a site can affect the level of sunlight and daylight that people receive and the amount of on-site space that is available for outdoor living. Poorly positioned buildings can also result in adverse effects on neighbouring properties.

### **Changing housing demands**

- 2.2.14 There is a requirement to meet a wide range of housing needs including for families, single or two person households; and options for extended families.
- 2.2.15 In order to meet the needs of an ageing population there is a need to provide a range of housing options with an appropriate range of facilities.

2.2.16 In the future there may be increased demand for marae and papakāinga developments within Residential Zones.

#### **Non-residential activities**

2.2.17 The intensity of non-residential activities can cause adverse effects and detract from anticipated levels of residential amenity.

2.2.18 Some non-residential activities can contribute positively to the neighbourhood and community function of the Residential Zone, while others can undermine it. There is also the potential for non-residential activities in the Residential Zone to undermine the function and purpose of the Industrial and Commercial Zones.

2.2.19 The design and layout of non-residential buildings is often inconsistent with the amenity and character of the Residential Zone, and can result in adverse effects beyond that anticipated in the zone.

2.2.20 Within the Residential Zone, in Te Awamutu, there are existing out of zone activities where significant investment has been made. It is important that these activities are recognised.

#### **National Grid transmission lines for the conveyance of electricity**

2.2.21 National Grid transmission lines for the conveyance of electricity are considered to be a resource of national and regional significance that requires protection. The location of activities within National Grid Corridors have the potential to result in adverse effects, including reverse sensitivity effects, on the operation, maintenance, upgrading and future development of the National Grid network and result in sensitive activities locating where they are most vulnerable to the effects, including risks, associated with the line.

## **2.3 Objectives and Policies**

*Please also refer to the objectives and policies of Parts C, Part E and Part F, as relevant.*

#### **Objective - Key elements of residential character**

2.3.1 To maintain and enhance the existing elements of the Residential Zone that give each town its own character.

##### *Policy - Cambridge*

2.3.1.1 To maintain and enhance Cambridge's character by:

- (a) Maintaining the grid layout that provides long vistas down roads; and
- (b) Providing for wide grassed road verges that enable sufficient space for mature trees; and
- (c) Maximising opportunities to provide public access to the town belt; and
- (d) Maintaining and enhancing public views to the Waikato River and Karāpiro Stream Valley with development actively facing and providing access to the River and the Stream; and
- (e) Providing for development that is of a low density, one to two storeys, and set back from road frontages to enable sufficient open space for the planting of trees and private gardens; and

- (f) Maintaining the mix of villa, cottage and bungalow type housing within the identified character clusters.

*Policy - Te Awamutu*

2.3.1.2 To maintain and enhance Te Awamutu's character by:

- (a) Maintaining a road pattern that follows the natural contour of the landform and which provides for the occasional view to the rural hinterland; and
- (b) Providing for wide grassed road verges that enable sufficient space for mature trees; and
- (c) Providing for development that is of a low density, one to two storeys, and set back from road frontages to enable sufficient open space for the planting of trees and private gardens; and
- (d) Providing linkages to the Mangapiko Stream with development actively facing and providing access to the stream; and
- (e) Recognising the mix of villas, bungalows and art deco housing in parts of Te Awamutu.

*Policy - Kihikihi*

2.3.1.3 To maintain and enhance Kihikihi's character by:

- (a) Retaining a grid layout with wide grassed verges; and
- (b) Maintaining a road pattern that provides for the occasional view to the rural hinterland.

*Policy - Character clusters*

2.3.1.4 To maintain and enhance the identified character of each character cluster by:

- (a) Avoiding new buildings and relocated buildings between the dwelling and the front boundary of a site; and
- (b) For new buildings or relocated buildings maintaining a similar style, form, building materials and colour to other dwellings within the cluster; and
- (c) For relocated buildings ensuring that any maintenance and/or reinstatement work is undertaken; and
- (d) Ensuring that signs do not detract from the character of the building or the cluster.

Advice Note: Guidance on the character of each cluster including the style, form, and scale of buildings is included in Appendix DG1 of the District Plan.

*Policy - Subdivision and development adjoining Category A heritage items*

2.3.1.5 To ensure that subdivision and development and associated earthworks adjoining Category A heritage items do not result in adverse effects on the listed heritage building including its setting and vistas to the building.

**Objective - Neighbourhood amenity and safety**

2.3.2 To maintain amenity values and enhance safety in the Residential Zone.

*Policy - Building setback: road boundary*

- 2.3.2.1 All buildings shall be designed and setback from roads in a manner which:
- (a) Maintains the predominant building setback within the neighbourhood except in relation to compact housing areas and Neighbourhood and Local Centres; and
  - (b) Allows sufficient space for the establishment of gardens and mature trees on the site except in compact housing areas; and
  - (c) Accentuates the dwelling on the site; and
  - (d) Provides for passive surveillance to roads and avoids windowless walls to the street.

*Policy - Building setback: character street*

- 2.3.2.2 To maintain the existing character of character streets by having a consistent building setback.

*Policies - Building setback: side boundaries*

- 2.3.2.3 To maintain spaciousness when viewed from the road, provide opportunities for planting, provide a degree of privacy, maintain sunlight and daylight, provide ongoing access to the rear of the site and enable building maintenance from within the site by maintaining a consistent setback between buildings on different sites.

- 2.3.2.4 A reduced setback from a side boundary may be acceptable where it:
- (a) Assists in retaining existing mature trees on the site; or
  - (b) Enables the more effective development of the site because of on-site topographic constraints; or
  - (c) Is located within a greenfield subdivision, where a reduced or nil setback on one side is offset by an increased setback on the other side.

Provided that there is no loss of privacy, sunlight or daylight on adjoining properties, and where sufficient area is maintained on site for outdoor living, and the building does not unduly dominate outdoor living areas on adjoining sites.

For compact housing and retirement village developments Policies 2.3.2.3 and 2.3.2.4 are to be assessed at the boundary of the site only.

Advice Note: In some cases affected parties consents will not be sufficient to address the matters raised in these policies.

*Policy - Height of buildings*

- 2.3.2.5 The height of new buildings shall not be out of character with the Residential Zone. For developments within the compact housing area identified on the Planning Maps this policy applies at the boundary of the site.

*Policies - Site coverage and permeable surfaces*

- 2.3.2.6 To ensure that all sites have sufficient open space to provide for landscaping, outdoor activities, storage, on-site stormwater disposal, parking, and vehicle manoeuvring by maintaining a maximum site coverage requirement for buildings in the Residential Zone.
- 2.3.2.7 Maintain a proportion of each site in permeable surfaces such as lawn and gardens, in order to ensure there is sufficient capacity to enable the on-site disposal of stormwater. In the Cambridge

North Structure Plan Area, increased standards apply because of the difficulty of disposing of stormwater in this location. In the C1 and C2/C3 Structure Plan areas on-site disposal of stormwater may not be required where regional and/or district consents for the overall structure plan stormwater system provide for alternative means of stormwater management and disposal. Furthermore, on-site soakage within the C3 cell is not anticipated due to the risk of exacerbating slope stability issues. Alternative methods of stormwater management will need to be demonstrated for the C3 cell.

*Policy - Relocated buildings*

- 2.3.2.8 Relocated buildings shall not detract from the amenity of the neighbourhood they are located within, by ensuring that exterior maintenance and painting is undertaken.

*Policy - Maintaining low ambient noise environment*

- 2.3.2.9 To ensure that noise emissions and vibration from all activities, including construction, are consistent with the low ambient noise environment anticipated in the Residential Zone.

*Policy - Noise sensitive activities located adjacent to railways and strategic roads*

- 2.3.2.10 To reduce the potential for reverse sensitivity effects, by requiring noise sensitive activities to be acoustically treated, where they are proposing to locate in close proximity to railways and strategic roads.

*Policy - Residential development in the vicinity of the Te Awamutu Dairy Manufacturing site*

- 2.3.2.11 To maintain anticipated levels of residential amenity and to reduce the potential for reverse sensitivity effects on the Te Awamutu Dairy Manufacturing site by requiring new dwellings or bedroom additions to be acoustically treated.

*Policies - Signs*

- 2.3.2.12 To maintain the residential character and amenity of the Residential Zone, by avoiding signs except for temporary signs and small scale signs associated with a home occupation undertaken on the site where the sign is located.

- 2.3.2.13 Signs not related to the site, including billboards, are not consistent with the character of the Residential Zone and shall be avoided.

- 2.3.2.14 To minimise short-term effects on residential character and amenity by managing the location, size, number and type of temporary signs.

- 2.3.2.15 Signs that are illuminated moving or flashing, or are likely to create a visual hazard or interfere with the safe and efficient use of roads shall be avoided.

Advice Note: Refer to Section 22 - Heritage and Archaeology for signs proposed to be located on or within a site of a listed heritage building.

*Policy - Earthworks*

- 2.3.2.16 To ensure that earthworks are carried out in a manner that avoids adverse effects between properties and on water bodies.

*Policy - Home occupations*

- 2.3.2.17 Home occupations are enabled where the scale and nature of the activity is such that:
- (a) The residential activity is the predominant activity on the site; and
  - (b) The design and appearance of the building is residential in character; and
  - (c) The levels of traffic generated are no more than that which is anticipated from residential activities; and
  - (d) Adverse effects related to noise, vibration, dust and light spill are mitigated to the extent that they do not result in adverse effects on residential character and amenity.

*Policy - Housing and keeping of animals and bees*

- 2.3.2.18 The habits and characteristics of some animals (i.e. roosters), are incompatible with the amenity expectations of the Residential Zone and shall not be kept within the Residential Zone. Some other activities such as bee keeping while having benefits for pollination have particular characteristics which shall be managed in order to avoid undue adverse effects.

*Policies - Safety and design*

- 2.3.2.19 To enhance the safety of residential neighbourhoods through site layouts and building designs that incorporate Crime Prevention through Environmental Design (CPTED) principles.
- 2.3.2.20 To ensure that passive surveillance is provided to roads, reserves and walkways.
- 2.3.2.21 To prohibit the establishment of fortified sites in the Residential Zone.

Advice Note: Refer also to Objectives and Policies in Section 16 - Transportation.

