

APPENDIX C

DISTRICT PLAN RULES ASSESSMENT

OPERATIVE WAIPA DISTRICT PLAN – 14 AUGUST 2017

| RULE | COMPLIES? | COMMENT |
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| Section 2 Residential Zone | | |
| 2.4.1 Activity Status Table | | |
| 2.4.1.5 Non complying activities (i) All other activities not listed in activity status table Rules 2.4.1.1 to 2.4.1.4 | Yes | The proposal is not listed elsewhere as a Permitted, Restricted Discretionary or Discretionary activity, nor a prohibited activity (only fortified sites). Accordingly, the proposal is classified as a Non Complying Activity pursuant to Rule 2.4.1.5 |
| 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. | | |
| 2.4.2.1 - Minimum building setback from road boundaries. 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. | Yes | There is a small road boundary at the front of the site. Noise mitigation structures near this location shall be setback a compliant 4m. |
| 2.4.2.2 - Minimum building setback from road boundaries. 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 | N/A | |

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| (f) Compact housing and visitor accommodation within the C1 and C2/C3 Structure Plan areas 3m | | |
| 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. | N/A | |
| 2.4.2.4 A garage that is an accessory building: (a) Must not exceed 50% of the total combined front façade length of a dwelling and detached garage when: (i) Viewed from the street; and (ii) Located either forward of, or directly beside, an existing dwelling | N/A | |
| <p>2.4.2.5 - Minimum building setback from internal site boundaries</p> <p>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:</p> <p>(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</p> <p>(b) In the Residential Zone at Karāpiro, the minimum rear boundary for dwellings adjoining the Karāpiro and Arapuni Hydro Power Zone 5m</p> <p>(c) In the St Kilda Structure Plan Area</p> <p>(i) From a side boundary 3m</p> <p>(ii) From a rear boundary 5m</p> <p>Provided that:</p> <p>(i) Other than in the locations listed above in 2.4.2.4(a) to (c), 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.</p> <p>(ii) The eaves of any building may encroach into the required setback by not more than 600mm.</p> <p>(iii) In all locations, no building or eave shall encroach into any access, driveway, or other vehicle entrance.</p> | Yes | On that part of the site zoned Residential, structures for noise mitigation will be setback a compliant 2m from adjoining side boundaries. |
| 2.4.2.6 - Minimum building setback from Te Awa Cycleway The minimum building setback from any residential boundary interfacing with Te Awa cycleway as identified on the structure plan maps shall be 5m. | N/A | |
| 2.4.2.7 - Dwellings adjoining marae No dwelling shall be placed or constructed so that it has | N/A | |

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| 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. | | |
| <p>2.4.2.8 - Maximum building length</p> <p>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:</p> <p>(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</p> <p>(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.</p> | No | <p>The noise mitigation structures, deemed buildings under the Plan, are longer than 23m without steps.</p> <p>Accordingly, the proposal is classified as a Restricted Discretionary Activity pursuant to Rule 2.4.2.8</p> |
| <p>2.4.2.9 - Cambridge Park Structure Plan: building setback from escarpment</p> <p>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.</p> | | |

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| <p>2.4.2.10 - Maximum height</p> <p>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:</p> <p>(a) Cambridge Park Residential Character Area 1 13m</p> <p>(b) Cambridge Park Residential Character Areas 2 and 3 10m</p> <p>(c) Cambridge Park Residential Character Area 4 5m</p> <p>(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</p> <p>(d) St Kilda Structure Plan Area 10m</p> <p>(e) Compact Housing Area 10m</p> <p>(f) Compact Housing Areas located within C1 and C2/C3 Structure Plan areas and a maximum of 3 storeys 13m</p> | Yes | Structures in the Residential zoned part of the site will have a maximum height of 2.5m. |
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| <p>2.4.2.11 - Daylight control</p> <p>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.</p> <p>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.</p> | Yes | All acoustic structures will not intrude into recession planes from any residential boundary |
| <p>2.4.2.12 - Maximum site coverage</p> <p>Site coverage shall not exceed 40% of the net area of the site where no garage or carport has been provided the maximum site coverage shall be reduced by 20m² , provided that this rule does not apply to the St Kilda Structure Plan Area (refer to Rules 2.4.2.13 and 2.4.2.14) and compact housing (refer to Rule 2.4.2.43).</p> | Yes | Site coverage occupied by the proposed acoustic structures will be about 5% of the site zoned Residential |
| <p>2.4.2.13 - Impermeable surfaces</p> <p>Impermeable surfaces must not exceed:</p> <p>(a) 45% of the net site area in the Cambridge North Structure Plan Area; or</p> <p>(b) 60% of the net site area in the remainder of the Zone (except St Kilda Structure Plan Area).</p> | Yes | That part of the site zoned Residential has an area of ca. 913sqm. Structures for acoustic mitigation and the sealed accessway are ca. 381sqm, resulting in a total impermeable area of 42%, compliant with the 60% maximum. |

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| <p>2.4.2.14 - Maximum site coverage and permeable surfaces: St Kilda Structure Plan Area</p> <p>Site coverage and impermeable surfaces of residential lots shall not exceed 700m²</p> | N/A | |
| <p>2.4.2.15 - Maximum site coverage and permeable surfaces: St Kilda Structure Plan Area</p> <p>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.</p> | N/A | |
| <p>2.4.2.16 - Cambridge North and C1 and C2 Structure Plan Area: on site soakage</p> <p>On site soakage shall be provided for every building in the Cambridge North Structure Plan Area to take all</p> | N/A | |

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| runoff from a two year annual recurrence interval (ARI) rainfall event. | | |
| <p>2.4.2.17 - Cambridge North and C1 and C2 Structure Plan Area: on site soakage</p> <p>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. For the avoidance of doubt, 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.</p> | N/A | |
| <p>2.4.2.18 - Cambridge North Structure Plan Area: flood risk</p> <p>Principal and secondary dwellings within the Cambridge North Structure Plan Area shall be sited and constructed to avoid or manage flood risk.</p> | N/A | |
| <p>2.4.2.19 - Outdoor living area</p> <p>Each dwelling shall have an outdoor living area which:</p> <ul style="list-style-type: none"> (i) Is for exclusive use of the dwelling and is contained within the site on which the dwelling is located; and (ii) 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 (iii) Is directly accessible from a living area of the dwelling; except where the outdoor living area complies with (g) below; and (iv) Is located in the north, east or west of the site. (v) Where a Principal Dwelling has a living area at Ground Level, it shall have a minimum continuous area of 60m² at ground level with a minimum dimension of 5m over the entire area. (vi) Where a Principal Dwelling has the Living Area solely above ground level, part of the 60m² outdoor living area requirement must comprise a balcony that is directly accessible from the living area with a minimum area of 8m² and a minimum dimension of 2m. For the avoidance of doubt the remaining outdoor living area shall have a | N/A | No dwellings are proposed |

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| <p>minimum dimension of 5m.</p> <p>(vii) In the case of Secondary Dwellings, the outdoor living area shall be:</p> <p>(i) Additional to the outdoor living area for the Principal Dwelling; and</p> <p>(ii) A minimum of 35m² in a continuous area with a minimum dimension of 4m over the entire area</p> <p>Provided that this rule does not apply to compact housing developments, refer to Rule 2.4.2.43, 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.</p> | | |
| <p>2.4.2.20 - Neighbourhood amenity and safety</p> <p>The minimum area of glazing on the front façade(s) of a building that adjoins a public place shall be 15%.</p> <p>Provided that:</p> <p>(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</p> <p>(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</p> <p>(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</p> <p>(d) The percentage area of glazing shall be measured as the framed wall opening size to accommodate the entire window.</p> <p>(e) This rule shall not apply to relocated buildings.</p> | N/A | Buildings for acoustic mitigation do not have a front façade. |
| <p>2.4.2.21 - Neighbourhood amenity and safety</p> <p>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.</p> | Yes | No fences are proposed between acoustic mitigation structures and the road. |
| <p>2.4.2.22 - Neighbourhood amenity and safety</p> <p>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</p> | N/A | |

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| <p>provide a blank façade adjacent to the street edge, public walkway or reserve. To be deemed transparent any fence must meet the following requirements:</p> <p>(a) Uses materials with continuous vertical or horizontal gaps of at least 50mm width to create 50% or more see through visibility; or</p> <p>(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.</p> | | |
| <p>2.4.2.23 - Neighbourhood amenity and safety Landscape planting between buildings on the site and any public place shall allow visibility between the dwelling and the public place.</p> | N/A | No dwellings are proposed on that part of the site zoned Residential |
| <p>2.4.2.24 - Neighbourhood amenity and safety 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.</p> | N/A | |
| <p>2.4.2.25 - Design and layout of development adjoining water bodies and reserves 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.</p> | N/A | No water bodies adjoin that part of the site zoned Residential |
| <p>2.4.2.26 - Noise 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:</p> <p>(a) Monday to Saturday - 7.00am to 10.00pm 50dBA (Leq)</p> <p>(b) Sundays & Public Holidays - 8.00am to 6.00pm 40dBA (Leq)</p> <p>(c) Sundays and Public Holidays - 8.00am to 8.00pm 40dBA (Leq) in Character Area 4 in the Cambridge Park Residential Zone</p> <p>(d) At all other times 40dBA (Leq)</p> <p>(e) Night time 10.00pm to 7.00am single noise event 70dBA (Lmax)</p> <p>Provided that this rule shall not apply to the use or testing of station and vehicle sirens or alarms used by emergency services.</p> <p>All noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 – Acoustics – Environmental Sound and assessed in</p> | No | <p>Noise at the first floor of 318 Racecourse Road from heavy vehicle movements is predicted to be 53 dB_(LAeq) during the day, whereas a maximum of 50 is permitted. Noise complies at ground level because of the proposed screen adjacent the boundary.</p> <p>Noise at 381 Racecourse Road is predicted to be 51 dB_(LAeq) during the day, whereas a maximum of 50 is permitted.</p> <p>Noise at all other potential receptors, and noise from construction, will comply.</p> <p>Accordingly, the proposal is classified as a Discretionary Activity pursuant to Rule 2.4.2.26</p> |

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| accordance with NZS 6802:2008 – Acoustics – Environmental Noise. | | |
| <p>2.4.2.27 – Vibration</p> <p>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.</p> | Yes | <p>NZS4403 is confirmed by Council to not be appropriate to this proposal. Vibration from construction is discussed in the Acoustic report and will comply at neighbouring residential properties.</p> <p>Noise from heavy vehicle movements along the site entranceway will comply provided a flush crossing is installed, surface is smooth and a strict speed limit of 5km/hr is enforced.</p> |
| <p>2.4.2.28 - Construction noise</p> <p>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.</p> | Yes | |
| <p>2.4.2.29 - Noise insulation: noise sensitive activities</p> <p>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:</p> <p>(a) Inside bedrooms 35dBA LAeq (1hr)</p> <p>(b) Inside other habitable rooms 40dBA LAeq (1hr)</p> | N/A | |
| <p>2.4.2.30 - Noise insulation: noise sensitive activities</p> <p>Where a noise sensitive activity is proposed to be located within:</p> <p>(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</p> <p>(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</p> <p>(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</p> <p>(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:</p> <p>(i) Inside habitable rooms (including</p> | N/A | |

| <p>bedrooms) 40dB LAeq (24hr) Provided that this rule does not apply to the St Kilda Structure Plan Area.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>2.4.2.31 - Noise insulation: noise sensitive activities 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.</p> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>2.4.2.32 - Noise: temporary military training activities 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:</p> <table border="1" data-bbox="204 831 802 992"> <thead> <tr> <th rowspan="2">Time (any day)</th> <th colspan="3">Noise Limits</th> </tr> <tr> <th>L10</th> <th>L95</th> <th>Lmax</th> </tr> </thead> <tbody> <tr> <td>0630 - 0730</td> <td>60</td> <td>45a</td> <td>70</td> </tr> <tr> <td>0730 - 1800</td> <td>75</td> <td>60</td> <td>90</td> </tr> <tr> <td>1800 - 2000</td> <td>70</td> <td>55</td> <td>85</td> </tr> <tr> <td>2000 - 0630 (except as provided for below)</td> <td>35</td> <td>-</td> <td>65</td> </tr> <tr> <td colspan="4">For no more than 5 days in any 4 week period:</td> </tr> <tr> <td>2000 - 0630</td> <td>40</td> <td>-</td> <td>65</td> </tr> </tbody> </table> <p>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.</p> | 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 | N/A | |
| 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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>2.4.2.33 – Signs The following signs are permitted:</p> <ul style="list-style-type: none"> (a) 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 0.25m² visible in any direction. (b) Signs advertising that the land or buildings are for sale or lease. The maximum size of each sign shall be no more than 2m², and no more than four signs are permitted on a site at any one time. (c) A sign erected on a construction site giving details of the project. The maximum total area of the sign shall be no more than 2m², and no more than one sign is permitted on a site at any one time. | Yes | All signs will comply | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| <p>(d) Any sign erected by Council, New Zealand Transport Agency, or the Automobile Association for the direction and control of traffic.</p> <p>(e) Health and Safety at Work Act 2015 related signs. Provided that in all cases:</p> <ul style="list-style-type: none"> (i) Signs shall relate to activities authorised under the District Plan and shall be located on the site to which they relate; and (ii) 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. | | |
| <p>2.4.2.34 – Signs</p> <p>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 3m² visible in all directions and shall be setback at least 15m from any strategic road.</p> <p>Provided that in all cases:</p> <ul style="list-style-type: none"> (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 | <p>N/A</p> | |

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| <p>(c) A freestanding sign shall be placed so that no part is more than 2m above ground level; and</p> <p>(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</p> <p>(e) Signs shall be removed within three days of the conclusion of the event.</p> | | |
| <p>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</p> | | |
| <p>2.4.2.35 – Earthworks</p> <p>Earthworks shall not exceed a total volume of 25m³ or a total area of 250m² 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.</p> | <p>No</p> | <p>Earthworks within that part of the site zoned Residential will exceed the maximum permitted volume of 25m³</p> <p>Accordingly, the proposal is classified as a Restricted Discretionary Activity pursuant to Rule 2.4.2.35</p> |
| <p>2.4.2.36 – Earthworks</p> <p>Any earthworks within a National Grid Yard must:</p> <p>(a) Around National Grid pole support structures:</p> <p>(i) Be no deeper than 300mm within 2.2m of a National Grid pole support structure or stay wire; and</p> <p>(ii) Be no deeper than 750mm between 2.2m to 5m from a National Grid pole support structure or stay wire.</p> <p>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 2.4.2.35(a) above.</p> <p>(b) Around National Grid tower support structures:</p> <p>(i) Be no deeper than 300mm within 6m of the outer visible edge of a National Grid tower; and</p> <p>(ii) (ii)Be no deeper than 3m between 6m to 12m from the outer visible edge of a National Grid tower.</p> <p>(c) Anywhere within the National Grid Yard:</p> <p>(i) Not create an unstable batter that will affect a transmission support structure; and</p> <p>(ii) Not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34.</p> <p>Provided that the following are exempt from Rule 2.4.2.35(a) and (b) above:</p> | <p>N/A</p> | |

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| <ul style="list-style-type: none"> (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. | | |
| <p>2.4.2.37 - Buildings and structures within the National Grid Yard</p> <p>Buildings and structures within the National Grid Yard are permitted if they meet the following:</p> <ul style="list-style-type: none"> (a) On existing sites within the urban limits as at 30 May 2014: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) Be permitted by Rule 2.4.2.36(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 2.4.2.36(a) and (b) must comply with at least one of the following: <ul style="list-style-type: none"> (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. | N/A | |
| <p>2.4.2.38 - Buildings and structures within the National Grid Yard</p> <p>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</p> | N/A | |

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| <p>this rule:</p> <p>(a) Network utility within a transport corridor or any part of electricity infrastructure that connects to the national grid; or</p> <p>(b) A fence more than 5m from the nearest National Grid Support Structure.</p> | | |
| <p>2.4.2.39 - Housing and keeping of Animals</p> <p>The number of domestic fowl shall not exceed five, and shall not include any roosters.</p> | N/A | |
| <p>2.4.2.40 - Housing and keeping of Animals</p> <p>Horses and farm animals, except pigs, may graze vacant sites.</p> | N/A | |
| <p>2.4.2.41 - Housing and keeping of Animals</p> <p>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.</p> | N/A | |
| <p>2.4.2.42 – Heavy motor vehicle</p> <p>No person shall park a heavy motor vehicle on any residential property in the Residential Zone between the hours of:</p> <p>(a) Monday to Friday - 10.00pm to 7.00am; and</p> <p>(b) Saturday and Sunday - 6.00pm to 7.00am.</p> <p>Except that this rule shall not apply to:</p> <p>(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</p> <p>(ii) Private recreational vehicles and emergency vehicles.</p> | Yes | No heavy motor vehicles will be parked in the accessway |
| <p>2.4.2.43 – Secondary Dwelling</p> <p>The minimum net site area required for the erection of a secondary dwelling shall be 850m² and the secondary dwelling shall:</p> <p>(a) Be encompassed within the bulk of the principal dwelling so that the building has the visual appearance of a single dwelling; and</p> <p>(b) Not be separated from the principal dwelling by a garage; and</p> <p>(c) Be no more than 70m² GFA, excluding garaging.</p> <p>Provided that:</p> <p>(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 600m².</p> | N/A | |

2.4.2.44 – Compact Housing

N/A

Compact housing within the compact housing area overlay shall have a minimum area of 2,000m² 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) (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) (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) (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 windowsills 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 ² | 20m ² | 4m | 10m ² | 2m |
| 2 bedroom unit | 70m ² | 30m ² | 4m | 12m ² | 2m |
| 3 bedroom unit | 95m ² | 30m ² | 4m | 14m ² | 2m |

- (f) (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) (g) A communal outdoor service area or storage court shall be provided that does not exceed 10m² of site area and it shall be screened so that it is not visible from the front boundary of the site.

