SOUTH WAIKATO DISTRICT COUNCIL

District Plan - Operative Version April 2021

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Additional Documents

- Appendices A-L - Volume 2
- Significant Natural Area Record Sheets - Volume 3
- Planning Maps – Volume 4

SOUTH WAIKATO DISTRICT PLAN

This is a true and correct copy of the South Waikato District Plan Chapters as amended by Plan Change 1 (Putāruru Growth and Related Matters) and Plan Change 2 (Infrastructure Management). These Plan Changes were approved by resolution of the Council on 1 April 2021, to become operative on 28 April 2021.

In witness thereof the common seal of the South Waikato District Council was affixed hereto in the presence of:

Shattock QSM JP.

MAYOR

CHIEF EXECUTIVE

SOUTH WAIKATO DISTRICT COUNCIL
The Common Seal of

1 Overview of the District Plan

1.1 Introduction

The purpose of the district plan is to promote the sustainable management of natural and physical resources in the South Waikato district, consistent with the statutory functions of a territorial authority under the Resource Management Act 1991 (the RMA). The district plan is the community's response to the challenges of meeting aspirations for a vibrant and prosperous district economy, positively responding to trends in technology and changing land use patterns, whilst also managing the significant amenity and environmental values of the district. Much of the district plan is about ensuring that the environmental qualities and values that we consider important today are safeguarded for future generations to also enjoy.

The RMA is the legislation that controls the use, development and protection of land and other natural and physical resources. The district plan contains a framework of objectives, policies, and anticipated environmental results to describe the environmental outcomes for the district that the community is seeking to achieve. The plan then outlines the implementation approaches that will be used to achieve these environmental outcomes.

The purpose of this chapter is to provide an overview of the plan, and a description of how to use it.

1.2 Structure and approach of this district plan

The district plan is comprised of six interrelated parts:

- Part A – Issues, Objectives and Policies
- Part B – District-wide rules
- Part C – Zone provisions relating to the district's towns
- Part D – Zone provisions for the remainder of the district
- Part E – Supporting appendices
- Part F – Planning maps.

Part A contains the issues, objectives and policies of the district plan.

The significant resource management **issues** for the district are set out in Chapter 2.

An 'issue' is a statement about an existing or potential environmental problem in the district that the plan needs to address, or an opportunity that if taken advantage of, will assist to achieve the sustainable management purpose of the RMA.

Objectives and **policies** are contained in Chapters 3-7.

An 'objective' is a statement about the outcome that is sought in response to the issue identified. It may also be a statement about what is aimed for in overcoming the issue or promoting a positive outcome, or what the community has expressed as being desirable in resolving an issue.

A 'policy' indicates a course of action to achieve an objective, and also gives direction to methods of implementation.

Methods to achieve the objectives and policies are outlined within Chapters 3-7.

A 'method' is a specific course of action to implement a policy, and can be a statutory method (such as a rule), or a non-statutory method (such as a financial incentive or formulation of an action plan that can be implemented outside the control of the district plan.)

Reasons are also contained within Chapters 3-7 which are explanations for the particular method or range of methods adopted in response to the issue, objectives and policies.

Part B contains a series of rules that are applied throughout the district.

Each district-wide rule chapter has a **rule statement** which is a description of the outcome that the rule is seeking to achieve.

This is followed by **anticipated environmental results** which are measurable environmental outcomes that will be used to monitor the effectiveness of the district plan in achieving objectives and policies, and responding to the issues identified in the plan.

Part C contains zone provisions relating to the district's towns.

Part D contains zone provisions for other parts of the district.

The plan relies on the technique of **zoning** to manage land use and subdivision in the district. A zone is a part of the district that has similar characteristics and where the community has a consistent expectation for the type and extent of environmental effects that may be present and are acceptable.

Within each of the zone chapters there is a **zone statement** which is a description of the broad outcome that the zone is seeking to achieve.

Each zone then has an **activity list** with lists of land use activities that can be established with no requirement for resource consent, and land use activities that do require resource consent. Activity lists are derived from the grouping of activities with similar effects, and along with performance standards, are designed to set thresholds of acceptable environmental effects in different parts of the district.

Performance standards are applied in each of the zones to control the intensity of land uses (and associated effects) that are able to be established within each of the zones.

Some of the plan's provisions are accompanied by "advisory notes". These are not rules or policies, and have no legal effect. They are included simply to assist the reader, particularly to explain how the plan fits in with other legislative requirements that apply to development proposals.

Activity lists and performance standards are designed to operate in a coordinated manner, to permit land use activities in a particular area that will generate little or no adverse environmental effect, and to require consent to be sought for proposals that are likely to generate adverse effects that are more than minor.

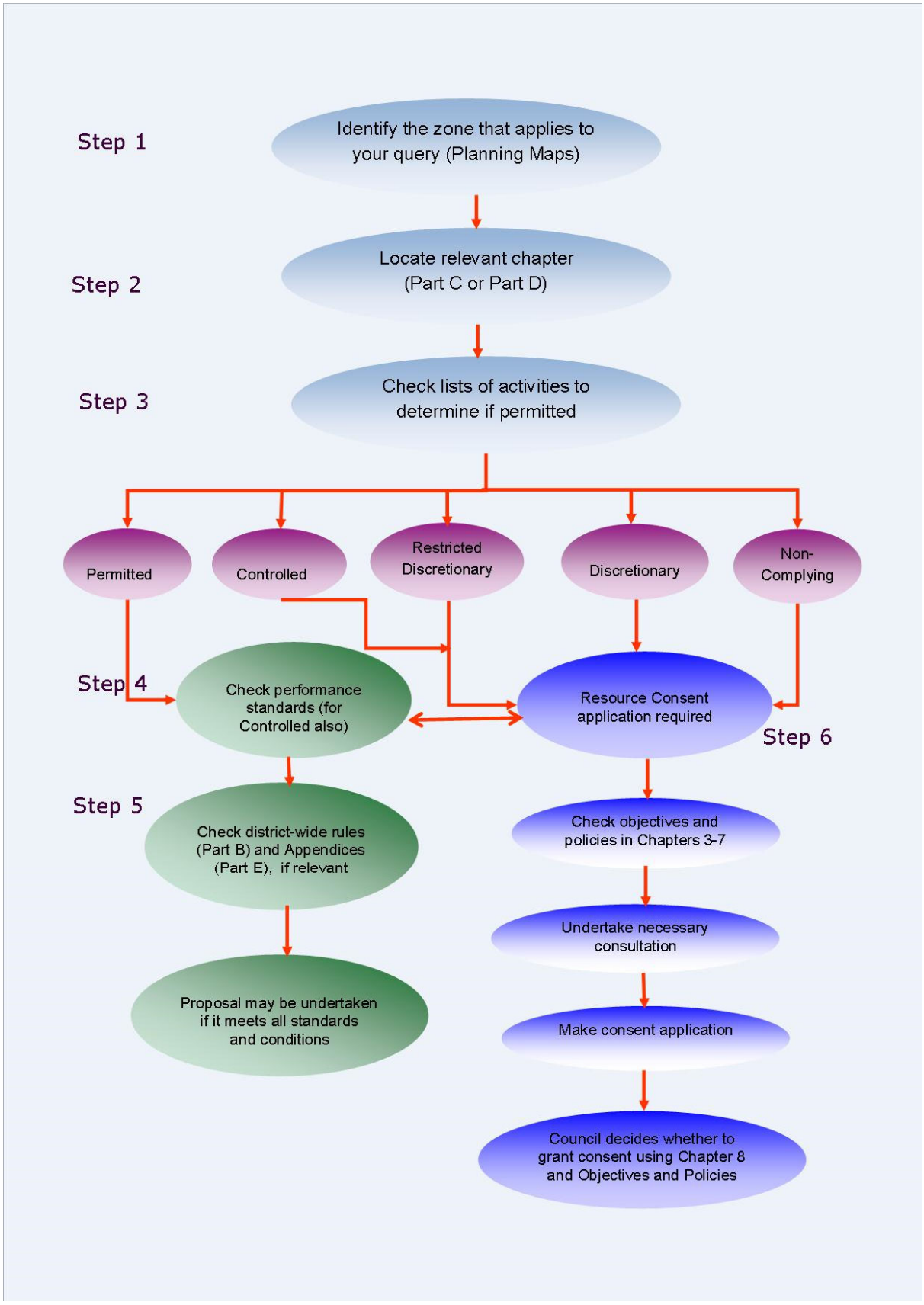
Part E of the plan is a series of technical appendices that relate to various rules and performance standards. These technical appendices have been grouped separately at the back of the plan to avoid clutter.

Part F contains the planning maps. These maps display the extent of the various zones, and also contain other notations and information referred to within rules and performance standards in the plan.

1.3 How to use this district plan

When using the plan, the following steps should be followed:

Figure 1- Steps in using the district plan



Step 1

Using the plan maps (go to **Part F**), identify the **zone** that applies to the particular area your enquiry relates to. You then need to identify whether there are any overlays or other notations on the particular site your enquiry relates to.

Step 2

Then locate the relevant zone chapter in **Part C** or **Part D** of the plan for the particular site or area your enquiry relates.

Step 3

Within the zone chapter there are **lists of land use activities** that are identified as being permitted activities (no resource consent required provided all performance standards are met), controlled activities, restricted discretionary activities, discretionary activities and non-complying activities (all of which require resource consent to be obtained prior to carrying out the activity).

The **definitions** in Chapter 9 contain the meaning of particular terms used in the plan and should be referred to for checking which listed activity a particular proposal fits into.

Step 4

The zone chapter then contains a series of **performance standards**. For an activity that was identified in Step 3 as being a permitted activity, compliance with all performance standards is necessary for the activity to remain a permitted activity and therefore not require resource consent.

For an activity that was identified in Step 3 as being a Controlled, Restricted Discretionary, Discretionary or Non-Complying Activity, then compliance with the performance standards still needs to be checked and may alter the type of resource consent you require.

Step 5

At the end of each zone chapter, there is a list of **district-wide rules** that may also be relevant. The district-wide rules are located in **Part B.** These rules apply throughout all of the zones and should be checked in case they apply.

Part E of the plan contains various supporting **appendices** that may also be relevant depending on the particular enquiry. The appendices are referred to in some performance standards and rules.

Step 6

Once the above steps have been followed, if it is determined that an activity is not a Permitted Activity (either because of the activity lists, or because one or more standards or rules are not complied with), then a **resource consent application** will be required. Chapter 8 contains information relating to making a consent application, including the specific matters to be addressed and the assessment criteria that Council will use to assess the application against.

The **objectives and policies** set out in Chapters 3-7 provide the policy framework that resource consent applications will be assessed against. In broad terms, the more an application can demonstrate that the objectives and policies of the plan overall are being met, the more likely that consent will be granted.

1.4 Statutory context for the district plan

District plans are prepared within a hierarchy of policy statements and plans that along with the RMA form the statutory context. This hierarchy consists of the Vision and Strategy for the Waikato River, national and regional policy statements, national environmental standards, and regional plans prepared under the RMA, and iwi planning documents, and management plans and strategies prepared under other legislation (for example the Conservation Act and Heritage New Zealand Pouhere Taonga Act 2014). This district plan has been formulated having considered this statutory framework.

1.4.1 Vision and Strategy for the Waikato River

The Vision and Strategy for the Waikato River (Te Ture Whaimana o Te Awa o Waikato) came into effect via the Waikato Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010. The Vision and Strategy is the primary direction-setting document for the Waikato River and activities within its catchment affecting the River. It is having also been deemed in its entirety into the RPS and regional and district plans must give effect to it.

The Vision and Strategy prevails over any inconsistent provision in the Regional Policy Statement, a National Policy Statement and/or the New Zealand Coastal Policy Statement, and a district plan must give effect to it. A district plan rule adopted for the purpose of giving effect to the Vision and Strategy prevails over a national environmental standard. The South Waikato District Plan therefore has a duty to implement the Vision and Strategy when carrying out its statutory functions under the Resource Management Act 1991.

The Waikato River Authority (WRA) is the statutory body responsible for setting the direction through the Vision and Strategy to achieve the restoration and protection of the health and wellbeing of the Waikato River for present and future generations. It is required to review the Vision and Strategy at least every 10 years and district and regional plans must be reviewed within 12 months of this happening.

For this reason the Vision for the Waikato River and the Objectives for the Waikato River and the Strategies for the Waikato River are recorded in full below, followed by a summary of the key references as to how this district plan is going to give effect to the Vision and Strategy.

The Vision and Strategy's stated vision "is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come".

"To achieve the Objectives, the following Strategies will be implemented:

1. Ensure that the highest level of recognition is given to the restoration and protection of the Waikato River.

2. Establish what the current health status of the Waikato River is by utilising mātauranga Maori and latest available scientific methods.

3. Develop targets for improving the health and wellbeing of the Waikato River by utilising mātauranga Maori and latest available scientific methods.

4. Develop and implement a programme of action to achieve the targets for improving the health and wellbeing of the Waikato River.

5. Develop and share local, national and international expertise, including indigenous expertise, on rivers and activities within their catchments that may be applied to the restoration and protection of the health and wellbeing of the Waikato River.

6. Recognise and protect wāhi tapu and sites of significance to Waikato-Tainui and other Waikato River Iwi (where they so decide) to promote their cultural, spiritual and historic relationship with the Waikato River.

7. Recognise and protect appropriate sites associated with the Waikato River that are of significance to the Waikato regional community.

8. Actively promote and foster public knowledge and understanding of the health and wellbeing of the Waikato River among all sectors of the Waikato regional community.

9. Encourage and foster a 'whole of river' approach to the restoration and protection of the Waikato River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River.

10. Establish new, and enhance existing, relationships between Waikato-Tainui, other Waikato River Iwi (where they so decide), and stakeholders with an interest in advancing, restoring and protecting the health and wellbeing of the Waikato River.

11. Ensure that cumulative adverse effects on the Waikato River of activities are appropriately managed in statutory planning documents at the time of their review.

12. Ensure appropriate public access to the Waikato River while protecting and enhancing the health and wellbeing of the Waikato River".

Approaches adopted in this district plan to give effect to the vision are:

Two of the six significant resource management issues facing the district are specifically directed to achieving the Vision and Strategy; namely:

- Significant Issue 1: Restoring and Protecting the health and wellbeing of the Waikato River; and
- Significant Issue 2: Recognising Tangata Whenua Values.

The remaining four significant resource management issues together provide for a holistic approach to promoting sustainable resource management in decision-making, namely:

- Enhancing the vibrancy of the district's towns
- Safeguarding established rural land uses and the productive potential of the rural areas
- Managing landscape, natural values, and indigenous biodiversity
- Managing and providing for infrastructure, communications and major industrial sites.

The key objective and policy chapters concern Chapter 3 (Managing Tangata Whenua Values), Chapter 4 (Managing Rural Areas) and Chapter 6 (Managing Landscapes and Indigenous Biodiversity). The supporting Plan rules include Chapter 8 (Administration of the District Plan) where Council discretions are listed when considering resource consent applications, and Chapter 14 (Landscapes and Natural Values) and Chapter 28 (Rural Zone) that enable Council to consider a proposal's consistency in giving effect to the vision and strategy".

1.4.2 National and Regional Planning Documents

The most relevant national planning documents are national policy statements and national environmental standards prepared by central government (for a list of these consult the Ministry for the Environment website).

Part of the Waihou River catchment is in the District. The Hauraki Gulf Marine Park Act 2000 gives special recognition to the Hauraki Gulf, its islands and catchments". This requires the Council when exercising its powers in relation to the Waihou catchment to have particular regard to matters set out in section 7 and section 8 of this Act. The relationship with the Resource Management Act is also recorded in section 9 to require that the District Plan "does not conflict with" section 7 and section 8. Council therefore has a duty to consider these provisions when determining resource consent applications. Plan provisions further recognise this duty with specific policy and rules that are focused on forestry conversion and riparian management.

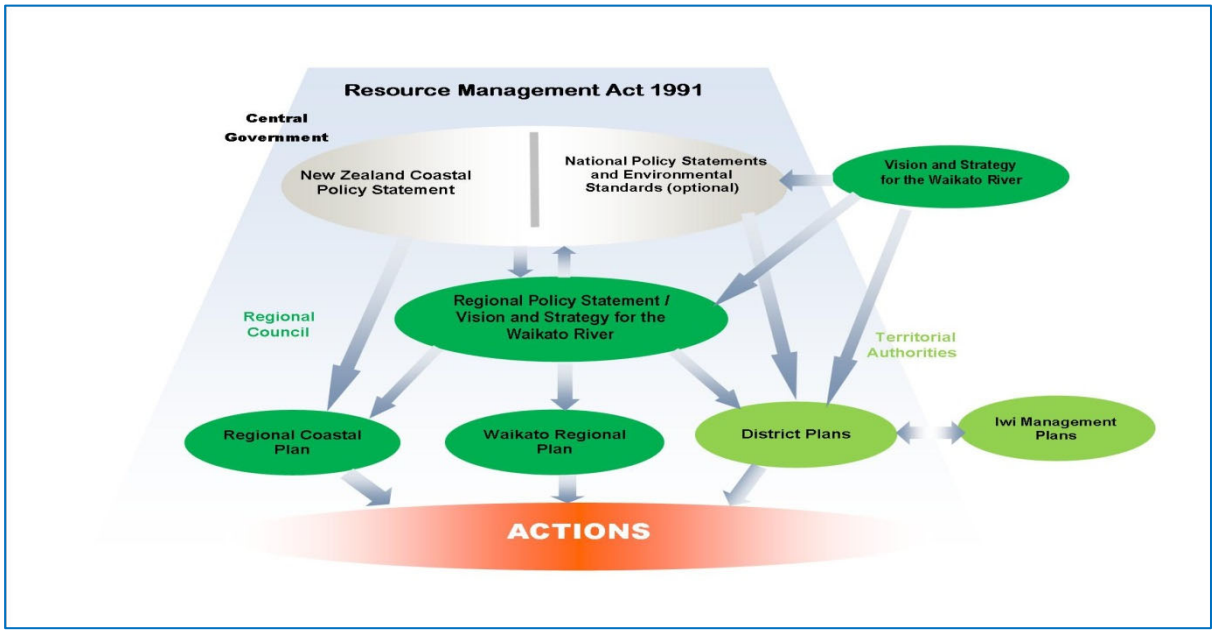
At the regional level, the key planning documents are the Waikato Regional Policy Statement (RPS), the Waikato Regional Plan and the Regional Land Transport Strategy prepared by the Waikato Regional Council.

District plans must 'give effect to' national policy statements and the regional policy statement and must not be 'inconsistent with' the regional plan. The RPS provides the direction on many strategic planning issues for the region, and the district plan has been formulated to give effect to the Waikato RPS**.** District Plans cannot contain any rules that could conflict with regulations in an NES. The Regional Land Transport Strategy sets the strategic framework for long term development of the regional transport system and is therefore also relevant.

Iwi planning documents, such as the Environmental Management Plan being prepared by Raukawa, are also important documents that need to be taken account of in district and regional planning.

The aim of the district plan is to apply the broad policy approaches adopted at the regional level to the local context of the district, without overlapping or confusing the respective roles prescribed in the RMA.

Figure 2: Relationship between policy and planning instruments



1.4.3 Contaminated Land

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) came into effect on 1 January 2012. The purpose of the NES is to ensure national consistency in the management of contaminated land to make land safe for human use. It includes national planning rules that set out requirements for activities and standardised methods for setting numerical standards for contaminants in soils. The methods include a national set of soil contaminant standards for 12 priority contaminants, and five specified land uses. The NES also includes best practice guidelines for investigating and reporting on contaminated or potentially contaminated land. An inability to meet the requirements of the NES, or the undertaking of particular activities in certain locations will result in the need for a resource consent.

The NES applies to any piece of land on which an activity or industry described in the Hazardous Activities and Industries List (HAIL) has been or is more likely than not to have been undertaken on the land. Land known to have been affected by soil contaminants is also recorded on the Land Use Information Register held by the Waikato Regional Council or on records held by the Council.

A copy of the NES is included in Appendix K. Reference should also be made to the Ministry for the Environment website (www.mfe.govt.nz) for a copy of the NES, a User's Guide to the NES, and documents incorporated by reference in the NES, including the current version of the HAIL.

1.5 Relationship to other district strategies and plans

The district plan also has a relationship with other strategies and plans prepared by South Waikato District Council. The Long-Term Plan prepared under the Local Government Act 2002 establishes community outcomes in terms of social, cultural, economic and environmental matters, and outlines Council's responses to those in terms of budget priorities and programmes.

The State of the Environment Report prepared every three years is another key document as it provides a snapshot of the state of the district's environment and the challenges to be faced. Council has also prepared Asset Management Plans, Reserve Management Plans, and Concept Plans for the towns, all of which provide a broader context to the district plan.

These strategies and plans have all been used in formulating the district plan. The plan is a key implementation tool for achieving the environmental aspects of the community outcomes and visions outlined in the Long-Term Plan and other documents listed above.

1.6 Managing cross boundary matters

There are some environmental issues that cross local authority boundaries and jurisdictional boundaries and need to be managed in a coordinated and consistent manner between local authorities for effective and efficient integrated management to be achieved.

The adjoining local authorities are Otorohanga District, Waipa District, Taupō District, Rotorua District, Matamata-Piako District and Western Bay of Plenty District. The plan has been formulated to achieve consistency with provisions in other district plans where possible, particularly for land uses like forestry, farming and energy generation that extend across into adjoining districts.

The provisions managing outstanding landscapes, significant natural areas, network utilities and activities on the surface of the water have also been formulated to provide some consistency with the approaches of adjoining districts where possible.

"Cross-boundary" matters apply not only to geographical boundaries between different districts, but also to jurisdictional boundaries with the Waikato Regional Council. For example, the RMA gives responsibilities to both district and regional councils in the management of indigenous biodiversity, and the actions of both agencies need to be co-ordinated to avoid overlaps and ensure the best environmental outcomes are achieved.

The processes that the Council will use to resolve any issues that cross local authority boundaries and jurisdictions include:

- Liaison and facilitation of joint actions with other local authorities to deal with cross boundary issues as they arise.
- Information sharing between local authorities.
- Inform and consult with other local authorities on consent applications, or plan change requests, where a potential cross-boundary effect may occur.
- Initiate and participate in joint hearings with the other local authorities where appropriate, to better achieve integrated resource management.
- Make submissions on plans and policy statements prepared by other councils, to achieve consistent approaches wherever possible in managing resources that cross local authority boundaries or jurisdictions.
- Identify, in conjunction with the regional council, opportunities for local authorities to transfer functions to each other or to the regional council where this would result in more efficient, effective and integrated resource management.

1.7 Monitoring Environmental Outcomes

Anticipated environmental results are identified within each zone and rule chapter. The aim of this is to define the desired environmental outcomes to be achieved by the provisions for a particular zone or by a rule chapter.

The anticipated environmental results have been written in a manner that they can be measured to enable the effectiveness of the plan to be evaluated in future years.

This plan effectiveness monitoring will be undertaken in conjunction with the State of the Environment report for the district that measures the district's success in managing environmental issues more generally.

2 Significant Resource Management Issues for the District

2.1 Introduction

The purpose of this chapter is to provide a statement about the significant resource management issues that the district is facing. The issues describe what the district plan needs to broadly address in the South Waikato District to achieve the purpose of the Resource Management Act (the RMA).

The discussion below highlights six significant resource management issues facing the district. Chapters 3-7 of the plan then outline the framework of objectives, policies, anticipated environmental results, and methods in response to all of these issues.

Issue 1 – The health and wellbeing of the Waikato River

A significant resource management issue for the district is **the degradation of the health and well-being of the Waikato River**. This degradation needs to be addressed as does meeting the challenge of the Vision and Strategy for the Waikato River (Te Ture Whaimana o Te Awa o Waikato).

It is also essential to recognise the strategic importance of the Waikato River to the economy and communities of its catchment. The Waikato River is an important resource that requires management as a degraded river cannot provide for the social, economic and cultural wellbeing or the people and communities of the district.

The health and wellbeing of the Waikato River and other waterways in the district have been degraded both directly and indirectly over recent decades. This degradation includes declining water quality, loss of indigenous biodiversity, loss of access and declining water availability and is the result of activities both on land and in the water bodies themselves. Waterways continue to face increasing demands for use, such as takes for irrigation and drinking water, hydro power generation, and assimilation of discharges from towns, agriculture and other industry; as well as pressures arising from land management practices, land use change and intensification. Holistic and integrated management of land and water resources is critical to reversing declining trends.

The scale of the change and the intensification of primary production activity in the rural area can be gauged from the table below provided from Council's rating database.

	2003			2009			2013		
	land parcels	hectares	% of Land use within district	land parcels	hectares	% of Land use within district	land parcels	hectares	% of Land use within district
Dairy farming	733	47,189	27.17	721	57,622	31.27	678	68,091	38.4
Forestry Plantation and Indigenous	51	108,205	62.30	40	106,944	58.03	57	91,835	51.8
Lifestyle	597	2,037	1.17	999	2,872	1.56	879	3000	1.7
Pastoral farming	164	14,952	8.61	121	15,897	8.62	103	12674	7.14
Deer	19	487	0.28	11	556	0.30	11	526	0.3
Horticulture	12	60	0.03	3	65	0.03	2	42	0.02
Horses	6	264	0.15	5	165	0.09	5	165	0.09
Pigs	2	80	0.05	0	0	0	2	150	0.08
Poultry	4	28	0.02	8	151	0.08	8	151	0.09

Over the last decade dairy farming has expanded significantly (from 27% to 38%) while land in forestry has declined (from 62% to 52%) and pastoral farming has declined (from 9% to 7%. Intensification has largely occurred around the conversion of forestry land to dairying. Dairy units have increased in land area and this has been accompanied by an increase in the average herd size. It is unclear whether this trend will and can continue. However, this change is affecting land cover, indigenous biodiversity, natural character and changing rural amenities particularly on the margins of water bodies. These effects cumulatively are impacting on the Waikato River catchment environment undermining the health and wellbeing of the Waikato River. Allowing these adverse environmental effects to continue and not to address them in district planning is not consistent with giving effect to the Vision and Strategy for the Waikato River. This is a major challenge for the district and regional communities. The consensus view is that a collaborative approach is necessary to address in a sustainable way improvements to the management of activities in the catchment and by doing this, give effect to the Vision for the Waikato River.

Whilst the health and wellbeing of the Waikato River affects the community as a whole, the river is of special importance to the Tangata Whenua. Raukawa consider that the degradation affects the mauri of the waterways in the catchment, wāhi tapu and other sites of significance along the margins of these waterways, and the health and wellbeing of Raukawa and the wider community.

The Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 established a co-management regime for the upper Waikato River, which includes all of the Waikato catchment within the South Waikato District. This regime sees partnerships established between Tangata Whenua and the Crown, the regional council and district councils. Joint management agreements between Raukawa and the Council, and between Te Arawa River Iwi and the Council in relation to management arrangements for the River and activities within the catchment affecting the River will be developed and will guide the partnership.

As set out in Section 1.4.1, the Vision and Strategy for the Waikato River (Te Ture Whaimana o Te Awa o Waikato) is the primary direction-setting document for the River and activities within its catchment affecting the River. It forms part of the RPS and must be given effect to by the district plan. It identifies a Vision for the Waikato River, and objectives and strategies to realise the Vision.

Over time Raukawa will be developing an environmental management plan and an Upper Waikato River Integrated Management Plan. These will also have bearing on decision-making within the catchment.

The district plan seeks to give effect to the Vision and Strategy, within Council's statutory functions as a territorial authority. Safeguarding the mauri of the Waikato River and other waterways is recognised in the plan as vitally important.

Issue 2 – Recognising Tangata Whenua values

A significant resource management issue for the district is to **better recognise and provide for Tangata Whenua values in resource management decision-making**.

Raukawa exercise mana whenua and the rights and responsibilities of kaitiakitanga within their rohe, which includes the entire South Waikato District. Recognising and providing for the relationship of Māori and their culture and traditions with their ancestral land, water sites, wāhi tapu and other taonga is a matter of national importance under the RMA (section 6(e)). Section 7 of the RMA requires local authorities to have particular regard to kaitiakitanga and to the protection of recognised customary activities, and Section 8 requires the principles of the Treaty of Waitangi to be taken into account.

Legislation has recently introduced co-management responsibilities for the Waikato River and its catchments, heralding a new level of relationship and engagement between Tangata Whenua and local and central government.

The district plan has sought to recognise and provide for the relationship that Raukawa have with the natural and physical resources of the district, and to better safeguard the significant Tangata Whenua values of the district. Issues of concern to Raukawa include both environmental issues and process issues. Less relevant to the district plan but equally important to Raukawa are social issues such as access to and affordability of housing, and implementation and understanding of the principles of the Treaty of Waitangi. Raukawa places significant value on its relationship with its many partners and stakeholders, including industry, farmers, the Council and the

community, and seeks to work in a practical and pragmatic way with all sectors to achieve the environmental aspirations of the iwi.

The Raukawa understanding of the natural environment of the South Waikato goes back over 600 years. In this time the district has faced significant change and environmental losses.

Raukawa consider that the most important resource management matters affecting them in the South Waikato are:

a) **Adverse effects on the health and wellbeing of waterways** - While there is particular emphasis on the Waikato River (as set out in Issue 1), all waters including awa (rivers), manga (streams), roto (lakes) and puna (springs) are considered taonga. The Waikato and Waihou Rivers are a source of spiritual, cultural, social and physical sustenance for Raukawa, and in turn the Raukawa role as kaitiaki embraces respect and an inter-generational responsibility for the rivers.

b) **The loss of wetlands** – Wetlands are important for water quality, biodiversity, flood protection and indigenous biodiversity. They are also a traditional source of food and material (such as for building, weaving and medicines) for Raukawa. The district (and region) has lost the majority of its wetlands.

c) **Adverse effects on Papatūānuku** – The land continues to be damaged through inappropriate land use practices. Impacts include historical and ongoing contamination of land, loss of productive soils and accelerated erosion.

d) **Poor air quality** – Tokoroa and Putaruru airsheds do not meet the National Environmental Standards for Air Quality. Adverse effects of poor air quality include social (human health), environmental and economic (cost of reducing non-compliance and potential for limiting economic growth through restrictions on new businesses if the situation is not addressed).

e) **Loss of indigenous biodiversity** – There has been significant loss of indigenous biodiversity in the district. In addition to having intrinsic values, native species were and continue to be important resources to Raukawa. Plants and animals were harvested as kai, rongoa (medicine), building materials, and as dye and weaving materials for clothing and decoration. Biodiversity also provides 'ecosystem services', such as clean air and water, fertile soils and flood control which enable us to live and make a living within the district.

f) **Loss of cultural heritage** – Including cultural landscapes, wāhi tapu and other sites of significance, access to places and resources (such as rongoa and mahinga kai), loss of traditional names. The district includes many wāhi tapu, wāhi taonga, and other sites of significance. Effective systems, information, and resources need to be utilised to preserve, enhance, record and provide for these historical and cultural taonga. Cultural landscape values are still largely unrecognised, poorly understood and very little protection of these values is afforded. Archaeological sites however have legal protection under the Heritage New Zealand Pouhere Taonga Act 2014.

g) Barriers to sustainable marae and papakāinga development – There have been a number of barriers that have restricted the development of marae and papakāinga. Marae are important not only to Raukawa but also to the wider community – they are often used as meeting venues and civil defence bases for example.

h) **Barriers to practical and contemporary expression of kaitiakitanga** – Includes Council processes, relationships etc. The Raukawa role as kaitiaki and mana whenua within their rohe has been diminished and continues to be adversely affected by processes such as those administered under the RMA and LGA. Inadequate and inappropriate processes mean Raukawa are involved at the end and not the beginning of processes, are insufficiently resourced to participate in a meaningful way, often lack information to be able to engage in issues, and traditional or customary knowledge and systems are marginalised. Lack of understanding of how the principles of the Treaty of Waitangi should be applied has led to poor outcomes and poor engagement generally. This applies to the community in its widest sense.

i) **Unsustainable development** – There is a need to ensure that development in the district is sustainable in the long-term and meets the needs of the whole community. This includes adopting

best practice urban design and low impact design principles, providing for a range of housing styles and options, and ensuring developments have access to adequate services and utilities. Many Tangata Whenua continue to live on traditional or customary lands which are often in remote parts of the district. Such areas often experience lesser levels of service than urban areas, such as roading, waste management, health and education services, public transport, telecommunications and internet access, and access to sufficient water. The provision of appropriate and accessible housing for iwi within and around the district continues to be an issue. This is a complex and important issue involving poor quality housing, inappropriate size of housing available, lack of housing available on customary lands and in papakāinga development, and insufficient assistance with new and innovative building designs. In recent years South Waikato's towns have experienced slow growth and development. This has led to largely market-driven design, instead of design and provision for all of the members of the community including young and old people. Nor has design accounted for best practice such as using Crime Prevention through Environmental Design principles.

j) **Failure to adopt an integrated and holistic approach to resource management** – The current lack of a holistic approach and recognition of connections between issues. This applies to both providing for the linkages between elements of the environment, as well as the integration between those who have roles and responsibilities in managing the environment. This has led to adverse effects on the environment, including particularly cumulative effects.

Issue 3 – Enhancing the vibrancy of the district's towns

A significant resource management issue for the district is **to enable the district's towns to become more vibrant places, but in a manner that protects and enhances existing amenity and character and within a context of static or modest district-wide growth.**

The towns in the district perform a key role in the functioning of the district. The towns are where most people in the district live, where much of the employment is located, and where most of the community facilities are located such as schools, medical facilities, libraries, parks and shops. These facilities and services support the social well-being of both the residents of the town and also the surrounding rural hinterland. Contributing to the success of the towns by making them more attractive places to live, work and play, and improving the way they function are therefore key issues. The ongoing prosperity of the towns is necessary for them to provide the range of community facilities and services necessary for all residents in the district.

The growth projections for the district are for static or modest population growth. The focus of the plan is therefore to provide flexible provisions to encourage new forms of development within the towns, and with a focus on achieving better urban design outcomes and revitalisation. Growth will not be the primary driver of urban change and therefore the plan has sought to identify other catalysts for promoting positive change. The plan aims to facilitate the re-development of existing properties within a flexible framework that achieves good urban design outcomes and enhances the appearance and functioning of the towns.

The town centres within each town are important to the identity and functioning of the towns. Improving the attractiveness and character of the town centres is a key element, and all of the town centres have the capacity to accommodate additional development. The district plan can contribute to this by using zoning to direct commercial growth primarily to the town centres to ensure they thrive, and direct industry and employment to the industrial parts of the town.

Each of the towns also has distinctive features that need to be recognised and provided for through plan provisions. Protecting heritage buildings and places is important to maintaining the distinctive character of the towns. It is recognised that some of the towns in the district also contain strategic land uses of a more industrial nature (such as industrial parks and primary production processing facilities), that requires particular consideration. Zone provisions have been formulated that are specific to each of the towns to recognise and provide for their particular characteristics.

Tokoroa, Putaruru and Tīrau all have the capacity to support increases in population and employment growth within the existing boundaries of the towns. The towns each have infrastructure networks that contribute to the functioning of the towns in a sustainable manner. These networks are roading, walkways, water supply, stormwater and wastewater, and are adequate, although they are aging and will require ongoing investment. To maximise this investment, the plan seeks to support the consolidation and success of each of the towns within

their existing town boundaries, through a flexible regime of provisions that aims to enable growth and good urban design outcomes.

Arapuni is a village set within an attractive rural part of the district and has a distinctive character and identity. Plan provisions have been formulated to recognise and maintain this character and identity, and to contribute to the overall wellbeing of the Arapuni community.

Issue 4 - Safeguarding the productive potential of rural areas

The rural areas of the district are the location of forestry, farming, energy generation, infrastructure networks and network utilities, which are all significant parts of the district's economy and contribute strongly to the economic and social well-being of the community. A significant resource management issue for the district is to ensure rural land uses, activities and supporting infrastructure are sustainably managed, and reverse sensitivity effects from incompatible land uses establishing in close proximity are avoided.

The issues associated with the rural parts of the district are to balance competing demands. The plan seeks to enable rural-based activities to thrive within specific environmental parameters while managing potential effects. It restricts certain forms of development in close proximity to existing lawfully established enterprises such as intensive farms, and major industrial and processing sites to avoid reverse sensitivity issues (i.e. the avoidance of more sensitive land uses such as dwellings being allowed to establish next to existing land uses that generate environmental effects), and avoids inappropriate development in locations with identified landscape or natural values.

Within the 'life' of this district plan, existing rural-based activities will change, and new industries are likely to become more prominent contributors to the district's economy. This presents opportunities for the district, but also some environmental challenges. An increased national demand for electricity from renewable sources, and other forms of energy such as biofuels is anticipated. This may involve changes in land use in the district, and a demand for different forms of 'downstream' processing facilities. Likewise, recent conversion of forestry land to dairy farming has led to an increase in dairy production and the need for further processing facilities. More intensive forms of farming such as poultry or piggeries may become more prominent in the district, and different forms of horticulture and food production in the district may develop. Eco-tourism is likely to become more common in the district due to the increasing profile of the Waikato River Trails and the other natural assets of the district.

It is recognised that the rural parts of the district contain land uses of a more industrial nature such as quarries and processing facilities, and that marae and papakāinga are also well-established activities.

The plan has sought to provide a flexible regime to manage these competing pressures on the district's rural areas, and the environmental issues that arise from them. The plan relies on zoning as the key method to manage the location and intensity of land uses. The zoning provisions have sought to provide flexibility by relying primarily on performance standards to manage effects, rather than a focus on the 'activities' or land use involved.

The issue of hazard risk associated with building sites and development adjacent to the Waikato River and hydroelectric power operating easements is also managed by this Plan.

Rural-residential and urban development are directed to specific locations through zoning. The urban zones are designed to maintain the townships within the existing boundaries, and future rural-residential development is directed to specific parts of the district considered suitable for such development. This aims to ensure that farming and forestry activities and associated 'downstream' processing facilities are provided for within the rural areas of the district, and that potential reverse sensitivity issues are avoided.

Issue 5 - Managing landscape, natural values and indigenous biodiversity

Within the South Waikato district there are outstanding landscapes and landscape features, and significant natural areas, and riparian margins with important natural character. In these areas the landscape attributes and natural values must be considered along with impacts on indigenous biodiversity more generally, in determining the suitability of land uses and development proposals. A significant resource management issue for the district is **to protect the values of these outstanding landscapes, landscape features, significant natural areas, riparian margins and indigenous biodiversity**. This must be done together with the maintenance and

enhancement of amenity values and the quality of the environment, whilst enabling land uses and development to occur in a manner and at a scale that can be undertaken without detrimentally impacting on those values.

The Waikato RPS provides direction as to the identification and protection of these landscapes and significant natural areas. Using the criteria of the RPS, Council has identified the location and extent of the landscapes, and the particular attributes and values that need to be managed. A programme of work to confirm and map the extent of significant natural areas has been completed. District plan provisions have sought to achieve a balance between recognition and protection of landscape and natural values and enabling continuation of existing land uses and development within these environments where that can be undertaken without detrimentally impacting on those values.

Protection of the outstanding landscapes and landscape features in the district is a matter of national importance within the RMA. The RPS has identified the landscapes considered to be of regional significance. Other landscapes and landscape features that are considered to be outstanding in a district context have been recognised through plan provisions.

Identification and protection of significant natural areas (significant indigenous vegetation and significant habitats of indigenous fauna); the preservation of the natural character of wetlands, lakes and rivers and their margins; and the maintenance and enhancement of public access to lakes and rivers; are all matters of national importance in the RMA. The plan has sought to address all of these matters.

There has been a gradual decline in the number and extent of significant natural areas in recent years, and of indigenous biodiversity as a whole. This decline is now generally the result of a lack of active management of sites, in most cases, rather than actual clearance of indigenous vegetation (now limited and generally small scale, as compared with the large scale loss of indigenous vegetation and habitats that occurred during the main phases of land development), drainage of wetlands, or significant modification of landforms. Pest and weed encroachment and related adverse effects, stock browsing, and modification of waterways and riparian margins have all played a part in the decline of biodiversity in the district. The district plan forms part of the response to this ongoing loss of biodiversity in the district.

There are a number of significant water bodies in the district, consisting of the Waikato and Te Waihou Rivers, the Pokaiwhenua Stream, and the many lakes, wetlands, streams and springs. Many of these water bodies have significant cultural values in addition to their landscape and natural values. Raukawa are a statutory partner in managing the Waikato River given the co-management arrangements now in place. Much of the length of the Waikato River through the district is highly modified, with the hydro dams creating a series of lakes where water levels fluctuate within the range of Mighty River Power's consented hydro operating regime.

Water quality within these water bodies is strongly related to adjoining (and upstream) land uses, farming and forestry management practices, and the extent of riparian planting. There has been substantial land use change in the district in recent years. The conversion of exotic plantation forest into dairy farms can have environmental impacts including reduced freshwater quality, increased peak flood flow, lost carbon sinks and reduced biodiversity. In particular the potential impact on biodiversity in the Waikato River, its tributaries and other waterways in the district will need to be addressed. This plan uses esplanade strips to facilitate riparian planting for water quality purposes along priority streams. Such planting will help to give effect to the Vision and Strategy for the Waikato River.

Issue 6 – Managing and Providing for Infrastructure, Communications and Major Industrial Sites

The district's economy relies heavily on the ability to connect with the remainder of the Waikato region and beyond. Infrastructure, transportation and communications networks therefore perform a key role in the prosperity of the district. There are also several major industrial sites in the district that contribute significantly to the district's economy but can generate adverse environmental effects that must be managed within defined parameters.

A significant resource management issue for the district is **the need to enable the district's new and existing network utilities and infrastructure and major industrial sites (including adequate connections to services) to operate efficiently and effectively to provide for the community's social and economic needs, whilst managing potential adverse environmental effects from those activities, and avoiding ad hoc development of sensitive or incompatible land uses close to existing networks and sites.**

The major industrial sites in the district are significant employment nodes, represent substantial financial investment at a fixed location, and are considered strategic assets given their role in the regional and national economy. These comprise the industrial facilities at Kinleith, the dairy processing activities at Tīrau and Lichfield, hydro-electric generation on the Waikato River, and the industrial estates in Putaruru and Tokoroa. Provisions have been formulated in the plan to manage the particular environmental issues associated with these sites, by requiring the operators to manage effects within identified parameters to protect the environment. Furthermore, to manage reverse sensitivity effects by preventing inappropriate development close to these sites.

The district is a major electricity producer with the Waikato Hydro Scheme consisting of a series of hydroelectric power stations along the length of the Waikato River. The Waikato Hydro Scheme is nationally significant in terms of the country's energy needs. The electricity generated in the district utilises the Electricity Transmission Network operated by Transpower New Zealand to relay that electricity to major population centres elsewhere in the country. A National Policy Statement on Electricity Transmission (NPSET) came into effect in 2008. The NPSET confirms that the Electricity Transmission Network is a nationally significant physical resource that must be sustainably managed, and any adverse effects on that infrastructure must be avoided, remedied or mitigated.

Increasingly, the district is likely to also provide other renewable energy sources such as geothermal, wind, solar and biomass. The plan seeks to encourage the sustainable development of renewable energy generation in the district.

A National Policy Statement for Renewable Energy Generation came into effect in May 2011. This Statement sets out the need to develop and maintain renewable electricity generation activities and to recognise the benefits of renewable electricity generation as matters of national significance. The provisions of the district plan have therefore been designed to give effect to the NPS.

The district also has several other nationally significant transportation and gas transmission corridors. Nationally significant rail and road connections link the district to airports, ports and freight hubs in Hamilton, Tauranga and Auckland, and also connect the district's economy to those markets. Roading within the district also forms an important part of the district's economic performance with a network of state highways, local roads, and private forestry roads.

The plan recognises and protects the national and regional infrastructural, transportation and communications facilities and corridors through the district, and seeks to manage the various renewable energy resources the district possesses. This includes aiming to minimise "reverse sensitivity" effects of incompatible development occurring too close to these facilities and corridors.

Increasingly telecommunications and radio communications and broadband are performing a critical function in generating economic activity and connecting businesses and people globally. The plan seeks to facilitate ongoing infrastructural and telecommunications development within the district as a means to 'unlock' the economic potential of the district.

Facilitating infrastructure development will require balancing environmental and amenity effects with the functional requirements of the infrastructure, to deliver an efficient regulatory framework within the plan.

3 Objectives and Policies for Managing the District's Tangata Whenua Values

3.1 Introduction

Unlike the situation in many other places, the whole of the South Waikato District falls within the Raukawa rohe. Raukawa and the Te Arawa River Iwi are Tangata Whenua in the district, and the district plan uses these terms interchangeably. Due to the District's central location, there are some boundary areas with shared interests with other iwi and hapū. It is recognised that activities within the district may affect these other iwi and hapū. Council recognises that Raukawa have Memoranda of Understanding or other agreements with these iwi and hapū and supports Raukawa in their implementation of these agreements.

As outlined below, Council's responsibilities under the Resource Management Act 1991 (RMA) are in respect of Māori in the District, and so extend to include a significant number of people who belong to iwi other than Raukawa or the Te Arawa River Iwi (Nga Hau e Whā) who reside within the District. Tangata Whenua believe they have responsibilities (through the principle of Manaakitanga) towards Nga Hau e Whā, as they do toward all residents of the South Waikato.

3.2 Tangata Whenua Background

3.2.1 Raukawa

Raukawa are named after their ancestor Raukawa who is connected to the Tainui waka through his father Tūrongo, who was in turn descended from Hoturoa, the captain of the Tainui waka. His parents were Tūrongo and Māhinaarangi of Ngāti Kahungunu. He was born near Māhina-a-rangi Stream on the western side of the Kaimai range near Tīrau, as Māhinaarangi journeyed towards the Waikato to join her husband.

In due course he married Tūrongoihi, who was descended from Tia of Te Arawa waka, and they had four children, Rereahu, Whakatere, Kurawari and Takihiku. From these four are descended the iwi known as Raukawa. The Raukawa rohe is represented by four pou whenua: Te Pae o Raukawa, Wharepuhunga, Maungatautari and Te Kaokaoroa o Patetere.

According to the evidence of kaumatua Haki Thompson the rohe of Raukawa is as follows:

> *"It [begins] at Te Wairere, from Te Wairere to Tarukenga along Mount Ngongotaha, Tarukenga to Horohoro, from Horohoro to Nukuhau, Nukuhau to Karangahape, from here to Titiraupenga, Titiraupenga to Wharepuhunga, Wharepuhanga to Maungatautari and from Maungatautari back to Te Wairere".*

Raukawa is an iwi of the Tainui waka and have always had and still maintain close links with the Kīngitanga movement. Being such a large group, it is natural that various hapū on the periphery will overlap with other groups, including Te Arawa, Ngāti Tūwharetoa and Ngāti Maniapoto, and there are also connections with the people of Tauranga.

The rohe of Raukawa is given shape by both the Waikato and Te Waihou Rivers. The upper Waikato River flows through the centre of the Raukawa rohe and the river was used for many purposes, including navigation along at least some reaches.

Raukawa continue to exercise mana, along with customary rights and aboriginal title, and exert the rights and responsibilities of kaitiakitanga within their rohe. In accordance with the principles of ahi-kā-roa, Tangata Whenua still reside next to and live everyday with the resources provided within the Southern Waikato region, particularly the important awa (or rivers). The Waikato and Te Waihou Rivers in particular provide a source of spiritual, cultural, social, and physical sustenance for Raukawa, and in turn the Raukawa role as kaitiaki

embraces respect and an inter-generational responsibility for the rivers. For this reason, Raukawa have been involved with establishing and implementing the Co-Management Framework for the Waikato River.

The Raukawa Waikato River Co-management Framework is not part of a Treaty of Waitangi settlement. The tribe's outstanding Treaty Claims, including historical Waikato River claims, take account of both the wider rohe and wider issues faced by the Raukawa Iwi.

The Raukawa Settlement Trust (the Trust) is the post settlement governance entity established in 2009. The Trust has its origins in the Raukawa Trust Board, which was established in 1987, and which represented Nga Uri O Raukawa (the descendants of Raukawa) from 1987 through until 2009. The Trust's headquarters are based in Tokoroa, and as the recognised Iwi Governing Body, the Trust is required to act in the best interests of the whanau and hapū of Raukawa.

The iwi has a long and enduring history of social, economic and environmental activity within the Waikato Region. The nature of political relationships, the management of economic resources and the workings of customary law have always been closely integrated. Richard Boast, (in "Facing Maungatautari; A report for the Crown Forest Rental Trust" 2010), put it as follows:

> *"As was typical in Polynesian societies, the landscape itself was densely culturally loaded; place names recalled events and people and indeed an entire history which was everywhere around, and which was central to identity and politics. Within this elaborate cultural landscape groups were actually very mobile, and moved from site to site, often on a seasonal basis, to take advantage of different resources around their rohe to organise exchanges. Iwi did not live in isolation; on the contrary, interaction was constant. Different parts of the Central North Island "became well-known for supplying prized resources". Reflecting the cultural density of the landscape, individual resource gathering sites down to particular fresh-water mussel beds, bird-catching sites (including specific trees), timber-gathering places were all named and known. Bird-catching places were also differentiated by technique. What may have struck early European visitors as an empty landscape, of undifferentiated streams and forests and lakes, was not perceived by Raukawa in that way at all".*

In a contemporary sense, and inclusive of the role Raukawa have as mana whenua, Raukawa are also farmers, foresters, geothermal developers, investors, and providers of a wide range of services to the community. As kaitiaki within their rohe, Raukawa hold a unique and special responsibility under tikanga to preserve, protect and sustainably manage natural, physical and historical resources. The tribal aspiration is a future where cultural, social, environmental and economic objectives are balanced, not only for tribal members but those people living within the tribal rohe. The Waikato and Te Waihou Rivers are particular taonga of Raukawa and are central to their identity.

3.2.2 Te Arawa River Iwi - Ngāti Kearoa Ngāti Tuara

The traditional rohe of Ngāti Kearoa Ngāti Tuara falls partly within the Waikato River catchment. Within that catchment, the relevant land blocks that Ngāti Kearoa Ngāti Tuara hold traditional interests include Patetere South, Tikorangi, Horohoro and part of the Tokoroa Block eastward of a line from the western tip of the Patetere South Block to the point Te Uraura on the boundary of the Tokoroa and Maungaiti-Whakamaru Blocks. This was the boundary agreed upon by their leaders and the leaders of Ngāti Raukawa back in 1880. To the east of that line lay the rohe of Ngāti Kearoa Ngāti Tuara, a hapū of Te Arawa.

"According to our traditions the first of our ancestors to arrive at Horohoro was Te Aokawhai, six generations after Kearoa and Ngatoroirangi. Two generations later, when their leader was Haukapuanui, Ngāti Kea was joined by Tangiharuru and his people, Ngāti Manawa. When he and most of his people left, some remained and intermarried with the other two. When Ngāti Tuara first joined Ngāti Kea is something we do not know for certain. Many years later Ngāti Manawa as a hapū was recorded in the Land Court records alongside the other two hapū as having ownership rights with them.

In the time of Haukapuanui and Tangiharuru our hapū occupied the Horohoro Mountain and some land at its foot. Our traditions relate the story of how Haukapuanui and Tangiharuru visited their neighbouring hapū to the west, Ngāti Haumia, and envied the natural resources they had. The two men devised a plan to enable their people to share in those resources. A marriage was arranged between Uruhakirangi of Ngāti Kearoa and Huimanuka of Ngāti Haumia and then an excuse was hatched up to start a quarrel between the two groups. Our hapū and their combined forces attacked and defeated Ngāti Haumia, drove them away and took over their lands which much later became the Patetere South Block, the Tikorangi Block and part of the Tokoroa Block. They occupied all that area for many generations, building their pā and kāinga at several places, cultivating the land for their mahinga kai and burying their dead there. This continued up until the activities of the Land Purchase Agents and the Native Land Court, starting around 1875 and then gradually being forced to sell the land bit by bit, very reluctantly and under pressure.

While Ngāti Kearoa Ngāti Tuara and Ngāti Manawa have always regarded the Horohoro Mountain as their citadel and place of refuge, the land to the west of Horohoro was also highly prized as a source of food and other resources. The people gradually spread right across the area which later became the Patetere South block and part of the Tokoroa Block. The kāinga at Omaruapu near the western boundary of Patetere South became the principal settlement of Ngāti Kea. We have located it on early surveyor sketch maps. It was south of the point known as Moana and not far to the west of it was the Ngāti Raukawa kāinga of Te Whetū in what became the Te Whetu Block. Today, the only part of that entire block we still own is one acre, Patetere South 1B1, at Waimaruru, set aside as an urupā for our people in 1895.

The hapū rohe contained areas of land between Rotorua, Tokoroa and Atiamuri. To the north of Horohoro the principal hapū was Ngāti Whakaue and its own hapū. In among the various areas where Ngāti Whakaue held sway were other areas used by our hapū which were later recognised by the Land Court as theirs.

To the east of the Pokaitu Stream lay the lands of Tūhourangi, Ngāti Wāhiao and Ngāti Tama. To the south of Horohoro was the Tikorangi Block of 2550 acres which had been awarded to Ngāti Kearoa Ngāti Tuara by the Land Court in Cambridge in 1880. An award (it should be noted) which had not been disputed by Ngāti Raukawa or any other Hapū, and south of that again was the huge Whakamaru-Maungaiti Block.

Over the years since the Land Court began its land taking work our hapū has steadily lost a lot of its traditional land and our tupuna gradually dispersed to wherever they could find work. In 1919 Horohoro was virtually deserted and so our whare tupuna, Kearoa, built in the 1880s was dis-assembled and taken to our land at Tarewa in Rotorua where it was re-erected.

1930 saw the start of the very first Land Development Scheme when our leaders agreed to undertake the development of what was idle land at Horohoro which soon became a hive of activity. 19 farms were created for willing would-be farmers. The Native Affairs Department (as it was called then) brought in some farmers mainly from Ngāti Kahungunu and they were placed on land already owned by the government. They created their own marae, Rongomaipāpā, on an area offered to them by our people.

Our tupuna whare, Kearoa was taken apart once more and returned to Horohoro and erected near the new school which had become a necessity because of the sudden growth of the local population.

Some of the local farmers have won the Bledisloe Cup (the forerunner of the Ahuwhenua Trophy) for their high-quality farming. Farmland still owned by the hapū is farmed by a very active farm trust, the Te Paiaka Lands Trust.

Now, only a relatively small proportion live at the base of Horohoro Maunga farming the land there, and others are at or near Rotorua. However, Horohoro is still our base and our marae, also named Kearoa, is still the centre of our hapū activities. Meetings are held there regularly and are well attended.

In 1995 we entered a claim with the Waitangi Tribunal for the land in the Patetere South block, land which had been occupied by our tupuna for many generations. The block was awarded to our tupuna in 1883 at the Rotorua-Patetere-Paeroa Block Hearing at Ōhinemutu, and, as mentioned above, the only part we still own is the urupā at Waimaru. Since we joined Ngā Kaihatu o Te Arawa and entered Direct Negotiations with the Crown, our claim to that block has been set aside by the Tribunal. Now we are affiliated to Te Pūmautanga o Te Arawa and we are awaiting the outcome of the Mana Whenua process. We look forward confidently to that outcome.

Today the people of our hapū are ready and keen to play their part in the restoration of the Waikato River to a state of good health as members of the Te Arawa River Iwi Trust.

3.3 Objectives for Tangata Whenua Values

3.3.1 The Health and Wellbeing of the Waikato River

To restore and protect the health and wellbeing of the Waikato River and to ensure that the objectives of the Vision and Strategy for the Waikato River are achieved.

3.3.2 Waikato River Vision and Strategy – Co-management

To achieve co-management with Tangata Whenua of the Waikato River and its catchment, to give effect to the Vision and Strategy for the Waikato River.

3.3.3 Papatūānuku/ Integrated and holistic resource management/Cumulative effects

To manage the use, development and protection of natural and physical resources in a way that recognises the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga and by enabling appropriate use of, and access to, them.

3.3.4 Cultural heritage

To recognise and provide for the cultural, spiritual, economic and social values of Tangata Whenua when managing the District's natural and physical resources.

3.3.5 Marae and Papakāinga

To ensure that Māori land is developed in a way that recognises the significance of the location to Māori and is consistent with traditional, cultural relationships and ownership arrangements, while appropriate health, safety and environmental standards are maintained.

3.3.6 Kaitiakitanga

To acknowledge and provide for the kaitiaki role of tangata whenua when assessing proposals for subdivision, use and development.

3.3.7 Treaty of Waitangi

To ensure that the principles of the Treaty of Waitangi are taken into account in all aspects of resource management within the South Waikato District.

3.3.8 Public Access

To improve public access to the Waikato River, Te Waihou and other waterways within the District to better enable recreational and cultural opportunities.

3.4 Policies

3.4.1 Recognise and provide in decision-making for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu (sacred sites), and other taonga (treasures), including by improving public access to rivers and other waterways.

3.4.2 To achieve the objectives of the Waikato River Vision and Strategy within the catchment area identified on the planning maps by plan provisions relating to:

a) building setbacks adjacent to waterways

b) managing the effects of large-scale land use change

c) earthworks and silt control

d) activities on the surface of water

e) esplanade reserves/strips

f) landscape protection

g) preservation of natural character

h) bonus lot provisions for Significant Natural Areas and in some cases riparian areas.

i) managing the demand for the supply and discharge of water to keep within consented limits.

3.4.3 Give effect to the Vision and Strategy for the Waikato River when considering resource consent applications and in reviewing, changing and administering the district plan.

3.4.4 Provide for marae and papakāinga development on Māori land subject to compliance with health, safety and environmental standards and ensure such development occurs in a way which allows for potential future requirements, including infrastructure provision and by enabling Māori to provide for their economic self-sufficiency.

3.4.5 Give effect to co-management through establishing processes for engagement and early involvement in key processes, including RMA policy and plan making and resource consent processes, to ensure matters of significance to Māori are fully considered.

3.4.6 Have regard to relevant planning documents such as the Raukawa Environmental Management Plan when considering resource consent applications and in reviewing, changing and administering the district plan.

3.4.7 Identify sites of cultural, traditional, and spiritual significance to Māori, including cultural landscapes and ensure appropriate protection is provided to them through agreed plan making and resource consenting processes.

3.4.8 Improve public access to and along the Waikato River, Te Waihou and other waterways by requiring esplanade reserves or esplanade strips at sites identified on the planning maps at the time of subdivision and by keeping options open for future public use of the river edge through enforcing building setbacks.

3.5 Methods to Achieve Objectives and Policies

The objectives and policies in 3.3 and 3.4 above will be implemented through the following methods:

3.5.1 District Plan Methods

- Providing for papakāinga housing, marae and supporting infrastructure development in both rural and urban parts of the District, subject to performance standards. The definition of "papakāinga" recognises that it includes some related health, education and economic activities necessary to promote marae-related communities.
- Performance standards to ensure that the environmental impact of marae-based economic initiatives is fully considered
- Providing for appropriate public access to and along the Waikato River, Te Waihou and other waterways

- Rural zone rules (including Rules 28.4.8 and 28.4.2) to help minimise the impact of land use change upon the health and wellbeing of the Waikato River
- Provisions requiring the creation of esplanade strips and reserves adjacent to lakes and rivers identified as being 'high priority areas for water quality, conservation and public access in Chapter 10 Subdivision
- Recognition and protection of a progressively updated list of Cultural Heritage Sites contained in Appendix D
- Methods for the protection and enhancement of wetlands and other high value biodiversity areas for their intrinsic values, ecological values (e.g. kidneys of the landscape) as well as the cultural and economic value they can provide (e.g. rongoa Māori (traditional medicine) and potential eco-tourism opportunities).

3.5.2 Other Methods

- Development of an agreed process (information protocol) for sharing and updating information between Council and Raukawa on registered archaeological sites information, wāhi tapu and wāhi taonga. Sites are not currently shown on the planning maps, and instead are kept in a register outside the plan which includes "silent file" procedures for sensitive information.
- An information protocol that clearly identifies how and what information layers can be shared with the public to give effect to the district plan, and who will pay for the costs associated with the information collation, quality assurance, provision and upkeep
- Recognise and provide for the Raukawa intention to move toward sustainable marae development. This involves provision for adequate growth of housing, infrastructure, health services and the growth of marae as an economic base, e.g. tourism, education, urupā protection and growth, access to health and other services.
- Development of a Cultural Landscape Plan, including the consideration of a cultural landscape protection plan for the hills north of Tīrau and along the Waikato River
- The development of a Te Waihou /Blue Spring Co-Management Plan involving Raukawa and the Waikato Regional Council
- A monitoring programme for biodiversity and ecological health and wellbeing of the Waikato River and the district as a whole, including mātauranga Māori (Māori knowledge) as a key aspect
- Collaboration with the Regional Council and Tangata Whenua in developing programmes for improving the health and wellbeing of the Waikato River, supporting and in accordance with:
    - The Vision and Strategy for the Waikato River
    - The Waikato River Clean Up Trust
    - Raukawa Objectives for the Waikato River
    - The Upper River Integrated Management Plan
    - The Raukawa Environmental Management Plan
    - Joint Management Agreements between Iwi and Council
    - Joint Management Agreements between Iwi and the Regional Council
    - Accords with Central Government (e.g. Ministries of Fisheries, Conservation etc.)
    - Fisheries Regulations, and
    - Customary Activities exemptions
        - Actively promote and foster public knowledge and understanding of the health and wellbeing of the Waikato and Te Waihou Rivers among all sectors of the District.

3.6 Reasons

Local government in New Zealand operates under a range of pieces of legislation, but most notably the RMA, and the Local Government Act 2002. Both statutes require local government to work with Tangata Whenua. Local government is monitored and audited on a range of functions enabled through these pieces of legislation.

Increasingly local government is recognising that positive outcomes for the community are achieved through proactive and positive relationships, better understanding and collaborative effort. This is often referred to as 'best practice'. The South Waikato District Council supports this approach, not only with Tangata Whenua but with the wider community. Council and Tangata Whenua and other agencies will explore a range of options whereby we can work together through the district plan, using best practice methods. Council wants to be proactive and enabling of papakāinga and marae development, including helping Raukawa to resolve current infrastructure constraints in rural areas. This approach is likely to more effectively provide for the future social, cultural and economic needs of the Tangata Whenua than a district plan that only focuses on wharenui (meeting houses) and kaumatua flats.