*Policy - Dwellings adjoining marae*

- 2.3.2.22 To ensure that dwellings adjoining existing marae maintain the visual, aural and cultural privacy of the marae ātea.

*Policy - Residential Based Visitor Accommodation*

- 2.3.2.23 Residential Based Visitor Accommodation is enabled where the scale of the activity is such that it:
- (a) Maintains local residential character, including the scale and design of buildings and their location on the site; and
  - (b) Provides for on-site parking and vehicle manoeuvring areas; and
  - (c) Mitigates adverse effects related to traffic generation, access and noise to the extent that they do not result in adverse effects on residential character and amenity or on the surrounding transport network.

**Objective - On-site amenity values**

- 2.3.3 To maintain and enhance amenity values within and around dwellings and sites in the Residential Zone through the location, layout and design of dwellings and buildings.



*Policies - Building setback from rear and side boundaries*

2.3.3.1 Buildings should be setback from rear boundaries in order to provide for the privacy of adjoining properties and to not overly dominate outdoor living areas on adjoining sites.

2.3.3.2 To enable the construction of buildings up to and on rear and side site boundaries in circumstances where there is no loss of privacy, sunlight or daylight or noise effects on adjoining properties or such effects are mitigated, and where sufficient area is maintained on site for outdoor living, and the building does not unduly dominate outdoor living areas on adjoining sites.

*Policy - Daylight*

2.3.3.3 To maintain adequate daylight and enable opportunities for passive solar gain by providing for the progressive reduction in the height of buildings the closer they are located to a boundary (except a road boundary).

*Policy - Outdoor living area*

2.3.3.4 Each dwelling on a site shall have a usable and easily accessible outdoor living area, that is positioned to receive sun throughout the year, and is accessed from a living area of the dwelling, provided that this policy does not apply to compact housing and retirement village accommodation.

*Policy - Maximum building length*

2.3.3.5 Long building lines are not consistent with residential character and should be avoided. Buildings that are well modulated with architectural detail shall be preferred.

**Objective - Providing housing options**

2.3.4 To enable a wide range of housing options in Cambridge, Te Awamutu, Kihikihi, and Karāpiro in a way that is consistent with the key elements of the character of each place.

*Policy - Sustainable and efficient use of land*

2.3.4.1 To meet changing housing needs and to reduce demand for further land to be rezoned, by providing for a range of housing options. Developments that are comprehensively designed where spaces can be shared will be preferred.

*Policy - Secondary dwellings*

2.3.4.2 To meet a range of housing needs by enabling one secondary dwelling per site where neighbourhood amenity and on-site amenity standards can be met, provided that physically separate dwellings on a site shall be avoided.

*Policy - In-fill housing*

2.3.4.3 To enable comprehensively designed in-fill housing developments, provided that the development is not located within the compact housing overlay or a character cluster as identified on the Planning Maps.

*Policy - Marae and Papakāinga*

- 2.3.4.4 To enable sustainable marae and papakāinga developments acknowledging that the design and layout of a marae or papakāinga development may be different than that generally found in the Residential Zone.

*Policy - Compact housing*

- 2.3.4.5 To enable compact housing in the following locations:
- (a) Areas identified for compact housing on the Planning Maps or on an approved structure plan; or
  - (b) Where the intensive use is off-set by adjoining an area zoned for reserve purposes on the Planning Maps that is greater than 1000m<sup>2</sup>, including the Cambridge town belt; or
  - (c) Within a 400m radius of a Commercial Zone.
  - (d) Compact Housing will be supported where it is consistent with compact housing provided on neighbouring land.

Provided that:

- (i) In all cases compact housing shall be comprehensively designed and shall incorporate the sustainable design and layout principles (refer to Section 21 – Assessment Criteria and Information Requirements); and
- (ii) At the boundaries of the site, compact housing shall be consistent with the predominant height and bulk of development in the neighbourhood; and
- (iii) Sites which adjoin a cul-de-sac should be avoided.

*Policy - Retirement village accommodation and associated care facilities and rest homes*

- 2.3.4.6 To enable the development of retirement village accommodation and associated care facilities and rest homes, to meet the needs of an ageing population providing that the development is comprehensively designed and developed.

**Objective - Comprehensive design and development**

- 2.3.5 To ensure that developments are comprehensively designed, incorporate urban design and CPTED principles, are co-ordinated with infrastructure provision, and integrated with the transportation network.

*Policy - Comprehensive design of in-fill housing, compact housing, retirement village accommodation and associated care facilities, rest homes, and visitor accommodation*

- 2.3.5.1 To ensure that in-fill housing, compact housing, retirement village accommodation and associated care facilities, rest homes and visitor accommodation are comprehensively designed by:
- (a) Ensuring that developments effectively relate to the street, existing buildings, and adjoining developments in the neighbourhood; and
  - (b) Ensuring that in the Cambridge Residential Character Area new dwellings between existing dwellings on the site and the road shall be avoided; and
  - (c) Avoiding long continuous lengths of wall; and
  - (d) Maximising the potential for passive solar gain; and

- (e) Providing for sufficient private space for the reasonable recreation, service and storage needs of residents; and
- (f) Retaining existing trees and landscaping within the development where this is practical; and
- (g) Where appropriate provide for multi-modal transport options and provide for links with existing road, pedestrian and cycleways; and
- (h) Incorporating CPTED principles; and
- (i) Addressing reverse sensitivity effects; and
- (j) Mitigating adverse effects related to traffic generation, access, noise, vibration, and light spill; and
- (k) Being appropriately serviced and co-ordinated with infrastructure provision and integrated with the transport network.

*Policies - Cambridge Park and C1 and C2/C3 Structure Plan Area*

- 2.3.5.2 To encourage creative and innovative approaches to urban design and development within the Cambridge Park Residential Zone and the C1 and C2/C3 Structure Plan Area.
- 2.3.5.3 To confer a strong, coherent urban identity to the neighbourhood within the Cambridge Park Residential Zone.

**Objective - Non-residential activities**

- 2.3.6 To restrict the establishment of non-residential activities in the Residential Zone, except for visitor accommodation, activities within listed heritage items, areas specifically identified on structure plans for this purpose, and those activities that provide for the health and well-being of the community, and have a functional and compelling need to locate within a Residential Zone.

*Policy - Maintain residential function*

- 2.3.6.1 To maintain the Residential Zone for residential activities by ensuring that:
  - (a) Industrial activities and commercial activities are avoided within the Residential Zone except as provided for in a structure plan; and
  - (b) Non-residential activities are not dominant within a residential block.

*Policies - Non-residential activities*

- 2.3.6.2 To enable activities that provide for the health and well-being of the community and that service or support an identified local need (examples include education facilities, childcare and pre-school facilities, places of worship, facilities that provide respite care, community centres, marae and hospitals), provided rear sites, and sites located on cul-de-sacs, or that have access to strategic roads shall be avoided in the establishment of new activities except as provided for in a structure plan.
- 2.3.6.3 Buildings and activities associated with non-residential activities should be of a scale and design that:
  - (a) Maintains residential character including the scale and design of buildings and their location on the site; and

- (b) Provides for on-site parking and vehicle manoeuvring areas; and
- (c) Mitigates adverse effects related to traffic generation, access, noise, vibration, and light spill, to the extent that they do not result in adverse effects on residential character and amenity and the surrounding transport network.

*Policy - Non-residential activities in structure plan areas*

- 2.3.6.4 To recognise the potential for new local shops within structure plan areas, that service the needs of the surrounding community, such as the Commercial Hub Overlay within the St Kilda Structure Plan Area. Retail activities or services provided within these locations shall provide for the daily needs of people and be located within a walkable catchment.

Advice Note: The Town Concept Plans 2010 indicate potential locations for new local shops.

*Policy - Non-residential activities: listed heritage items*

- 2.3.6.5 To make provision for medical centres, offices, restaurants, cafes and other eating places, and childcare and pre-school facilities to occur within buildings listed in Appendix N1 - Heritage Items, where the heritage values of the building and its setting are not compromised, and the effects of the activity including its hours of operation do not unduly compromise residential amenity.

Advice Note: Refer also to Section 22 - Heritage and Archaeology.

*Policy - Visitor accommodation in limited circumstances*

- 2.3.6.6 Visitor accommodation may be appropriate where a development is comprehensively designed and the scale and design of the development enhances town character; and where site specific issues such as on-site servicing and transport related effects are addressed.

Advice Note: In the Te Awamutu and Kihikihi Town Concept Plans 2010 an area for visitor accommodation has been identified that adjoins the Mangaohoi Stream; within the C1 and C2/C3 Structure Plan areas, visitor accommodation overlays have been identified to encourage appropriately designed visitor accommodation in suitable areas.

*Policy - Local shops*

- 2.3.6.7 To enable additions to existing legally established local shops as at the date of notification of this Plan, recognising the existing investment in such properties under previous planning provisions, and the social and community function they serve in providing for the day to day needs of residents.

*Policy - Scheduled industrial sites*

- 2.3.6.8 To enable the continuation of existing industries located within the Scheduled Industrial Sites identified on the Planning Maps.

*Policy - Show homes*

- 2.3.6.9 To enable show homes within greenfield subdivisions, provided that any adverse effects are appropriately mitigated.

**Objective - National Grid transmission networks**

- 2.3.7 To recognise and provide for the ongoing operation, maintenance and development of the National Grid electricity transmission network.

## *Policies - Management of activities within National Grid Corridors*

- 2.3.7.1 To recognise the importance of the National Grid network in enabling communities to provide for their economic and social well-being and to provide for the ongoing operation, maintenance and development of the Grid through the management of activities within identified setbacks and corridors.
- 2.3.7.2 To ensure safe and efficient use and development of the National Grid and to protect the National Grid from the adverse effects of activities adjacent to it.
- 2.3.7.3 To avoid inappropriate land use and development within the National Grid Yard to ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised and to minimise the potential for nuisance effects.
- 2.3.7.4 To avoid the establishment of new sensitive activities within the National Grid Yard in order to minimise adverse effects on and from the National Grid, including adverse effects on health and safety, amenity and nuisance effects, and reverse sensitivity effects.
- 2.3.7.5 To not foreclose operation or maintenance options or, to the extent practicable, the carrying out of routine and planned upgrade works.