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| <p>(h) Outdoor living areas shall:</p> <ul style="list-style-type: none"> (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) (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-axle 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. | | |
| <p>2.4.2.45 – Home Occupations</p> <p>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 person can be engaged in a home occupation, in a dwelling including any building accessory thereto, provided that:</p> <ul style="list-style-type: none"> (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 50m² 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 constituent | <p>N/A</p> | |

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| <p>part of the gross floor area of the activity; and</p> <p>(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</p> <p>(e) A home occupation shall generate no more than 20 vehicle movements per day; and</p> <p>(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</p> <p>(g) There shall be no operation of machinery before 7.30am or after 7.00pm on any day.</p> | | |
| <p>2.4.2.46 – Show Homes For each show home:</p> <p>(a) No more than three people may be employed to work in an office ancillary to a show home; and</p> <p>(b) The maximum gross floor area for an office ancillary to a show home shall be 50m²; and</p> <p>(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</p> <p>(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.</p> | N/A | |
| <p>2.4.2.47 - St Kilda Structure Plan Area: commercial hub overlay Activities undertaken within the Commercial Hub Overlay Area identified on the St Kilda Structure Plan shall comply with the following:</p> <p>(a) The maximum hours of operation shall be 7.00am to 10.00pm, seven days a week; and</p> <p>(b) Sites shall not exceed 150-person occupancy; and</p> <p>(c) The minimum building setback from boundaries shall be as follows:</p> <p>(i) Road boundary 0m</p> <p>(ii) Internal site boundaries where the lot adjoins a residential lot 5m</p> <p>(d) The maximum height of buildings shall be 12m; and</p> <p>(e) Buildings shall cover no more than 80% of the net area of the Commercial Hub Overlay</p> | N/A | |
| <p>2.4.2.48 - Local Centres within the C2/C3 Structure Plan area Local Centres within the C2/C3 Structure Plan area (in accordance with Rule 2.4.1.3(h)) shall comply with the following:</p> <p>(a) Be located in general accordance with the C1 and</p> | N/A | |

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| <p>C2/C3 Structure Plans; and</p> <p>(b) The maximum hours of operation shall be 7.00am to 10.00pm, seven days a week; and</p> <p>(c) Overall ground floor building footprint of any commercial, café, dining and ancillary activities shall not be greater than 550m² GFA (excluding any sports centre and/or art and cultural centre within the C2 growth cell); and</p> <p>(d) The minimum building setback from boundaries shall be as follows:</p> <p>(i) Road boundary 0m</p> <p>(ii) Internal site boundaries where the lot adjoins a residential lot 5m</p> <p>(e) The maximum height of buildings shall be 9m</p> | | |
| <p>2.4.2.49 - Temporary construction buildings</p> <p>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.</p> | <p>N/A</p> | |
| <p>2.4.2.50 - Temporary construction buildings</p> <p>Temporary construction buildings are only permitted for one calendar year and shall comply with the minimum setback requirements for the Residential Zone.</p> | <p>Yes</p> | <p>Temporary construction buildings will be located on another part of the site in a different zone.</p> |
| <p>2.4.2.51 - Relocated buildings</p> <p>A relocated building over 40m² GFA shall meet the following requirements:</p> <p>(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:</p> <p>(i) A Waipa District Council Building Compliance Officer (or equivalent); or</p> <p>(ii) A member of the New Zealand Institute of Building Surveyors; or</p> <p>(iii) A licensed building practitioner (carpenter or design category); or</p> <p>(iv) A building inspector from the local authority where the building is being relocated from; and</p> <p>(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</p> | <p>N/A</p> | |

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| <p>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:</p> <p>(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.</p> <p>(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</p> <p>(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.</p> <p>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.</p> | | |
| <p>2.4.2.52 - Residential Based Visitor Accommodation The use of a dwelling as Residential Based Visitor Accommodation is permitted if it accommodates no more than:</p> <p>(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.</p> | N/A | |
| <p>2.4.2.53 - Residential Based Visitor Accommodation Where a Sleep Out is used it will be considered as one bedroom.</p> | N/A | |
| <p>2.4.2.54 - Residential Based Visitor Accommodation Where there are permanent residents staying on site</p> | N/A | |

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| 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. | | |
| 2.4.2 (new) – Neighbourhood Centre within the T11 Growth Cell Structure Plan Area | N/A | |

| RULE | COMPLIES? | COMMENT |
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| Section 7 – Industrial Zone | | |
| 7.4.1 Activity Status Table | | |
| 7.4.1.1 (a) Industrial activities: Permitted | N/A | Industrial activity defined as: means any use of land or BUILDING where people or machinery: <ul style="list-style-type: none"> • Extract, process or convert natural resources, excluding FARMING ACTIVITIES and MINERAL EXTRACTION ACTIVITIES; and/or • Produce or manufacture goods; and/or Service, test or repair goods or machinery; and/or • Store goods (ensuing from the industrial process); and/or • Transport or distribute goods including depots. Proposed activity does not fit neatly into any of the above categories – processing refined materials for electricity generation. |
| 7.4.1.1 (t) Notwithstanding any other permitted activities, only the following activities are permitted within the Specialised Dairy Industrial Area: Activities relating to the processing of milk and production of milk related products, including: (i) Milk reception facilities (ii) Tanker wash facilities (iii) Site access (iv) Parking (v) Rail sidings (vi) Storage, processing and disposal of waste material (vii) Water treatment facilities (viii) Stormwater ponds and/or facilities (ix) Storage facilities (x) Workshops | N/A | Proposal unrelated to specified permitted activities |

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| (xi) Accessory buildings to any permitted activity (not for habitation) (xii) Ancillary activities including offices associated with any permitted activity (xiii) Demolition of buildings and structures (xiv) Laboratories and research establishments (xv) Rural based industries | | |
| 7.4.1.3 (d) Activities in the Specialised Dairy Industrial Areas not permitted by Rule 7.4.1.1(t). Assessment will be restricted to the following matters: - Reverse sensitivity effects on the operation of the Te Awamutu or Hautapu Dairy Manufacturing Sites. These matters will be considered in accordance with the assessment criteria in Section 21. | Yes | The proposal is an 'activity' not permitted by rule 7.4.1.1 (t) Accordingly, the proposal is classified as a Restricted Discretionary Activity pursuant to Rule 7.4.1.3(d) |
| 7.4.1.5 (m) All other activities not included in activity status table Rules 7.4.1.1 to 7.4.1.4. | N/A | If the proposal is not considered an industrial activity, and was not otherwise located within the Specialised Dairy Industrial Area, would default to non-complying status. |
| 7.4.2 Performance Standards | | |
| 7.4.2.1 - Minimum building setback from road boundaries The minimum building setback from road boundaries shall be 5m, except in the following locations: (a) Bond Road North Industrial Structure Plan Area (b) Hautapu Industrial Structure Plan Area (c) Industrial Zone (Raynes Road) – The minimum setback from Raynes Road and Airport Road shall be 15m (d) Bardowie Industrial Precinct Structure Plan Area – The minimum setback from State Highway 1 shall be 25m. | Yes | All buildings on that part of the site zoned Industrial are setback over 5m from the road boundary |
| 7.4.2.2 - Minimum building setback from internal site boundaries The minimum building setback from internal site boundaries that adjoin any zone other than the Industrial Zone shall be 5m, except in the following locations: | No | The Power Generator will be setback 25.3m at the closest point to the adjacent boundary. The bunker adjacent the north western boundary will be setback 9m from this boundary. All other buildings on site will be setback greater distances from the nearest boundary, apart from the proposed acoustic barrier adjacent the boundary with the racecourse. At a height of 2.5m the structure is considered a building and must be setback a minimum of 5m, whereas it is |

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| <p>(a) Bond Road North Industrial Structure Plan Area - The minimum setbacks from internal site boundaries that adjoin any zone other than the Industrial Zone shall be those as defined on the Landscape Concept Plan within the Bond Road North Industrial Structure Plan Area refer Appendix S12.</p> | <p>N/A</p> | <p>proposed to build this structure at the boundary. Accordingly, the proposal is classified as a Discretionary Activity pursuant to Rule 7.4.2.2</p> |
| <p>7.4.2.3 - Minimum building setback from internal boundaries: Hautapu Industrial Structure Plan Area The minimum building setback from internal site boundaries within the Hautapu Industrial Structure Plan Area shall be 5m, except in the following locations: (a) The minimum setbacks from internal site boundaries that adjoin any zone other than the Industrial Zone shall be those as defined on the Landscape Concept Plan within the Hautapu Industrial Structure Plan Area refer Appendix S5. Provided that no building or eave shall encroach into any access, driveway, or other vehicle entrance.</p> | <p>N/A</p> | |
| <p>7.4.2.4 - Building setback from water bodies: Bond Road North Industrial Structure Plan Area The minimum building setback from water bodies in the Bond Road North Industrial Structure Plan Area shall be 15m, except that Rule 26.4.2.1 does not apply.</p> | <p>N/A</p> | |
| <p>7.4.2.5 - Building setback from water bodies: Bardowie Industrial Precinct Structure Plan Area Notwithstanding Rule 26.4.2.1, the minimum building setback from the Mangaone Stream in the Bardowie Industrial Precinct Area shall be 15m.</p> | | |
| <p>7.4.2.6 - Height The maximum height of buildings shall be 20m, except in the following locations where the maximum height shall be: (a) Tall buildings area: 55m</p> | <p>No</p> | <p>Maximum permitted height exceeded. Ridge of the furnace hall will be 35m, chimneys stacks will be 38m maximum. The maximum height of the recycling hall will be 21m. The maximum height of the Tipping Hall will be 14m. Accordingly, the proposal is classified as a Discretionary Activity pursuant to Rule 7.4.2.6</p> |

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| <p>(b) Any site within 100m of the State Highway 1 Cambridge bypass, Victoria Road or Hautapu Cemetery, except as provided for by (d): 10m</p> <p>(c) Any site within the Bond Road North Industrial Structure Plan Area: 12.5m</p> <p>(d) Any site within 40m of State Highway 1 Cambridge bypass and/or Victoria Road within the Bardowie Industrial Precinct Structure Plan Area: 10m</p> | | |
| <p>7.4.2.7 – Daylight control</p> <p>Where a site adjoins a road or any zone other than the Industrial Zone; no building, or stored materials shall penetrate through a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45o from 2.7m above the ground level of the front, side or rear boundaries of a site</p> | Yes | All buildings do not intrude through the recession plane from the racecourse. |
| <p>7.4.2.8 – Building and site layout</p> <p>Except on rear sites, the main public entrance into a building must be orientated so that it is parallel to the road boundary of the site</p> | Yes | The site is a rear site |
| <p>7.4.2.9 - Building and site layout</p> <p>Except for visitor parking, in the Hautapu Industrial Structure Plan Area, parking and loading areas shall be located at the rear or side of buildings.</p> | N/A | |
| <p>7.4.2.10 - Building and site layout</p> <p>In the Bardowie Industrial Precinct Structure Plan Area, the building and site layout, parking and loading areas shall be located in general accordance with the Bardowie Industrial Precinct Structure Plan Urban Design and Landscape Guidelines.</p> | N/A | |
| <p>6.4.2.11 - Design and layout of development adjoining water bodies and reserves</p> <p>Within the Industrial Zone the design and layout of buildings shall ensure that adjoining water bodies and reserves are fronted by a transparent display window comprising clear glass or similar to provide active engagement with the feature.</p> | Yes | Windows are inserted into all elevations at regular intervals. |
| <p>7.4.2.12 - Landscaping and Screening</p> <p>Front and corner sites shall be landscaped along the entire road boundary, except for access and egress points, to the following minimum depths:</p> <p>(a) Where adjoining a site located within the Industrial Zone: 2m</p> <p>(b) Where adjoining a site located in any other zone: 3m</p> | N/A | The site is a rear site |
| <p>7.4.2.13 - Landscaping and Screening</p> | | |

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| <p>Where an internal site boundary adjoins a site within the Residential Zone, Deferred Residential Zone, Large Lot Residential Zone, Deferred Large Lot Residential Zone or Reserves Zone it must be landscaped to a minimum depth of 3m and the landscaping shall form a solid screen; provided that Rule 7.4.2.15 applies in respect of the Hautapu Industrial Structure Plan Area, the Bardowie Industrial Precinct Structure Plan Area and the Bond Road North Industrial Structure Plan Area.</p> | <p>No</p> | <p>Eastern end of that part of site zoned Industrial does not directly adjoin Residential zoned sites along Racecourse Road.</p> <p>However adjoins (Deferred) Residential zone for the racecourse, from which a 3m minimum landscaped strip will not be possible.</p> <p>Accordingly, the proposal is classified as a Discretionary Activity pursuant to Rule 7.4.2.13</p> |
| <p>7.4.2.14 - Landscaping and Screening</p> <p>Where landscaping is required to comply with the Rules in 7.4.2.12 and 7.4.2.13 it shall consist of a combination of groundcovers, shrubs and trees, with at least one tree planted for every 10m of road frontage at a grade of no less than PB95. For the avoidance of doubt, road frontages up to 10m wide will require one tree at a grade no less than PB95. PB95 is equivalent to a tree that is 1.5m to 2m tall at the time of planting; provided that Rule 7.4.2.15 applies in respect of the Hautapu Industrial Structure Plan Area, the Bardowie Industrial Precinct Structure Plan Area and the Bond Road North Industrial Structure Plan Area.</p> | <p>As above</p> | |
| <p>7.4.2.15 - Landscaping and Screening</p> <p>The following rules shall apply in respect of the Bond Road North Industrial Structure Plan Area, the Hautapu Industrial Structure Plan Area and the Bardowie Industrial Precinct Structure Plan Area:</p> <p>(a) Within the Hautapu Industrial Structure Plan Area the location, type and density of planting shall be in accordance with the Design and Landscaping Guidelines for the Hautapu Industrial Structure Plan Area, and landscaping must meet the following minimum depths:</p> <p>(i) Where adjoining a road: 2.5m</p> <p>(ii) On perimeter sites: 5m</p> <p>(b) Within the Hautapu Industrial Structure Plan Area outdoor storage areas and/or any air conditioning unit visible from any zone other than Industrial, or from any road or other public place, must be screened by landscaping or solid walls or structures or fences. Screening is required to conceal all air conditioning units on roofs visible from any road or other public place.</p> <p>(c) Within the Bond Road North Industrial Structure Plan Area road boundaries and internal site boundaries, where a site adjoins any zone other</p> | <p>N/A</p> | |

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| <p>than the Industrial Zone, except for access/egress points, must be landscaped in accordance with the Bond Road North Industrial Structure Plan Area (refer Appendix S12).</p> <p>(d) Within the Hautapu Industrial Structure Plan Area, two entry points into the industrial area, along Hautapu Road and Hannon Road, will require special streetscape planting to provide a site feature (refer to Attachment B in the Hautapu Urban Design and Landscape Guidelines in Appendix S5.2).</p> <p>(e) Within the Bardowie Industrial Precinct Structure Plan Area the location, type and density of planting and landscaping shall be undertaken in accordance with the Urban Design and Landscape Guidelines for the Bardowie Industrial Precinct Structure Plan Area.</p> | | |
| <p>7.4.2.16 - Building colour In the Hautapu Industrial Structure Plan Area buildings shall be painted or coloured in British Standard 5252 neutral colour palette groups A and B and must also have low reflectivity, with maximum reflectance level of 70per cent.</p> | N/A | |
| <p>7.4.2.17 - Building colour In the Bardowie Industrial Precinct Structure Plan Area buildings shall be painted or coloured in general accordance with the Urban Design and Landscape Guidelines for the Bardowie Industrial Precinct Structure Plan Area.</p> | N/A | |
| <p>7.4.2.18 - Noise 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:</p> <p>(a) Monday to Saturday - 7.00am to 10.00pm: 60dBA (Leq)</p> <p>(b) Sundays & Public Holidays - 8.00am to 6.00pm: 50dBA (Leq)</p> <p>(c) At all other times: 45dBA (Leq)</p> <p>(d)) No single event noise level shall exceed Night time - 10.00pm to 7.00am: 70dBA (Lmax)</p> <p><i>Within the boundary of any site zoned Residential or Large Lot Residential</i></p> <p>(e) Monday to Saturday - 7.00am to 10.00pm: 50dBA (Leq)</p> <p>(f) Sundays & Public Holidays - 8.00am to 8.00pm: 50dBA (Leq)</p> <p>(g) At all other times: 40dBA (Leq)</p> | Yes | As confirmed in the Acoustic Report Appendix Q the proposal will comply with all permitted noise levels for the Industrial zone, during construction and in operation. |

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| <p>(h) No single event noise level Lmax shall exceed Night time - 10.00pm to 7.00am: 70dBA (Lmax) Provided that this rule shall not apply to the use or testing of station and vehicle sirens or alarms used by emergency vehicles. Provided that for the Bond Road North Industrial Structure Plan Area the provisions of Rule 7.4.2.19 shall apply. 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.</p> | | |
| <p>7.4.2.19 - Noise Within the Bond Road North Industrial Structure Plan Area all activities must be conducted and buildings located, designed and used to ensure that noise levels do not exceed the following limits: <i>Within the boundary of any site zoned Residential or Large Lot Residential</i> (a) Monday to Friday - 7.00am to 10.00pm: 50dBA (Leq) (b) Saturdays - 7.00am to 6.00pm: 50dBA (Leq) (c) At all other times including public holidays: 45dBA (Leq) <i>Within the boundary of any site zoned Industrial</i> (d) Monday to Saturday - 7.00am to 10.00pm: 60dBA (Leq) (e) At all other times including public holidays: 45dBA (Leq) <i>Within the boundary of any site zoned Rural</i> (f) Monday to Saturday - 7.00am to 7.00pm: 50dBA (Leq) (g) At all other times including public holidays: 35dBA (Leq) <i>Within all zones the single event noise level</i> (h) Within all zones the single event noise level Lmax shall not exceed at night time between the hours of 10.00pm to 7.00am: 65dBA (Lmax) Provided that this rule shall not apply to the use or testing of station and vehicle sirens or alarms used by emergency vehicles. 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.</p> | N/A | |
| <p>7.4.2.20 - Noise Within the Bardowie Industrial Precinct Structure Plan Area all activities shall be conducted, and buildings</p> | N/A | |