In many cases it is inappropriate for the precise location of wāhi tapu and other cultural sites to be publicly identified, due to the risk of interference with them. This sensitivity is why Council will hold only the information that Tangata Whenua release, and then will only be able to use that information in a manner approved by Tangata Whenua.

The change in management regime for the Waikato River is a legislative fact, and Council has a number of new duties as a result. Greater Tangata Whenua involvement in a partnership role with Council is however important for wider reasons. Co-operation in terms of consent processes, and information sharing about sensitive sites, for example, has the potential to deliver better environmental results for all involved, and for the District as a whole.

4 Objectives and Policies for the District's Towns

4.1 Introduction

Arapuni, Putaruru, Tīrau and Tokoroa need to be functional and attractive places for people to live, and offer a range of employment and recreational opportunities, as well as services for surrounding rural areas and visitors. It is important that residential areas have a high standard of visual amenity, quietness, a safe environment, and a high quality and efficient supply of services. Therefore, emphasis is placed on the overall environmental quality of the four towns' residential areas, focusing on encouraging high standards of urban design, landscaping, visual amenity, and adequate noise control.

Tokoroa, Arapuni and parts of Putaruru are located within the catchment of the Waikato River and as such are subject to the policy directions contained within the Vision and Strategy for the Waikato River.

The plan manages land use in the towns through town centre, business, residential and industrial zones. Performance Standards have been developed which address potential adverse environmental effects. These standards aim to promote a quality urban environment that affords choice as to the styles of living and employment and maintains good networks/links for residents to reserves and the town centres.

Pākehā settlement of the district began with the Thames Valley Land Company unsuccessfully promoting settlement at Lichfield during the 1880s. Lichfield was the railhead from Hamilton from 1886 to 1897, when the branch line was removed and Putaruru became the main rail connection to Rotorua. Lichfield was also an important coach link to Rotorua and Taupō around the same period and was an early dairy farming area.

Putaruru and Tīrau were settled in the 1890s to service the then very large native logging industry and farming. Putaruru was originally going to be just a stop on the way to the planned 'city' of Lichfield, but it became an important coach and later railway stop on the way to Rotorua from 1894 and outstripped the growth of Lichfield. Putaruru and Tīrau are now service towns for the surrounding rural areas. Arapuni was developed as workers' housing for the adjacent hydro dam, but now is a rural retreat aiming for a "slow town" character.

It was only when pine plantations were planted around Tokoroa from the 1920s onwards, and soil deficiencies affecting pastoral farming were identified in the 1930s, that Tokoroa began to grow as a centre. Pine plantations became the basis for a large wood products and paper industry from 1953 onwards. The rapid expansion of the forestry industry led to the development of the mill at Kinleith and the steady growth of Tokoroa.

This pattern of European settlement and development has resulted in historic heritage along with the relationships of Tangata Whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga. All of this heritage provides a valuable and tangible link to the people, places and events that have shaped the development of the towns and settlements.

Inappropriately managed activities adjacent to or on sites associated with recorded and unrecorded historic heritage can weaken and even destroy these connections to the past. Careful management and informed community decision making are required. In this regard, recognising and providing for the protection of historic heritage is a matter of national importance for the Council to consider under section 6(f) RMA.

Heritage New Zealand has a responsibility to maintain a register of the country's significant historic places and areas, under the Heritage New Zealand Pouhere Taonga Act 2014. Registration does not in itself confer any legal protection, which is instead left to district plans. It is therefore important that Heritage New Zealand is involved at an early stage with proposals to further develop any historic places and areas, as defined by the Heritage New Zealand Pouhere Taonga Act 2014 and included within Appendix B Built Heritage Inventory. Heritage New Zealand will be an affected party for works associated with any item in Appendix B, and/or items registered by Heritage New Zealand. The relevant criteria in Appendix F (Criteria for Determining Significance of Heritage Features) will be used in assessing proposals for additional buildings to be listed in Appendix B.

Further, any work that may modify, damage or destroy an archaeological site associated with pre-1900 human activity also requires a separate authority from Heritage New Zealand.

The community is ethnically and culturally diverse with significant numbers of Māori (including from tribal groups other than Raukawa), and Pacific Island residents, particularly from the Cook Islands, Fiji, Niue, Samoa and

Tonga. Both the Māori and Pacific Island populations are approximately twice the national average as a proportion of the community.

There are also over 30 different ethnicities from all over the world represented in the district. Many newcomers to the district came here during the development of the forest products industry from the 1950s (including Finnish immigrants and their families who were recruited to work at the Kinleith mill, and the Dutch, many of whom remain involved in rural industries).

The Putaruru Growth Plan 2017 adopted by Council reflects that the town has recently been experiencing population growth and there is a need to rezone greenfield areas to provide for residential and business activities.

4.2 Objectives for the District's Towns

4.2.1 To have attractive, functional, safe and thriving townships built on the unique qualities of their people, industries, history and natural strengths.

4.2.2 To identify and retain historic heritage so as to contribute to the heritage, character and amenity of the towns and settlements.

4.2.3 To establish a range of housing styles, cultural facilities and recreational activities that cater for changing lifestyles, an aging population and the diverse ethnicity of the towns' populations.

4.2.4 To enable the town centres in Putaruru, Tokoroa and Tīrau to provide distinctive, attractive, safe and easily accessible environments with a concentration of commercial businesses and cultural activities providing a wide range of services and facilities for residents and passing travellers, and with minimum adverse effects on the safe and sustainable functioning of State Highway 1.

4.2.5 To allow adequate opportunities for businesses and industries to provide a range of employment opportunities for the District's residents, in a manner consistent with the towns' existing amenity values without any unnecessary barriers to economic advancement.

4.2.6 To recognise the importance of the industrial estates within Tokoroa, Putaruru and Tīrau, and of the dairy processing facility at Tīrau to the townships' people and the District's economy.

4.2.7 To provide for outward expansion of existing townships where the new areas can be efficiently serviced with network utilities and infrastructure including provision for cycling and pedestrians, and where funding provision has been made consistent with the level of projected demand for new building sites for houses and businesses.

4.2.8 To identify and address possible effects from urban activities on the health and wellbeing of the Waikato River and its catchments during decision making.

4.2.9 To minimise the potential for adverse effects in connection with the use, development and subdivision of contaminated and potentially contaminated land, so as to avoid or mitigate the risk of adverse effects on human health and the environment.

4.2.10 To ensure that new urban development is efficiently serviced and integrated to mitigate adverse effects on existing network utilities and infrastructure, and the health, safety and wellbeing of people and communities.

4.2.11 To ensure that staged subdivision or development in the Putaruru Growth Cells does not compromise the future urban use of those areas.

4.3 Policies

4.3.1 Enable home occupations and a range of non-residential activities in residential areas where the effects of these businesses are consistent with maintaining the character and amenity of the residential neighbourhoods and do not adversely affect the vitality of the town centres.

4.3.2 Enable the provision and expansion of the network utilities and infrastructure and industrial facilities, that are necessary to underpin the operation and prosperity of the District's urban areas while managing new subdivision and land uses that may potentially conflict with, restrict or compromise the existing operation of the District's key industrial sites.

4.3.3 Consolidate new residential development in the existing vacant, zoned and serviced land, and in the Putaruru Growth Cells identified by this Plan, in order to achieve the efficient use of existing network utilities and infrastructure.

4.3.4 Improve air quality in the Tokoroa and Putaruru airsheds for health and environmental reasons by helping to minimise PM10 emissions.

4.3.5 Establish and manage a network of well-maintained public reserves that serve neighbourhood, town and district-wide needs for active and passive recreation and biodiversity corridors, including linked parks and walkways along the urban streams.

4.3.6 Preserve and enhance the historic values of our towns through ensuring subdivision, use and development of sites containing heritage items, including the unique stone houses in Putaruru and Tokoroa, is compatible with those values.

4.3.7 Encourage buildings that contribute to the historic heritage of the towns to be restored, conserved and adaptively re-used where possible, with any alterations and additions being of a scale, detailing, style and character consistent with their heritage values.

4.3.8 Ensure that development minimises risks to people, properties and the environment from hazardous substances and natural hazards.

4.3.9 Encourage the sustainable development of marae and other facilities required for the cultural needs of Tangata Whenua.

4.3.10 Retain the distinctive low-density nature and village character of the built form of Arapuni and Tīrau.

4.3.11 Promote affordable, safe, integrated, sustainable and responsive transport networks within and through the towns, with safe pedestrian and cycleway connections linking residential neighbourhoods with public reserves, schools and the town centres.

4.3.12 Promote energy efficiency and the production of renewable energy through micro-generation at a household and community scale.

4.3.13 Promote a high standard of urban design for new development, including reflecting the town's past and the locality's Raukawa heritage, and consideration of community safety and Crime Prevention Through Environmental Design (CPTED) principles.

4.3.14 Safeguard the operational performance, maintenance and minor upgrade of electricity transmission, sub-transmission and distribution lines in urban areas by managing the adverse effects of neighbouring activities.

4.3.15 To achieve the Vision and Strategy for the Waikato River by managing subdivision and land use within the district's towns located within the River catchment in a way that restores and protects the health and wellbeing of the Waikato River, including by:

a) controlling hazardous substances use and storage

b) including standards for earthworks, silt and stormwater control

c) managing activities in towns

d) requiring esplanades reserves or strips.

4.3.16 Enable emergency service facilities to establish and operate throughout the district by implementing appropriate development controls.

4.3.17 Where the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 are relevant, manage the activity to ensure that any contamination is appropriate to any proposed future use of the piece of land and avoids, remedies or mitigates potential adverse effect on human health.

4.3.18 Land within the Putaruru Growth Cells will not be developed for urban use until the provision of network utilities and infrastructure to service the land is secured through private developer agreements or other appropriate legal mechanisms.

4.3.19 Each Putaruru Growth Cell shall be developed and serviced to provide sufficient capacity in network utilities and infrastructure for the scale and density of residential and or business development anticipated for the entire Growth Cell.

4.3.20 Ensure that new subdivisions within Putaruru Growth Cells do not compromise their efficient servicing, or their integration with the existing urban area as new neighbourhoods.

4.3.21 Ensure that new activities within Putaruru Growth Cell 4 do not cause adverse traffic safety, efficiency or capacity effects on the operation of the SH1/Princes St intersection.

4.4 Methods to Achieve Objectives and Policies

The objectives and policies in Sections 4.1 and 4.2 above will be implemented through the following methods:

4.4.1 District Plan Methods

- Town Centre zone provisions that provide for thriving, attractive and functional town centres
- Zone rules that provide for employment opportunities in selected locations, as well as home occupations and other limited commercial activities within Residential zones
- Residential zone provisions that provide for parks, reserves and community facilities
- Esplanade reserves and strips created at subdivision stage under Rule 10.10
- Specific rules for Putaruru Growth Cells, including Development Concept Plan requirements, traffic safety thresholds, and water and wastewater limitations, that promote integration of growth areas with the town's existing neighbourhoods and with network utilities and infrastructure.
- Rules for building bulk and location that maximise solar energy/gain to residential sites and neighbouring properties
- Specific provision for Network Utilities throughout the District in Chapter 13
- Industrial and Business zone rules that provide maximum practical flexibility for businesses within townships
- Rules in Appendix B to preserve the heritage values of the towns' important buildings
- Subdivision provisions in Chapter 10 that aim to enable further residential development on existing properties whilst maintaining amenity and character of neighbourhoods

- Specific provision for micro-generation of energy at a community and household scale
- Provision for marae and related papakāinga development throughout rural and residential zones
- A Neighbourhood Retail Zone for suburban shops in Tokoroa to manage the provision of these services whilst maintaining the residential amenity of the neighbourhoods concerned
- Hazardous Substances Rules in Appendix G
- Setbacks from state highways, transmission lines and gas lines (shown on planning maps)
- Controls on subdivision near electricity sub-transmission lines
- Mitigating natural hazard risks through resource consent conditions
- Provisions that recognise the positive effects and limited detrimental environmental effects of temporary activities in the district's towns
- Adoption of CPTED principles in assessment criteria requiring consideration of these principles during the resource consent process.

4.4.2 Other Methods

- Advocacy, advice and education for the community and developers to adopt urban design standards, local Raukawa design elements, historically appropriate names for new streets etc, and sustainable building features
- Facilitate greater public awareness of Tangata Whenua historical and cultural heritage, in association with Raukawa
- Funding set aside in the Long-Term Plan for transport network improvements and townscape enhancement such as street upgrades and beautification
- Local Action Plan on Climate Change, and Council's Energy Plan
- South Waikato District Land Transport Strategy
- Hazards Register and actions under Health Act, Building Act, and other legislation
- Standards under Code of Subdivision and Development, including for urban earthworks
- Warm Homes Clean Air Project
- Working in partnership with Raukawa, especially to deliver more sustainable and affordable housing and better community outcomes
- Bylaw requirements, including for managing activities and signage in public places
- Council funding and underwriting of new recreational and entertainment facilities
- The "Putaruru Growth Plan 2017" developed in collaboration with the Putaruru Moving Forward group, and further such Plans yet to be developed for the District's other towns.
- Water efficiency requirements in Council's Water Supply and other Bylaws and the Regional Infrastructure Technical Specifications (July 2018).

4.5 Reasons

A lot of what makes functional and enjoyable towns cannot be achieved only through district plan methods. For example, addressing the current urban air quality problems in terms of the RMA is a Regional Council responsibility. Urban enhancement therefore needs to be furthered through a variety of other works undertaken by Council and other stakeholders, especially Raukawa, as noted in Chapter 3.

The plan's provisions have sought to generate better urban design outcomes through a more flexible approach (in the way activity lists are used) and a more targeted approach (in the performance standards that are applied).

An example of this flexibility is the broad range of permitted activities within residential areas of the towns – which will add interest and help to revitalise these areas.

Four areas shown on the Planning Maps have been newly- zoned for "greenfield" residential and business development in Putaruru. The size and location of these Growth Cells reflects the Council's latest growth projections, and more than caters for the additional demand for houses and businesses over the 2020-2030 period.

The Planning Maps also indicate boundaries where additional measures should be taken to mitigate potential 'reverse sensitivity' effects from future occupants of the Growth Cells on existing and future Business or Rural activities on adjoining sites.

Possible future growth areas to cater for demand in Putaruru beyond the District Plan's ten-year timeframe have also been identified in the Putaruru Growth Plan 2017 and will be considered as part of future District Plan reviews once servicing upgrades have been programmed. Similar growth planning exercises are planned for the District's other towns.

In some circumstances, the Council could enter into Private Developer Agreements to record the level of commitment between the Council and developers to provide for an efficient and integrated network of infrastructure services for each of the Growth Cells.

Private Developer Agreements are expected to:

- Set out the agreed list of works (staging, timing, priority) required to support existing and new urban development in the selected growth cell;
- Confirm the timing and cost apportionment associated with these works to serve existing and proposed new urban development in the growth cell; and
- Set out the circumstances under which the developer can implement development earlier than programmed, if a greater funding contribution is available or Council is unable to confirm long term funding /budget allocations for the necessary infrastructure.

Fairly liberal subdivision provisions have been retained for all the urban areas in order to encourage re-development. An example of a targeted approach is the plan's parking provisions, where no on-site requirements apply to town centre parking, with more parking or cash-in-lieu required on-site in the business and industrial zones.

5 Objectives and Policies for the District's Rural Areas

5.1 Introduction

The rural area supports the primary production economic base of the district - farming (mainly dairying), electricity production, production forestry and supporting processing facilities. It is also the location for the network utilities and infrastructure that enable the South Waikato to function and link it to the rest of New Zealand.

Plantation forests cover a sizeable part of the southern portion of the District while the northern part has dairying as the principal land use. Major dairy and timber processing plants operate throughout the district. The eastern part of the district generally defined by the Mamaku plateau contains relatively unmodified indigenous forest ecosystems and indigenous fauna. Large parts of the Mamaku plateau are managed by the Department of Conservation. In the western part of the district ecological values have been substantially reduced, fragmented and disconnected from those in the east. Management of the rural area including the predominant land uses of plantation forestry and farming can play an important role in maintaining indigenous biodiversity.

A large proportion of the district's rural area is located within the catchments of the Waikato River and as such is subject to the policy directions contained within the Vision and Strategy for the Waikato River.

The character and level of amenity of the rural area reflects that of a **working environment** – a predominantly primary production pattern of land use with a generally dispersed, low profile pattern of settlement often with multiple dwellings and farm related buildings such as dairy sheds, vehicle and implement sheds, grain and food silos, and effluent fields, generally well set back from roads, and large production forest plantations which are serviced by an extensive network of private roads. A range of other activities are carried out in the rural area including recreation and tourism enterprises, horticulture, intensive farming activities (such as poultry farming and piggeries), mineral exploration, mining and quarry operations, and transport depots.

Most of the major processing industries and key sites are located in the rural area as well; for example the Kinleith Mill and surrounding industrial complex, the Lichfield dairy processing plants, and the hydro-electric power generating facilities and associated infrastructure on the Waikato River at Arapuni, Waipapa, Maraetai, Whakamaru and Atiamuri.

Renewable electricity generation activities require a location at or near the renewable energy resource from which they generate. This inevitably means such activities require a rural location. The district contains several such facilities, and in accordance with the national significance afforded renewable electricity generation facilities in meeting future energy demand, it is likely additional facilities will need to be located in rural areas in the future.

Similarly, mineral exploration, mining and quarrying operations activities require a location at or near the mineral resource, and this is almost always located within rural areas. The district contains several mineral exploration, mining and quarrying operations, and in accordance with the on-going demand for mineral resources, it is likely additional and expanded facilities will need to be located in rural areas in the future.

The rural area is expected to receive further primary processing facilities that will operate twenty-four hours a day, seven days a week at peak times of the season. Associated facilities include store/loading areas including the bulk storage of hazardous substances for cleaning process plant and equipment, wastewater treatment, tanker reception areas, services buildings and storage silos.

New and sensitive land uses (such as rural-residential development) wishing to establish near these major industrial sites must recognise the scale of these activities and their environmental effects, so restrictions on land use, subdivision and the set back of sensitive activities is necessary to avoid inhibiting the operation of these consented or lawfully-established facilities.

Inappropriate land uses and activities (especially sensitive activities) in close proximity to the Electricity Transmission Network can compromise the operation, maintenance and upgrading and development of the electricity transmission network. In this regard, recognising the Electricity Transmission Network and providing an appropriate buffer is a matter of national importance for Council to consider.

Similar issues arise in association with the operation of Tokoroa airport which is also an important District Council owned and managed asset comprising 35 hectares adjacent to Amisfield. In addition to aviation activities provided for there is a range of recreational sports clubs that use the facility. Restrictions on land use, subdivision and the set back of sensitive activities are necessary to avoid inhibiting the operation of the airport and any future expansion plans.

Ensuring that there are no unnecessary barriers to papakāinga and marae development is an important issue for Raukawa who have a sizable part of the iwi living in some of the more remote parts of the district. This special relationship that Raukawa have with the district's natural resources must be recognised as part of a holistic approach to the integrated management of these resources.

Subdivision of rural land for lifestyle and other purposes has occurred to a limited extent over the last decade. While limited, demand for rural living is growing and can be provided for but needs to be managed to avoid fragmentation of the rural land resource and the cumulative effects associated with a loss of productive options over time. There are also cumulative effects on the transportation system arising from rural residential/ lifestyle development. Locations have been identified to provide for rural residential living without adversely affecting the transportation system or compromising the production capacity as a result of fragmentation into smaller lots solely for rural living purposes.

The rural land resource is one of the most valued natural and physical resources in the district. As a result, town and country are therefore dependent on each other for the economic, social, and community prosperity that the primary production sector brings to the district.

The conservation of the productive capacity of the land is therefore important to the sustainable management of the land resource for present and future generations, along with enhancing the biodiversity value that it has, maintaining or improving the quality of adjoining water bodies and safeguarding the environmental qualities and landscape and amenity values that are appreciated by residents.

European development has resulted in historic heritage dispersed throughout the rural area. The relationship of Tangata Whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and later European development, has resulted in historic heritage dispersed throughout the rural area.

Inappropriately managed activities adjacent to or on sites associated with recorded and unrecorded historic heritage can weaken and even destroy these connections to the past. Careful management and informed community decision making are required. In this regard, recognising and providing for the protection of historic heritage is a matter of national importance for the Council to consider under section 6(f) RMA.

Heritage New Zealand Pouhere Taonga has a responsibility to maintain a register of the country's most important historic heritage items, under the Heritage New Zealand Pouhere Taonga Act 2014. Registration does not in itself confer any legal protection. Appendix B – Built Heritage of this plan fulfils this role, and most of the structures in Appendix B are also listed on the HNZPT Register. It is important for Heritage New Zealand to be involved at an early stage with proposals involving historic sites and buildings. Heritage New Zealand will be an affected party for works associated with any item in Appendix B that is also on the HNZPT Register. The relevant criteria in Appendix F (Criteria for Determining Significance of Heritage Features) will be used in assessing proposals for additional buildings to be listed in Appendix B.

Further, any work that may modify, damage or destroy an archaeological site associated with pre-1900 human activity also requires a separate authority from Heritage New Zealand.

The Rural, Rural Residential, Industrial, Electricity Generation, and Tokoroa Airport zones provide for the sustainable management of the rural land resource (Chapters 27 to 31).

5.2 Objectives for the District's Rural Areas

5.2.1 To maintain the productive capabilities of the rural land resource for primary production activities.

5.2.2 To provide sufficient capability and opportunities for the District's primary produce to be processed within the District's rural areas.

5.2.3 To avoid the establishment of non-rural based activities that do not have a legitimate need for a rural location, or which are potentially incompatible with activities that require such a location, including for reasons of reverse sensitivity.

5.2.4 To provide for the maintenance of the ecological values in the rural area and protection of its outstanding landscape values, and to conserve the cultural and heritage values of sites, while enabling primary production and other activities in a rural location.

5.2.5 To recognise and provide for the special relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga in rural areas.

5.2.6a To provide for mineral exploration, mining and quarrying (including use of those resources by associated industries) and new network utility and infrastructure developments, that avoid, remedy or mitigate adverse effects on existing neighbouring land uses and amenity values, while recognising that the location of these activities is often fixed and dependent upon the location of the resources.

5.2.6b To provide for intensive farming operations that avoid, remedy or mitigate adverse effects on existing neighbouring land uses and amenity values.

5.2.7 To identify and retain historic heritage so as to contribute to the heritage, character and amenity of the rural area.

5.2.8 To safeguard people, properties and the environment from the adverse effects of natural hazards.

5.2.9 To identify and address possible effects from activities in rural areas in catchments in the district, and on the health and wellbeing of the Waikato River and its catchment during decision making.

5.2.10 To minimise the potential for adverse effects in connection with the use, development and subdivision of contaminated and potentially contaminated land, so as to avoid or mitigate the risk of adverse effects on human health and the environment.

5.3 Policies

The objectives will be achieved by the implementation of the following policies:

5.3.1 Maintain the availability of the rural land resource to be used for primary production purposes.

5.3.2 Promote land management practices that are consistent with:

The productive capabilities of the soil/land resource,

- The natural character of wetlands, lakes and rivers and their margins,
- The protection of significant natural areas, outstanding natural features and landscapes, and
- The maintenance or enhancement of indigenous biodiversity.

5.3.3 Avoid development and land management practices that result in adverse environmental effects from natural hazards such as erosion, flooding, subsidence or landslip.

5.3.4 Minimise risks to the health and safety of people by controlling the location and design of subdivision and buildings in areas subject to natural hazards.

5.3.5 Facilitate new industries within rural areas for processing primary produce, and the expansion of existing industries.

5.3.6 Provide for subdivision for primary production purposes and associated dwellings and ancillary buildings and facilities such as store/loading areas including the bulk store of hazardous substances for cleaning

process plant and equipment, fertiliser storage and for wastewater treatment, tanker reception areas, services buildings and storage silos.

5.3.7 Avoid subdivision, use and development in the rural area that does not have an operational or other legitimate requirement for a rural location.

5.3.8 Provide for the operation, maintenance and development of quarrying and other mineral extraction activities, intensive farming operations, and new energy and infrastructure developments within the rural area and where potential adverse effects on rural land uses, and landscape, ecological, cultural and heritage values are avoided, remedied or mitigated.

5.3.9 Provide for the subdivision, use and development of land for rural residential activities in specifically zoned locations.

5.3.10 Encourage the restoration, conservation and adaptive re-use of buildings that contribute to the historic heritage of the rural area wherever possible, with any alterations and additions being of a scale, detailing, style and character consistent with their heritage values.

5.3.11 Avoid, remedy or mitigate the adverse effects of activities on the existing character and amenity of the surrounding rural area and avoid those activities that would cause reverse sensitivity concerns for established rural based activities (including existing network utilities and infrastructure).

5.3.12 Ensure that development minimises risks to people, properties and the environment from natural hazards and the use of hazardous substances.

5.3.13 Avoid establishing activities that could limit the legitimate/authorised operation of existing rural based activities such as intensive farming operations, mineral exploration, mining and quarrying operations, network utilities and infrastructure.

5.3.14 Promote rural residential development only in zoned locations which:

- Achieve cluster development, and avoids the layout of lots in a lineal pattern along roads
- Separates access and through-traffic functions in an effective manner
- Requires adequate separation distance from the Waikato River and hydroelectric power operating easements
- Requires adequate separation distance between the national electricity transmission lines and new rural residential development
- Safeguards the landscape character, visual amenity and biodiversity values of the Waikato River valley by encouraging development to be sited and designed to be sympathetic with the landform and landscape, and existing vegetation**,** and the building materials and cladding of structures do not dominate the outlook visually or physically from or to the locality.
- Avoids, remedies or mitigates reverse sensitivity effects, including by imposing appropriate standards and conditions on development.

5.3.15 Safeguard the operational performance, maintenance and minor upgrade of the National Grid and other network utilities and infrastructure in the rural area by managing the adverse effects of neighbouring activities.

5.3.16 Maintain Tokoroa Airport to ensure that the effects of other activities on the site, in the vicinity of the site, and site development, on operations and safety are avoided, remedied or mitigated.

5.3.17 Enable Māori to develop ancestral lands for marae, papakāinga and recognised customary activities to enhance the cultural, spiritual, economic, social and archaeological values and associations of these sites.

5.3.18 To minimise the potential for adverse effects of rural residential subdivision, use and development at the interface of the Rural and Rural Residential zones with other zones.

5.3.19 Conserve the historic values of rural areas through ensuring that any subdivision, use and development of sites containing historic places and areas is compatible with those values.

5.3.20 Manage the adverse effects of land use change or intensification, upon wetlands, waterways and indigenous biodiversity.

5.3.21 To achieve the Objectives of the Vision and Strategy for the Waikato River by managing subdivision and land use within rural areas located within the River catchment in a way that restores and protects the health and wellbeing of the Waikato River, including by;

a) Limiting rural residential development to specific zoned areas

b) controlling hazardous substances use and storage

c) requiring setbacks from waterways

d) including standards for vegetation disturbance, earthworks, silt and stormwater control

e) managing the effects of large-scale land use change

f) maintaining significant indigenous biodiversity associated with the River

g) managing activities on the surface of waterways

h) creation of new esplanade reserves or strips.

5.3.22 Where the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 are relevant, manage the activity to ensure that any contamination is appropriate to any proposed future use of the piece of land and avoids, remedies or mitigates potential adverse effect on human health.

5.3.23 To encourage existing rural activities to maintain or enhance indigenous biodiversity, and to consider the effects of new activities upon the values of the District's biodiversity in resource consent decision-making.

5.4 Methods to Achieve Objectives and Policies

The above objectives and policies in 5.1 and 5.2 will be implemented through the following methods:

5.4.1 District Plan Methods

- Rural Zone that provides for primary production activities and related processing facilities, and other rural based activities (Chapter 28)
- Rural Residential Zone in selected locations adjacent to the main settlements and a limited number of locations adjacent to the Waikato River (Chapter 29)
- Rules (including 28.4.2 and 28.4.8) to minimise the impacts of land use change on the health and wellbeing of the Waikato River
- Tokoroa Airport Zone to recognise and provide for the existing aerodrome facility and its operation for a variety of aviation and compatible activities (Chapter 31)
- Industrial Zone provisions (Chapter 27) and Electricity Generation Zone provisions (Chapter 30) for key industrial sites
- Rules on hazardous substance use and storage in Appendix G
- Provision for network utilities throughout the District in Chapter 13

- Provisions for temporary activities in Chapter 12 within rural areas such as provision for renewable energy testing and related temporary structures
- Proposals in the rural area are subject to assessment against the proximity to landscapes and natural areas (Chapter 14) and the presence of natural hazards (Chapters 28 and 29)
- Rules in Appendix B to preserve the values of important built heritage in rural areas
- Rules that allow for micro-generation at a household or community scale throughout the District. (Rule 13.1)
- Provision for larger-scale new geothermal, wind and hydro development throughout the District as a discretionary activity. (Rules 13.4 and 13.7)
- Setbacks from transmission lines and gas lines (shown on planning maps)
- Buffer areas within rural areas restricting small-lot subdivision around the key industrial sites and Tokoroa Airport
- Use LIMs and consent notices for new small (lifestyle) blocks in the Rural zone to remind new owners that they are in a working environment
- Rules regarding surface water activities in Chapter 16 Activities on the Surface of the Water
- Esplanade reserves and strips created in rural areas at subdivision stage under Rule 10.10
- Imposing consent conditions requiring the payment of a financial contribution in respect of roading, water supply, wastewater, stormwater and reserves for development in rural areas, in accordance with the formulae detailed in Chapter 10.

5.4.2 Other Methods

- Memorandum of Understanding between South Waikato District Council and Raukawa Settlement Trust to ensure the cultural, traditional, economic, social, and spiritual significance of the rural land resource to tangata whenua is understood and safeguarded in Council's resource management decision making
- Working with the Regional Council to improve the understanding of the characteristics and dynamics of the land and water resources of the catchments in the district for sustainable land uses
- Advocacy and education on energy efficient building methods, and the use of micro-generation
- Council initiatives to encourage employment growth via the "Economic Spirit" Strategy
- Local Action Plan on Climate Change, and Council's Energy Policy
- Standards under the Code of Subdivision and Development that promote low-impact environmental design solutions and consider climate change implications for stormwater networks
- South Waikato Environmental Initiatives Fund to support landowners undertaking environmental initiatives
- Promote greater public awareness of heritage comprising archaeological, historical and cultural items in association with Heritage New Zealand
- Facilitate greater public awareness of Tangata Whenua historical and cultural heritage in association with Raukawa
- Support programmes to advance riparian planting in a prioritised manner in the district in conjunction with Tangata Whenua and Waikato Regional Council
- Support workshops and education programmes with key stakeholder groups to progressively encourage land management and behavioural changes, to complement industry-led programmes and initiatives
- Support research programmes aimed at understanding the most sensitive areas of the district susceptible to environmental degradation due to the change in and intensification of land use activities

- Support a prioritised water quality sampling programme along key rivers and streams in the most sensitive parts of the catchments and sub-catchments of the district, in line with Joint Management Agreements and recognising the Regional Council's monitoring activities.
- Providing special heritage incentives in the form of financial assistance, advice, site identification and other appropriate means specified from time to time in the Council's Long-Term Plan.
- Liaising and co-operating with landowners of heritage sites, tangata whenua and other groups and organisations involved in the protection of features of heritage value.

5.5 Reasons

The district plan has an important role protecting the productive potential and the numerous other natural and ecological values of the rural land resource. The use of zoning and activity lists and performance standards aims to ensure sustainable use of the productive potential of the rural area continues. This approach will safeguard the natural and physical resources of the rural area for future generations and maximise the continued significant contribution of land-based activities and processing industries to the district's economic progress. This includes the provision of ecosystem services such as food and clean water, flood and disease control, and spiritual and cultural benefits.

The policy framework aims to ensure the conservation of the soil resource, the enablement of primary production processing in the district where the grass and timber resource is well established, and to acknowledge that the rural area is a working environment and accordingly generates some environmental effects for neighbours.

Subdivision and development in the rural area will be managed to avoid unnecessarily constraining established and legitimate primary production activities and other rural-based activities. Subdivision for rural-residential development has been directed to specific locations with the Rural Residential Zone. The subdivision provisions for properties within the Rural Zone also direct new dwellings and other sensitive land uses away from the key industrial sites of the district where they are located in rural areas.

The protection of the district's heritage depends upon the cooperation of landowners to recognise and respond to historic heritage values. The Council will work in conjunction with Heritage New Zealand to enable heritage values to be retained and buildings to be renovated and adaptively re-used for the benefit of the community and landowners.

6 Objectives and Policies for Managing the District's Landscapes and Indigenous Biodiversity

6.1 Introduction

The South Waikato district has landscapes and indigenous vegetation and habitats of indigenous fauna ('natural areas') that have been identified as being outstanding or significant. Their protection is to be recognised as a matter of national importance in terms of Sections 6b) and 6c) of the RMA. One of Council's functions under Section 31(b)(iii) of the RMA is to control any actual or potential effects of the use, development or protection of land for the purpose of maintaining indigenous biological diversity. The landscapes and natural areas of the district and the value of indigenous biodiversity underpin the local tourism industry, form an important part of the identity and character of the district, and require special approaches to their management.

These landscapes and natural areas are located in rural parts of the district. These rural areas also support the primary production economic base of the district, with farming and production forestry being the predominant rural land uses. Many of the outstanding landscapes and significant natural areas (SNAs) are therefore associated with farming and forestry land uses. The hydro-electric power stations on the Waikato River are another important part of the district's economy. The Waikato River valley is also the location of outstanding landscape areas, very significant cultural landscapes, and significant natural areas.

The district plan seeks to manage this 'working rural environment', whilst also providing protection to the outstanding or significant landscapes and natural areas. Outstanding natural features and landscapes, areas of significant indigenous vegetation, and significant habitats of indigenous fauna, are all recognised in the RMA as 'matters of national importance'. Section 6(c) of the RMA establishes as a 'matter of national importance' the "protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna". In respect of landscape values, section 6(b) provides for the "protection of outstanding natural features and landscapes from inappropriate subdivision, use and development". The "preservation of the natural character" of wetlands, lakes and rivers and their margins (section 6(a)) and promoting public access to lakes and rivers (section 6(d)) are also recognised as matters of national importance.

Section 7 of the RMA identifies several 'other matters' that Council 'shall have particular regard to' and includes section 7(c) 'the maintenance and enhancement of amenity values', section 7(d) 'the intrinsic values of ecosystems', section 7(f) 'maintenance and enhancement of the quality of the environment', and 7(g) 'any finite characteristics of natural and physical resources'. These values of indigenous biodiversity need to be recognised in a broader sense, and management approaches adopted consistent with meeting these obligations under the Act.

Safeguarding the physical and cultural landscapes of the Waikato River and its catchment are essential for the district plan to give effect to the Vision and Strategy for the Waikato River, as required under the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010.

The Proposed Waikato Regional Policy Statement ('the RPS') prepared by the Waikato Regional Council also provides specific policy direction on protecting outstanding natural features and landscapes, and significant natural areas. Section 11 'Indigenous Biodiversity' of the RPS outlines a number of implementation methods that the district plan must give effect to. The focus of these provisions is the identification and protection of significant natural areas, and the protection and enhancement of indigenous biodiversity.

Section 12 'Landscape, Natural Character and Amenity' of the RPS similarly contains policies and a series of implementation methods for identifying and protecting landscape values. There is no regionally significant natural feature or landscape identified in the RPS that is located within the district. However, the RPS does encourage district councils to identify outstanding or significant natural features and landscapes at a district level. This identification has been done for the South Waikato District, and is recorded in Appendix C – Schedule of Outstanding Natural Features and Landscapes and in the Natural Values overlay on the planning maps.

6.1.1 Landscape Assessment

A landscape assessment of the South Waikato district has been conducted by Isthmus Group on behalf of Council. The Isthmus report identifies the landscapes and natural features in the district that are 'outstanding' and those that have 'significant amenity' values. The criteria used in Isthmus' assessment are consistent with the criteria set out in Table 12.2 of the Proposed Waikato Regional Policy Statement (Decisions Version). The outstanding natural landscapes (ONLs) that have been identified are the broad scale landscapes in the district considered to have outstanding landscape values at a district or regional level. The outstanding natural features (ONFs) identified are also outstanding at a district level but involve a smaller geographical area. These are an element or group of landscape elements, rather than an entire landscape. Significant Amenity Landscapes (SALs) are areas whose status is related to Section 7(c) of the Act. These landscape areas have high amenity, however, are not outstanding. The criteria used to identify them were the same as used for the ONLs and ONFs.

Landscape values are also linked to the presence of significant areas of indigenous vegetation and habitat within identified landscape areas, given the contribution indigenous vegetation makes to landscape attributes. Some ONL areas within the district do not however have indigenous vegetation cover but are still outstanding for other reasons such as bold topography or high cultural values.

The particular areas identified as ONLs, ONFs, and SALs are detailed in Appendix C and are displayed on the Natural Values overlay of the planning maps. Specific rules have been formulated to manage land use within these areas to protect landscape attributes.

It is important to realise the cultural dimension of landscapes, and the fact that Tangata Whenua's historical association with places in the district provides a different appreciation of landscape values to that provided by landscape architects. The Waikato River is of course a significant area for Raukawa, but so too are the Mamaku, Te Waihou, Pohaturoa, and Tīrau, for example.

6.1.2 Indigenous Biodiversity in the South Waikato

Areas of significant indigenous vegetation and significant habitats perform vital roles in maintaining the district's biodiversity and therefore warrant responsible management.

Since 1840, the combined effects of logging, land clearance, drainage and fires have reduced indigenous vegetation cover in the district to approximately 11.5%. Once indigenous habitat thresholds fall below 20%, loss of indigenous species (and therefore ecosystem functions and processes) occurs at an exponential rate. The greatest amount of clearance has occurred in the lowland areas. The largest, oldest and best quality indigenous habitats within the South Waikato District occur in the higher parts of the eastern side of the district. In the western part of the district ecological values have been substantially reduced, fragmented and disconnected from those in the east. Management of the rural area including the predominant land uses of plantation forestry and farming can play an important role in maintaining indigenous biodiversity.

These significant natural areas are vulnerable to legal and physical fragmentation, stock browsing, introduced weeds and pest animals, land modification, and vegetation clearance. Adverse effects on indigenous biodiversity include:

- fragmentation and isolation of indigenous ecosystems and habitats
- reduction in the extent of indigenous ecosystems and habitats
- loss of corridors or connections linking indigenous ecosystems and habitat fragments or between ecosystems and habitats (ecological sequences from mountains to sea)
- loss or disruption to migratory pathways in water, land or air
- effects of changes to hydrological flows, water levels, and water quality on ecosystems
- loss of cultural activities associated with biodiversity (e.g. as a source of food, weaving, medicines or building materials)
- loss of buffering of indigenous ecosystems

- loss of ecosystem services
- Loss, damage or disruption to ecological processes, functions and ecological integrity
- Changes resulting in an increased threat from animal and plant pests.

Long-term protection and sustainable management of indigenous vegetation and habitats requires active management regimes, rather than simply prevention of development in these areas. Re-creation and restoration of habitats historically found in the district is also important in protecting local biodiversity. The district has been highly modified by land clearance in the past, except in eastern parts of the district, and highly modified pastoral and plantation forestry environments are now dominant. For many habitat types in lowland areas, only small remnants remain, and these habitat types are under-represented in the network of legally protected areas and the land administered by the Department of Conservation (DOC). Accordingly, they face the greatest threat of further loss. These habitats warrant different management effort than habitat types that make up large areas of the public estate. Indigenous habitats remain vulnerable to land modification, weed invasion, stock browsing, and pest animals.

Large landholdings in the district are owned by several forestry owners with exotic plantation forests being the dominant land use. As at 2013, approximately 50% of the South Waikato District is in plantation forests. Within these plantation forests are a number of significant natural areas, landscapes identified as being outstanding or significant, and sites of significance to tangata whenua. Some of these large forestry landholdings are managed by companies with Forestry Stewardship Council ('FSC') accreditation, which the Council supports as being an audited certification system. FSC requires forests to be managed sustainably and include features on protection of natural, landscape and cultural sites and values. The work of the FSC certified foresters is audited by FSC accredited certification bodies. Environmental Non-Governmental Organisations (ENGOs) such as the Royal Forest and Bird Protection Society are involved in setting the FSC national standard, and all stakeholders including ENGO's are consulted as part of the audit. This programme provides public accountability that important natural values are well-managed within plantation forests. The forestry industry has made significant efforts to document and retain the SNAs on their land, and the plantation forest in the District is an important habitat for indigenous species including Pekapeka (bats) and the Kārearea (NZ falcon).

The Mamaku Plateau in the east of the district contains large areas of indigenous forest and fauna habitats, much of which is land administered by DOC. Water from the Mamaku Plateau is of high quality and is the source of a number of natural springs and rivers, including Te Waihou (meaning source of the water or 'new river'), and the Pokaiwhenua and Oraka Streams. Water is an important natural resource and is used by the water bottling plants at Putaruru as a commercial asset. The Blue Spring along Te Waihou River is the source for 70% of New Zealand's bottled water and is an important economic resource for the district.

The Waikato River valley contains significant historical, cultural, landscape, ecological, and recreational values. It is New Zealand's longest river and delineates much of the southern and western boundaries of the district. The Waikato River is a key defining feature of the district and has five hydro-electric power generating facilities along the section of the river within the South Waikato District. Whilst modified through damming and land use changes along the margins of the river, the Waikato River and other local waterways are an important recreational fishery, with trout (taraute) and eels (tuna) being the most prominent species (although indigenous fish migration is severely limited by the hydro dams).

A close working relationship must be maintained with Raukawa, adjoining territorial authorities, resource users and the Regional Council to address water quality and water management issues that affect the district and to ensure implementation of the Vision and Strategy for the Waikato River.

The land administered by DOC contains some of the most significant fauna and flora of the district, including kokako and native bats, and includes many of the outstanding landscapes of the district. The remaining natural areas are located on private land and are predominantly located in small pockets of indigenous habitat along the margins of streams, lakes and rivers, remnant wetlands, and indigenous forest in farmland and the exotic plantation forests. There are also some larger remaining areas of remnant indigenous shrubland and forest located on private land.

6.1.3 Inventory of Natural Areas

In 2009 the Regional Council undertook a desktop exercise to identify areas of possible indigenous vegetation and habitat within the district that may have qualified as significant in terms of the RPS criteria. These areas were identified at a regional scale using aerial photographs and other information, and so needed to be checked. The necessary "ground-truthing" ecological site assessments were completed by the District Council in 2012 and resulted in the Schedule of Significant Natural Areas (SNAs) listed in Appendix E of the plan. These SNA sites are shown on the Natural Values overlay of the planning maps.

The information collected on the sites in Appendix E, plus the Regional Council data on sites that field checks showed did not meet the RPS criteria, comprises an Inventory of Natural Areas with information on over 400 sites in the district, covering approximately 22,000 hectares of land. The Inventory is held by Council as an information resource available to landowners and the public to promote the protection of significant natural areas and indigenous biodiversity in the district. The inventory will also be used for prioritising Council resources to assist landowners to actively protect and manage these areas.

6.1.4 Consultation

Council recognises the importance of involving the community when developing the District plan approaches for the ongoing active management and any future identification of the areas affected by this chapter (for example, including Significant Natural Areas and Outstanding Landscapes). To achieve this Council will undertake consultation approaches that reflect best practice. This will include: involving potentially directly affected landowners and/or leaseholders early in the development of a project to identify the nature and scope of fieldwork that needs to be undertaken, seeking feedback on the potential impacts the conservation of the area/site might have on landowner and/or leaseholder activities, and discussing with the landowner and/or leaseholder the approaches that could be adopted to promote the long term protection of the area/site.

6.2 Objectives for the District's Landscape and Natural Values

6.2.1 To recognise the outstanding natural features and landscapes in the district and protect the landscape values within these areas from inappropriate subdivision, use and development.

6.2.2 To safeguard the significant historical, cultural, landscape, ecological, indigenous biodiversity, natural and recreational values of the Waikato River and its margins while enabling existing rural land uses and electricity generating infrastructure and electricity transmission and distribution lines.

6.2.3 To safeguard the significant historical, cultural, landscape, natural and recreational values associated with the high-quality water resources of Te Waihou River and its tributaries.

6.2.4 To preserve the natural character of wetlands, lakes and rivers (and their margins) in the district, and protect them from inappropriate subdivision, use and development.

6.2.5 To identify and maintain or enhance the values of the district's indigenous biodiversity including by protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna.

6.2.6 To maintain and enhance public access to lakes and rivers in the district, particularly those locations identified as being of high priority due to their ecological or recreational values, where public access is compatible with protecting ecological values.

6.2.7 To maintain and enhance amenity values within outstanding natural landscapes and features, and significant amenity landscapes.

6.2.8 To recognise and provide for the relationship Raukawa and the Te Arawa River Iwi as Tangata Whenua have with the Waikato River, sites of significance, taonga, wāhi tapu, and the landscapes of the district.

6.2.9 To recognise and promote the intrinsic values of indigenous biodiversity and ecosystems.

6.3 Policies

The objectives will be achieved through the following policies:

6.3.1 Identification of outstanding natural features and landscapes, and active management to ensure that the landscape values are recognised and protected from the adverse effects of inappropriate subdivision, use and development.

6.3.2 Subdivision, use, and development should avoid, remedy or mitigate adverse effects on the values that contribute to an area being an outstanding natural feature or landscape, in particular by avoiding, remedying or mitigating the adverse effects of activities such as indigenous vegetation clearance, wetland drainage, large-scale landform modification, and construction of large or otherwise visually prominent structures, buildings and earthworks that will adversely affect those values identified.

6.3.3 Have regard to the locational and operational requirement of utilities or infrastructure proposed within an outstanding natural feature and landscape in the district.

6.3.4 Ensure that regard is had to the local, regional and national benefits (social, economic and environmental) to be derived from the use and development of infrastructure proposed within an outstanding natural feature and landscape in the district.

6.3.5 Ensuring that earthworks and buildings within identified significant amenity landscapes are of a compatible scale that maintains the attributes that contribute to the landscape values of these areas.

6.3.6 Significant indigenous vegetation and habitats of indigenous fauna in the district are identified in accordance with criteria in section 11A- "Criteria for determining significance of indigenous biodiversity" of the Regional Policy Statement, and protected through avoiding, mitigating or remedying the effects of clearance of significant indigenous vegetation and land modification within such areas.

6.3.7 Subdivision use and development shall avoid the loss or degradation of areas of indigenous vegetation and habitats of indigenous fauna, whether these areas and habitats are significant or not, in preference to remedying or mitigating adverse effects on those areas or habitats.

6.3.8 Where it is not practicable or appropriate to avoid significant or more than minor adverse effects of activities on areas of Significant Natural Areas then adverse effects must be remedied or mitigated. Principles of this policy are:

a) replacing the indigenous biodiversity that has been lost or degraded

b) replacing like-for-like habitats or ecosystems (including being of at least equivalent size or ecological value)

c) the legal and physical protection of existing habitat, or

d) the creation of new habitat.

6.3.9 The effects on the cultural and spiritual relationships of Raukawa and the Te Arawa River Iwi as Tangata Whenua with the outstanding natural features and landscapes identified, and with significant indigenous vegetation and habitats in the district, shall be recognised and provided for in considering resource consent applications for subdivision, use, and development, including involving Tangata Whenua when identifying opportunities for re-creating habitat and implementing the local indigenous biodiversity strategy.

6.3.10 Subdivision, use and development should be of a density, scale, intensity and in a location that preserves the natural character of wetlands, lakes and rivers and their margins, protects significant natural areas and maintains indigenous biodiversity in the district. In particular, consideration should be given to existing indigenous vegetation and habitat values, the restoration potential of an area, the ecological linkages with other significant natural areas and their potential for enhancement.

6.3.11 Subdivision incentives are encouraged where the use of covenants by landowners provides statutory protection for land containing significant indigenous vegetation and habitats.

6.3.12 Subdivision that results in the legal fragmentation of indigenous vegetation including Significant Natural Areas should be avoided, as it can affect the ability to actively and comprehensively manage these areas.

6.3.13 Landowners will be encouraged to manage indigenous biodiversity including Significant Natural Areas in a manner that protects and potentially enhances long-term ecological functioning and wetland hydrology.

6.3.14 Esplanade reserves and esplanade strips shall be created in identified high priority locations, to provide ecological linkages, improve water quality and enhance public access to lakes and rivers and their margins within the district.

6.3.15 Enable the Department of Conservation to manage public conservation lands under the Conservation Act 1987, without a duplicated regime of district plan provisions applying to those areas.

6.3.16 To implement the Objectives of the Vision and Strategy for the Waikato River by managing subdivision and land use within areas with natural values and located within the River catchment in a way that restores and protects the health and wellbeing of the Waikato River, including by;

a) identifying the Waikato River as an Outstanding Natural Landscape

b) protecting Significant Natural Areas and indigenous vegetation

c) requiring building setbacks from waterways

d) including standards for earthworks, riparian management, silt and stormwater control

e) creating esplanade reserves or strips

f) managing activities within natural areas

g) protection lot subdivision provisions for Significant Natural Areas

h) Promoting the restoration and re-creation of habitats and connectivity between habitats, including buffering and linking areas identified as SNAs

6.4 Methods to Achieve Objectives and Policies

The objectives and policies contained in 6.2 and 6.3 will be implemented through the following methods:

6.4.1 District Plan Methods

- Identification of outstanding natural landscapes and outstanding natural features within the Natural Values overlay on the planning maps
- Identification of significant amenity landscapes within the Natural Values overlay on the planning maps
- Identification of significant natural areas within the Natural Values overlay on the planning maps
- Rules 14.3.1 and 14.3.2 to control the scale of buildings, and land modification within Outstanding Natural Landscapes and Features, and Significant Amenity Landscapes
- Rule 14.4 to control indigenous vegetation, land disturbance and land drainage within significant natural areas identified in Appendix E
- The Conservation Area overlay within the Rural Zone to identify the land administered by the Department of Conservation
- Rules in Chapter 28 Rural Zone and Chapter 29 Rural Residential Zone, to control the proximity of buildings to water bodies

- Rules in Chapter 29 Rural Residential Zone that require buildings close to the Waikato River to be designed in sympathy with the significant landscape attributes of the areas concerned
- Subdivision provisions relating to the Rural and Rural Residential Zones that prevent any new boundaries being created within or adjacent to significant natural areas, unless those areas are covenanted to protect and enhance the natural values present. The subdivision provisions also establish incentives to enable the protection of significant natural areas by covenanting through "protection lot" provisions
- Consent notices imposed upon new land titles as a condition of subdivision consent, requiring protection of SNAs and/or appropriate riparian management
- Identification of items of built heritage within significant amenity landscapes (e.g. the Okoroire hot springs hotel) in the Heritage Inventory to recognise and protect the heritage, natural and landscape attributes of these sites
- Provisions requiring the creation of esplanade strips and reserves adjacent to lakes and rivers identified as being 'high priority" areas for water quality, natural character and ecological protection, and to provide public access, in Chapter 10 Subdivision
- Rules to manage the use of the surface of the water contained within Chapter 16 Activities on the Surface of the Water
- Rules within Chapter 30 Electricity Generation Zone to manage activities related to the existing hydro-electric power stations on the Waikato River
- Assessment criteria listed in Chapter 8 Administration of the Plan to enable consideration of the potential impacts on areas identified in the Inventory of Natural Areas when resource consent applications are being assessed and consent conditions formulated.

6.4.2 Other Methods

- Develop a District or Local Biodiversity Strategy in collaboration with Iwi, the Regional Council, Department of Conservation, landowners and special interest groups such as Federated Farmers, the Royal Forest and Bird Protection Society and the Waikato Biodiversity Forum, to identify areas of significant natural conservation value and the options for their protection, in order to maintain or enhance local indigenous biodiversity. A summary of the content and timing for undertaking the strategy is outlined in Chapter 14, Section 14.1.2.
- Maintain an Inventory of Natural Areas as an information resource detailing the location, extent and significance of indigenous vegetation and habitats, and a description of the features present at the identified sites. This Inventory will be used for Land Information Memorandums where a natural area is identified
- Management programmes will be developed in conjunction with landowners for natural areas identified in the District or Local Biodiversity Strategy initially focusing on the most significant sites in the district. Council will provide an advisory service to assist landowners to manage and enhance natural areas on their land, with a focus on improving ecological linkages between areas, undertaking weed and pest control, replanting with indigenous vegetation, and fencing of natural areas to exclude stock
- Grants to landowners implementing the management programmes described above, such as fencing of natural and riparian areas to exclude stock and replanting to improve indigenous biodiversity
- Funding and support for Waikato Biodiversity Forum initiatives encouraging agencies and groups to network, share ideas and work together to protect and enhance biodiversity
- Grants will also be available to community conservation groups such as land care groups, stream care groups, and other community environmental groups, through contestable funds at national, regional and local levels
- Negotiation of access strip agreements to provide public access to lake and river margins in a priority

case where a subdivision is not proposed

- Council will promote the use of Queen Elizabeth II National Trust covenants, Nga Whenua Rāhui Kawenata, and other private covenants by landowners as a means to protect significant natural areas within privately-owned land in the district
- Council will collaborate with the Department of Conservation to protect and enhance the indigenous biodiversity and landscape values located within the conservation estate, pursuant to statutory protection under the Conservation Act 1987
- Development of a Cultural Landscape Plan in conjunction with Raukawa, including consideration of a cultural landscape protection plans for the Waikato River Valley and for the hills north of Tīrau, in consultation with affected landowners
- The development of a Te Waihou /Blue Spring Co-Management Plan involving Raukawa, the Regional Council, and the Department of Conservation
- A monitoring programme for biodiversity and ecological health and wellbeing of the Waikato River and the district as a whole, including mātauranga Māori (Māori knowledge) as a key aspect
- Collaboration with the Regional Council and the Waikato River Authority in developing targets and programmes for improving the health and wellbeing of the Waikato River
- Council administered land (particularly riparian margins and areas of remnant indigenous vegetation) will be managed to enhance indigenous biodiversity values through restoration planting programmes, pest control, minimising land disturbance and indigenous vegetation clearance.
- Acknowledge the rate of uptake amongst the district's forest operators of independently audited "best practice" programmes such as certification under either Forest Stewardship Council, or Programme for the Endorsement of Forest Certification to inform the Local Biodiversity Strategy.

6.5 Reasons

6.5.1 Protection of Landscape Values

Rules are included within Chapter 14 to manage activities and land uses that may adversely affect the landscape attributes within these landscape areas and features.

Some regulatory methods are considered necessary to protect outstanding natural features and landscapes, and significant amenity landscapes. Council has sought to apply a set of rules that enable development and land use change to occur, but in a manner that protects the identified landscape values of particular areas. In this context, protection does not mean that no development or land use change will occur, but rather those particular activities such as clearance of vegetation, modification of the landform, and the scale of buildings and structures, that are likely to detrimentally affect landscape attributes need to be managed.

6.5.2 Protection of Natural Areas

The primary threats to the natural areas in the district are considered to be neglect (i.e. an absence of active management including pest control), cumulative effects such as intensive development in close proximity to waterways, stock access, clearance of indigenous vegetation (which can occur incrementally), and extensive land modification. The focus is therefore to identify the significant natural areas in the district, formulate management programmes, and collaborate with landowners and stakeholders to implement those management programmes.

A framework of rules in Chapter 14 that focuses on indigenous vegetation clearance, land disturbance and land drainage has been formulated to address these aspects. The plan provisions have sought to recognise that many of the significant natural areas identified are within 'working environments' such as exotic plantation forests and farms, and along the margins of lakes and rivers associated with hydro-electric power stations.

Information on the location, size and values of the district's significant natural areas is held within the Inventory of Natural Areas. This data will be updated over time as specific information is collected in connection with individual resource consent applications. Typically, the sites identified are wetlands, river or stream margins, areas of remnant indigenous forest, or smaller indigenous forest fragments.

For a significant natural area to remain ecologically viable in the long term, 'buy-in' from landowners is crucial, requiring active management of weeds and pests, fencing to prevent stock entry, and replanting to enhance the vegetative cover and provide shelter along the edges of remnants. Enhancing connections between remnants to provide the necessary ecological corridors is also essential for their long-term viability. District plan rules and scheduling of all significant natural areas are unlikely on their own to achieve the level of landowner 'buy in' required to achieve positive results in maintaining and enhancing the district's natural values.

Much of the biodiversity and landscape protection being undertaken in the district is within conservation land administered by DOC under the Conservation Act 1987. DOC manages the activities of other parties through their concessions process. Accordingly, the district plan provisions relating to this land do not seek to overlap or duplicate the Conservation Act provisions. The land administered by DOC is within the Rural Zone with an overlay shown on the planning maps to demarcate it, and specific provisions drafted to manage these areas. Forest owners and managers such as Hancock Forest Management Ltd also have a significant role to play.

Achieving conservation objectives over the long-term also depends on establishing and maintaining effective partnerships. Council will partner with Raukawa, the Regional Council, DOC, Fish and Game NZ, Royal Forest and Bird Protection Society, Queen Elizabeth II National Trust, local environmental groups such as Landcare and Streamcare groups, and landowners. Indigenous biodiversity enhancement programmes will be undertaken with funding provided by the Council and the WRC and supplemented with corporate funding as available. Council will also provide support services to local environmental and community groups to increase their effectiveness. Public education, advocacy and provision of management programmes for individual significant natural areas are important to the success of these programmes.

6.5.3 Preservation of Natural Character and Public Access

The preservation of the natural character of wetlands, lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development is a matter of national importance under the Act. Preservation of the natural character of these areas and their protection is also necessary in order to give effect to the Vision and Strategy for the Waikato River. So is the maintenance and enhancement of public access to and along lakes and rivers. Rules to control the extent of earthworks and land modification close to wetlands and watercourses, are included within the Rural Zone and the Rural Residential Zone, along with specific building setbacks from watercourses to manage these activities. Whilst these rules apply to all of the Rural Zone and the Rural Residential Zone, the Inventory of Natural Areas held outside the district plan will enable Council and the community to strategically manage these areas, given that they have the most significant natural values in the district.

The district plan has also identified the land parcels around water bodies that are considered to be a high priority for creation of esplanade strips or esplanade reserves to enhance conservation values and/or public access. Many of the significant natural areas identified in the district are related to waterbodies, wetlands and riparian vegetation. Council will link the natural habitat corridors where possible through esplanade strips and reserves, and covenanting private land during the subdivision process.

Subdivision provisions within the Rural Zone and Rural Residential Zone also incentivise the covenanting of significant natural areas by providing for protection allotments to be created. These provisions seek to enable a landowner to subdivide a property, whilst also creating a statutory protection mechanism for protection of significant natural areas. Economic instruments, including subdivision incentives, are considered an effective way of encouraging landowners to retain and enhance significant habitats.

Council also has a leadership role by protecting outstanding or significant amenity landscapes and natural features, and avoiding adverse effects on significant natural areas, through land disturbance activities on land administered by Council.

7 Objectives and Policies for the District's Infrastructure and Development

7.1 Introduction

The district contains network utilities and infrastructure that play a key role in New Zealand's economy and prosperity and underpins the district's future. This chapter describes the significance of this infrastructure and the key industrial sites in the district and outlines the management approach adopted to manage these physical resources.

As the main north-south link and the primary national state highway, State Highway 1 is a critical component of the transport network within the Central North Island for the movement of people and freight. The security of this route is important, not only for the sub-region, but also for other parts of the country as well. State Highway 5 is an important sub-regional route providing access to Rotorua to the east, particularly for tourism. Both highways need to be protected and developed through appropriate land use planning and transport network integration.

State Highway 30 provides an east-west connection from Waitomo and Otorohanga which has potential to be a major tourism route through the District. Opportunities to strengthen the tourist route links through South Waikato between Waitomo, Taupō and Rotorua need to be recognised and developed to allow for economic growth in this sector. State Highways 27, 28 and 32 are also of strategic importance.

There is capacity within the rail network, particularly the Kinleith Branch rail line, to accommodate increased freight movements. New freight hubs utilising the railway are a possibility to better utilise this capacity.

The section of the Waikato River running through the district has five hydro-electric power generation facilities, and there are also major National Grid, electricity lines, and gas transmission lines in the district. These are of national significance and have been recognised within the district plan. Their future and that of additional renewable energy generation, are provided for.

Specific upgrading and maintenance works on telecommunications facilities and on existing electricity transmission lines are permitted nationally under National Environmental Standards. These standards prevail over the requirements of the district plan, unless the NES specifically states otherwise.

There are several important industrial sites that form the cornerstone of the district's economy and prosperity. These sites are the industrial facilities at Kinleith (pulp and paper/wood products mills), Fonterra milk processing plants at Tīrau and Lichfield, the hydro-electric power stations along the Waikato River, and large industrial estates in Tokoroa and Putaruru. Zone provisions have been formulated to manage the particular issues associated with these industrial sites. These provisions recognise both their significance to the local economy, and the particular resource management issues that arise in respect of them.

A strong focal point of local industry is its comparatively skilled technical and process engineering workforce serving the agricultural and forestry industries.

Performance Standards have been developed which address potential adverse environmental effects of infrastructure and aim to avoid incompatible development that could result in pressure for infrastructure facilities to be curtailed. Managing the potential impacts of infrastructure on outstanding landscapes and significant natural areas and historic heritage is of particular importance.

7.1.1 Financial contributions

Financial contributions are imposed to avoid, remedy, or mitigate adverse environmental effects on infrastructure networks resulting from subdivision and associated development, and for the purpose of achieving the objectives and policies of the district plan. Under Section 108(9) of the RMA Council may impose consent conditions requiring financial contributions to be paid for purposes specified in the plan.

Financial contributions are imposed so that the costs associated with new development from subdivisions do not fall inequitably upon existing ratepayers. Subdivision and development adds incrementally to demands on the infrastructure of the District. Council considers new developments should contribute a fair and reasonable sum

towards meeting the cost of additional demand. Financial contributions are intended to cover a fair share of the cost of expanding the capacity of existing infrastructure systems to meet demand created from new development. Contributions are imposed in respect of car parking where required, roading, water supply, stormwater, wastewater, and reserves. Allotments created for the purpose of accommodating network utility and infrastructure operations are exempt from the payment of financial contributions.