## 2.4 Rules

*The rules that apply to activities are contained in:*

- (a) *The activity status tables and the performance standards in this zone; and*
- (b) *The activity status tables and the performance standards in Parts E District Wide Provisions and Part F District Wide Natural and Cultural Heritage of the Plan; and*
- (c) *For scheduled industrial activities identified in the Industrial Policy Overlay on Planning Map 42 and in Appendix 08, the activity status table and performance standards of Section 7 - Industrial Zone shall apply as if the activities were zoned industrial. The rules of the Residential Zone shall apply for any other activity.*

*Development within a structure plan area identified on Planning Maps is required to be in general accordance with an approved structure plan. Refer to Rule 15.4.2.69 Infrastructure, Hazards, Development and Subdivision.*

Advice Notes:

1. Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Compliance with the Plan does not ensure compliance with the Code.
2. Vegetation to be planted within or near electric lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

### 2.4.1 Activity Status Tables

2.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
(a)	Residential activities.
(b)	One principal dwelling and one secondary dwelling per site.
(c)	One principal dwelling per 500m <sup>2</sup> of net site area, (except for dwellings existing as of 31 May 2012, where the minimum net site area containing the existing dwelling is 400m <sup>2</sup> ), provided that this rule does not apply to the St Kilda Residential Area, Cambridge Park Residential Area, or Picquet Hill Residential Area.
(d)	Home occupations.
(e)	Accessory buildings to any permitted activity.
(f)	Demolition and removal of buildings, except those listed in Appendix N1 - Heritage Items.

2.4.1.1	<p><b>Permitted activities</b></p> <p>The following activities shall comply with the performance standards of this zone</p>
(g)	Relocated buildings, except where located in a character cluster or listed in Appendix N1 – Heritage Items.
(h)	Earthworks
(i)	Signs
(j)	Temporary construction buildings.
(k)	Passive recreational use.
(l)	Within character clusters, the construction of new buildings and alterations or additions to existing buildings, where the work undertaken is parallel to and facing the rear boundary of the site.
(m)	<p>The following activities located within the Commercial Hub Overlay of the St Kilda Residential Area identified in Appendix S4:</p> <ul style="list-style-type: none"> <li>(i) Retail activities</li> <li>(ii) Cafés</li> <li>(iii) Takeaway food outlets</li> <li>(iv) An information centre for the Maungatautari Ecological Island Trust</li> <li>(v) Meeting and conference facilities</li> <li>(vi) Pre-school and childcare facilities</li> <li>(vii) Playground equipment</li> </ul>
(n)	<p>The following activities within Character Area 4 of the Cambridge Park Residential Zone:</p> <ul style="list-style-type: none"> <li>(i) Food and beverages and convenience goods</li> <li>(ii) Cafés</li> </ul> <p>Providing that the GFA does not exceed 150m<sup>2</sup>.</p>
(o)	Conservation blocks.
(p)	Earthworks within the National Grid Yard that comply with Rule 2.4.2.36.
(q)	Residential Based Visitor Accommodation

2.4.1.2	<p><b>Controlled activities</b></p> <p>The following activities shall comply with the performance standards of this zone</p>
(a)	<p>Construction, alteration and addition to buildings, including dwellings in Character Areas 1 and 4 of the Cambridge Park Residential Area.</p> <p>Matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>▪ Building design and layout; and</li> <li>▪ Solar access; and</li> <li>▪ Parking (excluding the number of parking spaces for cars) and movement of vehicles; and</li> <li>▪ Signs; and</li> <li>▪ Landscaping; and</li> <li>▪ Glare; and</li> <li>▪ Privacy; and</li> <li>▪ CPTED.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
(b)	<p>One show home per site within a greenfield subdivision.</p> <p>Matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>▪ Traffic generation; and</li> <li>▪ Parking (excluding the number of parking spaces for cars); and</li> <li>▪ Hours of operation; and</li> <li>▪ Duration of the activity on the site.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>

2.4.1.3	<p><b>Restricted discretionary activities</b></p> <p>The following activities shall comply with the performance standards of this zone</p>
(a)	Any permitted activity or controlled activity that does not comply with any performance standards in 2.4.2, except for those specified in Rule 2.4.1.4(a), or as specified in 2.4.2.
(b)	<p>Compact housing seven or more dwellings per site located within the compact housing overlay identified on the Planning Maps, or as provided for in Rule 2.4.1.3(c), or within the following areas of the C1 and C2/C3 Structure Plan areas:</p> <ul style="list-style-type: none"> <li>▪ Within 200m of an active recreation open space, the Town Belt, a neighbourhood centre or a school; or</li> <li>▪ Within 100m of a local centre or local open space; or</li> <li>▪ Within a 'compact housing' overlay identified within the structure plan maps.</li> </ul> <p>For compact housing within the C1 and C2/C3 Structure Plan areas, non-compliance with any of the performance standards in Section 2.4.2 shall retain Restricted Discretionary Activity status (and this rule prevails over any rule to the contrary).</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Building location, bulk and design; and</li> <li>▪ Landscaping; and</li> <li>▪ Location of parking areas and vehicle manoeuvring; and</li> <li>▪ CPTED; and</li> <li>▪ Traffic generation and connectivity; and</li> <li>▪ Noise; and</li> <li>▪ Stormwater disposal; and</li> <li>▪ Alignment with any relevant Urban Design Guidelines approved by Council.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
(c)	On Lot 2 DPS 74868 Laurent Road Cambridge, in the event that the indicative reserve is provided within the compact housing overlay, the corresponding area of compact housing can be provided for on land adjoining the compact housing overlay identified on the Planning Maps.
(d)	<p>Character clusters - Construction of new buildings, relocated buildings and alterations or additions to existing buildings, except where parallel to the rear boundary of the site.</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Building bulk and design, building materials, and layout; and</li> <li>▪ The visibility of the new building and/or alterations or additions from public places; and</li> <li>▪ Solar access; and</li> <li>▪ Effects on parking and vehicle manoeuvring; and</li> <li>▪ Signs; and</li> <li>▪ Landscaping.</li> </ul> <p>Additionally for relocated buildings:</p> <ul style="list-style-type: none"> <li>▪ Condition of the exterior of the building; and</li> <li>▪ Repairs and works identified for action in Council approved or certified Building Relocation Inspection Report; and</li> <li>▪ Reinstatement works; and</li> <li>▪ Timing for completing any required works.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
(e)	<p>Retirement village accommodation and associated care facilities and rest homes within or outside the compact housing overlay identified on the Planning Maps.</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Building location, bulk and design; and</li> <li>▪ Landscaping; and</li> <li>▪ Location of parking areas and vehicle manoeuvring; and</li> <li>▪ CPTED; and</li> <li>▪ Traffic generation and connectivity; and</li> <li>▪ Benefits provided to residents from onsite communal facilities; and</li> <li>▪ Noise; and</li> </ul>

2.4.1.3	<p><b>Restricted discretionary activities</b></p> <p>The following activities shall comply with the performance standards of this zone</p>
	<ul style="list-style-type: none"> <li>▪ Stormwater disposal.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
(f)	<p>In-fill housing comprising three to six principal dwellings per site with a minimum net site area for each dwelling of 350m<sup>2</sup>, provided that the site is not located within the Cambridge Residential Character Area, compact housing development overlay or within a character cluster identified on the Planning Maps. To be eligible for infill housing a subdivision application must be submitted at the same time. (Refer Rule 15.4.1.1(m)).</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Low impact design, including the disposal of stormwater; and</li> <li>▪ Access and manoeuvring; and</li> <li>▪ Solar access; and</li> <li>▪ Outdoor living; and</li> <li>▪ Location, form, and materials of the proposed buildings and their relationship to existing buildings in the neighbourhood; and</li> <li>▪ Visual effects from adjoining properties and the road; and</li> <li>▪ Landscaping; and</li> <li>▪ CPTED; and</li> <li>▪ Reverse sensitivity effects.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
(g)	<p>Visitor accommodation in the Visitor Accommodation Overlay in the C1 and C2/C3 Structure Plan Areas.</p> <p>For Visitor accommodation in the Visitor Accommodation Overlay in the C1 and C2/C3 Structure Plan Areas, non-compliance with any of the performance standards in Section 2.4.2 shall retain Restricted Discretionary Activity status (and this rule prevails over any rule to the contrary).</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Building design; and</li> <li>▪ Whether the design, scale and appearance maintains or enhances the amenity and character of the area; and</li> <li>▪ Landscaping; and</li> <li>▪ Location of parking areas and vehicle manoeuvring; and</li> <li>▪ CPTED; and</li> <li>▪ The potential for reverse sensitivity effects on the strategic transport network;</li> <li>▪ Infrastructure effects; and</li> <li>▪ Alignment with any relevant Urban Design Guidelines approved by Council.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21 relevant to the above matters.</p>
(h)	<p>Local Centres within the C2/C3 Structure Plan area, located in general accordance with the C1 and C2/C3 Structure Plans and limited to the following activities:</p> <ol style="list-style-type: none"> <li>(a) Café, dining and ancillary activities.</li> <li>(b) Commercial retail and service activities.</li> <li>(c) Commercial offices or residential activities, limited to above ground floor.</li> <li>(d) Within the C2 growth cell, a sports centre and/or art and cultural centre, no greater than 500m<sup>2</sup> GFA in total.</li> </ol> <p>For local centres within the C1 and C2/C3 Structure Plan areas, non-compliance with any of the performance standards in Section 2.4.2 shall retain Restricted Discretionary Activity status (and this rule prevails over any rule to the contrary).</p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Building location, bulk and design; and</li> <li>▪ Visual and amenity effects on surrounding properties; and</li> <li>▪ Location of parking areas and vehicle manoeuvring; and</li> <li>▪ Impacts on surrounding open space amenity and pedestrian safety; and</li> <li>▪ Location, colour, size and content of signs; and</li> </ul>