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| <p>located, designed and used to ensure that they do not exceed the following limits:</p> <p><i>Within the boundary of any site zoned Residential or Large Lot Residential or the notional boundary of any site zoned Rural</i></p> <p>(a) Monday to Friday - 7.00am to 10.00pm - 50dBA (Leq)</p> <p>(b) Saturdays - 7.00am to 6.00pm - 50dBA (Leq)</p> <p>(c) At all other times including public holidays - 45dBA (Leq)</p> <p><i>Within the boundary of any site zoned Industrial</i></p> | | |
| <p>7.4.2.21 - Internal Acoustic Noise Standards – Bardowie Industrial Precinct Structure Plan Area Campus Hub</p> <p>The following noise sensitive activities located within the Campus Hub (as shown on the Bardowie Industrial Precinct Structure Plan) of the Bardowie Industrial Precinct Structure Plan Area shall incorporate appropriate acoustic treatment to ensure that a noise level not exceeding 30dBA (Ldn) is achieved inside the buildings those activities occur in:</p> <p>(a) Visitor Accommodation</p> <p>(b) Conference facilities</p> <p>(c) Child care facilities</p> <p>(d) Offices</p> | N/A | |
| <p>7.4.2.22 - Vibration</p> <p>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.</p> | Yes | Construction vibration will comply with proxy standard DIN4150. Operational vibration will comply from the Industrial zone boundaries of the site mainly by virtue of the distance of the facility buildings from boundaries. |
| <p>7.4.2.23 – Construction noise</p> <p>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.</p> | Yes | The Acoustic report (Appendix Q) demonstrates construction noise will comply with required standards. |
| <p>7.4.2.24 – Rules - Noise: Te Awamutu and Hautapu Dairy Manufacturing sites</p> <p>Te Awamutu Dairy Manufacturing site - all activities shall be conducted and buildings located, designed and used to ensure that the cumulative noise levels from the site do not exceed:</p> <p>(a) 55dBA Ldn at the Dairy Manufacturing Noise Contour as shown on the Planning Maps.</p> | N/A | |

- (i) The following levels at the following locations will be considered evidence of compliance with (a) above (refer Map 7.4.3(a)):

| Measurement site (see Map 7.4.3(a)) | Noise limit (dB LAeq) |
|-------------------------------------|-----------------------|
| 170 Leith Street | 54 |
| 443 Factory Road | 51 |
| 69 Raeburn Street | 47 |
| 165 Greenough Crescent | 48 |
| 111 Leith Street | 49 |
| 152 Wylie Street | 49 |

- (b) No single event noise shall exceed 75dB (LAmax) measured at the boundary of the Dairy Manufacturing Noise Contour as shown on the Planning Maps.

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

7.4.2.25 – Rules - Noise: Te Awamutu and Hautapu Dairy Manufacturing sites

Hautapu Dairy Manufacturing site - all activities shall be conducted and buildings located, designed and used to ensure that the cumulative noise levels from the site do not exceed:

- (a) 55dBA Ldn at the Dairy Manufacturing Noise Contour as shown on the Planning Maps.

- (j) The following levels at the following locations shall be considered evidence of compliance with (a) above (refer Map 7.4.3(b)):

| Measurement site (see Map 7.4.3(a)) | Noise limit (dB LAeq) |
|-------------------------------------|-----------------------|
| 170 Leith Street | 54 |
| 443 Factory Road | 51 |
| 69 Raeburn Street | 47 |
| 165 Greenough Crescent | 48 |
| 111 Leith Street | 49 |
| 152 Wylie Street | 49 |

- (b) No single event noise shall exceed 75dB (LAmax) measured at the boundary of the Dairy Manufacturing Noise Contour as shown on the Planning Maps

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

7.4.2.26 – Rules - Noise: Te Awamutu and Hautapu Dairy Manufacturing sites

All new, replacement or upgrading of Dairy Manufacturing Site facilities or equipment shall be accompanied by an acoustic certificate verifying that the equipment has been designed and installed to, by itself, not exceed a maximum of 50dBA Ldn at the

N/A

N/A

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| nearest residential property boundary or notional boundary of the nearest rural zoned dwelling, not owned by the operator of the Dairy Manufacturing Site. | | |
| <p>7.4.2.27 – Rules - Noise: Te Awamutu and Hautapu Dairy Manufacturing sites</p> <p>The management of noise emitted from all new, replacement or upgrading of Dairy Manufacturing Site facilities or equipment will be incorporated into a site wide Noise Management Plan. This Plan will cover:</p> <p>(a) The method to be adopted to develop an onsite awareness for the management of noise; and</p> <p>(b) The approach to be adopted when adding any new plant or modifying existing plant on site; and</p> <p>(c) Any proposals to be adopted to ensure compliance with the noise limits and to satisfy the requirement of section 16 of the Resource Managements Act; and</p> <p>(d) A complaints procedure in relation to noise emissions for the site</p> | N/A | |
| <p>7.4.2.28 – Signs</p> <p>The following signs are permitted:</p> | Yes | All signs will comply |
| <p>(a) Signs giving information such as the name or street number of premises, the business carried on, names of people occupying premises, and hours of operation. There must be no more than two signs on a site with no sign exceeding 3m² visible in any one direction and the total maximum area of signs shall not exceed 5m², provided that in the Hautapu Industrial Structure Plan Area there must be no more than two signs on a site with no sign exceeding 2m² visible in any one direction and the total maximum area of signs shall not exceed 5m².</p> <p>(b) Signs advertising the land or premises are for sale or lease. The maximum size of each sign must be no more than 2m² and the maximum number of such signs at any one time are as follows:</p> <p>(i) In the Hautapu Industrial Structure Plan Area: one sign</p> <p>(iii) In all other areas: four signs</p> <p>(c) A sign erected on a construction site giving details of the project. The maximum total area of the sign must be no more than 2m² and no more than one sign is permitted on a site at any one time.</p> | | |

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| <p>(d) Signs of any materials erected by Council, New Zealand Transport Agency, or the Automobile Association for the direction and control of traffic.</p> <p>(e) Health and Safety at Work Act 2015 related signs. Provided that in all cases:</p> <ul style="list-style-type: none"> (i) Signs other than temporary signs must relate to activities authorised under the Plan, and must be located on the site to which they relate; and (ii) Signs must 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 must 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 must be placed so that no part is more than 7.5m above ground level; and (v) Signs must be placed so that they do not block sight distances at entranceways and must be no closer than 20m to a road intersection; and (vi) (vi) Signs must 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. | | |
| <p>7.4.2.29 – Signs</p> <p>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.</p> <p>Provided that in all cases:</p> <ul style="list-style-type: none"> (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 | <p>N/A</p> | |

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| <ul style="list-style-type: none"> (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. | | |
| <p>7.4.2.30 - Signs</p> <p>Notwithstanding Rules 7.4.2.28 and 7.4.2.29 within the Hautapu Industrial Structure Plan Area all signs must be:</p> <ul style="list-style-type: none"> (a) Oriented to face the road from which vehicle access is obtained; and (b) Not visible from the SH1 Cambridge Bypass; and (c) Placed so that where visible from Hautapu Road, Peake Road and Victoria Road or adjacent to the Hautapu cemetery, they are setback from the road boundary by 15m. <p>Provided that the relevant zone based or district wide rules apply where they are more restrictive. Refer to Section 22 - Heritage and Archaeology.</p> | N/A | |
| <p>7.4.2.31 - Signs</p> <p>Within the Bardowie Industrial Precinct Structure Plan Area, in addition to Rule 7.4.2.28(d) and (e) and Rule 7.4.2.29, the following signs are permitted:</p> <ul style="list-style-type: none"> (a) One single or double-sided tower sign at each of the southern and northern entrances to the Bardowie Industrial Precinct identifying and providing information relating to the businesses within the Bardowie Industrial Precinct with a maximum height of 10m and a maximum width of 3m on each side. (b) A 'pou whenua' at the southern and/or northern entrances to the Bardowie Industrial Precinct up to a maximum height of 6m and a maximum width of 1.5 metres. (c) Signs erected on a construction site giving details of the project up to a maximum of 20m² for the duration of the construction provided that any such signs shall only face Victoria/Laurent Road and shall not be within 200m of the Waikato Expressway. (d) Signage on the southern or southwestern face of buildings fronting and within 100m of State | N/A | |

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| <p>Highway 1 within Node 1A and Node 2 (as identified in the Bardowie Industrial Precinct Structure Plan) up to a maximum of 20m² per building on a maximum of four buildings provided they are naming signs that only relate to the name of the business occupying each building.</p> <p>(e) Any directional signage within the Bardowie Industrial Precinct.</p> <p>(f) Any signage up to a maximum of 2m² per sign (with a maximum of one sign per vendor or agent) advertising the land or premises for sale or lease.</p> <p>(g) Except as provided for, or limited, in (a) to (f) above, up to a total of 5m² of signage per separate activity or building in Nodes 1A and Node 2 and up to a total of 5m² of signage per site in Node 1B and Node 3.</p> <p>Provided that within 100m of Stage Highway 1 signs shall not be signs for any other purpose than the name of the business occupying each building, internally illuminated, flashing incorporate fluorescent materials such as flags or be painted in colours that are used on traffic signals.</p> | | |
| <p>7.4.2.32 - Earthworks Earthworks shall not exceed a total volume of 1,000m³ in a single activity or in cumulative activities in any one calendar year, provided that this rule shall not apply to earthworks incidental to an approved resource consent or building consent.</p> | <p>No</p> | <p>Proposed Earthworks exceed minimum permitted.</p> <p>Accordingly, the proposal is classified as a Discretionary Activity pursuant to Rule 7.4.2.32</p> |
| <p>7.4.2.33 - Temporary construction buildings Temporary construction buildings must 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. For the avoidance of doubt, temporary construction buildings must not be used as dwellings or for residential activities.</p> | <p>Yes</p> | |
| <p>7.4.2.34 - Temporary construction buildings Temporary construction buildings shall be permitted for one calendar year.</p> | <p>No</p> | <p>Construction duration will exceed one year</p> <p>Accordingly, the proposal is classified as a Restricted Discretionary Activity pursuant to Rule 7.4.2.34</p> |
| <p>7.4.2.35 - Bond Road North Industrial Structure Plan Area Buildings within the Bond Road North Industrial Structure Plan Area must have a minimum free-board</p> | <p>N/A</p> | |

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| level not less than 500mm above the 1% AEP (100 year flood level). | | |
| <p>7.4.2.36 - Hautapu Industrial Structure Plan Area: Development Agreement</p> <p>No development within the Hautapu Industrial Structure Plan Area shall be approved until such time as a development agreement is signed between Council and the developer. The development agreement shall specify all those items of infrastructure that are required to be upgraded at full or partial cost to the developer. The development agreement shall also specify the reserves agreement and detail the extent of reserve land to be vested in Council and the manner that the reserve contribution will be offset against the reserve land to be vested.</p> | N/A | |
| <p>7.4.2.37 - Bond Road North Industrial Structure Plan Area: Development agreement</p> <p>No development within the Bond Road North Industrial Structure Plan Area shall be approved until such time as a development agreement is signed between Council and the developer. The development agreement shall specify all those items of infrastructure that are required to be upgraded at full or partial cost to the developer. The development agreement shall also specify the reserves agreement and detail the extent of reserve land to be vested in Council and the manner that the reserve contribution will be offset against the reserve land to be vested.</p> | N/A | |
| <p>7.4.2.38 - Bardowie Industrial Precinct Structure Plan Area: Development Agreement</p> <p>No development within the Bardowie Industrial Precinct Structure Plan Area shall be approved until such time as a Development Agreement is signed between Council and the developer, unless otherwise approved in writing by the Council. The Development Agreement shall specify all those items of infrastructure that are required to be upgraded at full or partial cost to the developer. The Development Agreement shall also specify the reserves agreement and detail the extent of reserve land to be vested in Council and the manner that the reserve contribution will be offset against the reserve land to be vested.</p> | N/A | |
| <p>7.4.2.39 - Relocated buildings</p> <p>A relocated building over 40m² GFA shall meet the following requirements:</p> <p>(a) A Building Relocation Inspection Report shall accompany an application for a building consent.</p> | N/A | |

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) (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.

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| 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. | | |
| 7.4.2.40 - Stormwater Management in the Bardowie Industrial Precinct Structure Plan Area On site soakage shall be provided for within each site in Node 1B and Node 3 of the Bardowie Industrial Precinct Structure Plan Area to take all runoff from a two-year annual recurrence interval (ARI) rainfall event (up to 72-hour duration). | N/A | |

| RULE | COMPLIES? | COMMENT |
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| Section 15 Infrastructure, Hazards, Development and Subdivision | | |
| 15.4.1.1 Activity Status Table | | |
| | | Activity not listed |
| 15.4.2 Performance Standards | | |
| Part A: All development and subdivision | | |
| 15.4.2.1 - Net lot area rules Zone or Area - Minimum Net Lot Area - Average Net Lot Area - Maximum Net Lot Area or Maximum Number of Lots - | N/A | |
| 15.4.2.2 - Existing consent notices, bonds, and other legal instruments All existing consent notices, bonds, and other legal instruments registered on a certificate of title in favour of the Waipa District Council which either restrict further subdivision or require ongoing performance of a matter relating to that certificate of title under the provisions of any previous planning regime must continue to be binding against that certificate of title. | N/A | |
| 15.4.2.3 - Lot frontage, lot shape factor and vehicle crossings Zone - Lot frontage (excluding rear lots) - Lot shape factor - Vehicle Crossing minimum to maximum - | N/A | |
| 15.4.2.4 - Minimum width of vehicle access to rear lots Access to rear lots shall comply with the following minimum widths: Zone – Minimum width of access to rear lots - | Yes | Access is to one lot for which an access width with a minimum of 7m is required. A formed width of 8m is proposed. |
| 15.4.2.5 - Lot design | N/A | |

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| <p>Each new lot created shall be able to incorporate the lot shape factor in a position which does not encroach on any building setback or easement requirement.</p> <p>15.4.2.6 - Lot design Subdivision within the urban limits, and any Large Lot Residential Zone shall not create more than two rear lots, unless provided for by Rule 15.4.2.59.</p> <p>15.4.2.7 - Lot design New residential and large lot residential lots, other than corner lots, shall have frontage to only one road or street.</p> <p>15.4.2.8 - Lot design In any zone where lots are to be prevented from obtaining direct access to an adjacent road an access denial or segregation strip shall be vested in Council. The performance standards for development and subdivision in the underlying zone do not apply to lots created for the purpose of access denial or segregation.</p> | <p>N/A</p> <p>N/A</p> <p>N/A</p> | |
| <p>15.4.2.9 Root zone Any new Lot created must be able to accommodate all buildings outside of the Root Protection Zone of a protected tree whether the protected tree is on the new lot or on an adjacent site.</p> | <p>N/A</p> | |
| <p>15.4.2.10 Root zone The Root Protection Zone of any protected tree must be contained entirely within any new allotment.</p> | <p>N/A</p> | |
| <p>15.4.2.11 - Design and layout of development and subdivision adjoining water bodies and reserves Within the urban limits and the Large Lot Residential Zone, the design and layout of subdivisions shall ensure that water bodies and reserves are fronted by either roads or the front or side boundary of a lot.</p> | <p>N/A</p> | |
| <p>15.4.2.12 - Lots within areas of high value amenity landscapes, viewshafts, river and lake environs, significant natural features and landscapes and visually sensitive hill country Where new lots are to be created within high amenity landscapes, viewshafts, river and lake environs, significant natural features, and visually sensitive hill country, as identified on the Planning Maps, then the following shall apply:</p> <ul style="list-style-type: none"> (a) Power and telephone services shall be provided underground; and (b) The subdivision plan shall define the building platform and associated access alignment on each lot. The building platform shall be located so that at the time of building construction no part | <p>N/A</p> | |

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| <p>of any complying building will extend above the ridgeline nearest to the building platform, when viewed from a public place; and</p> <p>(c) The building platform, roads, and accessways shall minimize intrusion into the landscape, or viewshaft; and</p> <p>(d) Access to the building site must follow the contour of the land.</p> | | |
| <p>15.4.2.13 - Site suitability: General Subdivision and development shall have a defined building platform in a complying location that is capable of being serviced to the requirements of the zone.</p> | Yes | The Site suitability report and Civils reports confirm the proposal is capable of being serviced to the requirements of the zone. |
| <p>15.4.2.14 - Site suitability: within or adjoining a Flood Hazard Area Subdivision and Development within or adjoining a Flood Hazard Area identified on the Planning Maps, or as shown on the Houchens Road Large Lot Residential Structure Plan at Appendix S13, shall have building platforms in a complying location that can achieve a minimum free-board level 500mm above the 1% AEP (100 year flood level).</p> | No | Freeboard of 300mm is proposed for this industrial site, as opposed to 500mm which is considered more suitable for residential sites. Accordingly, the proposal is classified as a Non Complying Activity pursuant to Rule 15.4.2.14 |
| <p>15.4.2.15 - Site suitability: within or adjoining a Flood Hazard Area No subdivision and development shall occur within a High-Risk Flood Zone.</p> | No | Part of the development is proposed within what is considered under the Plan as a high risk flood zone. Accordingly, the proposal is classified as a Non Complying Activity pursuant to Rule 15.4.2.15 |
| <p>15.4.2.16 - Infrastructure servicing in all zones All lots in a subdivision and any sites in a development shall be connected to the following infrastructure services:</p> <p>(a) Formed public road or new road; and</p> <p>(b) Electricity; and</p> <p>(c) Telecommunications; and</p> <p>(d) Fibre optic cable</p> | Yes | The development will be connected for the stated services. |
| <p>15.4.2.17 - Design, location and maintenance of services in infill development Where more than one serviced building (excluding accessory buildings) is erected on a site, all services shall be provided to each building as if the site was being subdivided to create separate titles for each serviced building.</p> | N/A | |

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| <p>15.4.2.18 - Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits</p> <p>All lots in a subdivision and any sites in a development in the Residential, Commercial and Industrial Zones within the urban limits shall be connected to the following Council infrastructure services:</p> <ul style="list-style-type: none"> (a) Wastewater reticulation and treatment; and (b) Water supply for domestic, or industrial, or commercial activity; and (c) Water supply for firefighting purposes. | <p>Yes</p> | <p>Connection to reticulated water will be made for this development for water supply and for fire-fighting purposes, but not wastewater, which will be initially managed on site and transported off-site for disposal at an off-site facility.</p> <p>Accordingly, the proposal is classified as a Non Complying Activity pursuant to Rule 15.4.2.18</p> |
| <p>15.4.2.19 - Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits</p> <p>Any proposed connection to the mains water supply shall be located in the berm adjacent to the building it is supplying and not require crossing under road carriageways.</p> | <p>Yes</p> | |
| <p>15.4.2.20 - Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits</p> <p>Within the urban limits, all lots in a subdivision and any sites in a development in the Residential, Commercial and Industrial Zones shall:</p> <ul style="list-style-type: none"> (a) Dispose of stormwater generated from within roads, reserves, and any lot to be vested in Council, into Council's reticulation system at pre-development levels; and (b) Dispose of all stormwater generated from lots not to be vested in Council within the boundaries of the lot itself. (c) Except that (a) and (b) above shall not apply to the C1 and C2/C3 growth cells where regional and/or district resource consents for the overall structure plan stormwater system provide for alternative means of stormwater management and disposal. For the avoidance of doubt, 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. | <p>Yes</p> | <p>All stormwater from the site will be disposed with the site</p> |

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| <p>15.4.2.21 - When infrastructure services are not provided by Council</p> <p>Where wastewater treatment and disposal services are not provided by Council:</p> <p>(a) Every Lot shall be of sufficient size to contain within the lot boundaries the treatment and disposal of wastewater resulting from any future permitted development; and</p> <p>(b) The wastewater treatment and disposal services shall be set back 23m from any water body.</p> | N/A | The method of wastewater management is set out in the Civils report. |
| <p>15.4.2.22 - When infrastructure services are not provided by Council</p> <p>Where water is not supplied by Council each lot shall provide an independent potable water supply sufficient for activities permitted on the site.;</p> | N/A | |
| <p>15.4.2.23 When infrastructure services are not provided by Council</p> <p>Where water is not supplied by Council or a private community supply, or water is supplied by Council but is a restricted flow supply, each lot shall provide access to water supply for firefighting purposes that is or will be: (a) Accessible to firefighting equipment; and (b) Between 6 and 90 metres from a dwelling on the site; and (c) On the same site as a dwelling (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and (d) Either: (i) Stores at least 45,000 litres, in addition to the independent potable water supply required by Rule 15.4.2.21; or (ii) Provides at least 25 litres per second for 30 minutes. This rule does not apply to lots created for the purpose of enabling a conservation block, a network utility, access to a lot or lots having no legal frontage, or a lot solely for a rural purpose and which does not require a building.</p> | N/A | |
| <p>15.4.2.24 - Wastewater disposal</p> <p>The design (including design life) and construction of wastewater treatment and disposal facilities shall ensure adequate provision is made to meet public health standards, eliminate the ingress of stormwater and groundwater, and avoid the occurrence of system surcharging or overflow.</p> | Yes | Set out in the Civils report. |
| <p>15.4.2.25 - Stormwater</p> <p>All lots or sites shall be of sufficient size to enable on site detention and disposal of stormwater resulting from any future development permitted in the zone, provided that this rule does not apply to stormwater disposal in the</p> | Yes | Will be contained on site as set out in the Civils report. |

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| <p>(a) Houchens Road Large Lot Residential Structure Plan Area.</p> <p>(b) The C1 and C2/C3 Structure Plan areas, where regional and/or resource district consents for the overall structure plan stormwater system provide for alternative means of stormwater management and disposal. For the avoidance of doubt, 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.</p> | | |
| <p>15.4.2.26 - Stormwater Development shall not obstruct overland and secondary flow paths.</p> | Yes | As demonstrated in the Flood Assessment and Infrastructure Assessment report. |
| <p>15.4.2.27 Where any subdivision in the residential or large lot residential zone includes the creation of new roads; the design, layout, construction and formation of the new road, except for service lanes, must provide for the planting of street trees.</p> | N/A | |
| <p>15.4.2.28 Planting of street trees must be at an equivalent rate of one tree per residential property road frontage using an appropriate species for the location. Council may approve groups of trees where the kerb line and location of services and the area available are sufficient to accommodate the group of trees in the long term.</p> | N/A | |
| <p>15.4.2.29 - National Grid Yard All lots shall identify a building platform for the principal dwelling, and any proposed secondary dwelling, outside of the National Grid Yard.</p> | Yes | |
| <p>15.4.2.30 - Proximity to poultry farming activities In the Rural Zone, any new lot created within 500m of a poultry farming activity shall identify a building platform for the principal dwelling and any proposed secondary dwelling, that is no less than 250m from a building forming part of a poultry farming activity.</p> | N/A | |
| <p>Part B: Development and subdivision for specific activities</p> | | |
| <p>15.4.2.31 - Lots for network utilities Land that is to be subdivided for a network utility service, except for roads, shall be configured to accommodate the intended activity, and the balance area of the subdivision shall comply with the relevant subdivision standards for the zone in which it is located. Provided that lots for network utilities shall comply with this rule only.</p> | N/A | |

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| <p>15.4.2.32 - Amendments to flats plans cross lease, company lease or unit title</p> <p>Where a proposed subdivision is intended solely to amend any cross lease, company lease or unit title plan to accommodate alterations to buildings or the erection of an accessory building which has a Code of Compliance Certificate (CCC) issued pursuant to the Building Act 2004, then the following shall apply:</p> <p>(a) The building works shall comply with the provisions of this District Plan; and</p> <p>(b) There shall be no material change to the unit site area or to the overall extent and configuration of the individual occupancy.</p> | N/A | |
| <p>15.4.2.33 - Boundary relocations</p> <p>The number of certificates of title involved in the subdivision will be the same or less after the subdivision has been undertaken.</p> | N/A | |
| <p>15.4.2.34 - Boundary relocations</p> <p>New lots created by way of boundary relocation must comply with the rules for the zone within which the subdivision is taking place, provided that titles shall not be considered as titles for the purpose of this rule if they are incapable of accommodating a dwelling for the zone within which the title is located because:</p> | N/A | |
| <p>(a) The site area cannot comply with the minimum site area under Rule 15.4.2.1; and</p> <p>(b) The site cannot contain a complying lot shape factor under Rules 15.4.2.3 and 15.4.2.5; and</p> <p>(c) The site cannot comply with the minimum setback standards of the zone within which the title is located; and</p> <p>(d) The site is not considered suitable for building under Rule 15.4.2.11; and</p> <p>(e) The site cannot contain within its boundaries a wastewater treatment and disposal system suitable for the site; and</p> <p>(f) The site cannot be provided with a complying vehicular access under Rule 16.4.2.4.</p> | | |
| <p>15.4.2.35 - Subdivision of a surplus dwelling in the Rural Zone</p> <p>The maximum net lot area for the subdivision of land containing a surplus dwelling shall not exceed 5000m², shall be suitable for subdivision and shall comply with all rules for the zone including rules for access, and servicing. The minimum net area of the lot to be created shall be 2,500m².</p> | N/A | |

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| <p>15.4.2.36 - Subdivision of a surplus dwelling in the Rural Zone</p> <p>All existing dwellings shall have been located on the holding for a period of not less than 10 years at the date of the application for subdivision consent and shall have a useful life expectancy without substantial repairs and/or reconstruction of at least 25 years.</p> | N/A | |
| <p>15.4.2.37 - Subdivision of a surplus dwelling in the Rural Zone</p> <p>There shall be an existing dwelling, on the lot comprising the balance land provided that the dwelling has a floor area greater than 70m² exclusive of garaging and decking, and is not a bonded dwelling for removal and/or that has been erected for a dependent relative.</p> | N/A | |
| <p>15.4.2.38 - Subdivision of a surplus dwelling in the Rural Zone</p> <p>A surplus dwelling shall not include any dwelling with a floor area of less than 70m² exclusive of garaging and decking or any bonded dwelling for removal.</p> | N/A | |
| <p>15.4.2.39 - Subdivision of a surplus dwelling in the Rural Zone</p> <p>A surplus dwelling shall not be a secondary dwelling.</p> | N/A | |
| <p>15.4.2.40 - Subdivision of a surplus dwelling in the Rural Zone</p> <p>That as a result of the use of this rule, Council shall restrict the further subdivision of the balance lot, restricting the further use of this rule. This being a condition to be complied with on a continuing basis and shall be subject to a Section 221 Consent Notice or other legal instrument being registered on the title in perpetuity.</p> | N/A | |
| <p>15.4.2.41 - Activities with land use consents</p> <p>In the Rural Zone, where land use consent has been granted and given effect to for a period of no less than 2 years, a lot can be created around the following non farming activities:</p> <ul style="list-style-type: none"> (a) Industry. (b) Packing sheds involving produce grown off the site. (c) Restaurants or cafes. (d) Retreat or conference or education facilities. (e) Garden centres or nurseries. (f) Commercial garages. (g) Service stations. (h) Health care facilities. (i) Travellers accommodation – excluding bed and breakfast or similar home based accommodation. | N/A | |

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| <p>(j) Places of assembly. For the avoidance of doubt the following activities are not eligible under this rule:</p> <ul style="list-style-type: none"> (i) Wood splitting and drying associated with the sale of firewood. (ii) Seasonal activities. (iii) Fortified sites. (iv) Green houses. (v) Operations involving the hire or lease of goods. (vi) (vi) Distribution of goods not manufactured. | | |
| <p>15.4.2.42 - Transferable Development Rights Within the identified sensitive locations, applications that create an additional lot through meeting the minimum net lot area rules can either be assessed against the relevant rules in 15.4.2 or transferred out using the transferrable development right process. Applications for environmental benefit lots under Rules 15.4.2.46 to 15.4.2.50 may be undertaken on site or transferred out in accordance with the relevant rules. The Transferable Development Right provisions shall not apply to subdivision for a surplus dwelling.</p> | N/A | |
| <p>15.4.2.43 - Transferable Development Rights To be eligible for a Transferable Development Right, the owner of the donor holding and the owner of the recipient holding must make a joint application.</p> | N/A | |
| <p>15.4.2.44 - Transferable Development Rights: location of holdings and recipient sites The donor holding must have provided land for the Te Awa cycleway identified in Appendix O4 or an Incentivised Cycleway, or be in the Rural Zone and located in whole or in part in a sensitive location identified below:</p> <ul style="list-style-type: none"> (a) Within an identified outstanding landscape or viewshaft as identified on the Planning Maps; or (b) Within the air noise boundary of the Hamilton International Airport excluding the Airport Business Zone; or (c) Within or immediately adjacent to the Maungatautari Ecological Island and listed in the Maungatautari Ecological Island lot entitlements as listed in Appendix O2; or (d) Within areas of high class soils; or (e) Within a significant natural area as identified on the Planning Maps; or (f) Within a Quarry Buffer Area identified on the Planning Maps; or | N/A | |

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| <ul style="list-style-type: none"> (g) Adjoining a State Highway as identified on the Planning Maps; or (h) Within 500m measured in a straight line of an Industrial Zone; or (i) Within 1km from the Hamilton City Council Limits; or (j) Within sites adjacent to significant recreation reserves, as listed in Appendix O5. | | |
| <p>15.4.2.45 - Transferable Development Rights: location of holdings and recipient sites</p> <p>The recipient sites must be located in the areas identified below:</p> <ul style="list-style-type: none"> (a) Wholly within the Large Lot Residential Zones, excluding the Houchens Road Large Lot Residential Structure Plan Area; or (b) In the Rural Zone provided that: <ul style="list-style-type: none"> (i) The site is not located, in whole or in part within the areas identified in Rule 15.4.2.39; and (ii) The site is not within the outer control boundary as identified on the Planning Maps; and (iii) The site is not within a Deferred Zone as identified on the Planning Maps or future growth areas identified in Appendix S1; and (iv) The site is not located in whole or part in the Houchens Road Large Lot Residential Structure Plan Area. Provided that one lot can be located on the donor holding in the Maungatautari Ecological Island, the Te Awa Cycleway and for an Incentivised Cycleway in accordance with Rules 15.4.2.46 and 15.4.2.48. (c) In the Rural Zone on lots sized between 5000m² and 1 hectare located within 1km of any Large Lot Residential Zone, Deferred Large Lot Residential Zone, the Te Awamutu, Kihikihi or Cambridge urban limits provided that: <ul style="list-style-type: none"> (i) The site is not located, in whole or in part within the areas identified in Rule 15.4.2.39 with the exception that the site can be located on high class soils; and (ii) The site is not within the outer control boundary as identified on the Planning Maps; and (iii) (iii) The site is not within a Deferred Zone as identified on the Planning Maps or future growth areas identified in Appendix S1. | N/A | |
| <p>15.4.2.46 - Transferable Development Rights: donor holding rules</p> | N/A | |

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| <p>The donor holding must be able to be subdivided into at least one additional lot pursuant to the rules for the zone.</p> <p>OR</p> <p>Have an entitlement to an environmental benefit lot and undertake to protect the land/ feature from which the benefit lot entitlement was derived, in perpetuity.</p> <p>OR</p> <p>Must amalgamate land held in two or more existing titles into a reduced number of titles.</p> | | |
| <p>15.4.2.47 - Transferable Development Rights: donor holding rules</p> <p>A condition that no further subdivision in respect of the rule that the entitlement was acquired under (or restricted rights of subdivision as the case may be) shall apply to the donor holding. The owner will be required to enter into a bond, or other legal instrument with Council which will be registered on the title(s) against the donor holding to that effect and run with the land in perpetuity.</p> | N/A | |
| <p>15.4.2.48 - Transferable Development Rights: recipient site rules</p> <p>The recipient site, shall be suitable for subdivision and shall comply with all rules for the zone including rules for access, and servicing.</p> | N/A | |
| <p>15.4.2.49 - Transferable Development Rights: recipient site rules</p> <p>A recipient site may only receive one Transferable Development Right, provided that recipient sites in the Large Lot Residential Zone are exempt from this rule.</p> | N/A | |
| <p>15.4.2.50 - Transferable Development Rights: recipient site rules</p> <p>That as a result of the use of the Transferable Development Right, Council shall restrict the further subdivision of the recipient site, restricting the further use of this rule on the new lot and the balance area. This being a condition to be complied with on a continuing basis and shall be subject to a Section 221 Consent Notice or other legal instrument being registered on the title. Provided that recipient sites in the Large Lot Residential Zone are exempt from this rule.</p> | N/A | |
| <p>15.4.2.51 - Environmental benefit lots: Maungatautari Ecological Island</p> <p>Properties identified in Appendix 02 may be eligible for an environmental benefit lot(s) provided that these lots</p> | N/A | |

have not previously been used or surrendered.
Provided that:

- (a) The holding must not have been subdivided previously pursuant to the provisions of Rule 15.4.2.47 (environmental benefit lot provisions relating to protection of significant natural areas or features) in connection with the establishment of pest proof fencing or the covenanting of bush now contained within the Maungatautari Ecological Island.
- (b) Only one environmental benefit lot per holding may be established on the parent title within the holding. Any additional environmental benefit lot(s) shall be transferred from the holding pursuant to Transferable Development Right provisions in Rules 15.4.2.37 to 15.4.2.45.
- (c) The environmental benefit lot established on the parent title within the holding, shall be suitable for subdivision and shall comply with all rules for the zone including rules for access, and servicing. The maximum area of the lot to be created shall be 5,000m² and the minimum area of the lot to be created shall be 2,500m² exclusive of the area being protected, and the balance of the land being subdivided shall be no less than 5,000m².

Protection of the Maungatautari Ecological Island Lots

- (d) That protection in perpetuity must be by way of reserve status, a memorandum of encumbrance, consent notice, or covenant that will identify the nature of the protection required and will be registered on the certificate of title and run with the land in perpetuity. Creation as a reserve or a covenant or a Kawanata Agreement 1 will be preferred.
- (e) Protection by way of Council approved covenant (or similar legal instrument) shall identify the nature of the protection required and be registered on the certificate of title and run with the land in perpetuity.
- (f) If the land is to be vested in Council as reserve, Council will determine the appropriate reserve classification of private land to be vested as reserve

Easements

- (g) The necessity for, and the alignment of public access easements, shall be agreed by Council in consultation with affected landowners.