While there are effectively several separate networks in the district, Council has chosen not to develop differing contributions given the existing District-wide funding source and the potential to create unintended cost barriers to development in parts of the District based on differentials in contributions. Council has therefore chosen to balance these varying costs by developing a district-wide contribution for each of the services for which a financial contribution is required. The levels of the contributions are based on the financial value of the existing networks divided by the number of existing users. In this manner new subdivision or developments effectively 'buy in' to the existing networks.

7.2 Objectives for Infrastructure and Development

7.2.1 To ensure that an integrated, efficient, safe and sustainable transportation network is maintained and enhanced to support the social and economic wellbeing of people and communities in the District including provision for active transport and physical activity options.

7.2.2 To ensure safe and efficient land use, subdivision and development, well-integrated with the functions of different roads, and which is designed to provide for appropriate alternative transport modes (particularly walking and cycling).

7.2.3 To provide for the sustainable, secure and efficient use and development of infrastructure within the District, while seeking to avoid, remedy or mitigate adverse effects on the environment recognising the technical, locational and operational requirements and constraints of the infrastructure concerned.

7.2.4 To ensure that new development in the District has regard to improving energy efficiency and to enable production of energy from renewable sources, provided their development promotes the sustainable management of the district's natural and physical resources.

7.2.5 To provide for the important industrial sites and infrastructure, including strategic transport networks, in the District and for Tokoroa Airport, and safeguard them from the reverse sensitivity effects of inappropriate subdivision, use and development.

7.2.6 To put in place adaptation and response mechanisms to manage the challenges of, and respond to the opportunities afforded by, future climate change.

7.2.7 To ensure that the development, operation, maintenance, repair and upgrading of the components that comprise the Waikato hydro scheme, are recognised and provided for.

7.2.8 To recognise and provide for the exploration, development and use of geothermal, wind and hydro resources, for the purpose of renewable electricity generation in a manner that avoids, remedies or mitigates adverse effects on the environment and also takes into account cultural impacts.

7.2.9 To recognise and provide for the national, regional and local benefits of a sustainable, secure and efficient electricity transmission and distribution network, radiocommunication and telecommunication facilities including broadband, and renewable electricity generation activities.

7.3 Policies

7.3.1 Promote consolidation of new residential, commercial and industrial development in the existing vacant, zoned and serviced land in order to achieve the efficient use of existing infrastructure.

7.3.2 Establish networks of parks and walkways along the urban streams to provide linkage between neighbourhoods.

7.3.3 Encourage adaptability of the District's productive base to climate change, including provision for new crops (with associated processing facilities) that may become viable in the future.

7.3.4 Enable the efficient operation and development of the District's key industrial sites (namely the industrial facilities at Kinleith, the dairy factories at Tīrau and Lichfield, the hydro-electric power stations along the Waikato River, and the Tokoroa and Putaruru industrial estates) in a manner that will avoid, remedy or mitigate adverse effects on the environment from activities associated with the operation, maintenance, and upgrading of these key industrial sites.

7.3.5 Provide for generation of electricity at the community and household scale, due to its renewability, the energy efficiency benefits involved, and because potential adverse effects can be managed effectively while recognising the relationship iwi have with the environment.

7.3.6 Enable the efficient operation, maintenance, and upgrading of the electricity transmission and distribution networks and the existing renewable electricity generating infrastructure and related activities in a manner that avoids, remedies or mitigates additional adverse effects on the environment.

7.3.7 Enable the exploration, development, construction and operation of new renewable energy sources and generation activities (including ancillary activities) in a manner that avoids, remedies, or mitigates adverse effects on the environment.

7.3.8 Recognise and have regard to:

a) The maintenance and protection of existing renewable electricity generation activities

b) The practical, logistical or technical constraints associated with the location, logistics and operation of new and existing renewable electricity generation activities

c) The opportunity for environmental offsetting and compensation measures to be considered in instances where adverse environmental effects from new renewable electricity generation activities cannot be avoided, remedied or mitigated.

d) Adaptive management measures.

7.3.9 Ensure that new subdivision land uses and development in close proximity to electricity generation core sites and network utilities and infrastructure are compatible with the use and operation of such sites by specifying appropriate environmental performance standards.

7.3.10 Manage new subdivision, use and development that may adversely affect the existing operation of the District's key industrial sites, airport, network utilities and infrastructure and related activities.

7.3.11 Development should be located, designed and managed to minimise the need to travel, minimise conflict to and across arterial routes, and provide appropriate access.

7.3.12 Protect the safety and efficiency of the land transport network from the adverse effects of inappropriate noise-sensitive activities located close to State Highways and designated rail corridors.

7.3.13 Ensure vehicle access onto the transportation network does not adversely affect to a more than minor extent the safety, efficiency operation and maintenance of these roads and other road users.

7.3.14 Allow new electricity transmission and distribution lines and telecommunications lines to only traverse areas identified as Outstanding Natural Landscapes, Significant Natural Areas and Significant Amenity Landscapes where the infrastructure is subject to a significant functional constraint, or where there is no feasible alternative route and/or when significant adverse effects are outweighed by the overall benefits of the proposal.

7.3.15 Recognise existing electricity lines within outstanding natural features and landscapes and significant natural areas, and significant amenity landscapes, and provide for their operational, maintenance and upgrading requirements.

7.3.16 Enable infrastructure development where the associated effects are avoided, remedied or mitigated and the functional requirements of the developer and operator of the network utilities and infrastructure are considered.

7.3.17 Include financial contributions as consent conditions on subdivision consents, to reflect the demand on infrastructural services generated by the subdivision and the associated development.

7.3.18 Require financial contributions for the provision of car parking where this cannot be provided by an activity or development to the extent required on site.

7.3.19 Allow for the payment of financial contributions in accordance with the planned stages of any subdivision activity subject to financial and security arrangements being entered into by Council and the developer.

7.3.20 Provide for an annual review of the level of financial contributions that will be applied.

7.3.21 Manage infrastructure development to ensure it does not adversely affect the health and wellbeing of the Waikato River.

7.3.22 Manage infrastructure development to avoid adverse effects on the historic heritage of the district, whilst recognising the technical, locational and operational requirements and constraints of the infrastructure concerned.

7.3.23 New activities shall not establish in Putaruru Growth Cell 4 (Business) shown on the Planning Maps prior to the formation to the appropriate standard and vesting in Council of the Possible Future Road identified on the Planning Maps connecting Growth Cell 4 and Princes Street.

7.4 Methods to Achieve Objectives and Policies

The objectives and policies in 7.2 and 7.3 above will be implemented through the following methods:

7.4.1 District Plan Methods

- Rules in Chapter 13 that allow for domestic and community-scale renewable energy generation
- Provision for larger-scale new geothermal, wind and hydro development as a discretionary activity. (Rule 13.8)
- Provision for renewable energy testing and related temporary structures in Chapter 12 Temporary Activities
- Industrial Zone and Electricity Generation Zone provisions for key industrial sites and electricity generation core sites, including noise control boundaries
- Tokoroa Airport Zone and height plane restrictions in relation to airport approach slopes
- The location of traffic-generating uses will be controlled through the zone rules to avoid adverse effects on the safety and efficiency of major transport routes
- Setbacks from roads, transmission lines and gas lines (shown on planning maps)
- Buffer areas restricting small-lot subdivision around the key industrial sites and Tokoroa Airport
- Limits on habitation within and close to the Industrial Zone, noise control boundaries and hydroelectric power operating easements
- Provision for network utilities and infrastructure throughout the District in Chapter 13

- Permitted activity status for maintenance and construction of roads and railways
- Rules on surface water activities applying to the hydro lakes under Chapter 16
- Esplanade reserves and strips created at subdivision stage under Rule 10.10
- Imposing consent conditions requiring the payment of a financial contribution in respect of roading, water supply, wastewater, stormwater and reserves, in accordance with the formulae detailed in Chapter 10
- Requiring the payment of cash in lieu of providing car parking spaces where required in accordance with the formulae detailed in Chapter 11
- Infrastructure proposals are subject to assessment including their proximity to significant landscapes and natural areas (Chapter 14) and the presence of natural hazards
- Rules on hazardous substance use and storage in Appendix G.

7.4.2 Other Methods

- Telecommunications Facilities National Environmental Standard (NES) 2008
- Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.
- New Zealand Electrical Code of Practice for Electrical Safe Distances 2001
- Electricity (Hazards from Trees) Regulations 2003
- NES on Electricity Transmission Activities 2010
- Advocacy and education on energy efficient building methods, and the use of micro-generation
- Funding for upgrading and maintenance of Council infrastructure networks set aside in the Long-Term Plan
- Development of the District's transport systems that is consistent with the Regional Land Transport Strategy
- Design standards for transport infrastructure to maximise public safety and to avoid or mitigate adverse effects on the environment
- A roading hierarchy maintained and monitored within the District
- Council initiatives to encourage employment growth via the "Economic Spirit" Strategy
- Local Action Plan on Climate Change, and Council's Energy Plan
- Standards under Council's Code of Subdivision and Development that promote low-impact environmental design solutions and consider climate change implications for stormwater networks. This Code aims to implement the principles of NZS 4404:2010 Land Development and Subdivision Infrastructure.

7.5 Reasons

Functional and efficient infrastructure cannot be achieved only through RMA methods and needs to be furthered through a variety of works undertaken by Council and other utility providers. The importance to the local and national economy of infrastructure, the key industrial sites in the district, and communications means that if their maintenance and upgrading is not safeguarded under the district plan, there could be significant community impacts. Likewise, the district needs to play its part in the national (and international) imperative to improve energy efficiency, generate more energy from renewable sources and respond to future climate change.

Financial contributions are a tool used by Council to avoid, remedy or mitigate adverse environmental effects, and to ensure the reserve and infrastructural networks of the district are maintained to an appropriate standard for existing and future users.

Financial contributions may be used as a consent condition on subdivision and land use consents to:

- Avoid land use activities generating adverse environmental effects as a result of infrastructural systems not being able to cope with demand generated;
- Avoid downgrading of the quality of service offered to existing users as a result of additional loadings from new subdivision and development;
- Provide a mechanism to mitigate adverse effects that cannot otherwise be avoided or remedied on the district's natural and physical resources that may result from new subdivision, use and development; and
- Avoid pressure on reserves and recreational areas in existing areas by providing additional reserves and enhancement of existing reserves.

8 Administration of the District Plan

8.1 Information Requirements for RMA Applications

8.1.1 Certificates of Compliance

An application for a Certificate of Compliance must include sufficient detail to assess whether the proposal complies fully with this plan, or with the "existing use right" provisions in Section 10 of the Act. This may include the same information specified in Rule 8.1.2a).

If existing use rights are relevant, information on the proposed activity and a site history will be required to establish pursuant to Section 10 that the effects of the proposal are of a similar character, intensity and scale to that which was lawfully established on the site.

8.1.2 Land Use Consent Applications

a) Information to be provided

i) All applications shall be in the form specified by Regulations, and should explain:

a) Who is making the application, and the location of the site concerned

b) The nature, staging, and physical extent of the proposed activity

c) Relevant operational matters, staff numbers, traffic, access and parking, and parking demand management information

d) Landscaping and screening proposals

e) The actual or potential effects that the activity may have on the environment, with an AEE report appropriate to the scale of the activity's potential effects (See Rule 8.1.2 b) below)

f) The ways in which any adverse environmental effects can be mitigated

g) Any other resource consents that the activity may require, and whether or not such consents have been applied for.

h) Any resource consent application for activities requiring noise attenuation/reduction shall be accompanied by the following additional information:

- Identification of the method of construction to be used for the purpose of noise attenuation
- Relevant documentation, signed by an appropriately qualified professional, which confirms that the method identified will achieve the insulation ratings specified.

i) Any resource consent application for activities that do not comply as a permitted activity under Appendix G Hazardous Substances shall be accompanied by the following additional information:

- Location, type and quantities of hazardous substances involved
- Transport of hazardous substances on and off the site, and mode of transportation
- Identification of on-site hazards, failure modes and exposure pathways from a proposed facility, including a description of the environment potentially affected
- Proposed monitoring and maintenance schedules, contingency measures and emergency plans

j) Any resource consent application for a conversion of commercial forestry land for farming shall be accompanied by the following information:

- A map and aerial photograph of the property subject to conversion showing boundaries and the location of rivers and perennial streams, lakes and wetlands and with reference to their classification in the NIWA River Environmental Classification;
- Location of existing and proposed riparian areas including general dimensions, existing riparian vegetation, riparian areas proposed for fencing and other stock exclusion measures as appropriate;
- Other alternative site-specific measures that will achieve riparian management.
- Locations of existing indigenous vegetation, significant natural areas, and outstanding natural features and landscapes and identified cultural sites and archaeological sites, including New Zealand Archaeological Association sites;
- A record of and results from engagement with the Raukawa Charitable Trust in regards to the location of identified recorded and unrecorded:
    - Cultural landscapes and cultural sites; and
    - Archaeological sites of Maori origin.

  ADVISORY NOTE: Heritage New Zealand has statutory responsibility for the regulation of all activities (including modification or disturbance) relating to archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014. Applicants should seek direct guidance on such matters from Heritage New Zealand as a separate authority is required for all such activities regardless of whether works have been authorised by a resource consent issued by the District Council.

k) A heritage assessment shall be provided for applications to undertake additions, alternations, relocations or demolition of a built heritage feature listed in Appendix B Built Heritage Inventory. The assessment shall be proportional to the scale and intensity of the effects of the works being undertaken and shall be prepared by a suitably qualified person. The heritage assessment shall address the criteria contained within Appendix F, Criteria for Determining Significance of Heritage Features. The assessment may include advice from the New Zealand Historic Places Trust. This assessment is in addition to the information requirements of 8.1.2 b) iii) d).

l) A current Certificate of Title (printed within 3 months), which can be supplied by Council at the current fee.

ADVISORY NOTE: - Insufficient information may delay the processing of an application or may result in Council returning it to the applicant under Section 88(3) of the Act as incomplete.

m) Any resource consent application for the establishment of new tracks and/or fences, except where permitted under Rule 14.4.1c)(ix) within a Significant Natural Area (SNA) identified in Appendix E shall be accompanied by the following information:

- The location and size of the SNA;
- The comparison of alternative track corridors/positions and their intended purpose and the reasons for the preferred route and the intended location of any stock proof fencing;
- The opportunities (if any) for additional areas / habitats to be added to the SNA to enhance buffering;
- The mitigation measures proposed including maintenance and weed and pest control;
- An ecological assessment of the effects of the proposed works on the significant natural area including:
    - The vegetation and/or habitat type contained with the SNA
    - The extent to which the activity may cause:
        i) fragmentation and isolation of indigenous ecosystems and habitats;

ii) reduction in the extent of indigenous ecosystems and habitats, including the area of SNA lost;

iii) loss of corridors or connections linking indigenous ecosystems and habitat fragments or between ecosystems and habitats (ecological sequences from mountains to sea);

iv) loss or disruption to migratory pathways in water, land or air;

v) loss of buffering of indigenous ecosystems;

vi) loss of ecosystem services;

vii) loss, damage or disruption to ecological processes, functions and ecological integrity;

viii) effects which contribute to a cumulative loss or degradation of indigenous habitats and ecosystems;

ix) noise, visual and physical disturbance on indigenous species;

x) loss of habitat that supports or provides a key life-cycle function for indigenous species.

n) Any resource consent application for the removal of vegetation including harvesting in a Significant Natural Area in accordance with an approved Sustainable Forest Management Plan or Permit approved by the Ministry of Primary Industries under the Forests Act 1949 shall be supported by:

- The application for approval made to the Ministry of Primary Industries
- The location and size of the Significant Natural Area and
- Any known record of threatened and at-risk species present in the Significant Natural Area.

ii) Changes to the design and other details of a notified application may be made before the end of a hearing, but only if the amendments are within the scope of the original application. If the changes go beyond that scope, such as by increasing the scale or intensity of the proposed activity, or by changing the character or effects of the proposal, a fresh application will be required.

iii) Applications must include a set of drawings to explain the proposal. These drawings must be accurate, legible and capable of being readily copied, and should show, as applicable:

a) Site location, with road name, property boundaries, and north point

b) Site plan at an appropriate scale, showing:

- The location of all existing and proposed buildings and structures (including any verandahs, decks, eaves and balconies)
- The position of any easements, and existing and proposed services
- The position of parking and loading spaces, and proposed access and maneuvering areas, including the location of any vehicle crossings
- Levels on boundaries and around any buildings, plus ground contours if the site is steeper than 1 in 10
- Proposed retaining walls, excavations and fill
- Existing trees and areas of vegetation, and proposed landscaping
- Watercourses within the site and proposals to manage stormwater and effluent
- The location of utilities, including electricity lines

c) A floor plan of each building at an appropriate scale, showing the internal layout of the building and the use of rooms or parts of a floor

d) Elevations of each building at an appropriate scale, showing:

- The external appearance of the building (including windows and doors)
- The number of floors
- Building heights and distance to any property boundary
- How this plan's height controls apply to the building
- Original and new ground levels underneath proposed buildings

b) Assessment of Environmental Effects

i) Any assessment of environmental effects supplied with an application must provide enough information for anyone to understand the actual or potential effects (both positive and negative) of that activity on the environment, and the ways in which any adverse effects will be mitigated. The level of detail shall correspond with the scale and significance of those effects.

ii) If the application is for a controlled activity or restricted discretionary activity, the assessment need only cover the matters over which Council has retained discretion.

iii) An Assessment of Environmental Effects (AEE) should include the following, as appropriate:

a) A description of the site and its neighbourhood

b) A description of the proposed activity, and, if the activity may have significant adverse environmental effects, the reasons for selecting the proposed site, scale and type of activity

c) A review of the resource management policies which apply to the proposal

d) An assessment of the actual or potential effects on the environment of the activity, including adverse effects, benefits and cumulative effects, particularly:

- Any physical effect on the locality, including landscape and visual effects, noise, and any effects on natural hazards
- Any effect on ecosystems, including effects on animals or plants and disturbance of habitats
- Any effect on heritage places and areas, outstanding or significant amenity landscapes or significant natural areas identified by the plan or other places of special value to present and future generations
- Any effect on nearby people and the wider community, including any socio-economic and cultural effects and impacts upon amenity values
- Any effect on the efficiency of transportation, communications, network utility infrastructure and public services
- The effect of any discharge into the environment, (subject to any Regional Plan)
- An assessment of any risks to the environment (particularly the health and safety of people) arising from any use of hazardous substances.

e) An Integrated Traffic Assessment for the development including parking demand management and active mode accessibility, prepared in accordance with the Integrated Traffic Assessment Guidelines, November 2010, NZTA Research Report 422, and/or Traffic Impact Assessment.

f) A Cultural Impact Assessment detailing the impact of the development upon the relationship of Tangata Whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga

g) A description of the mitigation measures (including monitoring, safeguards and contingency plans where relevant) to help prevent or reduce any adverse environmental effects, including an explanation of why these mitigation measures were preferred to others

h) A list of persons interested or affected by the proposal, the consultation undertaken, and the results of this consultation

i) A description of how the activity's effects are to be monitored and by whom.

Refer 10.10.3 also

8.1.3 Subdivision Consent Applications

a) All applications shall be in the form specified by Regulations and should include:

i) Plans drawn to scale, legible and capable of being readily copied. The plans must show, as appropriate:

a) The address and legal description of the land being subdivided

b) The position of any new covenant boundaries for cross-lease and unit title subdivisions

c) The location of any proposed and existing easements

d) Abutting and underlying title boundaries, and existing building-line restrictions and easements

e) The balance area of the property to be subdivided showing proposals for future development (if known)

f) Contours or spot heights sufficient for the design of access and services, and to show the general topography of the area, particularly around proposed house sites

g) Any features to be protected, including vegetation or trees

h) The main topographic features, including water courses, trees and areas of filled ground

i) Existing and proposed provision for stormwater and farm drainage, and sewage disposal. For unsewered areas, evidence may be required that sewage can be adequately disposed of in an environmentally acceptable manner, without risk to health

j) Existing structures (including buildings), and whether such structures will be retained, shifted or removed

k) Existing and proposed roads, vehicle crossings, pedestrian accessways, and service lanes with relevant widths, areas and gradients

l) The location of utilities, including electricity transmission and distribution lines

m) In urban situations, the proposed location, size and grades of all utilities

n) Proposed areas of excavation and fill, with finished contours where significant alterations to the ground surface are proposed

o) Any public works designations

p) Any heritage places, outstanding or significant amenity landscapes or significant natural areas identified by the district plan.

ii) Information on:

a) The availability of utilities for each new lot including confirmation from the utility provider

b) The stability of the new lots, including the depth and compaction of any fill and the future likelihood of earth movement or erosion.

iii) Current Certificate of Title (within 3 months) – can be supplied by Council at the current fee

iv) An Assessment of Environmental Effects (see Rule 8.1.2 b) above)

v) A list of persons interested or affected by the proposal, the consultation undertaken, and the results of this consultation.

Include an Accidental Discovery Protocol.

Putaruru Growth Cells

b) In addition to any relevant matters listed in 8.1.3a) above, a Development Concept Plan (DCP) shall be submitted with all subdivisions for a subject site that is wholly or partly within a Putaruru Urban Growth Cell

A DCP should show, as appropriate:

i. All existing network utilities and infrastructure connection points to the growth cell and commentary of their level of service conditions;

ii. Proposed ground levels and associated earthworks (cut, fill and waste for disposal) to establish the future development area of the growth cell;

iii Location, size and key elements of the proposed 3 waters infrastructure and the efficiency performance measures for their operation, and specific commentary on:

- Stormwater management, connectivity, collection, treatment and disposal, and on-going maintenance requirements for the development area and its management long-term over the entire growth cell including stormwater overland flow paths and/or changed drainage patterns on adjacent land in different ownership;
- Wastewater reticulation connectivity and treatment for the entire growth cell and any future areas;
- Potable water supply connections, management and treatment for domestic, and/or commercial purposes, and compliance with the NZ Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2008) for the entire growth cell.

iv. Technical assessments including all referenced baseline data sources, assumptions, calculations and outputs for 3 Waters modelling to support the above development of the growth cell;

v. Landscape and natural and heritage features, and sites of significance to Raukawa, including:

- Means to integrate any such features or sites into the subdivision
- Means to mitigate effects of the development upon the relationship of Raukawa and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga,

vi. Natural hazards or physical constraints including means to mitigate such hazards or constraints as part of the overall development of the growth cell

vii. Open space areas sufficient to provide neighbourhood reserves for formal and informal recreation activities, ecological enhancement and or gully restoration for the entire growth cell, and the multi-purpose uses for these areas;

viii. Proposals for power and telecommunications services to the subdivision and for the probable future development of the entire growth cell. These proposals shall include correspondence from the service provider confirming the circumstances under which future power and telecommunications are available;

ix. Proposals to minimise reverse sensitivity issues on the boundaries identified as requiring mitigation on the Planning Maps;

x. Proposals to manage the cumulative impact of network utility and infrastructure services provision on the total development of the growth cell and neighbouring areas;

xi. Commentary on transportation links intending to serve the proposed subdivision and probable future development and connectivity to the local or State Highway network, and how subdivision design and lot layout will achieve the safe and efficient operation of the road network including providing for pedestrian and cycleway opportunities. This is to include anticipated traffic generation effects associated with full development of the growth cell and any intersection design upgrades required.

xii. Commentary on the costs, timing and funding arrangements proposed and possible public-private apportionment;

xiii. That subdivision and development can comply with RITS or present an acceptable alternative solution.

8.1.4 Designations and Outline Plans

a) The procedure for a notice of requirement is set down in Sections 168 to 175 of the Act.

b) The Act states that outline plans of public works need not be submitted to Council if:

i) the proposed public work, project, or work has been otherwise approved under this Act or

ii) the details of the proposed public work, are incorporated into the designation (Section 176A) or

iii) the activity is necessary to remove the cause of, or mitigate any actual or likely adverse effect of, an emergency. (Section 330).

c) Council has the right to waive the requirement for an outline plan and will consider the need for such a plan on a case by case basis upon request from the requiring authority. Outline Plans will not be required in respect of:

i) Any network utility and infrastructure permitted by Chapter 13 of this plan

ii) Such other works where it is considered impractical or unnecessary to prepare outline plans.

8.1.5 Further Information

a) Council may, under section 92 of the Act, require applicants to supply further information which is needed to better understand:

i) The nature of the proposed activity

ii) The effects the proposed activity may have on the environment

iii) The ways in which any adverse environmental effects are to be mitigated.

b) If any significant adverse effect may result from a proposal, the Council may commission a report, with the report brief prepared in consultation with the applicant, for purposes which include:

i) Checking the accuracy, relevance and completeness of the information provided

ii) Reviewing any technical or operational details of the proposal

iii) Identifying and assessing any natural hazard or the use or storage of any hazardous substance, including measures to mitigate any potential adverse effects

iv) Providing information on matters such as heritage values, amenity or cultural considerations.

8.2 Notification Considerations

a) The Council is precluded from giving public notification of any application for a resource consent for a controlled activity or a restricted discretionary activity, except where Rule 8.2g) applies, and for applications for resource consent for non-compliance with Rules 18.4.13, 22.4.12, and 27.4.13.

ADVISORY NOTE: - Under Section 95A(2) of the Act, applications for discretionary and non-complying activities need not be notified if Council is satisfied that the adverse effects of the activity on the environment will be minor.

b) The Council is precluded from giving limited notification of any application for resource consent, except where Rules 8.2c) to 8.2fb) apply, where:

i) The application is for a controlled activity land use or subdivision consent, or

ii) The application is for a restricted discretionary activity subdivision consent, except where the subdivision has become restricted discretionary due to its proximity to high voltage transmission lines, or sub-transmission lines, in which case the electrical line owner and/or operator will be the affected parties, or

iii) The application is for a restricted discretionary activity land use consent except where the activity involves building setbacks from, or earthworks near, electricity transmission lines in which case the electrical line owner and/or operator will be the affected parties, or

iv) The application is for a restricted discretionary activity land use consent which concerns non-compliance with any of the following rules:

- Outdoor living space
- Site Coverage
- Density of dwellings
- Verandah provision
- Natural hazards
- Scale of retail activity in Industrial zone
- Building setbacks from rivers (except the Waikato River), lakes or wetlands
- Earthworks or structures under Rules 14.3.1 or 14.3.2
- Clearance of indigenous vegetation, land disturbance or drainage under Rule 14.4.1
- Building materials and reflectivity under Rule 29.4.5.

ADVISORY NOTE: - Under Section 95E(3) of the Act, Council must decide that a person is not an affected person if that person has given their written approval to the activity.

c) Transpower will be notified as an affected party and/or provided limited notification of resource consent applications, where these are likely to affect a National Grid Corridor as illustrated in the definitions section of this Plan.

d) The NZ Transport Agency will be considered an affected party and/or provided limited notification of resource consent applications for:

i) Subdivision applications under Rule 10.3.1(b)(v).

ii) Land use applications seeking exemptions from the traffic generation limits and/or vehicle access requirements in the following Rules:

Tokoroa Town Centre - Rule 17.4.10

- Tokoroa Business - Rule 18.4.12
- Tokoroa Residential - Rules 20.4.1b) to e)
- Putaruru Town Centre- Rule 21.4.9
- Putaruru Business- Rule 22.4.11
- Putaruru Residential- Rules 23.4.1 b) to d)
- Tīrau Town Centre- Rule 24.4.11
- Tīrau Residential- Rules 25.4.1 b) to d)
- Industrial – Rule 27.4.12 a)
- Rural - Rule 28.4.6 g)

- Rural Residential – Rule 29.4.6 iii)

e) Mighty River Power will be notified as an affected party for:

i) Subdivision applications under Rule 10.3.1c)(iv)

ii) Subdivision or land use applications seeking exemptions from:

Building setbacks from the Waikato River or hydroelectric power operating easements (Rules 28.4.2a) and 29.4.2a))

Geotechnical assessments (Rules 10.6.7, 10.7.9, 28.3.3b) and 29.3.3b))

Natural hazard flood levels for the Waikato River (Rules 10.7.4b), 28.4.12 and 29.4.11).

f) The Raukawa Charitable Trust will be notified as an affected party and receive limited notification of resource consent applications for the conversion of commercial forestry land for farming under Rule 8.3.1g), in relation to the location of identified recorded and unrecorded:

- cultural landscapes and cultural sites; and
- archaeological sites of Maori origin.

fa) For non-compliance with Rules 18.4.3, 22.4.12, and 27.4.13, limited notification to iwi and hapū is not precluded.

fb) The Raukawa Charitable Trust and/or related iwi and hapū will not be precluded from receiving limited notification of resource consent applications for subdivision and/or development in the Putaruru Urban Growth Cells shown on the Planning Maps.

g) Despite the above, the Council must, under Sections 95A and 95B of the Act,

- publicly notify any application if an applicant requests, and
- must determine whether special circumstances exist in relation to the application that warrant the application being publicly notified under Section 95A(9) or limited notified under Section 95B(10). If the answer is yes, the application must be respectively publicly notified or limited notified.

8.3 Matters Where Control or Discretion is Reserved for Controlled and Restricted Discretionary Activities

(These provisions apply to the consideration of applications identified as being for a controlled (8.3.1 and 8.3.2) or restricted discretionary (8.3.3) activity under Rules 10 to 31).

8.3.1 Reservation of Control - Controlled Activity Land Use Applications

The matters in respect of which Council has reserved its control are:

a) Dwellings, Accessory Buildings and Visitor Accommodation in the Lake Arapuni, Horahora Road (Lot 1 DPS 21946) and Horahora Road north areas (Rule 29.3.2):

i) The extent to which the location of structures will make them obtrusively visible, by being sited near the skyline, on a headland, or in another prominent position

ii) Whether structures, and associated artificial screening and shelter belts, would obstruct views from roads, the Waikato River and other public viewpoints

iii) The external design, construction and finish of structures, including how closely the finish blends with background colours and nearby buildings

iv) The extent to which alternative mitigation options and building sites are practical, having regard to the costs and benefits involved

v) The extent to which the development will give effect to the Vision and Strategy for the Waikato River.

b) Marae development and papakāinga in the Rural and Rural Residential zones (Rules 28.3.2 and 29.3.2):

i) The potential impact of the development on traffic safety and efficiency

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

ii) The effect of any educational and employment initiatives upon the amenities of nearby properties

c) Modifications to a Built Heritage Feature identified as controlled in the relevant Heritage Inventory Record in Appendix B:

i) The design and appearance of the modifications, and their compatibility with, and effect upon, the identified heritage values of the building concerned, as identified in the Heritage Inventory record concerned and Appendix F.

d) Refuse transfer stations, and Recycling depots with a gross area of over $20m^2$ (Rule 13.5 a):

i) The potential impact of the development on traffic safety and efficiency

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

ii) Site management to minimise nuisance for nearby residents and properties, including from odour, vermin and wind-borne debris.

e) Licensed restaurants and bars with frontage to Arapuni Road (Rule 26.3.2):

i) The hours of operation, noise levels, parking provision and the effect of vehicular access upon traffic safety.

f) Hazardous substance storage at a service station that contravenes a standard for a permitted activity under Appendix G:

i) Proposed fire, safety and fire water management

ii) Proposed spill contingency and emergency planning

iii) Proposed monitoring and maintenance schedules.

iv) Proposed waste management

v) Compliance with relevant Codes of Practice and Standards.

g) Conversion of commercial forestry land for farming:

- Measures to manage the effects on riparian margins including existing indigenous vegetation and stock access within these margins;
- Conditions of consent that ensure performance standards in Rule 28.4 are implemented in an appropriate manner to minimise the actual and potential adverse effects including cumulative effects of the activity;
- Measures to manage the actual and potential effects resulting from the extent of disturbance of natural character, access, amenity values and landscapes including cultural landscapes, cultural sites, and archaeological sites, and indigenous biodiversity;
- Monitoring and/or review conditions.

h) In relation to an application under Rule 14.4.2 for a controlled activity for the removal of vegetation including harvesting in a Significant Natural Area in accordance with an approved Sustainable Forest Management Plan or Permit or personal use approval issued by the Ministry of Primary Industries under the Forests Act 1949 under Rule 14.4.2:

(i) The protection of the habitats of threatened or at-risk species including the opportunities for the relocation of indigenous fauna (in accordance with the Wildlife Act 1953);

(ii) The effects on the relationship of tangata whenua with their ancestral lands, water bodies, wāhi tapu, and other taonga;

(iii) The measures to avoid, remedy, or mitigate any adverse effects on the significant indigenous vegetation and significant habitats of indigenous fauna. This shall include but is not limited to, control over which specific tree(s) is removed, modified or not removed, the timing (for example sensitivity to roosting) and sequence of removal where relevant.

i) Alterations to built heritage items to improve structural performance, fire safety or physical access.

i) The design and appearance of the modifications, and their compatibility with, and effect upon, the identified heritage values of the building concerned, as identified in the Heritage Inventory record concerned and Appendix F.

j) In assessing applications for controlled activities within Putaruru Growth Cell 4 shown on the Planning Maps, the matters in respect of which Council has reserved its control are:

i) The degree to which the activity would contribute to a cumulative increase in vehicle movements to and from GC4 at the Princes St/SH1 Intersection at peak hours, as indicated by an Integrated Traffic Assessment prepared for the activity,

ii) Impacts on the safe and efficient functioning of the road network,

iii) Measures proposed to mitigate any adverse effects on the Princes St/SH1 intersection,

iv) The availability of sufficient water and wastewater infrastructure including water supply for firefighting in accordance with the NZ Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2008), to service future subdivision and/or development throughout Putaruru, including in the residential Growth Cells identified by this Plan.

v) The design and location of the legal road providing access to Princes Street shown as Possible Future Road on the Planning Maps where this has not already been vested in Council.

8.3.2 Reservation of Control – Controlled Activity Subdivision Applications

The matters in respect of which Council has reserved its control are:

a) Provision to be made for water supply, including future firefighting capability

b) Provision to be made for disposal of wastewater and stormwater management and sediment control

c) Potential impacts on the safe functioning of roads, with accessways onto roads consolidated wherever possible to minimise the number of crossing places and ensure safe sight separation distances

d) The width, length, drainage and formation of driveways and rights-of-way

e) The size, shape and arrangement of allotments and location of proposed boundaries

f) The creation of appropriate easements

g) Payment of financial contributions including reserves contribution

h) Providing, forming, naming and signposting new roads

i) Preservation of existing vegetation

j) Provision of esplanade reserves and strips

k) Suitability of proposed allotments for subsequent buildings and future use, including the separation of proposed building sites from electricity transmission lines.

l) Impact of subdivision upon future management of indigenous vegetation, including Significant Natural Areas, archaeological sites and areas, and upon heritage places and areas

m) Requiring a consent notice to be placed on the titles of newly subdivided allotments which contain an area of indigenous vegetation or a significant natural area, or requiring the covenanting of such areas, to ensure their ongoing protection and maintenance of that area

n) Fencing off streams, rivers, wetlands and indigenous vegetation with adequate buffer zones to permanently exclude stock, protect ecological functioning of riparian margins, vegetation and aquatic habitats.

o) The location of any proposed building platform(s) and associated works in relation to an outstanding natural landscape, feature or significant amenity landscape and associated adverse effects on the identified landscape values

p) Subdivision design and compatibility with any probable subsequent development of further lots on the balance of land zoned Rural Residential, as illustrated by a Development Concept Plan

pa) In relation to subdivision of land within any Putaruru Growth Cell, the degree of compliance with any Development Concept Plan prepared for the Growth Cell concerned.

q) In respect of subdivisions which are related to the establishment of a new farming activity or forestry activity, Council has reserved its control to the maintenance and protection of existing wetlands and waterbodies, and including by:

  i) Fencing off streams, rivers, wetlands and indigenous vegetation with adequate buffer zones to permanently exclude stock and protect riparian margins and vegetation

  ii) Requiring a stormwater management plan to manage stormwater runoff and to design and implement sediment control measures

  iii) Considering the extent to which the development will give effect to the objectives of the Vision and Strategy for the Waikato River.

r) Subdivision development and associated works which may affect the adjoining land, or the stability of the land being subdivided, being land disturbance, excavation and filling, and land contamination

s) The extent of disturbance to landforms, landscapes and vegetation cover as a result of the development of accessways, building platforms and buildings including accessory buildings

t) The adequacy of separation distances between dwellings and established rural-based activities to recognise the existing and potential adverse effects of primary production activities, rural industries and rural based recreational activities such as boating, hunting and waterfowl shooting on the amenity in the local area

u) Effects (including reverse sensitivity effects) on consented hydro-electric power generation activities, network utility infrastructure, or the ongoing operation, maintenance and upgrading of the National Grid

v) Extent of set back from margins and easement boundaries of the Waikato River so as not to compromise existing and new walking/cycling trails

w) Effects of the development upon the health and wellbeing of the Waikato River, considering the extent to which the development will give effect to the Objectives of the Vision and Strategy for the Waikato River. (The Objectives are set out in Chapter 1 of this plan)

x) Any impact of subdivisional works on the severity of natural hazards, and the effects of hazards on future use of the land being subdivided

y) Ability to connect to an adequate electricity supply

z) Impacts on the function, and safety and efficiency of the transport network

za) Infrastructure provision and upgrading, operation and maintenance including works to maintain the function, safety and operation and levels of service of the network utilities and infrastructure.

zb) The results of any Integrated Transportation Assessment prepared in accordance with the Integrated Traffic Assessment Guidelines, November 2010, NZTA Research Report 422, and/or Traffic Impact Assessment

zc) Establishment of cycleways, walkways and public transport stops

zd) Timing and staging of development

ze) Cumulative effects on infrastructure

zf) The matters specified in Section 220 of the Act.

zg) For Putaruru Growth Cell 4 (Business) as shown on the Planning Maps, the design and location of the legal road providing access to Princes Street shown as Possible Future Road on the Planning Maps where this has not already been vested in Council.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.3.3 Matters Where Discretion is Restricted - Restricted Discretionary Activities

a) In assessing applications that have become restricted discretionary activities due to non-compliance with the plan's performance standards, but which otherwise would have been permitted activities, Council has restricted its discretion over matters related to the effect of allowing non-compliance with the particular performance standard (or standards) which the proposal has failed to meet. Conditions may be imposed to avoid, remedy or mitigate the effects of non-compliance.

ab) In assessing applications for activities that involve new direct accesses onto state highways, or generate more than 100 additional vehicle movements in any given peak hour onto a state highway, the matters in respect of which Council has restricted its discretion are:

i) Location and scale of activity, and location of vehicle entrance

ii) Vehicle access and manoeuvring

iii) Impacts on the safe and efficient functioning of the road network, and

iv) Vehicle queuing on site

v) Economic development within the District including the creation of new jobs

ac) In assessing applications for activities that generate more than 200 additional vehicle movements in any given peak hour onto a local road, the matters in respect of which Council has restricted its discretion are:

i) Location and scale of activity

ii) Vehicle access and manoeuvring

iii) Impacts on the safe and efficient functioning of the road network, and

iv) Vehicle queuing on site

v) Capacity and ability of Council's existing roading infrastructure to accommodate additional vehicle movements

vi) Economic development within the District including the creation of new jobs

ad) In assessing applications for the Tokoroa Hospital site that generate more than 50 additional vehicle movements in any given peak hour onto State Highway 32 from activities occupying additional gross floor area, the matters in respect of which Council has restricted its discretion are:

i) location and scale of the activity

ii) vehicle access and manoeuvring

iii) impacts on the safe and efficient functioning of the State Highway network, and

iv) vehicle queuing on site.

ae) In assessing applications for activities within Putaruru Growth Cell 4 shown on the Planning Maps (GC4) that do not comply with Rule 22.4.11d) because they would result in a cumulative increase in vehicle movements to and from GC4 at the Princes St/SH1 Intersection of more than 200 vehicle movements in any given peak hour, the matters in respect of which Council has restricted its discretion are:

i) Location and scale of activity

ii) Vehicle access, vehicle queuing and manoeuvring on site

iii) Impacts on the safe and efficient functioning of the road network, and

iv) Capacity and ability of Council's existing roading infrastructure to accommodate additional vehicle movements

v) Measures to mitigate any adverse effects on the Princes St/SH1 intersection, taking into account the level of traffic generated by other land use which has been lawfully established or granted consent to establish in the Growth Cell. This mitigation could include funding physical improvements to the intersection.

vi) Where roading infrastructure is required to be upgraded, the preparation of an infrastructure funding agreement or other such measure that must be agreed with all relevant service providers to ensure that the infrastructure required to service the development can be funded and provided in a timely manner.

b) In assessing applications which have become restricted discretionary activities due to non-compliance with the plan's performance standards, but which otherwise would have been controlled activities, Council has restricted its discretion over matters relating to the effect of allowing non-compliance with the particular performance standard (or standards) which the proposal has failed to meet. Council has also reserved its control over the matters in Rules 8.3.1 or 8.3.2 which relate to that type of controlled activity.

c) In assessing applications for construction or reconstruction of buildings in the Tīrau Town Centre Zone that involve an exterior wall facing toward a street boundary, Council has restricted its discretion over the design and external appearance of proposed buildings and their compatibility with the existing character of the town centre. Ultra–modern or minimalist designs with stainless steel and mirror glass will not generally be acceptable.

d) In assessing applications for dwelling houses on sites with a net site area of between 300m2 and 450m2 in Residential Zones, the matters in respect of which Council has restricted its discretion are:

i) Separation and design of houses for visual and aural privacy, including screening, the bulk of proposed buildings in relation to neighbouring properties, and the location of open space and glazing

ii) Arrangement of yard space, including the use of zero lot lines, common open space and room for trees and landscaping

iii) The orientation, roof pitch and style, and footprint of the dwelling units, in terms of promoting a difference from other dwellings existing or proposed nearby

iv) The location of any garages or carports, and the layout of access drives, parking and manoeuvring spaces, in terms of maximising the amount and amenity of outdoor living space, promoting safety and minimising conflict between vehicles and people using the site and adjoining properties and roads.

e) In assessing applications for subdivision of sites with a net site area of between 300m^2 and 450m^2 in Residential Zones, the matters in respect of which Council has restricted its discretion are:

i) The size and shape of the proposed allotments in relation to their ability to be developed for quality housing with adequate separation from neighbouring properties for visual and aural privacy and with sufficient open space, given the land contour and its orientation to the street.

ea) In assessing applications which have become restricted discretionary activities due to non-compliance with 10.6.5 d) the matters which Council has reserved its discretion over are:

i) The provision of certification from a Power provider to demonstrate that connection can be made to the new allotment

ii) Subsequent consent notice to warn potential owners of the lack of this service.

f) In considering any application for resource consent for activities that are not predicted to comply with the relevant zone noise controls, including activities on the surface of the water, the matters in respect of which Council has restricted its discretion are:

i) The maximum level of noise to be generated, and its nature, character and frequency, in relation to the disturbance this may cause to people in the vicinity

ii) The length of time for which specified noise levels will be exceeded, particularly at night, with regard to likely disturbance that may be caused

iii) The extent to which it is practicable to require acoustic shielding and other mitigation measures to achieve the relevant noise limits. This includes possible noise insulation of habitable buildings on other sites

iv) The impact of noise from surface water activities on wildlife in the area, including the timing of noise in relation to life cycle stages during which wildlife are more vulnerable to disturbance (e.g. nesting seasons).

g) In assessing applications which have become restricted discretionary activities due to non-compliance with Appendix G, the matters in respect of which Council has restricted its discretion are:

i) The location, type and quantities of hazardous substances to be used

ii) Mitigation of risk to people, properties and the environment generally

iii) Monitoring and maintenance schedules, contingency measures and emergency plans.

h) In assessing applications which have become restricted discretionary activities due to non-compliance with parking space provision except for within the Urban Area of Tokoroa and Kinleith, other mitigation

options that will be considered include a developer constructing additional parking spaces on the adjoining street frontage, the sharing of parking spaces between activities on different sites, leasing of land nearby to provide parking spaces, use of stacked parking, and provision of cycle spaces or other matters recommended by a suitably-qualified Traffic Engineer (e.g. availability of public carparking spaces). These forms of mitigation are only likely to be appropriate where they do not adversely affect traffic safety or efficiency, and do not preclude on-street parking being available for adjoining land uses.

i) In assessing subdivisions which have become restricted discretionary activities due to proximity to the National Grid's transmission lines, the matters in respect of which Council has restricted its discretion are:

   i) The extent to which the subdivision design avoids, remedies or mitigates conflicts with existing lines, for example through the location and design of roads, reserves, landscaping and building platforms

   ii) The ability for maintenance and inspection of transmission lines, including ensuring access and any planned and approved upgrade of the National Grid

   iii) The extent to which the design and development will minimise the risk of injury and/or property damage from such lines

   iv) The extent to which potential adverse effects (including visual) are mitigated through the location of building platforms

   v) Compliance with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)

   vi) Outcomes of any consultation with the affected utility operator.

   vii) The risk to the structural integrity of the National Grid

   viii) The extent to which the subdivision design and consequential development will minimise potential reverse sensitivity and nuisance effects of the National Grid.

j) In assessing subdivisions which have become restricted discretionary activities due to proximity to sub-transmission lines, the matters in respect of which Council has restricted its discretion are:

   i) Extent of compliance with NZECP 34:2001

   ii) The location, height, scale, orientation and use of buildings and structures to address potential adverse effects on the sub-transmission line, and/or potential risks to public or property.

k) In assessing land use consent applications for buildings and structures which have become restricted discretionary activities due to proximity to National Grid transmission lines, the matters in respect of which Council has restricted its discretion are:

   i) The extent of compliance with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)

   ii) The location, height, scale, orientation and use of buildings and structures to ensure effects on the following are addressed:

      - The risk to the structural integrity of the transmission line
      - The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network
      - The risk of electrical hazards affecting public or individual safety, and risk of property damage
      - The extent of earthworks required, and use of mobile machinery near the transmission line which may put the line at risk
      - Minimising the visual effects from the transmission line
      - Any other matters set out in plans for buildings and/or structures, and
      - Outcomes of any consultation with the relevant line owner

l) In assessing land use consent applications for earthworks which have become restricted discretionary activities due to proximity to National Grid transmission lines, the matters in respect of which Council has restricted its discretion are:

i) Any effects on the structural integrity of the transmission line

ii) Volume, area and location of the works, including temporary activities such as stockpiles

iii) Site reinstatement

iv) The use of mobile machinery near the transmission line which may put the line at risk

v) Compliance with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)

vi) Outcomes of any consultation with the relevant line owner.

m) In assessing applications for activities on the surface of the water, the matters in respect of which Council has restricted its discretion are:

i) The size of any proposed structure compared to the width of the waterway (i.e. to ensure other users and the water flow are not impeded)

ii) Potential conflicts with other users (recognising other people's rights and whether compromises are needed on either side)

iii) Position in relation to the main channel/ main boating routes (ensuring main routes are not impeded)

iv) Whether public will have access to the structure.

n) In assessing applications for new farming activities under Rule 28.3.1 that have become restricted discretionary due to non-compliance with Rule 28.4.8 and Rule 28.4.9, the matters in respect of which Council has restricted its discretion to avoid, remedy or mitigate the adverse effects are:

i) Measures to manage the effect on natural character, indigenous biodiversity and riparian margins

ii) Measures to manage the effects on the health and wellbeing of the Waikato River catchment, including the objectives of the Vision and Strategy for the Waikato River. (The Objectives are set out in Chapter 1 of this plan)

iii) Measures to prevent or reduce stock access to the waterbody and its riparian margins

iv) Any monitoring and or review conditions.

o) In assessing applications for community scale renewable energy development using hydro-electric generation, the matters in respect of which Council has restricted its discretion are:

i) The effect on natural character and indigenous biodiversity

ii) The effects on the health and wellbeing of the Waikato River catchment, including the objectives of the Vision and Strategy for the Waikato River

iii) The effects on any outstanding natural landscape, outstanding natural feature, or significant amenity landscape identified in Appendix C

iv) The effects on public access to or along the Waikato River or any of the other waterways identified in Rule 10.10.2 a)

v) Any cultural impacts including actual or potential adverse effects on the intrinsic values or mauri of the waterway, wāhi tapu or other sites of significance to Maori

vi) Any cumulative effects of renewable energy development using hydro-electric generation.

p) In assessing applications for activities which do not meet the setback requirements of Rule 28.4.2 f), the matters in respect of which Council has restricted its discretion are:

i) Distance between dwelling and intensive farming activity

ii) Effects on other land use activities, including reverse sensitivity effects

iii) Matters in industry Codes of Practice.

q) In assessing applications for poultry farming, the matters over which Council has restricted its discretion are:

- Shed location, scale and design;
- Compliance with relevant industry standards or codes of practice;
- The extent of landscaping, and the on-going maintenance of landscaping;
- The means of ventilation from the sheds;
- Impacts of topography and prevailing winds;
- Traffic effects; and
- The provision of a Management Plan specifying how operational practices will mitigate potential adverse odour, noise and dust effects, including a waste management strategy and a complaints and monitoring procedure.

r) In assessing applications for the establishment of new tracks and or fences within a Significant Natural Area (SNA) identified in Appendix E, the matters in which Council has restricted its discretion are:

i) the location and purpose of the proposed track alignment and impacts including fragmentation on the SNA;

ii) the location and purpose of the proposed track alignment and impacts on the existing land use activities on the property;

iii) the size of the area, vegetation and or habitat type that is lost due to the proposed works and its representation in relation to the overall size, significance and functioning of the SNA;

iv) the scale of any earthworks, re-contouring and potential for land erosion affecting the site;

v) the mitigation measures proposed that could include some or all of the following – replanting including species selection, number and timing and maintenance within the SNA to sustain its ecological viability or on adjacent land linking to the SNA, weed and pest management control methods and their timing, and or fencing off and retiring additional land to enhance buffering and sustain the indigenous biodiversity on the property.

s) In assessing applications for signage on buildings/structures listed in Appendix B - Built Heritage Inventory, and on the sites where those buildings/structures are located, which do not meet the requirements of Rule B1.1 of Appendix B, the matters in respect of which Council has restricted its discretion are:

i) The extent to which any sign including supporting structures, detracts from the heritage significance or values of a heritage building.

ii) Whether any sign obscures or detracts from the architectural values of the building/structure including decorative detailing, structural divisions, windows or doorways.

iii) Whether additional signs will detract from the heritage details of the building/structure.

iv) The extent to which the design of the sign and the graphics and the colour are compatible with the building/structure or site.

v) Whether the means of fixing the sign to a scheduled building or structure, including associated cabling or wiring for illuminated signs, will adversely affect the heritage fabric and heritage values of the scheduled building or structure.

vi) Whether the intensity of illumination will adversely affect the heritage values of the building or structure.

t) In assessing applications for activities within Putaruru Growth Cell 4 shown on the Planning Maps that do not comply with Rule 22.4.12 relating to water supply and/or wastewater disposal, the matters in respect of which the Council has restricted its discretion are:

i) The availability of sufficient water and wastewater infrastructure including water supply for firefighting in accordance with the NZ Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2008), to service future subdivision and/or development throughout Putaruru, including in the residential Growth Cells identified by this Plan.

ii) The feasibility of alternative measures to achieve required public wastewater and or water supply capacity,

iii) Whether the staging and design of development will align with the provision of infrastructure so that the overall capacity of the infrastructure is not exceeded.

iv) Whether temporary wastewater or water supply capacity can be provided which does not undermine the long-term solution.

v) Whether funding or other such measures have been agreed between the Council as service provider and the applicant to achieve the required public wastewater and or water supply capacity.

vi) Means to mitigate effects of the additional demand for water supply and/or wastewater disposal capacity upon the relationship of Raukawa and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

u) In assessing applications for subdivision and land use activities within Putaruru Growth Cell 1 (Overdale) or Growth Cell 2 (Ruru) that do not comply with Rules 10.4.6, 10.4.7, or 23.4.14 or 23.4.15 relating to the maximum number of HUEs to be provided for in this these Growth Cells, the matters in respect of which the Council has restricted its discretion are:

i) The availability of sufficient water and wastewater infrastructure including water supply for firefighting in accordance with the NZ Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2008), to service future subdivision and/or development throughout Putaruru, including in the residential Growth Cells identified by this Plan.

ii) The feasibility of alternative measures to achieve required public wastewater and or water supply capacity,

iii) Whether the staging and design of development will align with the provision of infrastructure so that the overall capacity of the infrastructure is not exceeded.

iv) Whether temporary wastewater or water supply capacity can be provided which does not undermine the long-term solution.

v) Whether funding or other such measures have been agreed between the Council as service provider and the applicant to achieve the required public wastewater and or water supply capacity.

vi) Means to mitigate effects of the additional demand for water supply and/or wastewater disposal capacity upon the relationship of Raukawa and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

v) In assessing applications which have become restricted discretionary activities due to non-compliance with 22.4.1c) the matters which Council has reserved its discretion over are:

a) The effects on the operation of the railway network

b) Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.

w) In assessing the effects of non-compliance with Rules 18.4.13, 22.4.12 and 27.4.13, and in addition to criteria 8.3.4n) and 8.3.4r), Council restricts its discretion to the degree of non-compliance and the extent to which that non-compliance results in adverse effects on waterbodies, including cultural effects.

8.3.4 Additional Matters of Control and Restricted Discretion

Additional matters over which control has been reserved for all controlled activities except for resource consent applications for conversion of commercial forestry for farming which shall be exempt for consideration under R8.3.4l), and to which discretion has been restricted, for all restricted discretionary activities, are:

a) Financial contributions in the form of money or land, or a combination of these. (Refer to Rule 10.9)

b) Bonds or covenants or both, to ensure performance or compliance with any conditions imposed, including provision for variation, cancellation or renewal or covenants

c) Administrative charges to be paid to the Council in respect of processing applications, administration, monitoring and supervision of resource consents, and for the carrying out of the Council's functions under section 36 of the Act.

d) A requirement that the consent holder supply information relating to the exercise of the consent, as detailed in section 108(3) and (4) of the Act

e) Works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including the creation, extension or upgrading of services and systems, planting or replanting, or any other works or services necessary to ensure the avoidance, remedy or mitigation of adverse environmental effects

f) The duration or lapsing of a consent, under sections 123 and 125 of the Act

g) Change and cancellation of a consent, under sections 126 and 127 of the Act

h) Notice that some or all conditions may be reviewed at some time in the future, under section 128 of the Act

i) Whether any land use or subdivision consent should attach to the land to which it relates, and be enjoyed by the owners and occupiers for the time being, under section 134 of the Act

j) Consent notices to secure compliance with continuing conditions under section 221 of the Act

k) Impacts on the function, and safety and efficiency of the transport network

l) Whether the activity involves the loss of indigenous biodiversity in areas important for any of the following:

   i) continued functioning of ecological processes

   ii) supporting (buffering and/or linking) ecosystems, habitats and areas identified as Significant Natural Areas

   iii) providing ecosystem services

   iv) the health and wellbeing of the Waikato River and its catchment

   v) providing natural character and amenity values

   vi) Tangata Whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment

   vii) enhancing the density, range and survival of indigenous flora and fauna

m) Any matters identified by the NZ Transport Agency

n) Infrastructure provision and upgrading, operation and maintenance, including works to maintain the function, safety and operation of network utilities and infrastructure to maintain levels of service to zoned land and ensure Council's compliance with consent conditions relating to infrastructure facilities.

o) The results of any Integrated Transportation Assessment, prepared in accordance with the Integrated Traffic Assessment Guidelines, November 2010, NZTA Research Report 422, and/or Traffic Impact Assessment

p) Establishment of cycleways, walkways and public transport stops

q) Timing and staging of development

r) Cumulative effects on infrastructure, including the extent to which levels of service to zoned land and Council's compliance with existing water take or wastewater discharge consents may be impacted.

s) Additional matters of control and discretion in respect of identified outstanding landscapes and natural features (ONL/ONF), and significant amenity landscapes (SAL), are as follows:

  i) The extent to which the activity reduces or impacts on the qualities, values, or characteristics that have determined the locations and status as an ONFL or SAL.

  ii) The extent to which additional buildings on site may cause adverse effects on the identified landscape.

  iii) The extent to which the siting, orientation, design, and bulk of buildings and materials used for their construction, integrate the building into the surrounding natural environment.

  iv) The extent to which the scale and location of earthworks associated with roads, vehicular access tracks, and building sites, or recontouring detracts from the values and character of the landscape.

  v) The extent to which the cut and fill has been minimised and the final contours can be re-vegetated.

  vi) The extent to which earthworks maintain the existing landform profile and align to the contour.

t) the extent to which the location, size and colour of the signs detracts from the recognised character and values of the heritage items included in Appendix B.

u) Where the subdivision affects land wholly or partly within a Putaruru Growth Cell shown on the Planning Maps:

  i) The extent to which the application demonstrates that a habitable building site meeting the requirements of Rule 23.4.11 can be provided on each residential allotment.

  ii) The extent to which the application demonstrates the overall compatibility of the present pattern of subdivision to possible longer-term development of the property, to ensure that subdivision and development of land will occur in a way that is or can be integrated with development of the whole of the Growth Cell for residential living or business use.

  iii) The extent to which future building sites are safeguarded and do not compromise the DCP submitted, by means of a consent notice to be placed on newly subdivided titles within the Putaruru Growth Cells.

  iv) The extent to which consent notices and other measures will be effective to minimise future reverse sensitivity concerns on the boundaries identified on the Planning Maps, between future occupants and existing adjoining land uses. This will usually consist of no-complaints covenants, but alternatives such as construction of solid fencing at the subdivision stage, or greater setbacks for new habitable buildings than required by Rule 23.4 may be considered by Council.

  v) Where a staged development is proposed, the extent to which the initial stages are located as close as possible to approved connection points with trunk water, sewer and stormwater services, with subsequent stages forming successive extensions to those networks.

vi) Where a plan is for a subsequent stage of a subdivision for which a DCP has been submitted as part of an earlier stage, the extent to which the proposed development is consistent with the earlier DCP.

vii) The extent to which any alternative solutions provide the same level of urban amenity as required in RITS.

viii) Where the subdivision affects land wholly or partly within Putaruru Growth Cells 1, 2 or 4 shown on the Planning Maps, requiring consent notices to be placed on the titles of newly-subdivided allotments to alert prospective purchasers to the requirements of Rules 22.4.11d), 22.4.12, 23.4.14 or 23.4.15.

ix) Means to mitigate effects of the additional demand for water supply and/or wastewater disposal capacity upon the relationship of Raukawa and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

v) For subdivisions and land use activities locating in Putaruru Growth Cell 4 (Business) as shown on the Planning Maps, the design and location of the legal road providing access to Princes Street shown as Possible Future Road on the Planning Maps where this has not already been vested in Council.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.4 Assessment Criteria for Discretionary Activities

When considering an application for a Discretionary Activity, Council must have regard to those matters specified in Section 104B of the Act, and the following matters, where applicable, will form a basis of the assessment criteria for discretionary activities.

8.4.1 General

a) Subject to Part II of the Act, the matters specified in Section 104 of the Act

b) Compliance or otherwise with standards applying to similar permitted or controlled activities

c) The environmental results sought by this plan for the zones concerned as expressed in the zone statement

d) Any potential detraction from the amenities of the area through odour, smoke, noise, or other noxiousness whether from the operation itself or any ancillary aspect

e) Whether the proposed buildings would detract from the amenity and character of the area

f) Parking needs will be assessed against staff numbers, likely numbers of patrons and their mode of travel except for within the Urban Area of Tokoroa and Kinleith. Regard will be had to how often it is used, the availability of on-street parking, and the impact of using on-street parking upon other users of the road

g) Vehicle crossings shall be assessed in terms of the sight distance and driveway spacing guidelines contained in Chapter 11, and the seal widening and formation standards contained in the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

h) Whether there is sufficient and adequate provision for the collection or disposal of solid waste, including tailings

i) The degree to which any waste treatment ponds are adequately separated from other activities, taking into account topography, type of waste to be treated, wind direction, tree planting and existing vegetation and the location and number of existing and future dwellings likely to be affected by such ponds

j) Compliance or otherwise with any relevant NZ Standards, regulations or Industry Guidelines

k) Any danger to people and property from hazardous goods and natural hazards, including any risk assessments, contingency plans and proposals to mitigate such hazards

l) The potential possibility of any animals escaping on to adjoining properties, roads, or public places

m) Whether any exterior lighting is to be used or installed which would tend to create a nuisance for people nearby

n) The effect of the proposal on the heritage values and preservation of any place or object listed in Appendix B or Appendix D, or upon any significant natural area listed in Appendix E. The heritage values of the places listed in Appendix B are identified in each Heritage Inventory record, and in Appendix F

o) Whether the proposal would have an adverse effect on the values of an outstanding natural feature or landscape, significant amenity landscapes or cultural heritage items identified by this plan (Refer: Appendices C and D)

oa) Any logistical, locational and functional constraints of a renewable electricity generation proposal, or a mineral exploration, mining and quarrying activity.

ob) The national, regional or local significance and or benefits of a renewable electricity generation proposal, or a mineral exploration, mining and quarrying activity.

p) Whether the activity involves the loss of indigenous biodiversity in areas important for any of the following:
   i) continued functioning of ecological processes
   ii) supporting (buffering and/or linking) ecosystems, habitats and areas identified as Significant Natural Areas
   iii) providing ecosystem services
   iv) the health and wellbeing of the Waikato River and its catchment
   v) providing natural character and amenity values
   vi) Tangata Whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment
   vii) enhancing the density, range and survival of indigenous flora and fauna

pa) The extent to which the activity may cause:
   i) fragmentation and isolation of indigenous ecosystems and habitats
   ii) reduction in the extent of indigenous ecosystems and habitats
   iii) loss of corridors or connections linking indigenous ecosystems and habitat fragments or between ecosystems and habitats (ecological sequences from mountains to sea)
   iv) loss or disruption to migratory pathways in water, land or air
   v) loss of buffering of indigenous ecosystems
   vi) loss of ecosystem services
   vii) Loss, damage or disruption to ecological processes, functions and ecological integrity
   viii) effects which contribute to a cumulative loss or degradation of indigenous habitats and ecosystems
   ix) noise, visual and physical disturbance on indigenous species
   x) loss of habitat that supports or provides a key life-cycle function for indigenous species.

pb) Compliance with Forest Stewardship Council certification

q) Any detrimental effect of the proposal upon the operation or future development of any other existing authorised use in the vicinity, including network utilities and infrastructure. This includes whether the proposal requires a level of amenity which is incompatible with the operation and management of any such authorised use

r) Any potential adverse effects of the proposal upon the life supporting capacity of soils, or upon options for their future use, due for example to compaction, fragmentation of ownership, soil removal, coverage or risk of contamination

s) The extent to which traffic effects day and or night-time associated with the operation of the development impact on the local (including any neighbouring settlement) district, and regional roads and the state highway network

t) The extent to which on-site stormwater management measures can be adopted to minimise stormwater runoff off-site

u) The measures adopted to manage demand for and security of supply of potable water

v) The extent to which power supply and upgrade requirements will provide a secure and adequate supply of network utility infrastructure such that people will be better able to provide for their economic, social and cultural wellbeing, and such that adverse effects on the environment are avoided or mitigated to the extent practicable

w) The extent to which building mass (and bulk) impacts visually on the existing character and amenity of the local area, and the extent to which landscaping and or planting and other methods can screen site facilities from neighbouring land uses

x) Any potential effects on the effective operation, maintenance and protection of regionally and nationally significant infrastructure.

y) Impacts on the function, and safety and efficiency of the transport network

z) Any matters identified by the NZ Transport Agency

za) Infrastructure provision and upgrading, operation and maintenance, including works to maintain the function, safety and operation of the network utilities and infrastructure.

zb) The results of any Integrated Transportation Assessment, prepared in accordance with the Integrated Traffic Assessment Guidelines, November 2010, NZTA Research Report 422, and/or Traffic Impact Assessment

zc) Establishment of cycleways, walkways and public transport stops

zd) Timing and staging of development

ze) Cumulative effects on infrastructure

zf) The risk of acting or not acting if there is uncertain or insufficient information about the environmental effects of the proposal concerned

zg) The extent to which mātauranga Raukawa (traditional Raukawa knowledge) identifies potential adverse environmental effects of the activity and appropriate mitigation methods

zh) The extent to which the development will give effect to the Vision and Strategy for the Waikato River.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.4.2 Quarrying and Cleanfill Activities

a) The techniques to be used in the operation

b) The likely duration of the quarrying or filling

c) Restoration and the ultimate use of the site

d) Adequate set-back and separation distances from roadways and adjoining uses, for visual amenity reasons and for noise attenuation

e) Traffic management measures for heavy vehicles.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.4.3 Buildings Housing Animals

a) The degree of separation proposed between any building or pen housing animals and any building, boundary or road. Council may increase or relax the separation distance where on the grounds of public health, amenity, intensity of use, odour, noise, visibility, noxiousness or other reasons it is appropriate to do so. The separation distances proposed by the Pork Industry Board's Code of Practice shall be used as a guideline for assessing the adequacy of separation around any proposed pig farming operation.