2.4.1.3	<p><b>Restricted discretionary activities</b></p> <p>The following activities shall comply with the performance standards of this zone</p>
	<ul style="list-style-type: none"> <li>▪ Infrastructure effects; and</li> <li>▪ Alignment with any relevant Urban Design Guidelines approved by Council.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>
(i)	<p><u>Neighbourhood Centre within the T11 Growth Cell Structure Plan Area, located in general accordance with the T11 Growth Cell Structure Plan and limited to the following activities:</u></p> <p><u>(a) Café, dining and ancillary activities.</u></p> <p><u>(b) Commercial retail and service activities.</u></p> <p><u>(c) Commercial offices or residential activities, limited to above ground floor.</u></p> <p><u>(d) Early childcare education facilities.</u></p> <p><u>Assessment will be restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li>▪ <u>Building location, bulk and design; and</u></li> <li>▪ <u>Visual and amenity effects on surrounding properties; and</u></li> <li>▪ <u>Location of parking areas and vehicle manoeuvring; and</u></li> <li>▪ <u>Impacts on surrounding open space amenity and pedestrian safety; and</u></li> <li>▪ <u>Location, colour, size and content of signs; and</u></li> <li>▪ <u>Infrastructure effects; and</u></li> <li>▪ <u>Alignment with any relevant Urban Design Guidelines approved by Council.</u></li> </ul> <p><u>These matters will be considered in accordance with the assessment criteria in Section 21. [PC13]</u></p>

2.4.1.4	<p><b>Discretionary activities</b></p>
(a)	<p>Any permitted, controlled or restricted discretionary activity that fails to comply with:</p> <p>(i) Rule 2.4.2.7 - Dwellings adjoining marae</p> <p>(ii) Rule 2.4.2.9 - Cambridge Park Structure Plan – building setback from escarpment</p> <p>(iii) Rule 2.4.2.10 - Maximum Height</p> <p>(iv) Rule 2.4.2.12 - Maximum site coverage</p> <p>(v) Rules 2.4.2.14 and 2.4.2.15 - Maximum site coverage and permeable surfaces St Kilda Structure Plan Area</p> <p>(vi) Rule 2.4.2.16 and 2.4.2.17 - Cambridge North and C1 and C2 Structure Plan Area: on-site soakage</p> <p>(vii) Rule 2.4.2.18 - Cambridge North Structure Plan Area: flood risk</p> <p>(viii) Rule 2.4.2.25 - Design and layout of development adjoining water bodies and reserves</p> <p>(ix) Rule 2.4.2.26 - Noise</p> <p>(x) Rule 2.4.2.29 to 2.4.2.31 - Noise insulation: noise sensitive activities</p> <p>(xi) Rules 2.4.2.33 and 2.4.2.34 - Signs</p> <p>(xii) Rule 2.4.2.35 - Earthworks</p> <p>(xiii) Rules 2.4.2.39 to 2.4.2.41 - Housing and keeping of animals</p> <p>(xiv) Rule 2.4.2.43 - Secondary dwelling</p> <p>(xv) Rule 2.4.2.44 - Compact housing</p> <p>(xvi) Rule 2.4.2.45(d) to (g) - Home occupation</p> <p>(xvii) Rule 2.4.2.46 - Show homes</p> <p>(xviii) Rule 2.4.2.47 - St Kilda Structure Plan Area: Commercial Hub Overlay</p> <p>(xix) Rules 2.4.2.49 and 2.4.2.50 - Temporary construction buildings</p>
(b)	<p>Any restricted discretionary activity that does not comply with one or more of the rules for a restricted discretionary activity, except for the rules specified in Rule 2.4.1.4(a).</p>
(c)	<p>In-fill housing within the Cambridge Residential Character Area comprising two to six principal dwellings per site with a minimum net site area for each dwelling of 400m<sup>2</sup>, provided that the site is not located within the compact housing development overlay or within a character cluster identified on the Planning Maps.</p>
(d)	<p>Churches, community centres, papakāinga and marae.</p>
(e)	<p>Education facilities, pre-schools and childcare facilities.</p>

2.4.1.4	<b>Discretionary activities</b>
(f)	Visitor accommodation.
(g)	Compact housing seven or more dwellings per site, except where located within the compact housing overlay identified on the Planning Maps refer Rule 2.4.1.3(b).
(h)	Hospitals
(i)	Medical centres (including overnight care) adjacent to Cambridge Road within the C2/C3 Growth Cell.
(j)	The following activities within a listed heritage building contained in Appendix N1 – Heritage Items: medical centres, childcare and pre-school facility, offices, restaurants, cafés and other eating places.
(k)	Additions to local retail shops which were existing as at the date of notification of this Plan.
(l)	Construction of new buildings on a site that adjoins a Category A listed heritage item in Appendix N1, where the building(s) is within 20m of the common boundary.
(m)	The keeping of up to two beehives.
(n)	The use of shipping containers for any activity, including a dwelling, or a sleep out, or as an accessory building for the day to day storage needs of domestic goods, or for the storage of home occupation equipment, provided that the use of a shipping container for a temporary construction building project is exempt from this rule, refer to Rules 2.4.2.49 and 2.4.2.50 – Temporary Construction Buildings.

2.4.1.5	<b>Non-complying activities</b>
(a)	Medical centres, offices, restaurants, cafés and other eating places, except where located within a listed heritage building in Appendix N1 - Heritage Items.
(b)	Any building or activity that fails to comply with the building set back from the escarpment for Cambridge Park Structure Plan Area.
(c)	Any building or activity that fails to comply with Rules 2.4.2.1 and 2.4.2.2 – Minimum building setback from road boundaries, except as specified in the rule.
(d)	Any building or activity that fails to comply with Rule 2.4.2.45(a) to (c) - Home occupations.
(e)	More than one secondary dwelling per site.
(f)	Offices, except for offices located within listed heritage buildings in Appendix N1 Heritage Items.
(g)	Retail activities, excluding additions to local retail shops listed in Rule 2.4.1.4(j).
(h)	Boarding and/or breeding kennels and catteries and the keeping of roosters.
(i)	All other activities not listed in activity status table Rules 2.4.1.1 to 2.4.1.4.
(j)	Within the National Grid Yard: <ul style="list-style-type: none"> <li>(i) Any building or addition to a building for a National Grid Sensitive Activity.</li> <li>(ii) Any change of use to a National Grid Sensitive Activity or the establishment of a new National Grid Sensitive Activity.</li> <li>(iii) Any building, structure or earthworks which fail to comply with Rules 2.4.2.36, 2.4.2.37 or 2.4.2.38.</li> </ul>

2.4.1.6	<b>Prohibited Activities</b>
	The following activities are prohibited and no resource consent will be approved
(a)	Fortified Sites.

## 2.4.2 Performance Standards

*The following rules apply to activities listed as permitted, controlled or restricted discretionary.*

*Where rules are not complied with resource consent will be required in accordance with the rules in the activity status table or as identified in the performance standards, and will be assessed against the relevant objectives and policies. In the case of controlled and restricted discretionary activities, the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria in Section 21. For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria*

*in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*

*The relevant performance standards that apply to the scheduled activities within the Industrial Policy Overlay identified on Planning Map 42 and in Appendix 08, are those contained in Part D, Section 7 - Industrial Zone and Parts E and F as if the site was zoned Industrial.*

### **Rules - Minimum building setback from road boundaries**

- 2.4.2.1 The minimum building setback from road boundaries shall be 4m, provided that where a garage is attached to a dwelling, and forms part of the front façade of that dwelling, or is detached from a dwelling, the minimum setback for the garage shall be 5m, provided that this rule does not apply to the locations specified in Rule 2.4.2.2.
- 2.4.2.2 The minimum building setback from road boundaries in the following locations are:
- |                                                                                            |      |
|--------------------------------------------------------------------------------------------|------|
| (a) Along State Highways                                                                   | 7.5m |
| (b) Along Hall Street, Cambridge                                                           | 7.5m |
| (c) Along roads within Character Areas 1 and 4 in the Cambridge Park Residential Area      | 3m   |
| (d) Along all roads marked as character streets on the Planning Maps                       | 6m   |
| (e) Along roads located within the St Kilda Residential Area                               | 5m   |
| (f) Compact housing and visitor accommodation within the C1 and C2/C3 Structure Plan areas | 3m   |

Activities that fail to comply with Rules 2.4.2.1 and 2.4.2.2 will require a resource consent for a non-complying activity, with the exception of the Compact Housing Overlay where resource consent for a discretionary activity will be required.

### **Rule - Design of building façade**

- 2.4.2.3 A garage that is integrated into and forms part of a dwelling must not exceed 50% of the total front façade length of a building as measured from the inside internal walls of the garage.
- 2.4.2.4 A garage that is an accessory building:
- Must not exceed 50% of the total combined front façade length of a dwelling and detached garage when:
    - Viewed from the street; and
    - Located either forward of, or directly beside, an existing dwelling.

Activities that fail to comply with Rules 2.4.2.3 and 2.4.2.4 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effect from the road; and
- Crime Prevention through Environmental Design; and
- Ability to practically locate a garage on the site of an existing dwelling.

These matters will be considered in accordance with the assessment criteria in Section 21.

### **Rule - Minimum building setback from internal site boundaries**

2.4.2.5 The minimum building setback from internal site boundaries shall be 2m, except in the following locations where the setback from all internal site boundaries shall be:

- |     |                                                                                                                                                                                                                                          |    |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| (a) | Along Mc Nair Road on rear boundaries that adjoin lots to the north east of Lots 24-29, DPS 4416 and Lot 1 DPS 15918                                                                                                                     | 5m |
| (b) | In the Residential Zone at Karāpiro, the minimum rear boundary for dwellings adjoining the Karāpiro and Arapuni Hydro Power Zone                                                                                                         | 5m |
| (c) | In the St Kilda Structure Plan Area                                                                                                                                                                                                      |    |
|     | (i) From a side boundary                                                                                                                                                                                                                 | 3m |
|     | (ii) From a rear boundary                                                                                                                                                                                                                | 5m |
| (d) | Along T2 Growth Cell Structure Plan Area boundaries which are directly adjoining the Rural Zone, the minimum building setback shall be 4m. This rule shall not apply to retirement village accommodation and associated care facilities. |    |

Provided that:

- (i) Other than in the locations listed above in 2.4.2.5(a) to (d), one internal setback per site may be reduced from 2m to 1.5m, provided that where an existing building on the site has an internal setback of 1.5m or less, the setback from the remaining internal site boundaries shall be at least 2m.
- (ii) The eaves of any building may encroach into the required setback by not more than 600mm.
- (iii) In all locations, no building or eave shall encroach into any access, driveway, or other vehicle entrance.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual and aural privacy; and
- Reverse sensitivity effects; and
- Outlook for adjoining neighbours; and
- Effects on existing trees; and
- Landscaping; and
- The spaciousness of the site when viewed from the street; and
- Vehicle access to the rear of the site or dwelling.