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| <p>(h) Easement considerations include the extent to which legalised public access will assist in the monitoring and management of the ecological island, or the extent to which a proposed easement will legitimise an existing historic access arrangement.</p> | | |
| <p>15.4.2.52 - Environmental benefit lots: significant natural areas or features</p> <p>Significant natural areas and significant natural features identified on the Planning Maps or established using the Criteria for Determining Significance of Indigenous Biodiversity, Section 11A in the Regional Policy Statement, may be eligible for environmental benefit lots where the area or feature is protected in perpetuity by a legal mechanism provided that:</p> <p>(a) Lots created through this mechanism that are located in a sensitive area as identified in Rule 15.4.2.39, must utilise the Transferable Development Right provisions of Rules 15.4.2.37 to 15.4.2.45.</p> <p>(b) Holdings that have one feature, located over two titles that are located within significant natural areas shall only qualify for a Transferable Development Right if the titles are amalgamated so that the identified feature is held in one title following the subdivision.</p> <p>The areas or features that may qualify for one environmental benefit lot are:</p> <p>(c) Significant natural areas in identified Biodiversity (Indigenous Forest) Corridors on Planning Map 49 with a minimum area of 5,000m² which are permanently protected and supported by a specialist ecologist report accepted by Council.</p> <p>(d) Significant natural features being wetlands and/or kahikatea stands which are permanently protected and supported by a specialist ecologist report accepted by Council that demonstrates that the site is a self-sustaining ecosystem.</p> <p>(e) Land within a Peat Lake Catchment identified as a significant natural area that provides a Whole Farm Management Plan at the time of subdivision which demonstrates that the new land uses can enhance or improve the peat lake significant natural area.</p> | <p>N/A</p> | |

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| <p>15.4.2.53 - Environmental benefit lots: Te Awa Cycleway in the Rural Zone</p> <p>Sites adjoining the Te Awa Cycleway identified in Appendix 04 or an Incentivised Cycleway may be eligible for an environmental benefit lot(s) when land is provided for the cycleway and protected in perpetuity by a legal mechanism. Provided that:</p> <p>(a) Only one environmental benefit lot may be established on the parent title. Any additional environmental benefit lots shall be transferred from the holding pursuant to Transferable Development Right provisions in Rules 15.4.2.37 to 15.4.2.45.</p> <p>(b) The maximum area of the lot to be created shall be 5,000m² and the minimum area of the lot to be created shall be 2,500m² exclusive of the area being protected, and the balance of the land being subdivided shall be no less than 5,000m².</p> <p>The area of land that may qualify for an environmental benefit lot is:</p> <p>(c) One environmental benefit lot can be obtained for a minimum of 2000m² of land protected by the legal mechanism and one additional environmental benefit lot can be obtained for each additional 5000m² of land protected.</p> | N/A | |
| <p>15.4.2.54 - Environmental benefit lots: biodiversity (river or stream) corridor</p> <p>Sites adjoining the biodiversity (river or stream) corridor identified on the Planning Maps, may be eligible for an environmental benefit lot when land is provided for the biodiversity (river or stream) corridor and protected in perpetuity by a legal mechanism. Provided that:</p> <p>(a) Lots created through this mechanism that are located in a sensitive area as identified in Rule 15.4.2.39, must utilise the Transferable Development Right provisions of Rules 15.4.2.37 to 15.4.2.45.</p> <p>(b) This rule only applies to properties less than 80ha that are held in one title.</p> <p>The minimum width and length of land that may qualify for one environmental benefit lot is:</p> <p>(c) A minimum width of 20m which are for a public purpose and shall be vested in Council as reserve for the purpose(s) indicated on the Planning Maps.</p> | N/A | |

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| <p>15.4.2.55 - Environmental benefit lots: additions to significant reserves</p> <p>Sites adjoining a reserve, as identified in Appendix O5, may be eligible for an environmental benefit lot(s) where the land is protected (in perpetuity) by a legal mechanism, provided that:</p> <p>(a) The additions of land to significant reserves are for public purpose and shall be vested in Council as reserve for the purpose(s) indicated in Appendix O5; and</p> <p>(b) The minimum area of the benefit lot to be created shall be 2,500m² and shall be suitable for subdivision and shall comply with all rules for the zone including rules for access, and servicing. The balance of the land being subdivided shall be no less than 5,000m².</p> | N/A | |
| <p>15.4.2.56 - Esplanade reserves, esplanade strips, and access strips</p> <p><u>20m esplanade reserves from lots less than four hectares</u></p> <p>Subject to Rules 15.4.2.52 to 15.4.2.56, where any land adjoins the banks of any river or lake as defined in Section 230(4) of the Resource Management Act 1991 and where any lots of less than 4ha is created when the land is subdivided, an esplanade reserve 20m in width shall be set aside from that lot along the bank of any river or along the margin of any lake, as the case may be and shall vest in accordance with Section 231 of the Resource Management Act 1991 and where a reserve or road of less than 20m width already exists along that bank of a river or along that margin of a lake, then additional land shall be vested to increase the width to a minimum of 20m.</p> <p>Provided that Council may require the creation of an esplanade strip under Section 232 of the Resource Management Act 1991 instead of an esplanade reserve.</p> | N/A | |
| <p>15.4.2.57 - Esplanade reserves, esplanade strips, and access strips</p> <p><u>Esplanade strips by certain rivers</u></p> <p>In the Rural Zone, on the following rivers instead of an esplanade reserve there shall be an esplanade strip of 10m under Section 232 of the Resource Management Act 1991:</p> <p>(a) Kāniwhaniwha Stream - above Limeworks Loop Road; and</p> <p>(b) Mangakara Stream (near Pirongia); and</p> | N/A | |

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| (c) Mangapiko Stream - Pirongia Township Large Lot Residential Zone. | | |
| <p>15.4.2.58 - Esplanade reserves, esplanade strips, and access strips</p> <p><u>20m esplanade reserves by certain lakes from lots more than four hectares</u></p> <p>The provisions of Rule 15.4.2.51 shall also apply to any lots of 4ha or more which are created when land is subdivided adjoining the following lakes:</p> <ul style="list-style-type: none"> (a) Lake Kareatohi (Cameron) (b) Lake Koromatua (c) Lake Mangahia (d) Lake Mangakaware (e) Lake Maratoto (f) Lake Ngārotoiti (g) Lake Ngāroto (h) Lake Rotomānuka (i) Lake Rotopataka (j) Lake Ruatuna (k) Lake Rotopiko (Serpentine) <p>Provided that:</p> <ul style="list-style-type: none"> (i) Council may require an esplanade reserve of a greater width than 20m to be determined for each lake depending on an assessment of the local peat/water level conditions. | N/A | |
| <p>15.4.2.59 - Easements by access strip for access only from lots more than four hectares</p> <p>In determining any application for a resource consent for a subdivision of land in order to create lots of 4ha or more along the bank of the following rivers as shown on the Planning Maps, Council, as a condition of consent, must require that pursuant to Section 220(1)(f) of the Resource Management Act 1991, an easement be granted over the land as an easement in gross in favour of Council for the purposes of public access only and that such easement shall contain such matters (or such of them as are relevant and required in the particular circumstances of each easement) as are set out in the Tenth Schedule to the Resource Management Act 1991 and in considering which of such matters to provide for Council and registered proprietors must consider the various matters that are referred to in Section 237B(4) of the Resource Management Act 1991:</p> <ul style="list-style-type: none"> (a) Pūniu River (b) Ōwairaka River (c) Waipā River | N/A | |

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| <p>(d) Waikato River</p> <p>(e) And the upper reaches of the Mangaōhoi Stream</p> <p>Such easements shall also contain a provision to control littering (where appropriate by the erection of signs) and for fencing requirements for the control of access and for the provision of stiles or gates (where necessary) to be at the cost of Council.</p> <p>Provided that this rule will not prevent Council and any registered proprietor of land in the District from implementing the creation of an esplanade strip by agreement pursuant to Section 235 of the Resource Management Act 1991 or an access strip by agreement pursuant to Section 237B of the Resource Management Act 1991.</p> | | |
| <p>15.4.2.60 - Esplanade strips</p> <p>Where land adjoins a river or lake which is not listed in Rules 15.4.2.52 and 15.4.2.53, Council may require as a condition of consent, that an esplanade strip under Section 232 of the Resource Management Act 1991 be created.</p> | N/A | |
| <p>15.4.2.61 - Stopped roads to be esplanade reserves or access strips</p> <p>The provisions of Section 345(3) of the Local Government Act 1974 will apply where any road which is stopped pursuant to the provisions of the Local Government Act 1974 or the Public Works Act 1981 is located within a Large Lot Residential Zone or within any other zone or</p> <p>(a) Adjoining a stream, river or lake identified in Rules 15.4.2.52 to 15.4.2.54; or</p> <p>(b) Shown on the Planning Maps as requiring an esplanade reserve, esplanade strip or access strip; or</p> <p>(c) Stopped road that adjoins any existing marginal strip or esplanade reserve, or esplanade strip or land used for public purposes.</p> <p>And</p> <p>Rule 15.4.2.51 will apply.</p> <p>For the avoidance of doubt Section 345(3) of the Local Government Act 1974 shall not apply to any road which is stopped pursuant to the provision of the Local Government Act 1974 or the Public Works Act 1981 when:</p> <p>(i) The road adjoins a stream, river or lake not identified in the rules or shown on the Planning Maps as requiring an esplanade</p> | N/A | |

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| reserve, esplanade strip or access strip to be set aside; and (ii) Is within the Rural Zone. | | |
| 15.4.2.61 – Development within a Deferred Zone No development or subdivisions shall occur unless a structure plan for the comprehensive and integrated development of the zone has been approved by Council and incorporated into the District Plan by way of a plan change or approved by way of a resource consent. | | |
| 15.4.2.62 - Comprehensive Development Subdivision within the C1 and C2/C3 Structure Plan areas Any Comprehensive Residential Subdivision within the C1 and C2/C3 Structure Plan areas (as described within the relevant Structure Plan) shall comply with the following standards (in addition to the relevant performance standards): (a) Be applied to an area of land within the overall structure plan area within common ownership and/or control of the applicants. (b) Through an appropriate concept plan for the entire Comprehensive Residential Subdivision development area identified, demonstrate how development will achieve a minimum density of 12.5 dwelling per hectare net as set out in the Structure Plan over the course of a staged development in accordance with Rule 15.4.2.1(ad). (c) Provide a minimum 2.5% net residential land area or 2,000m ² (whichever is larger) of the overall comprehensive residential development area as 'compact housing'. For avoidance of doubt, all other relevant performance standards within Part A, C and D of this section shall continue to apply. | N/A | |
| Part C: Development and subdivision of 7 or more lots in any zone | | |
| 15.4.2.63 - Greenfield lot design No more than 15% of lots in a greenfield subdivision or within the Houchens Road Large Lot Residential Structure Plan Area at Appendix S13 shall be rear lots. | N/A | |
| 15.4.2.64 - Design and location of infrastructure services Within the urban limits and the Large Lot Residential Zone, all new subdivision and development of 7 or more lots shall provide a utilities corridor in the road reserve free of tree plantings (Refer to Appendix T3 and T4). | N/A | |
| 15.4.2.65 - Roads | N/A | |

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| <p>In any zone, unless an approved structure plan provides otherwise, the design and layout, and construction and formation, of a new road and its streetscape shall meet the requirements of Appendix T3, and Appendix T4 - Criteria for Public and Private Roads. Provided that, in the Residential Zone a new road must also provide a footpath of a minimum width of 1.5m, to increase in size to a minimum width of 2m within 400m of a school, community facilities, and commercial areas including pedestrian frontage areas.</p> | | |
| <p>15.4.2.66 - Rules – Roads Within the urban limits and the Large Lot Residential Zone the layout and design of subdivision and development that incorporates roads to vest in Council, shall create a grid layout that:</p> <ul style="list-style-type: none"> (a) Has blocks elongated north west to southeast and lots-oriented east/west to ensure provision for solar access; and (b) Provides for connectivity to adjoining land that is able to be developed or subdivided in the future or is identified in Appendix S1. <p>Provided that in the Houchens Road Large Lot Residential Structure Plan Area and in a Structure Plan that was approved and included in the Proposed District Plan as at 31 May 2012 a grid layout is not required.</p> | N/A | |
| <p>15.4.2.67 - Roads Where any subdivision includes the creation of new roads, the location and design of the roads shall ensure the continuation of vistas as identified on the Planning Maps.</p> | N/A | |
| <p>15.4.2.68 - Rule - Location and design of reserves In all zones, the location, layout and design of reserves shall demonstrate:</p> <ul style="list-style-type: none"> (a) That the reserve is directly linked to footpaths from the surrounding development; and (b) That the reserve is fronted on two sides by roads; and (c) That on street parking is provided adjacent to the reserve. | N/A | |
| Part D: Development and subdivision in a Structure Plan Area | | |
| <p>15.4.2.69 - All development and subdivision in areas subject to a Structure Plan, Development Plan or Concept Plan All development and subdivision within an area subject to an approved structure plan, development plan or concept plan shall be designed in general accordance</p> | N/A | |

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| <p>with the requirements of that structure plan, concept plan or development plan. For the avoidance of doubt, the following areas are subject to concept plans, development plans and/or structure plans:</p> <ul style="list-style-type: none"> (a) Cambridge North Structure Plan and Design Guidelines Appendix S2 (b) Cambridge Park Structure Plans and Design Guidelines Appendix S3 (c) St Kilda Structure Plan Appendix S4 (d) Hautapu Industrial Structure Plan and Landscape Guidelines Appendix S5 (e) Te Awamutu Large Format Retail Site Plan Appendix S6 (f) Karāpiro Large Lot Residential Structure Plan Area Appendix S7 (g) Ohaupo South Structure Plan Appendix S8 (h) Bruntwood Large Lot Residential Area Concept Plan Appendix S9 (i) Airport Business Zone Structure Plan Appendix S10 (j) Piquet Hill Structure Plan Appendix S11 (k) Bond Road North Industrial Area Appendix S12 (l) Houchens Road Large Lot Residential Structure Plan Area Appendix S13 (m) Te Awamutu South Structure Plan and design guidelines Appendix S14 (n) Cambridge North Neighbourhood Centre Concept Plan Appendix S15 (o) Narrows Concept Plan Appendix S16 (p) Te Awamutu T1 Growth Cell Structure Plan Appendix S17 (q) Leamington Large Lot Residential Zone Structure Plan Appendix S18 (r) Cambridge C1, and C2 / C3 Structure Plans Appendix S19 (s) Bardowie Industrial Precinct Structure Plan Appendix S20 <ul style="list-style-type: none"> (i) Deferred Zones, for the intended future zones identified on the Planning Maps (Subject to resource consent or plan change) | | |
| <p>15.4.2.70 - Houchens Road Large Lot Residential Structure Plan Area</p> <p>The subdivision and development of the Houchens Road Large Lot Residential area shall be generally in accordance with the Houchens Road Large Lot Residential Structure Plan Area and shall be undertaken in a manner that does not frustrate the future</p> | N/A | |

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| development of any part of the Large Lot Residential area. | | |
| <p>15.4.2.71 - Houchens Road Large Lot Residential Structure Plan Area</p> <p>In the Houchens Road Large Lot Residential Structure Plan Area, the following requirements shall apply:</p> <p>(a) The lots shall comply with any larger site area requirement of the Waikato Regional Council in relation to size of the site or any appropriate legal instrument for the disposal of stormwater; and</p> <p>(b) Council is satisfied that there is sufficient area on each allotment to adequately dispose of stormwater and sewage effluent within the boundaries and provide a duplication of the disposal systems; and</p> <p>(c) As part of any subdivision application for lots less than 2500m² Net Lot Area sufficient information shall be provided by a suitably qualified person to demonstrate that the lots will be capable</p> | N/A | |
| <p>15.4.2.72 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>The subdivision and development of the area within or to the south of the potential Southern links alignments on the Houchens Road Large Lot Residential Structure Plan Area shall be deferred until such time as the New Zealand Transport Agency and Hamilton City Council determines the future alignment of the Proposed Southern links project OR two years, whichever time is the earlier.</p> | N/A | |
| <p>15.4.2.73 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>The carriageway of Houchens Road shall be widened as a condition of subdivision consent from near the Hamilton City/Waipā District Boundary to the main access road to the subdivision as depicted on the Houchens Road Large Lot Residential Area Structure Plan. Carriageway widths and engineering design shall be in accordance with the Waipa District Development and Subdivision Manual.</p> | N/A | |
| <p>15.4.2.74 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>At least one priority “T” intersection on Houchens Road to access the Houchens Road Large Lot Residential Structure Plan Area shall be provided as a condition of subdivision consent. The location of the access road shall meet the Waipa District’s Development and</p> | N/A | |

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| Subdivision Manual Safe Stopping Distance design criteria. | | |
| <p>15.4.2.75 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>A concrete (or similar approved all weather surface material) footpath extending from the existing footpath on Houchens Road to a safe crossing location, and then extending to the proposed intersection of the main access road to the Houchens Road Large Lot Residential Structure Plan Area shall be provided as a condition of subdivision consent.</p> | N/A | |
| <p>15.4.2.76 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>Up to 50 lots may be created within the 102.492 ha of land contained within Lot 1 DPS 84715, Lot 1 DPS 29779 and Lot 4 DPS 59241 (as at 1 October 2016) without the need to comply with Rule 15.4.2.74, provided any necessary subdivision consent contains a condition requiring that the consent(s) shall lapse if not given effect to (through the lodging of a section 224(c) certificate for each lot) by 1 December 2021.</p> <p>Prior to the issue of a section 224(c) certificate for each lot approved under this Rule, the consent holder shall make a financial contribution for each lot towards the costs of future improvements to the intersection of State Highway 3 / Houchens Road. The value of the contribution shall be no more than a 1/199 share (per lot) of a fair and reasonable effects-based contribution towards the costs of those improvements. That fair and reasonable effects - based contribution will be determined based on the adverse safety and efficiency effects of the traffic generated by 199 lots within the Houchens Road Large Lot Structure Plan Area on the performance of the State Highway 3 / Houchens Road intersection (in its existing layout, and alongside the adverse safety and efficiency effects of other traffic passing through that intersection), as compared to performance under a base scenario comprising no development in the Houchens Road Large Lot Structure Plan Area under this Rule.</p> | N/A | |
| <p>15.4.2.77 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>Where an application for resource consent for subdivision or development is lodged:</p> <p>(a) That would result in any more than 50 Lots being established within the Houchens Road Large Lot Residential Structure Plan area, in addition to</p> | N/A | |

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| <p>those lots existing at the date this Rule becomes operative; or</p> <p>(b) For any activity other than a subdivision of, or residential dwellings on Lot 1 DPS 84715, Lot 1 DPS 29779 and/or Lot 4 DPS 59241 (as at 1 October 2016);or</p> <p>(c) The application for subdivision or development is lodged after 1 December2021; then the requirements of Rule 15.4.2.74 apply</p> | | |
| <p>15.4.2.78 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>An Integrated Transport Assessment ('ITA') prepared by a suitably qualified expert shall be submitted with any application for subdivision or development to which Rule 15.4.2.73 applies. This Rule replaces the assessment criteria in Rule 21.1.16.5 and replaces the exemption for the preparation of an ITA contained in Rule 16.4.2.25(a)(v). An ITA must be submitted as part of any subdivision application that is subject to this Rule, in order for the subdivision to maintain restricted discretionary activity status.</p> <p>The purposes of the ITA shall be to:</p> <p>(a) Identify the anticipated traffic generation and distribution from the entire Houchens Road Large Lot Structure Plan Area (including traffic generated by any subdivision or development approved and/or implemented in accordance with Rule 15.4.2.72 above, between the date this plan becomes operative and the date the ITA is prepared);</p> <p>(b) Assess the transportation effects arising from the subdivision and development on the safety and efficiency of the SH3 / Houchens Road Intersection;</p> <p>(c) Assess whether any mitigation works are necessary at the SH3 / Houchens Road intersection to ensure that the transportation effects are no more than minor; and</p> <p>(d) If mitigation works are necessary, identify their form.</p> <p>The ITA shall address the following assessment criteria:</p> <p>(i) The extent to which the traffic generation and transportation effects of the subdivision and development will affect the safety and efficiency of the SH3 / Houchens Road intersection, its approaches anddepartures.</p> | <p>N/A</p> | |

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| <p>(ii) The extent to which the proposed mitigation will provide for all relevant land transport modes.</p> <p>(iii) The extent to which the proposed mitigation will address matters relating to the safety and efficiency of the existing and confirmed future transport network, including those matters identified from consultation with the relevant road controlling authorities.</p> <p>(iv) The extent to which the proposed staging, timing, design proposals, costs and funding arrangements of the mitigation will address the adverse effects.</p> <p>Prior to the issue of a section 224(c) certificate for each lot approved under this Rule, the consent holder shall make a financial contribution for each lot towards the costs of future improvements to the intersection of State Highway 3 / Houchens Road. The value of the contribution (per lot) shall represent that lot's share of a fair and reasonable effects-based contribution towards the costs of those improvements. That fair and reasonable effects-based contribution will be determined based on the adverse safety and efficiency effects of the traffic generated by the proposed lots on the performance of the State Highway 3 / Houchens Road intersection (in its existing layout, and alongside the adverse safety and efficiency effects of other traffic passing through that intersection), as compared to the performance under a base scenario comprising no development in the Houchens Road Large Lot Structure Plan Area under Rule 15.4.2.72 or this Rule, and accounting for any contribution(s) previously made under Rule 15.4.2.72 or this Rule.</p> <p>Nothing in this Rule restricts Council's discretion under Rules 21.1.1.6 (to the extent applicable), 21.1.15.11(b) or 15.4.1.1(o) to impose conditions of consent relating to traffic and roading effects arising from the subdivision or development and any mitigation measures to be employed, including as may require that section 224 (c) certificate(s) will not be issued until improvements have been made to the SH3 / Houchens Road intersection.</p> | | |
| <p>15.4.2.79 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area</p> <p>Where an application for subdivision consent is made under Rules 15.4.2.68 to 15.4.2.74, this application shall be considered on a limited notified basis and the New Zealand Transport Agency and Hamilton City</p> | <p>N/A</p> | |

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| <p>Council shall be considered by the Waipa District Council as affected persons under the Resource Management Act 1991 in respect of the matters relevant to this rule.</p> | | |
| <p>15.4.2.80 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area Any residential dwelling or any building otherwise intended for noise sensitive activities (such as accommodation or educational facilities, or offices) on lots located within 80m (measured from the nearest painted edge of the carriageway) of State Highway 3/Ohaupo Road or land that is subject to a notice of requirement or designation for State Highway 3/Ohaupo Road shall be subject to covenants/consent notices on the titles of any private lots advising of the requirements of Rule 3.4.2.27 of the Large Lot Residential Zone.</p> | N/A | |
| <p>15.4.2.81 - Traffic and roading: Houchens Road Large Lot Residential Structure Plan Area The internal roads of the Houchens Road Large Lot Residential Structure Plan Area shall be located generally in accordance with the Houchens Road Large Lot Residential Structure Plan and shall enable non – State Highway access to land in all existing certificates of title within the Houchens Road Large Lot Residential Structure Plan Area.</p> | N/A | |
| <p>15.4.2.82 - Site suitability: Geotechnical constraints - Houchens Road Large Lot Residential Structure Plan Area The subdivision and development of any land within the Houchens Road Large Lot Residential Structure Plan Area, which contains peat soils as shown on the Houchens Road Large Lot Residential Structure Plan Area shall be subject to detailed investigations by a suitably qualified geotechnical engineer.</p> | N/A | |
| <p>15.4.2.83 - Stormwater: Houchens Road Large Lot Residential Structure Plan Area In the Houchens Road Large Lot Residential Structure Plan Area the following shall apply for stormwater disposal: (a) The stormwater detention ponds and related systems (including the connections between the two ponds, the inlet to Pond A and outlets from Pond A and Pond B) and reserves are to be transferred to Waipa District Council at valuation. The timing of the transfer and the precise land areas are to be determined in accordance with</p> | N/A | |

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| <p>the Houchens Road Large Lot Residential Structure Plan at Appendix S13 at the time of subdivision.</p> <p>(b) The stormwater management system for any subdivision and development shall be designed and constructed to ensure that there is no more than minor adverse effects caused to the Hamilton City stormwater management system.</p> | | |
| <p>15.4.2.84 - Stormwater: Houchens Road Large Lot Residential Structure Plan Area</p> <p>No activity or use of any land including within or adjoining the Houchens Road Large lot Residential Structure Plan Area that has more than a minor adverse effect on the performance of the flood detention system, including stormwater detention ponds and Indicative Flood Hazard Area as shown on the Houchens Road Large lot Residential Structure Plan Area shall be undertaken. Hamilton City Council shall be consulted as an affected party on any resource consent application.</p> | N/A | |
| <p>15.4.2.85 - Stormwater: Houchens Road Large Lot Residential Structure Plan Area</p> <p>A Landscape Development Plan shall be prepared and implemented as a condition of subdivision consent for the Houchens Road Large Lot Residential Structure Plan Area. The Landscape Development Plan shall be generally in accordance with the Houchens Road Large Lot Residential Structure Plan Area; Landscape Concept plan and shall show the following:</p> <p>(a) Size and species of existing vegetation to be maintained; and</p> <p>(b) Areas to be subject to the management and eradication of plant pest species; and</p> <p>(c) Areas to be planted as part of the wetland/reserve enhancement; and</p> <p>(d) Names and details of proposed species for planting; and</p> <p>(e) Details of proposed maintenance.</p> | N/A | |
| <p>15.4.2.86 - Stormwater: Houchens Road Large Lot Residential Structure Plan Area</p> <p>The subdivision and development of any land within the Houchens Road Large Lot Residential Structure Plan Area shall be subject to covenants/consent notices on the titles of any private lots (as consent notices pursuant to section 221 of the RMA or similar) within or close to the Indicative Flood Hazard Area as generally depicted on the Houchens Road Large Lot Residential</p> | N/A | |

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| <p>Structure Plan Area. The intent of the proposed covenants is to maintain the planting undertaken pursuant to the Structure Plan and to protect the water bodies, stormwater detention area and wetland margins from inappropriate plant species and development.</p> | | |
| <p>15.4.2.87 - Airport Business Zone All development and subdivision in the Airport Business Zone shall comply with the Airport Business Zone Structure Plan in Appendix S10 of this Plan including the location and form of access points to State Highway 3, State Highway 21, and Raynes Road, provided that strict compliance in terms of the internal road location is not required, as the roads are indicative only</p> | N/A | |
| <p>15.4.2.88 - Airport Business Zone <u>Development accessed via State Highway 21</u> Notwithstanding Rule 15.4.2.83 prior to the construction and completion of the new <u>Airport and [DR10] State Highway 21 intersection near Lochiel Road</u>, and any necessary intersection upgrade at State Highway 3/State Highway 21, an initial gross area of land of no more than 8ha <u>within the Central Precinct</u>, excluding road reserve as identified on the Airport Business Zone Structure Plan in Appendix S10 as Stage 1 Development, may be subdivided and developed (but not for retail purposes) in accordance with these rules, provided that access is obtained from the existing Airport terminal access from State Highway 21 or the <u>new Lochiel Road Airport/State Highway 21 intersection</u>, if constructed.</p> | N/A | |
| <p>15.4.2.89 - Airport Business Zone Any development or subdivision <u>within the Central Precinct</u> beyond the Stage 1 Development Area identified in the Airport Business Zone Structure Plan in Appendix S10, up to a total of 43.5 <u>36.6ha</u> including road reserve, of the land area within the Airport Business Zone accessed from State Highway 21, will require the closure of the existing terminal access and a new access point <u>Airport/ State Highway 21 intersection</u> to be constructed on State Highway 21 near Lochiel Road, in accordance with the Structure Plan attached in Appendix S10. [DR10]</p> | N/A | |
| <p>15.4.2.90 - Airport Business Zone <u>Development accessed via State Highway 3</u> Subdivision or development of land up to a total of 12ha of land excluding road reserve accessed from Ingram Rd is provided for. For any subdivision or</p> | N/A | |

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| <p>development of land in excess of 12ha alternative access via the SH3/21 roundabout and/or the designated partial grade separated intersection (D50) in accordance with the Airport Business Zone Structure Plan shall be provided and the following works shall be completed:</p> <p>(a) Closure of No Exit Road, and private accesses to SH3 within the Airport Business Zone except for those residential properties within the Special Amenity Area on Planning Map 19, and the Structure Plan included in Appendix S10.</p> | | |
| Part E: Comprehensive Development Plan Areas | | |
| <p>15.4.2.92 - Development and subdivision within Comprehensive Development Plan Areas</p> <p>All development and subdivision within an area subject to an approved comprehensive development plan shall be designed in general accordance with the requirements of that comprehensive development plan. For the avoidance of doubt, the following areas are subject to requirements for the approval of comprehensive development plans:</p> <p>(a) Titanium Park – Northern Precinct. (b) Industrial Zone (Raynes Road). (c) Mystery Creek Agri-Activities Overlay Area.</p> | N/A | |
| <p>15.4.2.93 - Titanium Park - Northern Precinct: Comprehensive Development Plan</p> <p>The Comprehensive Development Plan shall include:</p> <p>(a) Broad Integrated Transport Assessment (ITA) to assess traffic effects on Raynes Road and the State Highway network between the State Highway 1/State Highway 21 Intersection and the State Highway 3/Normandy Avenue Intersection as shown in Appendix O12. The ITA should identify:</p> <p>(i) Anticipated traffic generation within the Hamilton Airport Strategic Node; and (ii) Anticipated effects on the road corridors and intersections with particular reference to the SH3/Raynes Road Intersection, the SH21/Raynes Road Intersection, the SH3/Collins Road Intersection, the SH3/21 Intersection and the SH3/Normandy Avenue Intersection taking into account existing zoned and consented development; and (iii) Proposals to mitigate effects on the network including design proposals, costs, timing and funding arrangements, having regard to the</p> | N/A | |

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| <p>long term function and configuration of the road network.</p> <ul style="list-style-type: none"> (b) Provision for all development and subdivision to obtain access to the arterial transportation network in accordance with the Airport Business Zone Structure Plan. (c) Provision for the provision of a comprehensive wastewater treatment system that will provide effective treatment. (d) Provision to ensure the availability of a suitable potable and fire-fighting water supply. (e) Provision for the management of stormwater. (f) A maximum land area of 40ha and any proposed staging of the development. (g) An appropriate internal road layout that provides for connectivity with adjacent land, provision for alternative modes of transport including public transport, and possible pedestrian and cycle linkages within Titanium Park - Northern Precinct. (h) Provision for landscaping and screen planting to create a visually defined edge to the zone. (i) Provision to ensure consistency with District Plan provisions relating to the operational requirements of Hamilton Airport and its associated infrastructure. | | |
| <p>15.4.2.94 - Industrial Zone (Raynes Road): Comprehensive Development Plan</p> <p>The Comprehensive Development Plan shall include:</p> <ul style="list-style-type: none"> (a) A Broad Integrated Transport Assessment (ITA) to assess traffic effects on Raynes Road and the State Highway network between the State Highway 1/State Highway 21 Intersection and the State Highway 3/Normandy Avenue Intersection as shown in Appendix O12. The ITA should identify: <ul style="list-style-type: none"> (i) Anticipated traffic generation within the Hamilton Airport Strategic Node; and (ii) Anticipated effects on the road corridors and intersections with particular reference to the SH3/Raynes Road intersection, the SH21/Raynes Road Intersection, the SH3/Collins Road Intersection, the SH3/21 Intersection and the SH3/Normandy Avenue Intersection taking into account existing zoned and consented development; and (iii) Proposals to mitigate effects on the network including design proposals, costs, timing and funding arrangements, having regard to the | <p>N/A</p> | |

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| <p>long-term function and configuration of the road network.</p> <ul style="list-style-type: none"> (b) Provision for all development and subdivision to obtain access from internal roads to control access to Raynes Road and Airport Road. (c) Proposals for the provision of a single comprehensive wastewater management system that will provide effective treatment for the entirety of the area. (d) Proposals to ensure the availability of a suitable potable and fire-fighting water supply to service the entirety of the area. (e) Proposals for the management of stormwater for the entirety of the area. (f) Proposals to ensure consistency with District Plan provisions relating to the operational requirements of Hamilton Airport and its associated infrastructure. (g) Proposals for landscaping to Raynes Road and Airport Road. | | |
| <p>15.4.2.95 - Mystery Creek Agri-Activities Overlay Area: Comprehensive Development Plan</p> <p>The Comprehensive Development Plan shall include:</p> <ul style="list-style-type: none"> (a) A Broad Integrated Transport Assessment (ITA) to assess traffic effects on the transportation network, including: <ul style="list-style-type: none"> (i) Anticipated traffic generation; and (ii) Anticipated effects on the road corridor and intersections taking into account existing zoned and consented development; and (iii) Temporary traffic effects associated with major events only if direct access to SH21 is proposed; and (iv) Proposals to mitigate effects on the transportation network including design proposals, costs, timing and funding arrangements, having regard to the long-term function and configuration of the road network. (b) Provision for all development and subdivision to obtain access to the arterial transportation network via internal roads in accordance with the designated SH21 intersection and internal road (D49). (c) Proposals for the provision of a comprehensive wastewater management system/methodology that will provide effective treatment for the entirety of the area. | <p>N/A</p> | |

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| <p>(d) Proposals to ensure the availability of a suitable potable and fire-fighting water supply to service the entirety of the area.</p> <p>(e) Proposals for the management of stormwater for the entirety of the area</p> <p>(f) Detail of site size, site coverage, setbacks, separation between buildings, height of buildings, landscaping and boundary treatment to create a precinct which results in low density of development with large areas of open space.</p> <p>(g) Proposals to ensure consistency with District Plan provisions relating to the operational requirements of Hamilton Airport and its associated infrastructure.</p> | | |
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| Section 16 Transportation | | |
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| 16.4.1 Activity Status Table | | |
| | Yes | Permitted. No consent issues triggered. |
| 16.4.2 Performance Standards | | |
| <p>16.4.2.1 - Road hierarchy</p> <p>All structure plans, plan changes, developments, and subdivisions must be consistent with the road hierarchy, as contained in Appendix T5.</p> | Yes | Racecourse Road is a Collector road. |
| <p>16.4.2.2 - Road hierarchy</p> <p>To maintain the effectiveness of the road hierarchy, a road network must be designed so that a road connects to a road at the same level in the hierarchy, or directly above or below its place in the hierarchy.</p> | Yes | |
| <p>16.4.2.3 - Road hierarchy</p> <p>To maintain the effectiveness of the road hierarchy, when a site has two road frontages, vehicle access and egress must be from the lesser road type, as shown below:</p> | Yes | Only access is from Racecourse Road |

| | Major Arterial (State Highways) | Major Arterial (Excluding State Highways) | Minor Arterial | Collector Road | Local Road |
|---|--|---|--|--|---|
| Major Arterial (State Highways) | Road with lower speed or traffic volumes | Major Arterial | Minor Arterial | Collector Road | Local Road |
| Major Arterial (Excluding State Highways) | Major Arterial | Road with lower speed or traffic volumes | Minor Arterial | Collector Road | Local Road |
| Minor Arterial | Minor Arterial | Minor Arterial | Road with lower speed or traffic volumes | Collector Road | Local Road |
| Collector Road | Collector Road | Collector Road | Collector Road | Road with lower speed or traffic volumes | Local Road |
| Local Road | Local Road | Local Road | Local Road | Local Road | Either - Road with lower speed or traffic volumes (preferred) |

| <p>16.4.2.4 - Vehicular access to sites in all zones</p> <p>Every site shall be provided with vehicle access to a formed road that is constructed to a permanent standard. The vehicle access shall be designed to accommodate the demands of all traffic from the activity on that site, taking into account the form and function of the road.</p> | Yes | The only practicable access to the site is from Racecourse Road. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---------------------|--|---|---------------------|----|----|----|---|----|----|----|----|----|----|----|-----|----|----|----|-----|----|-----|----|-----|----|-----|-----|-----|----|-----|----|---|
| <p>16.4.2.5 - Vehicle entrance separation from intersections and other vehicle entrances</p> <p>The minimum distance of a vehicle entrance (accessway) from an intersection or other entrance shall be as follows:</p> <table border="1"> <thead> <tr> <th>Posted Speed limit</th> <th>Minimum Distance K=</th> <th>Minimum Distance M=</th> <th>Minimum Distance N=</th> </tr> </thead> <tbody> <tr> <td>40</td> <td>30</td> <td>20</td> <td rowspan="5">For 60km/h- less than 4m or more than 11m</td> </tr> <tr> <td>50</td> <td>30</td> <td>20</td> </tr> <tr> <td>60</td> <td>30</td> <td>20</td> </tr> <tr> <td>70</td> <td>100</td> <td>45</td> <td>40</td> </tr> <tr> <td>80</td> <td>100</td> <td>45</td> <td>100</td> </tr> <tr> <td>90</td> <td>200</td> <td>60</td> <td>200</td> </tr> <tr> <td>100</td> <td>200</td> <td>60</td> <td>200</td> </tr> </tbody> </table> | Posted Speed limit | Minimum Distance K= | Minimum Distance M= | Minimum Distance N= | 40 | 30 | 20 | For 60km/h- less than 4m or more than 11m | 50 | 30 | 20 | 60 | 30 | 20 | 70 | 100 | 45 | 40 | 80 | 100 | 45 | 100 | 90 | 200 | 60 | 200 | 100 | 200 | 60 | 200 | No | <p>The existing vehicle crossing at No. 381 Racecourse Road is located 7.5m from the edge of the proposed vehicle crossing, whereas a minimum separation distance of under 4m or greater than 11m is required</p> <p>Accordingly, the proposal is classified as a Discretionary Activity pursuant to Rule 16.4.2.5</p> |
| Posted Speed limit | Minimum Distance K= | Minimum Distance M= | Minimum Distance N= | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 40 | 30 | 20 | For 60km/h- less than 4m or more than 11m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 50 | 30 | 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 60 | 30 | 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 70 | 100 | 45 | | 40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 80 | 100 | 45 | | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 90 | 200 | 60 | 200 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 100 | 200 | 60 | 200 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>16.4.2.6 - Vehicle entrance separation from railway level crossings</p> <p>New vehicle access ways shall be located a minimum of 30m from a railway level crossing.</p> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>16.4.2.7 - Rule - Minimum sight distance requirements for a railway level crossing</p> <p>Any buildings, structure or land use shall be located to comply with the minimum rail level crossing sightline requirements within Appendix T2.</p> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>16.4.2.8 Rule - Vehicle access to compact housing development</p> <p>Compact housing development must only have one access point to a strategic road.</p> | N/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| <p>16.4.2.9 - Vehicle access to sites in the Commercial Zone</p> <p>No new vehicle access is permitted across any 'pedestrian frontage' as identified on the Planning Maps.</p> | N/A | |
| <p>16.4.2.10 – State Highway 3</p> <p>No direct vehicle access onto the State Highway is permitted from properties fronting State Highway 3.</p> | N/A | |
| <p>16.4.2.11 – Service Lane</p> <p>Where a site has frontage to a road and a service lane, all vehicle access shall be from the service lane.</p> | N/A | |
| <p>16.4.2.12 – Vehicle access Industrial</p> <p>Where a site has a frontage greater than 50m to a road which is not a State Highway or a major arterial road, two vehicle crossings will be allowed from that road, subject to the requirements of Rule 16.4.2.5.</p> | N/A | |
| <p>16.4.2.13 - Parking, loading and manoeuvring area</p> <p>All activities that involve the erection, construction or substantial reconstruction, alteration or addition to a building on any site, or changes the use of any land or building, shall provide parking and loading/unloading for vehicles on the site as set out in Appendix T1.</p> <p>Provided that in the Residential Zone:</p> <p>(a) One of the car parks allocated to a single dwelling may be stacked (i.e. located in such a way that it cannot be accessed directly from the associated access or manoeuvring area) provided that the stacked car park does not:</p> <ul style="list-style-type: none"> (i) Encroach on or interfere with any shared access on the site; or (ii) Encroach on any required building setback, side boundaries, or outdoor living area; or (iii) Compromise the ability for any vehicle to manoeuvre within the site, as contained within Appendix T2. | Yes | As per NPS UC parking minimum no longer required |
| <p>16.4.2.14- Parking, loading and manoeuvring area</p> <p>Vehicle parking, loading/unloading, and manoeuvring areas shall:</p> <p>(a) Not encroach on any setback, outdoor living area, or bicycle parking spaces; and loading/unloading areas and manoeuvring areas shall not encroach</p> | Yes | All parking provided in compliance |

over vehicle parking spaces; and

- (b) Be designed, formed, and constructed in accordance with Appendix T2 and ensure that the surface of the required area provides a dust free environment; and
- (c) Provide for the safe and efficient disposal of surface stormwater clear of any adjoining access or road surface in a way that does not result in ponding or scouring; and
- (d) Be constructed to accommodate the anticipated use of the area by all traffic likely to access the site in the zone in which it is located, including construction traffic taking into account pavement, surfacing, demarcation of spaces, aisles and circulation roads; and
- (e) Be provided on the site on which the building, activity or proposal is located, except where the provisions of Rules 16.4.2.16 and 16.4.2.17 apply.

For the avoidance of doubt, rear sites that are served by an access leg/driveway that is in sole ownership are considered to be part of the site. Provided that:

- (i) In all zones the vehicle entrance may cross the road boundary setback; and
- (ii) For front and corner sites in the Residential Zone where Rules 16.4.2.16 and 16.4.2.17 do not apply, vehicle parking and manoeuvring areas associated with dwellings may encroach into the setbacks, provided that a 1m wide setback is retained at the road boundary, excluding the vehicle entrance; and
- (iii) For rear sites in the Residential Zone served by an access leg/driveway, vehicle parking and manoeuvring associated with dwellings may encroach into any setback (refer to diagram following Rule 16.4.2.17); and
- (iv) In the St Peters School Zone this rule shall not apply and the provisions of Rule 11.2.4.31 shall apply to all vehicle parking, loading/unloading and manoeuvring areas; and
- (v) In the Residential and Commercial Zones, vehicle parking, loading/unloading and manoeuvring areas must be sealed and drained; and

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| <ul style="list-style-type: none"> (vi) In the Large Lot Residential, Industrial and Airport Business Zones, vehicle parking, loading/unloading and manoeuvring areas must be sealed and drained where granular material or storm water runoff from the area will enter the road corridor; and (vii) In the Rural and Large Lot Residential Zones private right of ways must have an all-weather (metal) surface. Where existing dwellings are located within 15m of a private right of way, the surface must be sealed and drained. | | |
| <p>16.4.2.15 - Exemption for on-site vehicle manoeuvring areas in the Residential Zone</p> <p>On front or corner sites in the Residential Zone, on-site vehicle manoeuvring areas may be exempt from Rule 16.4.2.15(e) and shall not be required where:</p> <ul style="list-style-type: none"> (a) The site contains a single, primary dwelling; and (b) The garage doors, or vehicle entrance to the carport faces the road where the vehicle will access (refer to diagram following Rule 16.4.2.17); and (c) The distance between the garage door, or vehicle entrance to the carport and the road boundary on the site is no more than 12m (refer to diagram following Rule 16.4.2.17); and (d) The driveway does not encroach on any minimum outdoor living area as required under Rule 2.4.2.16 or road boundary setback other than at the vehicle entrance. <p>Provided that:</p> <ul style="list-style-type: none"> (i) The site is not accessed from a road with a posted speed limit exceeding 50km/hr; and (ii) In rules (b) and (c) where there is no garage or carport the shortest dimension of the car parking space must face the road and must be no more than 12m from the road boundary. | N/A | |
| <p>16.4.2.16 - Exemption for on-site vehicle manoeuvring areas in the Residential Zone</p> | N/A | |

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| <p>On sites in the Residential Zone with access to a right of way, manoeuvring may occur in the right of way and sites may be exempt from Rule 16.4.2.15(e) where:</p> <ul style="list-style-type: none"> (a) The site contains a single, primary dwelling; and (b) The garage doors, or vehicle entrance to the carport face the right of way where the vehicle will access; and (c) The distance between the garage door, or vehicle entrance to the carport and the site boundary with the right of way is no more than 12m; and (d) The driveway does not encroach on any minimum outdoor living area as required under Rule 2.4.2.16; and (e) Rights over the right of way shall be apportioned so as to provide legal access to all sites for the purposes of vehicle manoeuvring; and (f) The right of way shall be of sufficient dimension to provide for a vehicle manoeuvring area of a standard adequate to accommodate a 99.8 percentile car as described in Appendix T2, in order to ensure that all vehicles have the ability to access the adjoining road in a forward direction after no more than a three point turning manoeuvre on the site. <p>Provided that in rules (b) and (c) where there is no garage or carport the shortest dimension of the car parking space must face the right of way and must be no more than 12m from the right of way.</p> | | |
| <p>16.4.2.17 - Parking, loading and manoeuvring area</p> <p>The design and layout of sites shall ensure that access to each required vehicle parking, loading and unloading space is directly from the required access or manoeuvring area.</p> | Yes | |
| <p>16.4.2.18 - Parking, loading and manoeuvring area</p> <p>Vehicle manoeuvring areas and parking spaces, including those spaces located in a garage, and loading and unloading spaces, shall be provided on a site, of a standard adequate to accommodate a 99.8 percentile car, or a 99 percentile truck, as described in Appendix T2, in order to ensure that all vehicles have the ability to access the adjoining road in a forward direction after</p> | Yes | |

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| <p>no more than a three point turning manoeuvre on the site, except where Rule 16.4.2.17 applies.</p> <p>For the avoidance of doubt rear sites that are served by an access leg/drive way that are in sole ownership are considered to be part of the site.</p> | | |
| <p>16.4.2.19 - Parking, loading and manoeuvring area</p> <p>All required car parks shall be marked or delineated on site, except in the Residential Zone and in the St Peters School Zone.</p> | Yes | |
| <p>16.4.2.20 - Car park landscaping and lighting</p> <p>Other than in the St Peters School Zone, all car parks must:</p> <p>(a) Provide at least one tree planted for every 5 car parking spaces at a grade of no less than PB95. For the avoidance of doubt, PB95 is equivalent to a tree that is at least 1.5m tall at the time of planting; and</p> <p>(b) Ensure lighting is designed to avoid shading areas or isolating areas of public use.</p> <p>Provided that in the Commercial Zone, car parks with more than 25 car parking spaces shall be a restricted discretionary activity.</p> | Yes | <p>Landscaping provided ensures compliance. Lighting provided will ensure compliance.</p> |
| <p>16.4.2.21 - Provision of bicycle parking facilities</p> <p>In areas other than the Rural Zone and Pedestrian Frontages, activities employing more than ten people must provide bicycle parking facilities at a rate of one bicycle park for every ten people employed.</p> | Yes | Discussed in ITA |
| <p>16.4.2.22 - Provision of an integrated transportation assessment</p> <p>A Simple or Broad Integrated Transport Assessment (ITA) shall be prepared for activities as required by this rule, in accordance with the following trigger thresholds:</p> <p>PLEASE REFER TO TABLE</p> <p>(a) Exceptions The provisions of this rule shall not apply to:</p> <p>(i) Events and temporary activities where a Traffic Management Plan is required, and has been approved by the road controlling authority; or</p> <p>(ii) Home occupations; or</p> <p>(iii) Showhomes; or</p> | Yes | <p>Racecourse Road a collector road,, over 250 vpd generated therefore simple ITA required</p> <p>Accordingly, the proposal is classified as a Restricted Discretionary activity pursuant to Rule 16.4.2.22</p> |

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| <p>(iv) Farming activities; or</p> <p>(v) Activities that are the subject of approved resource consents, Structure Plans or plan changes at the time of notification of the Plan, 31 May 2012. For the avoidance of doubt, this includes all activities in the Airport Business Zone except for:</p> <ul style="list-style-type: none"> • the Northern Precinct land shown on the Airport Business Zone Structure Plan in Appendix S10; and • any direct vehicle access to Raynes Rd that does not comply with the Airport Business Zone Structure Plan in Appendix S10; and • any non-complying activities in the Airport Business Zone. <p>(vi) Temporary Events in the St Peters School Zone in accordance with Rule 11.4.2.11; or</p> <p>(vii) Activities within and in accordance with an approved comprehensive development plan; or</p> <p>(viii) Activities in accordance with Appendices T7 - Te Awamutu Dairy Manufacturing Site and T8 - Hautapu Dairy Manufacturing Site.</p> | |
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| RULE | COMPLIES? | COMMENT |
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| Section 17 – Works and Utilities | | |
| 17.4.1 Activity Status Table | | |
| 17.4.1.1 (b) Overhead electrical lines including support structures for conveying electricity at voltage in excess of 110kV and associated telecommunication lines. Discretionary in the Industrial zone | Yes | Power will be generated at 11kV, which will then be converted to 33kV for underground transmission to sub - station on Racecourse Road |
| (e) Transformers and switching stations (new, upgrading and additions) transforming electricity including ancillary buildings, between 6.5m ² and 30m ² , and Substations up to a maximum of 100m ² GFA. | Yes | Substation contained in the power generator pen will have a maximum area of 100m ² . |
| 17.4.1.6 (g) | N/A | All liquid waste transported off site and processed at facilities off site. |

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| Bio gas produced by anaerobic fermentation of waste exceeding 4m ³ per day. | | |
| 17.4.1.6 (h) Co-generation plants, natural gas, and biomass generators of electricity | Yes | Co-generation not proposed at this time |
| 17.4.1.6 (i) Coal fired generators of electricity, except in the Industrial Zone where this activity is a controlled activity | Yes | The plant is powered by refuse and located in the industrial zone, from which emissions will be less than a coal fired plant. |
| 17.4.1.6 (j) Temporary Diesel generators provided that the setback rules in the relevant zone are met. | Yes | Diesel will be used for start-up and supplementary firing. Permitted in the Industrial zone. |
| 17.4.2 Performance Standards | | |
| 17.4.2.1 - Telecommunication facilities Telecommunication facilities which emit radio-frequency fields shall comply with the existing radio frequency emission standards contained within the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008. | N/A | |
| 17.4.2.2 - Telecommunication facilities The regulations and standards contained within the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (“NESTF”) shall apply to telecommunication facilities operated by facility operators, except within: (a) An Outstanding Natural Feature and Landscape; or (b) Identified character precinct areas, character clusters or character streets; or (c) Natural Landscapes other than outstanding; or (d) Heritage sites identified in Appendix N1; or (e) Cultural landscapes; or (f) Significant natural areas where Rule 17.4.1.2 applies. Rule 17.4.1.2 also applies in circumstances where regulated activities (as determined by the NESTF) are | N/A | |

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| carried out not in accordance with the standards set out in the NESTF. | | |
| 17.4.2.3 - Electromagnetic field all other activities Activities which emit electromagnetic fields shall comply with the International Commission on Non-ionising Radiation Protection (ICNIRP) guidelines. | N/A | |
| 17.4.2.4 - Maximum height support structures up to 110kV The maximum height up of support structures up to 110kV shall be 20m, provided that the maximum height of support structures in formed roads that adjoin the Residential Zone and Large Lot Residential Zone shall be 15m. For the purposes of this rule, height in relation to electricity lines excludes earthwires, earthpeaks and lightning rods. | Yes | All transmission will be underground, at 33kV. |
| 17.4.2.5 - Amateur radio configuration Amateur radio configuration in the Residential Zone and Large Lot Residential Zone shall have no more than one primary mast and one pedestal mounted dish antenna, that comply with the following: (a) | N/A | |
| 17.4.2.6 - Amateur radio configuration Amateur radio configuration in the Rural Zone shall have no more than one primary mast and one pedestal mounted dish antenna, that comply with the following: | N/A | |

Section 19 Hazardous Substances and Contaminated Land

19.4.1 Activity Status Tables

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| 19.4.1.1 (b) Any hazardous facility with an Effects Ratio below the Effects Ratio (R) specified for the zone in which it is proposed to locate, as indicated in the Hazardous Facilities Screening Procedure (HFSP) Consent Status Matrix in Rule 19.4.2.1: Permitted | Yes | Diesel only regulated hazardous substance stored on site, and based on quantity proposed (5000L tank), effects ration is 0.35, less than the permitted threshold effects ration of 1. Therefore Permitted. |
| 19.4.1.2 Controlled activities | Yes | Diesel storage is not for retail sale. |