8.4.4 Service Stations

a) The extent to which the proposal will be screened from adjacent residential uses by landscaping or fencing

b) The effect of any access points on traffic safety and efficiency

c) The extent to which lighting will be managed to avoid nuisance on residential properties

d) Whether vehicle parking and manoeuvring can be accommodated on site

e) The extent to which signs comply with general controls in the zone concerned

f) The adequacy of proposals to collect and deal with potentially contaminated stormwater

g) The extent to which the proposal is likely to have an effect on the amenities sought by the objectives for the zone concerned.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.4.5 Commercial Activities in Residential Zones and the Arapuni Village Zone

a) Commercial activities in Residential zones, the Arapuni Village Zone, and the Rural Residential Zone (including vets/health care, offices, places of assembly, retail shops, cafes, bars and restaurants) should:

   i) Have hours of operation that are compatible with maintaining a quiet residential environment after 2230 - Sunday to Thursday, after midnight on Fridays and Saturdays, and before 7am daily.

(These hours of operation may be exceeded for any 24-hour period up to 5 days per calendar year).

ii) Not create incompatible levels of traffic in local residential streets and cul-de-sacs, (e.g. more than one heavy vehicle visit per day, or 10 vehicle movements per day in total)

iii) Have similar or smaller staffing levels than home occupations permitted in the zone (i.e. no more than four full-time equivalent staff)

iv) In respect of the Tīrau Residential zone, the degree to which the development forms a natural extension of the Town Centre zone, complements the retailing and other activity in the main street, and provides necessary services for the town's people.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.4.6 Marae development and papakāinga in the Residential zones and Arapuni Village zone

a) The potential impact of the development on traffic safety and efficiency

b) The effect of any educational and employment initiatives upon the amenities of nearby properties

c) The extent of the potential social, economic and cultural benefits of the proposal for Tangata Whenua.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.4.7 Surface of the Water Activities

a) The effect of surface water activities, particularly involving motorised vessels, on public enjoyment and recreational use of lakes, rivers and adjoining areas, including watercraft operators

b) The effect that permanent structures and surface water activities have, including positive effects, on the recreational, ecological, landscape, and cultural values of the waterbody and margins, including the significant natural areas identified in Appendix E

c) The effect of the activity upon the health and wellbeing of the Waikato River.

8.4.8 Multiple Dwellings

a) In relation to more than two dwellings on a site in a Residential zone, or more than one dwelling on a site in the Arapuni Village zone:

i) Separation and design of houses for visual and aural privacy, including screening, the bulk of proposed buildings in relation to neighbouring properties, and the location of open space and glazing

ii) Arrangement of yard space, including the use of zero lot lines, common open space and room for trees and landscaping

iii) The orientation, roof pitch and style, and footprint of the dwelling units, in terms of promoting a difference from other dwellings existing or proposed nearby

iv) The location of any garages or carports, and the layout of access drives, parking and manoeuvring spaces, in terms of maximising the amount and amenity of outdoor living space, promoting safety and minimising conflict between vehicles and people using the site and adjoining properties and roads.

b) In relation to more than one dwelling on a Rural Residential site, the extent to which a semblance of rural character will be retained, including the proposed and potential future density of development compared to the 0.5ha per dwelling average sought in the zone.

8.4.9 Non-Retail Activities in the Tīrau Town Centre

a) In relation to non-retail activities in the Tīrau Town Centre zone, the impact of removing the site from retail use upon the vitality of the Tīrau town centre and its attractiveness to passing travellers as a place to stop.

8.4.10 Visitor Accommodation in Town Centre Zones

a) In relation to visitor accommodation in the Tokoroa and Putaruru Town Centre zones, the effect of vehicular access and parking upon pedestrian safety and the continuity of retail frontage, and the extent to which accommodation units can be designed and acoustically insulated to provide a reasonable level of aural privacy.

8.4.11 Residential Accommodation in Business Zones

a) The extent to which Residential accommodation in Business zones can be designed and acoustically insulated to provide a reasonable level of aural privacy and outdoor living

b) The extent to which the presence of residential accommodation will inhibit other activities in the zone that are provided for as permitted activities.

8.4.11A Discretionary Activities in Putaruru Growth Cell 4.

a) Retail activities, Places of Assembly and other activities which are discretionary activities in the Putaruru Business zone within Putaruru Growth Cell 4 shown on the Planning Maps, since they are not controlled activities under Rule 22.3.2A, should:

   i) Mitigate any adverse effects on the Princes St/SH1 intersection, as demonstrated by an Integrated Traffic Assessment prepared by a suitably qualified and experienced person, taking into account the level of traffic generated by other land use which has been lawfully established or granted consent to establish in the Growth Cell. This mitigation could include funding physical improvements to the intersection.

   ii) Complement rather than detract from the retailing and other activity in the Putaruru Town Centre zone,

b) For Putaruru Growth Cell 4 (Business) as shown on the Planning Maps, the design and location of the legal road providing access to Princes Street shown as Possible Future Road on the Planning Maps where this has not already been vested in Council.

ADVISORY NOTE: Due to its legal functions, the NZTA's comments should be taken into account with respect to all consent applications that may affect the state highway network.

8.4.12 Industries in the Rural zone ancillary to farming or forestry activity

a) The degree to which the proposal meets the performance standards specified for industries in the Industrial zone

b) The effect of the activity upon the health and wellbeing of the Waikato River.

8.4.13 Subdivisions

a) The matters listed in Rule 8.3.2 in relation to controlled activities

b) In respect of subdivisions within 2km of Kinleith, or within 1km of the Industrial Zone or Tokoroa Airport Zone, the extent to which the presence of any resulting extra dwellings may compromise the efficient operation and/or future development of Kinleith and the other Industrial zone sites, or long-term improvements for increased air traffic at the Airport

c) For subdivisions in a Residential zone creating sites less than 300m2 in area, (if forming part of a multi-unit development that has been granted land use consent), the need for the subdivision to give effect to the land use consent, and for the units created to be provided with adequate utility services

d) In respect of subdivisions next to the river or a hydroelectric power operating easement under Rule 10.3.1c)(iv), the extent to which future buildings may compromise or interfere with the consented hydro-electric generation activities or future provision of public access along the river concerned, and the hazard risks for future building occupants

e) Also, in respect of subdivisions next to the river or a hydroelectric power operating easement under Rule 10.3.1c)(iv), the effect of the activity upon the health and wellbeing of the Waikato River.

f) The subdivision layout has minimised conflicts (including from reverse sensitivity effects) that can arise between existing activities and future inhabitants of dwellings permitted by the subdivision

8.4.14 Activities that are Discretionary because they are not Permitted, Controlled, Restricted Discretionary or Non-Complying.

a) The extent to which the proposal concerns a novel or different type of land use activity that could not have been anticipated when this plan was developed.

8.5 Heritage NZ Pouhere Taonga Archaeological Discovery Protocol (Advisory Note)

In the event that an unidentified archaeological site is located during works, the following applies:

a) Work shall cease immediately at that place and within 20m around the site.

b) The contractor must shut down all machinery, secure the area, and advise the Site Manager.

c) The Site Manager shall secure the site and notify the Heritage NZ Regional Archaeologist. Further assessment by an archaeologist may be required.

d) If the site is of Māori origin, the Site Manager shall notify the Heritage NZ Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery, and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met. (Heritage NZ Pouhere Taonga Act 2014, Protected Objects Act 1975).

e) If human remains (koiwi tangata) are uncovered the Site Manager shall advise the Heritage NZ Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative, and the process under d) above shall apply. Remains are not to be moved until such time as iwi and Heritage NZ have responded.

f) Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until Heritage NZ gives written approval for work to continue. Further assessment by an archaeologist may be required.

g) Where iwi so request, any information recorded as a result of the find, such as a description of location and content, is to be provided for their records.

h) Heritage NZ will determine if an archaeological authority under the Heritage NZ Pouhere Taonga Act 2014 is required for works to continue.

It is an offence under s 87 of the Heritage NZ Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an authority from Heritage NZ, irrespective of whether the works are permitted, or a consent has been issued under the RMA.

9 Definitions

The following meanings are to be applied to the terms listed below, unless stated otherwise within the district plan text. If a term is not defined below but is defined in Section 2 of the Resource Management Act 1991 (e.g. "environment", "effect", "amenity values"), then the term has the meaning stated in the Act. Italicised entries are explanations of Māori terms used in the plan rather than strict definitions.

Accessory buildings – means a detached building, the use of which is clearly incidental to the use of the dwelling or other principal building or land use on or permitted on that site.

Accessway – means any land, not being a road, which is intended to provide vehicular access over private land.

Adequate (in relation to water supply) – means sufficient in terms of flows and residual pressure for uses provided for in the district plan to be undertaken on the site.

Aerial - means an antenna or similar communication device formed by a rod, wire, panel or dish by which radio, television, telephone or electromagnetic signals are transmitted or received.

Agricultural contractors' depots – means offices, storage buildings, plant and machinery used for the purposes of agricultural contracting, including ancillary activities and transport depots relating to the transportation of agricultural and horticultural produce, including livestock. Agricultural contractors' depots include the repair, servicing and maintenance of rural-based vehicles or machinery.

Ahi-kā-roa – *Literally keeping the fires burning on the land. Refers to the way in which the rights to occupy land and use resources are kept alive. This concept is linked with* **mana whenua***, the idea of maintaining strong links to areas by occupation gives a sense of higher and senior priority over decision-making*.

Aircraft landing areas, aerodromes and associated facilities – means the operation of landing strips and associated facilities and structures on private land for helicopters or fixed wing aircraft, to undertake activities such as top-dressing fertiliser application, spraying and similar uses related to farming and forestry activities.

Allotment (or lot) – Has the same meaning as in Section 218 of the Act.

Animal boarding facilities – means land and buildings used for the boarding and/or breeding on a commercial basis of domestic pets, including dog boarding kennels and catteries. This excludes facilities for the breeding and**/or** training of greyhounds or other racing dog breeds.

Average lot size – means the total land area of the parent lot comprising a subdivision, divided by the number of all new lots created by that subdivision.

Bed (in relation to rivers and lakes) – Has the same meaning as in Section 2 of the Act.

Boundary – means the legal boundary of the site. In the case of there being more than one detached dwelling on a property, it is defined by the notional boundary of a complying net site area. In relation to cross-lease titles, the boundary is defined by the restrictive covenant area, and in relation to unit titles, the boundary is the accessory unit associated with the principal unit.

Boundary adjustment – means a subdivision of adjoining allotments to adjust the position of boundaries, in a manner that produces the same number of allotments.

Building – means a temporary or permanent movable or immovable physical construction that is:

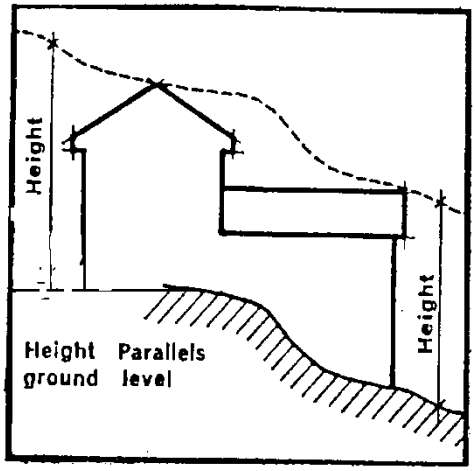
a) Partially or fully roofed; and

b) Fixed or located on or in land; but

c) Excludes any motorised vehicle or other mode of transport that could be moved under its own power

Building height – means the height of any building as measured against the ground level under the structure being assessed. Building height shall be measured as the vertical distance between ground level at any given point and the highest part of the building or structure above that point, in accordance with the diagram below. The ground level for the purpose of this rule is the existing ground level prior to any works commencing, except where alterations to the existing ground level have been undertaken in accordance with an approved subdivision consent.

Excluded from the requirement to measure building height, are chimneys, flues and similar projections, television, and telecommunication aerials and dishes, rainwater tanks, domestic scale renewable energy devices, and in addition on commercial and industrial buildings, lift machinery, air-conditioning and heating plants; all attached to the building and projecting not more than 3m above the building height standard for the zone, and less than 4m² in area.



Built Heritage Feature – means a building, structure, object, site or place, and all associated elements that have been identified as having heritage value in Appendix B.

Buildings housing animals – means**,** but is not limited to, buildings used for accommodating livestock or farmed animals, either overnight or for a period during the day, and includes cow milking sheds, calf sheds, buildings used to house intensive farming activities, poultry farming buildings, feed pads, animal boarding facilities and stables. Buildings housing animals do not include dwellings accommodating household pets such as cats and dogs.

Building platform – means land that is suitable and practical for accommodating a dwelling or other intended building, having regard to soil conditions, gradient, access, natural hazards, indigenous vegetation and habitat, amenity, health and safety, all in terms of the Building Act 2004 and Council's Code of Practice for Subdivision and Development.

Building setback – means the distance from the site boundary (or other feature as specified in the rule) which is required to be free, unoccupied or unobstructed by buildings from the ground upwards.

Excluded from the building setback requirement are eaves up to 600mm into the setback, rainwater tanks, solar hot water and small scale energy generating devices (including photo-voltaic panels and wind turbines); provided compliance is achieved with the maximum building height standard for the zone.

Cafes and restaurants – means premises where meals are sold, whether or not the premises are licensed under the Sale of Liquor Act 1989, and ancillary activities.

Caretaker's accommodation – means a building or part of a building used for accommodation of a caretaker, security staff, or other staff required to be located on-site, that is ancillary to the primary industrial or commercial activity on the site.

Carparks – means car parking areas established specifically to be used for car parking, either in association with an activity on the same site, or for car parking as the primary activity on the site.

Cemeteries, urupā and crematoria – means land and building used for burial or cremating of deceased people.

Cleanfill material – means material consisting of natural components, such as clay, soil and rock and such other materials as concrete, brick or demolition products (excluding asphalt), which are free of combustible and organic materials, free of voids and which are not subject to biological or chemical breakdown and are not capable of leaching chemicals or toxins into the environment.

Commercial services – means commercial premises offering services with functions and characteristics that are similar to retail activities, and includes banks, real estate premises, insurance premises, hairdressers, cycle hire and repair, information centres and travel agents.

Commercial and general aviation activities – means aviation related activities and facilities, including the use of buildings for aircraft (fixed wing and non-fixed wing) assembly and maintenance, aviation related storage facilities and hangars, helipads, control towers and navigational systems, and emergency services.

Commercial tourism and recreational activities – means visitor and tourist related commercial activities and facilities, primarily but not exclusively focused on outdoor recreation involving active and passive recreation pursuits, and eco-tourism operations. Such activities could include providing commercial guiding, training and instruction for primarily outdoor recreational purposes, the transportation of clients to and from other locations, and can include ancillary retail activities, visitor centres, restaurants, cafes, and conference facilities.

Community care housing – means housing and ancillary activities managed by any public authority, religious institution or organisation for the rehabilitation or care of any group. It includes emergency housing, housing for battered women, housing for persons with disabilities, "halfway houses", and therapeutic or convalescent homes for psychiatric or former psychiatric patients.

Community event – means a social, cultural, sporting or recreational event on land or the surface of water, involving relatively large groups of people engaged in recreational, leisure or similar pursuits either as participants or spectators, and includes sports meetings, carnivals, fairs, markets, craft or trade fairs, exhibitions, and displays, and associated temporary buildings and car parks.

Community scale renewable energy development – means the construction, operation, maintenance and upgrade of equipment for generating electricity from renewable resources (including associated structures), for the purpose of using electricity on a particular site or supplying an immediate community (within 10km of the site of generation), where installed generation capacity does not exceed 1.5 megawatts.

Construction or re-construction of buildings – means for the purposes of the Tīrau Town Centre Zone provisions, any alterations to the exterior of a building where the alterations involve a wall facing towards the front boundary of the property, and the alterations are visible from the street.

Contaminated land means land that has a hazardous substance on or in it that -

a) Has significant adverse effects on the environment or

b) Is reasonably likely to have significant adverse effects on the environment

Country halls – a hall or similar public building and ancillary activities located on public land for the purpose of facilitating local community events or meetings.

Craft workshops and studios – means an activity involving the production and sale of arts and crafts produced on the site, which need not be ancillary to the residential activity of the site. The activity can be located either within a dwelling or accessory building, or the grounds of the residential property.

Development - means works to establish or operate a land use on a property and can include construction activity and the disturbance of the land surface.

Dish Antenna – means any flat, concave, circular, parabolic or similar shaped communication apparatus used for transmission or reception, including the aerial mounting but not any supporting radio mast or similar structure. This definition includes any satellite dish.

Designation – means land subject to a requirement of a requiring authority for a public work or project, pursuant to Section 166 of the Act.

Domestic scale renewable energy devices – means renewable energy development providing energy supply capacity to no more than a single household or business premises. Generally involves using micro electricity technologies to generate electricity to meet on-site needs or to convert energy resources into local energy services (such as hot water or space heating).

Drive Through Restaurant - means any land and/or building with service where food and beverages are served and sold to the public in their vehicles, for consumption on or off the premises, and may include a café and/or playground area.

Dwelling – means a residential building designed for and occupied, in whole or in part, exclusively by one household, and ancillary activities excluding outdoor storage. Dwellings do not include the residential use of tents, buses or caravans/camper vans, whether in association with use of another building or not, except for a period not exceeding one month.

This definition includes the construction, alteration, removal or demolition of dwellings (except buildings listed in Appendix B), an existing dwelling moved within the same site, and new prefabricated dwellings that are constructed elsewhere and then moved onto the site.

Earthworks – means the disturbance of the land surface by moving, removing, placing or replacing soil or earth, by excavation, cutting or filling operations, but excludes foundation piling within a building platform.

Edge (in relation to measuring setbacks from a wetland) – means the furthest extent or boundary of the land that meets the definition of a wetland within this plan.

Education and childcare facilities – means land and buildings and ancillary activities, where the primary purpose is education, training or childcare. In respect of children this includes a creche, pre-school facilities, day or afterschool care, kindergarten, Kōhanga Reo, Punanga Reo, and primary or secondary schools. In respect of adults, this includes learning and training institutions and facilities, and tertiary education institutions.

Education and training facilities – means premises where groups of people are given tuition and training on a formal basis and includes tertiary education institutions, specialised training facilities, and their ancillary administrative facilities.

Electricity generation core site – means a site enabling the operation of electricity generation, through the use of electricity generating infrastructure, network utilities, dams, spillways, power houses and associated generation equipment, switch yards, electricity transmission, distribution lines and associated wires and transformers.

Electricity generating infrastructure – means infrastructure used specifically for the generation of electricity including but not limited to:

a) pipelines that distribute or transmit natural or manufactured gas, petroleum or geothermal energy

b) facilities (including buildings and structures) for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity.

Electricity transmission and distribution lines – means lines and support structures for conveying electricity and includes electricity sub-transmission lines.

Emergency Service Facilities -means those facilities of authorities which are responsible for the safety and welfare of the people and property in the community, and includes fire stations, ambulance stations and police stations.

Entrance strip – means a strip of land created for the purpose of providing legal access to a property that requires access to a public road.

Esplanade reserve –means a reserve within the meaning of the Reserves Act 1977 that is vested as a local purpose reserve under section 239 of the Resource Management Act 1991 for a purpose set out in section 229 of that Act.

Esplanade strip – means a strip of land created by the registration of an instrument in accordance with section 232 of the Resource Management Act 1991 for a purpose set out in section 229 of that Act.

Farming – means land–based activities the primary purpose of which is to produce livestock, vegetative matter and/or agricultural produce, and includes:

- Dairying, sheep and beef farming,
- Vineyards, beekeeping, horticulture and floriculture (including glass houses and shade houses),
- Stud farming (for horses or livestock), horse training and riding schools,
- Wintering barns, stand-off pads and feed pads, and calf, lamb and kid (goats) rearing operations undertaken indoors as part of a farming activity and

- Accessory buildings and activities, except outdoor storage.
- The spreading of farm animal effluent, dry manure and fertiliser, and any quarrying activities undertaken for the purpose of forming or maintaining tracks or farm roads on the site.

For the purposes of this district plan, the term farming excludes intensive farming activities, and forestry.

Financial contribution – means a contribution paid to Council in the form of money or land as part of a subdivision consent pursuant to Section 108 of the Act.

Forestry - means the management of land for commercial wood production, inclusive of all phases of the production cycle including ground and or vegetation clearance for access and planting, planting (and re-planting), thinning, spraying, pruning and maintenance, construction and maintenance of forest roads and landings, felling and the extraction of timber from the site. Forestry includes any quarrying or gravel extraction activities on the site associated with private access road formation, any traffic movements associated with the production cycle, and forestry-related scientific or research activities.

The term forestry also includes any planting and management of trees for water and soil conservation, carbon sequestration, shelter belts, and farm-forestry activities that are not necessarily commercial-scale wood production.

The term forestry also includes the spreading of agricultural effluent, or the spraying or spreading of liquid by-products or wastes as a fertiliser or for irrigation purposes, in accordance with regional consent (if required), and the sustainable management of indigenous forests in accordance with the Forests Amendment Act 1993.

For the purposes of this plan the term forestry excludes associated processing activities such as sawmills, pulp and paper production and other wood processing facilities, except for the operation of mobile sawmill facilities on a site for no longer than 3 months in any 12-month period.

Front boundary – means a boundary or boundaries (where a corner site) that borders a road.

Front site – means a site having one or more frontages to a street or road.

Golf courses and associated clubhouses – means land and buildings used for the playing of golf, including grounds maintenance sheds, practice facilities, and buildings accommodating members' facilities with any ancillary bar, restaurant and retail facilities.

Gross floor area or **GFA** – means the sum of the floor areas of a building measured to the outside of the exterior walls or structural frame of the building, but excludes any basement, elevator shafts, stairwells and lobbies at each floor, roof space or other floor area allocated to car parking, loading docks, and machinery or plant space such as lift machinery, tanks, air conditioning and heating plants.

Ground level – means the existing ground level prior to any works commencing, except where alterations to the existing ground level have been undertaken in accordance with an approved subdivision consent.

Hapū - means *collections of whānau groups living together in close location to one another* **and** *who extend from a common ancestor.*

Hazardous substances – means, unless expressly provided otherwise by regulations, any substance with one or more of the following intrinsic properties: Explosiveness; Flammability; A capacity to oxidise; Corrosiveness; Toxicity (including chronic toxicity); Ecotoxicity with or without bioaccumulation; or which in contact with air or water (other than air and water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified above. Also includes a substance defined in Section 2 of the Hazardous Substances and New Organisms Act 1996, and substances with high biological oxygen demand.

Health care services – means land and buildings used for the purposes of providing healthcare to the community, performed by duly qualified practitioners or by persons in their employ, and includes but is not limited to medical centres, medical practitioners, dentists, optometrists, acupuncturists, osteopaths, and persons involved in alternative forms of medicine, and includes diagnostic laboratories.

Height in relation to boundary – means a surface through which no part of a building (other than the exclusions below) may protrude. It is defined by drawing height control lines from all points on the boundaries of an allotment or site. Such lines are to commence at a specified vertical distance above the ground level at the boundary, point into the site at right angles to the boundary and rise at the angle specified in the rule.

Parts of buildings that may protrude through the height control lines are chimneys, flues and similar projections, television, and telecommunication aerials and dishes, rainwater tanks, domestic scale renewable energy devices, and in addition on commercial and industrial buildings, lift machinery, air-conditioning and heating plants; all attached to the building and projecting not more than 3m above the building height standard for the zone, and less than 4m² in area.

Home occupation – means a business, craft, or profession carried out within a dwelling or accessory building within the site, and which is incidental to the residential use of the site. To fall within the definition of a home occupation, the activity must comply with the following:

a) the principal operator of the home occupation must be a permanent resident on site

b) the residential activity must remain the primary activity on the property with the home occupation involving not more than one third of the total floor space of buildings on the site

c) involve no more than up to four full-time equivalent staff

d) does not generate more than a total of 20 vehicle movements per day (i.e. a total of 10 vehicles involved in the commercial activity visiting and leaving the site)

e) shall not generate vehicle movements between the hours of 7.00pm and 7.00am

f) does not involve any exterior display or indication of the home occupation activity (apart from signage in compliance with the relevant zone standards)

g) does not cause any dust nuisance and/or objectionable odour as defined by a Council Enforcement Officer

h) does not include motor vehicle repair garages; wrecking and/or storage or recycling of vehicles; storage or recycling of vehicle parts, redundant white ware, bicycle frames, tyres, household waste, clothing, general rubbish; panel beating, spray painting or fibre-glassing; or facilities for the boarding, breeding and/or training of animals on a commercial basis.

i) does not include the slaughtering of animals, or the manufacturing or retail sale of food prepared in the kitchen of the dwelling

ADVISORY NOTE: the manufacturing or preparation of any food shall be in a commercial kitchen licensed by Council, or in premises with an approved Food Safety Programme.

Hospitals and Homes for the Aged – means institutions and facilities that provide supervised residential accommodation and care for elderly persons, at a scale beyond that of a domestic dwelling. It includes nursing homes, retirement villages, managed care facilities, and geriatric hospitals, with associated medical facilities and ancillary activities.

Household - means a person or group of people who reside together and interact on a daily basis to maintain a self-contained housekeeping unit. A household may include an extended family, or two or more families living together or groups of unrelated people who flat together.

Household Unit Equivalents or **HUEs** – means the measurement method used in Council's Development and Financial Contributions Policy (April 2020), based on a normal home and the demands it typically places on Council's infrastructure. The demand characteristics of each HUE, which represents an average household living in a single dwelling, are as follows:

Table 1: HUE demand characteristics

Service	Unit of measurement	Demand per HUE
Water	Litres per day	600 litres per day
Wastewater	Litres per day	540 litres per day
Reserves	People	2.7 people

Retirement units and accommodation units will be assessed as 0.5 HUEs for each service.

For non-residential developments the number of HUEs for water and wastewater will be assessed based on gross floor area under Table 2 below, unless Council decides to make a special assessment for a development:

Table 2: HUE per 100 m^2 GFA

Service	HUE
Water	0.4
Wastewater	0.4

Housing for the Elderly – means housing managed for the purpose of providing residential accommodation for elderly persons and ancillary activities, under the management of Council or a charitable institution.

Hydroelectric power operating easements – means easements held by Mighty River Power Limited over water and land for the purposes of operating the Waikato hydroelectric power system.

Hydroelectric power generating infrastructure – means hydro dams, spillways, power houses and associated electricity generating infrastructure, switch yards and associated wires and transformers operated for the purpose of generating electricity.

Indigenous biodiversity - means the variability among living organisms, and ecosystem complexes of which they are a part, including diversity within species, between species, and of ecosystems that are native to New Zealand.

Indigenous Vegetation - means vegetation comprising cover of predominantly indigenous species (i.e. species occurring naturally in New Zealand, without the aid of humans) that occur naturally in a particular locality within South Waikato District, including vegetation that has regenerated naturally or that has established with human assistance following disturbance or as mitigation for another activity.

Indigenous Vegetation Clearance - means cutting, spraying, burning, crushing or otherwise killing or removing indigenous vegetation.

Indoor sporting and recreation facilities provided for in a reserve management plan – means facilities such as gymnasiums, recreation buildings, community centres, clubrooms, and ancillary activities managed for the purpose of providing community-based recreation and sports, located on land administered as reserves.

Industrial activities – means the use of land and buildings for processing, manufacturing, bulk storage, warehousing, service and repair activities, including timber processing and treatment, transport depots, dairy factories and other food processing facilities, cool stores and pack houses, engineering workshops, tanneries and abattoirs. Industrial activities include the activities listed in Appendix H, unless this plan states otherwise.

Industry ancillary to farming or forestry – means 'down-stream' processing and packaging facilities for farming, forestry, and other primary production activities, and any rural industry that is dependent primarily on the direct handling of raw produce, or that supplies services to farming, horticulture, intensive farming, or forestry. Includes premises used for the manufacture of dairy products, abattoirs, timber processing, stock yards and sale yards, cool stores and pack houses.

Industry ancillary to or associated with mineral exploration, mining and quarrying – means any activity (including any necessary buildings and structures) that has a functional relationship either with the mineral being explored, mined or quarried, or the mineral exploration, mining and quarrying activity itself, including but not limited to concrete batching plants, asphalt plants, and fill disposal sites.

Intensive Farming Activities – means the commercial raising and keeping of plants or animals contained in buildings or outdoor enclosures, that occurs independent of the soil fertility on the site, is dependent on a high input of food or fertiliser from beyond the site, and may (but not necessarily) involve artificially controlled growing conditions. Includes the use of feedlots for farmed animals, and vegetable, fruit and herb growing operations indoors in artificially controlled growing conditions.

Calf, lamb and kid (goats) rearing operations undertaken indoors as part of a farming activity, and the use of wintering barns, feed pads and stand-off pads where stock are not held on a permanent basis, are excluded from this definition.

Integrated Development – means the subdivision and development of allotments, roading and other public amenities, for which a resource consent is granted concurrently for subdivision and land use (for the siting and design of buildings on the allotments).

Iwi – *means a large number of whānau groups or collections of* **hapū** *who have common ancestry.*

Lake – means a body of fresh water that is entirely or nearly surrounded by land.

Landscaping – means the provision of trees, shrubs, and/or groundcover plantings, including other vegetative forms so arranged as to improve visual amenity.

Levels of service – means, for the purpose of Rules 8.3.4n, 8.3.4r and 8.4za, the specified level of quality and reliability as stated in South Waikato District Council's asset management plans.

Line – means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication or electricity transmission; and includes any pole, insulator, casing, minor fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor; and also includes any part of a line.

Loading space – means the area of a site that is set aside for the exclusive use of transferring goods from a vehicle to an activity or vice versa and has access to a road or service lane.

Mana - *refers to the authority or importance bestowed on and/or inherited by a person or people to act, direct, give counsel or make decisions, among other things.*

Mana whenua - *refers to the priority given to people to make decisions about the use of resources over an area of land that they are responsible for.*

Manoeuvring Area – means the part of a site used by vehicles to move from the vehicle crossing to any parking space or loading space and includes all driveways and aisles and may be part of an access strip.

Marae development and papakāinga – means the development of buildings and facilities within marae such as wharenui (meeting house), wharekai (dining rooms), wharepaku (ablution blocks inclusive of toilets, showers and changing rooms), wharekarakia (church), and other marae-based facilities; and also includes papakāinga housing, community facilities, and medical centres, irrespective of whether they are located on a marae, on multiple-owned Maori land, or if on multiple-owned Maori land whether the facilities are developed by the Maori land-owners.

Mast – means any tower or similar structure, (excluding those associated with electricity lines) including those designed to carry antennas to facilitate radio-communication and/or telecommunication, and those supporting devices for renewable energy generation. It also includes any supporting guy wire and associated attachment.

Mauri - *refers to the life principle instilled in objects by Atua. Mauri is also the life principle that gives being and form to all things in the universe.*

Mechanical cultivation - means the use of machinery to loosen up the soil surface to prepare for planting of seeds for grassland and crop production.

Minimum lot size – means the minimum land area that a proposed allotment is able to have, as measured in terms of net site area.

Minor Upgrading (in relation to network utilities*)* – means modification of network utility structures and associated earthworks where the effects of that utility remain the same or similar in character, intensity and scale. Minor upgrading includes the replacement of a utility structure in the same location, and replacement of parts such as cables, conductors, earthwires, cross arms, earthpeaks and lightning rods. Minor upgrading shall not include an increase in the voltage of any electricity line unless the line will continue to be at or under 33kV and/or was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.

Minor works (on a built heritage feature listed in Appendix B) – means work carried out in a manner and design and with similar materials and appearance to those originally used, including: i) Periodic redecoration of previously decorated or painted surfaces; ii) Routine maintenance of a site or building; and iii) Replacement of minor components such as bricks, tiles, timber sections and the like, where the replacement is of the same or similar materials and appearance as the original it replaces.)

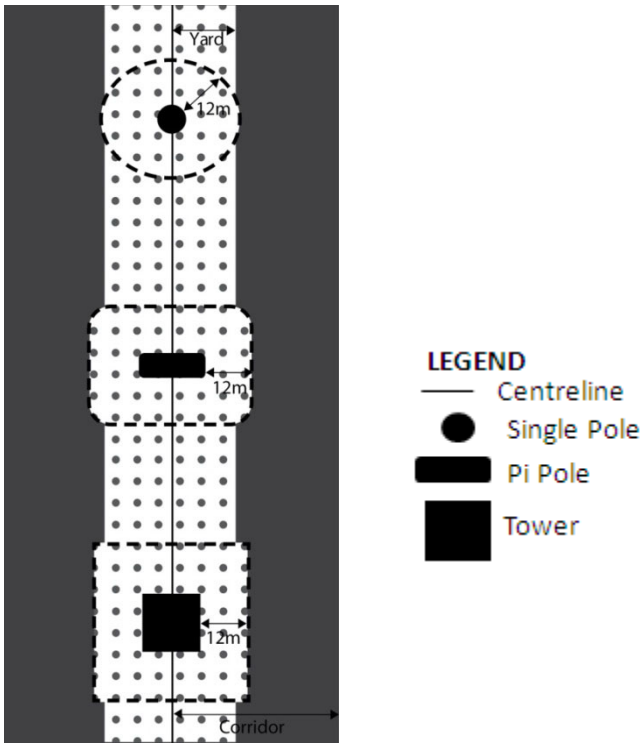
Mineral exploration, mining and quarrying – means taking, winning or extracting naturally occurring minerals including but not limited to coal, rock, sand, and gravel from under or on the land surface. This also includes mineral exploration activities, and the processing of the material by such means as screening, crushing, or chemical separation on the site, including the stockpiling and filling of overburden sourced from the same site, and includes the erection, maintenance, and use of plant and machinery.

Modifications (to a Built Heritage Feature) – means any work (but not minor internal work) which involves the addition, alteration, removal and replacement of walls, windows or features which results in an external structural appearance different to its existing appearance, but does not include the demolition of the Built Heritage Feature.

Modifications, alterations and additions (in terms of an existing land use provided for as a permitted activity in a zone) – means work involving external or internal changes to the layout, appearance or floor area of buildings and/or associated facilities within the site, including the expansion of any buildings, in accordance with the performance standards for the zone.

Motor caravan and camping sites – means land used for the accommodation of motor homes, caravans and tents, including providing cabins, ablution and amenity facilities, used for the temporary or semi-permanent accommodation of paying guests.

Motorised vessels – means any activity involving a motor driven vessel and can include jetboats, water skiing, jet skis, hovercraft and the use of outboard motors, but does not include modelled or scaled down versions of boats operated through remote control.



National Grid – means all or part of the national grid of electricity transmission lines and cables (aerial and underground), stations and substations and other works used to connect grid injection points and grid exit points to convey electricity.

National Grid Corridor - (shown as shaded and dotted) - means the area measured either side of the centreline of an above ground National Grid transmission line, as follows:

- 14m from an 110kV line on single poles
- 16m from an 110kV line on pi poles
- 32m from an 110kV line on towers
- 37m from a 220kV transmission line.

Note: The National Grid Corridor and National Grid Yard do not apply to underground cables or any transmission lines (or sections of lines) that are designated.

The National Grid Yard (shown as dotted - means the area:

- Located 12m in any direction from the outer edge of a National Grid support structure (pole or tower) and
- Located 10m either side of the centreline of an above ground 110kV National Grid line (or section of line) on single poles, or
- Located 12m either side of the centreline of an above ground National Grid line on pi poles or towers.
- Note: The National Grid Corridor and National Grid Yard do not apply to the Brownhill Road to Whakamaru North A 400kV capable lines, (or any other line) which are designated, or to underground cables.

Net site area – means the area of the site, excluding any entrance strip or accessway with a width of 6m or less, or any right of way, private way or access lot.

Network Utilities and Infrastructure – means the provision of a service provided by a network utility operator as defined under Section 166 of the RMA, associated facilities and structures, and electricity generation infrastructure. Network Utilities and Infrastructure includes networks that supply, distribute or transmit water, energy, transportation, sewage disposal, telecommunications, radiocommunication, fibre networks and other electronic communications, broadcasting, street lighting, navigational aids or similar services.

Noise control boundary – means a boundary as shown on the Planning Maps where noise shall be measured for the purpose of assessing compliance with noise provisions. Noise control boundaries are shown for activities within the Electricity Generation Zone and Industrial Zone.

Noise sensitive activities - means residential accommodation, places of assembly, education and childcare facilities, hospitals and homes for the aged, offices, and visitor accommodation.

Non-motorised vessels – means any activity involving a vessel that does not meet the definition of motorised vessel, and includes any water-borne craft that is not powered by a motor.

Notional boundary – means a position for the purposes of measuring noise levels in rural locations and is 20 metres from the side of any rural dwelling or the legal boundary where this is closer to the dwelling.

Offices – means premises and ancillary activities where people are engaged in a profession, business or administrative activity where there is limited customer interface, and includes financial, law or accountancy firms, data processing facilities and other administrative activities. Offices do not include medical, dental or veterinary rooms, or activities that fall within the definition of retail activities or commercial services.

Official signs – means all regulatory, traffic and official signs approved by a road controlling authority or under any legislation, including asset identification and warning signs related to aspects of public safety. Official signs also include signs erected on behalf of Fish and Game NZ at access points to fisheries or game bird hunting areas, which include information on access, regulations or aquatic pests.

Outdoor Living Space - means an outdoor area for the exclusive use of each dwelling that is readily accessible from the dwelling, and is free of buildings, driveways, vehicle manoeuvring areas, and parking spaces. An outdoor living space may include the area beneath eaves, and uncovered decks and terraces.

Outdoor storage – means the storage of miscellaneous items (a collection of items unrelated to the permitted or consented land use activity) within a property (not within buildings)

These items could include but are not limited to the storage of household waste, redundant white ware, bicycle frames, tyres, vehicle parts, oil drums and general rubbish where visible from a public place or neighbouring property and or cause an odour, safety or public health nuisance. This definition includes the storage of any more than one vehicle on a property for six months or more that is unwarranted and unregistered and the storage or use of shipping containers. The total area is not to exceed three metres in height or cover an area in excess of $20m^2$ within the property.

In the Rural zone the storage of miscellaneous items and storage or use of shipping containers as part of normal farming activities is excluded from this definition. Normal farming activities include the collection of tyres used for silage stacks, vehicle parts and/or farm machinery and the use of un-registered quad bikes and farm vehicles on farms, 44-gallon drums and similar that contain drench, other agrichemicals or animal supplements such as molasses.

The storage of miscellaneous items not part of normal farming activities in the Rural zone, shall not exceed three metres in height or cover an area in excess of $20m^2$ within the property, and must not be visible from a public place or neighbouring dwelling and/or cause an odour, safety or public health nuisance.

Outstanding Landscape Area – means an area of land shown as being an outstanding landscape area on the district plan maps, and listed in Appendix C.

Outstanding Landscape Feature – means an area of land shown as being an outstanding landscape feature on the district plan maps, and listed in Appendix C.

Parking space – means an area formed, marked and set aside for the parking of vehicles to meet the parking requirements of this district plan.

Perennial stream - means a stream that flows all year round assuming an average annual rainfall and has a channel width of 30cm or wider.

Places of assembly – means any building and associated land used primarily for the assembly of people engaged in deliberation, worship, recreation or entertainment, and includes marae, indoor recreation facilities, theatre, cinemas, museums, halls, clubrooms, conference facilities, and churches.

Plant pests - means pest plants as defined and listed in the Waikato Regional Council Operative Regional Pest Management Strategy.

Planting and screening – means the provision of trees, shrubs, and/or groundcover plantings, including other vegetative forms so arranged as to improve visual amenity, and the construction or planting that provides a permanent and effective visual barrier, such as a permanent fence or barrier, but shall not include a post wire fence or temporary fence.

Pole – means any tower or similar structure for the transmission and distribution of electricity, including those designed to carry antennas to facilitate radio-communication and/or telecommunication, and includes any supporting guy wire and associated attachment.

Potable - means a water supply that is measured in accordance with the recognised bacteriological test under the New Zealand drinking water standards, with a count of 0-9 E. coli per 100mls accepted provided treatment is installed. A count of 10 and over will not be acceptable unless treatment facilities to achieve the acceptable level are installed prior to the issue of completion certificate.

Poultry Farming – means the commercial raising and keeping of poultry, contained either in buildings, outdoor enclosures, or a combination of both, and that occurs predominantly independent of the soil fertility on the site, is dependent on a high input of food from beyond the site, and may (but not necessarily) involve artificially controlled growing conditions. For the avoidance of doubt, poultry farming is not covered by the phrase 'intensive farming activity'.

Property - means the land comprised and described in one certificate of title.

Protection Lots – allotments created by association with the formal protection by covenanting or similar measures, of part or all of a significant natural area or significant archaeological site, as provided by the subdivision provisions of the district plan.

Radiocommunication - means any transmission or reception of signs, signals, writing, images, sounds or intelligence of any nature by electromagnetic waves of frequencies lower than 3000 gigahertz, propagated in space without artificial guide.

Radiocommunication and/or telecommunication facility – means structures related to telecommunication as defined in section 5 of the Telecommunications Act 2001, or radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989.

Rear site – means a site which is situated to the rear of another site and has legal access to a road via an entrance strip or accessway.

Recreation and sporting activities on parks and reserves – means any activity whose primary aim is the enjoyment or leisure of either a competitive or recreational nature, and includes sports fields, swimming pools, children's play areas, skate parks, amenity and conservation plantings, shelters, buildings necessary for the maintenance of the park, public toilets, and associated structures such as goal posts and light poles, but excludes motorised vehicle sports.

Recreational hunting – means non-commercial hunting where the hunter or hunters pursue their game primarily for recreation as a pastime, without gaining pecuniary reward or gain from the hunting, or from the sale of any wild animal or part thereof. For the avoidance of doubt, recreational hunting includes the use of any site/s by Gun Dog Clubs.

Relocatable buildings – means buildings that are moved onto a destination site from another site, but excludes an existing building moved within the same site, a building moved to a storage site and new pre-fabricated buildings that are constructed elsewhere and then moved onto the site.

Renewable electricity generation means generation of electricity from solar, wind, hydroelectricity, geothermal, biomass, tidal, wave or ocean current energy sources.

Renewable electricity generation activities means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes domestic and community-scale distributed renewable generation activities and:

a) the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid,

b) electricity storage technologies associated with renewable electricity, and

c) ancillary buildings, hardstand areas, earthworks, access tracks, roads, storage of hazardous substances, monitoring equipment, removal of indigenous or exotic vegetation, and concrete batching plants.

Residential accommodation – means any building or part of a building used or intended to be used for living accommodation.

Restaurants, bars and cafes – means premises and ancillary activities where meals are sold principally for consumption on the premises, whether or not the premises are licensed under the Sale of Liquor Act 1989; and premises used principally for the serving of liquor for consumption on the premises, and includes clubs and taverns. This definition does not include Drive-Through Restaurants.

Retail activities – means premises and ancillary activities where goods and services are sold or offered for sale, including large format premises such as supermarkets, takeaway food premises, garden centres, and hardware stores, but excluding premises for the sale of boats, caravans and motor vehicles, service stations and motor vehicle repair garages, offices, restaurants, bars and cafes, service industry and commercial services.

Retail (excluding the sale of liquor as the primary retail activity) – Retail activities as defined above**,** except where the majority of the floor space of the premises displays alcoholic beverages for sale.

Reverse Sensitivity - means the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity.

River – means a continually or intermittently flowing body of fresh water and includes a stream and modified watercourse; but does not include any artificial watercourse such as an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal.

For the purposes of esplanade reserves and strips, a 'river' has a bed with an average width of 3 metres or more at annual fullest flow where the river flows through or adjoins an allotment.

Roads – shall be defined as including all land comprising legal but unformed roads and all land comprising formed and existing roads under the control of the road controlling authority and is inclusive of the definitions contained in the Local Government Act 1974 or the Government Roading Powers Act 1989.

Road Opening Notice – means the procedure undertaken by a Network Utility Operator for works proposed within a road corridor, whereby the roading authority is notified and has the ability to impose conditions on the

works, in accordance with relevant provisions of the Telecommunications Act 2001, Gas Act 1992, Electricity Act 1992, or any Code of Practice approved under the Utilities Access Act 2010.

Rohe - *is the geographical area closely linked to* **iwi** *or* **hapū**. *That iwi or hapū will exercise mana over that area, and so will have* mana whenua

Rural-based activities - means any activity which requires a rural location, including farming, forestry, intensive farming operations, mineral exploration, mining and quarrying, network utilities and infrastructure; and primary industry.

Saleyards – means land and buildings used for the purpose of the sale of livestock, including loading and unloading facilities, and facilities for the temporary storage of livestock before and after sales.

Sensitive Activities - means those activities that are particularly sensitive to the risks associated with National Grid transmission lines because of either the period of exposure to the risk, or the vulnerability of the population that is exposed to the risk. Such activities include residential, accommodation, education and childcare facilities (excluding adult educational facilities), housing for the elderly, papakāinga, hospitals and homes for the aged.

Service industry – means the establishment and operation of predominantly larger format vehicle-oriented commercial activities, retail sale or distribution activities, including light manufacturing, the repair or servicing of goods (such as household appliances and electronic equipment), vehicle-oriented retail activities including large format shops, drive-through services and outdoor retailing assembly and servicing activities, and activities such as printing works, vehicle repairs, panel beaters, light engineering workshops, tradesmen's depots and the like. Service industry excludes any industrial activity (as defined above).

Service Lane – means any lane laid out or constructed for the purpose of providing the public with a side or rear access for vehicular traffic to any land.

Service stations including motor vehicle repair – means an activity comprising the sale of motor vehicle fuels (including petrol, CNG, LPG and diesel), lubricating oils for motor vehicles, tyres, batteries, spare parts and other accessories associated with motor vehicles, car wash facilities, general retail premises, drive through facilities, the hire of trailers, truck stops, and the mechanical repair and servicing of motor vehicles (including motor cycles, caravans, boat motors, trailers), panel beating, trimming or spray painting of motor vehicles and warrant of fitness testing.

Services – means infrastructural networks serving properties, and includes water supply, sewage disposal, stormwater drainage, telecommunications, electricity connections, fibre networks, and other similar network provision to properties.

Showrooms and ancillary retailing [to an industrial activity] – means a retail activity which is incidental to but associated with the principal industrial activity on the site and includes a factory shop selling goods produced on the premises.

Side and rear boundary – means a boundary that runs the length of a side or rear of a property, and that is not a front boundary (i.e. has no frontage to a road). Where a property has two or more front boundaries (i.e. corner and through sites) the remaining boundaries are considered to be rear boundaries.

Sign – means any device attracting or intended to attract notice for the purpose of directing, identifying, informing or advertising a good or service, positioned on a site and visible from any public space, and includes those affixed to, or incorporated within the design of a building whether painted, written, printed, carved, inscribed, endorsed or projected onto any building, wall, pole, road, structure or erection of any kind whatsoever or onto any rock, stone, or tree or other object.

It includes any name, figure, character, outline display, notice, placard, delineation, poster, handbill, flag, wind blade, tethered balloon, pole sign, canopy sign, projection of light to create an advertising image, blimp, models and advertising devices, appliances or any other thing of a similar nature to attract attention (i.e. something of an advertising nature).

They include all parts, portions and materials composing the same, together with the frame, background, structure and support of anchorage and shall also include any of the above when displayed on parked vehicle/or trailers, and includes any structure that supports the sign.

The area of a sign means the dimension of the sign that is visible from one direction, and in the case of an irregular shaped sign, means the area of a rectangle that encloses the sign. The height of a sign means the

vertical distance between the top of the sign and any support structure (but not a building the sign may be affixed to), and the ground level immediately below that part of the structure.

Significant Amenity Landscape – means an area of land shown as being a significant amenity landscape area on the planning maps, and listed in Appendix C.

Significant Natural Area - means an area of indigenous vegetation or habitat of indigenous fauna shown as being a significant natural area on the planning maps, and listed in Appendix E.

Site – means an area of land comprised in one Certificate of Title (or for the purposes of subdivision is proposed to be held in one Certificate of Title), or adjoining areas comprised in two or more Certificates of Title in the same ownership and used for the same activity.

Site coverage – means the portion of a site which is covered by roofed structures, including overhanging or cantilevered parts of buildings, but excluding eaves, uncovered decks and terraces, rainwater tanks, solar hot water, and small scale energy generating devices (including photo-voltaic panels and wind turbines). The net site area shall be used for the purpose of calculating site coverage.

Stormwater – means water that:

(a) flows over impervious surfaces; or

(b) flows over gradients that have been artificially created or modified in a manner that intensifies the quantity or velocity of water from the catchment.

Street - has the same meaning as "road" as defined by section 315 of the Local Government Act 1974.

Street furniture - means any structures and items lawfully located on or over the legal road reserve. It includes litter bins (not skip bins), bus shelters, public telephones, roadside rest areas and toilets, information boards and weigh stations, sculptures, banners with supporting poles, street trees and landscaping.

Structure – means any building, equipment, device or other facility made by people and which is fixed to land.

Supermarket - means a retail shop primarily selling a wide range of fresh produce and meat, plus frozen or packaged groceries, food and beverages, together with an ancillary range of non-food grocery items. Supermarket falls within the definition of 'retail activities'.

Tangata Whenua - *in relation to a particular area, means the* **iwi** *or* **hapū***, that hold* **mana whenua** *over that area.*

Telecommunication – means the conveyance from one device to another of any sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not.

Temporary activities - means any short-term use of land and associated structures that do not involve any permanent structures being constructed. Typically, temporary activities relate to a construction project such as scaffolding or a site management office, a community or sports event such as a temporary grandstand or marquee, or a marketplace, stall or public gathering, all with a limited duration and not involving permanent structures.

Temporary activities include unloading goods from a shipping container on the site, provided that the container is removed within one month of arrival on site.

The term ‘temporary activities’ does not include temporary military exercises, temporary film making activities, use of emergency sirens, community events, temporary structures, or temporary signage, as these are defined and provided for separately.

Temporary film making activities – means the filming of locations or scenes for the purpose of creating a movie, television programme or similar, and includes the construction and use of film sets, structures and props.

Temporary military exercises – means a temporary **military** activity undertaken for defence purposes. The term ‘defence purposes’ is as defined in the Defence Act 1990.

Temporary signage – means non-permanent signage established for the purpose of advertising an upcoming event or activity, the sale of a property, or erected on a construction site or in connection with a public election.

Signs advertising events shall not contain any business or commercial advertising, other than the name or logo of a sponsor.

Temporary structures – means non-permanent structures related to a community event, construction project, or other activity such as the drilling of test bores, auger holes, test pits, and cone penetrometer tests, or anemometers, and masts or similar structures established to measure wind.

Temporary works and associated structures related to electricity generation – means works to develop, upgrade, maintain, repair, monitor and operate electricity generation facilities, that contribute to providing a continuous and efficient supply of electricity to users, or that ensures the potential effects from natural hazards are avoided, remedied or mitigated.

Tokoroa Hospital - means an institution providing primarily in-patient care for the sick or injured, including medical, surgical, maternity, mental health, geriatric, convalescent or hospice care, and includes all hospital clinics, dispensaries, out-patient departments, operations and maintenance support services (such as laundries, kitchens, cafeterias, refreshment facilities, residential centres, generators, substations, storage facilities, workshops), hospital administration offices, ancillary retail facilities and undertakings maintained in connection with, or incidental to, the hospital activity and includes Health Care Services

Transport and courier depots – means land and buildings used principally for the receiving, dispatching or holding of goods or passengers in transit by road or rail, and includes ancillary storage areas, offices, staff facilities and provision for vehicles.

Upgrading – means the structural improvement, repair and replacement of worn or technically deficient parts, to provide for the continued efficient and secure operation of the network utility or electricity generating infrastructure. In respect of electricity generating infrastructure, electricity transmission and distribution lines, this allows for an increase in carrying capacity provided any buildings, support structures and lines are of a similar character, size and scale as existing.

Vehicle crossing – means that part of the road reserve which has been formed or otherwise constructed to enable vehicle access between an allotment and a public road, and includes any associated culvert, bridge or kerbing.

Verandah – means a covering structure attached to a building that provides shelter over a public footpath along the street frontage within a town centre.

Veterinary services – means services and associated facilities relating to the physical health and welfare of animals by duly qualified practitioners or persons in their employ, and includes veterinary clinics, animal testing and diagnostic facilities.

Visitor accommodation – means land or buildings and ancillary activities used for the temporary or semi-permanent accommodation of paying guests, and includes motels, hotels, hostels, backpackers accommodation, boarding houses, homestays, camping grounds, youth hostels and motor or tourist lodges.

Visitor facilities (associated with energy generation) – means buildings and facilities for the display of information for visitors to energy generation sites, including museums, ancillary retail and cafes.

Wāhi tapu – *The literal translation is "sacred site". These are defined locally by the hapū and iwi which are the kaitiaki (guardians) for the wāhi tapu. Typically includes burial grounds and sites of historical importance to the tribe. In some instances, they signify ahi-kā-roa, places used for ritual cleansing, of healing, or simply where past incidents occurred. Some wāhi tapu are places or landscapes considered tapu because of their magnitude, or symbolic representation of a hapū or iwi. In order to protect particular sites from interference and desecration, some tribes will refuse to disclose the exact location to outsiders.*

Wetland – means permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. For the purpose of this district plan, 'wetland' excludes:

- Wetted pasture and pasture with patches of rushes;
- Artificial water courses including wetlands developed primarily for effluent or stormwater treatment or disposal;
- Artificial farm drains and canals;

- Artificial reservoirs for firefighting, domestic or municipal water supply;
- Temporary ponded rainfall over areas that would not otherwise be considered a wetland

10 Subdivision, Financial Contributions and Esplanade Reserves & Strips

10.1 Rule Statement

The first reason for subdivision controls is that the physical works associated with a subdivision, such as earthworks for services and new roads, have an environmental impact that needs to be managed. The second is that the subdivision sets the pattern for the land uses that follow, and the requirements, impacts and future needs of these land uses need to be considered in the subdivision design. It is important to ensure that the subdivision of land is planned in an integrated manner with network utilities and infrastructure, so that the safe, sustainable and efficient function of infrastructure is maintained.

One of the impacts of a subdivision is upon roading, water supply, wastewater, stormwater and reserves networks. If the district plan provides for it, subdivision consent conditions are able to require a financial contribution in respect of these impacts. Under this plan subdividers are required to contribute financially to help mitigate potential adverse effects arising from the subdivision and to ensure that the services within the district that are required to support subdivision and associated development continue to operate effectively.

Esplanade reserves and esplanade strips are a mechanism provided in the Act whereby Council can, when considering resource consents, require public reserves to be created or legal agreements to be established, in order to contribute to the protection of conservation values, to enable public access to or along any river or lake, or to enable public recreational use of the esplanade reserve or strip, where the use is compatible with conservation values. The other important purpose of esplanade reserves and esplanade strips is to give effect to the Vision and Strategy for the Waikato River, as mandated under the Waikato River Acts.

The protection of conservation values includes:

- Maintaining or enhancing the natural functioning of the adjacent water body, water quality or aquatic habitats
- Protecting the natural values associated with the esplanade reserve or strip, or
- Mitigating natural hazards.

The plan must set out the circumstances in which reserves, and strips will be required.

10.2 Anticipated Environmental Results

The subdivision rules are intended to achieve the following anticipated environmental results:

- Allotments created are provided with the appropriate services, and access, natural hazards and impacts on the operation of existing network utilities and infrastructure are addressed
- New lots are an appropriate size for the zone concerned and are suitable for future land uses
- Impacts of subdivision on the productive potential of the rural land resource are minimised
- Financial contributions assist in maintaining efficient roading, water supply, wastewater, stormwater and reserves networks, and avoid additional loadings from new development having a detrimental impact on the quality of service provided to existing users
- That the financial contributions contribute to addressing the cumulative impact of demand generated by subdivision and associated development, with increases in capacity as necessary
- Public access to waterways is improved, management of natural areas is not fragmented, and the conservation values associated with riparian areas are enhanced.

The subdivision rules, including esplanade provisions, are a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns) and Chapter 5 (Objectives and

Policies for the District's Rural Areas). Financial contributions implement the objectives and policies contained within Chapter 7 (Objectives and Policies for the District's Infrastructure and Development).

10.3 Subdivision Rules

10.3.1 Activity Status

a) Controlled Activities

The following subdivisions, except for sites that adjoin the Waikato River, and/or hydro-electric power operating easements, shall be controlled activities:

i) Any subdivision to adjust the position of titles or boundaries, which will not increase the number of titles concerned or the number of permitted dwellings

ii) Any subdivision for utilities such as substations, transformers or pumping stations, provided that the balance of the site continues to comply with the provisions of this plan, and that access to the utility is independent of the residual site. Any allotments created under this rule are subject to rules 10.4 to 10.8 excluding 10.4.1, 10.4.2, 10.4.3 c & d, 10.4.4, 10.4.5, 10.5.3 c & d, 10.5.4, 10.5.5, 10.6.4, 10.6.5 b &c, 10.6.6, 10.7.1 to 10.7.4, 10.7.5 c & d, 10.7.6, 10.7.7 and 10.7.10.

iii) Any Rural zone, Rural Residential zone, Residential zone, Arapuni Village zone, Town Centre zone, Business zone, Neighbourhood Retail zone, Industrial zone, Electricity Generation zone, or Tokoroa Airport zone subdivision which meets the relevant standards set out in Rules 10.4 to 10.8.

iv) Any proposed subdivision required specifically to accommodate an activity approved by Council as a consequence of a land use consent approved under the Act

v) Any subdivision in the Rural zone or Rural Residential zone, if as a result of the subdivision a significant natural area or a significant archaeological site, or item from Appendix D Cultural Heritage Sites is to be protected in perpetuity by covenant or other legal means to the satisfaction of Council. One additional protection lot is allowed under this provision, per significant natural area or significant archaeological site, or item from Appendix D Cultural Heritage Sites, that is being protected

To qualify for this provision, the following criteria must be met:

- The land being subdivided shall contain all of the archaeological site or area, or Appendix D Cultural Heritage Sites, or part or all of a significant natural area (determined using the criteria contained in the Waikato Regional Policy Statement)
- The site is identified in Appendix E or, an appropriately qualified person shall certify that the land in question meets the criteria to be a significant natural area, or in the opinion of the qualified person qualifies as a significant archaeological site, (unless is shown in Appendix E in which case, further certification is unnecessary) and
- The matters in respect of which Council has reserved its control over controlled activity subdivisions are set out in Rules 8.3.2 and 8.3.4.

b) Restricted Discretionary Activities

The following subdivisions, except for sites that adjoin the Waikato River and/or hydro-electric power operating easements, shall be restricted discretionary activities:

i) Any subdivision which does not meet the relevant standards set out in Rules 10.4 to 10.8, except those standards specified in Rule 10.3 d), (in which case the application becomes a non-complying activity)

ii) Any subdivision in a Residential zone creating one or more allotments of between 300m2 and 450m2 (net site area)

iii) Any subdivision within the National Grid Corridor defined in the District Plan

iv) Any subdivision within 20m of a sub-transmission line (identified on the planning maps), unless it can be demonstrated that a building platform can be located on each site in a position where a subsequent building can comply with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with the NZ Electrical Code of Practice 34:2001 is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

v) Any subdivision creating new lots with direct vehicular access to a State Highway.