These matters will be considered in accordance with the assessment criteria in Section 21.

### **Rule - Minimum building setback from Te Awa Cycleway**

2.4.2.6 The minimum building setback from any residential boundary interfacing with Te Awa cycleway as identified on the structure plan maps shall be 5m.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### **Rule - Dwellings adjoining marae**

- 2.4.2.7 No dwelling shall be placed or constructed so that it has doors, windows, verandahs or outdoor living areas with a direct line of sight to the nominal mahau (veranda) or marae ātea (area in front of the Whare Nui) area on existing marae.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### **Rule - Maximum building length**

- 2.4.2.8 The maximum length of the wall and roofline of any building parallel or up to an angle of 30 degrees to any internal site boundary that adjoins the Residential Zone or the Reserves Zone shall be 23m, provided that:

- (a) Building lines in excess of 23m shall have the wall and roofline stepped to a minimum of 2.4m and a minimum length of 3m; and
- (b) For every additional 23m in length the wall and roofline of a building shall be stepped to a minimum of 2.4m and a minimum length of 3m.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Outlook for adjoining neighbours; and
- Outlook from adjoining reserve; and
- Design of the building(s).

These matters will be considered in accordance with the assessment criteria in Section 21.

### **Rule - Cambridge Park Structure Plan: building setback from escarpment**

- 2.4.2.9 Within the Cambridge Park Structure Plan Area shown on the Planning Maps, buildings shall not be located closer than 12m from the Indicative Top of the Bank as shown on the structure plan in Appendix S3.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### **Rule - Maximum height**

- 2.4.2.10 Buildings shall not exceed 9m in height and shall be no more than two storeys, provided that in the following locations the maximum height shall be:

- |     |                                                                                                                                                         |     |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| (a) | Cambridge Park Residential Character Area 1                                                                                                             | 13m |
| (b) | Cambridge Park Residential Character Areas 2 and 3                                                                                                      | 10m |
| (c) | Cambridge Park Residential Character Area 4                                                                                                             | 5m  |
| (i) | Provided that a chimney or similar architectural element or the peak of a roof structure, may project beyond this plane but by no more than 2m vertical |     |
| (d) | St Kilda Structure Plan Area                                                                                                                            | 10m |
| (e) | Compact Housing Area                                                                                                                                    | 10m |
| (f) | Compact Housing Areas located within C1 and C2/C3 Structure Plan areas and a maximum of 3 storeys                                                       | 13m |

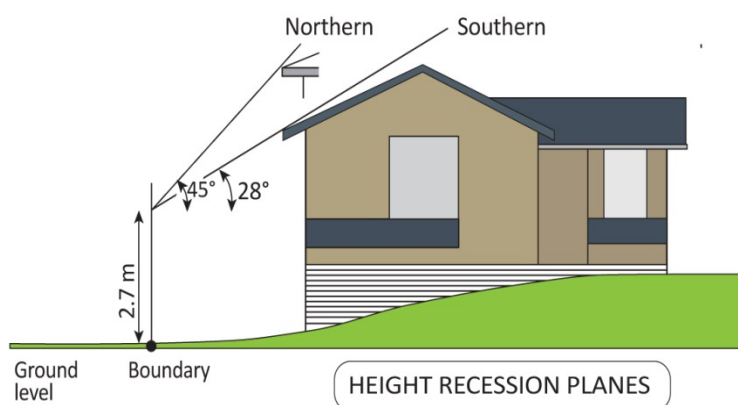
- (g) In the T2 Growth Cell Structure Plan Area buildings on lots adjoining the Frontier Road boundary or Pirongia Road boundary - 5m'. For all other lots within the T2 Growth Cell Structure Plan Area, the maximum building height specified in Rule 2.4.2.10 applies.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### Rule - Daylight control

- 2.4.2.11 Buildings shall not penetrate a recession plane at right angles to the boundary inclined inwards at the angles shown in the diagram from 2.7m above ground level at internal site boundaries that adjoin the Residential Zone a reserve of less than 1ha in size, or a public walkway. The angles in the diagram below shall be applied using the methodology in Appendix O6.

Provided that where an internal boundary of a site abuts a driveway or right of way the recession plane may be measured from points 2.7m above the furthest boundary of the drive way or right of way.



Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effects; and
- Access to daylight and sunlight on the site and on adjoining properties; and
- Effects on existing trees; and
- Landscaping.

These matters will be considered in accordance with the assessment criteria in Section 21.

### Rule - Maximum site coverage

- 2.4.2.12 Site coverage must not exceed 40% of the net site area, except that this rule does not apply to the St Kilda Structure Plan Area (refer to Rules 2.4.2.14 and 2.4.2.15) and compact housing (refer to Rule 2.4.2.44).

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### Rule - Impermeable surfaces

- 2.4.2.13 Impermeable surfaces must not exceed:

- (a) 45% of the net site area in the Cambridge North Structure Plan Area; or

(b) 60% of the net site area in the remainder of the Zone (except St Kilda Structure Plan Area).

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- On-site stormwater disposal
- The effect of stormwater run-off to adjoining properties.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rules - Maximum site coverage and permeable surfaces: St Kilda Structure Plan Area**

2.4.2.14 Site coverage and impermeable surfaces of residential lots shall not exceed 700m<sup>2</sup>.

2.4.2.15 The balance of the net area of each lot, once site coverage and impermeable surfaces have been taken into account, shall be grassed, planted in trees and or shrubs or otherwise landscaped in a manner that retains the permeable nature of the surface.

Activities that fail to comply with Rules 2.4.2.14 and 2.4.2.15 will require a resource consent for a discretionary activity.

#### **Rules - Cambridge North and C1 and C2 Structure Plan Area: on site soakage**

2.4.2.16 On site soakage shall be provided for every building in the Cambridge North Structure Plan Area to take all runoff from a two year annual recurrence interval (ARI) rainfall event.

2.4.2.17 On-site soakage shall be provided for every lot in the C1 and C2 Structure Plan Areas to dispose of all runoff from a two year average recurrence interval (ARI) 24 hour duration rainfall event, except where regional and/or district resource consents for the structure plan stormwater system allow alternative stormwater management provisions and these consents are complied with.

Activities that fail to comply with Rule 2.4.2.16 and 2.4.2.17 will require a resource consent for a discretionary activity.

#### **Rule - Cambridge North Structure Plan Area: flood risk**

2.4.2.18 Principal and secondary dwellings within the Cambridge North Structure Plan Area shall be sited and constructed to avoid or manage flood risk.

Advice Note: Technical reports associated with the Cambridge North Structure Plan will provide guidance on minimum floor levels.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

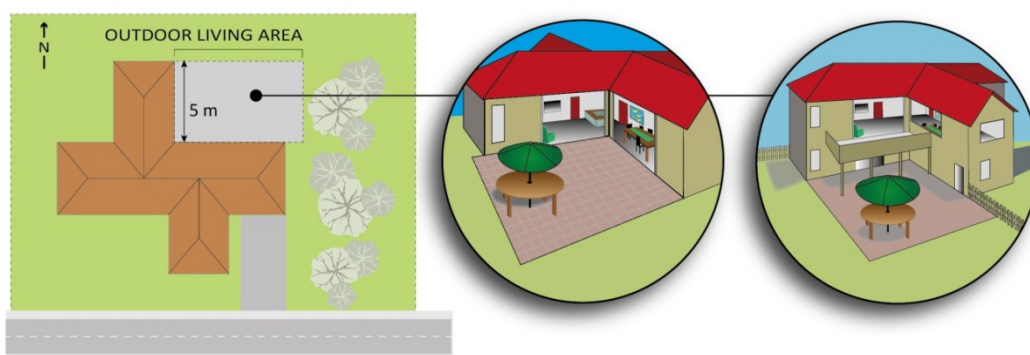
#### **Rule - Outdoor living area**

2.4.2.19 Each dwelling shall have an outdoor living area which:

- (a) Is for exclusive use of the dwelling and is contained within the site on which the dwelling is located; and
- (b) Is free of buildings, driveways, manoeuvring areas, parking spaces, and outdoor storage areas, but may include covered or uncovered decks, roof overhangs, and pergolas and that are designed to provide cover for users of the outdoor living area; and

- (c) Is accessible from a living area of the dwelling; except where the outdoor living area complies with (g) below; and
- (d) Where a Principal Dwelling has a living area at Ground Level, it shall have a minimum continuous area of 50m<sup>2</sup> at ground level with a minimum dimension of 4m over the entire area.
- (e) Where a Principal Dwelling has the Living Area solely above ground level, part of the 50m<sup>2</sup> outdoor living area requirement must comprise a balcony that is directly accessible from the living area with a minimum area of 8m<sup>2</sup> and a minimum dimension of 2m. For the avoidance of doubt the remaining outdoor living area shall have a minimum dimension of 4m.
- (f) In the case of Secondary Dwellings, the outdoor living area shall be:
  - (i) Additional to the outdoor living area for the Principal Dwelling; and
  - (ii) A minimum of 35m<sup>2</sup> in a continuous area with a minimum dimension of 4m over the entire area.

Provided that this rule does not apply to compact housing developments, refer to Rule 2.4.2.44, or Rule 2.4.1.3(e) Retirement village accommodation and associated care facilities and rest homes within or outside the compact housing overlay identified on the Planning Maps.



Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- The internal layout of the dwelling and its relationship to the outdoor living area; and
- The size, dimension, and orientation of the outdoor living area.

These matters will be considered in accordance with the assessment criteria in Section 21.

### Rules - Neighbourhood amenity and safety

2.4.2.20 The minimum area of glazing on the front façade(s) of a building that adjoins a public place shall be 15%.

Provided that:

- (a) Where a site adjoins a public place, the front façade(s) of a building shall be all the sides of a building that faces the public place; and
- (b) Where the front façade(s) of a building is not parallel to a public place, the minimum area of glazing shall only apply to the longest wall facing the public place; and
- (c) Where the front façade(s) of a building is not parallel to a public place and the façades facing the public place are of equal length, then the façade at the least acute angle to the



public place shall be deemed to be the front façade and the 15% glazing requirement shall only apply to that façade; and

- (d) The percentage area of glazing shall be measured as the framed wall opening size to accommodate the entire window.
- (e) This rule shall not apply to relocated buildings or a garage that is an accessory building.

2.4.2.21 Fences between buildings on the site and any road, public walkway or reserve shall be no higher than 1.2m in height if not visually permeable, or no more than 1.8m in height if visually permeable.

Except:

- (a) In the T2 Growth Cell Structure Plan Area all fences within the building setback from Frontier Road or Pirongia Road shall be no more than 1.2m in height, whether or not they are visually permeable. For the avoidance of doubt, this rule does not apply to fences constructed within the building setback from Pirongia Road where construction has been undertaken to ensure design integration in accordance with S23.4 of Appendix S23.

2.4.2.22 Within the C1 and C2/C3 Structure Plan areas, fences between buildings on the site and any road, public walkway or reserve shall be no higher than 1.2m in height; fence design and materials shall retain a level of transparency (visually permeable) so as not to provide a blank façade adjacent to the street edge, public walkway or reserve. To be deemed transparent any fence must meet the following requirements:

- (a) Uses materials with continuous vertical or horizontal gaps of at least 50mm width to create 50% or more see through visibility; or
- (b) Uses any materials for the lower half of the fence, wall or hedge, and materials with continuous vertical or horizontal gaps of at least 50mm width to create 50% or more see through visibility on the upper half.

2.4.2.23 Landscape planting between buildings on the site and any public place shall allow visibility between the dwelling and the public place.

2.4.2.24 Within the C1 and C2/C3 Structure Plan areas, the roof form of a residential dwelling shall be a gable or hip roof of not less than 30 degrees in pitch. Mono-pitch lean-tos, verandas and other ancillary roof forms are anticipated.

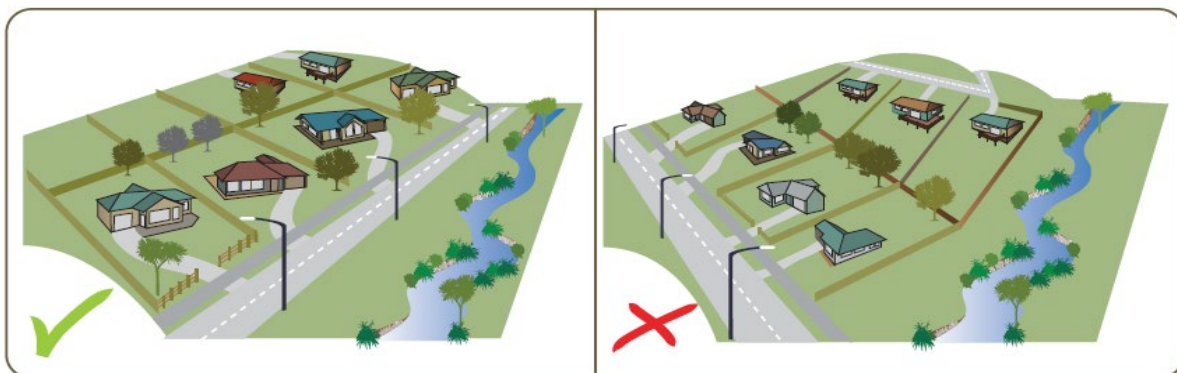
Activities that fail to comply with Rules 2.4.2.20 to 2.4.2.24 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Passive surveillance of the street; and
- Safety; and
- Design and height of the fence; and
- The type of landscape planting; and
- Consistency with surrounding built form character.

These matters will be considered in accordance with the assessment criteria in Section 21.

### Rule - Design and layout of development adjoining water bodies and reserves

2.4.2.25 Within the Residential Zone, the design and layout of development shall ensure that water bodies and reserves are fronted by either the front or side façade of a dwelling.



*Development should front natural features such as water bodies and reserves.*

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### Rule - Noise

2.4.2.26 Activities shall be conducted and buildings located, designed and used to ensure that they do not exceed the following noise limits at the boundary of the site:

- |                                                                                                                  |              |
|------------------------------------------------------------------------------------------------------------------|--------------|
| (a) Monday to Saturday - 7.00am to 10.00pm                                                                       | 50dBA (Leq)  |
| (b) Sundays & Public Holidays - 8.00am to 6.00pm                                                                 | 40dBA (Leq)  |
| (c) Sundays and Public Holidays - 8.00am to 8.00pm<br>in Character Area 4 in the Cambridge Park Residential Zone | 40dBA (Leq)  |
| (d) At all other times                                                                                           | 40dBA (Leq)  |
| (e) Night time 10.00pm to 7.00am single noise event                                                              | 70dBA (Lmax) |

Provided that this rule shall not apply to the use or testing of station and vehicle sirens or alarms used by emergency services.

All noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 – Acoustics – Environmental Sound and assessed in accordance with NZS 6802:2008 – Acoustics – Environmental Noise.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### Rule - Vibration

2.4.2.27 Vibration emanating from a site shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 4403:1996 Code of Practice for Storage, Handling, and Use of Explosives.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Safety; and

- Time and duration of effect; and
  - Effects on buildings and structures, either on site or on surrounding properties.
- These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Construction noise**

- 2.4.2.28 Construction noise emanating from a site shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 Acoustics – Construction Noise.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Time and duration of effect; and
- Effects on surrounding properties.

These matters will be considered in accordance with the assessment criteria in Section 21

#### **Rules - Noise insulation: noise sensitive activities**

- 2.4.2.29 Where a noise sensitive activity or is proposed to be located within 40m of a railway track, the building shall be insulated so that it achieves the following noise levels:

- |                                  |                  |
|----------------------------------|------------------|
| (a) Inside bedrooms              | 35dBA LAeq (1hr) |
| (b) Inside other habitable rooms | 40dBA LAeq (1hr) |

- 2.4.2.30 Where a noise sensitive activity is proposed to be located within:

- (a) 40m of State Highways 1, 1B, 3, 21 and 39 (as measured from the edge of the carriageway) where the posted speed limit is less than 70km/hour; or
- (b) 80m of State Highways 1, 1B, 3, 21 and 39 (as measured from the edge of the carriageway) where the posted speed limit is equal to or greater than 70km/hour; or
- (c) 100m of the Waikato Expressway section of State Highway 1 or any other designated State Highway (as measured from the edge of the carriageway or the edge of the designation if the carriageway location has not been confirmed in writing by the Requiring Authority); or
- (d) The Cambridge North Road Noise Effects Area as identified on the Planning Maps;

then the building shall be insulated so that it achieves the following noise levels:

- |                                                 |                  |
|-------------------------------------------------|------------------|
| (i) Inside habitable rooms (including bedrooms) | 40dB LAeq (24hr) |
|-------------------------------------------------|------------------|

Provided that this rule does not apply to the St Kilda Structure Plan Area.

Advice Note: A report from an acoustic consultant is required to be submitted at the time of building consent application to demonstrate compliance with Rules 2.4.2.29 and 2.4.2.30.

- 2.4.2.31 Where a noise sensitive activity is proposed within the 55 dBA Ldn noise contour of the Te Awamutu Dairy Manufacturing Site shown on the Planning Maps it shall be designed to achieve 35dB LAeq inside habitable rooms of new dwellings or new habitable rooms to existing dwellings whether attached or detached.

Activities that fail to comply with Rules 2.4.2.29 to 2.4.2.31 will require a resource consent for a discretionary activity.

## Rule - Noise: temporary military training activities

- 2.4.2.32 Noise measured from temporary military training activities from a line 20m from and parallel to the façade of any dwelling or the legal boundary where this is closest to the dwelling shall not exceed the following limits:

Time (any day)	Noise Limits		
	L10	L95	Lmax
0630 - 0730	60	45a	70
0730 - 1800	75	60	90
1800 - 2000	70	55	85
2000 - 0630 (except as provided for below)	35	-	65
For no more than 5 days in any 4 week period:			
2000 - 0630	40	-	65

Provided that noise resulting from the use of explosives shall not exceed 122dBA during daylight hours 6.30am to 8.00pm. No noise resulting from the use of explosives shall be generated outside of these times.

All noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 – Acoustics – Environmental Sound and assessed in accordance with NZS 6802:2008 – Acoustics – Environmental Noise.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Noise

These matters will be considered in accordance with the assessment criteria in Section 21.

## Rules - Signs

- 2.4.2.33 The following signs are permitted:

- A sign giving information such as the name or street number of premises, the business carried on, names of people occupying premises, and hours of operation; but containing no reference to particular products. No such sign shall exceed 0.25m<sup>2</sup> visible in any direction.
- Signs advertising that the land or buildings are for sale or lease. The maximum size of each sign shall be no more than 2m<sup>2</sup>, and no more than four signs are permitted on a site at any one time.
- A sign erected on a construction site giving details of the project. The maximum total area of the sign shall be no more than 2m<sup>2</sup>, and no more than one sign is permitted on a site at any one time.
- Any sign erected by Council, New Zealand Transport Agency, or the Automobile Association for the direction and control of traffic.
- Health and Safety at Work Act 2015 related signs.

Provided that in all cases:

- Signs shall relate to activities authorised under the District Plan and shall be located on the site to which they relate; and
- Signs shall not be internally illuminated, flashing, incorporate fluorescent or moving materials such as flags or be painted in colours that are used on traffic signals; and

- (iii) All signs shall be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall; and
- (iv) A freestanding sign shall be placed so that no part is more than 2m above ground level; and
- (v) Signs shall be placed so that they do not block sight distances at entranceways and shall be no closer than 20m to a road intersection; and
- (vi) Signs shall be removed where the goods, services or events to which the sign relates are no longer available, or no longer relevant to that site or building.

2.4.2.34 Signs giving information on forthcoming events, elections, cultural, religious, educational or sporting events and displayed not more than 90 days before and three days after the event or such lesser time as may be prescribed by legislation; as long as signs shall not exceed a combined total area of 3m<sup>2</sup> visible in all directions and shall be setback at least 15m from any strategic road.

Provided that in all cases:

- (a) Signs shall not be internally illuminated, flashing, incorporate fluorescent materials such as flags or be painted in colours that are used on traffic signals; and
- (b) All signs shall be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall; and
- (c) A freestanding sign shall be placed so that no part is more than 2m above ground level; and
- (d) Signs shall be placed so that they do not block sight distances at entranceways and shall be no closer than 20m to a road intersection; and
- (e) Signs shall be removed within three days of the conclusion of the event.

Provided that the relevant zone based or district wide rules apply where they are more restrictive. Refer to Section 22 - Heritage and Archaeology and Section 25 - Landscapes and Viewshafts.

Activities that fail to comply with Rules 2.4.2.33 and 2.4.2.34 will require a resource consent for a discretionary activity.

### Rules - Earthworks

2.4.2.35 Earthworks shall not exceed a total volume of 25m<sup>3</sup> or a total area of 250m<sup>2</sup> in a single activity or in cumulative activities in any calendar year, provided that this rule shall not apply to earthworks incidental to an approved resource consent or building consent.

Advice Notes:

1. All works must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001.
2. Earthworks complying with permitted activity standards or subject to resource consent requirements under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011, are exempt from additional resource consent requirements.
3. Earthworks within 23m of lakes or water bodies require resource consent. Refer Section 26 - Lakes and Water bodies.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

2.4.2.36 Any earthworks within a National Grid Yard must:

- (a) Around National Grid pole support structures:
  - (i) Be no deeper than 300mm within 2.2m of a National Grid pole support structure or stay wire; and
  - (ii) Be no deeper than 750mm between 2.2m to 5m from a National Grid pole support structure or stay wire.

Provided that vertical holes not exceeding 500mm in diameter beyond 1.5m from the outer edge of pole support structure or stay wire are exempt from Rule 2.4.2.36(a) above.

- (b) Around National Grid tower support structures:
  - (i) Be no deeper than 300mm within 6m of the outer visible edge of a National Grid tower; and
  - (ii) Be no deeper than 3m between 6m to 12m from the outer visible edge of a National Grid tower.
- (c) Anywhere within the National Grid Yard:
  - (i) Not create an unstable batter that will affect a transmission support structure; and
  - (ii) Not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34.

Provided that the following are exempt from Rule 2.4.2.36(a) and (b) above:

- (i) Earthworks undertaken by a network utility operator; or
- (ii) Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.

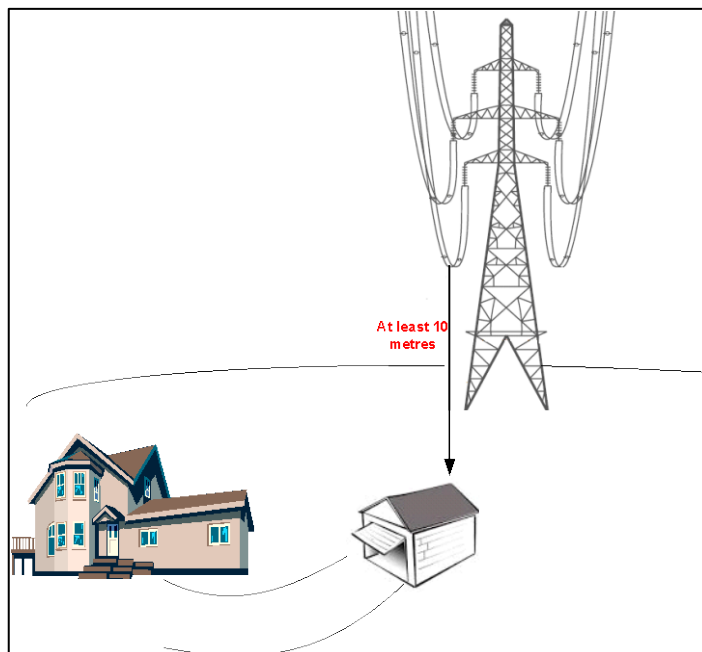
Activities that fail to comply with this rule will require a resource consent for a non-complying activity.

#### **Rules - Buildings and structures within the National Grid Yard**

2.4.2.37 Buildings and structures within the National Grid Yard are permitted if they meet the following:

- (a) On existing sites within the urban limits as at 30 May 2014:
  - (i) Are an accessory building for a National Grid Sensitive Activity; and/or
  - (ii) Are internal alterations to a building used for a National Grid Sensitive Activity that do not extend the building footprint, or increase the height of the building; and/or
  - (iii) Are a building not associated with a National Grid Sensitive Activity.
- (b) On all sites within any part of the National Grid Yard, any buildings and structures must:
  - (i) Be permitted by Rule 2.4.2.37(a) above; and/or
  - (ii) Be a fence; and/or
  - (iii) Be network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid; and/or

- (iv) Be any public sign required by law or provided by any statutory body in accordance with its powers under any Act.
- (c) All buildings and structures permitted by Rule 2.4.2.37(a) and (b) must comply with at least one of the following:
  - (i) Have a minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines (refer diagram below); or
  - (ii) Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions.



Activities that fail to comply with this rule will require a resource consent for a non-complying activity.

- 2.4.2.38 Buildings and structures around the National Grid Support Structures shall be setback a minimum of 12m from a National Grid Support Structure, provided that the following buildings and structures are exempt from this rule:
- (a) Network utility within a transport corridor or any part of electricity infrastructure that connects to the national grid; or
  - (b) A fence more than 5m from the nearest National Grid Support Structure.

Activities that fail to comply with this rule will require a resource consent for a non-complying activity.

**Rules - Housing and keeping of animals**

- 2.4.2.39 The number of domestic fowl shall not exceed five, and shall not include any roosters.
- 2.4.2.40 Horses and farm animals, except pigs, may graze vacant sites.
- 2.4.2.41 The housing and or keeping of all animals shall be conducted so that it does not create a nuisance to occupants of adjoining or nearby sites.

Activities that fail to comply with Rules 2.4.2.39 to 2.4.2.41 will require a resource consent for a discretionary activity.

#### **Rule - Heavy motor vehicles**

2.4.2.42 No person shall park a heavy motor vehicle on any residential property in the Residential Zone between the hours of:

- (a) Monday to Friday - 10.00pm to 7.00am; and
- (b) Saturday and Sunday - 6.00pm to 7.00am.

Except that this rule shall not apply to:

- (i) The parking of a heavy motor vehicle on any residential property in the Residential Zone for such period as is reasonably required for the purpose of loading or unloading that vehicle and such loading or unloading takes place; or
- (ii) Private recreational vehicles and emergency vehicles.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Noise; and
- Visual effects; and
- Vehicle access; and
- Traffic effects.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Secondary dwelling**

2.4.2.43 The minimum net site area required for the erection of a secondary dwelling shall be 850m<sup>2</sup> and the secondary dwelling shall:

- (a) Be encompassed within the bulk of the principal dwelling so that the building has the visual appearance of a single dwelling; and
- (b) Not be separated from the principal dwelling by a garage; and
- (c) Be no more than 70m<sup>2</sup> GFA, excluding garaging.

Provided that:

- (i) Where the principal dwelling is two storeys and the secondary dwelling is to be encompassed within the bulk of a principal dwelling the minimum net site area for the erection of a secondary dwelling shall be 600m<sup>2</sup>.

Advice Note: Both dwellings shall separately comply with the rules in this zone and Parts E and F for dwellings and buildings in Residential Zones including rules in Section 15 - Infrastructure, Hazards, Development and Subdivision and Section 16 - Transportation. For the avoidance of doubt, the setback requirements apply at the external boundaries of the site and not between the principal dwelling and secondary dwelling on the site.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

#### **Rule - Compact housing**

2.4.2.44 Compact housing within the compact housing area overlay shall have a minimum area of 2,000m<sup>2</sup> and shall meet the following requirements:



- (a) The maximum length of unbroken building line parallel to all site boundaries including internal site boundaries shall be 20m. Building lines in excess of this standard shall be broken or stepped to a minimum depth of 2.4m and a minimum length of 3m at least once every 20m in length. This rule shall apply to each level of a multi-level building inclusive of the roof; and
- (b) Where there is more than one building on a site, it shall be separated from other buildings on the site by at least 3.5m; and
- (c) Where any dwelling is to be sited within 10m of another dwelling on the same site or parent title prior to subdivision by way of unit title, cross lease or strata title, there shall be no direct line of sight from the main living areas of the dwelling into the main living areas of another dwelling. If a direct line of sight between main living areas cannot be avoided, visual screening shall be constructed or planted to prevent a direct line of sight; and
- (d) Dwellings shall have a dual aspect with windows being placed so that outlook is obtained to the front and rear of the dwelling, with window sills no more than 1m from floor level; and
- (e) The following minimum gross floor areas and outdoor living areas shall apply:

Dwelling	Minimum floor area of dwelling	Minimum outdoor living area for ground level dwellings	Minimum outdoor living area dimensions for ground level dwellings	Minimum outdoor living area for above ground level dwellings	Minimum outdoor living area dimensions for above ground level dwellings
Studio units and 1 bedroom unit	50m <sup>2</sup>	20m <sup>2</sup>	4m	10m <sup>2</sup>	2m
2 bedroom unit	70m <sup>2</sup>	30m <sup>2</sup>	4m	12m <sup>2</sup>	2m
3 bedroom unit	95m <sup>2</sup>	30m <sup>2</sup>	4m	14m <sup>2</sup>	2m

- (f) Landscaping and permeable surfaces: At least 30% of the net site area of any site or unit site area shall be grassed, planted in trees and/or shrubs or otherwise landscaped in a manner that retains the permeable nature of the surface.
- (g) A communal outdoor service area or storage court shall be provided that does not exceed 10m<sup>2</sup> of site area and it shall be screened so that it is not visible from the front boundary of the site.
- (h) Outdoor living areas shall:
  - (i) Be located and/or screened so that at least 50% of the outdoor living area has complete visual privacy from the living rooms and outdoor living areas of other dwellings on the same site and shall be screened from adjoining sites; and
  - (ii) Be oriented to the north, east or west of the dwelling, but not the south of east or west measured from the southernmost part of the dwelling; and
- (i) Any communal outdoor living area provided shall be in addition to, not in substitution of, the required outdoor living area for each dwelling; and
- (j) An area for letterboxes at the front of the property; and
- (k) A place for refuse and recycling material that is accessible to a two-axled truck shall be provided; and

- (l) Dwellings that are parallel to, or adjoin the road boundary of the site shall have a front door that faces the road.

Advice Notes: Prior to a decision being issued by Council an independent review of the urban design report may be requested by Council at the applicant's expense.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

#### **Rule - Home occupations**

2.4.2.45 Exclusive of permanent residents who refer to the site as their home and permanent address, no more than one person shall be engaged in a home occupation except in Character Area 1 of Cambridge Park where not more than two persons can be engaged in a home occupation, in a dwelling including any building accessory thereto, provided that:

- (a) The principal operator of the home occupation shall be a permanent resident on the site to which the home occupation relates; and
- (b) The activity shall be carried out either within a dwelling, an accessory building, or in an outdoor area, or a combination of these areas. The maximum total gross floor area including any outdoor area used for the home occupation shall be no more than 50m<sup>2</sup> provided that in Character Area 1 of Cambridge Park it can be 30% of GFA; and
- (c) Retail sales shall be limited to those goods, materials and services produced on site or used in the direct operation and management of the home occupation on the site; and shall take place within the buildings on the same site, and the area occupied for the retail sales shall constitute part of the gross floor area of the activity; and
- (d) Any outdoor area associated with the home occupation shall be visually screened from any adjoining dwelling or public place and shall not encroach on any building setback; and
- (e) A home occupation shall generate no more than 20 vehicle movements per day; and
- (f) There shall be no unloading or loading of vehicles or the receiving of customers or deliveries before 7.30am or after 7.00pm on any day; and
- (g) There shall be no operation of machinery before 7.30am or after 7.00pm on any day.

Activities that fail to comply with Rules 2.4.2.45(a) to 2.4.2.45(c) will require a resource consent for a non-complying activity.

Activities that fail to comply with Rules 2.4.2.45(d) to 2.4.2.45(g) will require a resource consent for a discretionary activity.

#### **Rule - Show homes**

2.4.2.46 For each show home:

- (a) No more than three people may be employed to work in an office ancillary to a show home; and
- (b) The maximum gross floor area for an office ancillary to a show home shall be 50m<sup>2</sup>; and
- (c) Activities carried out in an office ancillary to a show home shall relate solely to the promotion of the product of the show home operator; and
- (d) An office ancillary to a show home shall provide on-site parking, manoeuvring, loading and access in accordance with the requirements for offices set out in Section 16 - Transportation.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

#### **Rule - St Kilda Structure Plan Area: commercial hub overlay**

2.4.2.47 Activities undertaken within the Commercial Hub Overlay Area identified on the St Kilda Structure Plan shall comply with the following:

- (a) The maximum hours of operation shall be 7.00am to 10.00pm, seven days a week; and
- (b) Sites shall not exceed 150 person occupancy; and
- (c) The minimum building setback from boundaries shall be as follows:
  - (i) Road boundary 0m
  - (ii) Internal site boundaries where the lot adjoins a residential lot 5m
- (d) The maximum height of buildings shall be 12m; and
- (e) Buildings shall cover no more than 80% of the net area of the Commercial Hub Overlay.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

#### **Rule - Local Centres within the C2/C3 Structure Plan area**

2.4.2.48 Local Centres within the C2/C3 Structure Plan area (in accordance with Rule 2.4.1.3(h)) shall comply with the following:

- (a) Be located in general accordance with the C1 and C2/C3 Structure Plans; and
- (b) The maximum hours of operation shall be 7.00am to 10.00pm, seven days a week; and
- (c) Overall ground floor building footprint of any commercial, café, dining and ancillary activities shall not be greater than 550m<sup>2</sup> GFA (excluding any sports centre and/or art and cultural centre within the C2 growth cell); and
- (d) The minimum building setback from boundaries shall be as follows:
  - (i) Road boundary 0m
  - (ii) Internal site boundaries where the lot adjoins a residential lot 5m
- (e) The maximum height of buildings shall be 9m.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with discretion limited to the effects of any non-compliance with the performance standards.

#### **Rules - Temporary construction buildings**

2.4.2.49 Temporary construction buildings shall only be used in conjunction with, and for the duration of, a construction project located on the same site as the construction project, or on a site adjoining the construction project.

2.4.2.50 Temporary construction buildings are only permitted for one calendar year and shall comply with the minimum setback requirements for the Residential Zone.

Activities that fail to comply with Rules 2.4.2.49 to 2.4.2.50 will require a resource consent for a discretionary activity.

### **Rule - Relocated buildings**

2.4.2.51 A relocated building over 40m<sup>2</sup> GFA shall meet the following requirements:

- (a) A Building Relocation Inspection Report shall accompany an application for a building consent. The Building Relocation Inspection Report shall be prepared by one of the following suitably qualified and experienced people:
  - (i) A Waipa District Council Building Compliance Officer (or equivalent); or
  - (ii) A member of the New Zealand Institute of Building Surveyors; or
  - (iii) A licensed building practitioner (carpenter or design category); or
  - (iv) A building inspector from the local authority where the building is being relocated from; and
- (b) If the Building Relocation Inspection Report has been prepared by a person other than a Waipa District Council Building Compliance Officer (or equivalent position), the accuracy and completeness of the Building Relocation Inspection Report must be confirmed by a Waipa District Council Building Compliance Officer (or equivalent position) by undertaking an on-site inspection of the relocated building once it has been relocated; and should the Waipa District Council Building Compliance Officer determine that the relocated building requires external repair works in addition to that identified in the submitted Building Relocation Inspection Report in order to achieve a tidy and workmanlike external appearance, then:
  - (i) The owner of site to which the building is to be relocated will be contacted and must agree in writing to the additional works within 2 weeks of notification of the requirement for additional works. The additional works then become part of the Building Relocation Inspection Report.
- (c) All required repairs and maintenance identified in the Building Relocation Inspection Report to reinstate the exterior of the relocated building, including painting, if required, shall be completed within 6 months of the relocated building being delivered to the site; and
- (d) The owner of site to which the building is to be relocated must supply a signed declaration to Council that the reinstatement work required by the Building Relocation Inspection Report will be completed within 6 months of the relocated building being delivered to the site.

Provided that this rule shall not apply to new buildings which are designed for or intended to be used on a site which are erected off the site either in whole or in parts and transported to the site.

**Advice Notes:**

1. Relocated buildings less than 40m<sup>2</sup> are not required to comply with this rule but are required to comply with the relevant rules in 2.4.2.
2. Information requirements for a Building Relocation Inspection Report are detailed in Section 21.2.27.
3. The onsite inspection by a Waipa District Council Building Compliance Officer (or equivalent position) shall occur at the time of foundation inspection for the Building Consent process, and will not incur additional costs.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Condition of the exterior of the building; and

- Repairs and works identified for action in Council approved or certified Building Relocation Inspection Report; and
  - Reinstatement works; and
  - Timing for completing any required works.
- These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Residential Based Visitor Accommodation**

- 2.4.2.52 The use of a dwelling as Residential Based Visitor Accommodation is permitted if it accommodates no more than:
- (a) Three people in a one bedroom dwelling; or
  - (b) Five people in a two bedroom dwelling; or
  - (c) Seven people in a three bedroom dwelling; or
  - (d) No more than 10 people in a dwelling with four or more bedrooms.
- 2.4.2.53 Where a Sleep Out is used it will be considered as one bedroom.
- 2.4.2.54 Where there are permanent residents staying on site they will be included in the maximum number of people able to be accommodated overnight in the dwelling:
- (a) No paying overnight visitors are to be accommodated in temporary living spaces, such as tents, caravans, motor vans or campervans.

Activities which fail to comply with this rule will require a resource consent for a discretionary activity.

#### **Rule – Neighbourhood Centre within the T11 Growth Cell Structure Plan Area [PC13]**

- 2.4.2.(new) The neighbourhood centre within the T11 Growth Cell Structure Plan Area shall comply with the following:
- (a) Be located in general accordance as shown on the T11 Growth Cell Structure Plan.
  - (b) The maximum hours of operation shall be 7.00am to 10.00pm, seven days a week.
  - (c) The maximum height of buildings shall be 14m.
  - (d) Each individual retail and services tenancy should have a floor area of not more than 250m<sup>2</sup> Gross Floor Area (GFA) (excluding community amenities and facilities, administration offices, and professional offices).
  - (e) All new commercial buildings shall be constructed on the road boundary of the site.
  - (f) All street frontages shall have a minimum 3m wide continuous covered veranda to allow for weather protection.
  - (g) All commercial buildings shall have a minimum 3m setback from all adjoining residential zone, reserves and public open space boundaries.
  - (h) All buildings fronting a road or reserve, excluding those intended for used by a business established by 2.4.1.3(i)(d) for early childcare education services, shall have an active frontage, incorporating 70% permeable, glazed shop frontage at ground floor. Active frontages shall also include wide double doorways to allow for easy pedestrian access.
  - (i) Where a site adjoins the Residential Zone, no building or stored materials should penetrate a recession plane at right angles to the Residential Zone boundary inclined inwards at an angle of 45° from 2.7m above ground level.

- (j) Any storage or service area (including mechanical, electrical and utility equipment, refuse, and recycling activities) not enclosed within a building or where a shipping container is being used for storage, shall be fully screened by landscaping or solid walls or fences not less than 1.8m in height.
- (k) Walls and fences over 1.8m in height shall be setback a minimum of 5m from the road boundary unless a landscaping strip of a minimum of 2m wide is provided on the external side of the fence.
- (l) Walls and fences along any road or reserve shall not exceed 1.6m in height, except where at least 40% of the fence is visually permeable, in which case the fence may be constructed to a maximum height of 1.8m.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity. [PC13]

## **2.5 Assessment Criteria**

### **2.5.1 Controlled activities and Restricted Discretionary activities**

*For controlled and restricted discretionary activities the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. Resource consent conditions can only be imposed over the matters which control or discretion has been reserved. The relevant assessment criteria are contained in Section 21.*

### **2.5.2 Discretionary activities**

*For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*