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| <p>(a) Any activity which involves the manufacture, storage, use, transportation or disposal of hazardous substances in accordance with Appendix C: Rating Guide of the “Land Use Planning Guide for Hazardous Facilities Ministry for the Environment 1999” that complies with any one or more of the following, is a controlled activity and exempt from completing a HFSP assessment: Activities which involves the retail sale and storage of:</p> <p>(i) Petrol (up to 200,000 litres of storage in underground storage tanks); or</p> <p>(ii) Diesel (up to 120,000 litres of storage in underground tanks; or</p> <p>(iii) Involves the retail sale and storage of LPG (up to 12 tonnes single-vessel storage underground).</p> | | |
| 19.4.2 Performance Standards | | |
| <p>19.4.2.1 - Hazardous facilities</p> <p>The following Hazardous Facilities Screening Procedure Consent Status Matrix must be used to determine the consent status of a hazardous facility in the zone where it is to be located.</p> | Yes | Effects ratio determined to be 0.35, less than 1 permitted for Industrial zone. |
| <p>19.4.2.2 - Hazardous facilities</p> <p>Calculation of the Effects Ratio (R) must be undertaken by a suitably qualified practitioner experienced, qualified and presently operating in the field of hazardous substances and facilities, using the “Hazardous Facilities Screening Procedure” contained in the document titled “Land Use Planning Guide for Hazardous Facilities – A Resource for Local Authorities and Hazardous Facilities Operators, Ministry for the Environment (February 2002)”.</p> | Yes | Accompanying report prepared by suitably qualified practitioner |
| <p>19.4.2.3 - Hazardous facilities</p> <p>“Minimum Performance Requirements for Hazardous Facilities Under the Resource Management Act” set out in Section 4 of the document titled “Land Use Planning Guide for Hazardous Facilities – A Resource for Local Authorities and Hazardous Facilities Operators, Ministry for the Environment (February 2002)” shall apply to all hazardous facilities as permitted activities.</p> | Yes | Storage of diesel will comply with requirements |
| <p>19.4.2.4 - Hazardous facilities</p> <p>The following activities are exempt from the Hazardous Facilities Screening Procedure:</p> | | |

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| <p>(a) Existing facilities will not be subject to the Hazardous Facilities Screening Procedure unless they expand or alter their operations by expanding beyond any existing use right or lawfully established activities that may exist. A significant increase would be a 50% increase in the quantity of any substances, or a 20% increase in the total quantity of the substances provided that any change of substance does not result in a higher hazard classification.</p> | <p>N/A</p> |
| <p>(b) Retail LPG outlets, with storage of up to 6 tonnes (single vessel storage) of LPG, provided that it complies with:</p> <ul style="list-style-type: none"> (i) The “Australian Standard (AS 1596-1989) for LP Gas Storage and Handling - Siting of LP Gas Automotive Retail Outlets”; and (ii) The Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations. | <p>N/A</p> |
| <p>(c) Activities that involve the storage, use, disposal and transportation of agrichemicals on land used for primary production that complies with:</p> <ul style="list-style-type: none"> (i) NZS8409:2004 Management of Agrichemicals; and (ii) The Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations. | <p>N/A</p> |
| <p>(d) The storage or use of hazardous consumer products for private domestic purposes.</p> | <p>N/A</p> |
| <p>(e) Activities that involve facilities and structures for the transmission and distribution of natural gas.</p> | <p>N/A</p> |
| <p>(f) Activities that involve the sealing of vehicle parking, loading, manoeuvring and access areas, and road carriageways and footpaths using penetration-grade bitumen cut back with kerosene and the application of coverstone</p> | <p>N/A</p> |
| <p>(h) Trade waste to public sewer system and waste treatment or disposal facilities.</p> | <p>N/A</p> |
| <p>(i) The storage or use of hazardous consumer products for private domestic purposes.</p> | <p>N/A</p> |
| <p>(j) Retail outlets for the domestic usage sale of hazardous substances (e.g. supermarkets, hardware outlets at large format retail scale, pharmacies, LPG domestic use ‘swap a bottle’</p> | <p>N/A</p> |

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| services). | | |
| (k) Facilities using genetically modified or new organisms | N/A | |
| (l) Developments that are or may be hazardous but do not involve hazardous substances (e.g. mineral extraction, high voltage transmission lines, radio masts, electrical substances). | N/A | |
| (m) Dust explosions | N/A | |
| (n) Gas and oil pipelines. | N/A | |
| (o) Fuel in motor vehicles, boats and small engines such as weed eaters, lawnmowers, chainsaws etc. | N/A | |
| (p) The storage and use of LPG accessory to residential, commercial, recreation and rural activities, provided the maximum volume on a residential property at any one time does not exceed 100kg and on a rural property at any one time does not exceed 300kg. | N/A | |
| (q) The storage and use of hazardous substances in association with any temporary military training activity provided that all such hazardous substances and any contaminants that may result from the use of those substances are removed from the site at the completion of the military training exercise. | N/A | |
| (r) The on farm storage and use of fertilisers on land used for primary production that complies with Hazardous Substances and New Organisms Fertilisers (Subsidiary Hazard) Group Standard 2006. | N/A | |
| 19.4.2.5 - General site design Any part of a site where hazardous substances are used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled shall be designed, constructed and managed to prevent any adverse effects of the intended use from occurring outside the area where the particular activity is to be carried out. | Yes | Site design complies |
| 19.4.2.6 - General site design All stormwater grates on the site shall be clearly labelled "STORMWATER ONLY" | Yes | Site design complies |

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| <p>19.4.2.7 - Spill containment system</p> <p>Any part of the site, including vehicle accessways, where hazardous substances are used, stored, manufactured, mixed, packaged, loaded, unloaded, or otherwise handled shall be served by a spill containment system:</p> <p>(a) Constructed from impervious materials resistant to the hazardous substances; and</p> <p>(b) Able to meet Ministry for the Environment standards including NZS 8409:2004 Management of Agrichemicals or contain the maximum volume of the largest tank used, or where drums or other containers are used, able to contain half the maximum volume of substances stored, or complies with the Secondary Containment requirements of the Hazardous Substances Emergency Management Regulations as a means of compliance; and</p> <p>(c) Able to prevent any spill or other unintentional release of hazardous substances (including waste), and any stormwater that has become contaminated from discharging into or on to land and/or water (including stormwater, groundwater and potable water supplies), unless the discharge is permitted by a rule in a Regional Plan or Proposed Regional Plan or by a resource consent; and</p> <p>(d) Provided with a release mechanism for the drainage of the bunded areas that is secured to prevent unintentional release of contaminants into stormwater; and</p> <p>(e) Maintained to ensure it remains effective in the event of a spill.</p> <p>Provided that this rule does not apply to the application of agrichemicals or fertilisers applied in accordance with the manufacturer's recommendations.</p> | <p>Yes</p> | <p>Site design complies</p> |
| <p>19.4.2.8 - Spill containment system</p> <p>The collection of hazardous substances for disposal or subsequent use shall be in suitable containers that seal and contain the substances in a safe location as defined in Rule 19.4.2.7.</p> | <p>Yes</p> | <p>Site design complies</p> |
| <p>19.4.2.9 - Spill containment system</p> | <p>N/A</p> | |

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| <p>LPG facilities for storage, use and retail activities that comply with AS/NZS 1596:2008 LP Gas Storage and Handling, and HSNO requirements and regulations are exempt from Rules 19.4.2.7 and 19.4.2.8 above.</p> | | |
| <p>19.4.2.10 - Washdown areas</p> <p>Any part of a site where washing of vehicles, equipment or containers which have or may have been contaminated shall be designed, constructed and managed to prevent the effluent from the washdown area from:</p> <p>(a) Entering or discharging into the stormwater or wastewater network, unless pursuant to a trade waste consent; and</p> <p>(b) Discharging onto land and/or into water (including groundwater and potable water supplies) unless the discharge is permitted by a rule in a Regional Plan or Proposed Regional Plan, or by resource consent.</p> <p>Provided that this rule does not apply to the application of agrichemicals or fertilisers applied in accordance with manufacturers recommendations.</p> | <p>Yes</p> | <p>Site design complies</p> |
| <p>19.4.2.11 - Washdown areas</p> <p>LPG facilities for storage, use and retail activities that comply with AS/NZS 1596:2008 LP Gas Storage and Handling, and HSNO requirements and regulations are exempt from Rule 19.4.2.10.</p> | <p>N/A</p> | |
| <p>19.4.2.12 - Underground storage tanks for petroleum products</p> <p>Underground tanks for the storage of petroleum products shall be designed, constructed and managed in accordance with:</p> <p>(a) Below Ground Stationary Container Systems for Petroleum – Design and Installation HSNO COP 44 and Below Ground Stationary Petroleum Container Systems for Petroleum – Operation HSNO COP 45; and</p> <p>(b) Any requirements of the Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations.</p> | <p>N/A</p> | |
| <p>19.4.2.13 - Warning signs</p> | <p>Yes</p> | <p>Site design complies</p> |

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| <p>Any hazardous substance facility shall be adequately sign-posted to indicate the nature of the substances stored, used or otherwise handled on the site in accordance with:</p> <p>(a) The Environmental Risk Management Authority (ERMA) approved Code of Practice for Signage for Premises Storing Hazardous Substances and Dangerous Goods HSNO COP 2- 1 09-04; and</p> <p>(b) Any requirements of the Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations.</p> | | |
| <p>19.4.2.14 - Waste management of hazardous substances</p> <p>The storage or processing of any contaminated waste containing a hazardous substance shall comply with any relevant requirement in the Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations, and NZS 8409:2004 Management of Agrichemicals.</p> | N/A | |
| <p>19.4.2.15 - Waste management of hazardous substances</p> <p>Any process waste or waste containing hazardous substances shall be managed to prevent the waste:</p> <p>(a) Entering or discharging into a stormwater or sewerage network, unless pursuant to a trade wastes consent; and</p> <p>(b) Discharging on to land and/or into water (including groundwater and potable water supplies), unless the discharge is permitted by a rule in a Regional Plan or Proposed Regional Plan or by a resource consent, or complies with Appendix S of NZ8409:2004 Management of Agrichemicals.</p> | Yes | Site design complies |
| <p>19.4.2.16 - Waste management of hazardous substances</p> <p>The storage of any contaminated waste containing a hazardous substance(s) shall prevent:</p> <p>(a) Exposure to ignition sources; and</p> <p>(b) Corrosion or other alteration of the containers used for the storage of the waste; and</p> <p>(c) Unintentional release of the waste into the</p> | Yes | Site design complies |

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| surrounding natural environment | | |
| <p>19.4.2.17 - Waste management of hazardous substances</p> <p>Any facility generating waste containing hazardous substances shall dispose of these wastes to an authorised disposal facility or a facility permitted by a resource consent.</p> | Yes | All waste from the site will be disposed at an approved facility |
| <p>19.4.2.18 - Separation from water bodies</p> <p>All storage facilities containing hazardous substances shall be bunded and set back a minimum of 30m from a lake or water bodies, except as otherwise provided for in the Plan where a greater separation distance is required, provided that this rule does not apply in the Karāpiro and Arapuni Hydro Power Zone.</p> | Yes | Site design complies |
| <p>19.4.2.19 - Separation from water bodies</p> <p>LPG facilities for storage, use and retail activities that comply with AS/NZS 1596:2008 LP Gas Storage and Handling, and Hazardous Substances and New Organisms Act 1996 (HSNO) requirements and regulations are exempt from Rule 19.4.2.18.</p> | N/A | |
| <p>19.4.2.20 - Controlled activities: Hazardous substances</p> <p>Activities provided for in Rule 19.4.1.2(a)(i) and (ii), shall comply with:</p> <p>(a) The Code of Practice for Design, Installation and Operation of Underground Petroleum Storage Systems: Department of Labour-Occupational Health and Safety (1995); and</p> <p>(b) The Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations; and</p> <p>(c) The Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand, MfE, 1998.</p> | Yes | Site design complies |
| <p>19.4.2.21 - Controlled activities: Hazardous substances</p> <p>Rule 19.4.1.2(a)(iii) shall comply with:</p> <p>(a) AS/NZS 1596: 2008 LP Gas Storage and Handling; and</p> <p>(b) The Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations</p> | N/A | |

Section 20 Health and General Amenity

20.4.2 Performance Standards

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| <p>20.4.2.1 - Odour, smoke, fumes or dust</p> <p>No activity shall produce any objectionable odour, smoke, fumes or dust at or beyond the boundaries of the site from which the nuisance emanates.</p> | Yes | Air Quality report confirms all dust and odour will remain contained within the facility and not be objectionable. |
| <p>20.4.2.2 - Lighting and glare</p> <p>The maximum level of light spill from artificial lighting from any activity shall be no greater than 10 lux measured horizontally or vertically at or within the boundary of any other site or road; and the artificial lighting shall be conducted so that direct or indirect illumination does not create a nuisance to occupants of adjoining or nearby sites, provided that the following activities are exempt:</p> <ul style="list-style-type: none"> (a) Streetlights, navigation lights and traffic signals; and (b) Headlights of moving vehicles or vehicles which are stationary for less than five minutes; and (c) In the Rural Zone, lighting or glare from vehicles being used for farming activities and agricultural equipment. | Yes | All lighting will be comply with requirements. |
| <p>20.4.2.3 - Lighting and glare</p> <p>No buildings shall be constructed and/or left unfinished and/or clad and/or painted in a manner that results in glare.</p> | Yes | |
| <p>20.4.2.4 - Maintenance of buildings, sites and infrastructure</p> <p>All sites shall be maintained so as to preserve the amenity values of the zone and land shall be kept clear of rubbish and noxious plants. Unregistered motor vehicles not being used shall not be stored in public view for more than six months.</p> | Yes | |
| <p>20.4.2.5 - Maintenance of buildings, sites and infrastructure</p> <p>The material from demolished buildings shall be removed and sites shall be landscaped to the satisfaction of Council within one month of demolition, provided that this time limit shall be extended to six</p> | Yes | |

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| months where consent has been granted for the construction of a new building. | | |
| <p>20.4.2.6 - Maintenance of buildings, sites and infrastructure</p> <p>All earthworks or areas of bare earth not being worked for three months or more excluding mineral extraction activities, shall be sown with appropriate ground cover as soon as possible.</p> | Yes | |
| <p>20.4.2.7 - Maintenance of buildings, sites and infrastructure</p> <p>No building shall be so constructed or finished or left unfinished or not maintained so that its function and external appearance would detract from the amenity values of the zone. In the Commercial Zone, this includes the maintenance of verandahs to provide weather protection for pedestrians.</p> | Yes | |
| <p>20.4.2.8 - Maintenance of buildings, sites and infrastructure</p> <p>All sites with an impervious area of greater than 1000m² (other than roof areas that drain directly to the stormwater system or to soakage) must install an appropriate stormwater treatment system that adequately treats any actual or potential contaminants and either disposes stormwater to land soakage and/or restricts the discharge rate to the maximum greenfield run off rate for the site unless in accordance with a discharge permit granted by the Waikato Regional Council.</p> | Yes | As detailed in the Civils report |
| <p>20.4.2.9 - Maintenance of buildings, sites and infrastructure</p> <p>All commercial vehicle, machinery or container washdown areas within the urban limits shown on the Planning Maps must be sealed, bunded and roofed and connected to the wastewater treatment system.</p> | Yes | |
| <p>20.4.2.10 - Maintenance of buildings, sites and infrastructure</p> <p>No silt or sediment, or water containing silt or sediment, may be discharged into stormwater pipes, drains, channels or soakage systems from non-farming related earthworks or bare land within the urban limits as shown on the Planning Maps.</p> | Yes | As detailed in the Civils report |
| <p>20.4.2.11 - Maintenance of buildings, sites and infrastructure</p> | Yes | |

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| All non-farming related sites within the urban limits where loose material may be carried by vehicles on to public roads in wet weather or at other times shall install and use a wheel wash. | | |
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| RULE | COMPLIES? | COMMENT |
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| Section 26 – Lakes and Water bodies | | |
| 26.4.1 Activity Status Table | | |
| 26.4.1.1 | N/A | |
| 26.4.1.5 Any building within 23m of the edge of the Waipā, Waikato, Pūniu, Kaniwhaniwha, Mangapiko, Mangaohoi, Karāpiro and Owairaka rivers/streams as measured at their maximum annual water level, as shown on the Planning Maps, except within the Karāpiro and Arapuni Hydro Power Zone. | Yes | No buildings proposed inside this setback |
| 26.4.2 Performance Standards | | |
| <p>26.4.2.1 - 23m setback from lakes and water bodies</p> <p>No building, wastewater treatment system, earthworks, vegetation clearance or feed pads shall be erected or undertaken within 23m of the edge of any lake or water body as measured at its maximum annual water level, provided that this rule shall not apply to:</p> <p>(a) The Karāpiro and Arapuni Hydro Power Zone.</p> <p>(b) Maimai not exceeding 6m² in floor area; or</p> <p>(c) Earthworks and vegetation removal associated with conservation planting of river banks and lakes; or</p> <p>(d) St Kilda Residential Structure Plan Area; or</p> | No | <p>Earthworks will be undertaken within 23m of the Mangapiko Stream</p> <p>Accordingly, the proposal is classified as a Restricted Discretionary Activity pursuant to Rule 26.4.2.1 (c)</p> |

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| <p>(e) Clearance of vegetation undertaken in accordance with Rule 26.4.1.1(e) or (f); or</p> <p>(f) Harvesting of forestry over 5m from a water body.</p> | | |
| <p>26.4.2.2 - 23m setback from lakes and water bodies</p> <p>No building shall be erected within 23m of the edge of the Waipā, Waikato, Pūniu, Kaniwhaniwha, Mangapiko, Mangaohoi, Karāpiro and Owairaka rivers/streams as measured at their maximum annual water level, as shown on the Planning Maps, except within the Karāpiro and Arapuni Hydro Power Zone.</p> | <p>Yes</p> | <p>No buildings proposed within 23m of the Mangapiko Stream</p> |