Restricted discretionary activities shall be assessed in terms of the matters in Rules 8.3.3 and 8.3.4.

c) Discretionary Activities

The following subdivisions shall be discretionary activities:

i) The subdivision of property that contains a built heritage feature identified in Appendix B, or a Cultural Heritage Site identified in Appendix D

ii) The subdivision of property in the Rural zone or Rural Residential zone that is located:

- Within 2km of the Industrial Zone boundary at Kinleith, as shown on Planning Map 43
- Within 1km of the Industrial Zone boundary at Lichfield, Tīrau or Domain Road, as shown on Planning Maps 7, 17 and 23
- Within 1km of the Tokoroa Airport Zone as shown on Planning Map 44
- Within 300m of a mineral exploration, mining and quarrying site as shown on Planning Maps 6 and 9.

iii) Subdivisions in a Residential zone creating sites less than 300m^2 in area, if forming part of a multi-unit development that has been granted land use consent

iv) Subdivision proposals for sites that adjoin the Waikato River and/or hydro-electric power operating easements

Such applications shall provide a geotechnical assessment to assess potential erosion and instability threats for identified building sites

Mighty River Power, the Raukawa Charitable Trust and the Waikato River Trails Trust shall be affected parties to any proposals under this Rule. A record of consultation with these bodies shall be included as part of the information provided with any subdivision application under this Rule.

The criteria set out in Rule 8.4.1 and 8.4.13 will be taken into account in assessing the above discretionary activities.

d) Non-Complying Activities

Failure to meet any of the following standards shall require a subdivision to be considered as a non-complying activity:

i) Rural Zone

- Minimum site area prior to subdivision – 30ha under Rule 10.6.1
- Minimum site area prior to subdivision – 4ha under Rule 10.6.2
- Creation of an additional number of sites greater than that specified under Rule 10.6.1 or Rule 10.6.2
- Requirement to supply a geotechnical assessment under Rule 10.6.7

ii) Rural Residential zone

- Requirement to supply a geotechnical assessment under Rule 10.7.9
- Minimum lot size under Rule 10.7.1
- Average lot size when applying the "averaging" performance standard under Rule 10.7.1

iii) Arapuni Village zone

- Minimum lot size under Rule 10.4.1

iv) Fragmentation of areas of indigenous vegetation under Rule 10.8.3b)

v) Residential zone

Any subdivision in a Residential zone creating one or more allotments of under 300m2 (net site area) shall also be a non-complying activity, unless the proposal forms part of a multi-unit development that has been granted land use consent.

vi) Any allotments created within any National Grid Corridor that does not identify a building platform for the principal building or dwelling (or any other proposed dwelling) outside of the National Grid Yard

Advisory Note: Authority to Decline Subdivisions

Even if a subdivision complies with the plan's standards, Council may decline consent under Section 106 of the Act if it considers that—

a) the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source

b) any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source, or

c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

10.4 Standards - Residential Zones and Arapuni Village Zone

10.4.1 Minimum Size and Shape

a) Minimum lot size (net site area) shall be 450m2 in the Tokoroa Residential zone, Putaruru Residential zone, Tīrau Residential zone and in the Arapuni Village zone

b) Sites shall be capable of containing a rectangle suitable for building purposes measuring 10x15 metres.

c) All habitable building sites shall be at least 0.5m above the 1% AEP design flood level.

10.4.2 Average Area

a) For subdivision creating more than one additional site, the average site area of all new sites created shall be greater than or equal to 600m2. Where a subdivision of a block of land is staged, the overall average area of all sites created shall not be less than 600m2 and the subdivider shall provide an overall subdivision plan indicating the full extent of proposed future subdivision.

10.4.3 Services

a) Services provided to all proposed sites shall be in accordance with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

b) Stormwater Disposal:

i) Each proposed new site created shall be completely self-contained in respect of stormwater disposal or shall be served by a system approved by Council

ii) The subdivider shall also provide for drainage of upstream catchments and mitigate the effects of the development on downstream land or properties owned or occupied by other persons

c) Sewerage:

i) Each proposed new site created shall have individual sewerage connections to Council's reticulated system, at the Lot boundary

d) Water Supply:

i) Adequate water reticulation shall be provided to each site from Council's water supply system, at the Lot boundary.

10.4.4 Access

a) A formed vehicle crossing shall be provided to each site created

b) Vehicle crossings onto State Highways shall comply with the sight distances and separation distances in Table 1 and comply with conditions imposed by the NZ Transport Agency. Vehicle crossings onto local roads shall comply with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

c) Any entrance strip which provides legal access to a rear site shall have a minimum width of:

i) 4m where the number of sites is not greater than two

ii) 4.5m where the number of sites is three or more

d) Where common access to seven or more residential allotments is to be provided, this access must be a new legal road

e) Formation of vehicle crossings, entrance strips and roads shall be in accordance with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

Table 1 – Sight and Separation Distances

Posted speed limit (km/h	85th percentile operating speed (or if not known, posted speed limit plus 10km/h)	Minimum sight distance (m)	Minimum distance between accessway and nearest intersection (m)	Minimum distance between local road accessway and intersection (m)	Minimum distance between accessways (m)
Not applicable	50	89	30	20	-
50	60	113	30	20	-
60	70	140	30	20	-
70	80	170	100	45	40
80	90	203	100	45	100
90	100	240	200	60	200
100	110	282	200	60	200

10.4.5 Power and Telecommunication Services

a) Each proposed new site created shall be provided with underground electric power and telecommunication services to the lot boundary unless a connection to the lot can be made directly to existing overhead infrastructure.

10.4.6 Limitations of Putaruru Growth Cell 1 (Overdale Road).

a) No subdivision within Putaruru Growth Cell 1 shown on the Planning Maps shall result in the cumulative number of dwelling sites within that Growth Cell exceeding 328 Household Unit Equivalents (HUEs). This calculation shall include any multi-unit developments already approved by Council.

10.4.7 Limitations of Putaruru Growth Cell 2 (Ruru Street)

a) No subdivision within Putaruru Growth Cell 2 shown on the Planning Maps shall result in the cumulative number of dwelling sites within that Growth Cell exceeding 67 Household Unit Equivalents (HUEs). This calculation shall include any multi-unit developments already approved by Council.

10.5 Standards – Town Centre, Business, Neighbourhood Retail, Electricity Generation, Tokoroa Airport, and Industrial Zones

10.5.1 Minimum Area

No minimum area.

10.5.2 Suitability of Lots

All sites shall be of sufficient size to allow for any proposed activity permitted in the zone. Subdividers shall indicate in their application how actual and typical buildings, and vehicle parking, access and manoeuvring may be accommodated within the proposed site boundaries. (Refer Chapter 11).

10.5.3 Services

a) Any public services provided to proposed sites shall be in accordance with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

b) Stormwater Disposal:

i) Each proposed new site created shall be completely self-contained in respect of stormwater disposal or shall be served by a system approved by Council

ii) The subdivider shall also provide for drainage of upstream catchments and mitigate the effects of the development on downstream land or properties owned or occupied by other persons

iii) Despite i) above, sites in the Town Centre, Business and Industrial zones shall have individual stormwater connections to a Council-approved system

c) Sewerage:

i) Each proposed new site created shall be completely self-contained in respect of sanitary drainage or shall be served by a system approved by Council

ii) Despite i) above, sites shall have individual sewerage connections to Council's reticulated system, if available

d) Water Supply:

i) Each proposed new lot created shall be provided with an adequate supply of potable water

ii) If the land being subdivided is within an area served by a Council water supply, then adequate water reticulation shall be provided to each site.

10.5.4 Access

a) A formed vehicle crossing shall be provided to each site created

b) Vehicle crossings onto State Highways shall comply with the sight distances and separation distances in Table 1, and comply with conditions imposed by the NZ Transport Agency

c) Any **entrance strip** which provides legal access to one or two **rear sites** shall have a minimum width of:

i) 4.5m where the entrance strip is less than 40m in length

ii) 6.0m where the entrance strip is more than 40m in length

d) Any **entrance strip** which provides legal access to three or more **rear sites** shall have a minimum width of:

i) 6.0m where the entrance strip is less than 40m in length

ii) 12.0 m where the entrance strip is more than 40m in length

e) Where common access to seven or more allotments is to be provided, this access must be a new legal road

f) Formation of vehicle crossings, entrance strips and roads shall be in accordance with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

10.5.4A Provision of New Road to Putaruru Growth Cell 4 (Business)

a) Any subdivision creating new allotments within Putaruru Growth Cell 4 (Business) shown on the Planning Maps shall provide access to those allotments by way of a new legal road vested in Council from Princes Street, on the land identified as Possible Future Road on the Planning Maps.

10.5.5 Power and Telecommunication Services

a) Each proposed new site created in an urban area shall be provided with underground electric power services unless a connection to the lot can be made directly to existing overhead infrastructure

b) Telecommunication services shall be available to the boundary of each proposed new site created in an urban area, as certified by a recognised service provider.

10.6 Standards - Rural Zones

10.6.1 Subdivision of Sites of 30ha or larger

a) Site Area (this rule does not apply to subdivision under Rule 10.3.1a) v))

i) Minimum – 2500m^2 net site area

ii) Average site area per subdivision – At least 10ha including the balance area

iii) The maximum number of sites per subdivision application created (including the balance area) under this rule shall be 3 (i.e. 2 additional). The minimum area required for a subdivision under this rule is 30ha.

10.6.2 Subdivision of Sites larger than 4ha and smaller than 30ha

a) Site Area **(this rule does not apply to subdivision under Rule 10.3.1a) v))**

i) Minimum – 2500m^2 net site area

ii) Average site area per subdivision – At least 2ha

iii) The maximum number of sites per subdivision application created (including the balance area) under this rule shall be 2 (i.e. one additional). The minimum area required for a subdivision under this rule is 4ha.

10.6.3 Non-Compliance with Above Standards

Failure to meet any of the following standards shall require the subdivision to be considered as a non-complying activity:

i) Minimum site area prior to subdivision – 30ha under Rule 10.6.1

ii) Minimum site area prior to subdivision – 4ha under Rule 10.6.2

iii) Creation of an additional number of sites greater than that specified under Rule 10.6.1 or Rule 10.6.2

iv) Geotechnical assessments under Rule 10.6.7.

In other circumstances where the standards are not met, then an application is a restricted discretionary activity.

10.6.4 Suitability of Site

Any site being created or developed shall be suitable for the activity for which it is proposed. Suitability will be assessed in terms of topography, hazards, service availability, road access**,** reverse sensitivity effects and effects on the environment as specified in the zone rules.

All allotments shall have at least one suitable site where a dwelling could be erected, together with associated effluent and stormwater disposal systems. For the purposes of this rule a suitable dwelling site is one which

complies with this plan's performance standards and has been demonstrated to be free of land stability hazards, gully erosion paths, and potential flooding.

10.6.5 Services

a) Stormwater Disposal:

i) Each proposed new site created shall be completely self-contained in respect of stormwater disposal or shall be served by a system approved by Council

ii) The subdivider shall also provide for drainage of upstream catchments and mitigate the effects of the development on downstream land or properties owned or occupied by other persons

b) Sewerage:

i) Each proposed new site created shall be completely self-contained in respect of sanitary drainage or shall be served by a system approved by Council. Sewage drainage easements into neighbouring properties will not be allowed

ii) Despite i) above, sites shall have individual sewerage connections to Council's reticulated system, if available

c) Water Supply:

i) Each proposed new site created shall be provided with an adequate supply of water

ii) New allotments being created with an area of 4ha or less shall be provided with an adequate supply of potable water

iii) If the applicant advises Council that an allotment of over 4ha will be used for rural-residential/lifestyle use, then a potable and adequate water condition will be imposed

iv) In the case of a boundary adjustment proposal, the water supply need not be both potable and adequate if all lots retain their existing operational supply, unless the boundary adjustment substantially changes the character of the resultant lots

d) Power

Each proposed new site created shall be provided with electric power to the lot boundary.

10.6.6 Access to Allotments

a) A formed vehicle crossing shall be provided to each site created

b) Vehicle crossings onto State Highways shall comply with the sight distances and separation distances in Table 1, and comply with conditions imposed by the NZ Transport Agency

c) Any entrance strip which provides legal access to one to six rear sites shall have a minimum width of 6.0m

d) If the entrance strip exceeds 80m in length, spaces visible from one to another shall be provided to enable vehicles to pass, at intervals of not less than 80m. Passing spaces may also be required on entrance strips less than 80m in length, if visibility is restricted along the strip

e) Where common access to seven or more allotments is to be provided, this access must be a new legal road, to be formed to Council's standards.

f) Formation of vehicle crossings, entrance strips and roads shall be in accordance with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

10.6.7 Building Sites/Natural Hazards

Where a proposed building site adjoins the Waikato River and/or hydro-electric power operating easements, a geotechnical assessment shall be provided to assess potential erosion and instability threats for those identified building sites.

10.7 Standards – Rural Residential Zone

10.7.1 Minimum and Average Lot Size

a) Minimum site area prior to subdivision - 1ha

b) Minimum lot size shall be 2500m^2 net site area

c) Average lot size – at least 5000m^2 net site area

d) For every lot created below the average lot size of 5000m^2, another lot with an equal, or greater, area above the average lot size of 5000m^2 shall be created. Except that if an odd number of lots is proposed, then one lot may be excluded from this rule.

e) Rules a) to d) above do not apply to a subdivision under Rule 10.3.1a) v).

10.7.2 Non-Compliance with Above Rules

Failure to meet any of the following standards shall require the subdivision to be considered as a non-complying activity:

a) Minimum lot size under Rule 10.7.1b)

b) Average lot size when applying the “averaging” performance standard under Rules 10.7.1c) and d)

c) Requirement to supply geotechnical assessments under Rule 10.7.9.

In other circumstances where the standards are not met, then an application is a restricted discretionary activity.

10.7.3 Development Concept Plan

a) At the time of any subdivision for part of a subject site (being in one or more Certificates of Title) identified as having a Rural Residential zoning, the Council will require a Development Concept Plan to accompany the application for subdivision. The Development Concept Plan shall demonstrate the overall compatibility of the present pattern of subdivision to possible longer-term development of the property to ensure that subdivision and development of land will occur in a way that is or can be integrated with possible longer-term development of the whole of the subject site for rural residential living.

b) A Development Concept Plan shall show:

   i) Landscape and natural and heritage features, natural hazards or physical constraints including means to integrate any such features and or mitigate any hazards

   ii) Future provisions for infrastructural services (water, water for firefighting, wastewater, access, power, telephone) based on proposed and potential development opportunities for the site

   iii) Commentary on the cumulative impact of infrastructural services provision on the total development of the area and neighbouring areas

iv) Commentary on how stormwater disposal is to be managed so as to avoid adverse effects on the existing environment and any probable pattern of subdivision

v) Commentary on transportation links intending to serve the proposed subdivision and probable future development and connectivity to the local or State Highway network.

Commentary should explain how subdivision design and lot layout has achieved the safe and efficient operation of the road network, how access layout has avoided adverse effects associated with lineal development of lots along road frontages, and how the consolidation of accessways has been integrated into the overall development.

10.7.4 Building Platform

a) It shall be demonstrated that a building area of at least 160m^2 exclusive of all building setbacks required by Rules 29.4.1 and 29.4.2 can be provided on each site for one habitable building

b) All such habitable building sites shall be at least 0.5m above the 1% design flood level

c) The building platform shall not occupy land steeper than 25 degrees unless a regional consent is held.

10.7.5 Services

a) Public Services provided to all proposed sites shall be in accordance with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

b) Stormwater Disposal:

i) Each proposed new site created shall be completely self-contained in respect of stormwater disposal or shall be served by a system approved by Council

ii) The subdivider shall also provide for drainage of upstream catchments and mitigate the effects of the development on downstream land or properties owned or occupied by other persons

c) Sewerage:

i) Each proposed new site created shall be completely self-contained in respect of sanitary drainage or shall be served by a system approved by Council

ii) Despite i) above, sites shall have individual sewerage connections to Council's reticulated system, if available

iii) Effluent disposal fields shall not be located within 30 metres of the margins of a lake, river or stream. The term "Effluent disposal field" is defined to be the system used to apply effluent from a wastewater treatment unit into or onto the soil for further in-soil treatment and absorption or evaporation.

Advisory Note: A Regional Council consent may also be required for on-site sewage discharges pursuant to the Waikato Regional Plan. Waikato Regional Plan requirements in this regard should be discussed with the Waikato Regional Council.

d) Water Supply:

i) Each proposed new lot created shall be provided with an adequate supply of potable water

ii) If the land being subdivided is within an area served by a Council water supply, then adequate water reticulation shall be provided to each site

iii) Firefighting capability shall be demonstrated for each new site in accordance with NZ Standard SNZ PAS 4509:2008.

10.7.6 Access

a) Lots shall have physical and legal access to a formed legal road

b) A formed vehicle crossing shall be provided to each site created

c) Minimum sight distances between new accessways shall comply with the sight distances in Table 1

d) Access lots and rights-of-way shall be sealed

e) Any entrance strip which provides legal access to a rear site shall have a minimum width of:

   i) 3.5m where the number of sites is not greater than two

   ii) 4.5m where the number of sites is three or more

f) Where common access to seven or more residential allotments is to be provided, this access must be a new legal road, to be formed to Council's standards

g) Formation of vehicle crossings, entrance strips and roads shall be in accordance with the Regional Infrastructure Technical Specifications adopted by Council in July 2018.

10.7.7 Power and Telecommunication Services

Each proposed new site created shall be provided with underground electric power, at the lot boundary unless a connection to the lot can be made directly to existing overhead infrastructure. Any new telecom lines that are installed shall be underground.

Where access is to be via an entrance strip, services shall be laid to the end of the entrance strip furthest from the road.

10.7.8 Sediment from Earthworks

Sediment discharge associated with earthworks shall comply with regional rules unless a regional resource consent is held.

10.7.9 Building Sites/Natural Hazards

Where a site adjoins the Waikato River and/or hydro-electric power operating easements, a geotechnical assessment shall be provided to assess potential erosion and instability threats for those identified building sites.

10.7.10 Separation Distances

New dwelling sites for subdivisions shall be at least 300m from effluent treatment ponds and the boundary of any sites used for intensive farming activities.

10.8 Further Standards Applying in All Zones

10.8.1 Building Act and Setback Requirements

a) Where a subdivision creates a party wall, that wall must comply with the Building Act's fire rating and structural requirements

b) All proposed boundaries shall be sited at a sufficient distance from buildings to comply with the setback and height requirements of this plan, and to meet the fire rating requirements of the Building Act 2004.

10.8.2 Services in Residential, Rural Residential, Arapuni Village, Business, Neighbourhood Retail and Industrial Zones

All cables, including for power, telephone, and street lighting (if applicable), shall be placed underground, except where existing services are above ground or where in Council's opinion, underground services are economically unjustifiable due to problems associated with such issues as topography, geology, land stability or operational requirements.

10.8.3 Indigenous Vegetation and Habitat Loss

a) The location of a building platform, any associated driveway, access way or ancillary works on a proposed site shall exclude areas of recorded indigenous vegetation and habitats as set down in Council's Heritage and Ecological Inventory

b) No subdivision of land shall result in any new boundary within 10 metres of any area of indigenous vegetation, or within 10 metres of the edge of any wetland, unless that area is to be protected by a legal covenant or consent notice.

10.8.4 Heritage

The location of any building platform, any associated driveway, access way or ancillary works on a proposed site shall not affect any archaeological, historic or cultural sites as recorded in Appendix B Built Heritage Inventory or Appendix D Cultural Heritage Sites.

10.9 Financial Contribution Rules

The following rules are a method of achieving the financial contribution objectives and policies contained in Chapter 7.

10.9.1 Circumstances

The method of calculating the financial contribution is based on the existing value of the network and the number of rateable units in the district that are charged for use of the particular network (either the Uniform Annual General Charge (UAGC) or alternatively a rate for the specific network).

The formulae are stated below for each contribution and will be adjusted annually based on the latest valuation of the asset as at 1 July, multiplied by an adjustment factor to provide a discount to the level of contribution charged. The purpose of the adjustment factor is to enable Council to annually adjust the level of the contribution in response to the level of development activity within the District. The adjustment factor and the contribution amounts will be set annually through the Annual Plan process and advertised through the Schedule of Fees and Charges.

Financial contributions in the form of money as part of a subdivision consent must be paid prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991. Financial contributions in the form of land as part of a subdivision shall be vested in Council and shown on the survey plan approved pursuant to Section 223 of the Act.

Where a subdivision is to be staged, it may be appropriate that the financial contribution also be staged to recognise the incremental increase in effects as the stages are developed. The conditions of the subdivision or land use consent should state the timing for the payment of the contribution.

Allotments created for the purpose of accommodating infrastructure and network utility operations shall be exempt from the payment of financial contributions in respect of those allotments.

If the developer undertakes related mitigation works outside of the subdivision with the agreement of Council, the value of this work will be discounted when determining the level of financial contribution payable.

10.9.2 Amount of Contribution

a) Financial Contribution for Roading

A financial contribution towards upgrading the existing roading network is charged on the basis of the number of additional residential, rural, commercial, or industrial allotments (except where an allotment is created for the purpose of infrastructure or network utility operations). The contribution addresses the cumulative impact of the additional traffic created through the subdivision and the associated development, and the resulting increase in demand for capacity within the roading network.

The roading financial contribution formula is:
$ Value of the roading asset divided by the number of rateable units charged the UAGC multiplied by the number of additional lots created.

The cost of formation and construction of all new roads to be vested in Council and/or all internal service roads and footpaths for a development shall be borne by the developer.

The cost of formation and construction of an access to and from an existing formed public road shall be borne by the developer.

The cost of formation and construction of unformed roads which are required as part of a development shall be borne by the developer.

The value of the roading asset includes the road structure, kerb and channel, street lighting, footpaths, bridges and culverts, but excludes non-depreciated assets (land under roads and road formation).

b) Urban Water Supply, Urban Wastewater and Urban Stormwater

An upgrading contribution for the existing urban water, wastewater and stormwater networks is charged on a per additional residential, commercial or industrial lot created basis (except where an allotment is created for the purpose of infrastructure or network utility operations). The contribution addresses the cumulative impact on the existing network and is based on 'buying in' to the existing network. Effectively this then entitles the contributor to use of the network as with existing ratepayers in the District and enables Council to increase the capacity of the network to meet the increasing demand for services.

A contribution should only be charged in respect of water supply, wastewater and stormwater, if those particular networks are being utilised by a subdivision or development.

The cost of the installation of services (water, wastewater, or stormwater reticulation) including ancillary works such as pump stations, within a development, shall be borne by the developer.

The cost of connections to Council's services, where these services are available in terms of the requirements of the Local Government Act 2002, shall be borne by the developer. These costs shall include supervision to ensure that the work is carried out to a satisfactory standard.

If the Council requires larger sized services than those required by the development, Council shall meet any additional costs which will be recovered from future developments through the payment of financial contributions.

If the developer undertakes related mitigation works outside of the subdivision with the agreement of Council, the value of this work will be discounted when determining the level of financial contribution payable.

The **water supply** financial contribution formula is:
$ Value of the water supply asset X Number of additional lots created
Number of rateable units charged
the urban water supply rate

The **wastewater** financial contribution formula is:
$ Value of the wastewater asset X Number of additional lots created

Number of rateable units charged the sewage disposal rate

The **stormwater** financial contribution formula is:
$ Value of the stormwater asset X Number of additional lots created Number of rateable units charged the UAGC in Tokoroa, Putaruru, Tīrau and Arapuni

c) Urban and Rural Reserves

A contribution shall be paid towards the existing reserves network charged on a per additional residential, rural, commercial, or industrial allotment created basis (except where an allotment is created for the purpose of infrastructure or network utility operations). The contribution addresses the cumulative impact of the demand created on the reserves network through the subdivision of land and associated development, and the resulting demand for additional reserves, and enhanced facilities at existing reserves within the district.

The reserves financial contribution formula is:
$ Value of the reserves asset X Number of additional lots created Number of rateable units charged the UAGC

10.10 Esplanade Reserves and Strips

10.10.1 Esplanade Reserves

Council will not require an esplanade reserve to be set aside from land being subdivided or roads being stopped, unless:

i) The land is located within Tokoroa township and adjoins the bank of the Whakauru Stream or Matarawa Stream

ii) The land is located within Putaruru township and adjoins the bank of the Oraka Stream

iii) The land is located within Tīrau township and adjoins the bank of the Oraka Stream, upstream of Okoroire Road

iii) The land adjoins the Pokaiwhenua Stream, from upstream of Waotu Road to the existing reserve (at confluence with the Ngutuwera Stream).

ADVISORY NOTE: The above portions of river are shown on the planning maps.

10.10.2 Esplanade Strips

a) Public Access

An esplanade strip for public access purposes may be required (subject to Rule 10.10.4 below) over land being subdivided or roads being stopped which adjoin the following rivers (shown on the planning maps):

i) The Whakauru Stream north of Tokoroa to its confluence with the Matarawa Stream

ii) The Matarawa Stream north of Tokoroa to its confluence with the Whakauru Stream

iii) The Pokaiwhenua Stream between Duxfield Reserve and the Waikato River

iv) The Oraka Stream from Putaruru to Tīrau, upstream of Okoroire Road

v) The Oraka Stream upstream from Putaruru township to Domain Road

vi) The Little Waipa Stream from the Waikato River upstream to the existing reserve (3km north of Arapuni Road)

vii) Te Waihou River, downstream of State Highway 5 to Okoroire

viii) The Waimakariri Stream from its confluence with the Te Waihou River, upstream to the existing reserve.

b) Waikato River

An esplanade strip for public access, water quality and/or conservation purposes will be required (subject to Rule 10.10.4 below) over land being subdivided or roads being stopped which adjoin the Waikato River.

c) Conservation Purposes

Council may require an esplanade strip to be created for water quality and/or conservation purposes over land being subdivided or roads being stopped which:

i) Adjoin the Pokaiwhenua Stream between Wiltsdown Road and Newell Road, as shown on the Planning Maps

ii) Adjoin the Matarawa Stream south of Tokoroa to the Industrial Zone boundary at Kinleith

iii) Include a Significant Natural Area.

(ADVISORY NOTE: The esplanade strip documents for these places may exclude public access).

d) Provision of Esplanade Strips

The provision of esplanade strips will be subject to the standards and exemptions in Rule 10.10.4 below.

10.10.3 Land Use Consents

When considering applications for land use consent, Council may require an esplanade strip for water quality and/or conservation purposes to be created, if the proposal is likely to have a significant adverse effect upon:

i) Water quality

ii) The natural functioning of an adjacent river or lake, or

iii) The natural values associated with the riparian margin of any adjacent river or lake,

and if an esplanade strip is necessary to mitigate those adverse effects.

10.10.4 Width of Reserves and Strips

a) Esplanade reserves will be 20 metres wide if adjoining the water bodies specified in Rule 10.10.1 above.

b) Esplanade strips for public access purposes will be 10 metres wide, unless a greater width is needed to provide a workable walkway.

c) Esplanade strips for water quality and/or conservation purposes are to be 20 metres wide.

d) The standard widths in a) or b) above may be reduced in circumstances where:

i) Other parts of the reserve or strip are correspondingly wider

ii) A full width reserve or strip would pass too close to an existing dwelling, or

iii) The objectives of the reserve or strip can still be met by a reduced width.

e) Esplanade strips for public access may be dispensed with altogether in cases where Council is satisfied that the objectives of the Vision and Strategy for the Waikato River will still be met despite the dispensation, and:

i) Adequate legal access to the water body is provided by a legal road (formed or not)

ii) Access along the other side of the water body is more practical, and access is not needed on both sides

iii) Topography along the strip makes access unworkable

iv) The site of the strip is unlikely to ever be accessible from a public road

v) The strip would lead to an area of indigenous vegetation or wetland, and public access would be incompatible with the effective protection of that area

vi) The purpose of the strip can be achieved by other methods, e.g. covenants, or

vii) Public safety would be compromised by providing a strip.

f) Esplanade strips for water quality and /or conservation purposes may be dispensed with wholly or partially. Any application to reduce or waive an esplanade strip will be assessed having regard to the following matters:

i) The extent to which the natural functioning of the water body, water quality, and land and water-based habitats will be affected by any reduction in the width, size or non-provision of the strip

ii) The extent to which the objectives of the Vision and Strategy for the Waikato River will still be met despite any reduction or waiver, and including any cumulative effects of granting such dispensation

iii) The degree of protection of the natural values associated with the strip that will remain

iv) The degree to which the purpose of the strip can be, or is already, achieved by other mechanisms, (e.g. covenants, conditions of resource consents, voluntary methods)

v) The extent to which the public benefits gained with respect to the strip justify the cost of acquiring and maintaining the strip, while recognising that important benefits in terms of improved water quality, habitat and access cannot readily be expressed in monetary terms.

Fig.1 – Standard Conditions of an Esplanade Strip for Public Access

The “Esplanade Strip instrument” which creates the strip is registered on land titles and contains a number of standard conditions including, but not limited to, the following:

1. The following acts are prohibited on the strip:

a) Wilfully endangering, disturbing, or annoying any lawful user of the strip (including the owner or occupier of the strip)

b) Wilfully damaging or interfering with any structure adjoining or on the land, including any building, fence, gate, stile, marker, bridge or notice

c) Wilfully interfering with or disturbing any livestock lawfully permitted on the strip.

2. The following further acts are prohibited on the strip:

a) Lighting any fire

b) Carrying any firearm

c) Discharging or shooting any firearm

d) Camping

e) Bringing any dog onto the strip, except on a lead

f) Bringing any horse onto the strip, except with the permission of the owner or occupier of the strip

g) Taking any vehicle onto, or driving or having any charge or control of any vehicle on the land (whether the vehicle is motorised or non-motorised)

h) Wilfully damaging or removing any plant (unless acting in accordance with the Noxious Plants Act 1978 or the Biosecurity Act 1993)

i) Laying any poison or setting any snare or trap (unless acting in accordance with the Agricultural Pest Act 1967 or the Biosecurity Act 1993)

j) Being on the land during hours of darkness.

The prohibitions referred to in paragraphs a) to j) above do not apply to the owner or occupier of the strip, the grantee or the Waikato Regional Council where the latter is engaged in river control works.

3. Any fencing (including costs) whether temporary or permanent, bounding the strip and the landowner's other land shall be the responsibility of the landowner. Where Council and the landowner however agree that extra fencing needs to be erected for the safety or convenience of the public using the strip, the costs of this fencing shall be settled by negotiation

4. Stiles are to be provided where fences cross the strip. The responsibility (including costs) for providing stiles shall be borne by the Council. Council will consult the landowner prior to undertaking any work on the strip including provision of stiles and walking paths

5. Any person shall have the right to pass and re-pass over and along the strip between dawn and dusk except as specified in a) or b) below:

   a) All persons using a strip which does not contain a walkway formed or marked by the Council must advise the landowner concerned prior to use

   b) The strip may be closed to public access by the landowner during lambing/calving times and when a hazard to people using the strip is present. Such hazards include tree felling, blasting, earthmoving and pest control operations, land instability, flooding and flood damage.

ADVISORY NOTE: Any person contravening these provisions is committing an offence and is liable to prosecution under the Resource Management Act 1991.

11 Parking, Loading and Access

11.1 Rule Statement

This chapter establishes the performance standards relating to the provision of on-site car parking, loading spaces and vehicle access. Performance standards specify the number of car parking and loading spaces that should be provided for different land use activities and within different zones. The purpose of this is to manage demand for street-based and public car parking to avoid affecting the safe and efficient operation of the road network. The intended outcome within most of the zones is to ensure that adequate car parking and loading spaces are provided within each property to provide for the demand generated by activities on that property.

The National Policy Statement for Urban Development 2020(NPS-UD) precludes District Plans from requiring carparks within "Tier 3" urban environments. The Urban Area comprising Tokoroa and Kinleith falls within this category, so new developments throughout Tokoroa and in the Industrial zone at Kinleith are not required to provide a minimum number of parking spaces under the Plan.

The NPD-UD does not apply to the smaller towns of Putaruru and Tīrau, so minimum parking requirements have been retained there, except in the Town Centre zones. The town centres of Putaruru and Tīrau are managed differently because of the extent of public car parking available, the presence of service lanes, and the more compact form of development characteristic of these areas.

State Highway 1 runs through the town centres of Putaruru and Tīrau, and next to the Tokoroa town centre. Each of the towns has a different layout and intensity of land use alongside the state highway, and the interface between the state highway and commercial properties is of importance. This rule chapter does not include a roading hierarchy, although a distinction is made within some of the performance standards between state highway and local road. The state highway network provides critical transport links both within the district and linking the district to the wider region. Therefore, maintaining the safety and efficiency of the state highway network is important.

In all three town centres and the Tokoroa suburban shops, the majority of car parking is provided as street-based parking or within public parking areas. Any on-site car parking is primarily used as staff parking. The lack of car parking standards for the town centre zones for Putaruru and Tīrau aim to primarily maintain the status quo of limited on-site car parking, and substantial use of street-based and public parking.

Vehicle access to properties needs to be provided in a manner that ensures the safe and efficient operation of the road network. This is particularly important for the district's state highways where traffic volumes are highest. Performance standards have been formulated to manage the number and location of vehicle entrances to properties. Vehicle entrances on existing properties may need to be upgraded where traffic generation on the property is increasing substantially.

The traffic generated by a particular development can have a substantial impact on the safety and efficiency of the road network. Localised upgrades of intersections and portions of road may be required in some instances (such as where a significant increase in traffic generation is occurring due to a change in land use activity) as a condition of resource consent. This rule chapter is intended to operate in conjunction with the zone provisions that manage the type and scale of land uses in particular areas. Generally, an activity with the potential to generate traffic volumes that may detrimentally affect the safety or efficiency of the road network, or the amenity of the locality, will be a discretionary or non-complying activity within the zone provisions applying to that area.

The Regional Infrastructure Technical Specifications adopted by Council in July 2018 provide much of the technical detail that relates to parking, loading and access requirements. The Code is a reference document providing detail on design standards to inform developers and Council staff as to how compliance should be achieved.

Where land use consent is to be granted for a shortfall in on-site car parking, there are several mitigation options that can be utilised through Council imposing resource consent conditions. These include a consent condition requiring a financial contribution to be paid in lieu of providing on-site car parking, with Council then using the collected parking contributions to provide extra parking spaces on public land in an appropriate location to alleviate any shortfall. Such contributions shall be paid prior to the commencement of the activity, or as stated in the conditions of the resource consent.

Other mitigation options that will be considered include a developer constructing additional parking spaces on the adjoining street frontage, the sharing of parking spaces between activities on different sites, leasing of land nearby to provide parking spaces, use of stacked parking, and provision of cycle spaces or other measures recommended by a suitably-qualified Traffic Engineer, to reduce carparking demand.

11.2 Anticipated Environmental Results

The parking, loading and access rules are intended to achieve the following anticipated environmental results:

- That within the district's smaller towns and rural areas (i.e. except for within the Urban Area comprising of Tokoroa and Kinleith) adequate on-site car parking is provided in relation to the anticipated demand for parking generated by the activity
- That within all the town centres the on-site parking provision is maintained at approximately the existing level. The majority of car parking will continue to be provided as street-based parking or within public parking areas
- That sufficient numbers of loading spaces continue to be provided in the town centres, commercial and industrial parts of the district (either on streets or within properties) in convenient locations to satisfy demand
- That subdivision use and development of land occurs in a manner that avoids detrimental effects on the safety and efficiency of the roading network, particularly state highways.

The parking, loading and access rules are a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns), Chapter 5 (Objectives and Policies for the District's Rural Areas), and Chapter 7 (Objectives and Policies for the District's Infrastructure and Development).

11.3 Performance Standards

The following standards apply in all zones, except where otherwise stated below. The failure to comply with one or more of the standards results in that activity being a Restricted Discretionary Activity. If the activity is already a Discretionary or Non-Complying Activity, the standards below will be used as a guideline to assess the adequacy or otherwise of the parking, loading and access arrangements being proposed.

Assessment criteria relevant to resource consent applications for non-compliance with parking, loading and access standards are in Chapter 8 (Administration).

11.3.1 Provision of Vehicle Parking

a) Where a change of use occurs requiring a greater provision of car parking, or where the floor area of a building is increased, additional on-site car parking will be required in accordance with the standards in Table 1.

Table 1 – Parking Requirements

Use of Site	Zones Where Standard is Applicable	Parking Spaces Required
All land uses	All zones within the Tokoroa Urban Area, Putaruru Town Centre Zone, Tīrau Town Centre Zone, and the Industrial Zone at Kinleith	No car parking required.
Retail activities, Commercial services, unlicensed cafes and restaurants on sites with frontage to Arapuni Road.	Arapuni Village Zone	No car parking required.

Use of Site	Zones Where Standard is Applicable	Parking Spaces Required
Dwellings, including residential accommodation, and caretakers' accommodation.	All zones except within the zones of the Tokoroa Urban Area, and the Industrial Zone at Kinleith	1 space per household unit.
Retail activities, (except supermarkets), Offices	All zones, except Town Centre Zones, Arapuni Village Zone, within the zones Tokoroa Urban Area, and Industrial Zoning at Kinleith	1 space per 25m² GFA.
Supermarkets	*All zones, except Town Centre Zones and within the zones of Tokoroa Urban Area* Putaruru Business Zone	1 for every 20m2 GFA for the retail floor space open to the public, plus 1 for every 40m2 GFA of floor space that is not open to the public (including food preparation areas, offices, staff recreation, and ablution uses, and ancillary storage space).
Places of assembly.	All zones, except Town Centre Zones and within the zones of the Tokoroa Urban Area, and the Industrial Zone at Kinleith	1 space per 10 persons the facility is designed to accommodate.
Craft workshops and studios	All zones, except Town Centre Zones, and within the zones of the Tokoroa Urban Area	1 space per full time equivalent employee.
Health Care Services and veterinary services	All zones, except Town Centre Zones, and within the zones of Tokoroa Urban Area, and the Industrial Zone at Kinleith	2 spaces for every practitioner on the premises at any one time.
Commercial services	All zones, except for Town Centre Zones, Arapuni Village Zone, and within the zones of Tokoroa Urban Area	1 space per 25m² GFA.
Home occupations	All zones except within the Tokoroa Residential Zone	1 additional space (to that required for the dwelling) per full time equivalent employee not residing at the site.
Marae development and papakāinga	All zones	1 space per household unit, and 1 space per 10 persons the facility is designed to accommodate for non-residential forms of marae development.
Community care housing	All zones except within the Tokoroa Residential Zone	1 space per full time equivalent staff member, and 1 space for every 5 beds.
Outdoor recreation and sporting activities on parks and reserves.	All zones except within the zones of Tokoroa Urban Area	Six spaces per playing field or court.
Indoor recreation and sporting facilities.	All zones except within the zones of the Tokoroa Urban Area	1 space per 10 persons the facility is designed to accommodate.
Childcare facilities	All zones except within the zones of Tokoroa Urban Area and the Industrial Zone at Kinleith	1 space per full time equivalent staff member and 1 space per 8 attendees.

Use of Site	Zones Where Standard is Applicable	Parking Spaces Required
Education facilities	All zones except within the zones of Tokoroa Urban Area and Industrial Zoning at Kinleith	Primary and Intermediate Schools: 2 spaces per 3 full time equivalent staff. Secondary Schools: 2 spaces per 3 full time equivalent staff and 1 space per 50 students. Tertiary and other education facilities: 1 space per 5 full time equivalent staff members and students.
Hospitals and Homes for the Aged	All zones except within the zones of Tokoroa Urban Area	2 spaces for every practitioner on the premises at any one time, and 1 space for every 5 beds.
Housing for the Elderly	All zones except within the zones of Tokoroa Urban Area	1 space per household unit.
Visitor accommodation	All zones except within the zones of Tokoroa Urban Area	1 space per guest room or 1 space for every 5 beds
Restaurants, bars and cafes	All zones except for town centre zones, Arapuni Village Zone, and within the zones of Tokoroa Urban Area and Industrial Zoning at Kinleith	1 space per 10m² of customer area* for bars and 1 space per 15m² of customer area* for restaurants and cafes
Industrial Activities with a GFA of over 2,000m2.	Industrial Zones at Tīrau, Putaruru, and Lichfield	1 space per maximum number of personnel expected to be on site.
Other Industrial activities	Industrial Zones at Tīrau, Putaruru, and Lichfield	1 space per 100m² GFA
Industrial activities	Putaruru Business Zone	1 space per 50m² GFA
Service industry	All zones, except within the zones of Tokoroa Urban Area and the Industrial Zone at Kinleith	1 space per 50m² GFA.
Service stations including motor vehicle repair	All zones, except within the zones of Tokoroa Urban Area and the Industrial Zone at Kinleith	2 spaces per 3 staff on duty and 2 customer spaces per shop, 4 spaces per workshop bay, and 3 queuing spaces for carwash, and 1 space for air hose or vacuum.
Any other Permitted or Controlled Activity.	Rural Zone, Electricity Generation Zone and Rural Residential Zone	No car parking required.
*Customer area includes any part of the site and public road used as part of the premises and that is open to patrons, e.g. outdoor seating areas		

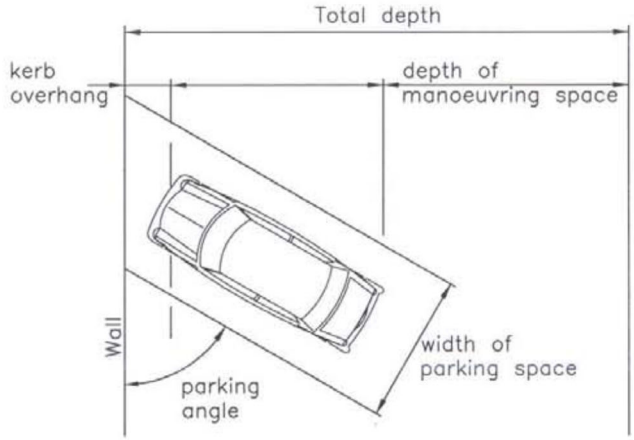
b) All parking spaces shall be formed and sealed or otherwise maintained to the satisfaction of Council so as to avoid creating a dust nuisance or permit vehicles to carry material such as mud, stone, chip or gravel onto the public road or footpath

c) The dimensions and layout of parking spaces shall be in accordance with Figure 1, and the spaces shall be marked to delineate the parking space

d) Every parking space shall be provided with the necessary manoeuvring space and access from and to the road, without requiring another vehicle to be moved

e) All required parking and manoeuvring space shall be kept clear to ensure it is able to be used for its intended purpose

Figure 1 – Parking Dimensions



Parking angle	Width of parking space	Kerb overhang	Depth of parking space from kerb	Depth of manoeuvring space	Total depth
90°	2.4m 2.6m 2.7m	0.61m	4.3m	8.2m 7.3m 6.4m	13.1m 12.2m 11.3m
75°	2.4m 2.6m 2.7m	0.61m	4.6m	5.5m 4.8m 4.3m	10.6m 10.1m 9.4m
60°	2.4m 2.6m 2.7m	0.61m	4.6m	3.9m 3.7m 3.7m	10.7m 8.8m 8.8m
45°	2.4m 2.6m 2.7m	0.61m	4.4m	3.7m	8.5m
30°	2.4m 2.6m 2.7m	0.30m	3.7m	3.7m	7.6m
0°	2.4m 2.6m 2.7m	0.30m	2.1m	3.7m	6.1m

f) Parking spaces shall have a gradient of no more than 1 in 8 in any one direction

g) Where the assessment of the number of parking spaces results in a fractional space being required, any fraction less than half shall be disregarded. Fractions of one half or greater shall be considered as a requirement for one more parking space

h) Where activity on the site involves more than one category of land use, and those uses are unlikely to occur at the same time, parking will be calculated in relation to the activity having the greatest requirement. For a multi-purpose site where more than one facility may be used at the same time, the total parking requirements for each facility will have to be provided

i) All on-site parking spaces and manoeuvring areas shall be located on the site containing the activity that they are intended to serve.

11.3.2 Provision of Loading Spaces

a) Where a change of use occurs that would increase the amount of goods handling by an activity, or where the floor area of a building is increased, an off-street loading space shall be provided in the following circumstances:

   i) on every site in the Industrial Zone, the Tokoroa Business Zone, and the Putaruru Business Zone, except those sites where loading can be undertaken from an adjoining formed service lane, and except where the landowner is able to demonstrate that there are sufficient loading spaces on-site for the demand generated by any change of use or increase in floor area.

   ii) on every site in the Town Centre zones, except those sites where loading can be undertaken from an adjoining formed service lane.

b) Loading spaces shall have at least a minimum width of 4 metres and a minimum depth of 8.5 metres

c) All loading spaces shall be accessible at all times and not used for other purposes

d) Loading spaces are not required in rural areas, however, all stock loading races and other loading/unloading facilities shall be located to avoid any vehicles undertaking loading or unloading on a public road.

11.3.3 Vehicle Manoeuvring

On-site vehicle manoeuvring (such that reversing onto a road is avoided) is required to be provided for every parking and loading space provided on-site, in the following circumstances:

a) Where a site bounds a state highway

b) Where a site bounds a road with a posted speed limit of 70km per hour or greater

c) Where any vehicle entrance serves more than 3 required parking and/or loading spaces; or

d) Where a site is a rear site with vehicle access provided by an accessway in excess of 30 metres in length.

11.3.4 Access

a) A formed vehicle crossing shall be provided to each site in accordance with Table 2, including on sites where there is an existing crossing but where the character, intensity or scale of the land use activity increases

b) Accessway gradients shall not exceed 1 in 6

c) Vehicle crossings onto state highways shall comply with Table 3 or comply with NZTA requirements.

Table 2. Vehicle Crossing Widths

Type of Vehicle Crossing	Minimum Crossing Width	Maximum Crossing Width
Residential	3.5 metres	5 metres
Rural	4.5 metres	8 metres
Commercial and Industrial	4.5 metres	12 metres

Note: The maximum vehicle crossing width for Emergency Service Facilities is 12m

Table 3. State Highway Crossing Places

Posted speed limit (km/h	85th percentile operating speed (or if not known, posted speed limit plus 10km/h)	Minimum sight distance (m)	Minimum distance between accessway and nearest intersection (m)	Minimum distance between local road accessway and intersection (m)	Minimum distance between accessways (m)
Not applicable	50	89	30	20	-
50	60	113	30	20	-
60	70	140	30	20	-
70	80	170	100	45	40
80	90	203	100	45	100
90	100	240	200	60	200
100	110	282	200	60	200

ADVISORY NOTES:

- Works within road reserve administered by South Waikato District Council requires approval of Council as the 'road controlling authority'. Council issues 'street opening notices' for works on local road reserve
- The Regional Infrastructure Technical Specifications adopted by Council in July 2018 should be referred to for the technical specifications for construction of vehicle crossings and accessways
- For land administered as state highway, approval must be sought from the New Zealand Transport Agency for works within road reserve
- Consultation with the New Zealand Transport Agency must occur regarding any crossings onto a state highway. Approval must be sought for any new crossings or the increased use of any crossings directly onto the strategic road network
- If a railway crossing is proposed, consultation should occur with the New Zealand Railways Corporation.

11.4 Financial Contributions for Car Parking

The payment of a financial contribution in lieu of providing on-site parking is an alternative approach in situations where the developer is unable to provide all of the car parking within the site, and Council agrees it is appropriate. This provision can only be applied within the Putaruru Business Zone, and the Industrial Zone at Putaruru, Tīrau, and Lichfield. Where a financial contribution is imposed it shall be used by Council for provision of additional car parking in the locality. The financial contribution will be imposed as a resource consent condition and shall be determined in the following manner:

The shortfall in on-site parking spaces is identified based on Rule 11.3.1 a) and is then multiplied by **$4000 per space** (inclusive of GST) to calculate the amount of contribution to be paid.

This contribution is based on the value of land and the construction costs for Council of forming additional parking spaces and will be multiplied by an adjustment factor to provide a discount to the level of contribution charged. The purpose of the adjustment factor is to enable Council to adjust the level of parking contribution from 1 July each year through the Annual Plan process and advertise it through the Schedule of Fees and Charges. This will ensure the parking contribution provides a realistic alternative and does not act as a disincentive to development of commercial and industrial properties. The stated parking contribution is based on 2011 dollars and shall be indexed to the Producers Price Index (inputs index) compiled by Statistics New Zealand. The revised parking contribution will be advertised annually in the Schedule of Fees and Charges.

As a further alternative, where it is feasible and acceptable to Council, the developer could meet the actual cost of works within the road reserve in the vicinity of the site to provide the required car parking, or a mix of these two options may be appropriate.

12 Temporary Activities and Events

12.1 Rule Statement

This chapter provides for temporary activities, community events, and associated temporary structures in the district. Temporary activities and community events such as street markets, parades, festivals, concerts, and recreational, cultural and sporting events contribute to the vitality of the district and to community well-being. Council wants to generally enable such community events to occur provided adverse effects are appropriately managed.

Provision is made for temporary structures associated with construction activities (for example scaffolding and portable buildings), event-related temporary structures (for example marquees), the installation and use of equipment for the drilling of bores for water or geothermal investigation, testing equipment such as penetrometers, and anemometers and masts that are established to measure wind. Temporary signage, military exercises, temporary film making activities, and the use of emergency sirens are also provided for in this chapter. Temporary signage advertising upcoming events is important to the success of the district's tourism industry and the promotion of events in the district.

Temporary activities, community events and associated structures can be located across zone boundaries, within road reserve and other reserves administered by Council, and may often not comply with building setbacks and other zone-based performance standards. Temporary activities may also generate noise that exceeds normal limits, require more signage than would normally be allowed in a particular zone, and the number of people attracted to an event may generate significant (but temporary) effects. Given these characteristics, temporary activities would often otherwise exceed district plan standards and require resource consent, if they were not specifically covered by temporary activity provisions. Therefore, it is preferable to provide for such activities and structures within a district-wide rule, instead of zone standards for the particular location applying.

All of the potential effects associated with temporary activities, community events and associated temporary structures need to be considered in the context that the structure or activity is not permanent, and will be removed following a period of time with the location being reinstated to its previous condition. Some greater tolerance of temporary effects is therefore appropriate. Consequently, temporary activities, community events, and temporary structures are provided for as a permitted activity throughout the district, subject to compliance with the performance standards listed in this chapter.

12.2 Anticipated Environmental Results

The temporary activities and events rules are intended to achieve the following anticipated environmental results:

- That temporary activities and community events both indoors and outdoors such as street markets, parades, festivals, concerts, and recreational, cultural and sporting events are enabled throughout the district, and contribute to its vitality and prosperity
- That temporary signage can be placed throughout the district for limited duration, and subsequently removed once the reason for it being in position has finished
- That the locations where temporary activities or community events occur, or where temporary structures are assembled, are reinstated as far as practicable to their prior condition, and that permanent effects are avoided.

The temporary activities and events rules are a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns), Chapter 5 (Objectives and Policies for the District's Rural Areas), and Chapter 7 (Objectives and Policies for the District's Infrastructure and Development).

12.3 Activities

a) Permitted Activities

The following are permitted activities throughout the district provided they comply with the Performance Standards set out in Rule 12.4 below.

i) Temporary activities

ii) Community events

iii) Temporary structures

iv) Temporary signage

v) Temporary military exercises

vi) Temporary film making activities

vii) Use of emergency sirens.

b) Restricted Discretionary Activities

The following are restricted discretionary activities throughout the district:

(i) Any activity listed in Rule 12.3 (a) that does not conform to the Performance Standards in Rule 12.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a temporary activity, event or temporary structure.

ADVISORY NOTE: The provisions of Section 12 (Temporary Activities) do not apply to temporary works and associated structures related to electricity generation within the Electricity Generation Zone.

12.4 Performance Standards

The following Performance Standards apply to particular permitted activities as stated below, and to restricted discretionary activities if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

12.4.1 Temporary Activities and Events

a) The total duration of all temporary activities and community events at any particular site (excluding preparation time) shall not exceed two events or 48 hours in any calendar year. This rule shall not apply to community events in the following locations:

- Memorial Sports Ground, Tokoroa
- Glenshea Park, Putaruru
- Tokoroa Airport
- Tokoroa Town Centre
- Tokoroa Youth Park
- Putaruru Town Centre

b) Temporary activities and community events shall take place within the following hours:

(i) 0700hr to 2230hr Sunday to Thursday

(ii) 0700hr to 2400hr Friday and Saturday

c) That no new permanent structures are constructed as a result of the temporary activity or community event, and the site is re-instated to its condition prior to the activity commencing

d) Noise associated with temporary activities, temporary military exercises, temporary film making, and community events shall comply with the performance standards in Chapter 15 Noise

e) Managers or promoters of temporary activities shall submit a Traffic Management Plan to Council before starting the activity. The Plan shall include details of the consultation with and the approval of the NZ Transport Agency where the proposal directly accesses or adjoins a State Highway.

12.4.2 Temporary Structures

(a) Temporary structures related to community events, temporary military exercises, and temporary film making are permitted in all zones but must be removed from the site within five working days after the activity has concluded, and the site must be re-instated to the condition it was in prior to the activity commencing

(b) Temporary structures related to a construction project are permitted in all zones provided that the related construction project is permitted by the district plan or has an approved resource consent, and the temporary structures are removed within one month of the construction activity being completed

(c) Temporary structures that are not related to an event or construction project, such as drilling of test bores, auger holes, test pits, and cone penetrometer tests, or anemometers, masts or similar structures established to measure wind, shall be permanently removed within two months of being installed on site.

12.4.3 Temporary Signage

(a) Temporary signs are permitted in all zones with a maximum of six temporary signs per site, with a total area not exceeding 3m² (per side) per street frontage

(b) Temporary signs may be displayed for the following time periods:

  (i) Signs that advertise a community event may be displayed up to one month prior to the event, and must be removed within seven days after the event occurs

  (ii) Temporary signs that are advertising jubilees or centennials may be erected for a period not exceeding 6 months over a 12-month period prior to the event, and must be removed within seven days after the event occurs

  (iii) Signs that advertise that the property is for sale, must be on the site that the sign relates to, and must be removed no later than two weeks after the property has been sold

  (iv) Signs related to a construction project, must be on the site that the sign relates to, and must be removed no later than two weeks after construction activity has ceased

  (v) Signs that relate to a public election may be displayed up to 3 months prior to an election, and must be removed prior to polling

  (vi) Signs that are required for the purpose of public notification may be displayed for the period they are required to do so by legislation

(c) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

ca) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.

  i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

(d) The owner of a sign shall be responsible for ensuring that it is well maintained

(e) Signs in areas with a speed limit greater than 50km/h shall be limited to a maximum of six words or 40 characters, and shall not be produced with the aid of reflective material

(f) The minimum height of all lettering on signs adjoining roads with a speed limit of 60km/h, 70km/h or 80km/h shall be 160mm

(g) The height of all lettering on signs adjoining roads with a speed limit of 100km/h shall meet the following minimum size:

Operating speed	**Lettering height (mm)**		
(km/h)	Main message	Property name	Secondary message
60	150	100	75
70	175	125	90
80	200	150	100
95	250	175	125
115	300	200	150

ADVISORY NOTE: Temporary activities, community events, temporary military exercises, temporary film making activities and temporary structures that are located:

- within road reserve need approval by the 'road controlling authority' under other legislation. For land administered as a state highway, approval is needed from the NZ Transport Agency. For local roads, footpaths and street berms, approval should be sought from Council.
- on land administered by Council as reserve under the Reserves Act 1977, also need approval from Council.
- on land administered by the Department of Conservation as reserve under the Conservation Act 1987, require a concession from the Department.

13 Network Utilities and Infrastructure

13.1 Rule Statement

Network utilities and infrastructure are physical resources and include infrastructure such as telecommunications, electricity, gas, state highways and other roads, railways, radiocommunication, water supplies, sewage and stormwater disposal systems. Works associated with new hydro-electric power generation and new renewable electricity generation activities also fall into this category. The existing hydroelectric power generation sites in the District are covered separately by the Electricity Generation Zone.

The District contains utilities that play a key role in New Zealand's economy and prosperity, particularly with regard to electricity production and transmission, and road transport networks. At the same time these networks underpin the district's future. Since utility corridors traverse a number of different zones, the plan's approach is to make them permitted activities throughout the District, subject to consistent performance standards.

It is recognised that utilities can have significant adverse effects, for example upon important landscapes and significant natural values. In such circumstances, a balance needs to be struck between competing issues associated with natural and physical resource use. Such a balance must be achieved on a case-by-case basis, having regard to the costs, benefits and effects of the particular proposal.

The NES for Electricity Transmission Activities contains a separate code of rules for the operation, maintenance, upgrading, relocation or removal of an existing transmission line that is part of the national grid. Except as provided for by the regulation, no rules in this plan apply to such activities.

13.2 Anticipated Environmental Results

The network utility and infrastructure rules are intended to achieve the following anticipated environmental results:

- Operation, maintenance and upgrading of utilities is generally provided for, given their necessary function
- The utilities operate at a scale and in locations that minimise adverse effects
- The performance standards that are applied avoid, remedy or mitigate the adverse effects of utilities upon the environment
- Give effect to the NPS for Electricity Transmission 2008 and the NPS for Renewable Electricity Generation 2011
- Recognise and have regard to the NES for Electricity Transmission Activities 2009.

The network utility and infrastructure rules are a method to implement the objectives and policies contained within Chapter 7 (Objectives and Policies for the District's Infrastructure and Development).

13.3 National Environmental Standards (NES)

The provisions of any NES prevail over the requirements of this Chapter and any other applicable section of the district plan, unless the NES expressly allows a requirement within the plan to do so.

13.4 Permitted Activities

a) The following activities shall be permitted activities throughout the District, provided that they comply with the standards in Rule 13.6 below:

   i) The operation, maintenance, minor upgrading or repair of existing, lawfully established network utilities and infrastructure, except within the Electricity Generation Zone.

ii) Pipe renewals, and any ongoing maintenance or repair of existing, lawfully established network utilities and infrastructure, except within the Electricity Generation Zone.

iii) Construction, operation, and upgrading of roads and railways within the existing road reserve or railway, including stockpiling roading materials, ballast and sleepers

iv) Creation of new railway sidings, or realignment or extension of existing roads or creation of new roads as a result of a subdivision

v) Street lighting and street furniture

vi) Underground pipes, cables and lines, and necessary incidental equipment including pump stations

vii) Navigational aids and beacons

viii) Transformers and lines and associated equipment for conveying electricity up to and including 110kv

ix) Upgrading of transformers and lines for conveying electricity of over 110kv

x) Domestic scale renewable energy devices

xi) Community scale renewable energy development except for hydro-electric generation

x) Soil conservation and river control works

xi) Land drainage, stormwater control or irrigation works including pump stations

xii) Railway crossing warning devices and barrier arms

xiii) Trig stations and survey marks

xiv) Radiocommunication and/or telecommunication facilities

xv) Meteorological instruments and facilities

xvi) Fire Stations

xvii) Recycling depots with a gross area of less than 20m2

xviii) Water storage tanks, reservoirs and wells, including pump stations, other than those associated with electricity generation.

xix) The installation of any signs by the road controlling authority on land vested as road or designated as road

xx) All works proposed by a network utility operator and authorised under road opening notice procedures.

ADVISORY NOTES: Activities within the Electricity Generation Zone that comply with the rules in Section 30 of this Plan are permitted.

Consent from the road controlling authority is also required for any work within the road reserve. Council's Code of Practice for Subdivision and Development also sets engineering standards for certain works.

Consent may be required from the Waikato Regional Council for many of the above activities, under the Waikato Regional Plan.

13.5 Controlled Activities

a) The following network utilities shall be controlled activities within Industrial, Business and Rural zones, provided that they comply with the standards in Rule 13.6 below:

i) Refuse transfer stations

ii) Recycling depots with a gross area of over $20m^2$.

b) The matters over which Council has reserved its control and in respect of which conditions may be imposed are set out in Rule 8.3.1 and 8.3.4.

13.6 Standards for Permitted and Controlled Activities

The following Performance Standards apply to all activities specified in Rule 13.4 (Permitted Activities) (except for the operation, maintenance, minor upgrading or repair of existing electricity lines or cables) or Section 13.5 (Controlled Activities) in the zones specified below, and to restricted discretionary activities in that zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

13.6.1 In All Residential Zones and the Arapuni Village Zone:

a) New masts, and poles supporting lines, shall not exceed a maximum height of 12 metres

b) Structures other than masts and poles shall not exceed a maximum height of 8 metres, and shall comply with the height plane requirements in Rules 20.4.5, 23.4.3, 25.4.3 or 26.4.2

c) No mast or building shall be closer than 5 metres to any site boundary. This 5m setback shall not apply to network utility and infrastructure buildings with a floor area of less than 10m2, or to overhead lines and cables including any support structures. This 5m setback also shall not apply to masts in respect of the road boundary of the site concerned

d) No dish antenna shall exceed a diameter of 2.5 metres.

13.6.2 In Zones Other than Residential and Arapuni Village:

a) The following setback requirements shall apply to masts and poles with a height of 12m or less:

i) On sites in Rural and Rural Residential zones:

- From side boundaries – 5m
- From Rear boundaries - 5m
- From Front boundaries - Nil

ii) On sites in Business, or Industrial zones:

- 5m from any adjoining site zoned Residential, Arapuni Village, or Rural

These setbacks shall not apply to overhead lines and cables including any support structures

b) Other structures (except network utility and infrastructure buildings with a floor area of less than 10 m^2) shall comply with the relevant setback and height requirements for the zone in which they are located. These height and setback requirements shall not apply to overhead lines and cables including support structures (e.g. poles or towers)

c) Masts and poles shall have a maximum height of 25m in Industrial and Rural zones and 20m in other zones

d) Masts with a height of more than 12m shall be set back at least 30 metres from the notional boundary of any dwelling, place of assembly or educational facility

In this rule the notional boundary is defined as a line 20 metres from:

- the exterior wall of any dwelling
- the exterior wall of any building used as an educational facility

- the exterior wall of any building used as a place of assembly, or
- the legal boundary where this is closer to the dwelling, educational facility or place of assembly concerned

e) Masts with a height of more than 12m located on any site zoned Rural shall be set back at least 20 metres from any road or any boundary of a site zoned Residential or Arapuni Village.

13.6.3 Further Standards Applying in All Zones

a) The height requirements in 13.6.1 and 13.6.2 shall not apply to antennas, domestic scale renewable energy devices, earthpeaks or lightning conductors which do not exceed a height of 3m above the height of the building, pole, tower or the mast upon which they are sited

b) Noise from any building or fixed equipment (excluding warning devices and construction noise) shall not exceed the noise limits set out in Chapter 15

c) Domestic scale renewable energy devices generating hydro-electric power:

i) Shall not involve water storage (weirs, dams, tanks etc)

ii) Once the water is passed through the turbine, it shall be returned to the same body of water

iii) Any intake structure shall be appropriately designed to prevent any aquatic fauna from entering the device

iv) Devices shall not prevent fish passage along the river or stream, and fish ladders or other passages shall be constructed where necessary

d) Where network utilities or associated structures are located underground, the ground surface and any vegetation disturbed shall be reinstated or replaced as soon as possible

e) Works associated with activities listed in Rules 13.4a) and 13.5a) shall not disturb any heritage place listed in Appendix B

f) Refuse transfer stations shall be located at least 100 metres from the nearest dwelling

g) Community scale renewable energy developments shall not be located within an Outstanding Natural Landscape or Feature identified on the planning maps, and all devices and supporting structures attached to the land shall cover a total area of no more than 300m2 (excluding any supporting wires) within the total energy development project area

h) Activities involving works within significant natural areas identified in Appendix E, shall comply with all the rules and standards in Chapter 14 Landscape and Natural Values.

13.7 Restricted Discretionary Activities

a) Any activity specified in Rule 13.4 (Permitted Activities) or Rule 13.5 (Controlled Activities) which does not comply with any of the relevant standards in Rule 13.6, shall be a restricted discretionary activity

b) Community scale renewable energy development using hydro-electric generation.

c) In assessing applications for restricted discretionary activities Council has reserved its control over the matters listed in Rules 8.3.3 and 8.3.4.

13.8 Discretionary Activities

Network utilities and infrastructure, except for existing hydroelectric power generating infrastructure and associated activities within the Electricity Generation Zone, not otherwise specified as permitted, controlled or restricted discretionary activities shall be discretionary activities throughout the District.

The above discretionary activities will be assessed in terms of the criteria in Rule 8.4.

ADVISORY NOTE: Hydroelectric power generating infrastructure and associated activities within the Electricity Generation Zone is subject to the rules and standards in Chapter 30.

13.9 Designations and Roads

13.9.1 Public Works Designations

The public works designations applying under this plan are shown on the planning maps and listed in Appendix A.

The requiring authority may do anything on designated land that is in accordance with the designation, and no other person may do anything in relation to the land without the prior written consent of the requiring authority. (Section 176(1) of the Act).

The rules of this plan shall apply in relation to designated land to the extent that the land is used for purposes other than the designated purpose. (Section 176(2)) The zoning which will apply is shown in Appendix A. In respect of highway and railway designations the zoning shall be the same as that of the adjoining land. If the zoning on opposite sides of the road or railway is different, the centreline shall be the zone boundary.

13.9.2 Zoning of Roads

Roads other than State Highways are not designated under this plan and are zoned instead. The zoning of roads, and of stopped roads, shall be the same as that of the adjoining land. If the zoning on opposite sides of the road is different, the road centreline shall be the zone boundary.

14 Landscapes and Natural Values

14.1 Rule Statement

The framework of objectives and policies for the management of the district's landscapes and natural areas is contained in Chapter 6. This chapter provides the complementary rule framework, as described below.

14.1.1 Landscape Areas

Outstanding Natural Landscapes (ONLs), Outstanding Natural Features (ONFs), and Significant Amenity Landscapes (SALs) have been identified in Appendix C Schedule of Outstanding Natural Features and Landscapes, and Significant Amenity Landscapes, and are shown on the planning map overlays.

ONLs are the broad scale landscape features in the district that are outstanding in the context of the South Waikato's landscapes. ONFs are features that are also outstanding, but which involve a much smaller geographical area. SALs are landscape areas which are not outstanding but still have high amenity values.

The performance standards stated in Rule 14.3 below (14.3.1 and 14.3.2) impose controls that apply only to the areas identified as ONLs, ONFs and SALs in Appendix C with overlays. The performance standards stated in Rule 14.3 are in addition to the performance standards of Chapter 28 Rural Zone and Chapter 29 Rural Residential Zone (whichever is relevant to the particular location).

The purpose of the performance standards in Rule 14.3 is to manage the extent of development within the identified landscape areas to protect the outstanding landscape values present (ONLs and ONFs), and to maintain amenity values within the SALs. The performance standards have been formulated in response to the forms of development that could have an adverse impact on the landscape values, whilst also recognising the predominant forestry and farming land uses, and the existing hydroelectric power generation and electricity transmission activities within some areas.

The potential 'threats' to the identified outstanding landscape areas and features, (which might constitute the 'inappropriate subdivision, use and development' referred to in section 6(b) of the RMA), are relatively moderate given the limited growth pressures the district faces, and the predominant plantation forestry and farming activities. Performance standards to manage the scale of buildings and avoid extensive earthworks and landform modifications are included in the rule framework within 14.3 to address these matters.

The Built Heritage Inventory (Appendix B) and Cultural Heritage Site Inventory (Appendix D) contain several heritage items that are related to areas also recognised as having outstanding or significant landscape values. These are the Okoroire Hot Springs Hotel and staff accommodation (within ONF 2), Hatupatu's Rock (CH 1), and the Eastern Tram Tunnels (Built Heritage Site 28C - within ONL 8). To avoid overlapping sets of rules, these features are being primarily managed in accordance with the provisions of the Heritage Inventories.

Assessment criteria listed in Chapter 8 Administration of the District Plan address landscape matters and are used during consideration of resource consent applications where an identified landscape or feature is involved.

14.1.2 Natural Areas and Indigenous Vegetation

Council utilises the Inventory of Natural Areas ('the inventory') as an information resource to inform landowners and the public generally of the possible location and likely extent of significant natural areas in the district, and as a basis to prioritise Council's own resources for indigenous biodiversity protection.

A Local Indigenous Biodiversity Strategy will be developed using this information and aiming to maintain and enhance indigenous biological diversity in the South Waikato, including Significant Natural Areas (SNAs) as well as areas of indigenous vegetation and habitats of indigenous fauna that do not qualify as significant.

This Strategy will adopt a catchment-based approach to address the following:

1. Protection and enhancement of waterways - the strategy will use the river and stream network as the fundamental framework for biodiversity planning, implementation and long-term management.

2. Ecological connectivity across the District.

3. Physical protection and enhancement of SNA's and their place in an 'ecological network' across the District.

4. Key implementation methods to achieve an integrated approach using regulatory (where relevant) and non-regulatory methods

South Waikato District Council with assistance from Waikato Regional Council will develop the Strategy. In developing the Strategy, the South Waikato District Council will work closely with the community, including iwi and key stakeholders to:

- Set the overarching outcome for the Local Indigenous Biodiversity Strategy including identifying achievable objectives and priority tasks and programmes;
- Determine the roles and responsibilities for key stakeholders in relation to undertaking the identified priority tasks and programmes;
- Establish timeframes for implementation;
- Identify potential for shared resourcing and funding sources to achieve the overarching outcome of the Local Indigenous Biodiversity Strategy;
- Establish mapping and monitoring programme to support decision-making and compliance assessments (as required);
- Identify information gaps and priorities for commissioning further work (as required);
- Determine the frequency for reporting on progress and review of the Local Indigenous Biodiversity Strategy.

The list set out above is a 'minimum' prescription, and other matters can be included as required. Development of the Local Indigenous Biodiversity Strategy will commence before 31 December 2016.

A Significant Natural Area (SNA) for the purposes of district plan provisions is land containing areas of indigenous vegetation and habitat that meets the criteria from the Waikato Regional Policy Statement (RPS). The areas from the Inventory that qualify as significant under RPS criteria are listed in Appendix E and shown on the planning maps. Rule 14.4 sets limits on the clearance, drainage or other disturbance of the listed areas, and requirements for land use consent to otherwise be obtained.

The purpose of this rule and the non-plan methods set out in Chapter 6, is to manage the form of development within significant natural areas to protect existing natural values, and to promote the maintenance or enhancement of indigenous biodiversity outcomes in the district generally.

The subdivision provisions in Chapter 10 Subdivision, Financial Contributions, and Esplanade Reserves and Strips also form part of the regulatory framework. The subdivision rules for all zones control the fragmentation of areas of indigenous vegetation, and proposals for building sites on new lots in such areas. Council has reserved control so that subdivision conditions can be imposed requiring consent notices or covenants on the titles of newly subdivided allotments that require ongoing protection and maintenance of significant natural areas or wetlands. Conditions can also be imposed requiring riparian margins or wetlands to be fenced to exclude stock, to assist with maintaining water quality and to improve biodiversity values of those areas.

The subdivision rules also provide for protection allotments as a discretionary activity where significant natural areas are being covenanted. This is intended to encourage covenanting as a protection mechanism by creating an incentive, but also to avoid the creation of new allotments that result in the fragmentation of significant natural areas. Fragmentation of natural areas makes their effective management more difficult and will be avoided by a subdivision rule precluding new boundaries being created through these habitats.

14.2 Anticipated Environmental Results

The landscape and natural area rules are intended to achieve the following anticipated environmental results:

- That the indigenous biodiversity of the district is maintained or enhanced
- That Significant Natural Areas in the district are managed to ensure that ecological processes are maintained or enhanced, and that the significant habitat values are retained
- That the adverse effects of activities within Significant Natural Areas are avoided, remedied or mitigated to maintain the biodiversity values of such areas, except where necessary for cultural reasons, for minor works, for SNA enhancement, for existing farming or forestry operations, or for the existing hydroelectric power generating infrastructure and activities within the Electricity Generation Zone
- That buildings and structures are setback from waterways a sufficient distance to avoid modification of waterways and riparian margins, except where located within the Electricity Generation zone
- That the adverse effects of earthworks and of new buildings, are managed to avoid, remedy or mitigate their impact upon the landscape values that have been identified as being outstanding or significant in the district, except where earthworks and structures are necessary within the Electricity Generation zone, for the purposes of providing, maintaining or operating strategic transport infrastructure, or for the management and harvesting of an existing plantation forest.

The landscape and natural values rules are a method to implement the objectives and policies contained within Chapter 5 (Objectives and Policies for the District's Rural Areas) and Chapter 6 (Objectives and Policies for Managing the District's Natural Values).

14.3 Performance Standards

The following standards apply in all zones, except where otherwise stated below. Failure to comply with one or more of the standards results in that activity being a Restricted Discretionary Activity. If the activity is already a Discretionary or Non-Complying Activity, the standards used below will be used as a guideline to assess the potential adverse effects on landscape and natural values.

The specific matters where discretion is reserved are identified in Chapter 8 Administration of the District Plan. Assessment criteria listed in Chapter 8 will be used during consideration of resource consent applications where a significant landscape or natural area is involved in the consideration of the Council's obligations under Section 6 RMA, and indigenous biodiversity values in the consideration of Council's obligations under Section 7 RMA.

14.3.1 Activities within an Outstanding Natural Feature or an Outstanding Natural Landscape Area

These Standards only apply to permitted and controlled activities within the Outstanding Natural Features or the Outstanding Natural Landscape areas identified in Appendix C.

(a) Earthworks must not:

(i) exceed a 3-metre vertical ground alteration in a new face or cut and/or fill

(ii) disturb or move greater than 1,000m³ within a site per calendar year

(iii) exceed 250m² in area

(iv) involve cut and batter faces or filled areas and must be revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced.

(b) Despite (a), earthworks are permitted if they:

(i) are part of an approved subdivision

(ii) are associated with building works authorised by a building consent and the area of earthworks is no greater than twice the area of those building works, and occurs on land with an average gradient no greater than 1:8

(iii) are related to network utilities and infrastructure, and the ground levels around the utility are reinstated following completion of the works as they were prior to the earthworks commencing

(iv) are for the maintenance of existing farm tracks or for the formation of farm drains

(v) for construction, operation, maintenance or upgrading of existing public roads or

(vi) are part of a plantation forestry operation.

(c) Structures must not:

(i) Exceed 8 metres in height; or for electricity poles exceed 20m in height,

(ii) exceed 250m² in area, and

(iii) cladding materials and paint colours on all structures shall not exceed a reflectivity value of 40% when applying British Standard 5252:1976. Roof cladding shall be a minimum of 5% darker than the walls and other vertical claddings.

14.3.2 Activities within a Significant Amenity Landscape Area

This rule only applies to permitted and controlled activities within the Significant Amenity Landscape areas identified in Appendix C.

(a) Earthworks must not:

(i) exceed a 3-metre vertical ground alteration in a new face or cut and/or fill

(ii) disturb or move greater than 1,000m³ within a site per calendar year

(iii) exceed 250m² in area; and

(iv) involve cut and batter faces or filled areas must be revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced.

(b) Despite (a), earthworks are permitted if they:

(i) are part of an approved subdivision

(ii) are necessary for building works authorised by a building consent and the area of earthworks is no greater than twice the area of those building works, and occurs on land with an average gradient no greater than 1:8

(iii) are related to network utilities and infrastructure, and the ground levels around the utility are reinstated following completion of the works to as they were prior to the earthworks commencing

(iv) are for the maintenance of existing farm tracks or for the formation of farm drains

(v) for construction, operation or upgrading of existing public roads, or

(vi) are part of a plantation forestry operation.

(c) Buildings must not:

(i) exceed 8 metres in height; or for electricity poles exceed 12m in height

(ii) exceed 350m² in area; and

(iii) cladding materials and paint colours on all buildings shall not exceed a reflectivity value of 40% when applying British Standard 5252:1976. Roof cladding shall be a minimum of 5% darker than the walls and other vertical claddings.

14.4 Disturbance of Significant Natural Areas

14.4.1 Permitted Activities

Vegetation clearance, land disturbance and land drainage are a permitted activity throughout the District, where:

(a) The land disturbance, land drainage and vegetation to be cleared is not within a Significant Natural Area identified in Appendix E

(b) The land disturbance, land drainage and vegetation to be cleared is within a Significant Natural Area identified in Appendix E, but is in an area which is:

  (i) Subject to a Queen Elizabeth II covenant, Nga Whenua Rāhui Kawenata, Heritage Protection Order or covenant under the Reserves Act 1977 or Conservation Act 1987, and the clearance is consistent with the covenant or order applying to that place

(c) The land disturbance, land drainage and vegetation to be cleared is within a Significant Natural Area identified in Appendix E, but land disturbance, drainage or vegetation clearance is:

  (i) Ancillary damage as a result of adjacent plantation forestry harvesting where the damage is temporary in nature, the extent of the indigenous remnant remains unchanged and the vegetation will recover readily.

  (ia) Clearance of exotic vegetation associated with harvesting production forest first planted prior to 7 November 2012.

  (ib) Clearance of indigenous vegetation understorey and soil disturbance associated with harvesting and replanting of production forest first planted prior to 7 November 2012.

  (ii) Required for fire risk management in a production forest

  (iii) Necessary as part of the maintenance of lawfully established roads, tracks, earth dams, structures, or fences, all provided the clearance is within 2 metres of the road, track, earth dam, structure or fence

  (iv) Maintenance of existing drains that is necessary to prevent inundation of productive pasture land

  (v) Necessary to protect, maintain or upgrade hydro-electric power generating infrastructure, or to prevent or remedy erosion that may adversely affect the operation of hydroelectric power generating infrastructure, and where the works are within the Electricity Generation Zone

  (vi) Limited to use by Tangata Whenua for culturally appropriate purposes such as rongoa, waka, traditional buildings or marae-based activities,

  (vii) Required for construction of fencing for conservation purposes to exclude stock or pest animals

  (viii) Required for the removal or control of invasive weeds, or

  (ix) Removal of vegetation that endangers human life or existing structures, or that poses a risk to the integrity of, the safe use of, or access to existing network utilities.

  (x) Required for the operation, maintenance and upgrading of existing electricity lines.

ADVISORY NOTE - The SNAs identified in Appendix E do not include significant areas of plantation forest or pasture land, areas of indigenous vegetation which has been planted and managed specifically for the purposes of the harvesting or clearance or domestic gardens or shelterbelts.

14.4.2 Controlled Activities

a) Removal of vegetation including harvesting in a Significant Natural Area in accordance with an approved Sustainable Forest Management Plan or Permit or personal use approval issued by the Ministry for

Primary Industries under the Forests Act 1949. The application is to include the entire area covered by the approval issued by the Ministry for Primary Industries.

The specific matters of control are identified in Rule 8.3.1h) and shall be used when considering a resource consent application for a controlled activity under this rule.

14.4.3 Restricted Discretionary Activities

The land disturbance, land drainage and indigenous vegetation to be cleared is within a Significant Natural Area identified in Appendix E and:

a) is for the establishment of new tracks or fences, where the clearance is no more than 4 metres in width and the track or fence is constructed to farming best practice, and provided that the indigenous vegetation to be cleared lies more than 20 metres from any water body.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity under this rule.

14.4.4 Non-Complying Activities

Indigenous vegetation clearance, land disturbance or drainage within a Significant Natural Area identified in Appendix E, except as permitted by Rule 14.4.1 above, or a controlled activity by Rule 14.4.2, or a restricted discretionary activity by Rule 14.4.3, shall be a non-complying activity throughout the District.

The objectives and policies contained within Chapter 6 (Objectives and Policies for Managing the District's Landscapes and indigenous Biodiversity) shall be used when considering a resource consent application for a non-complying activity, with the performance standards for the zone concerned used as a guide for assessment purposes.

ADVISORY NOTE: The Waikato Regional Plan should also be consulted to ensure that there are no additional resource consents required from the Regional Council for indigenous vegetation clearance, land disturbance, structures within or in close proximity to waterways, or the modification of waterways. The Waikato Regional Plan can be viewed at www.waikatoregion.govt.nz.

15 Noise, Vibration and Glare

15.1 Rule Statement

District plan noise rules must recognise that virtually all activities produce some noise, and there is a need to provide a balance between the noise producer and the noise receiver. Noise and vibration are directly linked, and vibration standards are also found in this Chapter.

Historically, noise rules and New Zealand's environmental noise standards have often been based upon existing noise levels in an area. This approach is now disappearing, as it is recognised that if there is to be development in an area, noise rules must provide an appropriate level of amenity for the developed area, whilst at the same time allowing noise generating activities to generate reasonable levels of noise. The assumption that new dwellings and/or business can be introduced into an area and somehow still maintain a noise level consistent with an undeveloped area is generally impractical. The purpose of the district plan's noise limits is to allow development while controlling noise to an appropriate level.

The plan uses the "LAeq" descriptor for the assessment and measurement of environmental noise levels and for the specification of noise limits in district plans. Leq is used in the most recent versions of all relevant environmental acoustic standards. It is the energy average of noise during a specified period and is commonly known as the average noise level. "LAmax" controls are also used during night-time hours, to limit the short duration "peak" noise levels that are correlated with sleep disturbance.

The plan's rules for Town Centre, Business and Industrial zones contain requirements for residential units in these zones to be acoustically insulated against intrusive noise from external sources. This is to help avoid complaints from future residents about business activities inhibiting otherwise legitimate activity in such zones.

Noise control boundaries have been calculated around the District's hydroelectric power generating facilities on the Waikato River and the key industrial sites at Kinleith, Lichfield and Tīrau. This approach gives certainty to the surrounding residents about future noise levels, and flexibility to the industrial operator in planning future development and alterations. Acoustic insulation will also be required for residential buildings inside these control boundaries, to recognise the higher than usual noise levels and give the residents concerned an adequate standard of amenity.

A number of activities have been identified as requiring exemption from the standard noise limits, often because they vary widely throughout the year and are temporary and transient. Strict compliance with standard noise rules may not be practicable, reasonable or enforceable. Such activities are required to comply with alternative noise limits specified in Table A2.

Poorly designed and directed lighting can cause a nuisance for neighbours, including sleep disturbance, and affect traffic safety. Glare sources such as security lighting and illuminated signage in all zones will therefore be required to meet specified glare standards.

15.2 Anticipated Environmental Results

The noise rules are intended to achieve the following anticipated environmental results:

- Commercial and industrial zone noise rules which allow intended activities to take place
- Safeguarding the amenity levels of Residential, Rural Residential and Rural zones from intrusive noise and glare, particularly at night
- Avoiding reverse sensitivity issues arising from potentially noise sensitive activities such as dwellings being developed in business and industrial zones, or near other noise generators.

The noise, vibration and glare rules are a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns), Chapter 5 (Objectives and Policies for the District's Rural Areas), and Chapter 7 (Objectives and Policies for the District's Infrastructure and Development).

15.3 Noise Limits

15.3.1 Zone-Based Noise limits

Noise from any activity (but excluding those listed in Table A2) shall not exceed the following limits in Table A1 when measured at or within the following receiving zones.

Table A1			
	Noise Limits, dB		
Proposed Receiving Zone	Daytime	Night-time	Notes
	On any day: 7am to 10pm	At all other times:	
Residential Zones: Tokoroa Putaruru Tīrau Arapuni Village	50dB LAeq	40dB LAeq 70dB LAmax	
Rural and Rural Residential Zones	50dB LAeq	40dB LAeq 70dB LAmax	To be measured and assessed within the notional boundary
Tokoroa Neighbourhood Retail Zone	55dB LAeq	45dB LAeq 75dB LAmax	-
Town Centre Zones: Tokoroa Putaruru Tīrau	60dB LAeq	55dB LAeq 70dB LAmax	- Octave band noise levels should not exceed: 75dB LAeq(1 minute) at 63Hz 65dB LAeq(1 minute) at 125Hz
Business Zones: Tokoroa Putaruru	65dB LAeq	60dB LAeq 75dB LAmax	Octave band noise levels should not exceed: 75dB LAeq(1 minute) at 63Hz 65dB LAeq(1 minute) at 125Hz
Industrial Zone and Electricity Generation Zone	75dB LAeq	70dB LAeq 80dB LAmax	

15.3.2 Specific Activity Noise limits

Table A2			
Activity	Noise Controls		
Construction Noise	Comply with the provisions of NZS6803:1999 – Construction Noise		
Temporary Activities,	At or within receiving zones	LAeq, dB	LAmax, dB
Temporary Film Making	0630-0730hrs 0730-1800hrs 1800-2000hrs 2000-0630hrs	60 75 70 40	70 90 85 60
Vehicles and mobile machinery associated with rural production	Exempt providing they are of limited duration and not in a fixed location and are vehicles and mobile machinery associated with rural production activities and S16 and S17 of the RMA have been satisfied. Examples include farm and forestry harvesting, spraying and planting machinery.		

Mineral exploration, mining and quarrying	Shall comply with the relevant zone noise limits at the specified measurement and assessment position for those zone(s), **except** that blasting noise and all vibration shall comply with the following: • Occur only between 7am and 7pm; and • No more than 2 events per hour, with a maximum of 8 events per day; and • Overblast pressure incident on houses or habitable buildings (but excluding houses or habitable buildings within the property containing the mine or quarry) shall not exceed 115dB LZpeak; and • Ground borne vibration shall not exceed the limits specified in DIN4150-2:1999 and Part 3:1999.
Community Events	1. Events held between 7am and 10.30pm, where the event and pre event rehearsal do not individually exceed 3 hours in duration, shall not exceed a noise limit of 80dB LAeq(1 hour) within relevant adjacent zone(s). Octave band noise levels at houses, dwellings or habitable buildings shall not exceed: 95dB Leq (1 minute) at 63Hz 85dB Leq (1 minute) at 125Hz 2. Events that do not meet the duration or hours specified in 1 above, but do not exceed 12 hours per day over a two-day period shall not exceed a noise limit of 70dB LAeq(1 hour) within relevant adjacent zone(s). Octave band noise levels at houses, dwellings or habitable buildings shall not exceed: 85dB Leq (1 minute)at 63Hz 75dB Leq (1 minute) at 125Hz 3. Events that do not meet the duration or hours specified in 1 or 2 above shall comply with the zone noise limits at the specified measurement and assessment position for those zone(s).
Helicopters	Shall comply with the provisions of NZS6807:1994 – Noise Management and Land Use Planning for Helicopter Landing Areas.
Wind turbine generators with swept area greater than $80m^2$	Shall comply with NZS 6808: 2010 Acoustics – Wind farm noise
Audible bird scaring devices	Noise from audible explosive bird scaring devices shall only be operated between sunrise and sunset, and shall not exceed 100dB LZpeak, when measured within the notional boundary of any rural zoned site, or within the site boundary of any residential zoned site. Discrete sound events of a bird scaring device including shots or audible sound shall not exceed 3 events within a 1-minute period and shall be limited to a total of 12 individual events per hour. Where audible sound is used over a short or variable time duration, no event may result in a noise level greater than 50dB SEL when assessed at the notional boundary of any rural zoned site, or within the site boundary of any residential zoned site. A legible notice is fixed to the road frontage of the property on which is the device is being used, giving the name, address and telephone number of the person responsible for the operation of any such device(s).
Dwellings/ occupancies/ habitable spaces in zones other than Residential and Rural	A dwelling or occupancy or habitable space is permitted in zones other than Residential and Rural if the total internal noise level in any habitable room does not exceed 35dB LAeq(24 hours) while at the same time complying with the ventilation requirements of clause G4 of the New Zealand Building Code. The total noise level shall include all intrusive noise and mechanical services. In determining the external noise level, an assumption that the noise incident upon the noise sensitive facade is from at least three separate activities simultaneously generating the maximum allowable noise level for that zone. Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.

Frost fans	Noise generated by frost fans shall not exceed 55dB LAeq (15min) when assessed within the notional boundary of any other rural zoned site, or within the site boundary of any residential zoned site. A legible notice is fixed to the road frontage of the property on which it is being used, giving the name, address and telephone number of the person responsible for its operation.			
Atiamuri, Whakamaru, Maraetai, Waipapa, and Arapuni Electricity Generation Core Sites	Noise from these sites shall not exceed 45dB LAeq(15 minutes) when measured at the relevant noise control boundary shown in Figs 1 to 5. The noise limits shall not apply to sirens, circuit breakers and hydro spills associated with the Electricity Generation Core Sites.			
Well drilling within Electricity Generation Core Sites	Noise from drilling activities for the purpose of observation wells within Electricity Generation Core Site shall not exceed the following limits, for up to 30 days, when measured within the notional boundary of any rural zoned site or within the site boundary of any residential zoned site:			
	Hours	LAeq, dB	LAmax, dB	
	0700-2200	70	85	
	2200-0700	60	75	
Kinleith Industrial Sites, and Lichfield and Tīrau Dairy Factory Sites	Noise from these sites shall not exceed 45dB LAeq(15 minutes) when measured at the relevant noise control boundary shown in Figs 6 to 8.			
Emergency response	Exempt providing activity is in response to an emergency. All non-emergency related activities shall comply with the relevant zone standards.			
Temporary military exercises undertaken without weapons firing	At the notional boundary to any building housing a noise sensitive activity	LAeq dB	LAmax dB	
	0630-0730hrs	60	70	
	0730-1800hrs	75	90	
	1800-2000hrs	70	85	
	2000-0630hrs	40	60	
Temporary military exercises undertaken with weapons firing and/or the use of explosives	1. Notice is provided to the Council at least 48hours prior to the commencement of the activity, specifying whether the activity involves live firing and/or the use of explosives, or firing of blank ammunition; the location of the activity and the boundaries within which the activity will take place, and distances to buildings housing noise sensitive activities; and the timing and duration of the activity.			
	2. Compliance with the noise standards below:			
		Time (Monday to Sunday)	Separation distance required between the point of firing and the notional boundary to any building housing a noise sensitive activity	
	Live firing of weapons and/or use of explosives	0700-1900hrs	At least 1500m	Less than 1500m if conditions a) and c) below are complied with

		1900-0700hrs	At least 4500m	Less than 4500m if conditions b) and c) below are complied with
	Firing of blank ammunition	0700-1900hrs	At least 750m	Less than 750m if conditions a) and c) below are complied with
		1900-0700hrs	At least 2250m	Less than 2250m if conditions b) and c) below are complied with

Conditions to be complied with if minimum separation distances for temporary military exercises undertaken with weapons firing and/or the use of explosives cannot be met:

Condition	Time (Monday to Sunday)	Noise level at the notional boundary to any building housing a noise sensitive activity
a)	0700-1900hrs	Peak sound pressure level of 120 dBC
b)	1900-0700hrs	Peak sound pressure level of 90 dBC
c)	The activity is undertaken in accordance with a Noise Management Plan prepared by a suitably qualified expert and provided to Council at least 15 working days prior to the activity taking place. The Noise Management Plan shall, as a minimum, contain: • A description of the site and activity including times, dates, and nature and location of the proposed training activities. • Methods to minimise the noise disturbance at noise sensitive receiver sites such as selection of location, orientation, timing of noisy activities to limit noise received at sensitive receiver sites. • A map showing potentially affected sites on which noise sensitive activities are based and predicted peak sound pressure levels for each of these locations. • A programme for notification and communication with the occupiers of affected sites on which noise sensitive activities are located prior to the activities commencing, including updates during the event. • A method for following up any complaints received during or after the event, and any proposed de-briefing meetings with Council.	

15.3.3 Internal Design Sound Levels

Buildings for noise sensitive activities sited:

- within a noise control boundary shown in Figs 1 to 8, or
- located within 80m (measured from the nearest painted edge of the carriageway) of a State Highway in an area with a 100km/h speed limit, or
- located within 80m of land that is subject to a notice of requirement for a State Highway (refer to Appendix A),

shall be constructed to comply with the following standards in Table A3:

Table A3
Internal Design Sound Levels (based on AS/NZ 2107:2000 Recommended design levels and reverberation times for building interiors)

Type of occupancy/activity	Recommended Internal Design Sound Levels dBA Leq(24hr)	
	Satisfactory	Maximum
Residential Buildings -Bedrooms -Other habitable rooms	 35 (see note) 40 (see note)	 40 45
Travellers' Accommodation - Bedrooms	35	40
Places of Assembly, education and childcare facilities, health and veterinary services	35	45
Educational Buildings (Teaching spaces)	35	45
Office buildings (general office space)	40	45

Compliance with Table A3 shall be confirmed in writing by a suitably qualified and experienced acoustic consultant.

Note:

Although AS/NZ 2107:2000 recommends 30dBA as the satisfactory internal design sound level for bedrooms, such standards may be technically difficult and costly to achieve in high noise areas. 35 dBA Leq(24hr) is therefore acceptable.

15.3.4 Internal Design Sound Levels for Putaruru Urban Growth Cells 1 to 4 – Railway Activities

Noise Sensitive Activities within Putaruru Urban Growth Cells 1 to 4 located within 100m of a Rail Network Boundary shall meet Rule 15.3.4.1 below:

15.3.4.1 Indoor railway noise

a) Any new building or alteration to an existing building that contains an activity sensitive to noise:

i) Shall be designed, constructed and maintained to achieve design noise levels resulting from the railway that do not exceed the maximum values in Table A4;

Table A4 – Internal Noise Limits

Building Type	Occupancy/activity	Maximum railway noise level, dB $L_{Aeq(1h)}$
Residential	Sleeping spaces	35dB
	All other habitable spaces	40dB
Education	Lecture rooms/theatres, music studios, assembly halls	35dB
	Teaching areas, conference rooms, drama studios, sleeping areas	35dB
	Libraries	45dB
Health	Overnight medical care wards	40dB
	Clinics, consulting rooms, theatres, nurses' stations	45dB
	Places of worship, marae	35dB

b) Mechanical ventilation

If windows must be closed to achieve the design noise levels in clause (a)i), the building shall be designed, constructed and maintained with a mechanical ventilation system that:

(i) For habitable rooms for a residential activity, achieves the following requirements:

- provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
- is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
- provides relief for equivalent volumes of spill air;
- provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and does not generate more than 35 dB LAeq(30s) when measured 1-metre away from any grille or diffuser

(ii) For other spaces, is as determined by a suitably qualified and experienced person.

15.3.4.2 Acoustic Report

A report shall be prepared by a suitably qualified and experienced acoustic consultant and submitted to the council demonstrating compliance with Rule 15.3.4.1 above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:

(a) Railway noise is assumed to be 70 LAeq(1h) at a distance of 12 metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres;

(b) Railway noise spectrum at 12 m shall be assumed to be:

Table A5: Train noise octave band data for calculation

Octave Band Centre Frequency (Hz)							
63	125	250	500	1000	2000	4000	dBA
78	72	69	66	66	63	58	70

15.4 Measurement and Assessment - Noise

(a) Noise shall be measured and assessed using the following standards:

- NZS 6801:2008 Acoustics – Measurement of Environmental Sound
- NZS 6802:2008 Acoustics – Environmental Noise
- NZS 6803:1999 Acoustics – Construction Noise
- NZS 6805:1992 Airport Noise Management and Land Use Planning
- NZS 6806: 2010 Acoustics – Road traffic Noise: New and altered roads
- NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas
- NZS 6808: 2010 Acoustics – Wind farm noise

(b) Noise levels shall be measured and assessed in accordance with the relevant Standard(s).

(c) Where a scenario arises where the standards above are not best suited in assessing the noise source or receiver of interest, Council may through the resource consent process agree to the use of alternative standards.

15.5 Alternative Noise Measurement Position

Alternative measurement location(s) to those specified above may be appropriate where acoustic standards suggest an alternative measurement location, or on a case by case basis as may be agreed through the resource consent process. This shall be discussed and agreed with appropriate Council staff. Any reports submitted to Council shall describe the use of an alternative measurement position and the reasons for its use.

15.6 Measurement and Assessment - Vibration

(a) Vibration from any activity (excluding mineral exploration, mining and quarrying, as specifically provided for in Rule 15.3.2 Table A2, shall be measured and assessed in accordance with the following standards:

- AS 2670.1-2001 Evaluation of human exposure to whole-body vibration – General requirements
- AS 2670.2-1990 Evaluation of human exposure to whole-body vibration - Continuous and shock-induced vibration in buildings (1 to 80 Hz)
- DIN 4150-3:1999 Effects of vibration on structures

(b) Where a scenario arises where the standards above are not best suited in assessing the vibration source or receiver of interest, Council may through the resource consent process agree to the use of alternative standards.

15.7 Lighting and Glare

Effects of lighting are calculated using the procedure in NZS 6701:1983 Sections 6 and 7. For any light received at a residential, rural residential or rural property a comparison of the light generated at the source and the component having an effect on the receiver with a threshold increment (TI) of 20% or greater is deemed to be glare.

In addition, the effect from the source shall not exceed an absolute increment on the ambient level of light specified in the following clauses:

a) At no time between the hours of 7.00am and 10.00pm shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at the boundary of any Residential, Rural Residential or Rural zoned site adjoining

b) At no time between the hours of 10.00pm and 7.00am shall any lighting be used in a manner that causes:

i) An added illuminance in excess of 10 lux measured either horizontally or vertically at the glazing of a habitable room of an adjoining dwelling within a Residential, Rural Residential or Rural Zone

ii) An added illuminance in excess of 20 lux measured either horizontally or vertically at any point along the boundary of a property zoned residential, rural residential or rural.

Where measurement of any added illuminance cannot be made because any person refuses to turn off lighting, measurements may be made in locations of a similar nature that are not affected by such lighting.

c) Rules 15.7a) and 15.7b)ii) above shall not apply to any lighting from sites in the Industrial zone, or from normal intermittent agricultural practices such as harvesting, measured at sites that are not zoned Residential.

d) All lighting on any site adjoining a Residential, Rural Residential, or Rural zoned site shall be selected, located, aimed, adjusted and screened to ensure that glare resulting from the lighting does not exceed a TI of 20%

e) Lighting of traffic access and parking areas shall be selected, located, aimed, adjusted and screened to ensure that stray light effects resulting from vehicles are mitigated.

f) No building shall be constructed and/or left unfinished and/or clad in any protective material or cover which could reflect sufficient light to detract from the amenities of the neighbourhood or cause discomfort to any person resident in the locality. Material used in the construction or cladding or protection of a building from which discomfort glare is likely to occur should have a reflective value not greater than 20%

g) Development on all properties adjacent to State Highways should be undertaken in such a way that the emission of light from these properties does not adversely affect the safety of drivers on State Highways in accordance with NZTA policy

Where lighting and glare may affect the safe and efficient operation of any road, including a State Highway, consideration shall be given to Australian Standard 4287–1997 Control of Obtrusive Effects of Outdoor Lighting

h) Signage shall be constructed to comply with the following levels of luminance:

- Daytime – 25 lux
- Night-time – 10 lux

Luminance levels shall be measured vertically or horizontally anywhere along the affected site boundary in accordance with professional illumination engineering practice or any relevant NZ Standard.

i) No light source used for illuminating a sign, except for neon and side-emitting fibre optics, shall be visible to motorists on any road or road reserve

Rules a) to h) above specifically exclude the lighting and glare effects generated from street lighting, and from Christmas lights and similar temporary festive illuminations.

Any activity that cannot comply with these provisions will require restricted discretionary resource consent.

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16 Activities on the Surface of the Water

16.1 Rule Statement

This chapter provides for activities on the surface of the water throughout the district. The Waikato River and associated hydro lakes, and other waterways in the district primarily adjoin land within the Rural Zone, Rural Residential Zone, and the Electricity Generation Zone. These zone provisions manage land uses along the margins of rivers, lakes and other waterways in the district, with the provisions in this chapter managing activities on the surface of the water.

The Waikato River, Te Waihou River and other waterways in the district have significant natural, landscape, cultural, recreational and historic values that need to be recognised and protected. The RMA requires that the natural character of lakes and rivers be preserved as a matter of national importance. Restoring and protecting the health and wellbeing of the waterways in the Waikato catchment is also essential to achieve the Vision and Strategy for the Waikato River. However, it is recognised that the levels of use on the district's waterways currently are relatively low, and therefore the district plan takes a permissive management approach.

Recreational use of waterways is transient in nature and normally does not involve permanent structures. The potential effects associated with such uses are generally minimal and short-term. Commercial and tourism operations involving motorised craft can have greater effects given the more intensive and repetitive nature of such operations, and sometimes the need for permanent structures. Therefore commercial activities and the construction of permanent structures on the surface of the water are subject to the greatest levels of control in recognition of their potential to cause conflict with other users, and to adversely affect the natural character and amenity of waterways and adjoining land uses. Noise associated with the use of motorised craft can affect the experience of other users of the lakes and rivers and also affect other adjoining land uses.

The provisions have also recognised the existence of hydroelectric generation activities along the Waikato River within the electricity generation core sites. These activities involve temporary and permanent structures and activities on the surface of the river. While the provisions of the Electricity Generation Zone apply to land covered by water (i.e. the riverbed), the following rules have sought to provide for hydro-related activities on the surface of the water itself.

Powers and duties relating to waterbodies are split between several organisations, with the Regional Council managing navigation safety issues through a bylaw, and also controlling structures on the bed of the lake or river. The role of the district council is to manage activities on or over the surface of the water. The provisions have sought to avoid duplication of responsibilities, although the assessment criteria for discretionary activities do include such matters as public safety and conflict between users when considering consent applications for activities on the surface of the water.

16.2 Anticipated Environmental Results

The activities on the surface of the water rules are intended to achieve the following anticipated environmental results:

- That the natural character of lakes and rivers in the district and the health and wellbeing of the Waikato River and its catchments, is not detrimentally affected by activities on the surface of the water
- That the recreational usage of waterways is not restricted to enable the public to access, use and enjoy the lakes and rivers in the district
- That commercial operations on the surface of the water, and the presence of permanent structures, are controlled to manage effects in respect of natural, landscape, cultural, recreational and historic values of waterways, and the potential amenity effects
- Noise from non-recreational surface water activities is managed to preserve the amenity of residents in adjoining zones

- That structures and activities on the surface of the water related to hydro-electric power generation are provided for.

The surface water activity rules are a method to implement the objectives and policies contained within Chapter 5 (Objectives and Policies for the District's Rural Areas), and Chapter 6 (Objectives and Policies for Managing the District's Natural Values).

16.3 Activities

16.3.1 Permitted Activities

The following activities on the surface of the water are permitted activities throughout the district provided they comply with the Performance Standards set out in Rule 16.4 below.

a) Use of non-motorised vessels, except commercial activities

b) Fishing, food gathering and recreational activities

c) Maimai

d) Moored vessels including the mooring

e) Temporary floating structures (must not exceed a four-month contiguous period within any twelve-month period)

f) Other temporary structures of up to 5m² in size

g) Any existing permanent structure on the surface of the water that was lawfully established prior to 7 November 2012

h) Any commercial or tourism activity, or event, on the surface of the water involving a motorised vessel that was lawfully established prior to 7 November 2012

i) Use of motorised vessels, except those listed in Rule 16.3.3

j) Structures and activities on the surface of the water ancillary to hydroelectric power generation on waterbodies located within the Electricity Generation Zone

k) Safety signage or buoys erected under the authority of the Regional Council.

16.3.2 Restricted Discretionary Activities

The following activities on the surface of the water are restricted discretionary activities throughout the district:

a) Any activity listed in Rule 16.3.1 that does not conform to Rule 16.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for an activity on the surface of the water.

16.3.3 Discretionary Activities

Activities on the surface of the water that are not permitted or restricted discretionary will be discretionary activities throughout the district.

The following activities on the surface of the water are discretionary activities throughout the district, if not lawfully established prior to 7 November 2012:

a) Any commercial or tourism activity, whether involving ~~a~~ motorised vessels or not

b) Any community event for motorised vessels

c) Any permanent structure on the surface of the water, other than structures permitted by Rule 16.3.1

For those activities where resource consent has been granted and the activity subsequently established, the activity may continue within the bounds of that consent.

The assessment criteria contained in Rules 8.4.1 and 8.4.7 shall be used when considering a resource consent application for an activity on the surface of the water that is a discretionary activity, with the Performance Standards in Rule 16.4 used as a guide for assessment purposes.

16.4 Performance Standards

The following Performance Standards apply throughout the district in respect of activities on the surface of the water that are specified in Rule 16.3.1 (Permitted Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

16.4.1 Noise generated by activities on the surface of the water

Noise levels from activities on the surface of water shall comply with the standards in Chapter 15 Noise.

16.4.2 Scale of activities on the surface of the water

a) Maimai shall not exceed 10 square metres in area.

ADVISORY NOTES: The Waikato Regional Council manages navigation safety (including vessels, people, hazards and associated activities) on navigable rivers in the region through the Navigation Safety Bylaw. It aims to ensure the safety of users on these waterways and sets out safe practices for people using the lakes and rivers for water skiing, swimming, boating, kayaking or other activities, by seeking to reduce the conflicts between different activities. The exclusion zone required in the Navigation Safety Bylaw between hydro dams and activities on the surface of the water is 200 metres.

Structures associated with surface water activities that are attached to the bed of lakes and rivers may also require resource consent from the Regional Council.

Moorings permitted under Rule 16.3.1 d) above do not include the part of the mooring fixed to the bed of the river or lake, which may need consent from the Regional Council.

Any organised temporary event involving people or vessels may also require a Navigation Safety temporary event permit from the Regional Council, to suspend speed provisions or reserve an area of the waterways, for the purpose of ensuring safety standards are met for event participants and for the general public.

17 Tokoroa Town Centre Zone

17.1 Zone Statement

The Tokoroa Town Centre Zone defines the heart of the commercial and shopping centre for Tokoroa. The area provides for pedestrian-oriented shopping with considerable public investment in paved footpaths and street furniture providing a high amenity environment for shoppers. The area is defined by Leith Place, Bridge Street as far west as Campbell Street, part of Logan Street, part of Mannering Street, Swanston Street and Roseberry Street. The town centre is adjacent to State Highway 1 but is partly screened from view by mature trees along the highway corridor.

Buildings in the town centre are generally single or double storey buildings, with one to five storeys, all with no setback and therefore window frontage to the street, and with continuous verandah coverage along most streets. Kerbside parking or public parking areas nearby provide convenient parking for shoppers. With the town's development occurring throughout the 1960's, most commercial buildings are not of an age to have the heritage value found in the other towns in the district.

The main street, Bridge Street is characterised by a planted median of mature deciduous trees extending as far as Campbell Street to provide a high amenity, visually appealing and pedestrian friendly environment. The public spaces in the town centre are the focus for the 'talking poles' and other art works that reflect the multi-cultural character of the town. A busy market area operates near the Town Centre on Saturdays.

The town is well laid out as a result of being built to an overall urban design. A network of service lanes mid-block is also a feature of the zone and provide managed access to the rear of buildings for goods delivery and collection. The service lanes reduce on-street traffic conflicts, improve pedestrian safety and amenity values and provide access to staff car parking at the rear of premises.

17.2 Anticipated Environmental Results

The Tokoroa Town Centre Zone is intended to achieve the following anticipated environmental results:

- The town centre provides a vibrant, fully developed and tenanted retail and commercial area that serves the needs of the town and surrounding rural area
- The town centre provides an attractive/visually appealing, safe and easily accessible environment for residents, passing travellers and pedestrians
- Public spaces provide a lively atmosphere where residents and shoppers can meet
- Mixed use activities characterise building occupancy with offices and other commercial service activities, and residential accommodation occupying upper floors
- Continuous verandah coverage is maintained on buildings on nominated street frontages to provide year-round protection from the weather for shoppers
- The cultural heritage of the town is celebrated through art displays in public places
- The demand for pedestrian-based retail activities is catered for in the town centre
- The character and amenity of the residential areas adjacent to the town centre is maintained through appropriate controls on building bulk, location and landscape treatments.

The Tokoroa Town Centre Zone is a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns).

17.3 Activities

17.3.1 Permitted Activities

The following are permitted activities in the Tokoroa Town Centre Zone provided they comply with the Performance Standards set out in Rule 17.4 below.

a) Retail activities

b) Restaurants, bars and cafes

c) Offices

d) Places of assembly

e) Education and childcare facilities

f) Commercial services

fa) Health Care Services

g) Veterinary services

h) Craft workshops and studios

i) Residential accommodation above ground floor level

j) Carparks

k) Recreation and sporting activities on parks and reserves

17.3.2 Restricted Discretionary Activities

The following are restricted discretionary activities in the Tokoroa Town Centre Zone:

i) Any activity listed in Rule 17.3.1 that does not conform to the Performance Standards in Rule 17.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Tokoroa Town Centre Zone.

17.3.3 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Tokoroa Town Centre Zone.

The following are also discretionary activities in the Tokoroa Town Centre Zone:

a) Visitor accommodation

b) Service stations including motor vehicle repair.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Tokoroa Town Centre Zone, with the Performance Standards in Rule 17.4 used as a guide for assessment purposes.

17.3.4 Non-Complying Activities

The following are non-complying activities in the Tokoroa Town Centre Zone:

a) Industrial activities

b) Service industry

c) Outdoor Storage

The objectives and policies contained within Chapters 3, 4, and 7 shall be used when considering a resource consent application for a non-complying activity in the Tokoroa Town Centre Zone, with the Performance Standards in Rule 17.4 used as a guide for assessment purposes.

17.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 17.3.1 (permitted activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

17.4.1 Building Setbacks

(a) Buildings must be set back from the front boundary - Nil

(b) Buildings must be set back from the side and rear boundaries - Nil, unless adjoining the Tokoroa Residential Zone where a setback of five metres is required.

17.4.2 Site coverage

The maximum extent that buildings can cover a site is 100%, subject to compliance with any setback requirements in Rule 17.4.1.

17.4.3 Parking

Loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

17.4.4 Height

(a) Maximum Building Height - 15 metres

(b) Height to boundary - No part of any building shall protrude through (whichever is the lesser of) a plane rising at an angle of 45° commencing at:

- An elevation of 3 metres at the boundary of the Tokoroa Residential Zone, or
- An elevation of 10 metres at any road boundary.

17.4.5 Signage

a) There is no size limit on signs on or attached to and within the physical building dimensions of, the walls or fascias of the building. Signs on verandahs shall not exceed 12m2 in area or 2m in height

b) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) Illumination of signs is permitted, including flashing or other movement

e) The owner of a sign shall be responsible for ensuring that it is well maintained

f) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e) and f).

ADVISORY NOTE: This plan does not restrict sandwich board signs on footpaths, which are subject to Council's Public Places Bylaw.

17.4.6 Verandah Provision

All buildings (including new buildings) on nominated street frontages (see Fig.17.1) shall provide pedestrian shelter along the full width of the building, and set back 0.5m from the kerb line, regardless of how far the building is set back from the road frontage. Verandahs must be of a height that relates to their neighbours, to provide continuity of cover. Verandahs shall also be provided with under-verandah lighting to Council's standard.

17.4.7 Noise, Vibration and Glare

a) Noise, vibration and glare from any activity in the zone shall comply with the rules in Chapter 15

b) Residential accommodation above ground floor level – The total internal noise level in any habitable room shall not exceed 35dB $L_{Aeq(24\ hours)}$ while at the same time complying with the ventilation requirements of Clause G4 of the NZ Building Code. The total noise level shall include all intrusive noise and mechanical services.

In determining the external noise level, it shall be assumed that the noise incident upon the noise-sensitive facade is from at least three separate activities simultaneously generating the maximum allowable noise level for that zone.

Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.

17.4.8 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

17.4.9 Screening

A close-boarded fence at least 1.8m in height shall be provided along the full length of any boundary with a property within the Tokoroa Residential Zone.

17.4.10 Scale of Activity and Access

a) No new direct vehicle accesses onto the state highway shall be created

b) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

c) Activities accessing a local road shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour

17.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development contains standards for building projects that involve earthworks.

Fig.17.1 Provision of Pedestrian Shelter - Tokoroa Town Centre



------- Frontage of properties where verandah cover is required – Tokoroa

18 Tokoroa Business Zone

18.1 Zone Statement

The Tokoroa Business Zone comprises vehicle-oriented commercial and larger scale retail development, and light industrial development located around the town centre. It also applies to an area of commercial development at the corner of Maraetai Road and Balmoral Drive.

The activities within the zone are characterised by more mixed use activities such as larger format retail premises, warehousing including trading in bulky goods such as building supply firms and garden centres, car yards, service stations, supermarkets and a range of commercial and light industrial premises.

The buildings are set back from the street frontage. Car parking that is provided must be carefully assessed and access points to roads located so as to minimise conflict between vehicular traffic and pedestrians and maintain the safety and efficiency of the state highway network.

18.2 Anticipated Environmental Results

The Tokoroa Business Zone is intended to achieve the following anticipated environmental results:

- Increased flexibility to locate a range of commercial and light industrial activities that complements the range of commercial services located in the Tokoroa Town Centre Zone
- Better management of potential adverse environmental effects to maintain vehicle and pedestrian safety in a predominantly vehicle oriented commercial and light industrial environment
- Maintaining and enhancing the efficiency, functionality and safety of strategic transport corridors
- The Tokoroa Business Zone provides vibrant, fully developed and tenanted commercial and light industrial areas
- The character and amenity of adjacent residential areas is maintained through appropriate controls on building bulk, location and landscape treatments at these interfaces
- Reverse sensitivity impacts from residential development within the zone are avoided or minimised.

The Tokoroa Business Zone is a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns).

18.3 Activities

18.3.1 Permitted Activities

The following are permitted activities in the Tokoroa Business Zone provided they comply with the Performance Standards set out in Rule 18.4 below

a) Retail activities

b) Restaurants, bars and cafes

ba) Drive through Restaurants

c) Offices

d) Commercial services

e) Places of assembly

ea) Health care services

f) Health and veterinary services

g) Visitor accommodation

h) Education and childcare facilities

i) Service stations including motor vehicle repairs

j) Service industry

k) Industrial activities, except those listed in Appendix H

l) Craft workshops and studios

m) Carparks

n) Recreation and sporting activities on parks and reserves

o) Indoor sporting and recreation facilities provided for in a reserve management plan

p) Caretaker's accommodation

q) Modifications, alterations and additions to an existing dwelling on the same site

qa) Emergency Service Facilities

r) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

18.3.2 Restricted Discretionary Activities

The following are restricted discretionary activities in the Tokoroa Business Zone:

a) Any activity listed in Rule 18.3.1 that does not conform to the Performance Standards in Rule 18.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Tokoroa Business Zone.

18.3.3 Discretionary Activities

Activities that are not permitted or restricted discretionary will be discretionary activities in the Tokoroa Business Zone.

The following are also discretionary activities in the Tokoroa Business Zone:

a) Residential accommodation (other than that listed in 18.3.1

b) Industrial activities listed in Appendix H

c) Clearance of indigenous vegetation, land disturbance and drainage that is a discretionary activity under Rule 14.4.2.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Tokoroa Business Zone, with the Performance Standards in Rule 18.4 used as a guide for assessment purposes.

18.3.4 Non-Complying Activities

The following are non-complying activities in the Tokoroa Business Zone:

a) Within the National Grid Yard:

i) Any building or addition to a building for a sensitive activity

ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity

iii) Any building, structure or earthworks not permitted by Rule 18.4.1 d).

18.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 18.3.1 (Permitted Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

18.4.1 Building Setbacks, and Earthworks

a) Buildings must be set back from the front boundary - Nil

b) Buildings must be set back from the side and rear boundaries - Nil, unless adjoining the Tokoroa Residential Zone where a setback of five metres is required

c) Within any part of a National Grid Yard:

i) Under the National Grid Conductors (wires)

a) On existing urban sites, the following buildings and structures are permitted within the National Grid Yards:

- An accessory building for a sensitive activity, or
- A building that does not involve an increase in the building height or footprint where alterations and additions to an existing building for a sensitive activity, or
- a building not associated with a sensitive activity (unless it is an accessory building)

b) On all sites within any part of the National Grid Yard any buildings and structures must:

- be permitted by a) above, or
- be a fence, or
- be Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid, or
- be an official sign, and

c) All buildings or structures permitted by a) and b) above must comply with at least one of the following conditions:

- A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines or
- Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions.

ii) Activities around National Grid support structures

a) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

- Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid or
- Fence more than 5m from the nearest support structure.

iii) Any earthworks within a National Grid Yard shall:

a) Around Poles

i) Be no deeper than 300mm within 2.2 metres of a National Grid pole support structure or stay wire; and

ii) Be no deeper than 750mm between 2.2 to 5 metres from a National Grid pole support structure or stay wire.

Except that vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from (i) and (ii) above

b) Around Towers

iii) Be no deeper than 300mm within 6 metres of the outer visible edge of a National Grid tower support structure; and

iv) Be no deeper than 3 metres between 6 to 12 metres from the outer visible edge of a National Grid tower support structure.

c) Anywhere within the National Grid Yard

v) Shall not create an unstable batter that will affect a National Grid support structure; and/or

vi) Shall not result in a reduction in the ground to conductor clearance distances as required by table four of NZECP34:2001.

Provided that

- Earthworks undertaken by a Network Utility operator; or
- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or driveway.

are exempt from (i) to (iv) above

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with NZCEP34:2001 is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

18.4.2 Site coverage

The maximum extent that buildings can cover a site is 75%, subject to compliance with any setback requirements in Rule 18.4.1, parking and loading space requirements in Rule 18.4.3, and landscaping and planting requirements in Rule 18.4.5.

18.4.3 Access and Loading

Provision of loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

18.4.4 Height

a) Maximum building height - 15 metres

b) Height to boundary - No part of any building shall protrude through (whichever is the lesser of) a plane rising at an angle of 45° commencing at:

i) An elevation of 3 metres at the boundary of the Tokoroa Residential Zone; or

ii) An elevation of 10 metres at any road boundary.

18.4.5 Planting and screening

Planting and screening shall be provided in the following situations:

a) A planting strip at least two metres wide, comprising trees, shrubs and grasses, shall be provided along the site boundary that adjoins a road, with the exception of areas used for vehicular access to the site

b) A close-boarded fence at least 1.8m in height shall be provided along the full length of any boundary with a property within the Tokoroa Residential Zone.

18.4.6 Signage

a) There is no size limit on signs on or attached to, and within the physical building dimensions of, the walls or fascias of the building

b) Free-standing signs must not exceed one per road frontage, with a maximum size of 20m2 (excluding heritage building sites listed in Appendix B) in each direction (maximum two directions) and up to 10m2 of ancillary signage elsewhere on the site

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

da) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

f) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e) and f).

ADVISORY NOTE: This plan does not restrict sandwich board signs on footpaths, which are subject to Council's Public Places Bylaw.

18.4.7 Verandah Provision

All buildings that had a verandah over any part of the legal road on 7 November 2012 shall continue to provide at least equivalent pedestrian shelter. Any redevelopment of the site shall include verandahs at least as extensive as existed on that date.

18.4.8 Noise, Vibration and Glare

a) Noise, vibration and glare from any activity in the Zone shall comply with the rules in Chapter 15

b) Caretakers' accommodation and Residential accommodation at first floor level – The total internal noise level in any habitable room shall not exceed 35dB $L_{Aeq(24\ hours)}$ while at the same time complying with the ventilation requirements of Clause G4 of the NZ Building Code. The total noise level shall include all intrusive noise and mechanical services.

In determining the external noise level, it shall be assumed that the noise incident upon the noise-sensitive facade is from at least three separate activities simultaneously generating the maximum allowable noise level for that zone.

Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.

18.4.9 Natural Hazards

a) The floor level of any habitable building shall be at least 0.5m above the 1% design flood level

b) All buildings shall be set back at least 25m from the edge of any river.

18.4.10 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

18.4.11 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

18.4.12 Scale of Activity and Access

a) No new direct vehicle accesses onto the state highway shall be created

b) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

c) Activities accessing a local road shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour

18.4.13 Water and Wastewater

No activity, or combination of activities on a site shall have either:

a) A requirement for water from Council's reticulated supply exceeding $10m^3$ per connection per day (this does not include water required to be taken or used for emergency or training purposes in accordance with section 48 of the Fire and Emergency New Zealand Act 2017).

b) A requirement to discharge wastewater to a public sewer exceeding $10m^3$ per connection per day.

18.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures

19 Tokoroa Neighbourhood Retail Zone

19.1 Zone Statement

The Tokoroa Neighbourhood Retail Zone enables the establishment and operation of a range of small scale and locally oriented, retail and commercial service activities in existing neighbourhood shopping centres.

These neighbourhood shopping centres are comprised of purpose-built commercial buildings that are located in or adjacent to predominantly residential areas. Typically, these centres comprise between one and four shops, usually single storey, and are occupied by businesses that serve local neighbourhood catchments. Often such premises rely on street-based car parking, rather than having on-site parking.

The zone allows for all forms of retail shops including dairies and superettes, and limited commercial services such as hairdressers and offices, places of assembly and health care services. The small nature of the sites zoned as Tokoroa Neighbourhood Retail ensures that the activities are small-scale and are compatible with the predominantly residential environments they are located within.

Performance standards have been developed for the zone to address potential adverse environmental effects and ensure that the scale of commercial activities is appropriate for the predominantly residential surroundings.

19.2 Anticipated Environmental Results

The Tokoroa Neighbourhood Retail Zone is intended to achieve the following anticipated environmental results:

- Small scale commercial activities establish and operate in existing commercial premises
- Local residents are provided with a range of conveniently located service centres
- The centres act as meeting places for neighbourhood residents
- The scale of environmental effects from non-residential activities is compatible with the residential amenity of neighbourhood locations.

The Tokoroa Neighbourhood Retail Zone is a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns).

19.3 Activities

19.3.1 Permitted Activities

The following are permitted activities in the Tokoroa Neighbourhood Retail Zone provided they comply with the Performance Standards set out in Rule 19.4 below.

a) Retail activities (excluding the sale of liquor as the primary retail activity)

b) Offices

c) Cafes and Restaurants

d) Places of Assembly

e) Veterinary services

ea) Health Care Services

f) Education and Childcare Facilities

g) Commercial services

h) Residential accommodation, not exceeding one dwelling unit per shop or office

i) Accessory buildings

j) Craft workshops and studios

k) Emergency Service Facilities

19.3.2 Restricted Discretionary Activities

The following are restricted discretionary activities in the Tokoroa Neighbourhood Retail Zone:

a) Any activity listed as in Rule 19.3.1 that does not conform to the Performance Standards in Rule 19.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Tokoroa Neighbourhood Retail Zone.

19.3.3 Non-Complying Activities

Activities that are not permitted or restricted discretionary activities will be non-complying activities in the Tokoroa Neighbourhood Retail Zone.

The objectives and policies contained within Chapters 3 and 4 shall be used when considering a resource consent application for a non-complying activity in the Tokoroa Neighbourhood Retail Zone, with the Performance Standards in Rule 19.4 used as a guide for assessment purposes.

19.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 19.3.1 (Permitted Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

19.4.1 Scale of Activity

a) Each retail activity, restaurant, cafe, health care service, or place of assembly shall not exceed a gross floor area of 150 square metres

b) Education and childcare facilities shall provide services for no more than 8 persons at any one time (excluding staff) per site.

19.4.2 Building Setbacks

a) Buildings must be set back from the front boundary - Nil

b) Buildings must be set back from the side and rear boundaries - Nil, unless adjoining the Tokoroa Residential Zone where a setback of five metres is required.

19.4.3 Site coverage

The maximum extent that buildings can cover a site is 100%, subject to compliance with any setback requirements in Rule 19.4.2.

19.4.4 Height

a) Maximum building height - 10 metres

Note: The maximum height for Emergency Service Facilities is 15m

b) Height to boundary - No part of any building shall protrude through a plane rising at an angle of 45° commencing at an elevation of 3 metres at the boundary of the Tokoroa Residential Zone.

19.4.5 Signage

a) There is no limit on the number of size of signs on or attached to and within the physical building dimensions of, the walls or fascias of the building. Signs on or under verandahs are limited to one per shop and shall not exceed 3m²

b) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists

   i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

   ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) Illumination of signs is permitted provided that the illumination is static, with no flashing or other movement

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

ADVISORY NOTE: This plan does not restrict sandwich board signs on footpaths, which are subject to Council's Public Places Bylaw.

19.4.6 Verandah Provision

All buildings that had a verandah over any part of the legal road on 7 November 2012 shall continue to provide at least equivalent pedestrian shelter. Any redevelopment of the site shall include verandahs at least as extensive as existed on that date.

19.4.7 Parking

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

19.4.8 Noise, Vibration and Glare

Noise, vibration and glare from any activity in the zone shall comply with the rules in Chapter 15.

19.4.9 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

19.4.10 Outdoor Storage

Areas set aside or used for the outdoor storage of goods and materials associated with an activity on a site shall:

(a) not be used for storing goods and materials in a manner that exceeds 3m in height

(b) not exceed 20% site coverage, and

(c) be screened from view from any adjoining residential site.

19.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land.
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

20 Tokoroa Residential Zone

20.1 Zone Statement

All residential areas in Tokoroa are covered by one residential zone. The uniformity of residential development is reflective of the period of sustained development of the town during the period through the 1950's and 1960's.

The elements and resources of importance to the character and amenity of residential areas are visual amenity, quietness, a safe environment, maturing trees and green or open spaces on private property and the road reserve and a high quality and efficient supply of services. Therefore, emphasis is placed on the overall environmental quality of the zone, focusing on encouraging high standards of urban design, landscaping, visual amenity, and adequate noise control.

Performance Standards have been developed for the Residential Zone which address potential adverse environmental effects and aim to promote a quality urban environment that affords choice as to the styles of living and to maintain good networks/links to reserves and to the town centre.

The greater the potential adverse effect on the character and amenity of an area, the greater the level of Council control. For example, low density single dwelling houses are generally Permitted Activities, while activities such as tourist accommodation for more than eight persons require a resource consent.

20.2 Anticipated Environmental Results

The Tokoroa Residential Zone is intended to achieve the following anticipated environmental results:

- A range of housing styles that caters for the changing lifestyle and increasing ethnic diversity of the town's population
- A range of non-residential activities are established consistent with maintaining the character and amenity of the residential neighbourhoods
- Consolidation of new residential development within existing vacant, zoned and serviced land to achieve the efficient use of existing infrastructure
- Well maintained public reserves serve the neighbourhood, town and, district and region wide needs for active and passive recreation
- Safe pedestrian and cycleway connections link residential neighbourhoods with public reserves, schools and the town centre
- Residential development is undertaken in a manner that avoids the effects of hazards.

The Tokoroa Residential Zone is a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns).

20.3 Activities

20.3.1 Permitted Activities

The following are permitted activities in the Tokoroa Residential Zone provided they comply with the Performance Standards set out in Rule 20.4 below.

a) Dwellings (maximum 2 per property)

b) Home occupations

c) Craft workshops and studios

d) Community care housing

e) Hospitals and Homes for the Aged

f) Health Care Services

g) Housing for the Elderly

h) Education and childcare facilities

i) Visitor accommodation

j) Accessory buildings

k) Recreation and sporting activities on parks and reserves

l) Indoor sporting and recreation facilities provided for in an approved reserve management plan (under the Reserves Act 1977)

m) Carparks

ma) Emergency Service Facilities

mb) Tokoroa Hospital on Lot 1 DPS 11665, Lot 2269 DPS 10289 and Lot 2 DPS 2211 (55-75 Maraetai Road, State Highway 32, Tokoroa)

mc) Relocatable buildings

n) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

o) Minor works on a built heritage feature listed in Appendix B

p) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled, and which does not detract from the values for which it was scheduled

q) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

20.3.2 Controlled Activities

The following are controlled activities in this zone provided they comply with the Performance Standards set out below:

a) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

b) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

Specific matters where discretion is reserved are identified in Rule 8.3.1(i) and shall be used when considering a resource consent application for a controlled activity in the zone.

20.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Tokoroa Residential Zone:

a) Any activity listed in Rule 20.3.1 (Permitted Activities) or Rule 20.3.2 (Controlled Activities) that does not comply with the Performance Standards in Rule 20.4.

b) Dwellings on sites with a net site area (per dwelling) of between 300-450m².

c) Relocatable buildings that do not meet performance standards

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Tokoroa Residential Zone.

20.3.4 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Tokoroa Residential Zone.

The following are also discretionary activities in the Tokoroa Residential Zone:

a) More than two dwellings on a site

b) Marae development and papakāinga

c) Health and veterinary services

d) Offices

e) Places of Assembly

f) Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

g) Clearance of indigenous vegetation, land disturbance and drainage that is a discretionary activity under Rule 14.4.2.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Tokoroa Residential Zone, with the Performance Standards in Rule 20.4 used as a guide for assessment purposes.

20.3.5 Non-Complying Activities

The following are non-complying activities in the Tokoroa Residential Zone:

a) Industrial activities

b) Service industry

c) Service stations including motor vehicle repair

d) Outdoor storage

e) Dwelling houses on sites with a net site area (per dwelling) of less than 300m2

f) Retail activities

g) Restaurants, bars and cafes

h) Within the National Grid Yard:

  i) Any building or addition to a building for a sensitive activity

  ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity

  iii) Any building, structure or earthworks not permitted by Rule 20.4.2 e).

The objectives and policies contained within Chapters 3, 4, and 7 shall be used when considering a resource consent application for a non-complying activity in the Tokoroa Residential Zone, with the Performance Standards in Rule 20.4 used as a guide for assessment purposes.

20.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 20.3.1 (Permitted Activities) or Rule 20.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

20.4.1 Scale of Activity and Access

a) Community care housing, Hospitals and Homes for the Aged, (excluding Tokoroa Hospital) Visitors' accommodation, and Education and childcare facilities shall provide services for no more than 8 persons per site, excluding staff.

b) No new direct vehicle accesses onto the state highway shall be created

c) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

d) Activities accessing a local road shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour

e) Rules 20.4.1a) and c) above shall not apply to the Tokoroa Hospital site. The existing gross floor area of the Tokoroa Hospital site as at November 2014 is 8268m^2. Any addition to this gross floor area shall not generate more than 50 additional vehicle movements in any given peak hour where accessing State Highway 32.

20.4.2 Building Setbacks, and Earthworks

a) Buildings must be setback from the front boundary at least 3 metres

b) Buildings must be setback from side and rear boundaries at least 1.5 metres

c) Subject to the written consent of adjoining owners any building setback other than a front setback may be reduced to whatever level is acceptable to the parties

d) Within any part of a National Grid Yard:

i) Under the National Grid Conductors (wires)

a) On existing urban sites, the following buildings and structures are permitted within the National Grid Yards:

- An accessory building for a sensitive activity, or
- A building that does not involve an increase in the building height or footprint where alterations and additions to an existing building for a sensitive activity, or
- a building not associated with a sensitive activity (unless it is an accessory building)

b) On all sites within any part of the National Grid Yard any buildings and structures must:

- be permitted by a) above, or
- be a fence, or
- be Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid, or
- be an official sign, and

c) All buildings or structures permitted by a) and b) above must comply with at least one of the following conditions:

- A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines or
- Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions.

ii) Activities around National Grid support structures

a) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

- Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid or
- Fence more than 5m from the nearest support structure.

iii) Any earthworks within a National Grid Yard shall:

a) Around Poles

i) Be no deeper than 300mm within 2.2 metres of a National Grid pole support structure or stay wire; and

ii) Be no deeper than 750mm between 2.2 to 5 metres from a National Grid pole support structure or stay wire.

Except that vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from (i) and (ii) above

b) Around Towers

iii) Be no deeper than 300mm within 6 metres of the outer visible edge of a National Grid tower support structure; and

iv) Be no deeper than 3 metres between 6 to 12 metres from the outer visible edge of a National Grid tower support structure.

c) Anywhere within the National Grid Yard

v) Shall not create an unstable batter that will affect a National Grid support structure; and/or

vi) Shall not result in a reduction in the ground to conductor clearance distances as required by table four of NZECP34:2001.

Provided that

- Earthworks undertaken by a Network Utility operator; or
- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or driveway.

are exempt from (i) to (iv) above

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with NZCEP34:2001 is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

20.4.3 Outdoor Living Space

Each dwelling shall have an outdoor living space with a minimum of 50m² in area, that is directly accessible from the dwelling, at least 50% of the area is to the north of the building, with the minimum dimension being 2.5 metres, and with one part of the area capable of containing a rectangle of 4 metres by 6 metres.

20.4.4 Site coverage

The maximum extent that buildings can cover a site is 40%.

Note: The maximum site coverage for Emergency Service Facilities is 50%

20.4.5 Building Height

a) Maximum Building Height - 8 metres

Note: The maximum height for Emergency Service Facilities is 15m

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary.

20.4.6 Housing Density

Minimum area of land required for each dwelling shall be 450m² of net site area.

20.4.7 Access

Vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

20.4.8 Noise, Vibration and Glare

Noise, vibration and glare from any activity in the Zone shall comply with the rules in Chapter 15.

20.4.9 Natural Hazards

a) The floor level of any habitable building shall be at least 0.5m above the 1% design flood level

b) All buildings shall be set back at least 25m from the edge of any river.

20.4.10 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

20.4.11 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

20.4.12 Signs

a) No sign shall exceed 0.75m2 in area, or exceed 3m in height, except at Tokoroa Hospital where there shall be no maximum sign area

b) Only one sign per property is permitted, except at Tokoroa Hospital where one sign per vehicle entrance is permitted

c) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

d) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

e) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

f) The owner of a sign shall be responsible for ensuring that it is well maintained.

g) The requirements of a) and b) above do not apply to Tokoroa Hospital internal signs required to provide directions, safety instructions and information for staff and visitors within any site, for each activity which is a permitted activity or for which a resource consent has been granted

h) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

20.4.13 Permitted Activity Performance Standards for Relocatable Buildings

a) Any relocatable building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been designed, built and used as a dwelling.

b) A building pre-inspection report by an independent Licenced Building Practitioner (design) or building surveyor shall accompany the application for a building consent for the destination site prior to relocation. That report is to identify:

i) All reinstatement works that are to be completed to the exterior of the building, and

ii) Proposed insulation to meet Clause H1 (energy efficiency) of the New Zealand Building Code (for Zone 2) for underfloor and ceiling insulation (compliance is to be ascertained in accordance with the compliance document for the New Zealand Building Code, Clause H1 Energy Efficiency - third edition, or any equivalent solution.)

c) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.

d) All other reinstatement work and insulation required by the building inspection report and the building consent to reinstate the exterior of any relocatable dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

e) The proposed owner of the relocated building must certify to the Council that all reinstatement work will be completed within the twelve-month period of the building being delivered to the site.

20.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

21 Putaruru Town Centre Zone

21.1 Zone Statement

The Putaruru Town Centre Zone defines the heart of the commercial and shopping centre for Putaruru. It provides for pedestrian-oriented shopping with paved footpaths and street furniture providing a high amenity environment for shoppers. The zone covers the Princes Street and Tīrau Street shopping areas, linked together by retailing and offices in Main Street and Kensington Street. Princes Street is a traditional New Zealand country town "main street" with shops and facilities that cater mostly for local residents. Heritage buildings provide landmarks at either end of this shopping centre.

The pedestrianised portion of Tīrau Street caters mostly for passing State Highway 1 traffic. It is bordered at either end by the Putaruru Business Zone containing mostly vehicle-oriented commercial land uses including service stations and a supermarket.

Buildings in the town centre are typically single or double storey, with display windows to the street front and footpath, continuous verandah coverage, and relying on kerbside parking or public parking areas nearby for convenience shopping.

To enable the Putaruru town centre to provide a distinctive, attractive, safe and easily accessible pedestrian environment with a concentration of commercial business and cultural activities. These activities shall aim to provide a wide range of services and facilities for residents and passing travellers and with minimum adverse effects to the safe and sustainable function of the state highway network.

21.2 Anticipated Environmental Results

The Putaruru Town Centre Zone is intended to achieve the following anticipated environmental results:

- The town centre provides a vibrant, fully developed and tenanted retail and commercial area, meeting the demand for pedestrian-based retail activities
- An attractive/visually appealing, safe and easily accessible town centre for residents and passing travellers
- Public spaces provide a lively atmosphere where residents can meet
- Heritage buildings are retained, and the history of the town in the development of forestry and as a railway junction is recognised
- Continuous verandah coverage is maintained on specified road frontages to provide year-round protection from the weather
- The water resources and cultural heritage of the town are celebrated through art displays in public places.

The Putaruru Town Centre Zone is a method to implement the objectives and policies in Chapter 4 (Objectives and Policies for the District's Towns).

21.3 Activities

21.3.1 Permitted Activities

The following are permitted activities in the Putaruru Town Centre Zone provided they comply with the Performance Standards set out in Rule 21.4 below.

a) Retail activities

b) Restaurants, bars and cafes

c) Residential accommodation above ground floor level

d) Commercial Services

e) Veterinary services

ea) Health Care Services

f) Offices

g) Places of Assembly

h) Education and childcare facilities

i) Carparks

j) Modifications, alterations and additions to an existing service station on the same site

k) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

l) Minor works on a built heritage feature listed in Appendix B

m) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled, and which does not detract from the values for which it was scheduled.

21.3.2 Controlled Activities

The following are controlled activities in this zone provided they comply with the Performance Standards set out below:

a) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

b) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

Specific matters where discretion is reserved are identified in Rule 8.3.1(i) and shall be used when considering a resource consent application for a controlled activity in the zone.

21.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Putaruru Town Centre Zone:

a) Any activity listed in Rule 21.3.1 that does not conform to the Performance Standards in Rule 21.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity.

21.3.4 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Putaruru Town Centre Zone.

The following are also discretionary activities in the Putaruru Town Centre Zone:

a) Service stations including motor vehicle repair

b) Visitors' accommodation

c) Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a Discretionary Activity in the Putaruru Town Centre Zone, with the Performance Standards in Rule 21.4 used as a guide for assessment purposes.

21.3.5 Non-Complying Activities

The following are non-complying activities in the Putaruru Town Centre Zone:

a) Industrial Activities

b) Service Industry

c) Outdoor Storage

d) Modifications to, or demolition of, a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Form in Appendix B.

The objectives and policies contained within Chapters 3 (Tangata Whenua), 4 (Objectives and Policies for the District's Towns), and 7 (Infrastructure and Development) shall be used when considering a resource consent application for a non-complying activity in the Putaruru Town Centre Zone, with the Performance Standards in Rule 21.4 used as a guide for assessment purposes.

21.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 21.3.1 (Permitted Activities) or Rule 21.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

21.4.1 Height

Maximum Building Height - 8 metres.

21.4.2 Site Coverage

The maximum extent that buildings can cover a site is 100%.

21.4.3 Signage

a) There is no size limit on signs on, or attached to and within the physical building dimensions of, the walls or fascias of the building. Signs on verandahs shall not exceed 12m2 in area or 2m in height

b) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

e) The owner of a sign shall be responsible for ensuring that it is well maintained

f) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e) and f).

ADVISORY NOTE: This plan does not restrict sandwich board signs on footpaths, which are subject to Council's Public Places Bylaw.

g) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

21.4.4 Verandah Provision

All buildings on properties indicated in Fig. 21.1 will be required to provide a verandah along the full width of the building and set back 0.5m from the kerb line, regardless of how far the building is set back from the road frontage. Verandahs must be of a height that relates to their neighbours, to provide continuity of cover. Verandahs shall also be provided with adequate under-verandah lighting to Council's standard.

21.4.5 Noise, Vibration and Glare

a) Noise, vibration and glare from any activity in the Zone shall comply with the rules in Chapter 15

b) Residential accommodation above ground floor level – The total internal noise level in any habitable room shall not exceed 35dB LAeq(24 hours) while at the same time complying with the ventilation requirements of Clause G4 of the NZ Building Code. The total noise level shall include all intrusive noise and mechanical services.

In determining the external noise level, it shall be assumed that the noise incident upon the noise-sensitive facade is from at least three separate activities simultaneously generating the maximum allowable noise level for that zone.

Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.

21.4.6 Access and Loading

Provision of loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

21.4.7 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

21.4.8 Screening

A close-boarded fence at least 1.8m in height shall be provided along the full length of any boundary with a property within the Putaruru Residential Zone.

21.4.9 Scale of Activity and Access

a) No new direct vehicle accesses onto the state highway shall be created

b) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

c) Activities accessing a local road shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour

21.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

Fig. 21.1 - Provision of Pedestrian Shelter – Putaruru Town Centre



_____ Frontage of properties where verandah cover is required – Putaruru

22 Putaruru Business Zone

22.1 Zone Statement

This zone comprises vehicle-oriented retail and commercial activities, and light industrial development, all located around the town centre. It also applies to Putaruru Growth Cell 4 (GC4) to the south of Princes Street and three groups of properties on the edge of the town's housing area, at Pit Street, Grey Street and adjacent to the SH1 bridge over the Oraka Stream.

The Putaruru Business Zone provides for a mixture of activities which, with the exception of Putaruru Growth Cell 4, include larger format retail premises, building supply firms and garden centres, car yards, service stations, supermarkets and a range of commercial and light industrial premises. Retail activities and other traffic-intensive activities are not provided for within Putaruru Growth Cell 4, due to their potential impact on the safety and efficiency of the Princes St/SH1 intersection. Restrictions are placed on the water supplied to, and wastewater disposed from, new industries in Putaruru Growth Cell 4 due to the limitations of Putaruru's bulk services to cater for industrial growth.

The typical character is based on buildings that are set back from the street frontage and have adequate car parking provided on site. Vehicle crossings will need to be carefully located so as to minimise conflict between traffic and pedestrians given the state highway thoroughfare. A network of service lanes near the town centre assists by providing rear access for goods delivery and collection, thereby reducing on-street traffic conflicts.

The zone contains a number of important heritage buildings which make a significant contribution to the character of Putaruru.

Portions of the Putaruru Business Zone adjoin residential properties, and so controls have therefore been applied in order to maintain amenity levels for nearby dwellings. Likewise, landscaping will be required for industries adjoining State Highway 1, to enhance the attractiveness of the entrances to town. "Industrious" and "prosperous" is the intended outcome rather than "industrial".

22.2 Anticipated Environmental Results

The Putaruru Business Zone is intended to achieve the following anticipated environmental results:

- A range of commercial and light industrial activities provided for beyond the town centre
- A predominantly vehicle oriented commercial and light industrial environment, except in Putaruru Growth Cell 4, which will cater predominantly for industrial activities.
- Adequate off-street parking and loading provision to meet the demand from business premises and customers, including for tourist buses
- Formerly vacant parcels of land and vacant buildings are utilised for new commercial and commercial service enterprises, supported by flexible planning provisions
- The historic values of the heritage buildings in the zone are safeguarded
- The character and amenity of adjacent residential areas is maintained through appropriate performance standards

The Putaruru Business Zone is a method to implement the objectives and policies in Chapter 4 (Objectives and Policies for the District's Towns).

22.3 Activities

22.3.1 Permitted Activities

The following are permitted activities in the Putaruru Business Zone except within Putaruru Growth Cell 4 shown on the Planning Maps, provided they comply with the Performance Standards set out in Rule 22.4 below.

a) Retail Activities

b) Offices

c) Industrial Activities, except those listed in Appendix H – High Impact Industrial Activities

d) Service Industry

e) Modifications, alterations and additions to an existing dwelling on the same site

f) Modifications, alterations and additions to an existing Hospital or Home for the Aged on the same site.

fa) Health Care Services

g) Veterinary services

h) Modifications, alterations and additions to an existing service station on the same site

i) Recreation and sporting activities on parks and reserves

j) Commercial tourism and recreational activities

k) Commercial services

l) Caretakers' accommodation

m) Places of assembly

n) Restaurants, bars and cafes

o) Visitor accommodation

p) Education and childcare facilities

q) Carparks

qa) Emergency Service Facilities

r) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

s) Minor works on a built heritage feature listed in Appendix B

t) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled, and which does not detract from the values for which it was scheduled

u) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

22.3.1A Permitted Activities in Putaruru Growth Cell 4.

The following are permitted activities in the Putaruru Business Zone within Putaruru Growth Cell 4 shown on the Planning Maps, provided they comply with the Performance Standards set out in Rule 22.4 below:

Farming activities lawfully established on the land concerned as at 13 May 2020.

22.3.2 Controlled Activities

The following are controlled activities in this zone provided they comply with the Performance Standards set out below:

a) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

b) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

Specific matters where discretion is reserved are identified in Rule 8.3.1(i) and shall be used when considering a resource consent application for a controlled activity in the zone.

22.3.2A Controlled Activities in Putaruru Growth Cell 4.

The following are controlled activities in the Putaruru Business Zone within Putaruru Growth Cell 4 shown on the Planning Maps, provided they comply with the Performance Standards set out in Rule 22.4 below:

a) Industrial Activities, except those listed in Appendix H – High Impact Industrial Activities,

b) Ancillary Offices of, and retailing ancillary to, permitted Industrial Activities, provided that the GFA of this office and retailing space shall together:

   i) not exceed 10% of the GFA used for industrial purposes on the same site, or

   ii) not exceed 50 square metres in GFA,

   whichever is the lesser.

c) Modifications, alterations and additions to an existing dwelling on the same site.

d) Veterinary services

e) Caretakers' accommodation

f) Emergency Service Facilities

g) Farming activities not lawfully established on the land concerned as at 13 May 2020, except for the establishment of intensive farming activity excluding non-compliance with Performance Standard 22.4.13 which is a Non-Complying Activity:

22.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Putaruru Business Zone.

a) Any activity listed in Rules 22.3.1 or 22.3.2A that does not comply with the Performance Standards in Rule 22.4 below, excluding non-compliance with Performance Standard 22.4.13 which is a Non-Complying Activity:

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Putaruru Business Zone.

22.3.4 Discretionary Activities

Activities that are not permitted, restricted discretionary or non-complying will be discretionary activities in the Putaruru Business Zone.

The following are also discretionary activities in the Putaruru Business Zone:

a) Service Stations including motor vehicle repair

b) Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

c) Residential accommodation above ground floor level

d) Clearance of indigenous vegetation, land disturbance and drainage that is a discretionary activity under Rule 14.4.2.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Putaruru Business Zone, with the Performance Standards in Rule 22.4 used as a guide for assessment purposes.

22.3.5 Non-Complying Activities

The following are non-complying activities in the Putaruru Business Zone:

a) Industrial Activities listed in Appendix H – High Impact Industrial Activities

b) Modifications to, or demolition of, a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Form in Appendix B.

c) Activities within Putaruru Growth Cell 4 shown on the Planning Maps (GC4) that result in a cumulative increase in vehicle movements to and from GC4 at the Princes St/SH1 Intersection of more than 330 vehicle movements in any given peak hour, taking into account the level of traffic generated by the other land uses that have been lawfully established or granted consent to establish in the Growth Cell.

d) Intensive farming activities.

e) Non-compliance with Performance Standard 22.4.13 - Provision of New Road to Putaruru Growth Cell 4 (Business).

The objectives and policies contained within Chapters 3 (Tangata Whenua Values), 4 (Objectives and Policies for the District's Towns), and 7 (Objectives and Policies for Infrastructure) shall be used when considering a resource consent application for a non-complying activity in the Putaruru Business Zone, with the Performance Standards in Rule 22.4 used as a guide for assessment purposes.

22.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 22.3.1 (Permitted Activities) or Rule 22.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

22.4.1 Building Setbacks

a) Buildings must be setback from the front boundary at least 3 metres

b) Buildings must be setback at least 5 metres from boundaries of properties zoned Putaruru Residential.

c) Buildings within Putaruru Growth Cell 4 shown on the Planning Maps must be setback at least 5 metres from any boundary which adjoins an operational railway line.

22.4.2 Planting and Screening

Planting and screening shall be provided in the following situations:

a) A planting strip at least two metres wide, comprising trees, shrubs and grasses, shall be provided along the site boundary that adjoins a road, with the exception of areas used for vehicular access to the site

b) A close-boarded fence at least 1.8m in height shall be provided along the full length of any boundary with a property within the Putaruru Residential Zone.

22.4.3 Height

a) Maximum Building Height - 15 metres

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through (whichever is the lesser of) a plane rising at an angle of 45 degrees commencing at:

- an elevation of 3 metres measured at the boundary of any property zoned Putaruru Residential or Rural
- an elevation of 10 metres at any road boundary

22.4.4 Site Coverage

The maximum extent that buildings can cover a site is 75%.

22.4.5 Signage

a) There is no size limit on signs on or attached to, and within the physical building dimensions of, the walls or fascias of the building

b) Free-standing signs must not exceed one per road frontage, with a maximum size of 20m2 (excluding heritage building sites listed in Appendix B) in each direction (maximum two directions) and up to 10m2 of ancillary signage elsewhere on the site. For sites greater than one hectare up to two freestanding signs are permitted excluding heritage building sites listed in Appendix B.

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii). A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

da) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

e) The owner of a sign shall be responsible for ensuring that it is well maintained

f) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e) and f).

g) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

ADVISORY NOTE: This plan does not restrict sandwich board signs on footpaths, which are subject to Council's Public Places Bylaw.

22.4.6 Noise, Vibration and Glare

a) Noise, vibration and glare from any activity in the Zone shall comply with the rules in Chapter 15

b) Caretakers' accommodation and Residential accommodation above ground floor level – The total internal noise level in any habitable room shall not exceed 35dB LAeq(22 hours) while at the same time complying with the ventilation requirements of Clause G4 of the NZ Building Code. The total noise level shall include all intrusive noise and mechanical services.

In determining the external noise level, it shall be assumed that the noise incident upon the noise-sensitive facade is from at least three separate activities simultaneously generating the maximum allowable noise level for that zone.

Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.

22.4.7 Parking

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

22.4.8 Natural Hazards

a) The floor level of any habitable building shall be at least 0.5m above the 1% design flood level

b) All buildings shall be set back at least 25m from the edge of any river.

22.4.9 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

22.4.10 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the

site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

22.4.11 Scale of Activity and Access

a) No new direct vehicle accesses onto the state highway shall be created

b) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

c) Activities accessing a local road except for activities within Putaruru Growth Cell 4 shown on the Planning Maps, shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour.

d) Activities within Putaruru Growth Cell 4 shown on the Planning Maps (GC4) shall not result in a cumulative increase in vehicle movements to and from GC4 at the Princes St/SH1 Intersection of more than 200 vehicle movements in any given peak hour. Compliance with this rule shall be demonstrated by an Integrated Traffic Assessment (ITA) prepared by a suitably qualified and experienced person, taking into account the level of traffic generated by any other land use which has been lawfully established or granted consent to establish in the Growth Cell. The ITA shall include a record of the outcomes from consultation with the NZTA relating to the proposal's potential traffic and safety effects on the State Highway network and the SH1/Princes Street intersection.

ADVISORY NOTE: Activities within GC4 that result in a cumulative increase in traffic to and from GC4 at the Princes St/SH1 Intersection of more than 330 vehicle movements in any given peak hour are a non-complying activity under Rule 22.3.5c).

22.4.12 Water and Wastewater

No activity, or combination of activities on a site shall have either:

a) A requirement for water from Council's reticulated supply exceeding 10m3 per connection per day;

b) A requirement to discharge wastewater to a public sewer exceeding 10m3 per connection per day;

22.4.12A Wastewater and Water Limitations – Putaruru Growth Cell 4

Activities within Putaruru Growth Cell 4 shown on the Planning Maps, shall not result in:

a) An increase in wastewater discharged to Council's reticulated network that would cause the total amount of wastewater discharged from the Growth Cell to exceed 108 cubic metres per day. or

b) An increase in demand on Council's reticulated water supply network that would cause the water supply demand from the Growth Cell to exceed 120 cubic metres per day.

22.4.13 Provision of New Road to Putaruru Growth Cell 4 (Business).

a) Any development of the land within Putaruru Growth Cell 4 (Business) shown on the Planning Maps for a controlled, restricted discretionary, or discretionary activity shall gain access to that activity from Princes Street by way of a legal road vested in Council on the land identified as Possible Future Road and shown on the Planning Maps.

22.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

23 Putaruru Residential Zone

23.1 Zone Statement

All residential areas in Putaruru are covered by one residential zone. The residential development in the town consists mostly of single-family dwellings on sites of more than 800 square metres. Several houses clad in local stone add an unusual heritage feature and this has been recognised in the district plan. Putaruru represents the best of both worlds, a place that combines urban culture and diversity with small-town charm, affordability and community.

The connection between town and countryside is emphasised by the fact that nowhere is very far from the rural area, and many streets have rural views. The developed reserves along the Oraka Stream form a valuable interface between urban and rural on the northern edge of the town. The character and amenity of the zone comes from its trees and visual attractiveness, quietness, a safe environment, and a high quality and efficient supply of services. The plan therefore focuses on encouraging high standards of landscaping, visual amenity, urban design, and adequate noise control.

Performance standards have been developed for the Putaruru Residential Zone which address potential adverse environmental effects and aim to promote a quality urban environment that affords choice as to the styles of living while maintaining good links to reserves and the town centre.

23.2 Anticipated Environmental Results

The Putaruru Residential Zone is intended to achieve the following anticipated environmental results:

- A range of housing styles that caters for the changing lifestyle and demographic composition of the town's population
- A range of non-residential activities, including home occupations are established consistent with maintaining the character and amenity of the residential neighbourhoods
- Consolidation of new residential development in the existing vacant, zoned and serviced land continues to achieve the efficient use of existing infrastructure
- Well maintained public reserves serve the neighbourhood, town and district wide needs for active and passive recreation
- Oraka Stream walkways are developed to connect to Tīrau in the long-term and further south to Domain Road to connect with tree-lined walkways into town
- Safe pedestrian and cycleway connections link residential neighbourhoods with public reserves, schools and the town centre, and in future linking with the Waikato River Trails and to the east along the disused Rotorua rail corridor
- Lot orientation and residential development maximises solar energy/gain and opportunities for domestic-scale renewable energy generation
- Buildings are sited and designed to allow adequate sunlight access for neighbouring properties
- New dwellings are designed and built taking known flood hazards into account.

The Putaruru Residential Zone is a method to implement the objectives and policies in Chapter 3 (Tangata Whenua Values), Chapter 4 (Objectives and Policies for the District's Towns), and Chapter 7 (Infrastructure and Development).

23.3 Activities

23.3.1 Permitted Activities

The following are permitted activities in the Putaruru Residential Zone provided they comply with the Performance Standards set out in Rule 23.4 below.

a) Dwellings (maximum 2 per site)

b) Home occupations

c) Craft workshops and studios

d) Recreation and sporting activities on parks and reserves

e) Community care housing

f) Hospitals and Homes for the Aged

g) Housing for the Elderly

h) Education and childcare facilities

i) Visitor accommodation

j) Accessory buildings

k) Carparks

ka) Emergency Service Facilities

kb) Relocatable buildings

l) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

m) Minor works on a built heritage feature listed in Appendix B

n) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled, and which does not detract from the values for which it was scheduled

o) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

p) Farming activities lawfully established on the land concerned as at 13 May 2020.

23.3.2 Controlled Activities

The following are controlled activities in this zone provided they comply with the Performance Standards set out below:

a) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

b) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

Specific matters where discretion is reserved are identified in Rule 8.3.1(i) and shall be used when considering a resource consent application for a controlled activity in the zone.

23.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Putaruru Residential Zone:

a) Any activity listed in Rule 23.3.1 (Permitted Activities) or Rule 23.3.2 (Controlled Activities) that does not comply with the Performance Standards in Rule 23.4

b) Dwellings on sites with a net site area (per dwelling) of between 300m^2 and 450m^2.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Putaruru Residential Zone.

23.3.4 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Putaruru Residential Zone.

The following are also discretionary activities in the Putaruru Residential Zone:

a) More than two dwellings on a site

b) Marae development and papakāinga

c) Health and veterinary services

d) Offices

e) Places of Assembly

f) Retail activities

g) Restaurants, bars and cafes

h) Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

i) Clearance of indigenous vegetation, land disturbance and drainage that is a discretionary activity under Rule 14.4.2.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Putaruru Residential Zone, with the Performance Standards in Rule 23.4 used as a guide for assessment purposes.

23.3.5 Non-Complying Activities

The following are non-complying activities in the Putaruru Residential Zone:

a) Industrial activities

b) Service industry

c) Service stations including motor vehicle repair

d) Outdoor storage

e) Dwelling houses on sites with a net site area (per dwelling) of less than 300m^2

The objectives and policies contained within Chapters 3 (Tangata Whenua), 4 (Objectives and Policies for the District's Towns) and 7 (Infrastructure and Development) shall be used when considering a resource consent application for a non-complying activity in the Putaruru Residential Zone, with the Performance Standards in Rule 23.4 used as a guide for assessment purposes.

23.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 23.3.1 (Permitted Activities) or Rule 23.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

23.4.1 Scale of Activity and Access

a) Community care housing, Hospitals, Homes for the Aged, Housing for the Elderly, Visitors' accommodation, and Education and childcare facilities shall provide services for no more than 8 persons per site at any one time.

b) No new direct vehicle accesses onto the state highway shall be created

c) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

d) Activities accessing a local road shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour

23.4.2 Housing Density

The minimum area of land required for each dwelling shall be 450m^2 of net site area.

23.4.3 Building Height

a) Maximum Building Height - 8 metres.

Note: The maximum height for Emergency Service Facilities is 15m

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary.

23.4.4 Building Setbacks

a) Buildings must be setback from the front boundary at least 3 metres

b) Buildings must be setback from side and rear boundaries at least 1.5 metres.

Exception: Subject to the written consent of adjoining owners any building setback other than a front setback may be reduced to whatever level is acceptable to the parties.

23.4.5 Site Coverage

The maximum extent that buildings can cover a site is 40%.

Note: The maximum site coverage for Emergency Service Facilities is 50%

23.4.6 Outdoor Living Space

Each dwelling shall have an outdoor living space with a minimum of 50m² in area, that is directly accessible from the dwelling, at least 50% of the area is to the north of the building, with the minimum dimension being 2.5 metres, and with one part of the area capable of containing a rectangle of 4m by 6m.

23.4.7 Parking, Loading and Access

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 (Parking, Loading and Access).

23.4.8 Noise, Vibration and Glare

Noise, vibration and glare from any activity in the zone shall comply with the rules in Chapter 15

23.4.9 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

ADVISORY NOTE: – Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

23.4.10 Signs

a) No sign shall exceed 0.75m2 in area or exceed 3m in height. Only one sign per property is permitted

b) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.

   i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

   ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

f) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

23.4.11 Natural Hazards

a) The floor level of any habitable building shall be at least 0.5m above the 1% design flood level

b) All buildings shall be set back at least 25m from the edge of any river.

23.4.12 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

23.4.13 Permitted Activity Performance Standards for Relocatable Buildings

a) Any relocatable building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been designed, built and used as a dwelling.

b) A building pre-inspection report by an independent Licenced Building Practitioner (design) or building surveyor shall accompany the application for a building consent for the destination site prior to relocation. That report is to identify:

   i) All reinstatement works that are to be completed to the exterior of the building, and

   ii) Proposed insulation to meet Clause H1 (energy efficiency) of the New Zealand Building Code (for Zone 2) for underfloor and ceiling insulation (compliance is to be ascertained in accordance with the compliance document for the New Zealand Building Code, Clause H1 Energy Efficiency - third edition, or any equivalent solution.)

c) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.

d) All other reinstatement work and insulation required by the building inspection report and the building consent to reinstate the exterior of any relocatable dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

e) The proposed owner of the relocated building must certify to the Council that all reinstatement work will be completed within the twelve-month period of the building being delivered to the site.

23.4.14 Limitations of Putaruru Growth Cell 1 (Overdale Road).

a) No permitted activity within Putaruru Growth Cell 1 shown on the Planning Maps shall cause the cumulative number of dwelling sites within that Growth Cell to exceed 328 Household Unit Equivalents. This calculation shall include any multi-unit developments already approved by Council.

23.4.15 Limitations of Putaruru Growth Cell 2 (Ruru Street)

a) No permitted activity within Putaruru Growth Cell 2 shown on the Planning Maps shall cause the cumulative number of dwelling sites within that Growth Cell to exceed 67 Household Unit Equivalents. This calculation shall include any multi-unit developments already approved by Council.

23.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

24 Tīrau Town Centre Zone

24.1 Zone Statement

Tīrau's Town Centre Zone is intended to maintain Tīrau's main street as a high-quality boutique retail centre, catering for both destination shopping and the needs of passing travellers. Some core commercial services are also provided to meet the needs of residents. The zone intends to retain the existing attributes of Tīrau to ensure it remains a pleasant place for people to stop and wander from shop to shop.

These attributes are based on a streetscape consisting of mainly small single-storey shops (rather than nationwide corporate chains), a range of boutique retail stores presenting an attractive built form to the street, with space and scope for entertainment and street activities along the paved and grassed frontages of the main thoroughfare. The distinctive corrugated iron signage, the unusual buildings, and the quality of retail premises are important parts of the success of Tīrau as a boutique retail centre. An attractive green streetscape is intended to be fostered, based upon retaining the existing trees such as the rhododendron bank on High Street, enhancing plantings and street furniture. Activities on the side streets such as Okoroire Street and Rose Street support and complement those on Tīrau's Main Street, with activities such as craftsperson's studios and visitor accommodation.

The main street of Tīrau is also State Highway 1 and performs a key role in the transportation network of the district and wider region. To recognise this, some specific provisions dealing with car parking and vehicle access have been formulated for the zone, to ensure that a vibrant town centre can successfully co-exist with the need to ensure a safe and efficient state highway through Tīrau.

24.2 Anticipated Environmental Results

The Tīrau Town Centre Zone is intended to achieve the following anticipated environmental results:

- A 'country village' character, rather than a slice of 'big city'
- A bustling and vibrant place with no empty shops, and high pedestrian counts
- Pleasant sunlit places for people to sit and enjoy
- Residents within the zone are protected from traffic noise and noise from commercial neighbours
- Adequate parking, with staff parking sited behind shops, and customer parking primarily located out front or in well-signposted and convenient public parking areas
- Provision of pedestrian and cycle facilities, along with adequate access for people with disabilities
- Re-development of commercial properties is achieved in a manner that is sympathetic in scale and design with the existing town centre, and that enhances the amenities of the village as a place to live and visit
- Heritage buildings and historic features are retained and enhanced
- Consistent use of theme, currently corrugated iron/cabbage trees, but scope for reinvention
- On-going commercial development is enabled in a manner that avoids significant impact on the safety and efficiency of State Highway 1 as a through-route.

The Tīrau Town Centre Zone is a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns).

24.3 Activities

24.3.1 Permitted Activities

The following are permitted activities in the Tīrau Town Centre Zone provided they comply with the Performance Standards set out in Rule 24.4 below.

a) Retail activities

b) Restaurants, bars and cafes

c) Visitor accommodation

d) Residential accommodation above ground floor level

e) Offices above ground floor level

f) Places of Assembly

g) Education and childcare facilities

h) Carparks

i) Recreation and sporting activities on parks and reserves

j) Modifications, alterations and additions to an existing service station on the same site

k) Modifications, alterations and additions to an existing dwelling on the same site

l) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

m) Minor works on a built heritage feature listed in Appendix B

n) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled, and which does not detract from the values for which it was scheduled.

24.3.2 Controlled Activities

The following are controlled activities in the Tīrau Town Centre Zone provided they comply with the Performance Standards set out in Rule 24.4 below:

a) Modifications to a Built Heritage Feature identified as controlled in the relevant Heritage Inventory Record form in Appendix B.

b) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

c) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

The specific matters where control is reserved are identified in Rules 8.3.1d) and 8.3.1 i) and shall be used when considering a resource consent application for a controlled activity in the Tīrau Town Centre Zone.

24.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Tīrau Town Centre Zone:

a) Any activity listed in Rule 24.3.1 (Permitted Activities) or Rule 24.3.2 (Controlled Activities) that does not conform to the Performance Standards in Rule 24.4

b) Construction or re-construction of buildings that involves an exterior wall facing toward a street boundary.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Tīrau Town Centre Zone.

24.3.4 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Tīrau Town Centre Zone.

The following are also discretionary activities in the Zone:

a) Offices at ground floor level

aa) Health Care Services

b) Veterinary services

c) Commercial services

d) Service industry

e) Service stations including motor vehicle repair

f) Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Tīrau Town Centre Zone, with the Performance Standards in Rule 24.4 used as a guide for assessment purposes.

24.3.5 Non-Complying Activities

The following are non-complying activities in the Tīrau Town Centre Zone:

a) Industrial activities

b) Modifications to a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Record form in Appendix B

c) Outdoor Storage.

d) Modifications to, or demolition of, a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Form in Appendix B.

The objectives and policies contained within Chapters 3, 4, 6 and 7 shall be used when considering a resource consent application for a non-complying activity in the Tīrau Town Centre Zone, with the Performance Standards in Rule 24.4 used as a guide for assessment purposes.

24.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 24.3.1 (Permitted Activities) or Rule 24.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

24.4.1 Scale of Retailing

Each retail shop, restaurant, bar, cafe or place of assembly shall not exceed a gross floor area of 150 square metres.

24.4.2 Height

Maximum Building Height - 8 metres.

24.4.3 Site Coverage

The maximum extent that buildings can cover a site is 75%.

24.4.4 Signage

a) No sign shall exceed 3m^2 in area. There is no limit on the number of signs per site

b) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.

   i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

   ii). A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

f) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

ADVISORY NOTE: This plan does not restrict sandwich board signs on footpaths, which are subject to Council's Public Places Bylaw.

24.4.5 Verandah Provision

All buildings that had a verandah over any part of the legal road on 7 November 2012 shall continue to provide at least equivalent pedestrian shelter. Any redevelopment of the site, including new buildings, shall provide verandahs at least as extensive as existed on that date.

24.4.6 Noise, Vibration and Glare

a) Noise, vibration and glare from any activity in the Zone shall comply with the rules in Chapter 15

b) Visitors' accommodation or Residential accommodation at first floor level – The total internal noise level in any habitable room shall not exceed 35dB LAeq(24 hours) while at the same time complying with the ventilation requirements of Clause G4 of the NZ Building Code. The total noise level shall include all intrusive noise and mechanical services.

   In determining the external noise level, an assumption that the noise incident upon the noise-sensitive facade is from at least three separate activities simultaneously generating the maximum allowable noise level for that zone.

Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.

24.4.7 Parking

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

24.4.8 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

24.4.9 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

24.4.10 Screening

A close-boarded fence at least 1.8m in height shall be provided along the full length of any boundary with a property within the Tīrau Residential Zone.

24.4.11 Scale of Activity and Access

a) No new direct vehicle accesses onto the state highway shall be created

b) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

c) Activities accessing a local road shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour

24.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

25 Tīrau Residential Zone

25.1 Zone Statement

The Tīrau Residential Zone covers the majority of the township of Tīrau, with the remainder being zoned Tīrau Town Centre or Industrial. The zone intends to encourage some limited intensification and re-development of existing residential properties, but in a manner that retains the 'country village' atmosphere and the generally low-density housing style of development. Such redevelopment is appropriate, provided that a high quality of design is used, and new housing is generally consistent with existing density levels within Tīrau.

The zone will ensure pleasant and green places are maintained for people to walk around, with good walkway connections. Property sizes will remain generous to enable green space within residential properties. Community events and activities are provided for, as well as a mix of land uses such as craftsperson's studios and visitor accommodation. This is so that side streets like Okoroire St and Rose Street can support and complement the vibrancy and busyness of the main street. Activities to meet the community's needs are also provided for, such as community care housing and education facilities.

25.2 Anticipated Environmental Results

The Tīrau Residential Zone is intended to achieve the following anticipated environmental results:

- Retain the 'country village' character and amenity of Tīrau
- A green, well-treed appearance and open streetscape, with planting on streets and in public places, and with ample room for planting on private properties and front yards
- New housing is well-designed and sympathetic in scale and design with the village's character
- The exteriors of any relocated houses are brought up to an acceptable standard within twelve months of relocation
- Neighbourhood streets cater for pedestrians and local traffic rather than encouraging through-traffic
- A high level of aural and visual privacy consistent with small-town living, with a quiet neighbourhood at night

The Tīrau Residential Zone is a method to implement the objectives and policies contained in Chapter 4 (Objectives and Policies for the District's Towns).

25.3 Activities

25.3.1 Permitted Activities

The following are permitted activities in the Tīrau Residential Zone provided they comply with the Performance Standards set out in Rule 25.4 below.

a) Dwellings (maximum 2 per property)

b) Home occupations

c) Craft workshops and studios

d) Recreation and sporting activities on parks and reserves

e) Community care housing

f) Hospitals and Homes for the Aged

g) Housing for the Elderly

h) Education and childcare facilities

i) Visitors' accommodation

j) Accessory buildings

k) Indoor sporting and recreation facilities provided for in a reserve management plan

l) Carparks

la) Emergency Service Facilities

lb) Relocatable buildings

m) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

25.3.2 Restricted Discretionary Activities

The following are restricted discretionary activities in the Tīrau Residential Zone:

i) Any activity listed in Rule 25.3.1 that does not conform to the Performance Standards in Rule 25.4

ii) Dwellings on sites with a net site area (per dwelling) of between 300m2 and 450m2.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Tīrau Residential Zone.

25.3.3 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Tīrau Residential Zone.

The following are also discretionary activities in the Zone:

a) More than two dwellings on a site

b) Marae development and papakāinga

c) Health and veterinary services

d) Offices

e) Places of Assembly

f) Retail activities

g) Restaurants, bars and cafes

h) Clearance of indigenous vegetation, land disturbance and drainage that is a discretionary activity under Rule 14.4.2.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity, with the Performance Standards in Rule 25.4 used as a guide for assessment purposes.

25.3.4 Non-Complying Activities

The following are non-complying activities in the Tīrau Residential Zone:

a) Industrial activities

b) Service industry

c) Service stations including motor vehicle repair

d) Outdoor storage

e) Dwelling houses on sites with a net site area (per dwelling) of less than 300m2

The objectives and policies contained within Chapters 3, 4, 6 and 7 shall be used when considering a resource consent application for a non-complying activity in the Tīrau Residential Zone, with the Performance Standards in Rule 25.4 used as a guide for assessment purposes.

25.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 25.3.1 (Permitted Activities) or Rule 25.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

25.4.1 Scale of Activity and Access

a) Community care housing, Hospitals, Homes for the Aged, Visitors' accommodation, and Education and childcare facilities shall provide services for no more than 8 persons per site at any one time.

b) No new direct vehicle accesses onto the state highway shall be created

c) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any given peak hour

d) Activities accessing a local road shall not result in an increase in traffic that exceeds 200 vehicle movements in any given peak hour

25.4.2 Housing Density

Minimum area of land required for each dwelling shall be 450m2 of net site area.

25.4.3 Building Height

a) Maximum Building Height - 8 metres

Note: The maximum height for Emergency Service Facilities is 15m

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary.

25.4.4 Building Setback

a) Buildings must be setback from the front boundary at least 3 metres

b) Buildings must be setback from side and rear boundaries at least 1.5 metres.

Exception: Subject to the written consent of adjoining owners any building setback other than a front setback may be reduced to whatever level is acceptable to the parties.

25.4.5 Site Coverage

The maximum extent that buildings can cover a site is 40%.

Note: The maximum site coverage for Emergency Service Facilities is 50%

25.4.6 Outdoor Living Space

Each dwelling shall have an outdoor living space with a minimum of 50m² in area, that is directly accessible from the dwelling, at least 50% of the area is to the north of the building, with the minimum dimension being 2.5 metres, and with one part of the area capable of containing a rectangle of 4 metres by 6 metres.

25.4.7 Parking, Loading and Access

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

25.4.8 Noise, Vibration and Glare

Noise, vibration and glare from any activity in the zone shall comply with the rules in Chapter 15

25.4.9 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and that any stockpiles of loose material are contained or maintained in such a manner to prevent dispersal of material into the air.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

25.4.10 Signs

a) No sign shall exceed 0.75m2 in area or exceed 3m in height. Only one sign per property is permitted.

b) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.

   i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

   ii). A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

25.4.11 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

25.4.12 Permitted Activity performance standards for relocatable buildings

a) Any relocatable building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been designed, built and used as a dwelling.

b) A building pre-inspection report by an independent Licenced Building Practitioner (design) or building surveyor shall accompany the application for a building consent for the destination site prior to relocation. That report is to identify:

   i) All reinstatement works that are to be completed to the exterior of the building, and

   ii) Proposed insulation to meet Clause H1 (energy efficiency) of the New Zealand Building Code (for Zone 2) for underfloor and ceiling insulation (compliance is to be ascertained in accordance with the compliance document for the New Zealand Building Code, Clause H1 Energy Efficiency - third edition, or any equivalent solution.)

c) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.

d) All other reinstatement work and insulation required by the building inspection report and the building consent to reinstate the exterior of any relocatable dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

e) The proposed owner of the relocated building must certify to the Council that all reinstatement work will be completed within the twelve-month period of the building being delivered to the site.

25.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

26 Arapuni Village Zone

26.1 Zone Statement

The Arapuni Village Zone is intended to retain and protect the distinctive characteristics of Arapuni, whilst promoting some limited additional development of an appropriate form. The zone provisions have been formulated to give effect to the outcomes sought by the community in the Arapuni Concept Plan (2007). The concept plan sets out a vision for Arapuni based on the principles of maintaining the quality of the environment, promoting Arapuni as a 'slow town', providing facilities for visitors, maintaining the historic values of the settlement, encouraging local 'cottage industries', and retaining the 'village atmosphere' of Arapuni.

Arapuni is a small rural village of around 260 residents located 16 kilometres to the west of Putaruru. Arapuni is the western gateway to the district and lies on the Waitomo to Rotorua tourist route. Significant characteristics of Arapuni are the history of the settlement as a government 'hydro town' to house workers during the construction of the Arapuni dam dating from the 1920s. The particular character of houses within Arapuni dating from that period, the proximity to the Arapuni dam and power station, and the proximity to the Waikato River and Maungatautari (the latter recognised in the Waikato Regional Policy Statement (decisions version) as being an outstanding natural landscape) all contribute to the distinctive character of Arapuni. Restoring and protecting the health and wellbeing of the catchment within which Arapuni is located is also essential to achieve the Vision and Strategy for the Waikato River.

The built form of Arapuni is characterised by predominantly residential land use, relatively small dwellings on large allotments, buildings located close to boundaries and street fronts, large grassed street berms (rather than concrete kerb and channel) and a slow traffic speed environment. These characteristics collectively create a distinctive 'village atmosphere' that this zone seeks to retain.

The zone provisions provide for limited growth within the existing settlement, and with a focus on providing some employment opportunities for residents primarily based on meeting the needs of residents and tourism-related activities, such as a cafe, some retail activity, and home-based 'cottage industries'. The opportunities for Arapuni as an evolving tourist destination relate strongly to the proximity to the Waikato River Trails, and fishing and boating activities. Provisions have been formulated to prevent intensification in a manner that would detrimentally impact on the particular characteristics of Arapuni.

Whilst growth opportunities are limited within Arapuni itself, the Rural Residential Zone does provide opportunities for rural-residential development to the south of Arapuni, and along parts of Horahora Road. There is the potential for extra residents in these areas to contribute to the viability of commercial and social services in Arapuni.

26.2 Anticipated Environmental Results

The Arapuni Village Zone is intended to achieve the following anticipated environmental results:

- Limited residential intensification allowed, and new land uses are compatible with the existing scale and land use within Arapuni
- Future residential development will be contained with the existing boundary of Arapuni
- New businesses establish within Arapuni mainly in the form of tourist-related activities and 'cottage industries' in the form of home occupations
- Retain the distinctive characteristics of the built form of Arapuni
- Any new subdivision, land use or development is consistent with achieving the Vision and Strategy for the Waikato River

The Arapuni Village Zone is a method to implement the objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns).

26.3 Activities

26.3.1 Permitted Activities

The following are permitted activities in the Arapuni Village Zone provided they comply with the Performance Standards set out in Rule 26.4 below.

a) One dwelling per site

b) Accessory buildings

c) Home occupations

d) Recreation and sporting activities on parks and reserves

e) Indoor sporting and recreation facilities (provided for in a Reserve Management Plan)

f) Places of assembly

g) Community care housing

h) Education and childcare facilities

i) Craft workshops and studios

j) Carparks

k) Visitor accommodation

l) Retail activities and commercial services on sites with frontage to Arapuni Road

m) Unlicensed cafes and restaurants on sites with frontage to Arapuni Road

ma) Emergency Service Facilities

mb Relocatable buildings

n) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

26.3.2 Controlled Activities

The following are controlled activities in the Arapuni Village Zone provided they comply with the Performance Standards set out in Rule 26.4 below:

a) Licensed restaurants and bars on sites with frontage to Arapuni Road

The specific matters where control is reserved are identified in Rules 8.3.1a) and f) and shall be used when considering a resource consent application for a controlled activity in the Arapuni Village Zone.

26.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Arapuni Village Zone:

i) Any activity listed in Rule 26.3.1 or 26.3.2 that does not conform to the Performance Standards in Rule 26.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Arapuni Village Zone.

26.3.4 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Arapuni Village Zone.

The following are also discretionary activities in the zone:

a) More than one dwelling per site

aa) Health Care Services

b) Veterinary services

c) Marae development and papakāinga

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Arapuni Village Zone, with the Performance Standards in Rule 26.4 used as a guide for assessment purposes.

26.3.5 Non-Complying Activities

The following are non-complying activities in the Arapuni Village Zone:

a) Industrial activities

b) Service industry

c) Outdoor storage

d) Offices

e) Service stations including motor vehicle repair

f) Within the National Grid Yard:

i) Any building or addition to a building for a sensitive activity

ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity

iii) Any building, structure or earthworks not permitted by Rule 26.4.1 d) or e).

g) Clearance of indigenous vegetation, land disturbance and drainage that is a non-complying activity under Rule 14.4.4.

The objectives and policies contained within Chapter 4 (Objectives and Policies for the District's Towns) shall be used when considering a resource consent application for a non-complying activity in the zone, with the Performance Standards in Rule 26.4 used as a guide for assessment purposes.

26.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 26.3.1 (Permitted Activities) or Rule 26.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

26.4.1 Building Setbacks, and Earthworks

a) Buildings must be setback from the front boundary at least 3 metres

b) Buildings must be setback from side and rear boundaries at least 1.5 metres.

Exception: Subject to the written consent of adjoining owners any building setback other than a front setback may be reduced to whatever level is acceptable to the parties.

c) Within any part of a National Grid Yard:

i) Under the National Grid Conductors (wires)

a) On existing urban sites, the following buildings and structures are permitted within the National Grid Yards:

- An accessory building for a sensitive activity, or
- A building that does not involve an increase in the building height or footprint where alterations and additions to an existing building for a sensitive activity, or
- a building not associated with a sensitive activity (unless it is an accessory building)

b) On all sites within any part of the National Grid Yard any buildings and structures must:

- be permitted by a) above, or
- be a fence, or
- be Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid, or
- be an official sign, and

c) All buildings or structures permitted by a) and b) above must comply with at least one of the following conditions:

- A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines or
- Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions.

ii) Activities around National Grid support structures

a) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

- Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid or
- Fence more than 5m from the nearest support structure.

iii) Any earthworks within a National Grid Yard shall:

a) Around Poles

i) Be no deeper than 300mm within 2.2 metres of a National Grid pole support structure or stay wire; and

ii) Be no deeper than 750mm between 2.2 to 5 metres from a National Grid pole support structure or stay wire.

Except that vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from (i) and (ii) above

b) Around Towers

iii) Be no deeper than 300mm within 6 metres of the outer visible edge of a National Grid tower support structure; and

iv) Be no deeper than 3 metres between 6 to 12 metres from the outer visible edge of a National Grid tower support structure.

c) Anywhere within the National Grid Yard

v) Shall not create an unstable batter that will affect a National Grid support structure; and/or

vi) Shall not result in a reduction in the ground to conductor clearance distances as required by table four of NZECP34:2001.

Provided that

- Earthworks undertaken by a Network Utility operator; or

- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or driveway.

are exempt from (i) to (iv) above

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with NZCEP34:2001 is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

26.4.2 Building Height

a) Maximum Building Height - 8 metres

Note: The maximum height for Emergency Service Facilities is 15m

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary.

26.4.3 Site Coverage

The maximum extent that buildings can cover a site is 30%.

Note: The maximum site coverage for Emergency Service Facilities is 50%

26.4.4 Outdoor Living Space

Each dwelling shall have an outdoor living space with a minimum of 50m² in area, that is directly accessible from the dwelling, at least 50% of the area is to the north of the building, with the minimum dimension being 2.5 metres, and with one part of the area capable of containing a rectangle of 4 metres by 6 metres.

26.4.5 Scale of Activity

a) Community care housing, Visitors' accommodation and Education and childcare facilities shall provide services for no more than 8 persons at any one time (excluding staff) per site

b) Places of assembly shall have a gross floor area not exceeding 100m².

26.4.6 Signage

a) One free-standing double-sided sign or sign that is attached to a building per property is permitted. No sign shall exceed 0.75m² in area, with no dimension being greater than 1 metre, and be no more than 2 metres in height above the adjacent ground level.

b) The sign must advertise the name of a business located on the property, or otherwise relate to an activity located on the same property

c) Illumination of signs is permitted provided that the illumination is static, with no flashing or other movement

d) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists, or reduce or obstruct the visibility of official signs or traffic signals

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

ADVISORY NOTE: This plan does not restrict sandwich board signs on footpaths, which are subject to Council's Public Places Bylaw.

26.4.7 Noise, Vibration and Glare

Noise, vibration and glare from any activity in the zone shall comply with the provisions of Chapter 15.

26.4.8 Parking, Loading and Access

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

26.4.9 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

ADVISORY NOTE: Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

26.4.10 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

26.4.11 Natural Hazards

a) The floor level of any habitable building shall be at least 0.5m above the 1% design flood level.

b) All buildings shall be set back at least 25m from the edge of any river.

26.4.12 Permitted Activity performance standards for relocatable buildings

a) Any relocatable building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been designed, built and used as a dwelling.

b) A building pre-inspection report by an independent Licenced Building Practitioner (design) or building surveyor shall accompany the application for a building consent for the destination site prior to relocation. That report is to identify:

   i) All reinstatement works that are to be completed to the exterior of the building, and

   ii) Proposed insulation to meet Clause H1 (energy efficiency) of the New Zealand Building Code (for Zone 2) for underfloor and ceiling insulation (compliance is to be ascertained in accordance with the compliance document for the New Zealand Building Code, Clause H1 Energy Efficiency - third edition, or any equivalent solution.)

c) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.

d) All other reinstatement work and insulation required by the building inspection report and the building consent to reinstate the exterior of any relocatable dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

e) The proposed owner of the relocated building must certify to the Council that all reinstatement work will be completed within the twelve-month period of the building being delivered to the site.

26.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

27 Industrial Zone

27.1 Zone Statement

The zone comprises the District's largest industrial complex at Kinleith, the two major dairy factories at Lichfield and Tīrau, and the significant industrial estates at Tokoroa, Putaruru and Tīrau. All these sites share many of the same characteristics. There are advantages in managing them under a single zone, but some variation in performance standards is necessary to meet the requirements of particular industries and the locality concerned. They are all major employment nodes that generate significant amounts of economic activity in the District and considered together represent substantial financial investment. All of the sites are strategic assets in the context of the District given their role in the regional and national economy. The type and scale of industrial use is different from the more commercially oriented operations provided for in the Business Zone.

The industrial base of the District is founded both on processing local resources such as primary produce and the high-quality water, and on its central location for distribution industries that rely on existing and potential rail sidings and the state highway network.

The plan's performance standards for the size and location of buildings, and the management of noise and hazardous substances are not restrictive. This recognises that the industrial estates cover sufficiently large areas for the potential environmental effects to be largely contained within the boundaries of the Zone itself.

Due to reverse sensitivity concerns, restrictions have been placed on subdivision for rural or rural-residential purposes within a specified distance of the Industrial zone boundary.

In Tīrau where the Industrial zone adjoins residential properties, a priority is placed on controls aiming to maintain amenity levels for nearby dwellings. District plan provisions recognise the existing 24-hour operating environment of the factories, the scale of existing buildings, glare from lighting, the existing noise, and the volume and frequency of truck movements to and from the processing facilities.

Suitable provision is made for activities associated with the by-products of processing industries. In this regard it is important that off-site infrastructure, including waste stream processes are recognised as suitable activities in the nearby Rural zone.

27.2 Anticipated Environmental Results

The Industrial Zone rules are intended to achieve the following anticipated environmental results:

- A flexible regime of provisions to enable a range of industrial activities to locate in selected areas
- Industrial operations are safeguarded from incompatible development
- Formerly vacant parcels of land and vacant buildings are utilised for new industrial enterprises
- The character and amenity of the residential areas adjacent to the Industrial Zone is maintained through appropriate zone controls relating to building setbacks, landscaping and screening

The Industrial Zone provisions are a method to implement the objectives and policies contained within Chapter 7 (Objectives and Policies for the District's Infrastructure and Development).

27.3 Activities

27.3.1 Permitted Activities

The following are permitted activities in the Zone provided they comply with the Performance Standards set out in Rule 27.4 below.

a) Industrial activities

b) Fixed irrigation systems and the spraying or spreading of liquid by-products or wastes as a fertiliser or for irrigation purposes from these systems or from truck-based units

c) Showrooms and ancillary retailing to an industrial activity

d) Places of assembly

e) Education and childcare facilities

ea) Health Care Services

f) Veterinary services

g) Offices

h) Outdoor storage

i) Carparks

j) Service Stations including motor vehicle repair, on sites not fronting a State Highway

k) Caretakers' accommodation

l) Buildings and activities ancillary to any permitted activity, including waste disposal

m) Cafes and Restaurants

ma) Emergency Service Facilities

n) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

o) Use or storage of a hazardous substance

27.3.2 Restricted Discretionary Activities

The following are restricted discretionary activities in the Zone:

a) Any activity listed in Rule 27.3.1 that does not conform to the Performance Standards in Rule 27.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity.

27.3.3 Discretionary Activities

Activities that are not permitted, restricted discretionary or non-complying will be discretionary activities in the Zone.

The following are also discretionary activities in the Zone:

a) Service Stations including motor vehicle repair, on sites fronting a State Highway

b) Commercial tourism and recreational activities

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Zone, with the Performance Standards in Rule 27.4 used as a guide for assessment purposes.

27.3.4 Non-Complying Activities

The following are non-complying activities in the Zone:

a) Retailing not provided for as a permitted activity

b) Dwellings not provided for as a permitted activity.

c) Within the National Grid Yard:

i) Any building or addition to a building for a sensitive activity

ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity

iii) Any building, structure or earthworks not permitted by Rule 27.4.1 d) or da).

d) Clearance of indigenous vegetation, land disturbance and drainage that is a non-complying activity under Rule 14.4.4.

The objectives and policies contained within Chapters 3, 4, 6 and 7 shall be used when considering a resource consent application for a non-complying activity in the Zone, with the Performance Standards in Rule 27.4 used as a guide for assessment purposes.

27.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 27.3.1 (Permitted Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

27.4.1 Building Setbacks and Earthworks

a) Buildings must be setback from the front boundary at least 6 metres

b) Buildings must be setback at least 5 metres from boundaries of properties within a residential zone

c) All buildings and structures (excluding fences less than 2m in height and network utilities) must be setback from the centre line of an existing gas pipeline at least 32 metres

d) Within any part of a National Grid Yard:

i) Under the National Grid Conductors (wires)

a) On existing urban sites, the following buildings and structures are permitted within the National Grid Yards:

- An accessory building for a sensitive activity, or
- A building that does not involve an increase in the building height or footprint where alterations and additions to an existing building for a sensitive activity, or
- a building not associated with a sensitive activity (unless it is an accessory building)

b) On all sites within any part of the National Grid Yard any buildings and structures must:

- be permitted by a) above, or
- be a fence, or
- be Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid, or
- be an official sign, and

c) All buildings or structures permitted by a) and b) above must comply with at least one of the following conditions:

- A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines or
- Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions.

ii) Activities around National Grid support structures

a) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

- Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid or
- Fence more than 5m from the nearest support structure.

iii) Any earthworks within a National Grid Yard shall:

a) Around Poles

i) Be no deeper than 300mm within 2.2 metres of a National Grid pole support structure or stay wire; and

ii) Be no deeper than 750mm between 2.2 to 5 metres from a National Grid pole support structure or stay wire.

Except that vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from (i) and (ii) above

b) Around Towers

iii) Be no deeper than 300mm within 6 metres of the outer visible edge of a National Grid tower support structure; and

iv) Be no deeper than 3 metres between 6 to 12 metres from the outer visible edge of a National Grid tower support structure.

c) Anywhere within the National Grid Yard

v) Shall not create an unstable batter that will affect a National Grid support structure; and/or

vi) Shall not result in a reduction in the ground to conductor clearance distances as required by table four of NZECP34:2001.

Provided that

Earthworks undertaken by a Network Utility operator; or

- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or driveway are exempt from (i) to (iv) above

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with NZCEP34:2001 is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

e) No earthworks, including drain cleaning shall be undertaken within the gas transmission pipeline corridor identified on the planning maps, unless prior written approval is obtained from the pipeline operator.

27.4.2 Planting and Screening

Planting and screening shall be provided in the following situations:

a) A planting strip at least two metres wide, comprising trees, shrubs and grasses, shall be provided along the site boundary that adjoins a road, with the exception of areas used for vehicular access to the site

b) A close-boarded fence at least 1.8m in height shall be provided along the full length of any boundary with a property within a Residential Zone.

27.4.3 Parking

Provision of on-site car parking (except for the Industrial Zoning at Tokoroa and Kinleith), loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

27.4.4 Height

a) Maximum Building Height – Kinleith site 100 metres, Lichfield and Tīrau Fonterra sites 55 metres, other sites 40 metres

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through (whichever is the lesser of) a plane rising at an angle of 45 degrees commencing at:

i) an elevation of 3 metres measured at the boundary of any Residential zone

ii) an elevation of 3 metres measured at the boundary between the Industrial zone and the railway corridor (D401) within Tokoroa

iii) an elevation of 10 metres at any road boundary

iv) an elevation of 20 metres measured at the boundary of any Rural Zone

27.4.5 Site Coverage

The maximum extent that buildings can cover a site is 75%.

27.4.6 Signage

a) There is no size limit on signs on or attached to, and within the physical building dimensions of, the walls or fascias of the building. Free-standing signs must not exceed one per road frontage, with a maximum size of 12m2 in each direction (maximum two directions). There is no limit on the size or number of signs erected for directional, health and safety or other operational purposes.

b) The sign must advertise the name of a business located on the property or otherwise relate to the activity located on the property

c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii). A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

da) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

f) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e), f) and g).

27.4.7 Noise, Vibration and Glare

a) Noise, vibration and glare from any activity in the Zone shall comply with the rules in Chapter 15

b) Caretakers' accommodation – The total internal noise level in any habitable room shall not exceed 35dB $L_{Aeq(24\ hours)}$ while at the same time complying with the ventilation requirements of Clause G4 of the NZ Building Code. The total noise level shall include all intrusive noise and mechanical services.

In determining the external noise level, it shall be assumed that the noise incident upon the noise-sensitive facade is from at least three separate activities simultaneously generating the maximum allowable noise level for that zone.

Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.

27.4.8 Natural Hazards

a) The floor level of any Caretakers' accommodation shall be at least 0.5m above the 1% design flood level

b) All buildings shall be set back at least 25 metres from the edge of any river, except for necessary utility structures such as pump sheds and water intake structures.

27.4.9 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

NB – Council's Code of Practice for Subdivision and Development also contains standards for building projects that involve earthworks.

27.4.10 Scale of Retail Activity

The gross floor area for retailing areas ancillary to an industry shall not exceed 150m2 or 10% of the gross floor area of the industrial activity, whichever is the lesser.

27.4.11 Storage and Use of Hazardous Substances

The storage or use of hazardous substances in the Industrial Zone is a permitted activity (and Appendix G Hazardous Substance does not apply.

27.4.12 Scale of Activity and Access

a) No new direct vehicle accesses onto the state highway shall be created

27.4.13 Water and Wastewater

No activity, or combination of activities on a site shall have either:

a) A requirement for water from Council's reticulated supply exceeding $10m^3$ per connection per day (this does not include water required to be taken or used for emergency or training purposes in accordance with section 48 of the Fire and Emergency New Zealand Act 2017).

b) A requirement to discharge wastewater to a public sewer exceeding $10m^3$ per connection per day.

27.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.

28 Rural Zone

28.1 Zone Statement

Most of the land outside the settlements is in the rural area and within the Rural Zone that covers this part of the district. Pastoral farming and production forestry are the main land use activities within the Rural Zone. The economy is dependent on primary production, and the associated secondary processing facilities, in the rural area for the long-term growth and development of the district.

The Rural Zone is a working environment that supports a diverse range of production activities and associated processing facilities. It is also the location of network utilities and infrastructure that are important to the District's economy and functioning. The key elements that influence rural character and amenity are:

- A working rural production environment with the orderly arrangement of paddocks, shelter belts, livestock, farm access tracks and production facilities, tree plantations and fire breaks
- An open space environment (in the case of pastoral farming enterprises) with buildings comprising only a minor element in the landscape
- A dispersed pattern of houses
- Noise, odours, sprays and effluent disposal systems associated with a range of production activities
- The absence of urban level infrastructure services
- Wetlands, native vegetation or forest areas, riparian margins and other natural areas.

Agricultural activities within the Rural Zone have changed dramatically over the last decade. Large expanses of land have been converted to more intensive practices including dairy farming, and existing dairy farms have intensified their operations. Consequently, the environment and landscape have undergone extensive change, with resulting impacts on biodiversity and water quality. Restoring and protecting the health and wellbeing of the waterways in the Waikato River catchment is essential to achieve the Vision and Strategy for the Waikato River.

Conversion of commercial forestry land for farming is generally accepted as contributing diffuse pollution to waterways in the district. Dealing with the impacts of diffuse discharges on waterways is a pressing national, regional and local issue. For this reason, specific environmental consent requirements and performance standards are now included in the district plan to improve the sustainable qualities of the soil resource and the biodiversity of riparian areas and the receiving water environments.

While the protection of the environmental quality of the rural land resource is important, so is the ability of landowners to adjust to changing land use practices and economic trends such as conversion of parts of the forest estate to dairying. Change should be enabled so long as the sustainable management of natural resources is maintained. Existing farming and production forestry activities are therefore permitted with a minimum of regulatory control. Conversions from forest to farmland will be a controlled activity so that they can be made subject to site-specific best practice standards of environmental performance.

A diverse range of other rural-based activities operate in the Rural Zone such as mineral exploration, mining and quarrying and intensive farming enterprises. These operations have the potential to create and be impacted on by reverse sensitivity issues associated with noise, dust or odour. They may also have a significant impact on the safe and efficient operation of the transport network, unless appropriate management is in place. The provisions seek to both limit the degree of effects themselves, and also to create buffers between these activities any new dwellings in rural areas.

There is a growing opportunity for tourist related outdoor recreational activities and culturally-based tourism operations to establish in rural areas. These opportunities are based on the district's rich history and culture, and scenic and environmental qualities, including the Waikato River Trails (walkways and cycleways). These activities can be managed to remain generally small-scale and have relatively low impacts on the environment.

Minimum subdivision controls and restrictions on the number of dwellings per property are necessary to maintain opportunities for production activities to establish, expand and diversify without small lot residential development hampering such prospects. More intensive subdivision of large tracts of rural land has the potential to create

adverse effects. Chapter 10 provides the controls on subdivision relating to the Rural Zone to manage the nature and scale of intensification.

The National Policy Statement on Electricity Transmission and the Resource Management National Environmental Standards for Electricity Transmission Regulations 2009 recognise that the nationwide distribution of electricity is a matter of national significance under the Act. The provisions set a framework for the effective operation, maintenance, upgrading and development of the National Grid network and manage activity within existing transmission corridors to safeguard the security of the electricity transmission network and maintain public safety.

Conservation land administered by the Department of Conservation is also located primarily within the Rural Zone. Provisions within Chapter 14 relating to landscape and natural values are used to manage the significant values that exist, both within the conservation estate, and within private land.

28.2 Anticipated Environmental Results

The Rural Zone is intended to achieve the following anticipated environmental results:

- Production activities continue to promote the sustainable management of the land resource and enhance the social, economic and cultural wellbeing of the rural community
- Rural activities are managed to restore and protect the health and wellbeing of the waterways in the Waikato River catchment to help achieve the Vision and Strategy for the Waikato River
- The scale and form of development utilises and protects the rural land resource and maintains the range of potential production purposes
- Rural activities minimise their potential to create reverse sensitivity issues associated with noise, dust and traffic affecting development in close proximity to them
- Land use and development of new activities is based on a legitimate need for a rural location
- The lawful operation of existing rural-based activities, of network utilities and infrastructure, of large-scale industrial facilities within the adjoining Industrial Zone, and of hydro electricity generation activities within the Electricity Generation Zone, are not constrained by the introduction of new rural or rural-residential land uses in the locality
- Low impact and small scale commercial outdoor recreational activities operate in a complementary way with established rural-based activities
- Buildings and places of recognised heritage values in the zone are protected
- New dwellings are located and designed so that floodwaters from floods smaller than a 100 year event do not enter them, that no new dwellings are built in areas known to be subject to deep and/or fast-flowing floodwaters, and no dwellings are damaged or destroyed by land instability or subsidence (except those that are subject to Section 72 of the Building Act 2004)
- Buildings and structures are set back from waterways a sufficient distance to avoid natural hazards and modification of waterways and riparian margins and to protect natural character
- Rural activities implement best management practices to avoid, remedy or mitigate adverse environmental effects.

The Rural Zone is a method to implement the objectives and policies contained within Chapter 5 Objectives and Policies for the District's Rural Areas. Chapter 6 Objectives and Policies for Managing the District's Natural and Landscape Values is also relevant to sites within a landscape identified on the planning maps or which include or adjoin a significant natural area.

28.3 Activities

28.3.1 Permitted Activities

The following are permitted activities in the Rural Zone provided they comply with the Performance Standards set out in Rule 28.4 below.

a) Farming except for the establishment of intensive farming activity

b) Forestry

c) Dwellings

d) Accessory buildings

e) Recreation and sporting activities on parks and reserves, and associated structures

f) Home occupations

g) Visitor accommodation, Motor Caravan and Camping Sites

h) Depositing up to 5,000m³ of fill material (sourced from another site) on a site in any one year, except within any area identified in Appendix E – Schedule of Significant Natural Areas or within an Outstanding or Significant Amenity Landscape

i) Veterinary services

j) Animal boarding facilities

k) Agricultural contractors' depots

l) Education and Child Care Facilities

m) Residential Care Homes and Homes for the Aged

n) Golf courses and associated clubhouses

o) Places of assembly limited to existing country halls (including the upgrading or replacement)

p) Commercial tourism and recreational activities

q) Pedestrian tracks and cycleways and associated facilities such as seating, tables and toilets

r) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

s) Minor works on a built heritage feature listed in Appendix B

t) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled, and which does not detract from the values for which it was scheduled

u) Cemeteries, urupā and crematoria

v) Saleyards

w) Earthworks ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities

x) Treatment and disposal of wastes from the pulp and paper mill and wood processing activities on the Kinleith industrial site, in accordance with any Regional Council requirements.

ya) The storage, treatment, piping and spreading of agricultural effluent including dairy factory liquid by-products and wastes as a fertiliser and/or for irrigation purposes

ADVISORY NOTE: Consent may be required under the Waikato Regional Plan.

yb) Activities to maintain and enhance indigenous biodiversity (e.g. pest control)

yc) Any activities carried out in accordance with a Conservation Management Strategy, or management plan under the Reserves Act 1977 or the Conservation Act 1987

yd) Recreational hunting

ye) Subject to Rules 14.3 and 14.4, mineral exploration, mining and quarrying, if the amount of material extracted from each site does not exceed 1000 cubic metres per year except within any area identified in Appendix C or E

yf) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

yg) Emergency Service Facilities

yh) Relocatable buildings

yi) Aircraft landing areas, aerodromes and associated facilities.

28.3.2 Controlled Activities

The following are controlled activities in the Rural Zone provided they comply with the Performance Standards set out in Rule 28.4 below:

a) Marae development and papakāinga

b) Modifications to a Built Heritage Feature identified as controlled in the relevant Heritage Inventory Record form in Appendix B

c) Conversion of commercial forestry land for farming

ADVICE NOTE: the conversion process excludes the harvesting (felling and extraction) of timber from the site as provided for in the definition of Forestry

d) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

e) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

f) Clearance of indigenous vegetation, land disturbance and drainage that is a controlled activity under Rule 14.4.2.

The specific matters where control is reserved are identified in Rules 8.3.1b) with regard to marae development and papakāinga, Rule 8.3.1c) with regard to Modifications to a Built Heritage Feature, Rule 8.3.1g) with regard to Conversion of commercial forestry land for farming, Rule 8.3.1h) with regard to removal of vegetation in a Significant Natural Area, and Rule 8.3.1 i) with regard to alterations to built heritage items to improve structural performance, fire safety or physical access, and shall be used when considering a resource consent application for a controlled activity in the Rural Zone.

28.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Rural Zone:

a) Any activity listed in Rule 28.3.1 or Rule 28.3.2 (except for commercial tourism and recreational activities) that does not comply with the Performance Standards in Rule 28.4

b) Any building that does not conform to the building setbacks in Rule 28.4.2, subject to an application providing a geotechnical assessment to assess potential erosion and instability threats for those identified building sites

c) Poultry farming complying with the minimum setbacks specified in Rule 28.4.2(e) and Rule 28.4.17.

d) Clearance of indigenous vegetation, land disturbance and drainage that is a restricted discretionary activity under Rule 14.4.3.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Rural Zone.

28.3.4 Discretionary Activities

Activities that are not permitted, controlled, or restricted discretionary will be discretionary activities in the Rural Zone.

The following are also discretionary activities in the Rural Zone:

a) Intensive farming activities

b) Club or group outdoor recreation activities involving motor sports or firearms

c) Service stations including motor vehicle repair garages

d) Transport and courier depots

e) Any industry which is ancillary to a farming or a forestry activity, including premises used for the manufacture of milk products, abattoirs, timber processing, stock yards and sale yards, cool stores and pack houses

f) Mineral exploration, mining and quarrying, if the amount of material extracted from each site exceeds 1000 cubic metres per year. This does not include quarrying allowed as part of the definition of forestry.

g) Depositing more than 5,000m³ of **clean**fill material (sourced from another site) on a site in any one year

h) Commercial tourism and recreational activities that do not conform to the Performance Standards in Rule 28.4

i) Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

j) Commercial aircraft landing areas, aerodromes and associated facilities

k) Modifications to a Cultural Heritage Site identified in Appendix D

l) Poultry farming that does not comply with the minimum setback distances in Rule 28.4.2(e) and 28.4.17.

m) Any industry ancillary to or associated with mineral exploration, mining and quarrying

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Rural Zone, with the Performance Standards in Rule 28.4 used as a guide for assessment purposes.

28.3.5 Non-Complying Activities

a) Any building that does not comply with the requirement for a geotechnical assessment under Rule 28.3.3

b) Outdoor Storage

c) Within the National Grid Yard:

i) Any building or addition to a building for a sensitive activity

ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity

iii) Intensive farming buildings and dairy/milking sheds

iv) Any building, structure or earthworks not permitted by Rule 28.4.2 d) or da).

d) Modifications to, or demolition of, a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Record form in Appendix B.

e) Clearance of indigenous vegetation, land disturbance and drainage that is a non-complying activity under Rule 14.4.4.

28.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 28.3.1 (Permitted Activities) or Rule 28.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

28.4.1 Building Setbacks from Boundaries

a) The minimum building setback requirements for dwellings and accessory buildings are:

- 10 metres from the front boundary
- 5 metres from side and rear boundaries

b) The minimum setback for all other buildings (except as provided for under Rule 28.4.2) is 15 metres.

28.4.2 Other Building Setbacks, and Earthworks

a) All buildings must be setback at least 25 metres from the top of the bank of the Waikato River, and from hydro-electric power operating easements at least 25 metres

b) All buildings must be set back at least 20 metres from:

i) the bed of any other river or lake

ii) the edge of any wetland with an area greater than 0.5 hectares

ADVISORY NOTE: The Waikato Regional Plan should also be consulted to ensure that there are no additional resource consents required from the Regional Council for structures within or in close proximity to waterways, or the modification of waterways.

c) All buildings and structures (excluding fences less than 2m in height and network utilities) must be setback from the centre line of an existing gas pipeline at least 32 metres

d) Within any part of a National Grid Yard:

i) Under the National Grid Conductors (wires)

a) All buildings and structures within any part of the National Grid Yard must:

- If they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur, or
- be a fence, or
- be Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid, or
- be an uninhabitable farm building or structure for farming activities (but not a milking/dairy shed, poultry farming building, or intensive farm building (excluding ancillary structures)), or
- be an uninhabited horticultural building or structure, or

- be an official sign, and

b) All buildings or structures permitted by a) above, must comply with at least one of the following conditions:

- A minimum vertical clearance of 10m below the lowest point of the conductor associated with a National Grid transmission line, or
- Demonstrate that safe electrical clearance distances are maintained under all transmission line operating conditions as required by NZECP34.

ii) Activities around National Grid support structures

a) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

- Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid
- Fence less than 2.5m in height and more than 5m from the nearest support structure.
- Horticultural Structure between 8m and 12m from a single pole support structure that:
- meets the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances for separation distances from the conductor (NZECP34:2001);
- is no more than 2.5m high
- is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and
- allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.

iii) Any earthworks within a National Grid Yard shall:

a) Around Poles

i) Be no deeper than 300mm within 2.2 metres of a National Grid pole support structure or stay wire; and

ii) Be no deeper than 750mm between 2.2 to 5 metres from a National Grid pole support structure or stay wire.

Except that vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from a)(i) and a)(ii) above

b) Around Towers

iii) Be no deeper than 300mm within 6 metres of the outer visible edge of a National Grid tower support structure; and

iv) Be no deeper than 3 metres between 6 to 12 metres from the outer visible edge of a National Grid tower support structure.

Except that vertical post holes not exceeding 500mm in diameter are exempt from b)iii) above provided they:

a) are for a rural fence or horticulture structure; and

b) are more than 5m from the visible outer edge of a tower support structure foundation.

c) Anywhere within the National Grid Yard

v) Shall not create an unstable batter that will affect a National Grid support structure; and/or

vi) Shall not result in a reduction in the ground to conductor clearance distances as required by table four of NZECP34:2001.

Provided that

- Earthworks undertaken by a Network Utility operator; or
- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or driveway.

are exempt from (i) to (iv) above

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with the NZ Electrical Code of Practice 34:2001 (NZECP 34:2001) is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines. Compliance with this Plan does not ensure compliance with NZECP 34:2001.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

e) All buildings housing animals must be set back at least:

i) 50 metres from any property boundary, excluding a road boundary, for sites of more than four hectares

ii) 25 metres from any property boundary, excluding a road boundary, for sites of four hectares or less.

f) New dwellings, education and childcare facilities as well as residential care homes and homes for the aged shall be located at least 300 metres from any building, compound or part of a site used for poultry farming or an intensive farming activity on a neighbouring site.

g) New dwellings shall be located at least 50 metres from the boundary of a site in the Industrial zone

h) All new buildings must be setback at least 30m from the legal boundary of an existing plantation forest

i) No earthworks, including drain cleaning, shall be undertaken within the gas transmission pipeline corridor identified on the planning maps, unless prior written approval is obtained from the pipeline operator

j) Any tree planted in the vicinity of any road boundary shall be so located that the tree will be wholly located within the property at full growth

k) Trees planted within 20m of any road intersection will not be permitted unless of such type or so located as not to impair visibility from the intersection whether at time of planting or in the future. Council may require the removal of any trees that unduly restrict visibility at an intersection

l) Council consent shall be obtained prior to the undertaking of any continuous planting of trees likely to grow to a height in excess of 10m and located within 5m of any local road boundary and 20m of the sealed edge of any state highway. When considering any application made under this Rule, Council shall take into account the likely effect on the road and road user during the winter months.

m) New dwellings shall be located outside of the setback as shown on Planning Maps 6 and 9, being a setback distance of 300m from the boundary of a site containing mineral exploration, mining and quarrying activities.

28.4.3 Height

a) Maximum Building Height - 15 metres

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary

c) No building, structure, mast, tree or other object shall penetrate any of the Tokoroa Airport approach/departure slopes, transitional side slopes or horizontal surface as shown on Planning Map No's 31, 32, 35, 38 and 44. Where the ground rises so that it penetrates or becomes close to the approach/departure slopes or transitional side slopes then these slopes may be adjusted in conformity with the contours of the ground so as to provide a vertical clearance of 10 metres above ground level.

28.4.4 Site coverage

a) The maximum amount of the site which can be covered by buildings is:

(i) 5% for sites of one hectare or more

(ii) 10% for sites less than one hectare

b) The maximum gross floor area of any building is 500m^2

28.4.5 Maximum number of dwellings per property

Dwellings shall be subject to the following restrictions:

Area of Property (ha)	Maximum number of dwellings
Less than 4	1
4-70	2
70-150	3
Over 150	5

ADVISORY NOTE: For the purpose of this rule 'property' means land in one Computer Freehold Register.

28.4.6 Scale of Activity

a) Visitor accommodation shall provide services for no more than 8 persons at any one time (excluding staff) per site

b) Education and childcare facilities shall provide services for no more than 8 persons at any one time (excluding staff) per site

c) Residential Care Homes, Motor Caravan and Camping Sites, and Homes for the Aged shall provide services for no more than 8 persons at any one time (excluding staff) per site

d) The maximum floor area available for retail sales ancillary to a home occupation is 50m²

e) The maximum floor area available for retail activities ancillary to commercial tourism and recreational activities is 50m²

f) The maximum floor area available for cafes and restaurants ancillary to commercial tourism and recreational activities is 100m²

g) Activities that generate traffic from a site shall not exceed 100 vehicle movements per day. For the purpose of this rule:

i) The number of 'vehicle movements per day' is determined on the basis of an average day as measured over a year of the operation of the activity

ii) Any land in a separate certificate of title shall be regarded as a 'site', regardless of whether it is used or owned together with other land titles

iii) A truck movement shall be considered the equivalent of 10 vehicle movements

This rule shall not apply to traffic movements involved in forest harvesting.

28.4.7 Signage

a) One free-standing double-sided sign or sign that is attached to a building per property is permitted

b) No sign shall exceed 3m² in area, with no dimension being greater than 2 metres, and be no more than 2 metres in height above the adjacent ground level

c) The sign must advertise the name of a business located on the property or otherwise relate to an activity located on the property

d) Directional and interpretative signs relating to reserves, and to land managed by the Department of Conservation are permitted, and need not comply with a) to c) above

e) Information and promotional signs erected by the Council, and official signs are permitted. Such signs need not comply with a) to c) above

f) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

g) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

h) The owner of a sign shall be responsible for ensuring that it is well maintained

i) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e) to g).

j) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

28.4.8 Riparian Management

a) Vegetation damage, earthworks, and mechanical cultivation shall not be carried out within 10 metres of the edge of a wetland or lake greater than 0.5 hectares, or within the riparian setback to the banks of a nominated river or stream, listed in Table 1, except for the following purpose:

i) Required for the removal or control of pest plants;

ii) Consequential damage to vegetation as a result of harvesting adjacent production trees;

iii) Necessary as part of the maintenance of lawfully established roads, tracks, earth dams, structures, or fences, all provided the clearance is within 2 metres of the road, track, earth dam, structure or fence;

iv) Necessary to protect, maintain or upgrade hydro-electric power generating infrastructure, or to prevent or remedy erosion that may adversely affect the operation of hydro-electric power generating infrastructure;

v) Required for construction of fencing for conservation purposes to exclude stock or pest animals;

vi) Removal of vegetation that endangers human life or existing structures, or that poses a risk to the integrity of, the safe use of, or access to existing network utilities.

b) Farming which involves the conversion of land used for forestry to farming as per 28.3.2(c) shall also comply with the following standards:

i) In the following nominated catchments properties adjacent to or with boundaries to the rivers and streams listed in Table 1 below also shall comply with the following performance standards:

- Fencing shall be constructed no closer than the riparian setback to the banks of a nominated river or stream and should generally be permanent and effectively exclude all livestock present;
- Tracks, accessways and races shall not be constructed closer than the riparian setback to the banks of a nominated river or stream;

Table 1:

Map Identification No.	Catchment	River or Stream	Riparian Setback (metres from edge of waterbody (river, perennial stream excluding a wetland)
	Waikato River	Main stem Waikato River	20 metres
		Large Streams	10 metres
1	Waiomou	Kakahu Stream	10 metres
2	Waiomou	Waiomou Stream	10 metres
3	Waihou	Waimakariri Stream	10 metres
4	Waihou	Waihou River	10 metres
5	Oraka	Mangatapu Stream	10 metres
6	Oraka	Mangakotaha/Waione Stream	10 metres
7	Oraka	Oraka Stream	10 metres
8	Pokaiwhenua	Ngutuwera Stream	10 metres
9	Pokaiwhenua	Pokaiwhenua Stream	10 metres
10	Pokaiwhenua	Whakauru Stream	10 metres
11	Pokaiwhenua	Matarawa Stream	10 metres
12	Pokaiwhenua	Waioraka Stream	10 metres
13	Waipa	Raparahi Stream	10 metres
14	Kopakorahi	Kopakorahi Stream	10 metres
15	Central Maraetai	Unnamed	10 metres
16	Opareiti	Oparaeiti Stream	10 metres
17	Mangaharakeke	Matakatau Stream	10 metres
18	Whangapoa	Rahopakapaka Stream	10 metres

19	Whangapoa	Matahana Stream	10 metres
		Small Streams	5 metres

ADVISORY NOTE:

'Large streams' in the South Waikato District comprise streams with stream order classifications of 4 (four) or larger in the NIWA River Environment Classification.

'Small Streams' in the South Waikato District comprise all perennial streams with a stream order classification of 3 (three) or smaller in the NIWA River Environment Classification, excluding the Waikato River and 'Large Streams' as defined above.

Refer to Chapter 9 for relevant definitions.

A map showing these streams is attached as Appendix J. Large Stream names are given, and the GPS coordinates for the upper location of the stream order classification. Stream numbers used in the table are also used on the relevant map.

c) Forestry shall comply with the following performance standard:

i) forestry shall be planted no closer than 5 metres from any perennial river or stream.

ADVISORY NOTES

This rule forms part of the District Council's response to achieving the integrated management of natural and physical resources along with the Waikato Regional Council. These rules only deal with the control of the effects of land use change on a water body. Rules dealing with water quality and nutrient leaching or discharges resulting from land use activities and their management are under the jurisdiction and therefore the responsibility of the Waikato Regional Council.

The Waikato Regional Plan may be more stringent than this district plan. Regional Council advice should be obtained before designing development that involves stream fencing or affects riparian margins or water quality.

The District Council also recognises that there are non-plan methods developed by industry that also promote the sustainable management of natural resources such as the Dairying and Clean Streams Accord between Fonterra, the Regional Council, the Ministry for the Environment and the Ministry of Primary Industries.

28.4.9 Silt Control

a) All silt shall be contained within the site from which it is sourced, except where the discharge is authorised by a resource consent or rule in the Waikato Regional Plan

b) Any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air causing nuisance to a neighbouring property, unless the discharge is authorised by a resource consent or rule in the Waikato Regional Plan.

28.4.10 Storage, treatment and spreading of Agricultural Effluent

Storage, treatment or spreading of agricultural effluent including dairy factory liquid by-products and wastes as a fertiliser and/or for irrigation purposes, shall not be undertaken within 50 metres of a dwelling or property boundary, or within 20 metres of the edge of a waterbody (wetlands, or the banks of any river, stream or lake). This rule does not apply to spreading dry manure or fertiliser.

28.4.11 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances) except in relation to clause (f) where the standard in 28.4.10 applies in the Rural Zone (and clause (f) does not).

28.4.12 Natural Hazards

a) The floor level of any habitable building shall be at least 0.5 metres above the 1% design flood level.

28.4.13 Noise, Vibration and Glare

Noise, vibration and glare from any activity in the zone shall comply with the provisions of Chapter 15.

28.4.14 Parking, Loading and Access

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

28.4.15 Landscape Values

Activities involving works within outstanding natural landscapes, outstanding natural features or significant amenity landscapes as shown on the planning maps, shall also comply with the performance standards in Rule 14.3. In the event of a conflict between standards in Chapter 28 and Chapter 14 the more onerous provisions will apply.

28.4.16 Permitted Activity performance standards for relocatable buildings

a) Any relocatable building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been designed, built and used as a dwelling.

b) A building pre-inspection report by an independent Licenced Building Practitioner (design) or building surveyor shall accompany the application for a building consent for the destination site prior to relocation. That report is to identify:

   i) All reinstatement works that are to be completed to the exterior of the building, and

   ii) Proposed insulation to meet Clause H1 (energy efficiency) of the New Zealand Building Code (for Zone 2) for underfloor and ceiling insulation (compliance is to be ascertained in accordance with the compliance document for the New Zealand Building Code, Clause H1 Energy Efficiency - third edition, or any equivalent solution.)

c) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.

d) All other reinstatement work and insulation required by the building inspection report and the building consent to reinstate the exterior of any relocatable dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

e) The proposed owner of the relocatable building must certify to the Council that all reinstatement work will be completed within the twelve-month period of the building being delivered to the site.

28.4.17 Poultry Farming

Any building, compound or part of a site used for poultry farming shall be setback a minimum of 300m from any dwelling; any education and childcare facilities; and any residential care homes and homes for the aged (but excluding dwellings and the other listed facilities within the property containing the poultry farming activity).

28.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures
- Chapter 16 (Activities on the Surface of the Water) in respect of activities on lakes and rivers.

29 Rural Residential Zone

29.1 Zone Statement

The Rural Residential Zone provides an opportunity for people to live in a rural environment but to have little or no involvement in primary production. Rural residential areas are provided in selected locations which have been identified as suitable for the establishment of rural 'lifestyle' type living. These locations have also been selected to ensure that the potential loss of options for productive use of rural land is limited, and without the potential for conflict that can occur between rural 'lifestyle' and production activities. This enables the balance of the rural land resource to be retained for production purposes in the future. This approach contributes to meeting the 'lifestyle' component of the rural and urban property market in the district.

The locations for rural residential activity are predominantly adjacent to the three main settlements of Tokoroa, Tīrau and Putaruru, along with several locations near Council reserves adjacent to the Waikato River. In such riverside localities however, the land may be subject to inundation and erosion hazards, and may also comprise land managed for hydroelectric power generation. Buildings and developments adjacent to the Waikato River also have the potential to compromise extensions of the Waikato River Trails. Building platforms therefore need to be sited and set back with care from river margins and hydro operating easement boundaries.

Some of the identified rural residential locations are within identified significant natural areas, or identified outstanding or significant amenity landscapes. They also have areas of indigenous biodiversity, and ecosystems with values that should be recognised and provided for. Provisions have been included to recognise and protect the significant natural areas and landscape values of these areas, with a focus on the location and design of dwellings. These provisions will also assist toward achieving the Vision and Strategy for the Waikato River.

A Development Concept Plan is required to accompany any application for a rural residential subdivision. The concept plan shall demonstrate the overall compatibility of the present subdivision with possible future development of the property, including provision of infrastructure services, stormwater management, and connectivity with the road network.

29.2 Anticipated Environmental Results

The Rural Residential Zone is intended to achieve the following anticipated environmental results:

- Patterns of subdivision that cluster residential living environments into the overall character of the rural landscape
- Rural residential living environments in a predominantly rural area that accommodate the existing amenity values and the operation of established rural activities
- Defined rural residential living environments adjacent to Council reserves that do not detract from the natural, landscape and ecological values of the riparian margins of the Waikato River and give effect to the Vision and Strategy for the Waikato River
- Infrastructure services are provided by property owners in a manner that promotes the sustainable management of resources
- The lawful operation of existing rural land uses, and network utilities are not constrained by the introduction of new rural-residential land uses in the locality.
- Buildings and structures are set back from waterways a sufficient distance to avoid natural hazards and modification of waterways and riparian margins, to preserve natural character and to give effect to the Vision and Strategy for the Waikato River.

The Rural Residential Zone is a method to implement the objectives and policies contained within Chapter 5 Objectives and Policies for the District's Rural Areas. Chapter 6 Objectives and Policies for Managing the District's Natural and Landscape Values is also relevant if the particular location is within an identified landscape shown on the planning maps or includes a significant natural area.

29.3 Activities

29.3.1 Permitted Activities

The following are Permitted Activities in the Rural Residential Zone provided they comply with the Performance Standards set out in Rule 29.4 below.

a) Farming

b) Forestry

c) One dwelling per site, except in the Lake Arapuni, Horahora Road (Lot 1 DPS 21946) and Horahora Road north areas as defined on the planning maps

d) Accessory buildings, except in the Lake Arapuni, Horahora Road (Lot 1 DPS 21946) and Horahora Road north areas

e) Recreation and sporting activities on parks and reserves

f) Pedestrian tracks and cycleways and associated facilities such as seating, tables and toilets

g) Home occupations

h) Visitor accommodation, except in the Lake Arapuni, Horahora Road (Lot 1 DPS 21946) and Horahora Road north areas

i) Education and childcare facilities

j) Carparks

k) The storage, treatment, piping and spreading of agricultural effluent

l) Disposal of up to 5,000m³ of cleanfill material (sourced from another site) deposited on a site in any one year, except within a significant natural area identified in Appendix E, or within an outstanding or significant amenity landscape

la) Emergency Service Facilities

lb) Relocatable buildings

m) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

n) Minor works on a built heritage feature listed in Appendix B

o) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled, and which does not detract from the values for which it was scheduled

p) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

29.3.2 Controlled Activities

The following are controlled activities in the Rural Residential Zone provided they comply with the Performance Standards set out in Rule 29.4 below:

a) One dwelling per site in the Lake Arapuni, Horahora Road (Lot 1 DPS 21946) and Horahora Road north areas as defined on the planning maps

b) Accessory buildings in the Lake Arapuni, Horahora Road (Lot 1 DPS 21946) and Horahora Road north areas

c) Visitor accommodation in the Lake Arapuni, Horahora Road (Lot 1 DPS 21946) and Horahora Road north areas

d) Marae development and papakāinga.

e) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

f) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

g) Clearance of indigenous vegetation, land disturbance and drainage that is a controlled activity under Rule 14.4.2.

The specific matters where control is reserved are identified in Rules 8.3.1a) to c) and i) and shall be used when considering a resource consent application for a controlled activity in the Rural Residential Zone.

29.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Rural Residential Zone:

a) Any activity listed in Rule 29.3.1 or Rule 29.3.2 that does not conform to the Performance Standards in Rule 29.4

b) Any building that does not conform to the building setbacks in Rule 29.4.2, subject to an application providing a geotechnical assessment to assess potential erosion and instability threats for those identified building sites.

c) Clearance of indigenous vegetation, land disturbance and drainage that is a controlled activity under Rule 14.4.3.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Rural Residential Zone.

29.3.4 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Rural Residential Zone.

The following are also discretionary activities in the Rural Residential Zone:

a) More than one dwelling per site

b) Veterinary services

c) Animal boarding facilities

d) Craft workshops and studios

e) Places of assembly

f) Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a Discretionary Activity in the Rural Residential Zone, with the Performance Standards in Rule 29.4 used as a guide for assessment purposes.

29.3.5 Non-Complying Activities

The following are Non-complying Activities in the Rural Residential Zone:

a) Intensive farming

b) Mineral exploration, mining and quarrying

c) Any industry which is ancillary to farming or forestry, including premises used for the manufacture of milk products, abattoirs, timber processing, stock yards and sale yards

d) Outdoor storage

e) Any building that does not comply with the requirement for a geotechnical assessment under Rule 29.3.3b)

f) Within the National Grid Yard:

i) Any building or addition to a building for a sensitive activity

ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity

iii) Any building, structure or earthworks not permitted by Rule 29.4.2 d) or da).

g) Clearance of indigenous vegetation, land disturbance and drainage that is a non-complying activity under Rule 14.4.4.

h) Modifications to, or demolition of, a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Form in Appendix B.

The objectives and policies contained within Chapter 5 Objectives and Policies for the District's Rural Areas shall be used when considering a resource consent application for a non-complying activity in the Rural Residential Zone, with the Performance Standards in Rule 29.4 used as a guide for assessment purposes.

29.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 29.3.1 (Permitted Activities) or Rule 29.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

29.4.1 Building Setbacks from Boundaries

a) The minimum building setback requirements for dwellings and accessory buildings are:

i) 10 metres from the front boundary

ii) 5 metres from side and rear boundaries

b) All buildings housing animals must be set back at least 25 metres from any property boundary, excluding a road boundary

c) The minimum building setback requirements for all other buildings are 10 metres from all boundaries.

29.4.2 Other Building Setbacks, and Earthworks

a) All buildings must be setback at least 25 metres from the top of the bank of the Waikato River, and from hydro-electric power operating easements at least 25 metres

b) All buildings must be set back at least 20 metres from:

i) the bed of any river or lake

ii) the edge of any wetland with an area greater than 0.5 hectares

ADVISORY NOTE: The Waikato Regional Plan should also be consulted to ensure that there are no additional resource consents required from the Regional Council for structures within or in close proximity to waterways, or the modification of waterways.

c) Within any part of a National Grid Yard:

i) Under the National Grid Conductors (wires)

a) All buildings and structures within any part of the National Grid Yard must:

- If they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur, or
- be a fence, or
- be Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid, or
- be an uninhabitable farm building or structure for farming activities (but not a milking/dairy shed, or intensive farm building (excluding ancillary structures)), or
- be an uninhabited horticultural building or structure, or
- be an official sign, and

b) All buildings or structures permitted by a) above, must comply with at least one of the following conditions:

- A minimum vertical clearance of 10m below the lowest point of the conductor associated with a National Grid transmission line, or
- Demonstrate that safe electrical clearance distances are maintained under all transmission line operating conditions as required by NZECP34.

ii) Activities around National Grid support structures

a) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

- Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid
- Fence less than 2.5m in height and more than 5m from the nearest support structure.
- Horticultural Structure between 8m and 12m from a single pole support structure that:
- meets the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances for separation distances from the conductor (NZECP34:2001);
- is no more than 2.5m high
- is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and
- allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.

iii) Any earthworks within a National Grid Yard shall:

a) Around Poles

i) Be no deeper than 300mm within 2.2 metres of a National Grid pole support structure or stay wire; and

ii) Be no deeper than 750mm between 2.2 to 5 metres from a National Grid pole support structure or stay wire.

Except that vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from (i) and (ii) above

b) Around Towers

iii) Be no deeper than 300mm within 6 metres of the outer visible edge of a National Grid tower support structure; and

iv) Be no deeper than 3 metres between 6 to 12 metres from the outer visible edge of a National Grid tower support structure.

c) Anywhere within the National Grid Yard

v) Shall not create an unstable batter that will affect a National Grid support structure; and/or

vi) Shall not result in a reduction in the ground to conductor clearance distances as required by table four of NZECP34:2001.

Provided that

- Earthworks undertaken by a Network Utility operator; or
- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or driveway.

are exempt from (i) to (iv) above

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with NZCEP34:2001 is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

d) Vegetation damage, earthworks, and mechanical cultivation shall not be carried out within 10 metres of the edge of a wetland or lake, or within the riparian setback to the banks of a nominated river or stream listed in Table 1 of Rule 29.4.12.

29.4.3 Site Coverage

a) The maximum amount of the site which can be covered by buildings is 10%

Note: The maximum site coverage for Emergency Service Facilities is 50%

b) The maximum floor area of any building is 500m².

29.4.4 Height

a) Maximum Building Height - 8 metres

Note: The maximum height for Emergency Service Facilities is 15m

b) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary

c) No building, structure, mast, tree or other object shall penetrate any of the Tokoroa Airport approach/departure slopes, transitional side slopes or horizontal surface as shown on Planning Map No 44. Where the ground rises so that it penetrates or becomes close to the approach/departure slopes or transitional side slopes then these slopes may be adjusted in conformity with the contours of the ground so as to provide a vertical clearance of 10m above ground level.

29.4.5 Building Materials and Reflectivity

Cladding materials and paint colours on all buildings shall not exceed a reflectivity value of 40% when applying British Standard 5252:1976. Roof cladding shall be a minimum of 5% darker than the walls and other vertical claddings.

29.4.6 Scale of Activity

a) Visitor accommodation shall provide services for no more than 8 persons at any one time (excluding staff) per site

b) Education and childcare facilities shall provide services for no more than 8 persons at any one time (excluding staff) per site

c) No new direct vehicle accesses onto the state highway shall be created

29.4.7 Noise Vibration and Glare

Noise, vibration and glare from any activity in the zone shall comply with the provisions of Chapter 15.

29.4.8 Parking, Loading and Access

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

29.4.9 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

29.4.10 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

29.4.11 Natural Hazards

a) The floor level of any habitable building shall be at least 0.5 metres above the 1% design flood level.

29.4.12 Riparian Management

a) Vegetation damage, earthworks, and mechanical cultivation shall not be carried out within 10 metres of the edge of a wetland or lake greater than 0.5 hectares, or within the riparian setback to the banks of a nominated river or stream, listed in Table 1, except for the following purpose:

   i) Required for the removal or control of pest plants;

   ii) Consequential damage to vegetation as a result of harvesting adjacent production trees;

   iii) Necessary as part of the maintenance of lawfully established roads, tracks, earth dams, structures, or fences, all provided the clearance is within 2 metres of the road, track, earth dam, structure or fence;

   iv) Necessary to protect, maintain or upgrade hydro-electric power generating infrastructure, or to prevent or remedy erosion that may adversely affect the operation of hydro-electric power generating infrastructure;

v) Required for construction of fencing for conservation purposes to exclude stock or pest animals;

vi) Removal of vegetation that endangers human life or existing structures, or that poses a risk to the integrity of, the safe use of, or access to existing network utilities.

b) Farming shall also comply with the following standards:

i) Stock water shall be provided from a reticulated system on-farm

ii) In the following nominated catchments properties adjacent to or with boundaries to the rivers and streams listed in Table 1 below also shall comply with the following performance standards:

- Stock proofing fencing shall be constructed on stable ground and no closer than the riparian setback to the banks of a nominated river or stream;
- Tracks, accessways and races shall not be constructed closer than the riparian setback to the banks of a nominated river or stream;

Table 1:

Map Identification No.	Catchment	River or Stream	Riparian Setback (metres from edge of waterbody (river, perennial stream excluding a wetland)
	Waikato River	Main stem Waikato River	20 metres
		Large Streams	10 metres
1	Waiomou	Kakahu Stream	10 metres
2	Waiomou	Waiomou Stream	10 metres
3	Waihou	Waimakariri Stream	10 metres
4	Waihou	Waihou River	10 metres
5	Oraka	Mangatapu Stream	10 metres
6	Oraka	Mangakotaha/Waione Stream	10 metres
7	Oraka	Oraka Stream	10 metres
8	Pokaiwhenua	Ngutuwera Stream	10 metres
9	Pokaiwhenua	Pokaiwhenua Stream	10 metres
10	Pokaiwhenua	Whakauru Stream	10 metres
11	Pokaiwhenua	Matarawa Stream	10 metres
12	Pokaiwhenua	Waioraka Stream	10 metres
13	Waipa	Raparahi Stream	10 metres
14	Kopakorahi	Kopakorahi Stream	10 metres
15	Central Maraetai	Unnamed	10 metres
16	Opareiti	Oparaeiti Stream	10 metres
17	Mangaharakeke	Matakatau Stream	10 metres
18	Whangapoa	Rahopakapaka Stream	10 metres
19	Whangapoa	Matahana Stream	10 metres
		Small Streams	5 metres

ADVISORY NOTE:

'Large streams' in the South Waikato District comprise streams with stream order classifications of 4 (four) or larger in the NIWA River Environment Classification.

'Small Streams' in the South Waikato District comprise all perennial streams with a stream order classification of 3 (three) or smaller in the NIWA River Environment Classification, excluding the Waikato River and 'Large Streams' as defined above.

Refer to Chapter 9 for relevant definitions.

A map showing these streams is attached as Appendix J. Large Stream names are given, and the GPS coordinates for the upper location of the stream order classification. Stream numbers used in the table are also used on the relevant map.

c) Forestry shall comply with the following performance standard:

i) forestry shall be planted no closer than 5 metres from any perennial river or stream.

29.4.13 Spreading of Agricultural Effluent

Storage, treatment, piping and spreading of agricultural effluent including dairy factory liquid by-products and wastes as a fertiliser and/or for irrigation purposes, shall not be undertaken within 50 metres of a dwelling or property boundary, or within 20 metres of the edge of a waterbody (wetlands, or the banks of any river, stream or lake). This rule does not apply to spreading dry manure or fertiliser.

29.4.14 Signage

a) One free-standing double-sided sign or sign that is attached to a building per property is permitted

b) No sign shall exceed 3m² in area, with no dimension being greater than 2 metres, and be no more than 2 metres in height above the adjacent ground level

c) The sign must advertise the name of a business located on the property or otherwise relate to an activity located on the property

d) Information and promotional signs erected by the Council, and official signs are permitted. Such signs need not comply with a) to c) above

e) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.

f) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.

i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign

ii) A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.

g) The owner of a sign shall be responsible for ensuring that it is well maintained

h) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e) to g).

i) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

29.4.15 Permitted Activity Performance Standards for Relocatable Buildings

a) Any relocatable building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been designed, built and used as a dwelling.

b) A building pre-inspection report by an independent Licenced Building Practitioner (design) or building surveyor shall accompany the application for a building consent for the destination site prior to relocation. That report is to identify:

   i) All reinstatement works that are to be completed to the exterior of the building, and

   ii) Proposed insulation to meet Clause H1 (energy efficiency) of the New Zealand Building Code (for Zone 2) for underfloor and ceiling insulation (compliance is to be ascertained in accordance with the compliance document for the New Zealand Building Code, Clause H1 Energy Efficiency - third edition, or any equivalent solution.)

c) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.

d) All other reinstatement work and insulation required by the building inspection report and the building consent to reinstate the exterior of any relocatable dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services, and closing in and ventilation of the foundations.

e) The proposed owner of the relocatable building must certify to the Council that all reinstatement work will be completed within the 12-month period of the building being delivered to the site.

29.4.16 Landscape Values

Activities involving works within outstanding natural landscapes, outstanding natural features or significant amenity landscapes as shown on the planning maps, shall comply with Rule 14.3.

29.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures
- Chapter 16 (Activities on the Surface of the Water) in respect of activities on lakes and rivers

30 Electricity Generation Zone

30.1 Zone Statement

The district contains hydroelectric power generating infrastructure that is of national significance to New Zealand's economy and prosperity. The Waikato River running through the district has five hydroelectric power generating facilities located at Arapuni, Waipapa, Maraetai, Whakamaru and Atiamuri. These facilities represent a large financial investment and require a high level of operational certainty for their ongoing viability. Their original establishment involved a significant loss of natural areas and cultural sites due to the new water levels that were established.

The Waikato River forms part of the district boundary, with these hydro dams straddling the boundary with the Waipa District, Otorohanga District and Taupō District. Whilst the provisions of the South Waikato District Plan can only relate to land and water within the district (see also Chapter 16 Activities on the Surface of the Water) a high level of consistency of district plan provisions with adjoining districts is desirable to ensure efficient and effective functioning of the hydro system.

Each hydroelectricity power station, hydro dam, associated facilities such as spillways, switchyards and transmission lines and structures, and the surrounding land, are known as electricity generation core sites. These core sites are covered by the Electricity Generation Zone. It is intended that the zone will provide operational certainty for the generation of electricity in a manner consistent with the National Policy Statement for Renewable Electricity Generation 2011.

The zone provisions seek to enable the existing hydroelectric power generating activities to continue operating, with allowance made for necessary maintenance, repair and upgrading activities, while avoiding, remedying or mitigating any additional significant adverse effects on the environment. Provision has also been made for various temporary activities that are undertaken within core sites that may involve the use of heavy machinery such as drilling rigs and cranes. Visitor facilities related to the hydro operations are also a possibility.

The core sites are effectively industrial sites in and adjoining the Waikato River. The sites have had an important role in shaping the present-day significant cultural, landscape, recreational and natural values that are found along the river corridor. The core sites are also located within rural environments with different levels of amenity and character. The avoidance of reverse sensitivity effects is an important aspect to the ongoing operation of the hydroelectric power generating activities within the core sites. Within the Rural and Rural Residential Zone provisions, there are restrictions on the proximity of dwellings to the operating easements so as not to restrict the operational capacity and availability of the hydroelectricity resource.

There are three heritage items that are listed in the South Waikato Heritage Inventory located within the Electricity Generation Zone at Arapuni. These are the Arapuni Suspension Bridge, the Arapuni Powerhouse, and the Arapuni Dam. All were built in the 1920s and represent a significant aspect of New Zealand's engineering history. There is also heritage within the core sites that is not related to the hydro scheme itself. Maintaining these heritage items within the context of an operating hydro electricity generation site is important.

Performance standards aim to facilitate the existing activities within the electricity generation core sites while ensuring that any new or additional potential significant adverse environmental effects arising from the hydroelectric power generating activities are able to be avoided, remedied or mitigated.

30.2 Anticipated Environmental Results

The Electricity Generation Zone is intended to achieve the following anticipated environmental results:

- Efficient operation of the existing hydroelectric power generating infrastructure along the Waikato River, including provision for ongoing maintenance, repair and upgrading
- New or additional potentially significant adverse environmental effects arising from hydroelectric power generating activities within the core sites are effectively avoided, remedied or mitigated
- Hydroelectric power generating activities within the Arapuni core site are undertaken in a manner that recognises and protects the significant historical values associated with the site

- The level of renewable electricity generation in the District and its contribution to the national target for renewable electricity generation is maintained or increased

The Electricity Generation Zone is a method to implement the objectives and policies contained within Chapter 7 (Objectives and Policies for the District's Infrastructure and Development).

30.3 Activities

30.3.1 Permitted Activities

The following are permitted activities in the Electricity Generation Zone provided they comply with the Performance Standards set out in Rule 30.4 below.

a) Subject to Rules 14.3 and 14.4 operation, maintenance, repair, replacement, demolition or upgrading of existing hydroelectric power generating and National Grid infrastructure, including any associated structures, earthworks, vegetation clearance and access roads or tracks

b) Ancillary buildings, offices, structures, staff residences, and switch yards associated with hydro electricity generation

c) Temporary works and associated structures related to electricity generation

d) New electricity transmission and distribution lines

e) Visitor facilities associated with energy generation

f) Recreation and sporting activities on parks and reserves

g) Carparks

h) Farming

i) Forestry

j) Repair of the Structure of a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B

k) Internal Changes to a Built Heritage Feature identified in Appendix B, carried out in a manner and design and with similar materials and appearance to those originally used.

ka) Minor works on a built heritage feature listed in Appendix B

l) Any Re-use/Change of Use of a Built Heritage Feature listed in Appendix B which is otherwise permitted on the site.

m) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

ADVISORY NOTE: The provisions of Section 12 (Temporary Activities) do not apply to temporary works and associated structures related to electricity generation within the Electricity Generation Zone.

30.3.2 Controlled Activities

The following are controlled activities in this zone provided they comply with the Performance Standards set out below:

a) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

b) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.

Specific matters where discretion is reserved are identified in Rule 8.3.1(i) and shall be used when considering a resource consent application for a controlled activity in the zone.

30.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Electricity Generation Zone:

a) Any activity listed in Rule 30.3.1 that does not conform to the Performance Standards in Rule 30.4.

The specific matters where control is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Electricity Generation zone.

30.3.4 Discretionary Activities

Activities that are not permitted, controlled, restricted discretionary or non-complying will be discretionary activities in the Electricity Generation Zone.

The following are also discretionary activities in the zone:

a) External additions/alterations, or relocation of, a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Electricity Generation Zone, with the Performance Standards in Rule 30.4 used as a guide for assessment purposes.

30.3.5 Non-Complying Activities

The following are non-complying activities in the Electricity Generation Zone:

a) Modifications to, or demolition of, a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Form in Appendix B.

b) Clearance of indigenous vegetation, land disturbance and drainage that is a non-complying activity under Rule 14.4.4.

The objectives and policies contained within Chapter 6 (Objectives and Policies for Managing the District's Landscapes and Indigenous Biodiversity) and Chapter 7 (Objectives and Policies for the District's Infrastructure and Development), shall be used when considering a resource consent application for a non-complying activity in the Electricity Generation Zone, with the Performance Standards in Rule 30.4 used as a guide for assessment purposes.

30.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 30.3.1 (Permitted Activities) or Rule 30.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

30.4.1 Building Setback

a) Buildings must be setback 15 metres from all zone boundaries, except where these follow territorial local authority boundaries

b) There is no building setback required from legal boundaries or from roads within the Electricity Generation Zone.

30.4.2 Building Height

Maximum height - 20 metres, with the exception that the maximum height is unrestricted for:

a) Temporary drill rigs or other temporary structures, provided the structure is removed within 60 days

b) Hydro dams and associated penstocks, provided the overall height does not exceed the elevation of the existing dam crest (excluding ancillary buildings and structures on the dam)

c) Powerhouses, provided the overall height does not exceed the elevation of the existing powerhouse.

d) Spillway and diversion channel/tunnel structures, provided the overall height does not exceed the elevation of the existing spillway or diversion channel/tunnel structures.

30.4.3 Signage

a) No sign shall exceed $3m^2$ in area or be more than 3 metres in height. There is no limit on the number of signs per site

b) Other than traffic signs, all signs must relate to the electric power generating activity within the zone, such as facility signs, safety signs, visitor information signs, and directional signs

c) Illumination of signs is permitted provided that the illumination is static, with no flashing or other movement

d) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists, or reduce or obstruct the visibility of official signs or traffic signals

e) The owner of a sign shall be responsible for ensuring that it is well maintained.

f) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

30.4.4 Noise, Vibration and Glare

Noise, vibration and glare from any activity in the zone shall comply with the provisions of Chapter 15.

30.4.5 Parking, Loading and Access

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

30.4.6 Dust and Silt Control

a) There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced. A dust nuisance will occur if there is visible evidence of suspended solids:

i) in the air beyond the boundary of the site, or

ii) traceable from a dust source on the site settling on the ground, building or structure on a neighbouring site

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent silt-laden runoff beyond the boundary of the site (excluding water bodies).

30.4.7 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

30.4.8 Landscape Values

Activities involving works within outstanding natural landscapes, outstanding natural features or significant amenity landscapes as shown on the planning maps, shall also comply with the performance standards in Rule 14.3. In the event of a conflict between standards in Chapter 30 and Chapter 14 the more onerous provisions will apply.

30.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures
- Chapter 16 (Activities on the Surface of the Water) in respect of activities on the surface of the Waikato River.

31 Tokoroa Airport Zone

31.1 Zone Statement

The Tokoroa airport is an important Council-owned and managed facility. The airport is located east of Amisfield and comprises almost 35 hectares. The facilities consist of a grass runway (1,120 metres long by 60 metres wide) including a sealed landing strip (850 metres long by 18 metres wide) plus adjacent open space and buildings. The buildings comprise aero clubrooms, hangars, and parking areas. There are currently no night-time landing lights or navigation aids.

The property is also used by a variety of recreational sports clubs such as the Tokoroa Street Rodders Club, South Waikato Motocross Club, and Tokoroa Kart Club. Motocross and kart club track facilities are also on the site. The South Waikato Racing Club also uses part of the site for grazing and a horse training track. These activities are provided for by way of lease arrangements with the Council. Most recreational use occurs at weekends. Limited aviation use, mostly landing practice or charter work, occurs weekdays at the airfield.

The Airport Strategic Plan (2008/09-2014/15) outlines a strategy to further develop the facilities in the zone to provide for aviation and related commercial activities while maintaining the existing range of recreational activities where this does not compromise aviation activities or the amenity of the neighbouring land uses. There are existing infrastructure constraints, with no wastewater service being a particular issue. The facility also has potential to perform an important role in emergency management in the district.

Properties close to the airport zone do experience some amenity impact associated with traffic generated by motorsport events at the airport, and noise associated with the operation of planes and motorsport. Noise controls aim to address these concerns for neighbouring activities, as do restrictions on the frequency and duration of events at the Airport imposed by Council as manager of the facility. The zone provisions aim to manage the potential effects arising from the operation of the airport and recreational uses. The current and projected aircraft use at the airport is insufficient to justify applying the measures suggested in NZ Standard 6805 (Airport Noise Management and Land Use Planning). This standard recommends setting an air noise boundary to limit aircraft noise, and limits on residential and other sensitive development occurring within projected noise contours. Use of the Tokoroa Airport will be monitored, to see whether implementation of NZS6805 can be justified in the future.

A 50m wide strip of screen planting has been established between the airfield and the nearby houses in Amisfield, to help mitigate potential adverse effects on the amenity of that area. It is important that this screening be retained and re-planted with suitable species as necessary.

Approach and departure slope provisions within the adjoining Rural Zone and Rural Residential Zone manage adjacent land uses to prevent development that would detrimentally affect the safe operation of the airport. A 1km buffer within which rural subdivision is a discretionary activity has also been implemented to minimise potential future effects of residential encroachment upon aviation use of the airport.

31.2 Anticipated Environmental Results

The Tokoroa Airport Zone is intended to achieve the following anticipated environmental results:

- Ongoing development of Tokoroa airport and associated facilities, for aviation related activities and compatible motorsport, recreational and other non-aviation activities
- Continued safe and efficient operation of Tokoroa airport is not constrained by inappropriate activities establishing in the vicinity of the airport zone
- Activities that support the aviation use of the airfield, such as associated industry including the assembly, storage, repair and maintenance of aircraft, and aero club activities and events
- Adverse environmental effects from activities at Tokoroa airfield on surrounding areas such as noise and visual intrusion are minimised

- Non-aviation related activities develop in a complementary manner with the aviation related activities and facilities operating within the zone.

The Tokoroa Airport Zone is a method to implement the objectives and policies contained with Chapter 5 (Objectives and Policies for the District's Rural Areas) and Chapter 7 (Infrastructure Objectives and Policies).

31.3 Activities

31.3.1 Permitted Activities

The following are permitted activities in the Tokoroa Airport Zone provided they comply with the Performance Standards set out in Rule 31.4 below.

a) Commercial and general aviation activities

b) The construction and maintenance of sealed and unsealed runways and taxiways

c) Caretakers' Accommodation

d) Offices associated with a permitted activity

e) Education and training facilities associated with a permitted activity

f) Places of assembly

g) Carparks

h) Farming

i) Forestry

j) Aviation related community events

k) Non-aviation related community events

l) Maintenance and informal use of motocross and kart tracks existing as at 7 November 2012

m) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.

31.3.2 Restricted Discretionary Activities

The following are restricted discretionary activities in the Tokoroa Airport Zone:

a) Any activity listed in Rule 31.3.1 that does not conform to the Performance Standards in Rule 31.4.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Tokoroa Airport Zone.

31.3.3 Discretionary Activities

a) Activities that are not permitted, restricted discretionary or non-complying will be discretionary activities in the Tokoroa Airport Zone

The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Tokoroa Airport Zone, with the Performance Standards in Rule 31.4 used as a guide for assessment purposes.

31.3.4 Non-Complying Activities

The following are non-complying activities in the Tokoroa Airport Zone:

a) Industrial activities not related to aviation

b) Clearance of indigenous vegetation, land disturbance and drainage that is a non-complying activity under Rule 14.4.4.

The objectives and policies contained within Chapter 5 (Objectives and Policies for the District's Rural Areas) and Chapter 7 (Objectives and Policies for the District's Infrastructure and Development) shall be used when considering a resource consent application for a Non-complying Activity in the Tokoroa Airport Zone, with the Performance Standards in Rule 31.4 used as a guide for assessment purposes.

31.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 31.3.1 (Permitted Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

31.4.1 Building Setbacks

Buildings shall be set back at least five metres from all zone boundaries.

31.4.2 Site coverage

The maximum extent that buildings shall cover the site is 10%.

31.4.3 Parking

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access. Parking spaces need not be formed or marked.

31.4.4 Height

a) Maximum Building Height - 20 metres

b) No building, structure, mast, tree or other object shall penetrate any of the Tokoroa Airport approach/departure slopes, transitional side slopes or horizontal surface as shown on Planning Maps 35, 38 and 44. Where the ground rises so that it penetrates or becomes close to the approach/departure slopes or transitional side slopes then these slopes may be adjusted in conformity with the contours of the ground so as to provide a vertical clearance of 10 metres above ground level.

31.4.5 Signage

a) There is no size limit on signs on or attached to, and within the physical building dimensions of, the walls or fascias of the building

b) Free-standing signs must not exceed one per road frontage, with a maximum size of $12m^2$ in each direction (maximum two directions) and up to $10m^2$ of ancillary signage elsewhere on the site

c) The sign must advertise the name of a business located within the building or otherwise relate to activities located on the property

d) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists, or reduce or obstruct the visibility of official signs or traffic signals

e) Illumination of signs is permitted, provided that the illumination is static, with no flashing or other movement

f) The owner of a sign shall be responsible for ensuring that it is well maintained.

31.4.6 Noise, Vibration, Glare and Hours of Operation

Noise vibration and glare from any activity in the zone shall comply with the rules in Chapter 15. Community events shall take place within the following hours:

- 0700hr to 2230hr Sunday to Thursday
- 0700hr to 2400hr Friday and Saturday

31.4.7 Hazardous Substances

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances).

31.4.8 Dust and Silt Control

a) There shall be no dust nuisance beyond the zone boundary. A dust nuisance will occur if there is visible evidence of suspended solids in the air beyond the boundary of the site; and/or there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site or water.

b) All silt shall be contained within the site it is sourced, and any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air.

31.5 Other Rules

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures.