

# Chapter 29 Ohinewai Precinct Full Provisions

## Proposed Waikato District Plan Stage 1



## 29A.1 Tangata Whenua

### 29A.1.1 Introduction

- (a) The plan uses a holistic cultural and ethical approach to resource management and takes into account the principles of the Treaty of Waitangi, in particular the idea of active involvement. Partnership is approached through the recognition of iwi plans and ongoing consultation. The introduction of a Tangata Whenua section is to provide background and better understanding of Maaori issues. It is a new approach that is further supported by objectives, policies, rules and methods more specific to Maaori aspirations. It is thought that this approach will enable an improved presence of Tangata Whenua throughout the plan and the relevant objectives, policies, rules and methods to be given more consideration.

### 29A.1.2 Background

- (a) Maaori are the native people of New Zealand and are of Polynesian descent. They are the "Tangata Whenua, the indigenous people of the land of Aotearoa and their culture is an integral part of local life." It literally means 'people of the land' from tangata, 'people' and whenua, 'land'. Tangata Whenua are made up of several Iwi throughout New Zealand. Within Tangata Whenua, 'Mana Whenua' is a term used to describe those who have tribal links to the local Iwi authority or authorities. Within their tribal areas or 'rohe' they have the tribal authority or 'mana' to act or speak on behalf of the hapuu/marae/or whaanau groups. It is the power associated with possession and occupation of tribal land. Waikato-Tainui is recognised as the Tangata Whenua of the Waikato district, but it acknowledges that the marae/hapuu have 'mana whenua' over their rohe or individual areas of the Waikato. There are 68 marae and 33 hapuu in the Waikato rohe who affiliate to the Waikato-Tainui Iwi Authority. It has a registered membership of over 70,000. There are also many Maaori from other New Zealand tribal areas who choose to 'live, work and play' in the Waikato district. There are 41 marae within the Waikato District Council area. A brief historical account of Maaori and New Zealand history that is relevant to the Waikato district has been provided to support this chapter. The report gives pertinent information and context in respect of understanding the rich history, culture, iwi connections, colonial settlement, Te Tiriti o Waitangi, the New Zealand land wars, raupatu and redress ("Engaging the Waikato" (Ormsby & Gannin, 2016)).
- (b) The Waikato River is the tuupuna (ancestor) of Waikato-Tainui from which Tainui derive their name. The Kiiingitanga movement is the heart of the Waikato region and the Waikato River is the blood stream of the life of the Waikato people.

The following whakataukii (proverb) expresses this relationship:

*Ko Waikato te awa Waikato is the river  
Ko Te Wherowhero te tangata Te Wherowhero is the man  
Waikato Taniwharau Waikato of a hundred chiefs  
He piko he taniwha, he piko he taniwha At every bend there is a chief*

- (c) These taniwha represent a chief or person of tremendous influence. It underlines the 'mana' of the Waikato people. Usually at every bend of the river was a paa with its own chief. Today, Tangata Whenua play a large partnership role in the lifeline of district issues and goals. Important relationships have been formed through the River Settlement Acts: The Waikato River Settlement Act 2010, the Vision and Strategy (Te Ture Whaimana o Te Awa o Waikato) and the Joint Management Agreement, which are redress instruments of a Treaty of Waitangi settlement, so have significant meaning and status for Waikato Tainui. Other hapuu and iwi, including those of the harbours and coastal communities bordering the western boundary of Waikato District have also developed relationships with the District Council. Many of the issues faced by Tangata Whenua are of historical and current uses of the land and the environment. They will only be solved by changing our relationships and values with the land,

air and water. The Council has certain obligations in terms of the Resource Management Act 1991 (RMA 1991) in managing the district's resources to ensure that Tangata Whenua's rights are recognised and provided for. However, it is everyone's responsibility to protect, restore and enhance the natural and cultural resources of the district. Under s6(e) of the RMA 1991, part of Council's responsibility is to look for ways to recognise and provide for, as a matter of national importance, the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. This can be done by ensuring that policies, rules and methods are provided to enable Tangata Whenua to use their whenua to culturally live, work and play throughout the district.

- (d) Specifically, the district council has identified sites of significance to Maaori, for example under Schedule 16(f) of the Joint Management Agreement with Waikato-Tainui, significant archaeological sites such as paa and urupaa. While individual sites are noted on the district plan maps and are afforded the protection under the district plan rules, special mention is being made here of cluster sites which make up 'significant areas' of Waikato history: The Point; Wainui Reserve; Horea, Te Toto; Oioroa; Rangiriri, Meremere; Te Aukati ki Maungatawhiri, Hooker Road and Kernott Road Maaori Gardens and all of the redoubts and mission stations. These sites should be recognised for both their tangible and metaphysical association to Maaori to the extent enabled by planning and decision-making management of natural resources through objectives, policies and rules.

#### 29A.1.3 Legislative context

- (a) The district council has legal obligations with respect to Tangata Whenua when managing the natural and physical resources of the district. These obligations are set out in the Resource Management Act 1991 as follows:
- (i) Recognise and provide as a matter of national importance the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga - Section 6 (e) of the RMA 1991
  - (ii) Have particular regard to kaitiakitanga - Section 7 (a) of the RMA 1991
  - (iii) Take into account the principles of the Treaty of Waitangi - Section 8 of the RMA 1991
  - (iv) Have regard to any relevant planning document recognised by an Iwi authority - Section 74 (2) (b) (ii) of the RMA 1991
  - (v) The requirement to consult Tangata Whenua during the preparation of a proposed plan, including any proposed plan changes - Schedule 1 cl.(3) of the RMA 1991.
- (b) The district council is also required under the Local Government Act 2002 to take into account the relationships of Maaori, which includes Tangata Whenua, and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga, where a significant decision is being made in relation to those resources. The objectives and policies have given effect to these obligations in respect to Tangata Whenua.

#### 29A.1.4 Principles of the Treaty of Waitangi (Te Tiriti o Waitangi)

- (a) The Principle of Government – The Kawanatanga Principle: The Government has the right to govern and make laws.
- (b) The Principle of Self-Management – The Rangatiratanga Principle: The Iwi have the right to organise as iwi, and under the law to control their resources as their own.
- (c) The Principle of Equality – All New Zealanders are equal before the Law.
- (d) The Principle of Reasonable Cooperation – Both the Government and the Iwi are obliged to accord each other reasonable cooperation on major issues of common concern.

- (e) The Principle of Redress – The Government is responsible for providing effective processes for the resolution of grievances in the expectation that reconciliation can occur.

#### 29A.1.5 Understanding Maaori Land Ownership

- (a) Before the arrival of colonial settlers, all land in New Zealand was held as customary land, by the tribes or hapuu groups. One of the primary tasks of the early Native Land Court was to define the boundaries of that land and convert it from communally-held land by allocating owners and shares. This process allowed for the sale of land, but Maaori could only sell to the Crown. The 1860 Land Wars resulted in Maaori land confiscation by the Crown which was sold for colonial settlement. Today, only 5.5% of New Zealand land is held in Maaori ownership. It is administered by the Māori Land Court and subject to Te Ture Whenua Maori Act 1993. Land titles issued to Maaori by the Maori Land Court became known as Māori freehold land. Maaori rights to land do not translate neatly into common law categories of property and title. Generally, descendants inherit shares in the land from deceased parents. Succession of shares often becomes uneconomical because of multiple ownership. However, what is important is the whakapapa connection to the land through the original tuupuna of the place. The land is a source of identity and Maaori see themselves as not only “of the land” but “as the land.” The majority of Maaori land blocks in multiple ownership have caused significant challenges for Maaori owners, the Māori Land Court and Te Puni Kōkiri (who work within government and communities to support Maaori). Lack of good governance, absentee owners, lack of knowledge and relevant information prevent owners from engaging and utilising the land for their social, cultural and economic well-being.

#### 29A.1.6 Powers to set aside Maaori Land for special purposes

- (a) In accordance with the powers of the Māori Land Court, the district plan will seek to enable Maaori land provisions to be made by the court. The Māori Land Court has the jurisdiction to determine the status and use of Maaori land. The Te Ture Whenua Maori Act 1993 provides for certain purposes for which the whenua may be reserved. The Court may, on application, make an order for land to be gazetted for an individual or a combination of purposes (it is common for the Māori Land Court to request a Concept Management Plan as part of its deliberations).

#### 29A.1.7 Preliminary provision

- (a) Part 17, s338 of the Te Ture Whenua Maori Act 1993, lists certain purposes for communal use of Maaori reservations:
  - (i) a papakainga housing site
  - (ii) a marae
  - (iii) a meeting place
  - (iv) a recreation or sports ground
  - (v) a bathing place
  - (vi) a church site
  - (vii) a building site
  - (viii) an urupa
  - (ix) a landing place
  - (x) a fishing ground
  - (xi) a spring, well, catchment area, or other source of water supply
  - (xii) a timber reserve
  - (xiii) a place of cultural or historical interest
  - (xiv) a place of scenic interest

- (xv) a place of special significance according to tikanga Māori
- (xvi) a wāhi tapu or wāhi tūpuna
- (xvii) any other particular purpose stated in the declaration.

(b) This would also include the function of a Hauora within some Marae complexes.

#### 29A.1.8 Concept Management Plan

- (a) A Concept Management Plan can be used for all the foreseeable uses for the land over time. By placing papakainga alongside the future uses on one single map, the project manager and the Land Trust can make decisions about placement of buildings and infrastructure so as not to cut off the possibility of future developments. The plan is not compulsory, but it is an important process to carry out if the Land Trust wants to maximise the use of the land for future generations. It can take several forms and be at different levels of detail, from a simple colour-coded sketch drawing to a commissioned artist's impression of what the land will look like if fully developed to the Concept Management Plan.
- (b) Although the concept plan must be approved by the Māori Land Court, it is not set in concrete. It is a land guide. Time and the desires of the people may change for different generations, therefore they may wish to return to the court with a variation to the plan. This is otherwise known as future-proofing or structure planning.

#### 29A.1.9 Examples of a Concept Management Plan

##### Before



## After



Diagram 1 and 2 sourced from Te Kete Paaraha Mo Nga Papakainga Ki Waikato Tool Kit

### 29A.1.10 Iwi Management Plans

- (a) Iwi and Hapuu Management Plans articulate the aspirations of Tangata Whenua and are a term commonly applied to a resource management plan prepared by an Iwi, Iwi authority, ruunanga or hapuu to address matters of resource management activity of significance within their respective rohe (area). Iwi and Hapuu Management Plans also consider the environment in a holistic manner and as being inseparable from people. It is a “Matter to be considered by the territorial authority” [Section 74 (2A)(a)] including Section 35A of the Resource Management Act 1991.
- (b) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an Iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. The district plan seeks to provide Tangata Whenua with the ability to utilise communally-owned land in accordance with their cultural values, such as papakainga housing, marae/paa, and support economic development.
- (c) The Waikato-Tainui Environmental Plan and the Maniapoto Iwi Management Plans are redress instruments of Treaty settlements.

### 29A.1.11 Strategic Objective – Tautoko te Whakatupuranga

- (a) To support Iwi aspirations to grow a prosperous, healthy, vibrant, innovative and culturally strong people.

#### 29A.1.12 Objective -Whakapapa (connection to nature)

- (a) Relationships with ancestral lands, water, sites, waahi tapu and other taonga are protected and enhanced.

#### 29A.1.13 Policy- Whanaungatanga (relationship to nature)

- (a) Recognise the relationship of Tangata Whenua with areas of significance, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora through provisions which may include:
  - (i) Cultural value assessments and/or cultural impact assessments
  - (ii) Accidental discovery protocols
  - (iii) Use of traditional place names
  - (iv) Protection, enhancement and restoration of mauri
  - (v) Use of appropriate plant species
  - (vi) Use of archaeological information
  - (vii) Incorporation of traditional or sympathetic design elements.

#### 29A.1.14 Objective-Whenuatanga (land management)

- (a) Tangata Whenua have the ability to utilise, manage and enjoy their traditional resources in accordance with tikanga Maaori, including matauranga Maaori maintaining their relationship to ancestral land.

#### 29A.1.15 Policy Tangata Whenuatanga (utilisation by landowners)

- (a) Tangata Whenua are enabled to sustainably manage their lands and resources in accordance with their cultural preferences and aspirations.
- (b) Tangata whenua are enabled to sustainably use and develop ancestral land, including; marae complexes and associated facilities, and papakaainga housing development according to customs and practices.
- (c) Economic development supports the occupation, development and use of Maaori land.

#### 29A.1.16 Objective –Kaitiaki (steward/guardian)

- (a) The role of Tangata Whenua as kaitiaki is recognised and maintained.

#### 29A.1.17 Policy Kaitiakitanga (stewardship/guardianship)

- (a) Consult with Tangata Whenua where activities have the potential to adversely affect ancestral lands, water, sites, waahi tapu, and other taonga and which may include:
  - (i) Establishing who should be consulted
  - (ii) Establishing formal arrangements such as joint management agreements or memoranda of understanding
  - (iii) Tangata Whenua involvement with consent processes and representation on hearings
  - (iv) Supporting the creation of Iwi and hapuu management plans
  - (v) The exercising of kaitiakitanga or stewardship.

#### 29A.1.18 Objective Waikatotanga (way of life)

- (a) Cultural practices and beliefs of Tangata Whenua are respected.

**29A.1.19 Policy- Ngaa taonga tuku iho (Maaori Sites and Areas of Significance)**

- (a) Ensure subdivision, use and development does not compromise the cultural and spiritual significance of areas, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora and fauna.
- (b) Areas and sites of significance to Maaori including waahi tapu sites and waahi tapu areas are protected from adverse effects of development or activities on those sites.

**29A.1.20 Objective-Tikanga aa-iwi o te takiwaa o Waikato**

- (a) Recognise the cultural significance of Waikato Takiwaa (district)

**29A.1.21 Policy- Aahuatanga Motuhake (special features)**

- (a) Recognise and maintain the cultural significance of wetlands lakes and other waterbodies.

**29A.2: Natural Environment**

**29A.2.1 Indigenous Vegetation and Habitats**

**29A.2.2 Objective – Biodiversity and ecosystems**

- (a) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.

**29A.2.3 Policies**

- (a) Enable activities that maintain or enhance indigenous biodiversity including:
  - (i) planting using indigenous species suitable to the habitat;
  - (ii) the removal or management of pest plant and animal species;
  - (iii) biosecurity works.
- (b) Consider the following when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:
  - (i) the required range of natural food sources;
  - (ii) habitats of threatened and at risk species;
  - (iii) ecological processes and corridors;
  - (iv) ecological sequences;
  - (v) migratory pathways;
  - (vi) pest plants and pest animals;
  - (vii) the Waikato river and its catchment;
  - (viii) natural character and landscape values of the area;
  - (ix) natural waterway habitats and hydrology;
  - (x) ecological corridors, natural processes and buffer areas;
  - (xi) legal and physical protection of existing habitat;

**29A.2.4 Significant Natural Areas**

**29A.2.5 Objective – Significant Natural Areas**

- (a) Indigenous biodiversity in Significant Natural Areas is protected and enhanced.

**29A.2.6 Policy - Identify and Recognise**

- (a) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.

**29A.2.7 Policy - Management hierarchy**

- (a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:

- (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled;
- (ii) remedying any effects that cannot be avoided; then
- (iii) mitigating any effects that cannot be remedied; and
- (iv) after remediation or mitigation has been undertaken, offset any significant residual adverse effects in accordance with Policy 3.2.4.

**29A.2.8 Policy – Biodiversity Offsetting**

- (a) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, or on indigenous biodiversity outside such Significant Natural Areas.
- (b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been avoided, remedied or mitigated in accordance with the hierarchy established in Policy 2.2.3; and
  - (i) the biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting; and
  - (ii) the biodiversity offset can achieve no net loss of indigenous biodiversity:
    - A. preferably in the affected area of Significant Natural Area; or
    - B. where that is not practicable, in the ecological district in which the affected area of Significant Natural Area is located.

Significant Amenity Landscapes

**29A.2.9 Objective – Significant amenity landscapes**

- (a) The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.

Natural Character

**29A.2.10 Objectives – Natural Character**

- (a) The natural character of wetlands, and lakes and rivers and their margins are protected from inappropriate subdivision, use and development.

**29A.2.11 Policies – Recognising natural character**

- (a) Recognise the following natural elements, patterns, processes and experiential qualities which contribute to natural character:
  - (i) areas or waterbodies in their natural states or close to their natural state;
  - (ii) coastal or freshwater landforms and landscapes;
  - (iii) coastal or freshwater physical processes, including the movement of water and sediment;
  - (iv) biodiversity;
  - (v) biological processes and patterns;
  - (vi) water flows and levels, and water quality; and
  - (vii) the experience of the above elements, patterns and processes.

**29A.2.12 Policy - Protecting the natural character of wetlands, and lakes and rivers and their margins**

- (a) Protect the natural character qualities of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development by:
  - (i) ensuring that location, intensity, scale and form of subdivision, use and development are appropriate;
  - (ii) minimising, to the extent practicable, indigenous vegetation clearance and modification (including earthworks, disturbance and structures);

- (iii) encouraging any new activities to consolidate within, and around, existing developments or, where the natural character and landscape values have already been compromised, to avoid development sprawling; and
- (iv) requiring appropriate setbacks of activities from wetlands, lakes and rivers.

### 29A.3 Strategic Direction

#### 29A.3.1 Objective – Strategic

- (a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated.
- (b) National Policy Statement on Urban Development Capacity Minimum Targets

The minimum targets for sufficient, feasible development capacity for housing in the Waikato District area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.

Area	Minimum Targets (number of dwellings)		
	Short to Medium	Long term	Total
	1-10 years (2017-2026)	11-30 years (2027-2046)	
Waikato District	7,100	12,300	19,400

#### 29A.3.2 Objective – Urban growth and development

- (a) Future settlement pattern is consolidated in and around existing towns and villages in the district.

#### 29A.3.3 Policy - Location of development

- (a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided.
- (b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017.

#### 29A.3.4 Policy – Staging of development

- (a) Ensure that subdivision, use and development in new urban areas is:
  - (i) located, designed and staged to adequately support existing or planned infrastructure, community facilities, open space networks and local services; and
  - (ii) efficiently and effectively integrated and staged to support infrastructure, stormwater management networks, parks, and open space networks.

#### 29A.3.5 Policy – Density

- (a) Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space.
- (b) Achieve a minimum density of 12-15 households per hectare in the Residential Zone.

#### 29A.3.6 Policy – Commercial and industrial activities

- (a) Provide for commercial and industrial development in the following zones;
  - (i) Business; and

- (ii) Industrial
- (b) Industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of:
  - (i) Tuakau;
  - (ii) Pokeno;
  - (iii) Huntly
  - (iv) Ohinewai; and
  - (v) Horotiu.

### 29A.3.7 Objective – Character of towns

- (a) Development in the Residential, Industrial and Business zones is attractive, connected and reflects the existing character of towns.

### 29A.1.3.8 Policy – Integration and connectivity

- (a) Ensure effective integration within and between new developments and existing areas, including in relation to public open space networks and infrastructure by;
  - (i) Providing good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle, and pedestrian routes;
  - (ii) Providing a range of supporting local community facilities and services for residents' daily needs;
  - (iii) Setting aside land for neighbourhood centres and parks identified in specific Master Plans or Structure Plans, to enable their future development; and
  - (iv) Applying the following design guidelines and town centre character statements to influence the manner in which development occurs;
    - A. Residential Subdivision Guidelines (Appendix 3.1);
    - B. Multi Unit Development Guide (Appendix 3.4);
    - C. Town Centre Guidelines (Appendix 3.3).

### 29A.3.9 Policy – Maintaining Landscape Characteristics

- (a) Ensure that the fundamental shape, contour and landscape characteristics are maintained during subdivision and development.

### 29A.3.10 Objective – Ohinewai

- (a) Development at Ohinewai is concentrated in the Ohinewai Precinct that is defined by the Ohinewai Structure Plan area Ohinewai East, providing a strategically significant area for industrial growth with supporting commercial and residential components.

Commented [J01]: Commissioners Directions para 4a

### 29A.3.11 Policy – Ohinewai

- (a) Ohinewai is developed to ensure:
  - (i) Development in the Ohinewai Precinct Ohinewai East enables restoration of the whenua (land) and a form of urban development that aligns with and upholds cultural values in accordance with Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River).
  - (ii) It is in general accordance with the Ohinewai Structure Plan.
  - (iii) Development achieves a community with an appropriate range of accessible, walkable and conveniently-located services and community facilities that serve the day-to day needs of people living and working in the Ohinewai Precinct. The rural residential character of Ohinewai West is maintained.
  - (iii)(iv) Provision of social and community infrastructure is staged to match community needs.

Commented [J02]: Commissioners Directions para 4b

Commented [J03]: Commissioners Directions para 4b

Commented [J04]: S42A Rebuttal para 217

Commented [J05]: Deleted to avoid setting broader policy outside the OSP.

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- ~~(iv)~~(v) It is well-connected to Huntly by road, walking and cycling networks.
- ~~(v)~~(vi) Large scale industrial and limited commercial development is only located in the Ohinewai Precinct Structure Plan to the east of State Highway 1.
- ~~(vi)~~(vii) Commercial development in the Ohinewai Structure Plan Precinct is limited to small scale local convenience retail and community activities.
- ~~(vii)~~(viii) Residential development provides for growth and achieves a compact high quality urban environment by:
  - a. Providing a range of housing typologies, including medium and higher density residential development, and incorporating papakainga.
  - b. Implementing a high standard of urban design through lot orientation, high quality streetscapes, a high level of connectivity and a well-connected and landscaped green network, through rules, and application of the urban design guidelines (Appendices 29.1, 29.2 and 29.3).
- ~~(viii)~~(ix) Flood hazards and stormwater are managed to ensure that effects on sensitive land uses are mitigated, stormwater is treated to a high standard through LID methods, and flood risk is not increased, including on land beyond the Ohinewai Structure Plan boundary.
- (x) Development is staged to ensure match the staged availability and upgrading of water supply, wastewater and transport infrastructure with the necessary capacity is available prior to development.
- ~~(ix)~~(xi) Development does not occur unless the necessary supporting infrastructure as set out in Table 29B.1 is in place.
- ~~(x)~~(xii) All development is connected to a reticulated public water supply and wastewater system, except for initial self-contained on-site water supply and wastewater disposal for initial industrial development.

Commented [J07]: Commissioners Directions para 4d

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## Residential Zone

### **29A.3.12 Objective – Residential Character**

- (a) Residential character of the Residential Zone is maintained.

### **29A.3.13 Policy – Character**

- (a) Ensure residential development in the Residential Zone:
  - (i) Provides road patterns that follow the natural contour of the landform;
  - (ii) Promotes views and vistas from public spaces of the hinterland beyond; and
  - (iii) Is an appropriate scale and intensity, and setback from the road frontages to provide sufficient open space for the planting of trees and private gardens.

### **29A.3.14 Objective – Residential built form and amenity**

- (a) Maintain neighbourhood residential amenity values and facilitate safety in the Residential Zone.

### **29A.3.15 Policy – Front setback**

- (a) Ensure buildings are designed and set back from roads by:
  - (i) Maintaining the existing street character including the predominant building setback from the street;
  - (ii) Allowing sufficient space for the establishment of gardens and trees on the site; and
  - (iii) Providing for passive surveillance to roads and avoiding windowless walls to the street.

### **29A.3.16 Policy – Setback: Side boundaries**

- (a) Require development to have sufficient side boundary setbacks to provide for:
  - (i) Planting;
  - (ii) Privacy; and
  - (iii) Sunlight and daylight.
- (b) Reduced side boundary setbacks occur only where it:
  - (i) Enables effective development of sites where on-site topographic constraints occur; or
  - (ii) Retains trees on the site.

### **29A.3.17 Policy – Height**

- (a) Ensure building height is complementary to the low rise character of the Residential Zone.

### **29A.3.18 Policy – Site Coverage and Permeable Surfaces**

- (a) Ensure all sites have sufficient open space to provide for landscaping, on-site stormwater disposal, parking, and vehicles manoeuvring by maintaining maximum site coverage requirements for buildings in the Residential Zone.
- (b) Ensure a proportion of each site is maintained in permeable surfaces such as lawn and gardens, in order to ensure there is sufficient capacity to enable disposal of stormwater.

### **29A.3.19 Policy – Excessive building scale**

- (a) Facilitate quality development by ensuring buildings are a complementary height, bulk and form for the site, and are in keeping with the amenity values of the street.

### **29A.3.20 Objective – On-site residential amenity**

- (a) Maintain amenity values within and around dwellings and sites in the Residential Zone.

### **29A.3.21 Policy – Daylight and outlook**

- (a) Maintain adequate daylight, and enable opportunities for passive solar gain by providing for the progressive reduction in the height of buildings.
- (b) Require the height, bulk and location of development to maintain sunlight access and privacy, and to minimise visual dominance effects on adjoining sites.

- (c) Maintain and enhance attractive open space character of residential areas by ensuring that development is compatible in scale to surrounding activities and structures and has generous on-site landscaping, screening and street planting.

**29A.3.22 Policy – Outdoor living court - Dwelling**

- (a) Require outdoor living courts to be accessible and usable.

**29A.3.23 Policy – Outdoor living court – Multi- unit development**

- (a) Enable multi-unit development to provide usable and accessible outdoor living courts in alternative ways that reflects the outcomes of section 7 (private residential amenity) of Waikato District Council’s Multi-unit Development Urban Design Guidelines (Appendix 3.4), in particular by:
  - (i) Maximising light access, views and privacy; and
  - (ii) Maximising the use and amenity opportunities of the site through well designed internal layout.

**29A.3.24 Policy – Outdoor living court – Retirement villages**

- (a) Require outdoor living courts or communal outdoor living courts to be usable and accessible.

**29A.3.25 Objective – Earthworks**

- (a) Earthworks facilitate subdivision, use and development.

**29A.3.26 Policy - Earthworks**

- (a) Manage the effects of earthworks to ensure that:
  - (i) Erosion and sediment loss is avoided or mitigated;
  - (ii) Changes to natural water flows and established drainage paths are mitigated;
  - (iii) Adjoining properties and public services are protected.
- (b) Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.
- (c) Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, dust, lighting and traffic effects.
- (d) Subdivision and development occurs in a manner that maintains fundamental shape, contour and landscape characteristics.
- (e) Manage the geotechnical risks to ensure the ground remains sound, safe and stable for the intended land use.

**29A.3.27 Policy – Housing types**

- (a) Enable a variety of housing types in the Residential Zone where it is connected to public reticulation, including:
  - (i) Integrated residential development such as low-rise apartments and multi-unit development; and
  - (ii) Retirement villages.

**29A.3.28 Policy – Multi-unit development**

- (a) Ensure multi-unit residential subdivision and development is designed in a way that:
  - (i) provides a range of housing types;
  - (ii) Addresses and integrates with adjacent residential development, town centres and public open space;
  - (iii) Addresses and responds to the constraints of the site, including topography, natural features and heritage values;
  - (iv) Supports an integrated transport network, including walking and cycling connections to public open space network; and
  - (v) Maintains the amenity values of neighbouring sites.
- (b) Encourage developments that promote the outcomes of the Waikato District Council’s Multi-unit Development Urban Design Guidelines (Appendix 3.4), in particular section 3 (site and

context analysis), section 4 (movement, access and parking), section 5 (neighbourhood character), section 6 (street and public realm interface), and section 8 (communal open spaces and landscape treatment), in particular by:

- (i) Responding to the immediate urban and built form;
- (ii) Designing and locating development to support connection to the surrounding context and local amenities;
- (iii) Promoting the safe movement of pedestrians and vehicles on site;
- (iv) Ensuring design is contextually appropriate and promotes local characteristics to contribute to community identity;
- (v) Designs that respond to and promote the public interface by the provision of:
  - A. Streets and public places;
  - B. Pedestrian safety and amenity.
  - C. Side setbacks; and
  - D. Variation in roof form.
- (vi) Ensuring a communal outdoor living court is provided where private individual outdoor living courts are limited.

#### **29A.3.29 Policy – Retirement villages**

- (a) Provide for the establishment of new retirement villages and care facilities that:
  - (i) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
  - (ii) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
  - (iii) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
  - (iv) Housing and care facilities for older people can require higher densities;
  - (v) Provide high quality on-site amenity;
  - (vi) Integrate with local services and facilities, including public transport; and
  - (vii) Connect to alternative transport modes to Residential or Business Zones.
- (b) Enable alterations and additions to existing retirement villages that:
  - (i) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
  - (ii) Recognise that housing and care facilities for older people can require higher densities;
  - (iii) Provide high quality on-site amenity; and
  - (iv) Integrate with local services and facilities, including public transport and alternative transport modes.

#### **29A.3.30 Objective – Maintain residential purpose**

- (a) Residential activities remain the dominant activity in the Residential Zone.

#### **29A.3.31 Policy – Maintain residential purpose**

- (a) Restrict the establishment of commercial or industrial activities, unless the activity has a strategic or operational need to locate within a residential zone, and the effects of such activities on the character and amenity of residential zones are insignificant.

#### **29A.3.32 Policy – Non-residential activities**

- (a) Maintain the Residential Zone for residential activities by:
  - (i) Ensuring the number of non-residential activities are not dominant within a residential block;
  - (ii) Ensuring non-residential activities are in keeping with the scale and intensity of development anticipated by the Residential Zone and contribute to the amenity of the neighbourhood;
  - (iii) Enabling activities that provide for the health and well-being of the community and that service or support an identified local need;

- (iv) Avoiding the establishment of new non-residential activities on rear sites, or sites located on cul-de-sacs, or that have access to strategic roads; and
- (v) Ensuring that the design and scope of non-residential activities and associated buildings:
  - A. Maintain residential character including the scale and design of buildings and their location on the site, and on-site parking and vehicle manoeuvring areas; and
  - B. Mitigate adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill, to the extent that they minimise adverse effects on residential character and amenity and the surrounding transport network.

**29A.3.33 Policy – Home occupations**

- (a) Provide for home occupations to allow flexibility for people to work from their homes.
- (b) Manage the adverse effects on residential amenity through limiting home occupations to a scale that is compatible with the level of amenity anticipated in the residential environment.

**29A.3.34 Policy - Temporary events**

- (a) Enable temporary events and associated temporary structures, provided any adverse effects on the residential environment are managed by:
  - (i) Limits on the timing, number and duration of events; and
  - (ii) Meeting the permitted noise limits for the zone.

**29A.3.35 Policy – Neighbourhood centres in structure plan areas**

- (a) Provide for new neighbourhood centres within structure plan areas or master plan areas, that:
  - (i) Are for the daily retail and service needs of the community; and
  - (ii) Are located within a walkable catchment.

Residential Zones - Noise, lighting, outdoor storage, signs and odour

**29A.3.36 Objective – Adverse effects of land use and development**

- (a) The health and well-being of people, communities and the environment are protected from the adverse effects of land use and development.

**29A.3.37 Policy – Noise**

- (a) The adverse effects of noise on residential amenity are minimised by:
  - (i) Ensuring that the maximum sound levels are compatible with the surrounding residential environment;
  - (ii) Limiting the timing and duration of noise-generating activities, including construction and demolition activities;
  - (iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses;
  - (iv) Managing the location of sensitive land uses, particularly in relation to lawfully-established high noise generating activities; and
  - (v) Requiring acoustic insulation where sensitive activities are located within high noise environments.

**29A.3.38 Policy – Artificial outdoor lighting**

- (a) Provide for artificial outdoor lighting to enable night time work, farming activities, recreation activities, outdoor living, transport and security.
- (b) Manage the adverse effects of glare and lighting to adjacent sites.
- (c) Ensure artificial outdoor lighting is installed and operated so that light spill does not compromise the safe operation of the transport network.

**29A.3.39 Policy – Outdoor storage**

- (a) The adverse visual effects of outdoor storage are mitigated through screening or landscaping.

**29A.3.40 Policy – Objectionable odour**

- (a) Ensure that the effects of objectionable odour do not detract from the amenity of other sites.

**29A.3.41 Policy – Signage**

- (a) Provide for the establishment of signs where they are directly associated with the activity carried out on the site on which they are located; and
- (b) Recognise that public information signs provide a benefit to community well-being and support infrastructure and commercial and community activities.
- (c) Provide for signage that is compatible with the character and sensitivity of the residential environment.

**29A.3.42 Policy – Managing the adverse effects of signs**

- (a) The location, colour, content, and appearance of signs directed at traffic is controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;
- (b) Discourage signs that generate adverse effects from illumination, light spill, flashing or reflection.

Business Zones

**29A.3.43 Objective – Commercial function and purpose**

- (a) Commercial activity is focussed within a differentiation of commercial zones and development (comprising the Business Town Centre Zone, the Business Zone, the Business Zone Tamahere and neighbourhood centres).

**29A.3.44 Policy – Commercial function and purpose**

- (a) Commercial activity develops in a way that:
  - (i) Ensures the business town centre within each town is maintained as the primary focal point for retail, administration, commercial services and civic functions;
  - (ii) Provides for larger scale commercial activities within the Business Zone;
  - (iii) Provides for small scale convenience retail and community activities within the Business Zone in the Ohinewai Precinct.

**29A.3.45 Policy – Commercial purpose: Business Zone**

- (a) The role of the Business Zone is to support the local economy and the needs of businesses by:
  - (i) Providing for a wide range of commercial activities; and
  - (ii) Providing for commercial activities at a scale that supports the commercial viability of towns and villages; and
  - (iii) Ensuring that commercial activities complement and support the role of business town centres.

**29A.3.46 Policy – Commercial purpose: Neighbourhood Centres**

- (a) Ensure that within neighbourhood centres convenience retail and commercial activities are carried out in a way that meets the needs of the local communities they are intended to serve.

**29A.3.47 Policy – Commercial purpose: Neighbourhood Centres in Structure Plans**

- (a) Neighbourhood centres within new residential areas that are identified through structure plans or master plans are to provide for local scale commercial activities that serve the local communities.

**29A.3.48 Policy – Role and function of the Business Zone**

- (a) Ensure the role of the Business zone is complementary to the Business Town Centre Zone.

**29A.3.49 Policy – Employment opportunities: Business Town Centre Zone and Business Zone**

- (a) Commercial development within the Business Zone increases employment opportunities within the district.

**29A.3.50 Policy – Retail: Business Town Centre Zone and Business Zone**

- (a) Locate small scale retail activities within the Business Town Centre Zone and discourage large scale activities from establishing within the Business Town Centre Zone.

**29A.3.51 Policy - Residential upper floors: Business Town Centre Zone and Business Zone**

- (a) Maintain the commercial viability of the Business Town Centre Zone and Business Zone while:
  - (i) Providing for mixed use developments, ensuring residential activities are located above ground floor; and
  - (ii) Avoiding residential activity located at ground level.

**29A.3.52 Objective – Business Zone - Character**

- (a) The commercial scale, form of buildings and character of the Business Zone is maintained.

**29A.3.53 Policy – Landscaping of onsite parking areas – Business Zone**

- (a) Provide a degree of amenity for onsite parking areas within the Business Zone by ensuring a planting strip is established and maintained.

**29A.3.54 Policy – Front setback – Business Zone**

- (a) Ensure buildings within the Business Zone are designed and setback from roads by:
  - (i) Retaining the predominant building setback within the street; and
  - (ii) Allowing sufficient space for the establishment of landscaping on the site.

**29A.3.55 Policy – Height: Business Zone**

- (a) Ensure the height of new buildings is complementary to, and promotes, the existing character of the Business Zone and adjoining residential and village zones.

**29A.3.56 Policy – New buildings: Business Zone**

- (a) New buildings within the Business Zone are consistent with the Waikato District Council Urban Design Guidelines Town Centres (Appendix 3.3), and in particular:
  - (i) Responds to the specific site characteristics and wider street;
  - (ii) Promotes architectural form, building features and placement;
  - (iii) Provides landscape and open space design that responds to the characteristics and qualities of the area;
  - (iv) Minimises visual and amenity impacts of accessways and parking facilities; and
  - (v) Accommodates pedestrian access and safety.

**29A.3.57 Objective – Business Zone and Business Town Centre Zones – Amenity**

- (a) The amenity values of residential activities within, and activities in, adjoining zones are protected from the adverse effects of developments and activities in the Business Zone.

**29A.3.58 Policy - Reverse sensitivity**

- (a) Reverse sensitivity within Business Zone is managed by ensuring residential activities and development are acoustically insulated to mitigate the adverse effects of noise.

**29A.3.59 Policy – Adjoining site amenity**

- (a) Maintain amenity of adjoining Residential-zoned properties by:
  - (i) Requiring buildings within the Business Zones to be setback from boundaries adjoining Residential-zoned land; and

- (ii) The progressive reduction in the height of buildings in Business Zones the closer they are located to boundaries adjoining Residential Zoned land.

**29A.3.60 Policy - Reverse sensitivity**

- (a) Reverse sensitivity is managed by ensuring residential activities and development within the Business Zone are acoustically insulated to mitigate the adverse effects of noise.

**29A.3.61 Policy - Temporary events**

- (a) Enable temporary events and associated temporary structures within the Business Zone, provided any adverse effects on amenity are managed through:
  - (i) Limits on the timing, number and duration of events; and
  - (ii) Meeting the permitted noise limits for the zone.

**29A.3.62 Policy – Noise**

- (a) Adverse effects of noise generated within the Business Zone on sensitive land uses are minimised by:
  - (i) Ensuring that the maximum sound levels are compatible with the amenity values of adjacent Residential Zone;
  - (ii) Limiting the timing and duration of noise-generating activities, including construction and demolition activities;
  - (iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses; and
  - (iv) Limiting the timing and duration of servicing and operation of commercial activities;
  - (v) Requiring acoustic insulation for dwellings within the Business Zone.

**29A.3.63 Policy – Signage**

- (a) In the Business Zone provide for:
  - (i) The establishment of signs where they are associated with the activity carried out on the site on which they are located;
  - (ii) Public information signs that are of benefit to community well-being; and
  - (iii) Establishment of signage to support the commercial function and vibrancy of the zones with controls on the size, location, appearance and number of signs to ensure they do not detract from the visual amenity of the surrounding environment.

**29A.3.64 Policy – Managing the adverse effects of signs**

- (a) In the Business Zone ensure that:
  - (i) The location, colour, content, and appearance of signs directed at traffic are controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;
  - (ii) Signs that generate adverse effects from illumination, light spill, flashing or reflection are avoided; and
  - (iii) the placement of signs do not obstruct the free movement of:
    - A. Pedestrians along the footpath;
    - B. Vehicle use of the road carriageway.

**29A.3.65 Policy – Artificial outdoor lighting**

- (a) In the Business Zone ensure that:
  - (i) Artificial outdoor lighting enables night time work, recreation activities, outdoor living, transport and security.
  - (ii) The intensity and direction of artificial lighting avoids significant glare and light spill to adjacent sites; and
  - (iii) Artificial outdoor lighting is installed and operated so that light spill does not compromise the safe operation of the transport network.

**29A.3.66 Policy – Outdoor storage**

- (a) The adverse visual effects of outdoor storage in the Business Zone are mitigated through appropriate location, screening or landscaping.

**29A.3.67 Policy – Objectionable odour**

- (a) Within the Business Zone ensure that the adverse effects of objectionable odour from activities do not detract from the amenity of other sites.

**29A.3.68 Policy - Earthworks**

- (a) Ensure that the adverse effects of earthworks in the Business Zone on adjoining properties and water bodies, are managed to minimise the adverse effects and sediment of dust and stormwater runoff.

**29A.3.69 Policy – Adjoining site amenity**

- (a) Maintain amenity of adjoining properties by:
  - (i) In the Business Zone:
    - A. Requiring buildings to be setback from boundaries adjoining all zones except Industrial Zoned land.

Industrial Zone

**29A.3.70 Objective – Economic growth of industry**

- (a) The economic growth of the district's industry is supported and strengthened in industrial zones.

**29A.3.71 Policy – Provide Industrial Zone**

- (a) Recognise and provide for a variety of industrial activities within an industrial zone as follows:
  - (i) Industrial Zone
    - A. Recognise and provide for a range of industrial and other compatible activities that can operate in close proximity to more sensitive zones due to the nature and relatively limited effects of these activities, including visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and traffic, subject to appropriate separation distances.

**29A.3.72 Policy – Maintain a sufficient supply of industrial land**

- (a) Maintain a sufficient supply of industrial land within strategic industrial nodes to meet foreseeable future demands, having regard to the requirements of different industries to avoid the need for industrial activities to locate in non-industrial zones.

**29A.3.73 Policy – Maintain industrial land for industrial purposes**

- (a) Maintain industrial zones for industrial activities unless a development is ancillary to an on-site industrial activity and does not undermine the integrity of those zones.

**29A.3.74 Objective – Manage adverse effects**

- (a) The amenity values of sensitive activities and ecosystem values outside of industrial zones are protected from the significant adverse effects of industrial activities.

**29A.3.75 Policy – Management of adverse effects within industrial zones**

- (a) Manage adverse effects including visual impact from buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic by managing the location of industrial uses, bulk and form of buildings, landscaping and screening at the interface with roads and environmentally sensitive areas.

## Urban Subdivision and development

### **29A.3.76 Objective – Subdivision and Land Use Integration**

- (a) Subdivision layout and design facilitates the land use outcomes sought for the residential, business, industrial, reserve and specific purpose zones.

### **Layout and Design**

#### **29A.3.77 Policy – Subdivision location and design**

- (a) Ensure subdivision, is located and designed to:
  - (i) Be sympathetic to the natural and physical qualities and characteristics of the surrounding environment;
  - (ii) Establish boundaries that avoid buildings and structures dominating adjoining land or public places, or fresh waterbodies;
  - (iii) Arrange allotments to allow for view sharing, where possible;
  - (iv) Retain existing access to public space;
  - (v) Promote safe communities through quality urban design;
  - (vi) Accommodate building platforms and vehicle accesses that are safe and stable; and
  - (vii) Promote consistent grid layout.

#### **29A.3.78 Policy – Residential subdivision**

- (a) Development responds to the outcomes of Waikato District Council's Urban Design Guidelines Residential Subdivision (Appendix 3.1), section 4 (Connectivity and Movement Networks), section 5 (Neighbourhood Character), section 6 (Residential Block and Street Layout), section 7 (Open Space and Landscape Treatment), and section 8 (Low Impact Urban Design), in particular by:
  - (i) Designs that promote walkability and pedestrian safety;
  - (ii) Promoting accessibility and connectivity of public spaces, employment areas, services, facilities, and amenities, both within the subdivision and wider context;
  - (iii) Integrating staging to ensure multi-modal connectivity;
  - (iv) Limiting the number and length of cul-de-sacs;
  - (v) Ensuring connection to existing and future public transport nodes;
  - (vi) Promoting connectivity and permeability by ensuring new connections to existing and future development, including green linkages.
  - (vii) Promoting the street layout to reflect the underlying topography;
  - (viii) Ensuring pedestrian access is consistent with the Crime Prevention through Environmental Design (CPTED);
  - (ix) Discouraging the creation of rear lots;
  - (x) Promoting adequate lighting levels in publicly accessible spaces;
  - (xi) Ensuring design promotes local characteristics;
  - (xii) Ensuring lots are orientated in a way that:
    - A. Maximizes solar access; and
    - B. Addresses the street frontage and public places.
  - (xiii) Creating lots that can accommodate a variety of density with a mix of usable lot types;
  - (xiv) Efficient design which enables the future connection to services and facilities;
  - (xv) Ensuring public open space is distributed, located and sized to reflect its context and provides for a range of different activities and users; and
  - (xvi) Ensuring infrastructure is designed to manage stormwater in a sustainable manner by:
    - A. Minimising environmental impacts and maintenance costs, and reducing stormwater discharging to existing reticulated networks; and
    - B. Promoting and maintaining riparian margins.

## Urban Outcomes

### 29A.3.79 Policy – Lot sizes

- (a) Minimum lot size and dimension of lots enables the achievement of the character and density outcomes of each zone.

### 29A.3.80 Policy – Servicing requirements

- (a) Require urban subdivision and development to be serviced to a level that will provide for the anticipated activities approved in a structure plan, or otherwise anticipated within the zone, including through the provision of:
  - (i) Reserves for community, active and passive recreation;
  - (ii) Pedestrian and cycle connections;
  - (iii) Roads;
  - (iv) Public transport infrastructure, e.g. bus stops;
  - (v) Telecommunications;
  - (vi) Electricity;
  - (vii) Stormwater collection, treatment and disposal;
  - (viii) Wastewater treatment and reticulation, water provision for domestic and fire fighting purposes; and
  - (ix) Connections to identified adjacent future growth areas.

### 29A.3.81 Policy – Co-ordination between servicing and development and subdivision

- (a) Ensure development and subdivision:
  - (i) Is located in areas where infrastructural capacity has been planned and funded;
  - (ii) Is located in areas subject to an approved structure plan and provide sufficient infrastructure capacity to meet the demand identified in the structure plan;
  - (iii) Achieves the lot yield anticipated in an approved structure plan; and
  - (iv) Includes infrastructure provision for both the strategic infrastructure network and local infrastructure connections.

### 29A.3.82 Policy – Staging of subdivision

- (a) Require any staging of subdivision to be undertaken in a manner that promotes efficient development and integration of infrastructure and community facilities.

### 29A.3.83 Policy – Connected neighbourhoods

- (a) Require subdivision to provide street and block patterns that support the concepts of a liveable, walkable and connected neighbourhood including:
  - (i) A road network that achieves all of the following:
    - A. Easy and safe to use for pedestrians and cyclists;
    - B. Connected with a variety of routes within the immediate neighbourhood and between adjacent land areas; and
    - C. Connected to public transport, shops, schools, employment, open spaces and other amenities; and
  - (ii) Vehicle crossings and associated access designed and located to provide for safe and efficient movement to and from sites and minimising potential conflict between vehicles, pedestrians, and cyclists on the adjacent road network.

### 29A.3.84 Policy – Recreation and access

- (a) Subdivision provides for the recreation and amenity needs of residents by:
  - (i) Encouraging open spaces which are prominent and accessible by pedestrians;
  - (ii) Requiring the number and size of open spaces in proportion to the future density of the neighbourhood; and
  - (iii) Enabling for pedestrian and/or cycle linkages.

**29A.3.85 Policy – Reverse sensitivity**

- (a) Development and subdivision design minimises reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and
- (b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity.

**29A.3.86 Policy – Boundary adjustments and relocations**

- (a) Boundary adjustments and boundary relocations are designed to provide for more efficient use of land.

**Structure and master plans**

**29A.3.87 Policy – Structure and master planning**

- (a) Ensure that development and subdivision within approved structure or master plan areas is integrated with the development pattern and infrastructure requirements specified in an approved structure or master plan.

29A.4 Infrastructure and Energy

General Infrastructure

**29A.4.1 Objective – Development, operation and maintenance of infrastructure**

- (a) Infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district.

**29A.4.2 Policy - Development, operation and maintenance**

- (a) Provide for the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure by recognising:
  - (i) Functional and operational needs;
  - (ii) Location, route and design needs and constraints;
  - (iii) Locational constraints related to the need to access suitable resources or site;
  - (iv) The benefits of infrastructure to people and communities;
  - (v) The need to quickly restore disrupted services; and
  - (vi) Its role in servicing existing consented and planned development.

**29A.4.3 Policy - Technological advances**

- (a) Provide flexibility for infrastructure operators to use new technological advances that:
  - (i) Improve access to, and enable the efficient use or development of infrastructure;
  - (ii) Allow for the re-use of redundant infrastructure and structures where appropriate; and
  - (iii) Result in positive environmental and community outcomes.

**29A.4.4 Policy – Infrastructure benefits**

- (a) Have regard to the benefits that infrastructure provides, including:
  - (i) Enabling enhancement of the quality of life and residential standard for people and communities;
  - (ii) Providing for public health and safety;

- (iii) Enabling the functioning of business and growth and development;
- (iv) Managing adverse effects on the environment;
- (v) Enabling the transportation of freight, goods and people;
- (vi) Enabling interaction and communication; and
- (vii) Providing for lifeline utility services.

**29A.4.5 Policy – Natural hazards and climate change**

- (a) Encourage the design and location of infrastructure to take account of natural hazards and the effects of climate change.

**29A.4.6 Objective – Reverse sensitivity**

- (a) Infrastructure is protected from reverse sensitivity effects, and infrastructure is not compromised.

**29A.4.7 Policy – Reverse sensitivity and infrastructure**

- (a) Avoid reverse sensitivity effects on infrastructure from subdivision, use and development as far as reasonably practicable, so that the ongoing and efficient operation of infrastructure is not compromised.

**29A.4.8 Objective – Infrastructure in the community and identified areas**

- (a) Infrastructure takes into account the qualities and characteristics of surrounding environments and community well-being.

**29A.4.9 Policy - Environmental effects, community health, safety and amenity**

- (a) Require the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure and its associated structures to avoid, remedy or mitigate adverse effects on the environment, community health, safety and amenity.

**29A.4.10 Policy – Undergrounding new infrastructure**

- (a) Encourage new infrastructure to be placed underground unless:
  - (i) The adverse effects on the environment are greater than placing the infrastructure above ground;
  - (ii) A natural or physical feature or structure renders underground placement impractical or undesirable; or
  - (iii) There are significant operational, functional, technical, cultural or economic reasons that require the infrastructure to be above ground.

**29A.4.11 Policy – Co-location of compatible facilities**

- (a) Encourage compatible infrastructure to share location or facilities where operational advantages can be achieved or adverse effects are reduced.

**29A.4.12 Policy – Future growth areas**

- (a) Require infrastructure services to be developed to a standard that enables the service to be extended to future growth areas where appropriate.

**29A.4.13 Policy – Electromagnetic and radio frequency fields**

- (a) Require infrastructure that generates electromagnetic or radio frequency fields to comply with the International Commission on Non-ionising Radiation Protection Guidelines, relevant WHO guidelines and the relevant New Zealand Standard.

**29A.4.14 Policy – Water conservation**

- (a) Encourage water conservation measures and, where appropriate, low impact stormwater design and facilities.

Energy

**29A.4.15 Objective – Renewable energy**

- (a) Energy efficient design and an increase in renewable electricity generation activities are promoted.

**29A.4.16 Policy – Utilising energy efficiency**

- (a) Design subdivision, land use and development so that buildings can utilise energy efficiency and conservation measures, including by orientation to the sun and through other natural elements.

**29A.4.17 Policy – Enabling renewable electricity generation**

- (a) Enable the investigation, development, operation, maintenance and upgrading of renewable electricity generation activities, including domestic and community scale distributed renewable electricity generation, provided that adverse effects are avoided, remedied or mitigated.

**29A.4.18 Policy – Future renewable electricity**

- (a) Provide for the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation activities.

**29A.4.19 Policy – Existing renewable electricity facilities**

- (a) Ensure subdivision, use and development are designed and located so that they do not adversely affect the operation and maintenance of existing, lawfully established renewable energy generation facilities.

Infrastructure, Subdivision and Development

**29A.4.20 Objective – Integration of infrastructure with subdivision, land use and development**

- (a) Infrastructure is provided for, and integrated with, subdivision, use and development.

**29A.4.21 Policy – Provide adequate infrastructure**

- (a) Ensure adequate provision of infrastructure, including land transport networks, where land is subdivided or its use intensified.

**29A.4.22 Policy – Infrastructure Location and Services**

- (a) Ensure subdivision, use and development are provided with infrastructure and services to a level that is appropriate to its location and intended use including:
  - (i) Three waters (water, wastewater and stormwater supply);
  - (ii) Telecommunication services;
  - (iii) Electricity services; and
  - (iv) Adequate water supply within urban areas for firefighting purposes.

**29A.4.23 Policy – Road and rail network**

- (a) Discourage subdivision, use and development that would compromise:
  - (i) The road function, as specified in the road hierarchy, or the safety and efficiency of the roading network; and
  - (ii) The safety and efficiency of the railway network.

**29A.4.24 Policy – Roading infrastructure**

- (a) Ensure that roading infrastructure is developed so that:
  - (i) The design, location, alignment and dimensions of new roads provide safe vehicle, pedestrian and cycling access and manoeuvring to every site;
  - (ii) The roading pattern provides good connectivity to the site and integrates with adjacent land identified as future growth areas including public transport such as bus stops;
  - (iii) There is adequate provision of on-site parking and manoeuvring for land use activities; and
  - (iv) Contaminants generated are appropriately mitigated.

**29A.4.25 Objective – Stormwater and drainage**

- (a) The hydrological characteristics of the natural drainage processes are retained.

**29A.4.26 Policies – Stormwater**

- (a) Ensure that stormwater and drainage infrastructure for subdivision, land use and development:
  - (i) Adopts, where appropriate, a best-practice low impact design approach to the management of stormwater;
  - (ii) Manages stormwater in accordance with a drainage hierarchy, with a preference for on-site treatment;
  - (iii) Minimises impervious surfaces to reduce stormwater run-off;
  - (iv) Retains pre-development hydrological conditions as far as practicable;
  - (v) Does not increase the flow of stormwater runoff onto adjoining properties or flood plains, or reduce storage capacity on-site;
  - (vi) Provides a stormwater catchment management plan for future urban development; and
  - (vii) Promotes clean water reuse and groundwater recharge where practicable.

## Transport

### **29A.4.27 Objective – Land transport network**

- (a) An integrated land transport network where:
  - (i) All transport modes are accessible, safe and efficient; and
  - (ii) Adverse effects from the construction, maintenance and operation of the transport network are managed.

### **29A.4.28 Policy – Construction and operation of the land transport network**

- (a) Promote the construction and operation of an efficient, effective, integrated, safe, resilient and sustainable land transport network through:
  - (i) Corridor, carriageway and intersection design which is appropriate to the road function as specified in the road hierarchy and in accordance with relevant guidelines;
  - (ii) The appropriate design and location of sites accesses;
  - (iii) Traffic signage, road marking, lighting, rest areas and parking as appropriate;
  - (iv) Provision for pedestrians and cyclists that addresses accessibility, including off-road facilities and connections;
  - (v) Corridor and carriageway design which is sufficient to enable provision of public transport;
  - (vi) Provision for other infrastructure, including where suitable low impact design stormwater facilities;
  - (vii) The installation of new at grade road and pedestrian rail level crossings include:
    - A. Controlling the location of buildings and other visual obstructions within the sightline areas of rail level crossings; and
    - B. Railway crossing design in accordance with the requirements of the rail operator.

### **29A.4.29 Policy – Road hierarchy and function**

- (a) Provide a hierarchy of roads for different functions and modes of land transport while recognising the nature of the surrounding land use within the district.

### **29A.4.30 Policy – Road standards**

- (a) Ensure that the construction and operation of roads is consistent with their function in the road hierarchy.

### **29A.4.31 Policy - Road safety**

- (a) Ensure that structures, lighting, signage and vegetation are located and designed so as to not compromise the safe and efficient operation of the land transport network, or obscure RAPID numbers.

### **29A.4.32 Policy – Network utility location**

- (a) Encourage the location of network utility infrastructure within transport corridors where the function, safety and efficiency of the transport network will not be compromised.

### **29A.4.33 Policy – Vehicle access**

- (a) Control the location of new vehicle accesses to sites adjacent to other accesses and rail level crossings to improve the safety and efficiency of the land transport network.

## 29A.5: Hazardous Substances

### Hazardous Substances

#### 29A.5.1 Objective – Effects of hazardous substances

- (a) Residual risk associated with the storage, use, or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable, while recognising the benefits of facilities using hazardous substances.

#### 29A.5.2 Policy – Location of new hazardous facilities

- (a) New hazardous facilities minimise the risk to the environment (including people and property) to acceptable levels by:
  - (i) Siting new hazardous facilities in appropriate locations that are separated from incompatible activities and environment;
  - (ii) Avoid locating near to sensitive land use activities and infrastructure
  - (iii) Designing, constructing and operating hazardous facilities in a manner that ensures the adverse effects of the operation or an accidental event involving hazardous substances can be contained within the site; and
  - (iv) Disposing hazardous wastes to authorised disposal or treatment facilities that have appropriate management systems in place.

#### 29A.5.3 Policy – Residual risks of hazardous substances

- (a) Facilities for the use, storage or disposal of hazardous substances shall identify and assess potential adverse effects (including cumulative risks and potential effects of identified natural hazards) to prevent unacceptable levels of risk to human health, safety, property and the natural environment.

#### 29A.5.4 Policy – Reverse sensitivity effects

- (a) Separate sensitive land use activities from lawfully-established hazardous facilities;
- (b) Separate new hazardous facilities from existing sensitive land use activities.

## 29A.6: Definitions

Definition	Meaning						
<b>A</b>							
Access allotment	Means an allotment used only for access to, and provision of, services to other <b>Records of Title</b> .						
Accessory building	Means a <b>building</b> , the use of which is incidental to the use of the principal land use or <b>building</b> on that site. A garage that is integrated into and forms part of a <b>dwelling</b> is not an <b>accessory building</b> .						
Activities not provided for in Precinct B in the Motor Sport and Recreation Zone	Means: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Abattoirs</td> <td style="width: 50%;">Asphalt and bitumen plants</td> </tr> <tr> <td>Abrasive blasting</td> <td>Animal by-product processing</td> </tr> <tr> <td>Asbestos removal</td> <td>Bulk cartage contractors</td> </tr> </table>	Abattoirs	Asphalt and bitumen plants	Abrasive blasting	Animal by-product processing	Asbestos removal	Bulk cartage contractors
Abattoirs	Asphalt and bitumen plants						
Abrasive blasting	Animal by-product processing						
Asbestos removal	Bulk cartage contractors						

## 29A.6: Definitions

Definition	Meaning
	Building recycling yards Dairy companies Car and truck wrecking yards Factory farming Foundries Galvanising plants Heavy haulage contractors Hazardous waste or facilities depot Oil refineries Septic tank services Service station Scrap metal dealers Saw mill Tallow merchants Timber treatment plants Quarrying Zinc production Wool scourers
	Building recyclers Bus and coach tours Courier and taxi companies Carrier, cartage operators Explosives manufacturers Fuel and oil suppliers Freight forwarders Guns and gunsmiths House removal Labour hire companies Recycling centre Shuttle services Spring manufacturers Tyre retreaders Skating rinks Telemarketing services Truck and bus dealers
Adjoining site	Means any other <b>site</b> sharing any length of <b>boundary</b> with the subject <b>site</b> , but does not include a <b>site</b> across a road, service lane, or private way, unless specifically stated in the context.
AEP	Refer to definition of Annual Exceedance Probability.
Afforestation	Has the meaning in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
Aggregate extraction activities	Means those activities associated with aggregate extraction, including: <ul style="list-style-type: none"> <li>(a) aggregate excavation, <b>blasting</b>, processing (crushing, screening, washing and blending);</li> <li>(b) the storage, distribution and sale of aggregates by wholesale to industry or by retail;</li> <li>(c) <b>ancillary earthworks</b>;</li> <li>(d) the removal and deposition of overburden;</li> <li>(e) treatment of stormwater and wastewater;</li> <li>(f) landscaping and rehabilitation works including cleanfilling;</li> <li>(g) ancillary <b>buildings</b> and structures; and</li> <li>(h) residential accommodation necessary for security purposes.</li> </ul>
Aggregate Extraction Area	Means an area identified on the planning maps.
Aggregate Resource Area	Means an area identified on the planning maps.

## 29A.6: Definitions

Definition	Meaning
Agricultural and horticultural research activities	Means all activities associated with agricultural and horticultural research and innovation including, but not limited to: agritechology, food technology, biotechnology, bioengineering reproductive technology, information technology, biological pest control, weed and pest management strategies, vaccine development, soil, plant and fibre analysis, fertiliser and pesticide formulation and application, animal and plant health and disease control, control of fungal and plant toxins, processing of animal and horticultural products and by-products, research abattoirs, waste management systems, animal behaviour and welfare, farm sustainability, grazing, confined animal farming, soil, air and water research and the development, manufacture and commercial application of such activities.
Agricultural Research Centres	Means the sites shown on the planning maps as the Livestock Improvement Corporation (LIC) Agricultural Research Centre and the Dairy NZ Agricultural Research Centre, which are subject to the Rural Zone rules in Specific Area 22.5.
Airfield	Means an area of land set aside from other uses for the purposes of enabling aircraft to land and take off.
Allotment	Has the meaning in section 218 of the Resource Management Act 1991.
Alteration or addition	Means for heritage items listed in Appendix 30.1, an extension to a structure or building which increases its size, height and volume, including the construction of new floors, walls, ceilings and roofs.
Alterations	Means for heritage items listed in Appendix 30.1, any changes to the fabric or characteristics of a building and includes the removal and replacement of external walls, windows, ceilings, floors or roofs. It does not include repair or maintenance as defined elsewhere.
Ancillary equipment	Means telecommunications, radiocommunications, electrical or similar equipment which is necessary to install with a facility to enable the facility to operate as intended, but not a self-contained power unit or a lightning rod.
Ancillary rural earthworks	(a) Means any earthworks or disturbance of soil associated with: cultivation, land preparation (including establishment of sediment and erosion control measures), for planting and growing operations; (b) harvesting of agricultural and horticultural crops (farming) and forests (forestry); and (c) maintenance and construction of facilities typically associated with farming and forestry activities, including, but not limited to, farm/forestry tracks, roads and landings, stock races, silage pits, farm drains, farm effluent ponds, feeding pads, fencing and sediment control measures.
Animal feed lot	Means a covered or uncovered hard standing area used for the purpose of intensively feeding animals. It does not include the concentrated but temporary wintering of stock numbers normally present on a property in areas such as feed stalls or feed pads.
Annual exceedance probability	Means the probability of an event occurring in any one year. The probability is expressed as a percentage and generally refers to storm events of a particular magnitude occurring in any given year. For example, a large flood

## 29A.6: Definitions

Definition	Meaning
	which may be calculated to have a 1% chance to occur in any one year, is described as 1% AEP.
Antenna	Means a device that receives or transmits radiocommunication or telecommunication signals, but not a small cell unit.
Apartment	Means three or more attached residential units, connected by one or more accessory buildings, such as a garage or carport.
Automotive activities	Means, within the Hampton Downs Motor Sport and Recreation Zone, a business that is related to the automotive and motor sports industry and includes premises involved in the sale, servicing, repair and fabrication of automotive and motor sport vehicles, parts or accessories.
<b>B</b>	
Bank	Means any outer edge of the bed of a lake, river or stream.
Bed	Has the meaning in section 3 of the Resource Management Act 1991.
Biodiversity	Means the variability among living organisms and the ecological complexes of which they are a part, including diversity within species, between species and of ecosystems.
Blasting	Means the detonation of a single explosive charge or a series of connected explosive charges within a regular array of blast-holes. The detonation of a group of regularly-spaced explosive charges within a period of less than ten seconds is counted as one blast.
Boarding, breeding or animal training establishment	Means an activity carried out on land or within buildings where board and lodging, breeding and training is provided or intended to be provided for more than five animals (excluding offspring up to 3 months of age). This does not include dog kennels, calf rearing sheds, stables and similar shelters for private farming uses.
Boundary	Means in relation to: <ul style="list-style-type: none"> <li>(a) a Record of Title - the site boundary;</li> <li>(b) cross-lease titles - the boundary of any restrictive covenant area; and</li> <li>(c) unit titles - the boundary of the accessory unit associated with the principal unit.</li> </ul>

## 29A.6: Definitions

Definition	Meaning
Building	<p>Has the meaning in the Building Act 2004, excluding:</p> <ul style="list-style-type: none"> <li>(a) a pergola, not roofed or enclosed, less than 3 metres in height; or a swimming pool, ornamental pool, deck; or</li> <li>(b) other structure not roofed or enclosed, less than 1.5 metre in height; or a fence, or a wall other than a retaining wall, less than 2 metres in height; or public or cultural art in a public place less than 3 metres in height; or</li> <li>(c) a retaining wall or retaining structure less than 1.5 metres in height, provided that where a fence or non-retaining wall is placed at the top of the retaining wall, the combined height is less than 2 metres; or</li> <li>(d) a tank with a total capacity of no more than 35,000 litres, provided that no part of the tank protrudes more than 1 metre above natural ground level; or</li> <li>(e) a structure that is permeable and less than 4 metres in height to protect crops for agricultural use.</li> </ul>
Building coverage	<p>Means the proportion of the net site area which is covered by any building. It includes:</p> <ul style="list-style-type: none"> <li>(a) overhanging or cantilevered parts of buildings or structures;</li> <li>(b) covered decks.</li> </ul> <p>It excludes:</p> <ul style="list-style-type: none"> <li>(a) eaves of a building that projects less than 750mm horizontally from the exterior wall of the building;</li> <li>(b) fences, terraces, and retaining walls;</li> <li>(c) uncovered decks less than 1m above ground level; and</li> <li>(d) uncovered swimming pools.</li> </ul>
Building platform	Means land that is suitable and practical for building developments, having regard to soil conditions, geotechnical stability, gradient, access and natural hazards.
<b>C</b>	
Cabinet	<p>Means a casing around equipment that is necessary to operate a telecommunication network.</p> <p>It excludes the following:</p> <ul style="list-style-type: none"> <li>(a) a casing around an antenna;</li> <li>(b) a small cell unit;</li> <li>(c) ancillary equipment;</li> <li>(d) any part of a telecommunication line;</li> <li>(e) a casing that is wholly underground;</li> <li>(f) a casing that is inside a building; or</li> <li>(g) a building.</li> </ul>
Campus	Means an area identified as a campus within an Agricultural Research Centre and shown on the planning maps.
Child care facility	<p>Means any land or buildings used for the care or training of predominantly pre-school children and includes a Playcentre, kindergarten.</p> <p>It excludes:</p>

## 29A.6: Definitions

Definition	Meaning
	<ul style="list-style-type: none"> <li>(a) children residing overnight on the property; and</li> <li>(b) a school.</li> </ul>
Cleanfill	<p>Means inert material such as concrete, brick or demolition products (excluding asphalt) and other inorganic materials which may be mixed with materials of natural origin, such as clay, soil, sand, aggregate (rock).</p> <p>When buried will have no adverse effect on people or the environment, and is free of:</p> <ul style="list-style-type: none"> <li>(a) combustible, decaying, putrescible, degradable or leachable components;</li> <li>(b) contamination from <b>hazardous substances</b>;</li> <li>(c) materials likely to create leachate by biological or chemical breakdown;</li> <li>(d) products or materials derived from the treatment, disposal or stabilisation of <b>hazardous waste</b>;</li> <li>(e) materials that may present a risk to human or animal health such as medical and veterinary materials; and/or</li> <li>(f) liquid waste.</li> </ul>
Coal Mining Area	Means land identified as a Coal Mining Area on the planning maps.
Commercial activity	Means activities involving the sale or distribution of goods and services.
Commercial services	<p>Means a business providing personal, property, financial, household, private or business services to the general public. It includes:</p> <ul style="list-style-type: none"> <li>(a) authorised betting shops;</li> <li>(b) copy and quick print services;</li> <li>(c) financial and banking facilities;</li> <li>(d) postal services;</li> <li>(e) counter insurance services;</li> <li>(f) dry cleaning and laundrette services;</li> <li>(g) electrical goods repair services;</li> <li>(h) footwear and leather goods repair services;</li> <li>(i) hairdressing, beauty salons and barbers;</li> <li>(j) internet and computer services;</li> <li>(k) key cutting services;</li> <li>(l) real estate agents and valuers;</li> <li>(m) travel agencies, airline and entertainment booking services;</li> <li>(n) optometrists;</li> <li>(o) movie and game hire; and</li> <li>(p) animal welfare and/or grooming services.</li> </ul>
Communal service court	Means an area of outdoor space for three or more <b>residential units</b> for the communal use of garbage storage, refuse and recycling materials, excluding any space required for a <b>living court</b> , parking, manoeuvring, or <b>buildings</b> .
Community activity	Means the construction and use of public land and <b>buildings</b> which provides for individual or community health, welfare, care, safety, recreation, cultural, ceremonial, spiritual, art and craft purposes and includes cemeteries.

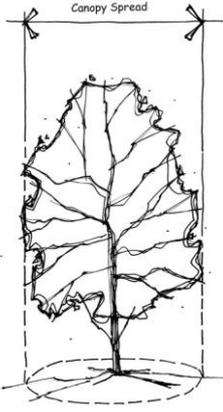
## 29A.6: Definitions

Definition	Meaning
Community activity (Te Kauwhata Lakeside Precinct)	Means a <b>community activity</b> that relates to the Te Kauwhata Lakeside Precinct Plan area and involves the use of land and <b>buildings</b> that provide for individual or community health, welfare, care, safety, recreation, cultural, ceremonial, spiritual, and art and craft purposes. It includes any preschool or <b>education facility</b> , place of worship, community hall or centre or recreation facility.
Community facilities	Means in the Business Zone Tamahere, land or <b>building</b> used for <b>community activities</b> , generally established on a not-for-profit basis, and includes library, council offices, police station, public toilets or public rooms.
Community-scale electricity generation	Means renewable electricity generation for the purpose of supplying an immediate community (more than one site).
Comprehensive Land Development Consent	<p>Means a bundle of land use consents that apply to an area of land of 5ha or more which provides for staged and integrated development within the Te Kauwhata Lakeside Precinct Plan Area and can cover a range of Residential, Business and Rural zonings.</p> <p>A Comprehensive Land Development Consent includes the provision of <b>earthworks</b>, roading networks, wastewater <b>infrastructure</b> including treatment plants, pipelines and associated <b>wetlands</b>, stormwater <b>infrastructure</b>, network utilities and other <b>infrastructure</b>, open space, ecological restoration, works in the flood plain, landscaping and planting, <b>community facilities</b>, walkways and cycle ways and associated land decontamination.</p> <p>A Comprehensive Land Development Consent may be applied for concurrently with a Comprehensive Subdivision Consent, or separately.</p>
Comprehensive Subdivision Consent	<p>Means a comprehensive subdivision consent that relates to the Te Kauwhata Lakeside Precinct Plan. A comprehensive subdivision is a subdivision of 5ha or more which provides for staged and integrated development within the Te Kauwhata Lakeside Precinct Plan Area and can cover a range of Residential, Business and Rural zonings.</p> <p>A Comprehensive Subdivision Consent includes the provision of sites for roading, walking and cycling trails, sites for open space and <b>community facilities</b>, dedicated sites for wastewater and stormwater <b>infrastructure</b> and development sites for housing, business and other activities provided for within the relevant zone/structure plan. It also includes sites for associated <b>infrastructure</b>.</p> <p>A Comprehensive Subdivision Consent may be applied for concurrently with a Comprehensive Land Development Consent or separately.</p>
Concept management plan	Means in the context of the development of Maaori land, a concept plan that provides an overview of foreseeable uses of Maaori land over time.
Conservation activity	Means activities associated with indigenous habitat, <b>wetlands</b> and wildlife management and restoration that fundamentally benefit indigenous biodiversity or raise public awareness of indigenous biodiversity values. This includes stock exclusion, research and monitoring, the establishment, maintenance or upgrading of public walking or cycle tracks, interpretive and directional <b>signs</b> , <b>accessory buildings</b> including those for tourism,

## 29A.6: Definitions

Definition	Meaning
	interpretation or education purposes and the provision of access for plant or animal pest management.
Contaminated land	Has the same meaning as that in the Resource Management Act 1991.
Contiguous	Means abutting or touching at some any point, e.g. <div style="text-align: center; margin: 10px 0;">  </div> <div style="text-align: center; margin: 10px 0;">  </div>
Continuous landholding	Means a series of adjoining <b>Records of Title</b> , including titles that may only be separated by a road.
Correctional facility	Means a facility where people are detained in the justice system. It includes a prison, detention centre, youth detention centre and secure unit.
Cumulative risk	Means in the context of <b>hazardous substances</b> , the risk posed by a hazardous facility added to or multiplied, or otherwise accumulated by <b>risk</b> from other facilities.
<b>D</b>	
Day-to-day activity	Means, within the Hampton Downs Motor Sport and Recreation Zone: <ul style="list-style-type: none"> <li>(a) driver training and education, testing and practice activities on the motor sport circuit;</li> <li>(b) activities with the business industrial area;</li> <li>(c) <b>apartments</b>, motor camp site, restaurant, convention centre, swimming pool and tennis court facilities and construction activities associated with the motor sport park;</li> <li>(d) the use of the go-kart track for go-karts; and</li> <li>(e) the use of the grounds for paintball, laser tag, outdoor skate parks and clay bird shooting.</li> </ul>
Dripline	Means the ground beneath the foliage of a tree.

## 29A.6: Definitions

Definition	Meaning
	
Duplex	Means two attached <b>residential units</b> , including two units connected by an <b>accessory building</b> , such as a garage or a carport.
Dwelling	Means a self-contained <b>residential unit</b> for living accommodation.
<b>E</b>	
Earthworks	Means modification of land surfaces by blading, contouring, ripping, moving, removing, placing or replacing soil or earth, or by excavation, or by cutting or filling operations.
Education facility	Means premises where groups of people are given tuition and training on a formal basis and includes <b>childcare facilities</b> , schools, tertiary education institutions and specialised training facilities, and their ancillary administrative, cultural and health facilities.
Emergency generator	Means either a fixed or trailer-mounted generator that can supply reticulated water and wastewater networks or treatment facilities with emergency power where and when necessary.
Energy corridor	Means an <b>energy corridor</b> shown on the planning maps.
Equestrian centre	Means land or buildings where: <ul style="list-style-type: none"> <li>(a) people are trained to ride, or can ride horses, for a fee; or</li> <li>(b) horses are raced or showed competitively (including trotting, galloping, show-jumping, cross-country and dressage).</li> </ul>
Exploration	Has the meaning given in s2 of the Crown Minerals Act 1991.
Extractive industry	Means taking, winning or extracting by whatever means, the naturally-occurring <b>minerals</b> (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface. The term includes the processing by such means as screening, crushing, or chemical separation of <b>minerals</b> at or near the <b>site</b> , where the <b>minerals</b> have been taken, won or excavated.

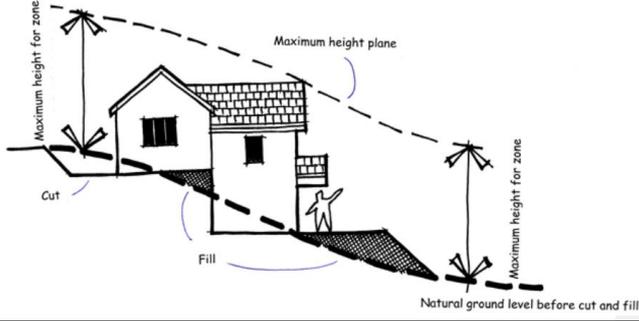
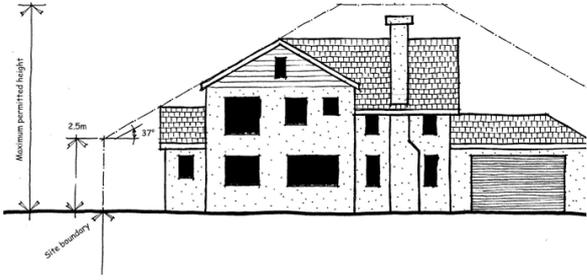
## 29A.6: Definitions

Definition	Meaning
	<p>The term also includes the removal, stockpiling and filling of overburden sourced from the same <b>site</b>.</p> <p>It includes all activities and structures associated with underground coal gasification, including pilot and commercial plants and the distribution of gas. It excludes prospecting and exploration activities.</p>
<b>F</b>	
Farming	<p>Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock or crop using the in-situ soil, water and air as the medium for production.</p> <p>It includes:</p> <ul style="list-style-type: none"> <li>(a) Ancillary <b>produce stalls</b>;</li> <li>(b) Processing of farm produce grown on the land, such as cutting, cleaning, grading, chilling, freezing, packaging and storage.</li> </ul>
Farming noise	Means noise generated by agricultural vehicles, any aircraft used for aerial spraying, agricultural machinery or equipment and farm animals, including farm dogs. It does not include bird scaring devices and frost fans.
Farm quarry	Means the extraction of <b>minerals</b> taken for use ancillary to <b>farming</b> and horticulture, and only used within the property of extraction. No extracted material (including any aggregate) shall be exported or removed from the property of origin and there shall be no retail or other sales of such material. For example, <b>farm quarries</b> include the extraction of material for farm and forestry tracks, access ways and hardstand areas on the property of origin.
Fill material	Means material used for filling activities including soil, clay or aggregate.
Forestry	Means the planting and growing of trees and is an integrated land use including land preparation, roading, tree planting and maintenance (i.e. thinning, pruning, noxious weeds and animal control) and harvesting of trees and includes the use of <b>accessory buildings</b> , but not the establishment and/or use of permanent sawmills or other methods of timber processing.
Functional need	Means for <b>Chapter 14 Infrastructure and Energy</b> , the need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment.
<b>G</b>	
General warehousing	Means, within the Hampton Downs Motor Sport and Recreation Zone, premises used for the receipt, storage and disposal of materials, articles or goods that are not sold directly from the premises.
GFA	Refer to definition of Gross floor area.
Grid layout	Means an interconnecting system of roads, blocks and <b>allotments</b> , laid out in a predominantly rectilinear pattern.
Gross floor area	Means the sum of the gross area of all floors of a <b>building</b> , measured either from the exterior faces of the exterior walls, or from the centre line of walls separating two tenancies, as circumstances may require.

## 29A.6: Definitions

Definition	Meaning
Gross leasable floor area	Means the total sum of any floor areas (within the external walls for buildings or boundary for outdoor areas) designed or used for individual tenant occupancy but excludes: <ul style="list-style-type: none"> <li>(a) common lift wells and stairwells, including landing areas</li> <li>(b) common corridors and halls (other than food court areas)</li> <li>(c) common toilets and bathrooms</li> <li>(d) any parking areas required by the plan.</li> </ul>
<b>H</b>	
Hauora	Means a facility for the care and welfare of people inclusive of a medical practitioner and persons involved in alternative forms of medicine.
Hazard	Means in the context of hazardous substances, physical situations, processes and actions in relation to a hazardous substance that has the potential for adverse effects on people, ecosystems or the built environment.
Hazardous facility	Means activities involving hazardous substances and premises at which these substances are used, stored or disposed of. Storage includes vehicles for their transport located at a facility for more than short periods of time.
Hazardous substance	Means any substance with hazardous properties, including radioactivity, high BOD (Biological Oxygen Demand) and those properties defined as hazardous for the purpose of the Hazardous Substances and New Organisms Act 1996.
Hazardous waste	Means any waste that contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 under the Hazardous Substances and New Organism Act 1996; or that meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 2005 and NZS 5433: 2012 – Transport of Dangerous Goods on Land; or that meets the definition for radioactive material included in the Radiation Safety Act 2016.
Health facility	Means a facility for the care and welfare of people and includes non-residential day hospitals, medical practitioners, dentists, optometrists, acupuncturists, osteopaths, and persons involved in alternative forms of medicine.
Heavy vehicle	Means: <ul style="list-style-type: none"> <li>(a) a 'Single Unit Heavy Goods Vehicle' (being a motor vehicle comprising a single unit having a gross laden weight exceeding 3500kg); or</li> <li>(b) a 'Multi-Unit Heavy Goods Vehicle' (being a motor vehicle comprising more than one unit, having a gross laden weight exceeding 3500kg).</li> </ul>
Height	Means, in relation to a structure, the vertical distance between any part of the structure and natural ground level immediately below that part of the structure. In determining the height of any building, no account shall be taken of chimneys (not exceeding 1 metre in width) or finials, provided

## 29A.6: Definitions

Definition	Meaning
	<p>these do not exceed the maximum height for the zone by more than 2 metres.</p> 
<p>Height control plane</p>	<p>Means a surface through which no part of a building other than chimneys, flues and similar projections not exceeding 2 metres in height and 1 square metre in area may protrude. It is defined by drawing height control lines from all points on the boundaries of an allotment or unit site area. Such lines commence at a specified vertical distance above the natural ground level at the boundary, point into the site at right angles to the boundary, and rise at an angle of 37 degrees.</p> 
<p>Heritage item</p>	<p>Means a heritage item listed in Appendix 30.1 (Historic Heritage Items) and shown on the planning maps.</p>
<p>High class soils</p>	<p>Means those soils in Land Use Capability Classes I and II (excluding peat soils) and soils in Land Use Capability Class IIIe1 and IIIe5, classified as Allophanic Soils, using the New Zealand Soil Classification.</p>
<p>High Natural Character Area</p>	<p>Means an area identified as High Natural Character Area on the planning maps.</p>
<p>Historic heritage</p>	<p>Has the meaning in s2 of the Resource Management Act 1991.</p>
<p>Home occupation</p>	<p>Means an occupation, or trade/craft, or profession, excluding panel beating or car wrecking, where the principal use of the site is for residential activities and the principal operator of the home occupation is a permanent resident on-site.</p>

## 29A.6: Definitions

Definition	Meaning
Homestay	Means accommodation provided to guests who pay a daily tariff to stay in a home with the permanent occupants of the household.
Horse training centre	Means facilities for the housing and training of thoroughbred and standard-bred horses, and usually involves some form of training track, but does not include any form of racing or show jumping or other activity to which the general public is permitted, whether or not an entrance fee is paid.
I	
Impervious surface	Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly-compacted soil that is not vegetated and does not infiltrate runoff. It excludes wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck.
Indicative road	Means a connective roading route that is identified on the planning maps.
Indigenous vegetation	Means vegetation that occurs naturally in New Zealand or arrived in New Zealand without human assistance. For the purposes of this plan, domestic or ornamental / landscaping planting or planted shelter belts comprising indigenous species are not included.
Industrial activity	Means the production, processing, bulk moving or storage in bulk of any materials, goods or products: Production includes: <ul style="list-style-type: none"> <li>(a) manufacturing; and</li> <li>(b) assembly from components.</li> </ul> Processing includes: <ul style="list-style-type: none"> <li>(a) repair;</li> <li>(b) servicing;</li> <li>(c) maintenance; and</li> <li>(d) assembly of materials, goods or product.</li> </ul> Bulk storage includes: <ul style="list-style-type: none"> <li>(a) warehousing.</li> </ul>
Informal recreation	Means any activity whose primary aim is the enjoyment of leisure of a primarily non-competitive, casual nature. It includes amenity and conservation plantings, children's play areas, shelters, public toilets and other buildings necessary for the maintenance of the park.

## 29A.6: Definitions

Definition	Meaning
Infrastructure	<p>Means:</p> <ul style="list-style-type: none"> <li>(a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel or geothermal energy;</li> <li>(b) a network for the purpose of telecommunication, as defined in <b>section 5</b> of the Telecommunications Act 2001;</li> <li>(c) a network for the purpose of radiocommunication, as defined in section 2(1) of the Radiocommunications Act 1989;</li> <li>(d) facilities 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, excluding facilities, lines, and support structures if a person: <ul style="list-style-type: none"> <li>(i) uses them in connection with the generation of electricity for the person's use; and</li> <li>(ii) does not use them to generate any electricity for supply to any other person;</li> </ul> </li> <li>(e) a water supply distribution system, including a system for irrigation;</li> <li>(f) a drainage or sewerage system;</li> <li>(g) structures for transport on, under or over land by cycle ways, rail, roads, walkways, or any other means;</li> <li>(h) facilities for the loading or unloading of cargo or passengers transported on land by any means;</li> <li>(i) an airport as defined in section 2 of the Airport Authorities Act 1966;</li> <li>(j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990;</li> <li>(k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port-related commercial undertaking, as defined in section 2(1) of the Port Companies Act 1988; or</li> <li>(l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166 of the Resource Management Act 1991.</li> </ul>

## 29A.6: Definitions

Definition	Meaning
Intensive farming	<p>Means <b>farming</b> which is not dependent on the fertility of the soils on which it is located and which may be under cover or within an outdoor enclosure, and be dependent on supplies of food produced on and/or off the land where the operation is located.</p> <p>It includes:</p> <ul style="list-style-type: none"> <li>(a) intensive pig farming undertaken wholly or principally in sheds or other shelters or <b>buildings</b>;</li> <li>(b) free-range pig <b>farming</b>;</li> <li>(c) poultry or game bird <b>farming</b> undertaken wholly or principally within sheds or other shelters or buildings;</li> <li>(d) free-range poultry or game bird <b>farming</b>;</li> <li>(e) mushroom <b>farming</b>; and</li> <li>(f) intensive goat <b>farming</b>.</li> </ul> <p>It excludes the following, provided the <b>building</b> is used for the purpose for which it was built:</p> <ul style="list-style-type: none"> <li>(a) woolsheds;</li> <li>(b) dairy sheds;</li> <li>(c) calf pens or wintering accommodation for less than 30 stock (except where stock are being reared for the replacement of breeding stock to be used on the same property); and</li> <li>(d) glasshouse production or nurseries.</li> </ul>
J	
K	
L	
Landscape Restoration Area	<p>Means an area shown on the planning maps, within the Rangitahi Peninsula Zone, where existing native vegetation is to be complemented by additional landscape restoration planting. The purpose of the area is to promote stabilisation of steep slopes, encourage ecological and habitat linkages and enhance landscape amenity, particularly in and near coastal areas and on visually-prominent landforms.</p>
Large-scale wind farm	<p>Means <b>buildings</b>, structures, access tracks and turbines used to generate electricity from wind and convey the electricity to an associated substation in order to supply the wholesale electricity market.</p>
Limited access road	<p>Means the following roads in the district to which sections 88 to 98 of the Government Roading Powers Act 1989 apply:</p> <ul style="list-style-type: none"> <li>(a) State Highway 1, except those parts within Huntly town <b>boundaries</b> and in Taupiri between Mangawara bridge and Kainui Road;</li> <li>(b) State Highways 2 and 26; and</li> <li>(c) State Highway 23 from the Hamilton City <b>boundary</b> to the Okete Stream bridge south abutment.</li> </ul>
Living court	<p>Means an area of outdoor space directly related to the living area of a household unit, and for the household's exclusive use. It does not include parking, manoeuvring areas and <b>buildings</b>, but does include swimming pools, pergolas and similar open-framed structures.</p>

## 29A.6: Definitions

Definition	Meaning
Lot	Means a parcel of land held, or proposed to be held, under a <b>Record of Title</b> .
Lux	Means the unit of illumination, where the Lux unit equals one lumen per metre square. In practical terms, the lumen is the number of rays of light falling on an area of one square metre.
<b>M</b>	
Maaori Areas of Significance	Means an area of significance to Maaori listed in <b>Appendix 30.4</b> (Maaori Areas of Significance) and shown on the planning maps.
Maaori Freehold Land	Means land determined by the Māori Land Court as being 'Māori Freehold Land'.
Maaori Customary Land	Means land determined by the Māori Land Court as being 'Māori Customary Land'.
Maaori Sites of Significance	Means Sites of Significance to Maaori listed in <b>Appendix 30.3</b> (Maaori Sites of Significance), and as shown on the planning maps.
Maintenance and repair	Means (for <b>historic heritage items</b> listed in <b>Appendix 30.1</b> ) making good: <ul style="list-style-type: none"> <li>(a) decayed or damaged material, and includes works involving stabilisation, restoration, preservation and conservation.</li> </ul>
Marae complex	Means a group of <b>buildings</b> that constitutes a marae and can be made up of a wharenui (meeting house), wharekai (eating house), an aatea (courtyard area in front of the wharenui), urupaa (graveyard), tuaahu (memorial statues), waharoa (archway entrance at the entrance to the aatea), and other <b>buildings</b> , (church, <b>hauora</b> (health clinic), koohanga (pre-school), conference centre and facilities, waananga ( <b>education facility</b> ), recreation facilities, places of cultural significance, a <b>papakainga/papakainga</b> building and utility services.
Mean high water springs	The place on the shore where spring high tides reach on average over a period of time.
Meremere dragway activity	Means an activity at Meremere Dragway as shown on the planning maps that involves motor propulsion to provide entertainment, education or training for the general public or to an individual participating in the activity; and includes but is not limited to driver training or education, police or security training, and vehicle testing.
Mineral	Means a naturally-occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic <b>minerals</b> .

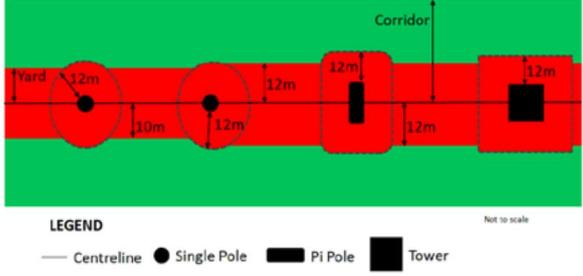
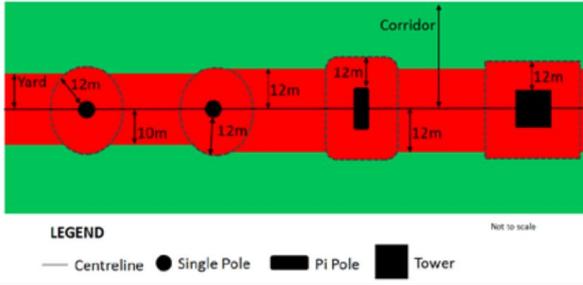
## 29A.6: Definitions

Definition	Meaning
	non-metallic minerals, fuel <b>minerals</b> – including coal, precious stones, industrial rocks and building stone, and a prescribed substance within the meaning of the Atomic Energy Act 1945.
Mineral extraction and processing	Means the excavation, <b>blasting</b> , processing (crushing, screening, washing and blending), storage, distribution and sale of mineral products and includes ancillary activities such as <b>earthworks</b> , landscaping and rehabilitation works (including cleanfill) and treatment of stormwater and wastewater, together with ancillary <b>buildings</b> and structures (including caretaker's accommodation).
Minor dwelling	Means a second <b>dwelling</b> independent of the principal <b>dwelling(s)</b> on the same <b>site</b> .
Minor infrastructure structure	Means any above-ground box-like structure or enclosure associated with <b>infrastructure</b> or that receives or transmits to or from any part of an <b>infrastructure</b> network, which includes: <ul style="list-style-type: none"> <li>(a) electricity junction pillars;</li> <li>(b) transformers;</li> <li>(c) switchgear;</li> <li>(d) gas infrastructure;</li> <li>(e) telecommunications plinths and pillars;</li> <li>(f) water infrastructure;</li> <li>(g) cabinetry for stormwater/wastewater networks;</li> <li>(h) electricity storage, and generators (less than 10m<sup>2</sup> in area and 2.5m in <b>height</b>); and</li> <li>(i) link pillars.</li> </ul>
Minor upgrading of existing infrastructure	Means an increase in the capacity, efficiency or security of existing <b>infrastructure</b> where this utilises existing structures and networks and/or structures and networks of a similar scale and character.
Motor sport and recreation events	Means, within the Hampton Downs Motor Sport and Recreation Zone, any day on which an activity occurs that is not a day-to-day activity. Motor sport and recreation events are classified into the following categories: <p>Minor Event: &lt;700 arrival vehicles per hour (vph) and &lt;2,000 total vehicles</p> <p>Medium Event: 701 – 1,300 arrival vph or 2,100 – 3,500 total vehicles</p> <p>Major Event: 1,301 – 2,500 arrival vph or 5,001 total vehicles</p> <p>Extreme Event: 1801 – 2500 arrival vph or 5,001 – 8,000 total vehicles</p> <p>Where an event falls into two of the above categories due to different arrival vph and total vehicles measurements, it will be classified as the larger of the two categories.</p>

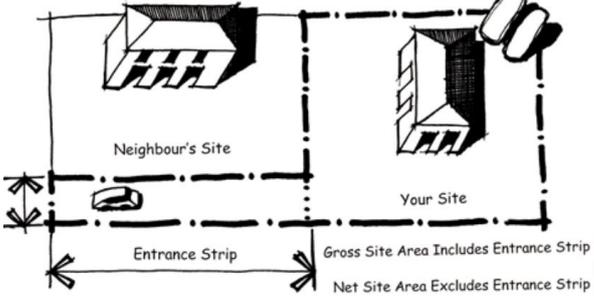
## 29A.6: Definitions

Definition	Meaning
Motor sport and recreation facilities	<p>Means any <b>buildings</b> or structures in the Motor Sport and Recreation Zone that support the development and operation of the Hampton Downs Motorsport Park and are associated with motor sport and recreation activities and include:</p> <ul style="list-style-type: none"> <li>(a) race tracks, race pads and associated pit garages and support facilities;</li> <li>(b) race control, safety, emergency and media facilities;</li> <li>(c) corporate boxes and hospitality facilities;</li> <li>(d) restaurants, cafés, food and beverage and merchandising retail areas, administration <b>buildings</b> and facilities;</li> <li>(e) general ticketing, toilet and ablution facilities;</li> <li>(f) industrial units, vehicle workshops and storage sheds;</li> <li>(g) corporate showrooms and expo areas, including areas for the display of racing-related memorabilia;</li> <li>(h) residential accommodation and swimming pool and tennis court facilities;</li> <li>(i) a convention centre;</li> <li>(j) <b>travellers' accommodation</b>, including a camping ground and hotel accommodation;</li> <li>(k) parking and helipad facilities;</li> <li>(l) driver training school inclusive of a skid pad;</li> <li>(m) <b>spectator</b> facilities including pedestrian access ways, tunnels, overbridges, <b>spectator</b> viewing platforms and seating areas;</li> <li>(n) a jet sprint course;</li> <li>(o) go-kart track and drifting pads;</li> <li>(p) <b>accessory buildings</b>, facilities and structures such as maintenance and storage sheds, decks, shade cloths and storage containers for all items listed above.</li> </ul>
Multi-unit development	<p>Means multiple <b>residential units</b> which are integrated in a comprehensive manner.</p> <p>It includes:</p> <ul style="list-style-type: none"> <li>(a) an <b>apartment building</b>; and</li> <li>(b) a duplex.</li> </ul> <p>It excludes:</p> <ul style="list-style-type: none"> <li>(a) <b>retirement villages</b>;</li> <li>(b) <b>papakaainga housing development</b>; and</li> <li>(c) <b>papakaainga building</b>.</li> </ul>
<b>N</b>	
National grid	Means the assets used or owned by Transpower NZ Limited.
National grid yard	<p>Means the area measured either side of the centre line of any above-ground electricity transmission line as follows:</p> <ul style="list-style-type: none"> <li>(a) 14m for the 110kV national grid lines on single poles;</li> <li>(b) 16m for the 110kV national grid lines on pi poles;</li> <li>(c) 32m for 110kV national grid lines on towers; and</li> <li>(d) 37m for the 220kV transmission lines.</li> </ul>

## 29A.6: Definitions

Definition	Meaning
	
National grid corridor	<p>Means the area located:</p> <ul style="list-style-type: none"> <li>(a) 12 metres in any direction from the outer edge of a national grid support structure; and</li> <li>(b) 10 metres either side of the centre line of any above-ground 110kV national grid line on single poles; and</li> <li>(c) 12 metres either side of the centre line of any above-ground national grid line on towers.</li> </ul> 
Neighbourhood centre	<p>Means a single or small grouping of <b>commercial activities</b> that service the day-to-day needs of the local community. Neighbourhood centres are identified in structure plans or on the planning maps.</p>
Net site area	<p>Means the area of a <b>site</b>, or the area of an <b>allotment</b> in the context of a <b>subdivision</b>, excluding:</p> <ul style="list-style-type: none"> <li>(a) any access or access leg less than 6 metres wide; and</li> <li>(b) any land subject to a right of way to any other <b>allotment</b>.</li> </ul>

## 29A.6: Definitions

Definition	Meaning
	 <p>Neighbour's Site</p> <p>Your Site</p> <p>Entrance Strip</p> <p>Gross Site Area Includes Entrance Strip</p> <p>Net Site Area Excludes Entrance Strip</p>
Network utility operator	Has the same meaning as in s166 of the Resource Management Act 1991.
Noise-sensitive activity	<p>Means the following:</p> <ul style="list-style-type: none"> <li>(a) buildings used for residential activities, including boarding establishments, rest homes, retirement villages, papakaainga housing development, in-house aged care facilities, travellers' accommodation, and other buildings used for residential accommodation but excluding camping grounds;</li> <li>(b) marae and marae complex;</li> <li>(c) hospital;</li> <li>(d) teaching areas and sleeping rooms in an education facility.</li> </ul>
Non-automotive activities	Means, within the Hampton Downs Motor Sport and Recreation Zone, a business that is not covered by the definition of 'Automotive activities'.
Notional boundary	Means a line measured 20 metres, and parallel to any side of a residential unit or a building occupied by a sensitive land use, or the site boundary where this is closer to the residential unit or sensitive land use.
Noxious, dangerous, offensive or toxic activities	<p>Means those activities that emit or have the potential to emit odours, gases or other substances to air which would be so offensive as to impact on the amenity values of neighbouring sites or which could constitute a health risk for people in the vicinity. They include:</p> <ul style="list-style-type: none"> <li>(a) blood or offal treating, bone boiling or crushing, dag crushing, fellmongering, fish cleaning or curing, gut scraping and treating, tallow melting;</li> <li>(b) flax pulping, flock manufacture or teasing of textile materials for any purpose and wood pulping;</li> <li>(c) storage and disposal of night soil, septic tank sludge or refuse;</li> <li>(d) slaughtering of animals for any purpose other than human consumption, storage, drying or preserving of bones, hides, hoofs or skins, tanning, wool scouring;</li> <li>(e) the burning of waste oil in the open air, or in any combustion processes involving fuel-burning equipment, or other than any combustion processes involving fuel-burning equipment, if carried out primarily for the purposes of producing energy, which singly or together have a maximum fuel-burning rate of 1000kg/hr or more carbonaceous fuels or those containing hydrocarbons or sulphur;</li> </ul>

## 29A.6: Definitions

Definition	Meaning
	<p>(f) the open burning of coated or covered metal cable or wire, including metal coated with varnish or lacquers or covered with plastic or rubber.</p> <p>(g) any activity with the potential to discharge asbestos to air, including the removal or disposal of friable asbestos, except where it complies with the Health, Safety, and Employment Regulations for Asbestos and is supervised and monitored by Occupational Safety and Health.</p> <p>(h) burning out of the residual content of metal containers used for the transport or storage of chemicals.</p> <p>(i) the open burning of municipal, commercial or industrial wastes or the use of single-chamber incinerators for disposal of waste; and</p> <p>(j) any industrial wood pulp process in which wood or other cellulose material is cooked with chemical solutions to dissolve lining and the associated processes of bleaching and chemical and by-product recovery.</p>
<b>O</b>	
Office	Means premises used for an administrative or professional services where people work primarily sitting at desks, for example accounting or legal services.
Operational need	Means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.
Outstanding Natural Feature	Means a feature identified as an Outstanding Natural Feature on the planning maps.
Outstanding Natural Character Area	Means an area identified as an Outstanding Natural Character Area on the planning maps.
Outstanding Natural Landscape	Means a landscape identified as an Outstanding Natural Landscape on the planning maps.
Overland flow path	Means either a primary or secondary stormwater flow path.
<b>P</b>	
Papakaainga building	Means a <b>building</b> for communal use. It may include some centralised services or facilities such as food preparation, dining, conference, cultural facilities, sanitary facilities, and accommodation.
Papakaainga housing development	Means a comprehensive residential development for a recognised Tangata Whenua group or organisation residing in the Waikato district to support traditional Maaori cultural living on Maaori land for members of the iwi group or organisation.
Place of assembly	Means land and/or <b>buildings</b> used principally for the public or private assembly of people for recreation activities, cultural activities or entertainment activities. It includes community centres and halls.
Produce stall	Means any land, <b>building</b> or part of any <b>building</b> that is used for the sale of farm and garden produce grown or produced on the site on which the <b>produce stall</b> is sited. It includes the use of a trailer, handcart, barrow or similar structure, whether temporary or permanent. Weighing and packaging is part of the activity of a <b>produce stall</b> .
Prospecting	Has its meaning given in the Crown Minerals Act 1991.

## 29A.6: Definitions

Definition	Meaning
Public amenity	Means facilities continuously offered to the general public for their use with or without charge, including restrooms, information displays, shelters, drinking fountains, outdoor seating and viewing platforms.
Public transport facility	Means land and/or <b>buildings</b> used for, or ancillary to, scheduled passenger transport services. It may include a public transport interchange, park and ride facilities, bus bays, taxi ranks, drop-off and pick-up points and associated cycle parking, shelters, waiting rooms, ticket offices, information centres, luggage lockers, public toilets, showers and changing rooms.
<b>Q</b>	
<b>R</b>	
Rangitahi commercial activity	Means within the Rangitahi area, one or any combination of the following activities: <ul style="list-style-type: none"> <li>(a) the sale, distribution or supply of goods and services;</li> <li>(b) healthcare facilities;</li> <li>(c) repair services;</li> <li>(d) sports and recreation equipment manufacture and sales.</li> </ul>
Rangitahi Integrated Development	Means development in the locations shown on Development Outcomes Plan 5 of the Rangitahi Peninsula Structure Plan, comprising multiple <b>residential units</b> which are planned and designed in an integrated and comprehensive manner and achieve compatibility between all <b>buildings</b> on a single <b>site</b> or multiple <b>sites</b> . A Rangitahi Integrated Development may also include a <b>Rangitahi commercial activity</b> . Residential activities within a Rangitahi Integrated Development may include duplexes and <b>apartments</b> .
Rear Record of Title	Means an <b>allotment</b> which is situated generally to the rear of another and has access to a road by means of an access leg, or which has a frontage to a road of less than 6m.
Renewable electricity generation activities	Means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the <b>national grid</b> and electricity storage technologies associated with renewable electricity.
Research and exploratory-scale investigations for renewable electricity	Means undertaking monitoring and measuring activities of solar, wind, hydroelectricity or geothermal energy sources for potential renewable electricity generation activities.
Reservoir	Means a structure (above or below ground) for the purposes of storing water for municipal supply or firefighting, but excludes rainwater tanks that supply a single <b>site</b> .

## 29A.6: Definitions

Definition	Meaning
Residential activity	Means the use of land and <b>buildings</b> by people for living accommodation in a household unit, where the occupants will generally refer to the <b>site</b> as their home and permanent address. For the purpose of this definition, includes emergency and refuge accommodation, or accommodation for supervision staff and residents, where residents are subject to care or supervision (e.g. homes for people with disabilities). <b>Residential activity</b> includes home detention (as defined in the Criminal Justice Act 1985), but not prisons or other places where residents are subject to detention.
Residential unit	Means a <b>building</b> or group of <b>buildings</b> , or part of a <b>building</b> or group of <b>buildings</b> that is: <ul style="list-style-type: none"> <li>(a) used, or intended to be used, only or mainly for <b>residential activities</b>;</li> <li>(b) occupied, or intended to be occupied, exclusively as the home or residence of not more than one household.</li> </ul>
Residual risk	Means the remaining level of <b>risk</b> after risk control measures have been taken.
Rest home	Means <b>buildings</b> , services and facilities that provide residential-based health care with on-site support to residents requiring nursing care or significant support with the activities of daily living. This may include respite care and rest home-based hospital specialist geriatric care, but excludes people who require nursing or hospice support in a <b>dwelling</b> .
Restoration	Means for historic heritage items listed in <b>Appendix 30.1</b> , returning a place as near as possible to a known earlier state by reassembly, reinstatement and/or the removal of extraneous additions.
Retail activity	Means the sale or hire of goods or services or equipment directly to the public.

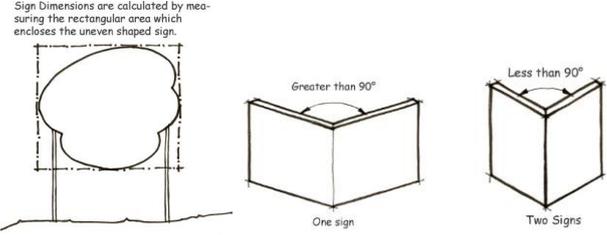
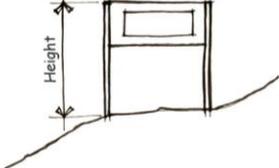
## 29A.6: Definitions

Definition	Meaning
Retirement village	<p>Means any land, <b>building</b> or <b>site</b> that:</p> <ul style="list-style-type: none"> <li>(a) is used for accommodation predominantly for persons in their retirement, or persons in their retirement and their spouses or partners; and</li> <li>(b) satisfies either of the following: <ul style="list-style-type: none"> <li>(ii) it is registered as a retirement village under the Retirement Villages Act 2003 or will be so registered prior to it being occupied by any resident; or</li> <li>(iii) it is a <b>rest home</b> within the meaning of s58(4) of the Health and Disability Services (Safety) Act 2001; and</li> </ul> </li> <li>(c) includes not less than two <b>residential units</b>; and</li> <li>(d) may include any or all of the following facilities or services for residents on the <b>site</b>: <ul style="list-style-type: none"> <li>(i) a care home within a retirement village;</li> <li>(ii) a hospital within a retirement village;</li> <li>(iii) nursing, medical care, welfare, accessory non-residential and/or recreation facilities and/or services.</li> </ul> </li> </ul> <p>Accessory non-residential, recreation facilities and services may include, but not limited to such things as <b>commercial activities</b> that are for the benefit of residents and guests, active or passive recreation for the benefit of residents and guests whether casual or organised and whether a charge is made for the activity or not.</p> <p>Care home within a retirement village is a facility providing <b>rest home</b> care within the meaning of the Health and Disability Services (Safety) Act 2001, or a home for residential care of older persons and/or any <b>land</b> or <b>buildings</b> used for the care of older persons within a retirement village.</p> <p>Hospital within a retirement village is a facility providing hospital care within the meaning of the Health and Disability Services (Safety) Act 2001 within a retirement village.</p>
Risk	<p>Means in respect of any <b>hazardous substance</b>, represents the likelihood of specified consequences of a specific event (for example, an explosion, a fire or a toxic release) on people, ecosystems or the built environment.</p>
Risk assessment	<p>Means the overall process of <b>risk</b> identification, <b>risk</b> analysis and <b>risk</b> evaluation.</p>

## 29A.6: Definitions

Definition	Meaning
Road network activities	<p>Means road <b>infrastructure</b> and transport services provided within the road, including:</p> <ul style="list-style-type: none"> <li>(a) footpaths, footways and footbridges, bridges for roads, tunnels, retaining walls for roads both above and below the road;</li> <li>(b) road verges and berms;</li> <li>(c) site access including vehicle crossings;</li> <li>(d) road carriageways and road pavements;</li> <li>(e) cycle facilities;</li> <li>(f) road lighting and support structures;</li> <li>(g) traffic operation and safety signs, direction signs, road name signs, road safety devices including interactive warning signs, road markings, rumble strips, barriers, fences, speed tables and speed cushions, traffic separators, bus-friendly vertical deflection devices;</li> <li>(h) ancillary equipment and structures associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets;</li> <li>(i) traffic control devices including traffic islands, pedestrian crossings and roundabouts and intersection controls, traffic and cycle-monitoring devices, traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals;</li> <li>(j) devices and structures to implement regulatory controls (no-stopping, no-overtaking, parking control, bus lane controls, vehicle restrictions) including speed limit and parking restriction signs, parking meters, pay-and-display kiosks, speed cameras, red light/traffic cameras and on-street parking areas;</li> <li>(k) road drainage devices including culverts, subsoils, catch pits, water tables, manholes, inlets, outlets, flumes;</li> <li>(l) scour and erosion control devices;</li> <li>(m) stormwater management devices including rain gardens, wetlands, stormwater treatment areas and ponds;</li> <li>(n) noise attenuation walls or fences; and</li> <li>(o) devices associated with intelligent transport systems, including vehicle detection systems (electronic vehicle identification, and infra-red vehicle occupancy counters), lane control signals, ramp signals, variable messaging signs, CCTV cameras, incident detection, emergency telephones, cables and ducting.</li> </ul>
Rural ancillary earthworks	<p>Means the disturbance of soil associated with cultivation, land preparation (including of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops and forests; and maintenance and construction of facilities typically associated with <b>farming</b> and forestry activities, including but not limited to farm/forestry tracks, roads and landings, stock races, silage pits, farm drains, farm effluent ponds, and fencing and sediment control measures.</p>
Rural industry	<p>Means an industry that involves the direct handling or processing to the first stage of manufacture of any raw produce harvested from <b>farming</b>, rural contractors' depots, or any other land-related agricultural activity, but excludes waste disposal, <b>extractive industries</b> and electricity generation.</p>

## 29A.6: Definitions

Definition	Meaning
<b>S</b>	
Self-contained power unit	Means equipment installed with a facility for the purpose of generating power for that facility (such as solar panels), including cables connecting the equipment to the facility.
Sensitive land use	Means an education facility including a childcare facility, waananga and koohanga reo, a residential activity, papakainga building, rest home, retirement village, travellers' accommodation, home stay, health facility or hospital.
Service connection	Means line or cable that connects an infrastructure distribution network to premises for the purpose of enabling the infrastructure provider to provide services to a customer.
Service court	Means an area of outdoor space for the exclusive use of the household unit for domestic requirements, such as garbage storage and clothes line, but excludes any space required for a living court, parking, manoeuvring, or buildings.
Sign	<p>Means any device, graphic or display of whatever nature that is visible from a public place, for the purposes of:</p> <ul style="list-style-type: none"> <li>(a) providing information to the general public;</li> <li>(b) identifying and providing information about any activity, site or building;</li> <li>(c) providing directions; or</li> <li>(d) promoting goods, services or forthcoming events.</li> </ul> <p>Sign Dimensions are calculated by measuring the rectangular area which encloses the uneven shaped sign.</p> 
Sign height	<p>Means the distance from the lowest point of the sign to the highest point of the sign. In the case of a free-standing sign, it is the distance from ground level immediately below the sign to the top of the sign.</p> 

## 29A.6: Definitions

Definition	Meaning
Significant Amenity Landscape	Means an area identified as Significant Amenity Landscape on the planning maps.
Significant Natural Area	Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps.
Significant feature of interest	Means those parts of a historic heritage building, which is shown on the planning maps and listed in Appendix 30.1, that are described in the individual heritage item sheet.
Site	Means: <ul style="list-style-type: none"> <li>(a) any area of land comprised in one Record of Title, or two or more Records of Title linked pursuant to s37 of the Building Act 1991, or s75 of the Building Act 2004, or s220 of the Resource Management Act 1991;</li> <li>(b) in the case of land developed under the Unit Titles Act 2010, the area comprised in a principal unit or accessory unit excluding any common property;</li> <li>(c) in the case of cross-leases, the area for exclusive use comprised within the cross-lease, excluding any common property.</li> </ul>
Small-scale electricity generation	Means renewable electricity generation producing less than 20kW for the purpose of providing electricity on a particular site or connecting into the distribution network.
SNA	Refer to definition of Significant Natural Area.
Spectator	Means, within the Hampton Downs Motor Sport and Recreation Zone, any person attending an event in any capacity whatsoever, including but not limited to, competitors, assistants, employees, volunteers, employers, managers and support personnel.
Speed environment	Means the speed that the 85th percentile driver will adopt. Even though a section of road may have a number of horizontal curves with a range of design speeds, there is only one speed environment.
Stable ground	Means soil that is able to stand with a factor of safety against failure of greater than 1 under all expected conditions.
Storage	Means in the context of a hazardous substance or hazardous waste, the containment of a hazardous substance or hazardous waste, either above ground or underground, in enclosed packages, containers or tanks. It includes vehicles used to transport any hazardous substance that are stationary within a hazardous facility for more than short periods of time.
Subdivision	Has the meaning in section 218 of the Resource Management Act 1991.
T	
Tamahere Commercial Area	Means the land identified on the planning maps as the Tamahere Commercial Area.
Telecommunication kiosk	Means a freestanding structure, of a similar scale and appearance to a telephone booth, which encloses telecommunications equipment for the purpose of providing public telecommunications uses such as, but not limited to, wireless broadband.

## 29A.6: Definitions

Definition	Meaning
Temporary event	Means a social, cultural or recreation event that has a duration of less than 72 hours, including entertainment events, carnivals, festivals, fairs, markets, and exhibitions, and associated temporary buildings and car parks.
Temporary infrastructure	Short-term structures and activities undertaken by a <b>network utility operator</b> as defined by the Resource Management Act 1991, including the operation of generators, including diesel-powered generators.
Transport depot	Means truck parking or servicing site, or depot for the handling or transfer of materials or vehicles.
Travellers' accommodation	Means land and <b>buildings</b> for transient residential accommodation for a person, family or group of persons, which is offered at a daily tariff, where the occupiers will not generally refer to it as their home or permanent address. It may include some centralised services or facilities such as food preparation, dining and sanitary facilities and conference and recreation facilities for the use of the guests staying at the <b>site</b> . It includes hotels, motels, camping grounds and tourist cabins, studios and <b>apartments</b> , but excludes the accommodation used by the permanent resident.
<b>U</b>	
Use	Means with respect to a <b>hazardous substance</b> , the manufacturing, processing or handling of a <b>hazardous substance</b> for a particular activity without necessarily changing the physical state or chemical structure of the <b>hazardous substance</b> involved. This includes mixing, blending and packaging operations, or the use of a <b>hazardous substance</b> as a cooling or heating medium. It does not include the filling or drawing of a <b>hazardous substance</b> from bulk storage tanks unless the processing is permanently connected to the bulk storage, and does not include loading out and dispensing of petroleum products.
Utility allotment	Means an <b>allotment</b> used exclusively for the purposes of accommodating <b>infrastructure</b> .
<b>V</b>	
Vegetation clearance	Includes the modification, burning, cutting, crushing, spraying and removal by physical, mechanical, chemical or other means, of all forms of vegetation, including <b>indigenous</b> , and may include exotic plants. It does not include vegetation clearance relating to routine cultivation or grazing.
Vehicle movement	Means the single passage of any vehicle between a road and a site.
Viable Record of Title	Means in the Rural Zone, a <b>Record of Title</b> that contains at least 5000m <sup>2</sup> , is not a road severance, and can accommodate a suitable <b>building platform</b> as a permitted activity under <b>Rule 22.4.9</b> (subdivision rule for <b>building platform</b> ).
Village Green	Means the area of land adjacent to the Business Zone Tamahere shown as Village Green on the planning maps.
Visually permeable	Means materials on a fence or wall that have continuous vertical or horizontal gaps of at least 50mm width that result in at least 50% visual permeability.
<b>W</b>	

## 29A.6: Definitions

Definition	Meaning
Waananga	Means a learning facility where family and extended family are educated in whaanau ora.
Waste management	Means activities relating to the minimisation or reduction of waste material and reuse, recycling, recovery, treatment, storage and disposal processes.
Waste management facility	Means a facility which provides waste management storage, disposal services or waste remediation and materials recovery services, in relation to solid waste. Waste management facilities include: landfills, cleanfills, commercial composting operations, recovery operations, transfer stations, recycling centres and resource recovery centres.
Wetland	Has the meaning in the Resource Management Act 1991.
Wahaanga Coast Development Area	Means an area of land on the Wahaanga Coast shown on the planning maps that provide for specific developments on Maori freehold titles in terms of the rules for <a href="#">Specific Area 22.7</a> .
Wahaanau	Means family, extended family and family group and is a familiar term to address a number of people. In the modern context, this term is sometimes used to include friends who may not have any kinship ties to other members.
Whareni	Means a meeting house or large house that is the main <b>building</b> on a marae where guests are accommodated.
Wind energy facility	Means <b>buildings</b> , turbines and structures used to generate electricity from the wind, and ancillary structures. It includes electricity lines of less than 110kV.
Works arborist	Means a person who: <ul style="list-style-type: none"> <li>(a) possesses a recognised arboricultural degree, diploma or certificate and on-the-job experience and is familiar with the tasks, equipment and hazards involved in arboricultural operations; and</li> <li>(b) has demonstrated competence to obtain a Level 4 NZQA Certificate in Horticulture Services (Arboriculture) or equivalent standard.</li> </ul>
X, Y, Z	

### Glossary of Maaori Terms

Explanation regarding spelling of Maaori terms in the Waikato District:

Waikato District Council indicates a long vowel sound in written te reo Maaori by using double vowels (instead of a macron, i.e. ā ē ī ō ū). Double vowels are the preferred standard used by Waikato-Tainui, the iwi authority in the Waikato District and Council has adopted double vowels to acknowledge the iwi preference.

Maaori	English
Puritia nga taonga tuku iho a ngaa tuupuna hei tiki huia maa ngaa uri whakaturu a Aotearoa.	Keep the treasures handed down by the ancestors as a precious legacy for the future generations in Aotearoa New Zealand.
Tooku awa koiroa me oona pikonga he kura tangihia o te maataamuri.	The river of life, each curve more beautiful than the last.
Aotearoa	Maaori name for New Zealand
hapuu	kinship group, clan, tribe, subtribe - section of a large kinship group and the primary political unit in traditional Māori society. It consisted of a number of <i>whānau</i> sharing descent from a common ancestor, usually being named after the ancestor, but sometimes from an important event in the group's history. A number of related <i>hapū</i> usually shared adjacent territories forming a looser tribal federation ( <i>iwi</i> ). ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
hauora	health care
hui	gathering, meeting, assembly, seminar, conference ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
iwi	'people', often translated as 'tribe' that is usually made up of many hapuu or subtribes that descend from the waka or tupuna or ancestor
kainga	home, address, residence, village, settlement, habitation, habitat, dwelling ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
kaitiaki	steward/guardian
kaitiakitanga	stewardship/guardianship
kaumaatua	Adult, elder, elderly man, elderly woman, old man - a person of status within the whanau ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )

kawa	protocol
kawanatanga principle	The Principle of Government (from The Treaty of Waitangi)
kiingitanga	The Maaori King Movement that was established in 1858 in New Zealand. It is a monarchy that plays an important cultural and social role in Maaori communities, especially in Tainui.
koohanga reo	Maaori language preschool ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
kura kaupapa	Primary school operating under Maaori custom and using Maaori as the medium of instruction
mahinga kai	Garden, cultivation, food-gathering place ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
Mana Whenua	Territorial rights, power from the land, power over the land that is associated with possession and occupation of tribal lands ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
marae	See Definitions
maunga	Mountain, mount, peak ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
mauri	Life principle, vital essence, special nature, a material symbol of a life principle, source of emotions - the essential quality and vitality of a being or entity. Also used for a physical object, individual, ecosystem or social group in which this essence is located ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
ngaati	Prefix for a tribal group ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
paa	Fortified village, fort, stockade, screen, blockade, city (especially a fortified one) ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
paa tuna	Eel weir, weir for catching eels ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
papakaainga	Original home, home base, village, communal Māori land ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
papakaainga housing	See Definitions
poukai	King Movement gathering - hui held on marae where people who support the Kīngitanga demonstrate their loyalty, contribute to funds and discuss movement affairs ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
rangatira	Chief (male or female), chieftain, chieftainess, master, mistress, boss, supervisor, employer, landlord, owner, proprietor - qualities of a leader is a concern for the integrity and prosperity of the people, the land, the language and other cultural treasures (e.g. oratory and song poetry), and an aggressive and sustained response to outside forces that may threaten these ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )

rangatiratanga	Chieftainship, right to exercise authority, chiefly autonomy, chiefly authority, ownership, leadership of a social group, domain of the <i>rangatira</i> , noble birth, attributes of a chief ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
rangatiratanga principle	The Principle of Self-Management (The Treaty of Waitangi)
raupatu	Conquest, confiscation ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
ruunanga	Council, tribal council, assembly, board, boardroom, iwi authority - assemblies called to discuss issues of concern to iwi or the community ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
Tainui	Term used for the tribes whose ancestors came on the Tainui canoe and whose territory includes Waikato, Hauraki and King Country ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
Tangata Whenua	Local people, hosts, indigenous people - people born of the whenua, i.e. of the placenta and of the land where the people's ancestors have lived and where their placentas are buried ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
taniwha	Water spirit, monster, dangerous water creature, powerful creature, chief, powerful leader, something or someone awesome – that are often regarded as guardians. Taniwha referred to in the following whakatauki “ <i>He piko he taniwha, he piko he taniwha. At every bend there is a chief.</i> ” These taniwha represent a chief of tremendous influence usually at every bend of the Waikato River was a paa with its own chief ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
taonga	Treasure, anything prized - applied to anything considered to be of value, including socially- or culturally-valuable objects, resources, phenomena, ideas and techniques ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
Te Tiriti o Waitangi	The Treaty of Waitangi The Treaty of Waitangi is the founding document of New Zealand. It is an agreement entered into by representatives of the Crown and of Māori iwi (tribes) and hapū (sub-tribes). It is named after the place in the Bay of Islands where the Treaty was first signed, on 6 February 1840 ( <a href="https://nzhistory.govt.nz/politics/treaty/treaty-faqs">https://nzhistory.govt.nz/politics/treaty/treaty-faqs</a> )
tikanga or tikanga maaori	Correct procedure, custom, habit, lore, method, manner, rule, way, code, meaning, plan, practice, convention, protocol - the customary system of values and practices that have developed over time and are deeply embedded in the social context ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
tino rangatiratanga	Self-management and self-determination, sovereignty, autonomy, self-government, control, power ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
tuupuna awa	“My ancestor the river”
urupaa	Burial ground, cemetery, graveyard ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )

waahi tapu	Sacred place, sacred site - a place subject to long-term ritual restrictions on access or use, e.g. a burial ground, a battle site or a place where tapu objects were placed ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
waiata	Song, chant, psalm ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
waka	Canoe, also allied kinship groups descended from the crew of a canoe which migrated to New Zealand and occupying a set territory ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )
whakataukii	Proverb, significant saying, formulaic saying, cryptic saying, aphorism. Like whakatauaakii and pepeha they are essential ingredients in whaikorero ( <a href="http://maoridictionary.co.nz/">http://maoridictionary.co.nz/</a> )

## 29B Ohinewai Precinct-Infrastructure and Energy

(I) The following Table 29.B.1 specifies the staging and sequencing of infrastructure upgrades in the Ohinewai Precinct. The Ohinewai Precinct is defined by the Ohinewai Structure Plan area. The relevant staging rules are in sections 29C, 29D and 29E. The stages are illustrated on the Staging Plan (P19-176-00-1045 SK) and the infrastructure items are illustrated on the Structure Plan (1805\_012a Rev K) and the Business Area Structure Plan (1805\_012b Rev F).

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**Table 29.B.1 – Infrastructure Upgrades**

Upgrade required	Staging and Sequencing and Timing
<b>29B.1.1 Transport</b>	
(a) Walking and cycling linkages to Ohinewai West over the NIMT and the Waikato Expressway, including: (i) Construction of a separate shared path bridge to the south of the Ohinewai interchange; and (ii) Construction of shared paths and ramps connecting to the bridge.	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 3A or prior to the occupation and use of the first 100 dwellings, whichever comes first.
(b) Construction of an interim bus stop on Tahuna Road between the Ohinewai interchange and Lumsden Road.	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 2A or 2B, whichever comes first.
(a) Tahuna Road upgrade (from Lumsden Road to Access 2), including: (i) Kerb and channel and street lighting on northern side of the road.	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 2A, 2C & 2D.
(b) Construction of Access 2 on Tahuna Road (roundabout), including;	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 3A.

**Commented [JO11]:** This table does not show most track changes as they were too extensive. The table is referred to in staging rules in the Residential, Business and Industrial zone sections that follow

**Commented [JO12]:** Commissioners Directions para 4g

(i) Construction of new intersection to provide access to residential area.	
(c) Balemi Road upgrade (to easternmost access), including: (i) Reconstruction of the road to urbanised industrial cross-section including widening and sealing and kerb and channel on southern side of the road.	Prior to the completion of the Rail Siding.
(d) Lumsden Road upgrade (from Tahuna Road to Access 4), including: (i) Upgrade to urbanised/industrial cross-section with kerb and channel and graded berms; (ii) Construct 620m of shared path on eastern side of road extending from Tahuna Road to Access 4. (iii) Street lighting on eastern side of Lumsden Road from Tahuna Road to just north of Balemi Road.	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 2B or prior to any section 224c certificate for subdivision of more than 10ha (net) of Industrial zoned land, whichever comes first.
(e) Construction of Access 1 on Tahuna Road (Left-in, left-out).	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stages 2C and 2D.
(f) Construction of Access 3 on Lumsden Road (T-intersection).	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 2B or prior to any section 224c certificate for subdivision of more than 20ha (net) of Industrial zoned land (excluding the land in Stages F1-F4), whichever comes first.
(g) Construction of Access 4 on Lumsden Road (T-intersection).	Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 3B or prior to any section 224c certificate for subdivision for more than 49ha (net) of Industrial zoned land (excluding the land in Stages F1-F4), whichever comes first.
(h) Construction of new low speed slip lane from the Great South Road to Ohinewai South Road.	Prior to the occupation and use of Factory Stage F3 or when more than 1000 vpd use the Ohinewai Interchange north-bound off-ramp, whichever comes first.
(i) Lumsden Road realignment north of Access 4 for rail siding, including: (i) Relocation and reconstruction of Lumsden Road/Balemi Road intersection, including the necessary sight line improvements; and (ii) Gated speed threshold treatment and speed reduction measures for southbound traffic speed calming.	Prior to the operation of the rail siding.

**Commented [SP13]:** 80% of industrial as per Table 31 in the ITA.

**Commented [SP14]:** As per Table 31 of ITA This would be confirmed via an ITA

**Commented [SP15]:** S42A rebuttal para. 229.

(j) <u>Sightline improvement to Southbound offramp on the Ohinewai interchange</u>	<u>Prior to the occupation and use of Factory Stage I or prior to the occupation and use of the first 100 dwellings, whichever comes first.</u>
(k) <u>Walking and cycling linkage to/from Huntly, including:</u> (i) <u>Provision of cycle/pedestrian path on eastern side of Ohinewai South Road, with a crossing facility at the left-slip lane from Great South Road.</u> (ii) <u>Provision of a cycle/pedestrian path along the stopbank on the western side of Ohinewai South Road, extending from the crossing to the existing footpath just south of 46 Great South Road.</u>	<u>Prior to the occupation and use of Factory Stage F3 or prior to any section 224c certificate for subdivision under the RMA being issued for more than 31ha (net) of Industrial or Business zoned land, whichever comes first.</u>
<b>29B.1.2 Water &amp; Wastewater</b>	
(a) <u>On-site disposal of wastewater and on-site water supply.</u>	<u>Prior to the occupation and use of Factory Stage F1 and F2</u>
(b) <u>Bulk main connections to Huntly Wastewater Treatment Plant</u>	a) <u>Prior to the occupation and use of Factory Stage F3, F4 and prior to the occupation and use of any other Industrial, Business or Residential development;</u> and b) <u>The wastewater treatment plant must be certified by the Waikato District Council as being compliant in all regards with the conditions of the relevant discharge consent(s).</u>
(c) <u>Bulk main connections to the Huntly Water Treatment Plant or Te Kauwhata Water Treatment Plant</u>	a) <u>Prior to the occupation and use of Factory Stage F3, F4 and prior to the occupation and use of any other Industrial, Business or Residential development.</u>
<b>29B.1.3 Community Infrastructure</b>	
(a) <u>Community facility</u>	<u>Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 3A, or prior to the occupation and use of more than 350 dwellings, whichever comes first.</u>
(b) <u>Sports fields</u>	<u>Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 4 or prior to the occupation and use of more than 600 dwellings, whichever comes first.</u>
(c) <u>Central Park wetland/open space, including recreational paths.</u>	<u>Prior to the occupation and use of the first 100 dwellings.</u>
(d) <u>Wetland park/open space, including recreational paths.</u>	<u>Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 6 or prior to the use and occupation of more than 800 dwellings.</u>

**Commented [SP16]:** Commissioners directions 4 f.

**Commented [SP17]:** S42A rebuttal – para. 224 Provides stormwater treatment and amenity for the first stage of residential development

**Commented [SP18]:** S42A Rebuttal- Para. 225

(e) <u>Market Gardens</u>	<u>Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 7.</u>
(f) <u>Orchard/Beehives</u>	<u>Prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 8.</u>

In this Table net land area means land area excluding land for roads and public open space.

Note 1: A private developer agreement between the developer and the Council will allocate financial responsibility for the upgrades where there are shared benefits.

Note 2: Refer to Staging Plan PI9-176-00-1045-SK for location of stages and access points.

## 29B. Introduction

- (1) The provisions within this **Infrastructure** and Energy section of the district plan shall apply in the Ohinewai Precinct. The zone chapters and their associated overlays, objectives, policies and rules do not apply to **infrastructure** and energy activities unless specifically referred to within this Infrastructure and Energy section.
- (2) This **infrastructure** topic includes the land transport networks, network utilities operations, and electricity generation (including renewable electricity sources) and transmission. It should be noted that this chapter also contains a number of rules (such as on-site car parking and stormwater management) relating to district-wide land development activities; and as such these particular rules should be read in conjunction with the relevant zone provisions where applicable.
- (3) In the activity tables within this chapter, the letters below mean the following:
  - a. P = Permitted Activity
  - b. C = Controlled Activity
  - c. RD = Restricted Discretionary Activity
  - d. D = Discretionary Activity
  - e. NC = Non-Complying Activity
  - f. N/A = Not Applicable
- (4) Where relevant, the requirements of the **National Code of Practice for Utility Operators' Access to Transport Corridors** will apply to the placement, maintenance, improvement and removal of utility structures in roads (or unformed roads).
- (5) The **Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016** ("NESTF") provides national consistency in the rules surrounding the deployment of telecommunications **infrastructure** across New Zealand. This means that many telecommunications facilities may potentially be deployed as a permitted activity. However, telecommunications facilities which do not comply with the conditions within the NESTF, or are not covered by the regulations of the NESTF, will have the activity status specified in this plan.

This chapter is organised into the following rule sections:

29B.2 Rules applying to all infrastructure

29B.3 General infrastructure

29B.4 Electrical distribution

29B.5 Electricity generation

29B.6 Liquid fuels and gas

29B.7 Meteorological

29B.8 Amateur radio

29B.9 Telecommunications and radiocommunications

29B.10 Water, wastewater and stormwater

29B.11 Transportation

## 29B.2 Rules applying to all infrastructure

### 29B.2.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply to all infrastructure in the Ohinewai Precinct.

Activity		Activity specific conditions
PI	New infrastructure	<p>29B.2.1.1</p> <p>(1) Any new infrastructure activity and associated structures listed as a permitted activity within Section 29B must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(a) Not exceed 10m<sup>2</sup> in area above-ground;</li> <li>(b) Not exceed 2.5m in height;</li> <li>(c) Comply with the height in relation to boundary limits for the zone in which it is located;</li> <li>(d) Comply with the height in relation to boundary limits for the adjoining zone, if located in road or unformed road;</li> <li>(e) Not exceed the relevant noise limits that are applicable to that zone, when measured at the nearest boundary of the site;</li> <li>(f) Any other relevant conditions applying to that activity listed within Rules 29B.3–29B.12.</li> </ul> <p>(2) The conditions in Rule 29B.2.1.1(1) do not apply to:</p>

		<p>(a) Activities with specific conditions relating to area, height, location and noise listed elsewhere within <a href="#">Rules 29B.3–29B.12</a>;</p> <p>(b) Roads or other lineal transport networks;</p> <p>(c) <a href="#">Road network activities</a>, which include lighting and signage structures; and</p> <p>(d) Activities subject to <a href="#">National Environmental Standards Telecommunication Facilities 2016</a>.</p>
P2	Construction noise	<p>29B.2.1.2</p> <p>(1) Construction, maintenance, repair, replacement, upgrading or removal of <a href="#">infrastructure</a> or the installation of new <a href="#">infrastructure</a> must comply with <a href="#">NZS 6803:1999 Acoustics – Construction noise</a>.</p>
P3	Any activity emitting electric and magnetic fields	<p>29B.2.1.3</p> <p>(1) Compliance with the <a href="#">International Commission on Non-ionising Radiation Protection Guidelines</a> for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6): 818-836) and the recommendations from the World Health Organisation monograph <a href="#">Environmental Health Criteria (No 238, June 2007)</a>.</p>
P4	Any activity emitting radio frequency fields	<p>29B.2.1.4</p> <p>(1) Radio frequency fields must not exceed the maximum exposure level of the general public in the <a href="#">New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1:1999)</a> measured at all places reasonably accessible to the general public.</p>

### 29B.2.2 Restricted Discretionary Activities

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

Activity	Matters of Discretion	
RD1	<p>New <a href="#">infrastructure</a> that does not comply with one or more of the conditions of <a href="#">Rule 29B.2.1.1</a></p>	<p>Discretion is restricted to:</p> <p>(a) The functional and operational needs of, and benefits derived from, the <a href="#">infrastructure</a>;</p> <p>(b) Visual, landscape, streetscape and amenity effects;</p> <p>(c) Noise levels.</p>
RD2	<p>Construction noise that does not comply with <a href="#">Rule 29B.2.1.2</a></p>	<p>Discretion is restricted to:</p> <p>(a) Effects on amenity values;</p> <p>(b) Hours of construction;</p> <p>(c) Noise levels;</p> <p>(d) Timing and duration; and</p> <p>(e) Methods of construction.</p>

### 29B.2.3 Discretionary Activities

(a) The activities listed below are discretionary activities.

DI	Any <a href="#">infrastructure</a> not specifically listed within Section 29B, including associated <a href="#">earthworks</a> .
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### 29B.2.3 Non-Complying Activities

(a) The activities listed below are non-complying activities.

NC1	Any activity that does not comply with the electric and magnetic field emissions standard in <a href="#">Rule 29B.2.1.3</a>
NC2	Any activity that does not comply with the radio frequency fields standard in <a href="#">Rule 29B.2.1.4</a>
NC3	Any <a href="#">infrastructure</a> not specifically listed within Chapter 29B, including associated <a href="#">earthworks</a> , located within an Identified Area

## 29B.3 General infrastructure

### 29B.3.1 Permitted Activities

(a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the District.

Activity		Activity specific conditions
P1	The operation, maintenance, repair and removal of existing <a href="#">infrastructure</a>	Nil
P2	<a href="#">Minor upgrading of existing infrastructure</a>	<p>29B.3.1.1</p> <p>(1) The realignment, configuration, relocation or replacement of <a href="#">infrastructure</a> and associated structures that meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(a) Are within 5m of the existing alignment or location;</li> <li>(b) Do not increase the <a href="#">height</a> of any existing pole or support structure by more than 15%;</li> <li>(c) Do not increase the diameter (width) of any existing pole or support structure by more than 15%;</li> <li>(d) Do not increase the diameter of any existing above-ground pipe by more than 15%; and</li> <li>(e) Do not increase the area of any existing above-ground structure by more than 15%.</li> </ul> <p>(2) Alterations and additions to overhead electricity and telecommunication lines on existing poles or support structures involving any of the following:</p> <ul style="list-style-type: none"> <li>(a) The addition of conductors to form a twinned or duplex-pairing;</li> <li>(b) The reconductoring of the line with higher capacity conductors;</li> <li>(c) The resagging of conductors;</li> <li>(d) The addition of longer, more efficient insulators;</li> <li>(e) The addition of earth wires (which may contain telecommunication lines), earthpeaks and lightning rods;</li> <li>(f) The addition, replacement or relocation of transformers;</li> </ul>

		<ul style="list-style-type: none"> <li>(g) The addition, replacement or relocation of circuits and conductors;</li> <li>(h) The addition or replacement of telecommunication lines and fittings;</li> <li>(i) The replacement of existing crossarms with crossarms of an alternative design;</li> <li>(j) The increase in voltage of electric lines up to 110kV; or</li> <li>(k) The installation of mid-span electricity poles in existing networks to address clearances in <b>New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001</b> <b>ISSN 0114-0663 (NZECP34:2001)</b>.</li> </ul> <p>(3) The addition, replacement or relocation of existing antennas where:</p> <ul style="list-style-type: none"> <li>(a) The antennas shall not increase in area by more than 20% of the relevant permitted standard for new antennas; and</li> <li>(b) The antennas shall not increase in <b>height</b> by more than 20% of the relevant permitted standard for new antennas.</li> </ul> <p>(4) <b>Earthworks activities associated with the minor upgrading of existing infrastructure</b> must comply with the conditions of <b>Rule 29B.3.1.3</b>.</p> <p>(5) The <b>minor upgrading of existing infrastructure</b> must not remove any tree identified in <b>Schedule 30.2</b>.</p> <p>(6) Any trimming of a tree identified in <b>Schedule 30.2</b> associated with the <b>minor upgrading of existing infrastructure</b> must be undertaken in accordance with the conditions of <b>Rule 29B.3.1.4</b>.</p>
P3	<b>Temporary infrastructure</b>	<p>29B.3.1.2</p> <p>(1) Installation and operation of <b>temporary infrastructure</b> that meets all of the following conditions:</p> <ul style="list-style-type: none"> <li>(a) Any <b>buildings</b> and/or structures must be removed from the <b>site</b> on completion of the works;</li> <li>(b) The ground must be reinstated on completion of works; and</li> <li>(c) The activity, including the requirements of <b>Rule 29B.3.1.2(1) (a) and (b)</b>, must not exceed 12 months in total.</li> </ul>
P4	Earthworks activities associated with <b>infrastructure</b>	<p>29B.3.1.3</p> <p>(1) Any <b>earthworks</b> associated with <b>infrastructure</b> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(a) Do not exceed a volume of more than 2,500m<sup>3</sup> for any single activity;</li> <li>(b) Do not exceed an area of more than 2,500m<sup>2</sup> for any single activity;</li> <li>(c) Within 10m of a watercourse or 20m of <b>Mean High Water Springs</b> do not exceed a volume of more than 5m<sup>3</sup> and an area of more than 5m<sup>2</sup> for any single activity;</li> <li>(d) Erosion and sediment controls are implemented and maintained to retain sediment on the <b>site</b> of the <b>earthworks</b> activity;</li> <li>(e) All fill material used must be <b>cleanfill</b>;</li> <li>(f) Areas exposed by <b>earthworks</b> activities are to be recontoured and replanted within 6 months of the commencement of the <b>earthworks</b>;</li> </ul>

		<p>(g) Earthworks shall not obstruct or divert any stormwater overland flow path or result in changed stormwater drainage patterns on another site;</p> <p>(h) Earthworks are not located within any Historic Heritage sites identified within Appendix 30.1.</p> <p>(2) Rule 29B.3.1.3(1)(f) does not apply to earthworks required to establish a foundation or surface that will ultimately be sealed or constructed upon.</p> <p>(a)</p>
P5	Trimming, maintenance or removal of vegetation or trees associated with infrastructure	<p>29B.3.1.4</p> <p><b>Note:</b> Trees in and around electrical assets are required to be in accordance with the Electricity (Hazards from Trees) Regulations 2003.</p>
P6	Pipe and cable bridge structures for the conveyance of electricity, telecommunications, water, wastewater, stormwater and gas	<p>29B.3.1.5</p> <p>(1) Pipe and cable bridge structures that meet all of the following conditions:</p> <p>(a) Do not exceed 25m total length;</p> <p>(b) Do not exceed 1m width;</p> <p>(c) Do not exceed 1m depth;</p>
P7	Electric vehicle chargers	<p>29B.3.1.6</p> <p>(1) Electric vehicle chargers that meet all of the following conditions:</p> <p>(a) Do not exceed maximum height of 1.8m each;</p> <p>(b) Do not exceed a maximum area of 1.5m<sup>2</sup> each;</p> <p>(c) Have a socket connection, or a fitted cable-management accessory;</p> <p>(d) Have at least one formed car park (in accordance with the relevant requirements of Table 29B.12.5.1.1) per connection or charging cable if the site is located outside the road.</p>
P8	Service connections	Nil
P9	Minor infrastructure structure	
P10	Closed-circuit television (CCTV) systems attached to existing buildings and structures	
P11	Signage associated with infrastructure required for health and safety or asset identification purposes and/or required by legislation	Nil
P12	Service connections for subdivision	29B.3.1.7

		<p>(1) All new lots created as part of a subdivision other than a <b>utility allotment, access allotment</b> or reserve <b>allotment</b>, must be designed and located so that provision is made for access and <b>service connections</b> up to the <b>boundary</b> of the lot for:</p> <ul style="list-style-type: none"> <li>(a) Wastewater;</li> <li>(b) Water supply;</li> <li>(c) Stormwater (a management system that complies with <b>Rule 29B.11.1.1</b>);</li> <li>(d) Electricity supply;</li> <li>(e) Telecommunications that is hard-wired or wireless; and</li> <li>(f) Vehicle access that complies with <b>Rule 29B.12.1.1</b>.</li> </ul> <p>(2) <b>Rule 29B.3.1.7(1)(a)</b> does not apply to any allotment that is served by a site-contained wastewater system in accordance with <b>Rule 29B.11.1.3</b>.</p> <p>(3) Within all zones, the water supply required under <b>Rule 29B.3.1.8(1)(b)</b> must be adequate for fire fighting purposes.</p>
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**29B.3.2 Controlled Activities**

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

Activity		Activity specific conditions	Matters of control
CI	Subdivision to create a <b>utility allotment</b> for accommodating <b>infrastructure</b>	<p>29B.3.2.1</p> <ul style="list-style-type: none"> <li>(1) Is undertaken by a <b>network utility operator</b> as defined by the Resource Management Act 1991; and</li> <li>(2) Is for <b>infrastructure</b> permitted under Chapter 29B; or</li> <li>(3) Is for <b>infrastructure</b> that has all necessary resource consents granted or notices of requirement confirmed.</li> </ul>	<p>Control is reserved over:</p> <ul style="list-style-type: none"> <li>(a) The adequacy of the <b>allotment</b> for its intended use;</li> <li>(b) Whether any easement is required.</li> </ul>

**29B.3.3 Restricted Discretionary Activities**

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

Activity		Matters of Discretion
RDI	<b>Minor upgrading of existing infrastructure</b> that does not comply with one or more of the conditions of <b>Rule 29B.3.1.1</b> which are relevant to the activity proposed	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>i. The functional and operational needs of, and benefits derived from, the <b>infrastructure</b>;</li> <li>ii. Visual, streetscape and amenity effects;</li> <li>iii. Road network safety and efficiency;</li> <li>iv. Management of sediment and dust, including the staging of works;</li> </ul>

		<ul style="list-style-type: none"> <li>v. The volume, extent and depth of the <b>earthworks</b> activities;</li> <li>vi. The location of the <b>earthworks</b> activities, taking into account any effects on the values, qualities and characteristics of the <b>site</b>;</li> <li>vii. Any flood or land stability risks;</li> <li>viii. Visual, landscape and amenity effects;</li> </ul>
RD2	<b>Earthworks</b> associated with infrastructure that do not comply with one or more of the conditions of <b>Rule 29B.3.1.3</b>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(a) Management of sediment and dust, including the staging of works;</li> <li>(b) The volume, extent and depth of the <b>earthworks</b> activities;</li> <li>(c) The location of the <b>earthworks</b> activities, taking into account any effects on the values, qualities and characteristics of the <b>site</b>;</li> <li>(d) Any flood or land stability risks; and</li> <li>(e) Visual, landscape and amenity effects.</li> </ul>
RD3	Trimming, maintenance or removal of vegetation or trees that does not comply with one or more of the conditions of <b>Rule 29B.3.1.4</b>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(a) The extent of the works required;</li> <li>(b) Whether alternative methodologies avoiding the need to affect the tree(s)/vegetation have been adequately considered.</li> </ul>
RD4	Pipe and cable bridge structures for the conveyance of electricity, telecommunications, water, wastewater, stormwater and gas: <ul style="list-style-type: none"> <li>(a) That do not comply with one or more of the conditions of <b>Rule 29B.3.1.5</b>; or</li> <li>(b) Are located within Identified areas</li> </ul>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(a) The functional and operational needs of, and benefits derived from, the <b>infrastructure</b>;</li> <li>(b) Visual, streetscape and amenity effects,</li> <li>(c) Public safety.</li> </ul>
RD5	Electric vehicle charging stations located: <ul style="list-style-type: none"> <li>(a) That do not comply with one or more of the conditions of <b>Rule 29B.3.1.6</b>.</li> </ul>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(a) The functional and operational needs of, and benefits derived from, the <b>infrastructure</b>;</li> <li>(b) Visual, streetscape and amenity effects;</li> <li>(c) Road network safety and efficiency;</li> <li>(d) Public safety.</li> </ul>
RD6	The following activities that does not comply with <b>Rule 29B.3.1.7</b> : <ul style="list-style-type: none"> <li>(a) CCTV systems attached to existing buildings and structures</li> <li>(b) Service connections</li> <li>(c) Minor <b>infrastructure</b> structures.</li> </ul>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(a) The functional and operational needs of, and benefits derived from, the activity.</li> </ul>

### 29B.3.4 Discretionary Activities

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

D1	Activities and permanent structures or facilities located within road or unformed road not provided as <b>road network activities</b> under <b>Rule 29B.12.1</b>
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D2	Temporary infrastructure that does not comply with one or more of the conditions of Rule 29B.3.1.2
D3	Access and service connections for subdivision that do not comply with one or more of the conditions of Rule 29B.3.1.8
D4	Subdivision to create a utility allotment for accommodating infrastructure that does not comply with one or more of the conditions of Rule 29B.3.2.1

## 29B.4 Electrical distribution

### 29B.4.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the District.
- (b) Rule 29B.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Activity		Activity specific conditions
P1	Below ground distribution lines	Nil
P3	Overhead distribution lines and support structures within road or unformed road located adjacent to the Rural Zone	Nil
P4	Substations and associated transformers and switching stations	29B.4.1.1 (a) Substations and associated transformers and switching stations distributing electricity that comply with the following: <ul style="list-style-type: none"> <li>(i) Distribute electricity at a voltage up to and including 110kV; and</li> <li>(ii) Are located within the Business Zone, Industrial Zone; and</li> <li>(iii) Any ancillary buildings do not exceed 100m<sup>2</sup> in gross floor area.</li> </ul>

### 29B.4.2 Restricted Discretionary Activities

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

Activity		Matters of Discretion
RD1	(a) Overhead distribution lines and support structures not exceeding a voltage up to and including 110kV:	(a) Discretion is restricted to: <ul style="list-style-type: none"> <li>(i) The functional need and operational need of, and benefits derived from, the infrastructure;</li> <li>(ii) The extent to which alternative technologies and techniques have been considered;</li> </ul>

		<ul style="list-style-type: none"> <li>(iii) The extent to which co-location of overhead lines is technically, economically and practically reasonable;</li> <li>(iv) The extent to which the proposal is in accordance with relevant industry standards and meets specified clearance requirements for operational and safety reasons;</li> <li>(v) The extent to which the proposal will adversely affect the amenity values of the <b>site</b> and locality;</li> <li>(vi) The extent to which there are difficult ground conditions, topography or obstructions which make undergrounding impractical.</li> </ul>
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**29B.4.3 Discretionary Activities**

(a) The activities listed below are discretionary activities.

D1	Overhead distribution lines and support structures exceeding a voltage of 110kV
D2	Substations and associated transformers and switching stations that do not comply with one or more conditions of <a href="#">Rule 29B.4.1.2</a>

**29B.5 Electricity generation**

**29B.5.1 Permitted Activities**

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the Ohinewai Precinct.
- (b) [Rule 29B.5.1.1](#) will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Activity		Activity specific conditions
P1	Small-scale electricity generation	29B.5.1.1 (a) Small-scale electricity generation and community-scale electricity generation that comply with each of the following conditions, where applicable: (a) Is not located on a road, or unformed road; (b) Less than 20kW of electricity is generated; (c) Maximum one wind turbine per <b>site</b> in the ResidentialZones; (d) Freestanding wind turbines must not exceed the <b>building height</b> limit of the zone in which they are located by more than 3m; (e) Freestanding wind turbines have a maximum blade diameter of 2.5m; (f) Roof-mounted wind turbines must not exceed the <b>building height</b> limit of the zone in which they are located by more than 3m;
P2	Community-scale electricity generation	

		<ul style="list-style-type: none"> <li>(g) Roof-mounted wind turbines have a maximum blade diameter of 2.5m;</li> <li>(h) Any wind turbine on a site adjoining Residential Zones must meet the height in relation to boundary limits on the boundary with that adjoining zone;</li> <li>(i) Solar panels on the roof of a building must not exceed 1.5m in height above the existing roof;</li> <li>(j) Wind turbine noise must:             <ul style="list-style-type: none"> <li>(i) Not exceed the background sound level (L95) by more than 5dBA, or a level of 40dBA (L95), whichever is the greater, when measured at operational wind speeds, and for properties located adjacent to the facility when measured at:                 <ul style="list-style-type: none"> <li>(1) Any existing building or structure for sensitive land uses; and</li> <li>(2) Any potential building site where a building or structure for sensitive land uses could be located as a permitted activity;</li> </ul> </li> <li>(ii) Be measured and assessed in accordance with <b>NZS6808: 2010 Acoustics – Wind Farm Noise</b></li> </ul> </li> </ul>
P3	Research and exploratory-scale investigations for renewable electricity generation activities	<p>29B.5.1.2</p> <ul style="list-style-type: none"> <li>(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following:             <ul style="list-style-type: none"> <li>(i) The noise limits that are applicable to the zone;</li> <li>(ii) The height of any equipment must not exceed the building height limit of the zone in which they are located by more than 3m;</li> <li>(iii) The size and location of any equipment must not exceed height in relation to boundary relevant to the zone in which it is located; and</li> <li>(iv) Setbacks relevant to the zone in which it is located;</li> <li>(v) Is not located within an identified area;</li> <li>(vi) Is not located on a road, or unformed road.</li> </ul> </li> </ul>
P4	Temporary diesel-fuelled electricity generation activities	Nil

**29B.5.2 Restricted Discretionary Activities**

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

Activity	Matters of Discretion
<p>RD1</p> <p>Small-scale electricity generation that do not comply with one or more of the conditions of <b>Rule 29B.5.1.1</b></p>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(a) The functional and operational needs of, and benefits derived from, the <b>infrastructure</b>;</li> </ul>

RD2	Community-scale electricity generation that do not comply with one or more of the conditions of Rule 29B.5.1.1	<ul style="list-style-type: none"> <li>(b) Visual, landscape, streetscape and amenity effects, including noise;</li> <li>(c) Shadow flicker effects;</li> <li>(d) The risk of hazards affecting public or individual safety, and risk of property damage.</li> </ul>
RD3	Research and exploratory-scale investigations for renewable electricity generation activities that do not comply with one or more of the conditions of Rule 29B.5.1.2	

**29B.5.4 Non-Complying Activities**

(a) The activities listed below are non-complying activities.

NCI	Large-scale wind farms
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**29B.6 Liquid fuels and gas**

**29B.6.1 Permitted Activities**

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the Ohinewai Precinct
- (b) Rule 29B.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Activity		Activity specific conditions
PI	Below ground pipelines for the conveyance of liquid fuels and gas	29B.6.1.1 (a) Below ground pipelines for the conveyance of liquid fuels and gas that comply with all of the following: (i) Any aboveground sections of pipeline must comply with the following: A. Not exceed 25m in length, and B. Not exceed 300mm in diameter. (ii) Gas pipelines must not exceed a gauge pressure of 2,000 kilopascals.
P2	Storage facilities and pump stations for liquid fuels and gas	29B.6.1.2 (a) Storage facilities and pump stations for liquid fuels and gas that comply with all of the following:

**29B.6.2 Discretionary Activities**

(a) The activities listed below are discretionary activities.

DI	Pipelines for the conveyance of liquid fuels and gas that do not comply with one or more of the conditions of Rule 29B.6.1.1
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D2	Storage facilities and pump stations for liquid fuels and gas that do not comply with one or more of the conditions of <a href="#">Rule 29B.6.1.2</a>
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## 29B.7 Meteorological

### 29B.7.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (b) [Rule 29B.7.1.1](#) will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Activity		Activity specific conditions
P1	Meteorological enclosures and buildings, including automatic weather stations	29B.7.1.1 (a) Meteorological enclosures and buildings, including automatic weather stations, that comply with all of the following: (i) The size of the structure must not exceed 30m <sup>2</sup> in gross floor area; (ii) The structure complies with any relevant building height condition for the applicable zone; (iii) Is not located on a road, or unformed road.
P2	Meteorological and air quality monitoring structures and devices	29B.7.1.2 (a) Meteorological and air quality monitoring structures and devices that comply with all of the following: (i) Do not exceed 12m in height; (ii) There shall be no more than one instrument or device per site; (iii) Is not located on a road, or unformed road.

### 29B.7.2 Restricted Discretionary Activities

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

Activity		Matters of Discretion
RD1	Meteorological enclosures and buildings, including automatic weather stations located within road or unformed road	(a) Discretion is restricted to: (i) The functional and operational needs of, and benefits derived from, the infrastructure; (ii) Visual, streetscape and amenity effects; (iii) Road network safety and efficiency.
RD2	Meteorological and air quality monitoring structures and devices located within road or unformed road	

## 29B.8 Amateur radio

### 29B.8.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (b) [Rule 29B.8.1.1](#) will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Activity	Activity specific conditions
P1 Antennas associated with amateur radio configurations	29B.8.1.1 (a) Antennas associated with amateur radio configurations that comply with all of the following: (i) Where attached to a building or other structure (including a mast): A. The maximum diameter is 2m for an antenna dish; B. The maximum area is 2m <sup>2</sup> in area for a panel antenna; C. The maximum dimension in any direction is 2m for a panel antenna; D. The antenna must not overhang a site boundary; (ii) One pedestal-mounted antenna per site that meets the following: A. The antenna is pivoted less than 4m above the ground; B. The maximum diameter is 5m; C. Complies with the setback and height in relation to boundary requirements of the relevant zone; (iii) Is not located on a road, or unformed road.
P2 Aerials associated with amateur radio configurations	29B.8.1.2 (a) Aerials associated with amateur radio configurations that comply with all of the following: (i) Any of the elements making up the aerial do not exceed 80mm in diameter; (ii) For horizontal HF yagi aerials, the maximum element length does not exceed 14.9m, and the boom length does not exceed 13m; (iii) No part of the aerial (including aerial wires) overhangs a site boundary; (iv) The setback standards applying to buildings in the applicable zone, except that aerial wires are not required to comply with the setback standards; (v) No part of the aerial exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m (except for vertical aerials as provided for in <a href="#">Rule 29B.8.1.2(1)(f)</a> below); (vi) For vertical aerials, one vertical aerial to a maximum height of 20m, provided there is only one vertical aerial or one supporting structure (and attached aerial(s) or antenna(s) under <a href="#">Rule 29B.8.1.3(1)(c)</a> below per site that exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m; (vii) Is not located on a road, or unformed road.
P3 Support structures associated with amateur radio configurations	29B.8.1.3 (a) Support structures associated with amateur radio configurations that comply with all of the following: (i) For wire aerials of less than 115mm in outside diameter, no more than six support poles per site provided that:

		<ul style="list-style-type: none"> <li>A. The maximum height of the support poles is the maximum building height applying in the zone in which they are located;</li> <li>B. The setback and height in relation to boundary standards shall not apply to these support poles;</li> </ul> <p>(ii) Where guy wires are used these must not exceed 12mm in diameter;</p> <p>(iii) One pole support structure (excluding support poles for wire aerials) or lattice support structure per site, provided that:</p> <ul style="list-style-type: none"> <li>A. The maximum height of the pole support structure is 9m and the maximum inscribed circle of the pole and any lowering mechanism shall be 600mm below 4m in height and 115mm above 4m; or</li> <li>B. The maximum height of the lattice support structure is 9m and the maximum inscribed circle and any lowering mechanism shall be 900mm below 8m in height and 660mm above 8m;</li> <li>C. The pole or lattice structure is located in accordance with setback standards applying to buildings in the zone in which they are located. For the purpose of this rule the height in relation to boundary standards shall not apply to the pole or lattice support structure;</li> <li>D. Where guy wires are used these must not exceed 12mm in diameter;</li> <li>E. At no point must any guy wire overhang the boundary;</li> </ul> <p>(iv) For each site, one support structure can exceed the maximum stated height applying to buildings in the applicable zone by more than 2m, provided that:</p> <ul style="list-style-type: none"> <li>A. The maximum height of the support structure and any attached aerials or antennas is 20m;</li> <li>B. The supporting structure may be one of the following: <ul style="list-style-type: none"> <li>A. A guyed mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m shall be 115mm, or</li> <li>B. A guyed lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m shall be 300mm. The mast may be of constant width or tapering, or</li> <li>C. A self-supporting lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m and 420mm at 20m, or</li> <li>D. A self-supporting tubular mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 230mm at 9m and 115mm at 20m; and</li> </ul> </li> <li>C. There may be local enlargement of the support structure to accommodate a rotator mechanism; and</li> <li>D. The supporting structure is located in accordance with setback standards applying to buildings in the applicable zone. For the purpose of this rule the height in relation to boundary standards shall not apply to the supporting structure; and</li> <li>E. Where guy wires are used, these must not exceed 12 mm in diameter; and</li> <li>F. At no point must any guy wire overhang the boundary;</li> </ul> <p>(v) Is not located on a road, or unformed road.</p>
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**29B.8.2 Restricted Discretionary Activities**

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

Activity		Matters of Discretion
RD1	Amateur radio configurations that do not comply with one or more of the conditions of <b>Rules 29B.8.1.1, 29B.8.1.2 and 29B.8.1.3</b>	Discretion is restricted to: <ol style="list-style-type: none"> <li>The bulk, form, scale, location and number of antennas, aerials and supporting structures;</li> <li>Location on <b>site</b>; and</li> <li>Visual, streetscape and amenity effects.</li> </ol>

**29B.8.3 Discretionary Activities**

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

DI	<b>Antennas</b> , aerials and support structures associated with amateur radio configurations located within road and unformed road
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**29B.9 Telecommunications and radiocommunications****Notes:**

+I Means activities not provided as a permitted activity under the **Resource Management (National Environmental Standards for Telecommunication Facilities ("NESTF")) Regulations 2016**

**29B.9.1 Permitted Activities**

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table.  
 (b) **Rule 29B.2.1.1** will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Activity		Activity specific conditions
P1	<b>Ancillary equipment</b> <sup>+I</sup>	Nil
P2	Below ground telecommunications and radiocommunications facilities, lines, cables and ducts	Nil
P3	<b>Cabinets</b> <sup>+I</sup>	Nil
P4	<b>Antennas</b> and lines attached to retaining walls, tunnels, bridges and other structures located within the road <sup>+I</sup>	29B.9.1.1 <ol style="list-style-type: none"> <li><b>Antennas</b> that comply with all of the following conditions:               <ol style="list-style-type: none"> <li>Panel <b>antenna</b> do not exceed 0.7m in width;</li> <li>Dish <b>antenna</b> do not exceed 0.6m in width within the Residential Zone;</li> <li>Within the Residential Zone the maximum number of <b>antennas</b> per <b>site</b> is 4.</li> </ol> </li> </ol>

		(b) Rule 29B.19.1.1(1)(a) does not apply a face-mounted panel antenna located within the fascia and below the roof line of an existing building.				
P5	Antennas+ <sup>1</sup> attached to a building and/or structure	29B.9.1.2 (a) Antennas attached to a building and/or structure that comply with all of the following conditions: (i) The face of the antenna does not exceed 1.5m <sup>2</sup> or 1.2m in diameter for dish antennas. (b) Rule 29B.9.1.2 does not apply to private television antennas and satellite dishes +2.				
P6	Antennas inside new or existing buildings	Nil				
P7	Antennas not attached to a building and/or structure	29B.9.1.3 (a) Antennas that comply with all of the following conditions: (i) GPS Antennas that do not exceed the following dimensions: A. 300mm high; and B. 130mm in diameter. (ii) Omni-directional 'whip' or di-pole type antennas that do not exceed the following dimensions: A. 1.6m high; B. 1.5m horizontal length whip or rod; or C. Cross section element no more than 60mm in diameter. (iii)				
P8	Small cell units exceeding the permitted volumetric dimension of 0.1 l m <sup>3</sup> regulated in the NESTF	29B.9.1.4 (a) Small cell units exceeding the permitted volumetric dimension of 0.1 l m <sup>3</sup> regulated in the NESTF that comply with all of the following conditions: (i) Do not exceed a maximum volumetric dimension of 0.25m <sup>3</sup> ;				
P9	Poles, antennas and headframes+ <sup>1</sup>	29B.9.1.5 (a) Any poles and attached antenna that comply with the following conditions: (i) Comply with the height in relation to boundary limits for the zone in which it is located; (ii) Not exceed the height limits set out in the following table:  <table border="1" data-bbox="598 1556 1077 1646"> <thead> <tr> <th>Zone</th> <th>Permitted height</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Zone	Permitted height		
Zone	Permitted height					

		<table border="1"> <tr> <td>Industrial,</td> <td>25m (and 30m for co-location of at least two operators)</td> </tr> <tr> <td>Business,</td> <td>20m</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Residential,</td> <td>15m</td> </tr> <tr> <td>Road or unformed road</td> <td>That of the adjoining zone</td> </tr> </table> <p>(b) Headframes that comply with the following conditions:</p> <p>(i) Comply with the height in relation to boundary limits for the zone in which it is located;</p> <p>(ii) Within the Residential Zone do not exceed 1.0m diameter; or</p> <p>(iii) Within all other zones and unformed roads do not exceed 6.0m diameter; and</p> <p>(iv) Within the road do not exceed 0.7m diameter.</p> <p>(c) Rule 29B.9.1.7(1) does not apply to lightning rods and GPS antenna, omni directional whip antenna, ancillary telecommunication devices and earthpeaks.</p>	Industrial,	25m (and 30m for co-location of at least two operators)	Business,	20m			Residential,	15m	Road or unformed road	That of the adjoining zone
Industrial,	25m (and 30m for co-location of at least two operators)											
Business,	20m											
Residential,	15m											
Road or unformed road	That of the adjoining zone											
P10	Externally-mounted telecommunication satellite dishes and ancillary components	<p>29B.9.1.6</p> <p>(a) Externally-mounted telecommunication satellite dishes and ancillary components that comply with the following conditions:</p> <p>(i) Do not exceed 1.0m in diameter;</p> <p>(ii) Are attached to existing buildings;</p>										
P11	Telecommunication kiosk	(i) Nil										
P12	Telephone exchanges, including the installation and operation of equipment inside existing telephone exchanges	<p>29B.9.1.7</p> <p>(a) Telephone exchanges, including the installation and operation of equipment inside existing telephone exchanges, that comply with the following conditions:</p> <p>(i) Do not exceed 20m<sup>2</sup> in area in roads or sites zoned Residential; or</p> <p>(ii) Do not exceed 30m<sup>2</sup> in area in all other zones;</p> <p>(iii) Comply with the height and height in relation to boundary limits for the zone in which it is located.</p>										
P13	Self-contained power units	Nil										
P14	Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF	<p>29B.9.1.8</p> <p>(a) Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF, that comply with all of the following conditions:</p> <p>(i) Do not exceed 20m in height; and</p> <p>(ii) Are located within road or unformed road located adjacent to the Rural Zone.</p>										

P15	Lightning rods	29B.9.1.9 (a) Lightning rods that comply with all of the following conditions: (i) Do not exceed 1.8m in height;
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**29B.9.2 Controlled Activities**

(a) The activities listed below are controlled activities.

Activity	Matters of Control
C1 <b>Ancillary equipment</b> that do not comply with the conditions of <b>Rule 29B.9.1.1</b>	(a) Control is reserved over: <ul style="list-style-type: none"> <li>(i) The size, colour and design of the proposed facility, equipment or structure;</li> <li>(ii) The location of the proposed facility, equipment or structure;</li> <li>(iii) The ability to provide screening or landscaping; and</li> <li>(iv) Effects on the values, qualities and characteristics of the site.</li> </ul>
C2 <b>Cabinets</b> that do not comply with one or more of the conditions of <b>Rule 29B.9.1.2</b>	
C3 (a) <b>Cabinets</b> not meeting the <b>NESTF</b> regulations 19, 20, and 21 that are located within: <ul style="list-style-type: none"> <li>(i) Business Zone</li> <li>(ii) Industrial Zone</li> </ul>	
C4 <b>Antennas</b> attached to an existing pole in the road reserve that do not comply with Regulations 26 and 27 of the <b>NESTF</b> and <b>antennas</b> attached to an existing pole in unformed road	
C5 (a) <b>Antennas</b> attached to a building that do not comply with the conditions of <b>Rule 29B.9.1.2</b> and are located within: <ul style="list-style-type: none"> <li>(i) Business Zone</li> <li>(ii) Industrial Zone</li> </ul>	
C5 (a) <b>Dish antennas</b> not complying with regulations 26-35 of the <b>NESTF</b> that are located within: <ul style="list-style-type: none"> <li>(i) Business Zone</li> <li>(ii) Industrial Zone</li> </ul>	

### 29B.9.3 Restricted Discretionary Activities

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

Activity	Matters of Discretion
RD1 (a) Cabinets not meeting the NESTF regulations 19, 20, and 21 that are located within: <ol style="list-style-type: none"> <li>(i) Residential Zone</li> <li>(ii) Road and unformed road</li> </ol>	Discretion is restricted to: <ol style="list-style-type: none"> <li>(a) The functional and operational needs of, and benefits derived from, the infrastructure;</li> <li>(b) The bulk, form, scale, location of the structure;</li> <li>(c) Visual, landscape, streetscape and amenity effects;</li> <li>(d) Where located within a road, the operation and function of road network activities,</li> <li>(e) Effects on the values, qualities and characteristics of the site.</li> </ol>
RD2 (a) Antennas attached to a building and/or structure that comply with all of the following conditions: <ol style="list-style-type: none"> <li>(i) Are located within:               <ol style="list-style-type: none"> <li>A. Residential Zone</li> <li>B. Road and unformed road</li> </ol> </li> <li>(ii) The face of the antenna does not exceed 1.5m<sup>2</sup> or 1.2m in diameter for dish antennas.</li> </ol>	
RD3 (a) Dish antennas not complying with regulations 26-35 of the NESTF that are located within: <ol style="list-style-type: none"> <li>(i) Residential Zone</li> <li>(ii) Road and unformed road</li> </ol>	
RD4 Poles, antennas and headframes not complying with regulations 26-35 of the NESTF or Rule 29B.9.1.5	
RD5 (a) Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF, that: <ol style="list-style-type: none"> <li>(i) Do not comply with one or more conditions of Rule 29B.9.1.8; and</li> </ol>	
RD7 Self-contained power units that do not comply with the conditions for a new infrastructure activity and associated structures under Rule 29B.2.1.1	

29B.10 Water, wastewater and stormwater

**29B10.1 Permitted Activities**

- (1) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (2) Rule 29B.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.

Activity		Activity specific conditions
PI	Stormwater systems for new development or subdivision	<p>29B.10.1.1</p> <ul style="list-style-type: none"> <li>(a) New development or subdivision must have a stormwater system that complies with all of the following conditions:                             <ul style="list-style-type: none"> <li>(i) Operates by gravity;</li> <li>(ii) Manages stormwater in the following manner:                                     <ul style="list-style-type: none"> <li>A. Primary systems detain runoff from all impervious surfaces during a 10% Annual Exceedance Probability storm event to ensure that the rate of any stormwater discharge off-site is at or below pre-development rates; and</li> <li>B. Secondary overflows are conveyed to a system or drainage path designed to collect concentrated stormwater during events up to and including a 1% Annual Exceedance Probability; or</li> <li>C. A controlled discharge to a network or receiving environment that will have equivalent capacity (as in (i) and (ii) above) once the catchment is fully developed.</li> </ul> </li> <li>(iii) Stormwater management measures must be in place and operational upon the completion of subdivision and/or development;</li> <li>(iv) Systems must be designed using rainfall data specific to the area in which the property is located and be adjusted for a climate change temperature increase of 2.1°C;</li> <li>(v) Stormwater management measures, including low impact design measures, must be implemented as appropriate in accordance with the following drainage hierarchy:                                     <ul style="list-style-type: none"> <li>A. Retention of rainwater/stormwater for reuse;</li> <li>B. Soakage techniques;</li> <li>C. Infiltration rate of a minimum of 7mm/hour;</li> <li>D. Treatment, detention and gradual release to a watercourse;</li> <li>E. Treatment, detention and gradual release to a piped stormwater system.</li> </ul> </li> <li>(vi) Where land is subject to instability, stormwater discharges directly to ground occurs only where the ground conditions have been identified as being suitable to absorb such discharges without causing, accelerating or contributing to land instability and downstream effects either on the site or on neighbouring properties;</li> <li>(vii) Connection of new development to any existing stormwater drainage system must not result in the minimum level of service not being met or the minimum level of capacity being exceeded. Alteration of the existing receiving stormwater network drainage system to achieve minimum level of service or additional onsite detention volume to ensure existing capacity will be required.</li> </ul> </li> </ul> <p><b>Notes:</b></p>

		<p>(i) Acceptable means of compliance for the provision, design and construction of stormwater infrastructure, including low impact design features, are contained within the <b>Regional Infrastructure Technical Specifications</b>.</p> <p>(ii) A stormwater discharge consent may also be required from the Waikato Regional Council.</p>
P2	The establishment of <b>impervious surfaces</b> associated with new development or subdivision	<p>29B.10.1.2</p> <p>(a) The establishment of <b>impervious surfaces</b> associated with new development or subdivision that complies with the following condition:</p> <p>(i) The maximum <b>impervious surface</b> of a <b>site</b> within the Residential Zone is 70%.</p>
P3	Wastewater servicing for new development or subdivision	<p>29B.10.1.3</p> <p>(a) New development or subdivision must have a wastewater system that complies with the following conditions:</p> <p>(i) Is connected to public, reticulated wastewater network; or</p> <p>(ii) Is connected to a community-scale wastewater system; or</p> <p>(iii) Is provided with a <b>site</b>-contained, alternative method of wastewater disposal that complies with <b>AS/NZS 1547:2012</b>.</p>
P4	Below ground pipelines for the conveyance of water, wastewater and stormwater	<p>29B.10.1.4</p> <p>(a) Below ground pipelines systems for the conveyance of water, wastewater and stormwater that comply with all of the following:</p> <p>(i) Any aboveground section of a pipeline must comply with the following:</p> <p>A. Not exceed 25m in length, and</p> <p>B. Not exceed 300mm in diameter.</p> <p>(b) The maximum dimensions in <b>Rule 29B.11.14(a)(i)</b> do not apply to any above-ground section of pipeline which is attached to or contained within the superstructure of a bridge.</p>
P5	Pump stations for the conveyance of water, wastewater and stormwater	(i) Nil
P6	Stormwater treatment, detention and retention facilities or devices	<p>29B.10.1.5</p> <p>(a) Stormwater treatment, detention and retention facilities or devices that comply with the following:</p> <p>(i) Is not a stormwater wetland or pond.</p>
P7	Stormwater ponds or wetlands	<p>29B.10.1.6</p> <p>(a) Stormwater ponds or wetlands that comply with the following:</p> <p>(i) The area of the pond or wetland does not exceed the equivalent site <b>building coverage</b> conditions applicable to the zone.</p>
P8	Ventilation facilities, drop shafts and manholes	Nil
P9	Below ground reservoirs	<p>29B.10.1.7</p> <p>(a) Below ground reservoirs that comply with all of the following:</p>

	(i) Are not located within road or unformed road.
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### 29B.10.2 Restricted Discretionary Activities

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

Activity	Matters of Discretion
RD1 Stormwater systems for new development or subdivision that does not comply with one or more of the conditions of <a href="#">Rule 29B.10.1.1</a>	Discretion is restricted to: (a) The likely effectiveness of the system to avoid flooding, nuisance or damage to other buildings and sites; (b) The capacity of the system and suitability to manage stormwater.
RD2 The establishment of impervious surfaces associated with new development or subdivision that do not comply with one or more of the conditions of <a href="#">Rule 29B.10.1.2</a>	Discretion is restricted to: (a) Site design, layout and amenity; (b) The risk of flooding, nuisance or damage to the site or other buildings and sites.
RD3 Wastewater servicing for new development or subdivision that do not comply with one or more of the conditions of <a href="#">Rule 29B.10.1.3</a>	Discretion is restricted to: (a) Health and safety of the occupants; (b) Capacity of the system; (c) Infiltration capacity of the soil; (d) Location, including proximity to waterways and effects on habitats; (e) Contamination of downstream properties by wastewater.
RD4 Below ground pipelines that do not comply with one or more of the conditions of <a href="#">Rules 29B.10.1.4 and 29B.10.1.5</a>	Discretion is restricted to: (a) The functional need and operational need of, and benefits derived from, the infrastructure; (b) Visual, streetscape and amenity effects; (c) Road network safety and efficiency; (d) The risk of hazards to public or individual safety, and risk of property damage; and
RD5 Stormwater ponds or wetlands, that serve more than one site, located within: (i) Residential Zone (ii) Road and unformed road	
RD6 Below ground reservoirs located within an a road or unformed road	

### 29B.10.3 Discretionary Activities

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

D1	Water treatment plants not located within road and unformed road
D2	Wastewater treatment plants located within the following: (iii) Industrial Zone
D3	Above ground reservoirs

### 29B.10.4 Non-Complying Activities

- (a) The activities listed below are non-complying activities.

NC1	Water treatment plants located within the following: (i) Road and unformed road
NC2	Wastewater treatment plants located within the following: (i) Residential Zone (ii) Business Zone (iii) Road and unformed road

## 29B.11 Transportation

### 29B.11.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the District.

Activity		Activity specific conditions
P1	Vehicle access for all activities	<p>29B.11.1.1</p> <p>(1) All activities must comply with the following vehicle access conditions:</p> <p>(a) The site has a vehicle access to a formed road that is maintained by a road-controlling authority;</p> <p>(b) The site has a vehicle access that is constructed to comply with the relevant requirements of Table 29B.11.5.1, Figure 29B.11.5.2, Table 29B.12.5.3 and Figure 29B.12.5.4 except:</p> <p>i. Rule 29B.11.1.1(1)(b) does not apply where the separation distance requirements of Table 29B.11.5.1 and Figure 29B.11.5.2 cannot be achieved on a site's road frontage due to existing vehicle accesses on adjacent sites;</p> <p>(c) No access, access leg or right-of-way shall run parallel to any road within 30m of the road, except:</p> <p>i. Rule 29B.11.1.1(1)(c) does not apply to farm races.</p> <p>(d) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 29B.11.5.5 and 29B.11.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements);</p> <p>(e) No new vehicle access shall be created within 30 metres of a railway level crossing.</p>
P2	On-site parking and loading	<p>29B.11.1.2</p> <p>(1) All activities must comply with the following on-site parking and loading conditions:</p> <p>(a) The parking requirements in Table 29B.11.5.7 and 29B.11.5.11, noting:</p> <p>i. When calculating the requirements for parking and loading on the basis of the prescribed floor area, the</p>

		<p>area for parking, loading and manoeuvring shall be excluded;</p> <ul style="list-style-type: none"> <li>ii. If the calculation results in a fraction, then that figure shall be rounded to the nearest whole number;</li> <li>iii. 90 percentile car dimensions in <b>Figure 29B.11.5.8</b> apply;</li> <li>iv. The requirements of <b>Table 29B.11.5.7</b> do not apply to residential and rural activities;</li> <li>v. Parking spaces must comply with the New Zealand Building Code D1/AS1 New Zealand Standard for <b>Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001)</b>;</li> <li>vi. The number of accessible car park spaces required in <b>Table 29B.11.5.9</b> can be included in the number of car parking spaces required in <b>Table 29B.11.5.7</b>.</li> </ul> <p>(b) On-site bicycle space requirements in <b>Table 29B.11.5.10</b>, except:</p> <ul style="list-style-type: none"> <li>i. The requirements of <b>Table 29B.11.5.10</b> do not apply to residential and rural activities;</li> </ul> <p>(c) Any on-site car parking spaces for non-residential activities within the Residential Zones must be set back at least 3m from the road boundary of the <b>site</b> and screened by planting or fencing;</p> <p>(d) On-site car parking spaces and loading bays are to be provided in accordance with the requirements of <b>Table 29B.11.5.7</b>, <b>Figure 29B.11.5.8</b> and <b>Table 29B.11.5.11</b> and be located on the same <b>site</b> as the activity for which they are required;</p> <p>(e) On-site car parking spaces and loading bays are formed;</p> <p>(f) On-site car parking spaces and loading bays are to be permanently marked if five or more parking spaces are required;</p> <p>(g) On-site car parking spaces and loading bays are not to be located on any shared access or residential court;</p> <p>(h) Vehicles occupying any on-site car parking or loading spaces must have ready access to the road (or relevant access or right of way) at all times, without needing to move any other vehicle occupying other on-site car parking or loading spaces;</p>
<p>P3</p>	<p>On-site manoeuvring and queuing</p>	<p>29B.11.1.3</p> <p>(1) All activities must comply with the following on-site manoeuvring and queuing conditions:</p> <ul style="list-style-type: none"> <li>(a) On-site manoeuvring space shall be provided to ensure that no vehicle is required to reverse onto a road except: <ul style="list-style-type: none"> <li>i. <b>Rule 29B.11.1.3(1)(a)</b> does not apply to Local Roads within the Residential and Village Zones with a posted speed limit of less than 60 kph;</li> </ul> </li> <li>(b) A 90 percentile car, as defined in <b>Figure 29B.11.5.8</b>, can enter and exit all parking spaces without making more than one reverse movement, excluding spaces required for a dwelling;</li> <li>(c) On-site manoeuvring space for any <b>heavy vehicle</b> shall comply with the tracking curve (relevant for the type of activities to be carried out on the site and trucks to be used), as set out in the guideline <b>RTS 18 - New Zealand on-road tracking curves for heavy motor vehicles (2007)</b>;</li> <li>(d) On-site manoeuvring space shall be formed;</li> </ul>

		<p>(e) On-site queuing space shall be provided in accordance with <a href="#">Table 29B.11.5.12</a> for vehicles entering and exiting any on-site car parking, loading or manoeuvring space, where:</p> <ol style="list-style-type: none"> <li>Length is measured from the road boundary where vehicles first enter the site; and</li> <li>On-site queuing above must not encroach into the required on-site manoeuvring area;</li> </ol>
P5	Operation, maintenance and minor upgrading of existing public roads and associated <a href="#">road network activities</a>	<p>29B.11.1.5</p> <p>(l) Operation, maintenance and minor upgrading of existing public roads, and associated <a href="#">road network activities</a> must comply with the following conditions:</p> <ol style="list-style-type: none"> <li>The works occur within the road or unformed road;</li> <li>Works within the road must be: <ol style="list-style-type: none"> <li>Incidental to, and serve a supportive function for, the existing public road; or</li> <li>Required for the safety of road users; or</li> <li>Required for the safety of adjacent landowners or occupiers;</li> </ol> </li> <li>Lighting shall be designed and located to comply with the <a href="#">Australia New Zealand Roadway Lighting Standard 1158 (series) – Lighting for Roads and Public Spaces: 2005</a>; and</li> <li>Any <a href="#">earthworks</a> must comply with <a href="#">Rule 29B.3.1.3</a>.</li> </ol>
P6	New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated <a href="#">road network activities</a>	<p>29B.11.1.6</p> <p>(l) New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated <a href="#">road network activities</a> must comply with the following conditions:</p> <ol style="list-style-type: none"> <li>The public road is located within road or unformed road;</li> <li>The design requirements of <a href="#">Table 29B.12.5.14 or 29B.12.5.15</a>, based on their function within the Road Hierarchy as set out in <a href="#">Table 29B.12.5.5</a>, except: <ol style="list-style-type: none"> <li>The specified minimum Road/right of way reserve widths in <a href="#">Table 29B.12.5.14 or 29B.12.5.15</a> do not include any additional width required for a turning head;</li> <li>Any private access, right of way or <a href="#">access allotment</a> over 70m in length must be constructed to be in accordance with the highest dimensions required for an access allotment in <a href="#">Table 29B.12.5.14 or 29B.12.5.15</a>; and</li> </ol> </li> </ol> <p><b>Note:</b> Where the conditions of <a href="#">Table 29B.12.5.14 or 29B.12.5.15</a> do not specify a specific dimension and instead state this aspect is subject to a specific design; this aspect of the road is considered to be exempt when determining a permitted activity under <a href="#">Rule 29B.12.1.6(1)</a>. The design of that specific aspect of the road is therefore subject to a separate certification process by the relevant road controlling authority.</p>
P7	Off-road pedestrian and cycle facilities	<p>29B.11.1.8</p> <p>(a) Off-road pedestrian and cycling facilities that comply with all of the following conditions:</p> <ol style="list-style-type: none"> <li>Have a minimum 2.0m width;</li> <li>Are formed;</li> <li>Comply with the relevant setback standards for the applicable zone; and</li> <li>Any <a href="#">earthworks</a> must comply with <a href="#">Rule 29B.3.1.3</a>.</li> </ol>

## 29B.11.2 Restricted Discretionary Activities

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

Activity		Matters of Discretion
RD1	Vehicle access that does not comply with one or more of the conditions of <a href="#">Rule 29B.11.1.1</a>	Discretion is restricted to: <ol style="list-style-type: none"> <li>Traffic generation by the activities to be served by the access;</li> <li>Location, design, construction and materials of the vehicle access;</li> <li>Safety for vehicles and pedestrians;</li> <li>Road network safety and efficiency; and</li> <li>Mitigation to address safety.</li> </ol>
RD2	On-site parking and loading that does not comply with one or more of the conditions of <a href="#">Rule 29B.11.1.2</a>	Discretion is restricted to: <ol style="list-style-type: none"> <li>The number, area, type, location and marking of parking spaces;</li> <li>The area, design, gradient, stormwater management, construction and materials of parking and loading spaces;</li> <li>Accessibility of parking areas from on-site activities;</li> <li>Safety for vehicles and pedestrians;</li> <li>Mitigation to address amenity and connectivity.</li> </ol>
RD3	On-site manoeuvring and queuing that does not comply with one or more of the conditions of <a href="#">Rule 29B.11.1.3</a>	Discretion is restricted to: <ol style="list-style-type: none"> <li>Location, area, design, construction and materials of the manoeuvring and queuing space;</li> <li>Type and frequency of use;</li> <li>Safety design for vehicles and pedestrians;</li> <li>Road network safety and efficiency.</li> </ol>
RD4	Traffic generation that does not comply with one or more of the conditions of <a href="#">Rule 29B.11.1.4</a>	Discretion is restricted to: <ol style="list-style-type: none"> <li>The trip characteristics of the proposed activity on the site;</li> <li>Safety design for vehicles and pedestrians;</li> <li>Road network safety and efficiency, particularly at peak traffic times;</li> <li>Mitigation to address adverse effects, such as:               <ul style="list-style-type: none"> <li>Travel planning;</li> <li>Providing alternatives to private vehicle trips, including accessibility to public transport;</li> <li>Staging development; and</li> <li>Contributing to improvements to the road network.</li> </ul> </li> </ol>
RD5	Operation, maintenance and minor upgrading of existing public roads, and associated <a href="#">road network activities</a> that do not comply with one or more of the conditions of <a href="#">Rule 29B.11.1.5</a>	Discretion is restricted to: <ol style="list-style-type: none"> <li>Adverse effects on amenity values, including construction effects such as vibration and noise;</li> <li>Adverse operational effects, particularly on residential or other sensitive land uses, including effects of vibration, noise, glare and vehicle emissions;</li> <li>Severance and changes to drainage patterns;</li> <li>The benefits provided by the activity, including safety and efficiency of the road network;</li> </ol>
RD6	New public roads, including where the road has been	

	<p>identified on the planning maps as an Indicative road, and associated <b>road network activities</b> that:</p> <p>(i) Do not comply with one or more of the conditions of <b>Rule 29B.11.1.6</b></p>	<p>(e) Management of sediment and dust, including the staging of works;</p> <p>(f) The volume, extent and depth of the <b>earthworks</b> activities;</p> <p>(g) The location of the <b>earthworks</b> activities, taking into account any effects on the values, qualities and characteristics of the <b>site</b>.</p>
RD7	<p>Off-road pedestrian and cycle facilities that do not comply with one or more of the conditions of <b>Rule 29B.11.1.8</b></p>	<p>Discretion is restricted to:</p> <p>(a) Design, construction and materials;</p> <p>(b) Safety for cyclists and pedestrians;</p> <p>(c) Connectivity with other off-road pedestrian and cycle facilities and the road network; and</p> <p>(d) Visual and amenity effects.</p>

29B.11.5 Transportation tables and figures  
 Table 29B.11.5.1 - Separation distances

Separation distance of an access onto a road from an intersection or between accesses								
Speed Environment	Distance (m)							
	P		K		M		N	
	Regional Arterial and Arterial	Collector Road and Local Road	Regional Arterial and Arterial	Collector Road and Local Road	Regional Arterial and Arterial	Collector Road and Local Road	Regional Arterial and Arterial	Collector Road and Local Road
100 km/h	800	500	200	100	60		200	100
80 km/h	550	200	120	80	45		100	80
70 km/h	220		100	30			40	30
50 km/h or less	125	100	30		20	15		

**Note:** The references P, K, M and N are illustrated in [Figure 29B.11.5.2](#)

Figure 29B.11.5.2 - Separation distances

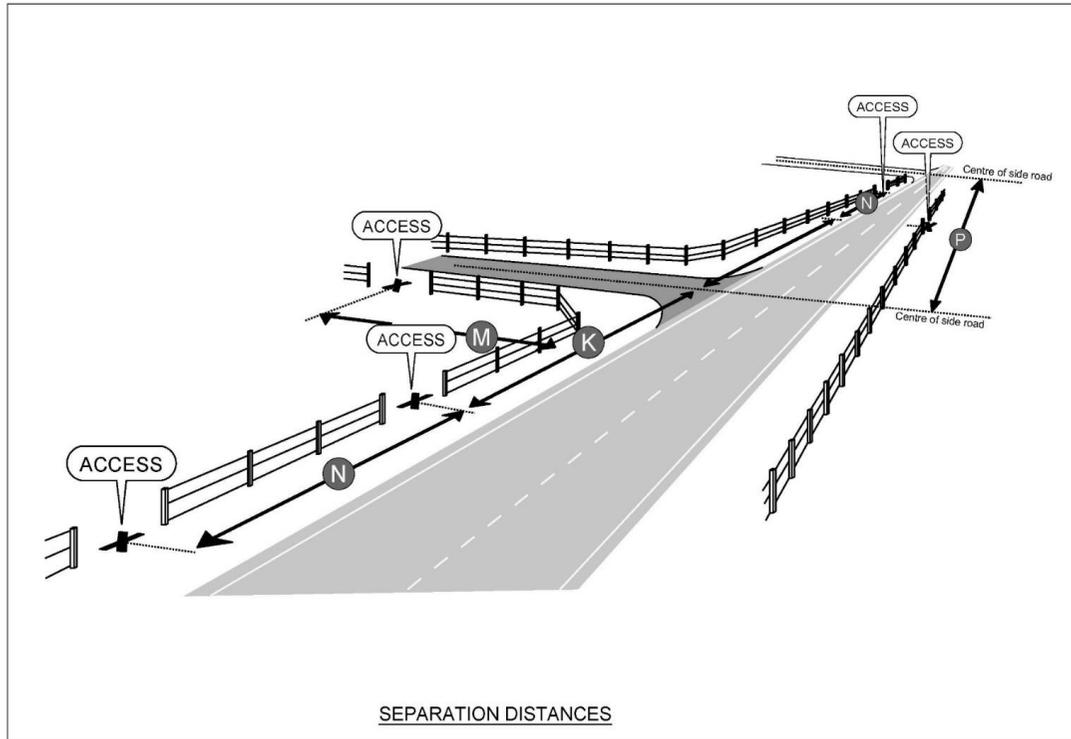


Table 29B.11.5.3 - Minimum sight distances

Speed Environment (km/h)	From a vehicle entrance generating up to and including 40 vehicle movements per day	From a vehicle entrance generating more than 40 vehicle movements per day	
		Rural Areas	Urban Areas
40	40m	70m	60m
50	60m	90m	80m
60	80m	115m	105m
70	100m	140m	130m
80	130m	175m	165m
90	160m	210m	
100	200m	250m	
110	240m	290m	
120		330m	

**Note:** Sight distances are measured as illustrated in [Figure 29B.11.5.4](#)

Figure 29B.11.5.4 - Minimum sight distances

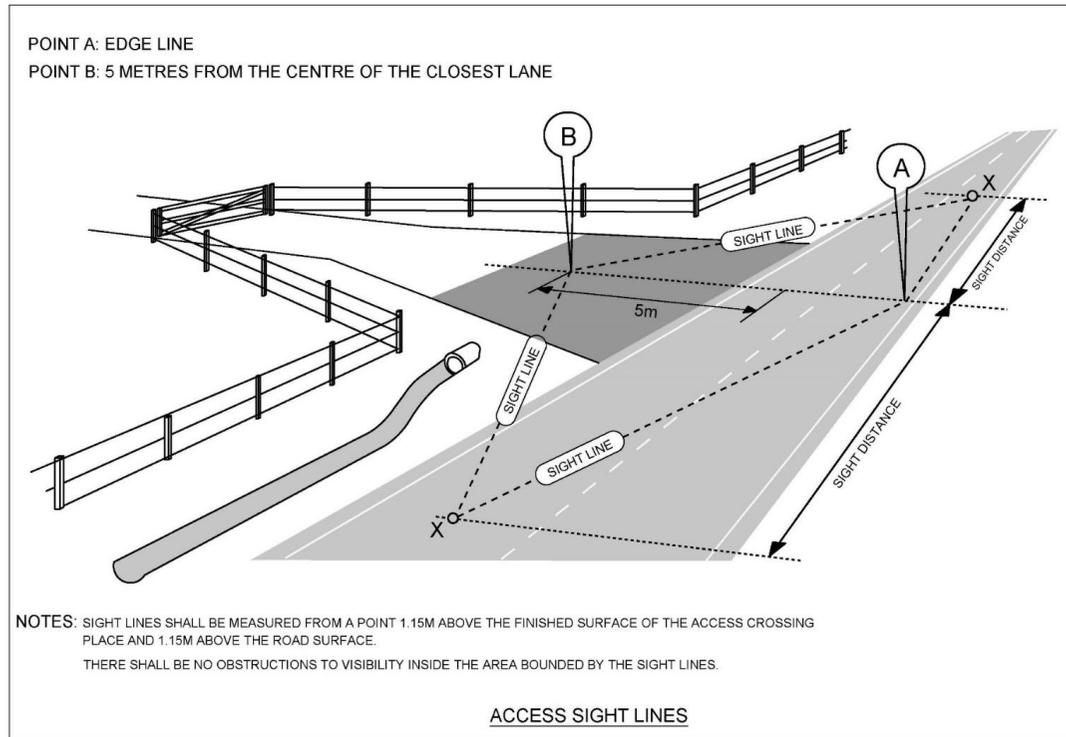


Table 29B.11.5.5 - Functions of roads within the Road Hierarchy

Category	Function
<p>Arterial roads:</p> <ul style="list-style-type: none"> <li>links between residential, commercial, industrial or recreational land use activities</li> <li>provide alternative links between centres of population or are significant for the movement of goods or produce within the district.</li> </ul>	<p>Roads that:</p> <ul style="list-style-type: none"> <li>form a strategic network of district importance</li> <li>provide for the collection and distribution of goods significant to the district's economy</li> <li>rural roads that typically provide for less than 6,000 vehicle movements per day (vmpd)</li> <li>the through traffic function needs to be balanced against the property access function.</li> </ul>
<p>Collector roads:</p> <ul style="list-style-type: none"> <li>provide links between local roads and arterials.</li> </ul>	<p>Roads that:</p> <ul style="list-style-type: none"> <li>provide locally-preferred routes between or within areas of population or activities</li> <li>provide alternative routes to arterials</li> <li>are sealed and are of road geometry aligned with operational safety standards required for the traffic volumes on each section</li> <li>the through traffic function needs to be balanced against the property access function.</li> </ul>
Local roads	Roads whose primary function is property access.
Cul-de-sacs and no-exit roads	Roads that do not provide a vehicular thoroughfare between roads, and whose primary function is property access.

**Note:** Corridor widths, road standards and the location of structures and services will vary for each road category, in accordance with [Tables 29B.11.5.14 and 29B.11.5.15](#).

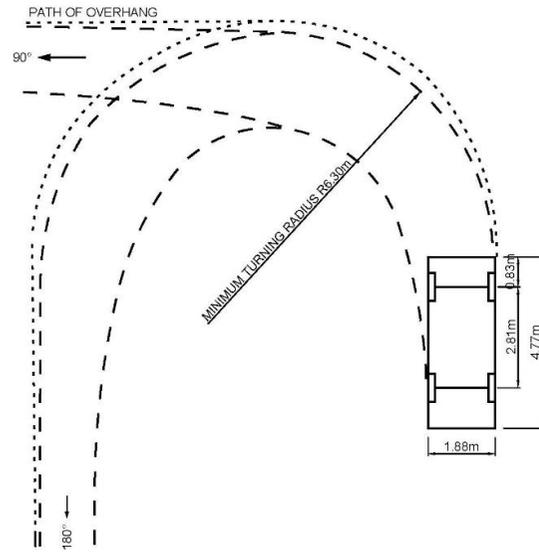
Table 29B.11.5.6 – Required parking spaces and loading bays

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
Bulk retail and car yards	1 car space per 150m <sup>2</sup> gross floor area (GFA)	1 heavy goods vehicle (HGV)
Child care facility	1 car space per every full time staff equivalent plus 1 car space per 5 children that the facility is designed to accommodate	Nil
Clubrooms at sports facilities	1 car space per 35m <sup>2</sup> GFA	1 HGV

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
Community facilities, conference facilities and place of assembly	1 car space per 15m <sup>2</sup> GFA, or 1 per 5 persons that the facility is designed to accommodate, whichever is greater	1 HGV
Marae complex	1 car space per 15m <sup>2</sup> GFA	1 HGV
Papakaainga building	1 car space per 30m <sup>2</sup> GFA	Nil
Dairies, takeaway food, bottle stores	1 car space per 30m <sup>2</sup> GFA, except that in the Rangitahi Residential Zone 1 car space per 50m <sup>2</sup> GFA is required	1 HGV, except that in the Rangitahi Residential Zone 1 HGV per 1000m <sup>2</sup> of GFA of Rangitahi commercial activity is required
Minor dwelling	1 car space per dwelling	Nil
Dwelling	2 car spaces are required for dwellings with 2 or more bedrooms and one car space is required for studio or 1-bedroom residential units	Nil
Retirement village	1 car space per dwelling or unit	1 HGV
Multi-unit development	1 car space per dwelling or unit	Nil
Emergency service facilities	1 car space per on-duty staff person, plus sufficient space for all the emergency vehicles that use the site	Nil
Garden centres	1 car space per 100m <sup>2</sup> site area	1 HGV
Health facility, veterinary and personal services	3 car spaces per professional	Nil
Home occupations	In addition to residential requirements, 1 car space per employee plus 1 where the activity attracts clients to the site	Nil
Hospitality services (e.g. cafés, taverns)	1 car space per 10m <sup>2</sup> net public floor area, except that in the Rangitahi Residential Zone 1 car space per 15m <sup>2</sup> net public floor area is required	1 HGV, except that in the Rangitahi Residential Zone 1 HGV per 1000m <sup>2</sup> GFA of Rangitahi commercial activity is required.
Housing for the elderly/residential care	1 car space per 4 occupants	Nil
Indoor sports facilities	4 car spaces per sports court or 1 car space per 4 persons provided for in the design	Nil

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
Industrial activity	1 car space per 100m <sup>2</sup> GFA	1 HGV
Infrastructure sites and activities	1 car space per on-duty staff person No parking space requirement shall apply to unstaffed facilities and sites	Nil
Office	1 car space per 35m <sup>2</sup> GFA	Nil
Outdoor sports field	15 car spaces per hectare of sports field	Nil
Hospital or care facilities associated with retirement village	2 car spaces per 3 patients accommodated plus 1 per 2 full-time staff equivalents	1 HGV
Retail activity	1 car space per 30 m <sup>2</sup> GFA, including indoor and outdoor retail area	Nil
School	Primary - 1 car space for every full time staff equivalent plus 2 for every 50 students accommodated. Secondary - 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13	1 bus space per 200 students where school bus services are provided
Service stations	1 car space per 45m <sup>2</sup> GFA excluding car washes and canopies over petrol pumps, plus 3 queuing per car wash, plus 4 per repair bay	Nil
Supermarket activity	1 car space per 25m <sup>2</sup> GFA	2 HGV
Tertiary education facilities	1 car space per every full-time staff equivalent plus 1 per every 3 full-time equivalent students provided for by the institution	1 HGV
Travellers' accommodation	1 car space per 4 persons to be accommodated (or in the Rangitahi Peninsula Zone 1 car space per accommodation unit), plus 2 for manager residences with more than 1 bedroom, plus 1 for every 2 full-time staff equivalents (whichever is greater), plus 1 coach park per 30 hotel or back packers' beds	1 HGV

Figure 29B.11.5.7 – 90<sup>th</sup> Percentile car tracking curve minimum radius



**90 PERCENTILE CAR TRACKING CURVE MINIMUM RADIUS**

SCALE: 1:50



Table 29B.11.5.8 – Required accessible parking spaces

Total number of car park spaces being provided	Minimum number of accessible car park spaces
1-20	1
21-50	2
For every additional 50 car parks above 50 car park spaces	1 additional

Table 29B.11.5.9 – Required bicycle spaces

Activity	Number of bicycle spaces
All activities	Bicycle parking spaces are provided at a ratio of 1 bicycle space for every 10 car park spaces required.

Table 29B.11.5.10 – Car manoeuvring and parking space dimensions

Type of Parking		Stall Width (a)	Stall Depth		Aisle Width (d)	Total Depth (e)	
Parking Angle	Type		From Wall (b)	From Kerb (c)		One Row	Two Rows
<b>ALL MEASUREMENTS ARE IN METRES</b>							
0°	Parallel	2.5	See Note 1		3.5	5.9	8.3
30°	Nose in	2.5	4.2	4.0	3.5	7.7	11.9
45°	Nose in	2.5	4.9	4.5	3.5	8.4	13.3
60°	Nose in	2.5	5.4	4.9	4.1	9.5	14.9
		2.6			3.5	8.9	14.3
		2.7			3.5	8.9	14.3
75°	Nose in	2.5	5.4	4.9	6.3	11.7	17.1
		2.6			5.2	10.6	16.0
		2.7			4.6	10.0	15.4
90°	Nose in	2.5	5.1	4.6	7.7	12.8	17.9
		2.6			7.0	12.1	17.2
		2.7			6.8	11.9	17.0

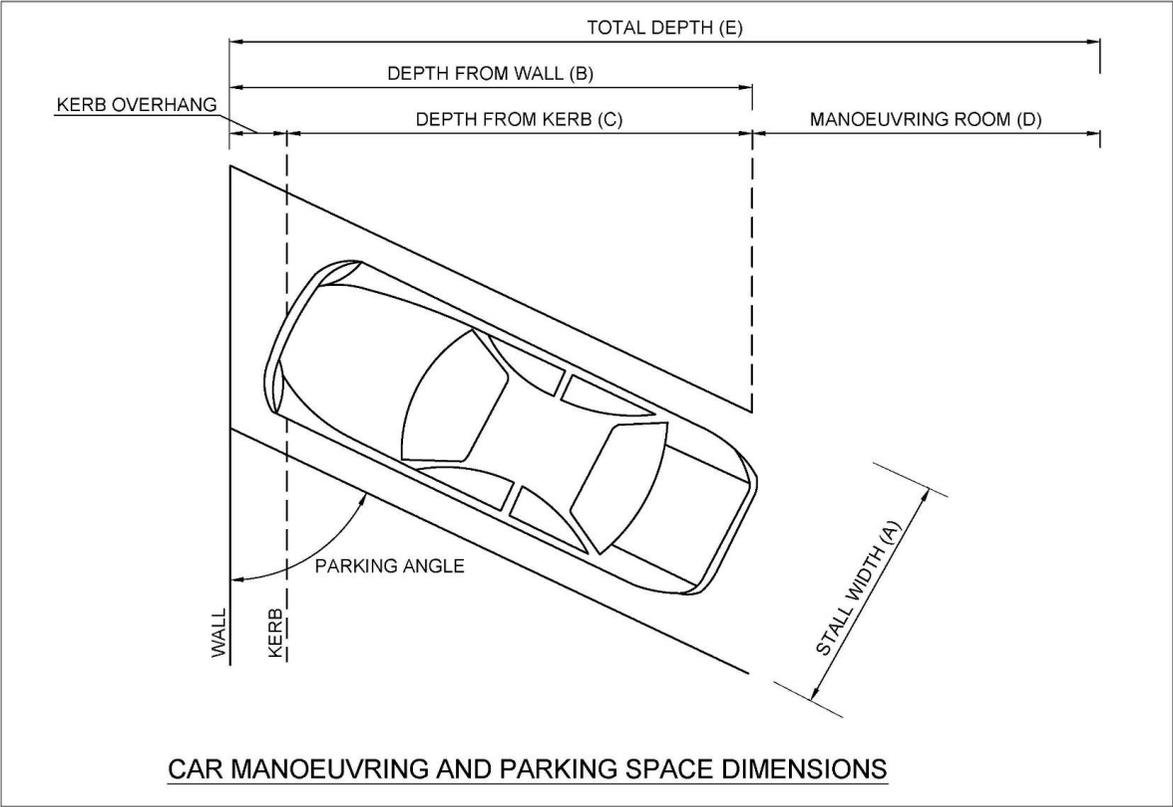


Table 29B.11.5.11 – Queuing space

Number of parking spaces	Minimum queuing length at each vehicle entrance
Less than 3	No queuing space required.
Residential activities	
3 - 20	5.5m
21 - 50	10.5m
51 - 100	15.5m
101 - 150	20.5m
151 or over	25.5m
Drive-through facilities with access from an arterial road	50m

Table 29B.11.5.12 – Traffic generation rates

Activity	Indicative daily vehicle movements*
Bulk retail and car yards	45 per 100m <sup>2</sup> gross floor area (GFA)
Childcare and day care facility	4 per child the facility is designed to accommodate
Dairies, takeaway food, bottle stores	100 per 100m <sup>2</sup> GFA
Dwellings	10 per dwelling
Garden centres	150 per 100m <sup>2</sup> GFA
Health facility veterinary, and personal services	4 per professional the facility is designed to accommodate
Hospitality services (e.g. cafés, bars)	90 per 100m <sup>2</sup> GFA
Housing for the elderly/residential care	2 per resident the facility is designed to accommodate
Industrial activities	30 per 100m <sup>2</sup> GFA
Offices	25 per 100m <sup>2</sup> GFA
Hospital	15 per patient bed the facility is designed to accommodate
Retail activity	130 per 100m <sup>2</sup> GFA
School	2 per student the primary school is designed to accommodate, or 1 per student the secondary school is designed to accommodate
Service stations	700 per 100m <sup>2</sup> GFA
Supermarket activity	130 per 100m <sup>2</sup> GFA
Tertiary education facilities	2 per student the facility is designed to accommodate
Travellers' accommodation	3 per bed the facility is designed to accommodate

\* Based on *Trips and parking related to land use* - NZ Transport Agency research report 453, November 2011

Table 29B.11.5.13 – Access and road conditions (Ohinewai Precinct)

Road Type	General				Seal Width				Berms		General	
	Number of Allotments or Activities	Design Speed (km/h)	Design Vehicle (RTS 18 Vehicle)	Minimum Road/ROW Reserve Width (m)	Minimum Trafficable Carriageway (m)	Minimum Median Provision (m)	Parking Provision	Minimum Total Seal Width (m) Does not include concrete kerb width	Minimum Services (m)	Minimum Footpath / Shared path (m)	Kerb and Channel / Water-table	Turning Area for no exit roads (RTS 18 Vehicle)
<b>Access and road conditions (Residential, Business, Industrial)</b>												
Roads in Ohinewai Precinct area	≥1	30-80 (max)	N/A	16	Refer to typical cross-sections (Figures 29B.11.5.14-29B.11.5.34)							

**Notes:**

- The **Regional Integrated Technical Specifications** contains further details on road width/design requirements
- **Figure 29B.1.4.16** illustrates the various parts of the road (seal width, berm etc.) defined in **Tables 29B.12.4.14 and 29B.12.4.15**.

## 29C Ohinewai Precinct Residential Zone

- (1) The rules that apply to activities in the **Ohinewai Precinct Residential Zone** are contained in **Rule 29C.1** Land Use – Activities, **Rule 29C.2** Land Use – Effects and **Rule 29C.3** Land Use – Building.
- (2) The rules that apply to subdivision in the **Ohinewai Precinct Residential Zone** are contained in **Rule 29C.4**.
- (3) The activity status tables and standards in the following chapter also apply to activities in the **Ohinewai Precinct Residential Zone**:  
**29B** Infrastructure and Energy.
- ~~(4) In this section the term 'In accordance with the Ohinewai Structure Plan' refers to the Structure Plan (1805\_012a Rev K) and the Business Area Structure Plan (1805\_012b Trev F), and means:~~
  - ~~b- (a) That the location and function of access points to the existing road network must be complied with.~~
    - ~~e-b. Strict compliance with the location of the internal road network and shared path network is not required, provided the functions of the networks are complied with.~~
    - ~~e-c. Strict compliance with the location of buildings and community infrastructure is not required as their locations are indicative.~~
    - ~~e-d. The areas of open space must be provided but their boundaries are indicative.~~

~~(5)(4)~~ The following symbols are used in the tables:

- (a) PR Prohibited activity
- (b) P Permitted activity
- (c) C Controlled activity
- (d) RD Restricted discretionary activity
- (e) D Discretionary activity
- (f) NC Non-complying activity

### 29C.1 Land Use - Activities

#### 29C.1.1 Permitted Activities

- (1) The following activities are permitted activities if they meet all the following:
  - (a) Land Use – Effects rules in **Rule 29C.2** (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (b) Land Use – Building rules in **Rule 29C.3** (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
  - (c) Activity-specific conditions.

Activity		Activity-specific conditions
PI	<b>Residential activity</b> , unless specified below.	Nil
P2	<b>Home occupation</b>	(a) It is wholly contained within a <b>building</b> ; (b) The storage of materials or machinery associated with the <b>home occupation</b> are wholly contained within a <b>building</b> ; (c) No more than 2 people who are not permanent residents of the <b>site</b> are employed at any one time; (d) Unloading and loading of vehicles or the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day;

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		(e) Machinery may be operated between 7:30am and 9pm on any day.
P3	Temporary event	(a) The event occurs no more than 3 times per consecutive 12 month period; (b) The duration of each temporary event is less than 72 hours; (c) It may operate between 7.30am and 8:30pm Monday to Sunday; (d) Temporary structures are: (i) erected no more than 2 days before the temporary event occurs; (ii) removed no more than 3 days after the end of the event; (e) The site is returned to its previous condition no more than 3 days after the end of the temporary event; (f) There is no direct site access from a national route or regional arterial road.
P4	Cultural event on Maaori Freehold Land containing a Marae Complex	Nil
P5	Community activity	Nil
P6	Home stay	(a) No more than 4 temporary residents; (b) No more than two people who are not permanent residents of the site are employed at any one time.

### 29C.1.2 Restricted Discretionary Activities

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

Activity		Council's discretion shall be restricted to the following matters:
RDI	<p>A Multi-Unit development that meets all of the following conditions:</p> <p>(a) The Land Use – Effects rules in Rule 29C.2;</p> <p>(b) The Land Use – Building rules in Rule 29C.3, except the following rules do not apply:</p> <p>(i) Rule 29C.3.1. Dwelling;</p> <p>(ii) Rule 29C.3.8 Building coverage;</p> <p>(iii) Rule 29C.3.9 Living court;</p> <p>(iv) Rule 29C.3.10 Service court;</p> <p>(c) The minimum net site area per residential unit is 300m<sup>2</sup>;</p> <p>(d) The Multi-Unit development is connected to public wastewater and water reticulation;</p> <p>(e) Total building coverage of the site does not exceed 50%;</p> <p>(f) Each residential unit is designed and constructed to achieve the internal design sound level specified in Appendix I (Acoustic Insulation) – Table 14;</p>	<p>(a) Density of the development;</p> <p>(b) The manner in which the provisions of the Multi-Unit Design contained in Appendix 29.3 have been incorporated;</p> <p>(c) Contribution of the development to and engagement with adjacent streets and public open space;</p> <p>(d) The visual quality and interest created through design such as the separation of buildings, variety in built form and architectural detailing, glazing, materials and colour;</p> <p>(e) The incorporation of energy efficiency measures such as passive solar principles;</p> <p>(f) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to</p>

<p>(g) Service court areas are provided to meet the following minimum requirements for each residential unit:</p> <p>(i) At least 2.25m<sup>2</sup> with a minimum dimension of 1.5 metres of outdoor or indoor space at ground floor level for the dedicated storage of waste and recycling bins;</p> <p>(ii) At least 3m<sup>2</sup> with a minimum dimension of 1.5 metres of outdoor space at ground floor level for washing lines; and</p> <p>(iii) The required spaces in (g)(i) or (g)(ii) for each residential unit shall be provided individually, or as a dedicated communal service court.</p> <p>(h) Living court areas are provided to meet the following minimum requirements for each residential unit:</p> <table border="1" style="margin: 10px 0;"> <thead> <tr> <th>Duplex dwelling</th> <th>Area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>Studio unit or 1 bedroom</td> <td>30 m<sup>2</sup></td> <td>4m</td> </tr> <tr> <td>2 or more bedrooms</td> <td>40 m<sup>2</sup></td> <td>4m</td> </tr> </tbody> </table> <table border="1" style="margin: 10px 0;"> <thead> <tr> <th>Apartment Building Ground Level Residential Unit</th> <th>Area</th> <th>Minimum Dimension</th> </tr> </thead> <tbody> <tr> <td>Studio unit or 1 bedroom</td> <td>20 m<sup>2</sup></td> <td>4m</td> </tr> <tr> <td>2 or more bedrooms</td> <td>30 m<sup>2</sup></td> <td>4m</td> </tr> </tbody> </table> <table border="1" style="margin: 10px 0;"> <thead> <tr> <th>Apartment Building Upper Levels Residential Unit</th> <th>Area</th> <th>Minimum Dimension</th> </tr> </thead> <tbody> <tr> <td>Studio unit or 1 bedroom</td> <td>10m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>2 or more bedrooms</td> <td>15m<sup>2</sup></td> <td>2m</td> </tr> </tbody> </table>	Duplex dwelling	Area	Minimum dimension	Studio unit or 1 bedroom	30 m <sup>2</sup>	4m	2 or more bedrooms	40 m <sup>2</sup>	4m	Apartment Building Ground Level Residential Unit	Area	Minimum Dimension	Studio unit or 1 bedroom	20 m <sup>2</sup>	4m	2 or more bedrooms	30 m <sup>2</sup>	4m	Apartment Building Upper Levels Residential Unit	Area	Minimum Dimension	Studio unit or 1 bedroom	10m <sup>2</sup>	2m	2 or more bedrooms	15m <sup>2</sup>	2m	<p>sunlight, <b>living court</b> orientation, <b>site</b> design and layout;</p> <p>(g) Staging needed to ensure that development is carried out in a coordinated and timely manner;</p> <p>(h) Avoidance or mitigation of natural hazards;</p> <p>(i) Geotechnical suitability for <b>building, including liquefaction and settlement risks and adequacy of any ground improvements</b>;</p> <p>(j) Provision of <b>infrastructure</b> to individual units,</p> <p>(k) <u>When viewed from any public space, buildings create visual interest through articulation, roof form, openings and variation;</u></p> <p>(l) <u>Garage doors do not dominate the road elevation, so they are generally set back further than the front face of the building;</u></p> <p>(m) <u>Fences and walls along any road or public open space boundary are avoided or limited in height;</u></p> <p>(n) <u>A transition in height and scale is provided between new development and any neighbouring buildings;</u></p> <p>(o) <u>Soft landscaping is concentrated along public open space boundaries, with species selected to maintain views between residential units and public open space;</u></p> <p>(p) <u>Buildings are oriented and located to define external spaces that allow adequate daylight to residential units and sunlight to main living rooms and private outdoor spaces;</u></p> <p>(q) <u>Buildings are positioned to minimise overshadowing or visual domination of adjoining private outdoor spaces;</u></p> <p>(r) <u>Direct views from the windows of one residential unit into the windows of another are minimised;</u></p> <p>(s) <u>Garages and parking areas are located adjoining or in close proximity to the residential unit they serve.</u></p>
Duplex dwelling	Area	Minimum dimension																										
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Commented [JO20]: S42A Rebuttal para 220 (excluding requirement for ground infiltration)

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		<p>(t) <u>Effects on the safety and efficiency of the transport network as set out in any ITA prepared in accordance with Rule 29C3.1 IRD1.</u></p>
<p><u>RD2</u></p>	<p><u>A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land that meets the following condition:</u></p> <p>(a) <u>The total building coverage does not exceed 50%.</u></p>	<p>(a) <u>Avoidance or mitigation of natural hazards;</u></p> <p>(b) <u>Geotechnical suitability for building, including liquefaction and settlement risks and adequacy of any ground improvements.</u></p> <p>(c) <u>Where the land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation, the following is provided to Council with the associated building consent application:</u></p> <p>(i) <u>A Concept Management Plan approved by the Māori Land Court and</u></p> <p>(ii) <u>A Licence to Occupy;</u></p> <p>(d) <u>Where a Trust Order or Maaori Incorporation does not exist, one of the following instruments is provided to Council at the time of lodgement of the application for building consent:</u></p> <p>(i) <u>A Concept Management Plan approved by the Māori Land Court;</u></p> <p>(ii) <u>A lease, or an Occupation Order of the Māori Land Court;</u></p> <p>(e) <u>The following Land Use – Effects rules in Rule 29C.3 do not apply:</u></p> <p>(i) <u>Rule 29C.3.1 (Dwelling);</u></p> <p>(ii) <u>Rule 29C.3.2 (Minor dwellings);</u></p> <p>(iii) <u>Rule 29C.3.6 (Building Coverage).</u></p>

**Commented [J022]:** S42A Rebuttal para 220 (excluding requirement for ground infiltration)

<b>RD3</b>	<b>Neighbourhood park</b>	<p>(a) <u>The extent of consistency with the Ohinewai Structure Plan.</u></p> <p>(b) <u>The extent of consistency with Appendix 29.3 Urban Design Guidelines, Multi-Unit Development, 2018, Section 8 Communal Open Spaces and Landscape Treatment.</u></p>
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**29C.1.3 Discretionary Activities**

(1) The activities listed below are discretionary activities.

D1	Any permitted activity that does not comply with an 'Activity-Specific Condition' in <b>Rule 29C.1.2</b> .
D2	Any permitted activity that does not comply with the Land Use - Effects Rule <b>29C.2</b> or Land Use - Building Rule <b>29C.3</b> unless the activity status is specified as controlled, restricted discretionary or non-complying.
D3	Any <b>Multi-unit development</b> that does not comply with <b>Rule 29C.1.2 RDI</b> .
<b>D3</b>	<b>Any Marae Complex or Papakainga Development that does not comply with Rule 29C.1.2 RD2.</b>
<b>D4</b>	<b>A new retirement village or alterations to an existing retirement village.</b>

**Commented [JO23]:** S42A Rebuttal para 233

**29C.1.4 Non-complying Activities**

(1) The activities listed below are non-complying activities.

NCI	Any activity that is not listed as Prohibited, Permitted, Restricted Discretionary or Discretionary <u>and any activity that is not in accordance with the Ohinewai Structure Plan.</u>
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**Commented [JO24]:** Commissioners Directions para 4h

29C.2 Land Use – Effects

**29C.2.1 Noise**

- (1) **Rules 29C.2.1.1** and **29C.2.1.2** provide the permitted noise levels generated by land use activities.
- (2) **Rule 29C.2.1.1** Noise – general provides permitted noise levels in the Residential Zone.
- (3) **Rule 29C.2.1.2** Noise – Construction provides the noise levels for construction activities

**29C.2.1.1 Noise – General**

PI	<b>Farming noise</b> , and noise generated by <b>emergency generators</b> and emergency sirens.
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P2	(a) Noise measured within any other <b>site</b> in the Residential Zone must not exceed: (i) 50dB (L <sub>Aeq</sub> ), 7am to 7pm, every day; (ii) 45dB (L <sub>Aeq</sub> ), 7pm to 10pm, every day; and (iii) 40dB (L <sub>Aeq</sub> ) and 65dB (L <sub>Amax</sub> ), 10pm to 7am the following day.
P3	(a) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 "Acoustics - Measurement of Environmental Sound"; and (b) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic-Environmental noise".
P4	Any habitable rooms which have an acoustic line of sight (ie. visible were it not for vegetation) to the boundary of the Lake Rotokawau Reserve shall be provided with a means of maintaining an appropriate level of fresh air and thermal comfort while the windows are closed, as advised by a suitably qualified building services engineer.
D1	Noise that does not comply with Rule 29C.2.1.1 P2 or P3.
D2	Buildings that do not comply with Rule 29C.2.1.1 P4.

### 29C.2.1.2 Noise – Construction

PI	(a) Construction noise must meet the limits in NZS 6803:1999 (Acoustics – Construction Noise); and (b) Construction noise must be measured and assessed in accordance with the requirements of NZS6803:1999 'Acoustics – Construction Noise'.
RDI	(a) Construction noise that does not comply with Rule 29C.2.1.2 PI. (b) Council's discretion shall be restricted to the following matters: (i) Effects on amenity values; (ii) Hours and days of construction; (iii) Noise levels; (iv) Timing and duration; and (v) Methods of construction.

### 29C.2.2 Glare and artificial light spill

PI	Glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other <b>site</b> .
RDI	(a) Illumination that does not comply with Rule 29C.2.2 PI. (b) <b>The Council's discretion shall be restricted to the following matters:</b> (i) Effects on amenity values; (ii) Light spill levels on other sites; (iii) Road safety; (iv) Duration and frequency; (v) Location and orientation of the light source; and (vi) Mitigation measures.

### 29C.2.3 Earthworks

- (1) Rule 29C.2.3.1 – General, provides the permitted rules for earthworks activities for the Ohinewai Structure Plan Precinct Residential Zone.

**29C2.3.1 Earthworks - General**

<p>P1</p>	<p>(a) <b>Earthworks</b> (excluding the importation of <b>fill material</b>) within a <b>site</b> must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Be located more than 1.5 m horizontally from any waterway, open drain or <b>overland flow path</b>;</li> <li>(ii) Not exceed a volume of 250m<sup>3</sup>;</li> <li>(iii) Not exceed an area of 1000m<sup>2</sup> over any consecutive 12 month period;</li> <li>(iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level;</li> <li>(v) The slope of the resulting cut, filled areas or fill batter face in <b>stable ground</b>, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal);</li> <li>(vi) <b>Earthworks</b> are set back 1.5m from all <b>boundaries</b>;</li> <li>(vii) Areas exposed by <b>earthworks</b> are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <b>earthworks</b>;</li> <li>(viii) Sediment resulting from the <b>earthworks</b> is retained on the <b>site</b> through implementation and maintenance of erosion and sediment controls;</li> <li>(ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> </ul>
<p>P2</p>	<p><b>Earthworks</b> for the purpose of creating a <b>building platform</b> for residential purposes within a <b>site</b>, using imported <b>fill material</b> must meet the following condition:</p> <p>(a) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.</p>
<p>P3</p>	<p>(a) <b>Earthworks</b> for purposes other than creating a <b>building platform</b> for residential purposes within a <b>site</b>, using imported <b>fill material</b> must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Not exceed a total volume of 20m<sup>3</sup>;</li> <li>(ii) Not exceed a depth of 1m;</li> <li>(iii) The slope of the resulting filled area in <b>stable ground</b> must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);</li> <li>(iv) <b>Fill material</b> is setback 1.5m from all <b>boundaries</b>;</li> <li>(v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <b>earthworks</b>;</li> <li>(vi) Sediment resulting from the filling is retained on the <b>site</b> through implementation and maintenance of erosion and sediment controls;</li> <li>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> </ul>
<p><u>RD1</u></p>	<p><b>Earthworks that do not comply with Rule 29C2.3.1 P1, P2 or P3 are a restricted discretionary activity and must be in accordance with the Ohinewai Structure Plan and include an Ecological Rehabilitation and Management Plan (ERMP) that includes the following:</b></p> <ul style="list-style-type: none"> <li>(a) <b>An indigenous fish management plan, including:</b> <ul style="list-style-type: none"> <li>i) <b>a summary of fish habitat and species present;</b></li> <li>ii) <b>a summary of planned works, permitting requirements, timing of works, procedures for dealing with pest fish, procedures for capturing and relocating indigenous fish prior to and during works and identification of indigenous fish release sites;</b></li> <li>iii) <b>roles and responsibilities of parties and their reporting requirements;</b></li> <li>iv) <b>any specific mitigation measures; and</b></li> <li>v) <b>a monitoring programme to enable an assessment of the success of any mitigation measures, including any translocations.</b></li> </ul> </li> <li>(b) <b>A bat management plan that includes vegetation removal protocols and recommendations for any planting of trees and/or installation of artificial bat roost boxes for bat habitat;</b></li> </ul>

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	<p>(c) <u>An ecological restoration plan for any parts of the site that are to be converted to wetlands for stormwater management or amenity purposes, including habitat creation and enhancement and planting and pest plant control;</u></p> <p>(d) <u>A predator control programme including:</u></p> <p>(i) <u>An overarching goal of contributing to the restoration and enhancement of indigenous biodiversity within the site, and therefore indirectly within the adjacent Rotokawau Reserve;</u></p> <p>(ii) <u>Objectives of increasing Ohinewai Precinct occupants' awareness of predator threats, and the need for predator control, including control of domestic cats and dogs, to reduce the threat of predation on indigenous fauna;</u></p> <p>(iii) <u>A predator control strategy designed to achieve the above goal and objectives;</u></p> <p>(iv) <u>A monitoring programme to ensure the objectives are being achieved and predator populations are being suppressed sufficiently to achieve biodiversity gains;</u></p> <p>(e) <u>Provisions for ongoing management and maintenance of wetland areas;</u></p> <p>(f) <u>A description of the proposed ecological monitoring framework;</u></p> <p>(g) <u>Evidence of consistency with the Waikato Regional Pest Management Plan 2014-2024; and</u></p> <p>(h) <u>Evidence of engagement with tangata whenua during preparation of the ERMP including how outcomes of that engagement have been addressed.</u></p> <p>(i) <u>The Council's discretion shall be restricted to the following matters:</u></p> <p>(i) <u>Amenity values and landscape effects;</u></p> <p>(ii) <u>Volume, extent and depth of earthworks;</u></p> <p>(iii) <u>Nature of fill material;</u></p> <p>(iv) <u>Contamination of fill material;</u></p> <p>(v) <u>Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</u></p> <p>(vi) <u>Compaction of the fill material;</u></p> <p>(vii) <u>Volume and depth of fill material;</u></p> <p>(viii) <u>Geotechnical stability, including liquefaction and settlement risks and adequacy of any ground improvements;</u></p> <p>(ix) <u>Flood risk, including natural water flows and established drainage paths; and</u></p> <p>(x) <u>Land instability, erosion and sedimentation.</u></p> <p>(xi) <u>The nature and extent of ecological mitigation measures and any residual ecological effects.</u></p> <p>(xii) <u>The extent of consistency with the Ohinewai Structure Plan;</u></p> <p>(xiii) <u>The extent to which any post-earthworks mitigation measures are required and the methods for implementing them;</u></p> <p>(xiv) <u>The extent to which any identified habitat of threatened species is protected.</u></p>
NCI	<u>Earthworks that do not comply with Rule 29C2.3.1 RD1 and earthworks that are not in accordance with the Ohinewai Structure Plan.</u>

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**29C2.4 Hazardous substances**

P1	<p>(a) The <u>use, storage</u> or disposal of any <u>hazardous substance</u> where:</p> <p>(i) the aggregate quantity of any <u>hazardous substance</u> of any <u>hazard</u> classification on a <u>site</u> is less than the quantity specified in the Residential zone in <u>Table 5.1</u> contained within <u>Appendix 5</u> (Hazardous Substances).</p>
P2	<p>(a) The <u>storage</u> or <u>use</u> of radioactive materials is:</p> <p>(i) an approved equipment for medical and diagnostic purposes; or</p> <p>(ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.</p>
DI	<u>The use, storage or disposal of any hazardous substances that does not comply with Rule 29C.2.4 P1 or P2.</u>

**29C.2.5 Signs**

- (1) **Rule 29C.2.5.1** Signs – general provides permitted standards for any sign, including real estate signs, across the entire Residential Zone.
- (2) **Rule 29C.257.2** Signs – effects on traffic applies specific standards for signs that are directed at road users.

**29C2.5.1 Signs – general**

PI	A public information sign erected by a government agency.
P2	<p>(a) A sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) It is the only sign on the site;</li> <li>(ii) The sign is wholly contained within the site;</li> <li>(iii) The sign does not exceed 0.25m<sup>2</sup>;</li> <li>(iv) The sign height does not exceed 2m;</li> <li>(v) The sign is not illuminated;</li> <li>(vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</li> <li>(vii) The sign does not project over road reserve;</li> <li>(viii) The sign relates to:                             <ul style="list-style-type: none"> <li>A. goods or services available on the site; or</li> <li>B. a property name sign.</li> </ul> </li> </ul>
P3	<p>(a) A real estate 'for sale' sign relating to the site on which it is located must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) There is no more than 1 sign per agency;</li> <li>(ii) The sign is not illuminated;</li> <li>(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</li> <li>(iv) The sign does not project into or over road reserve.</li> </ul>
RDI	<p>(a) A sign that does not comply with <b>Rule 29C.2.5.1 P1, P2 or P3</b>.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Amenity values;</li> <li>(ii) Character of the locality;</li> <li>(iii) Effects on traffic safety;</li> <li>(iv) Glare and artificial light spill;</li> <li>(v) Content, colour and location of the sign;</li> <li>(vi) Effects on notable architectural features of a building.</li> </ul>

**29C.2.5.2 Signs – Effects on traffic**

PI	(a) Any <b>sign</b> directed at road users must: (i) Not imitate the content, colour or appearance of any traffic control <b>sign</b> ; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other <b>sign</b> ; (iii) Not obstruct sight lines of drivers turning into or out of a <b>site</b> entrance and intersections; (iv) Be able to be viewed by drivers for at least 130m; (v) Contain no more than 40 characters and no more than 6 symbols; (vi) Have lettering that is at least 150mm high; (vii) Be at least 130m from a <b>site</b> entrance, where the <b>sign</b> directs traffic to the entrance.
DI	Any <b>sign</b> that does not comply with <b>Rule 29C.2.7.2 PI</b> .

**29C.2.6 Traffic Effects**

PI	There must be no direct vehicle access from any property onto Tahuna Rd
RD1	A building that does not comply with Rule 29C3.11PI. Councils discretion shall be restricted to the following matters: (a) <u>Effects on the safety and efficiency of the transport network.</u>
RD2	Any Multi-Unit Development, retirement village or alterations to retirement villages, Marae Complex or Papakainga Housing Development must include an Integrated Transport Assessment (ITA) that assesses the levels of traffic generation from the development, confirms the staging and timing of transport infrastructure upgrades specified in Table 29.I and recommends any necessary mitigation measures.  Council's discretion shall be restricted to the following matters: (a) Road network safety and efficiency, particularly at peak traffic times. (b) Requirements for staging and timing of transport infrastructure improvements as set out in Table 29B.I. (c) The extent of any transport upgrades required other than those in Table 29B.I, and their staging and timing. (d) Safety of design for vehicles and pedestrians. (e) Mitigation measures such as travel planning and providing alternatives to private vehicle trips.

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29C3.3 Land Use – Building

**29C3.1 Dwelling**

PI	One <b>dwelling</b> within a <b>site</b> .
DI	A <b>dwelling</b> that does not comply with <b>Rule 29C.3.1 PI</b> .

**29C3.2 Minor dwelling**

PI	(a) One <b>minor dwelling</b> contained within a <b>site</b> must comply with all of the following conditions: (i) The <b>net site area</b> is 900m <sup>2</sup> or more; (ii) The <b>site</b> does not contain a <b>Multi-unit development</b> . (iii) The gross floor area shall not exceed 70m <sup>2</sup>
DI	A <b>minor dwelling</b> that does not comply with <b>Rule 29C.3.2 PI</b> .

**29C3.3 Height**

- (1) Rule 29C.3.3.1 provides permitted height for buildings.
- (2) Rule 29C.3.3.1 Height – Building general provides permitted height limits across the Residential Zone.

**29C3.3.1 Height - Building general**

PI	The maximum height of any building must not exceed 7.5m.
DI	Any building that does not comply with Rule 29C.3.3.1 PI.

**29C3.4 Fences or walls – Road boundaries**

PI	<p>(a) Fences and walls between the applicable building setbacks under Rule 29C.3.9 on a site and any road boundaries must comply with all of the following conditions:</p> <ol style="list-style-type: none"> <li>(i) Be no higher than 1.2m if solid;</li> <li>(ii) Be no higher than 1.8m if: <ol style="list-style-type: none"> <li>A. visually permeable for the full 1.8m height of the fence or wall; or</li> <li>B. solid up to 1.2m and visually permeable between 1.2 and 1.8m.</li> </ol> </li> </ol>
RD I	<p>(a) Fences or walls that do not comply with Rule 29C.3.4 PI.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ol style="list-style-type: none"> <li>(i) Building materials and design;</li> <li>(ii) Effects on amenity; and</li> <li>(iii) Public space visibility.</li> </ol>

**29C3.5 Daylight admission**

PI	Buildings must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.
RD I	<p>(a) A building that does not comply with Rule 29C.3.5 PI.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ol style="list-style-type: none"> <li>(i) Height of the building;</li> <li>(ii) Design and location of the building;</li> <li>(iii) Extent of shading on adjacent sites;</li> <li>(iv) Privacy on another sites; and</li> <li>(v) Effects on amenity values and residential character.</li> </ol>

**29C3.6 Building coverage**

PI	The total building coverage must not exceed 40%.
DI	Total building coverage that does not comply with Rule 29C.3.6 PI.

**29C3.7 Living court**

PI	(a) A <b>living court</b> must be provided for each <b>dwelling</b> that meets all of the following conditions: <ul style="list-style-type: none"> <li>(i) It is for the exclusive use of the occupants of the <b>dwelling</b>;</li> <li>(ii) It is readily accessible from a living area of the <b>dwelling</b>;</li> <li>(iii) When located on the ground floor, it has a minimum area of 80m<sup>2</sup> and a minimum dimension of 4m in any direction; and</li> <li>(iv) When located on a balcony of an above ground <b>apartment</b>, it must have a minimum area of 15m<sup>2</sup> and a minimum dimension of 2m in any direction.</li> </ul>
P2	(a) A <b>living court</b> must be provided for each <b>minor dwelling</b> that meets all of the following conditions: <ul style="list-style-type: none"> <li>(i) It is for the exclusive use of the occupants of the <b>minor dwelling</b>;</li> <li>(ii) It is readily accessible from a living area of the <b>minor dwelling</b>;</li> <li>(iii) When located on the ground floor it has a minimum area of 40m<sup>2</sup> and a minimum dimension of 4m in any direction;</li> <li>(iv) When located on a balcony of an above ground <b>apartment</b>, it must have a minimum area of 15m<sup>2</sup> and a minimum dimension of 2m in any direction.</li> </ul>
DI	A <b>living court</b> that does not comply with <b>Rule 29C.3.7 P1 or P2</b> .

**29C3.8 Service court**

PI	(a) A <b>service court</b> must be provided for each <b>dwelling</b> and <b>minor dwelling</b> , each with all the following dimensions: <ul style="list-style-type: none"> <li>(i) minimum area of 15m<sup>2</sup>; and</li> <li>(ii) contains a circle of at least 3m diameter.</li> </ul>
DI	A <b>service court</b> that does not comply with <b>Rule 29C.3.8 P1</b> .

**29C3.9 Building setbacks**

- (1) **Rule 29C.3.9.1** provides the permitted building setback distances for buildings from **site** boundaries.
- (2) **Rule 29C.3.9.1** Building setbacks – all boundaries provides permitted building setback distances from all boundaries on any **site** within the Residential Zone. Different setback distances are applied based on the type of **building**.

**29C3.9.1 Building setbacks – All boundaries**

PI	(a) A <b>building</b> must be set back a minimum of: <ul style="list-style-type: none"> <li>(i) 3m from the road <b>boundary</b>, except for <b>Tahuna Rd</b>;</li> <li>(ii) <b>1.5m from the road boundary of Tahuna Rd</b>;</li> <li>(iii) 1.5m from every <b>boundary</b> other than a road <b>boundary</b>;</li> <li>(iv) 1.5m from every vehicle access to another <b>site</b>; and</li> <li>(v) <b>1.5m from the boundary of the Rural Zone</b>.</li> </ul>
P2	(a) A non-habitable <b>building</b> can be set back less than 1.5m from a <b>boundary</b> , where: <ul style="list-style-type: none"> <li>(i) the total length of all <b>buildings</b> within 1.5m of the <b>boundary</b> does not exceed 6m; and</li> <li>(ii) the building does not have any windows or doors on the side of the <b>building</b> facing the <b>boundary</b>.</li> </ul>
P3	A garage must be set back behind the front façade of the <b>dwelling</b> .
RDI	(a) A <b>building</b> that does not comply with <b>Rule 29C.3.9.1 P1, P2, P3 or P4</b> . (b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> <li>(i) Road network safety and efficiency;</li> </ul>

	<ul style="list-style-type: none"> <li>(ii) Reverse sensitivity effects;</li> <li>(iii) Adverse effects on amenity;</li> <li>(iv) Streetscape;</li> <li>(v) Potential to mitigate adverse effects;</li> <li>(vi) Daylight admission to adjoining properties; and</li> <li>(vii) Effects on privacy at adjoining sites</li> </ul>
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**29C.3.10 Density**

<u>P1</u>	<u>The average density of residential development must be at least 25 units per ha of net developable land (ie. excluding roads and public open spaces).</u>
<u>RD1</u>	<u>Building that does not comply with Rule 29C.3.10 P1. Councils discretion shall be restricted to the following matters:</u> <u>(a) The extent of departure from the minimum density requirement.</u>

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**29C.3.10 Infrastructure and Site Suitability**

<u>P1</u>	<u>All dwellings must include a site-specific geotechnical assessment and be constructed in accordance with any necessary ground improvement works and specific foundation design.</u>
<u>P2</u>	<u>All dwellings must include provision for on-lot Low Impact Design stormwater devices based on at least a two-step treatment train approach with the first step being included on the residential lot.</u>
<u>RD1</u>	<u>A dwelling that does not comply with Rule 29C.3.12 P1 or P2.</u> <u>(a) Councils discretion shall be restricted to the following matters:</u> <u>(i) Extent of compliance with the Regional Infrastructure Technical Standards (RITS)</u> <u>(ii) Extent of compliance with any recommendations of a site-specific geotechnical assessment.</u>

**29C.4 Subdivision**

- (1) Rule 29C.4.1 provides for subdivision density and applies across the Residential Zone.
- (2) The following rules apply to specific areas and/or activities:
  - (a) Rules 29C.4.1 to 29C.4.4 are also subject to the following subdivision controls:
    - (i) Rule 29C.4.5 – subdivision boundary adjustments;
    - (ii) Rule 29C.4.6 – subdivision amendments and updates to cross lease flats plan and conversion to freehold;
    - (iii) Rule 29C.4.11 – subdivision road frontage;
    - (iv) Rule 29C.4.12 – subdivision building platform;
    - (v) Rule 29C.4.13 – subdivision reserves.

**29C4.1 Subdivision - General**

RDI	<p>(a) <b>Subdivision</b> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Proposed <b>lots</b> must have a minimum <b>net site area</b> of 450m<sup>2</sup>, except where the proposed <b>lot</b> is an <b>access allotment</b> or <b>utility allotment</b> or reserve to vest;</li> <li>(ii) Proposed <b>lots</b> must be able to connect to public-reticulated water supply and wastewater;</li> <li>(iii) Where roads are to be vested in Council, they must follow a <b>grid layout</b>;</li> <li>(iv) Where 4 or more proposed <b>lots</b> are proposed to be created, the number of <b>rear lots</b> do not exceed 15% of the total number of <b>lots</b> being created;</li> <li>(v) <u>Subdivision must be in accordance with the Ohinewai Structure Plan.</u></li> <li>(i) <u>All subdivision applications must include lighting design that is sensitive to bat habitat in accordance with any recommendations in any ERMP.</u></li> <li>(ii) <u>Subdivision must be staged in accordance with Table 29B.1 and the Staging Plan (Dwg No P19-176-00-1045-SK). All subdivision applications must include details of infrastructure that is to be constructed or upgraded prior to s224c RMA approval of any lots in that stage and must be in accordance with the Staging Plan.</u></li> <li>(iii) <u>Any subdivision of more than 3 lots must include an Integrated Transport Assessment (ITA) that assesses the levels of traffic generation from the development, confirms the staging and timing of transport infrastructure upgrades specified in Table 29B.1 and recommends any necessary mitigation measures.</u></li> </ul> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(iv) <b>Subdivision</b> layout;</li> <li>(v) Shape of <b>lots</b> and variation in lot sizes;</li> <li>(vi) Ability of <b>lots</b> to accommodate a practical <b>building platform</b> including geotechnical stability for <b>building</b>;</li> <li>(vii) Likely location of future buildings and their potential effects on the environment;</li> <li>(viii) Avoidance or mitigation of natural hazards;</li> <li>(ix) Amenity values and streetscape landscaping;</li> <li>(x) Consistency with the matters contained within <b>Appendix 29.1</b> (Residential Subdivision Guidelines)</li> <li><del>(xi)</del> Vehicle and pedestrian networks;</li> <li><del>(xii)</del>(xi) <u>Consistency with the Ohinewai Structure Plan including the provision of neighbourhood parks;</u></li> <li><del>(xiii)</del>(xii) <u>Provision of <b>infrastructure</b>.</u></li> <li><del>(xiv)</del>(xiii) <u>Road network safety and efficiency, particularly at peak traffic times.</u></li> <li><del>(xv)</del>(xiv) <u>Requirements for staging and timing of transport infrastructure improvements as set out in Table 29B.1.</u></li> <li><del>(xvi)</del>(xv) <u>The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing.</u></li> <li><del>(xvii)</del>(xvi) <u>Safety of design for vehicles and pedestrians.</u></li> <li><del>(xviii)</del>(xvii) <u>Mitigation measures such as travel planning and providing alternatives to private vehicle trips.</u></li> </ul>
D1	<b>Subdivision</b> that does not comply with a condition in <b>Rule 29C.4.1 RDI</b> .
D2	<u>Any development or subdivision that is not in accordance with the Staging Plan (Dwg No P19-176-00-1040-SK) or Table 29B.1.</u>
D3	<u>A corner shop and café of not more than 400m<sup>2</sup> gross leasable floor area each, in accordance with the Ohinewai Structure Plan.</u>
	<u>Assessment criteria;</u>

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	(a) the extent to which the total floor area of commercial activities in the Ohinewai Structure Plan area is consistent with Business Zone Rule 29D.6.2 RDI.
NC1	Subdivision that is not in accordance with the Ohinewai Structure Plan.
NC2	Any subdivision that does not comply with Rule 29B.1.2 (b) or (c) in Table 29B.1 (bulk main connections to Huntly Wastewater Treatment Plant and Water Treatment Plant).

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**29C4.2 Subdivision - Multi-unit development**

RDI	(b) Multi-Unit development must comply with all of the following conditions: <ul style="list-style-type: none"> <li>(i) An application for land use consent under Rule 29C.1.2 (Multi-Unit Development) must accompany the subdivision or have been granted land use consent by Council;</li> <li>(ii) The Multi-Unit development is able to be connected to public wastewater and water reticulation;</li> <li>(iii) The minimum existing lot size where a new freehold (fee simple) lot is being created must be 300m<sup>2</sup> net site area.</li> <li>(iv) Subdivision must be in accordance with the Ohinewai Structure Plan.</li> <li>(v) Where a residential unit is being created in accordance with the Unit Titles Act 2010 it must meet the following minimum residential unit size:</li> </ul> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Unit of Multi-Unit</th> <th>Minimum Unit Area</th> </tr> </thead> <tbody> <tr> <td>Studio unit or 1 bedroom unit</td> <td>60m<sup>2</sup></td> </tr> <tr> <td>2 bedroom unit</td> <td>80m<sup>2</sup></td> </tr> <tr> <td>3 or more bedroom unit</td> <td>100m<sup>2</sup></td> </tr> </tbody> </table>	Unit of Multi-Unit	Minimum Unit Area	Studio unit or 1 bedroom unit	60m <sup>2</sup>	2 bedroom unit	80m <sup>2</sup>	3 or more bedroom unit	100m <sup>2</sup>
	Unit of Multi-Unit	Minimum Unit Area							
Studio unit or 1 bedroom unit	60m <sup>2</sup>								
2 bedroom unit	80m <sup>2</sup>								
3 or more bedroom unit	100m <sup>2</sup>								
	(c) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> <li>(i) Subdivision layout including common boundary and party walls for the Multi-unit development;</li> <li>(ii) Provision of common areas for shared spaces, access and services;</li> <li>(iii) Provision of infrastructure to individual residential units;</li> <li>(iv) Avoidance or mitigation of natural hazards;</li> <li>(v) Geotechnical suitability of site for buildings;</li> <li>(vi) Amenity values and streetscape;</li> <li>(vii) Consistency with the matters contained, and outcomes sought, in Appendix 3.4 (Multi-Unit Development Guideline)</li> <li>(viii) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, and neighbourhood centres;</li> <li>(ix) Vehicle, pedestrian and cycle networks;</li> <li>(x) Safety, function and efficiency of road network and any internal roads or accessways.</li> </ul>								
DI	Subdivision that does not comply with Rule 29C.4.2 RDI except for Rule 29.4.2RDI(a)(iv).								
NC1	Subdivision that does not comply with Rule 29C.4.2RDI(a)(iv).								

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**29C4.3 Subdivision – Boundary adjustments**

CI	(a) Boundary adjustments must comply with all of the following conditions: <ul style="list-style-type: none"> <li>(i) The conditions specified in:                 <ul style="list-style-type: none"> <li>A. Rule 29C.4.1 Subdivision - General;</li> <li>B. Rule 29C.4.2 Subdivision in the Te Kauwhata Ecological Residential Area;</li> </ul> </li> </ul>
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	<p>C. <b>Rule 29C.4.3</b> Subdivision in the Te Kauwhata West Residential Area; or</p> <p>D. <b>Rule 29C.4.4</b> Subdivision- Multi-unit development;</p> <p>(b) Proposed <b>lots</b> must not generate any additional building infringements to those which legally existed prior to the <b>boundary</b> relocation.</p> <p>(c) <b>Council's control is reserved over the following matters:</b></p> <p>(i) <b>Subdivision</b> layout;</p> <p>(ii) Shape of titles and variation in <b>lot</b> sizes.</p>
DI	<b>Boundary</b> adjustments that does not comply with <b>Rule 29C.4.5 CI</b> .

**29C.4.4 Subdivision - Road frontage**

RDI	<p>(a) Every proposed <b>lot</b> with a road <b>boundary</b>, other than an <b>access allotment, utility allotment</b>, or a proposed <b>lot</b> containing a ROW or access leg must have a width along the road <b>boundary</b> of at least 15m.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) Safety and efficiency of vehicle access and road network; and</p> <p>(ii) Amenity values and rural character.</p>
DI	<b>Subdivision</b> that does not comply with <b>Rule 29C.4.11 RDI</b> .

**29C.4.5 Subdivision - Building platform**

RDI	<p>(a) Every proposed <b>lot</b>, other than one designed specifically for access, <b>utility allotment</b> must be capable of containing a <b>building platform</b> upon which a <b>dwelling</b> and <b>living court</b> could be sited as a permitted activity, with the <b>building platform</b> being contained within either of the following dimensions:</p> <p>(i) a circle with a diameter of at least 18m exclusive of yards; or</p> <p>(ii) a rectangle of at least 200m<sup>2</sup> with a minimum dimension of 12m exclusive of yards.</p> <p>(b) <b>Every lot, other than one designed specifically for access or as a utility allotment, must have a building platform that is above 8.5m RL (ground level).</b></p> <p>(c) Council's discretion shall be restricted to the following matters:</p> <p>(i) <b>Subdivision</b> layout;</p> <p>(ii) Shape of <b>allotments</b>;</p> <p>(iii) Ability of <b>allotments</b> to accommodate a practical <b>building platform</b>;</p> <p>(iv) Likely location of future <b>buildings</b> and their potential effects on the environment;</p> <p>(v) Avoidance or mitigation of natural hazards;</p> <p>(vi) Geotechnical suitability for <b>building</b>; and</p> <p>(vii) Ponding areas and primary <b>overland flow paths</b>.</p>
DI	<b>Subdivision</b> that does not comply with <b>Rule 29C.4.5 RDI</b> .

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**29C.4.6 Subdivision- Landscape Concept**

RDI	<p><b>All subdivision applications must include a Landscape Concept Plan that includes the following:</b></p> <p>(a) <b>Landscape concept design for all areas of public open space and stormwater management areas;</b></p> <p>(b) <b>Details of landscape treatment of streets, footpaths and cycleways;</b></p> <p>(c) <b>Details of landscape treatment of stormwater swales, wetlands, detention areas and riparian margins;</b></p> <p>(d) <b>Details of landscape treatment to integrate the site with the vegetation on the adjacent Lake Rotokawau Reserve;</b></p> <p>(e) <b>Details of plant types and species including eco-sourcing of plants from within the Meremere Ecological District;</b></p>
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	<p>(f) <u>Use of indigenous species and landscape design that reflects cultural perspectives including food gathering species and those that support habitat for mahinga kai, indigenous birds and lizards;</u></p> <p>(g) <u>Details of ongoing maintenance plans to ensure the planting achieves acceptable establishment, survival and canopy closure targets;</u></p> <p>(h) <u>Identification of areas for public access and any areas that are not public and the legal mechanisms to secure and maintain public access;</u></p> <p>(i) <u>Details of any commemorative or other interpretation material communicating the history and significance of places and resources;</u></p> <p>(j) <u>Details of any tangata whenua inspired artwork or features;</u></p> <p>(k) <u>Details of fencing and landscape treatment of the land along the Tahuna Road frontage, to create an attractive and open interface to Tahuna Road;</u></p> <p>(l) <u>Evidence of consistency with any Ecological Rehabilitation and Management Plan;</u></p> <p>(m) <u>Evidence of consistency with the Waikato District Council Park Strategy 2014, the Urban Design Guidelines, Multi-Unit Development 2018 (Appendix 29.3), the Urban Design Guidelines Residential Subdivision 2018 (Appendix 29.1); and</u></p> <p>(n) <u>Evidence of engagement with tangata whenua in preparation of the landscape concept plan, including how the outcomes of that engagement have been addressed.</u></p> <p><u>Councils discretion shall be restricted to the following matters:</u></p> <p>(i) <u>Extent of consistency with the Ohinewai Structure Plan.</u></p> <p>(ii) <u>Extent of consistency with the Waikato District Park Strategy 2014, the Urban Design Guidelines, Multi-Unit Development 2018, and the Urban Design Guidelines Residential Subdivision 2018.</u></p> <p>(iii) <u>Quantity, distribution and spacing of landscape planting and extent to which it will mitigate landscape, visual and amenity effects.</u></p> <p>(iv) <u>Extent of consistency with any Ecological Rehabilitation and Management Plan.</u></p> <p>(v) <u>Adequacy of maintenance plans.</u></p> <p>(vi) <u>Extent of provision for public access and nature of legal instruments to secure access.</u></p> <p>(vii) <u>Extent of recognition of cultural values.</u></p> <p>(viii) <u>The extent to which fencing and landscaping proposals will create an attractive and open interface with Tahuna Road.</u></p>
DI	<u>A subdivision application that does not include one or more of the items in 29C.4.6 RDI.</u>

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**29C.4.7 Subdivision – Stormwater Management**

RDI	<p><u>All subdivision applications must be accompanied by a stormwater management report and plans. The report and plans must:</u></p> <p>(a) <u>describe how the plans comply with any relevant discharge consent;</u></p> <p>(b) <u>identify overland flow paths;</u></p> <p>(c) <u>describe the nature and extent of any off-site stormwater management devices and how these devices are to be delivered if they are on land outside the application site including identification of land areas that are to be allocated to open space to maintain their stormwater function and the methods of protection of them for that purpose;</u></p> <p>(d) <u>if stormwater devices are to be located below 8.05m RL, describe how these devices are to be designed to be resilient to flood-related damage while not exacerbating flood risks for upstream or downstream activities.</u></p> <p><u>Council's discretion shall be restricted to the following matters:</u></p> <p>(i) <u>the effects of any inconsistency with any discharge consent;</u></p>
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	<u>(ii)the methods of accessing and maintaining stormwater devices.</u>
<u>D1</u>	<u>A subdivision application that does not include one or more of the items in 29C.4.7 RDL.</u>

## 29D Ohinewai Precinct Business Zone

- (1) The rules that apply to activities in the **Ohinewai Precinct Business Zone** are contained in **Rule 29D.1** Land Use – Activities, **Rule 29D.2** Land Use – Effects and **Rule 29D.3** are contained in **Rule 29D.4**.
- (2) The activity status tables and standards in the following chapters also apply to activities in the **Ohinewai Precinct Business Zone**:  
**29B** Infrastructure and Energy;
- (3) In this section the term 'In accordance with the Ohinewai Structure Plan' refers to the Structure Plan (1805\_012a RevK) and the Business Area Structure Plan (1805\_012b Rev F), and means:
- a) That the location and function of access points to the existing road network must be complied with.
  - b) Strict compliance with the location of the internal road network and shared path network is not required, provided the functions of the networks are complied with.
    1. Strict compliance with the location of buildings and community infrastructure is not required as their locations are indicative.
    2. The areas of open space must be provided but their boundaries are indicative.
- (3) (iv) The following symbols are used in the tables:
- (g) PR Prohibited activity
  - (h) P Permitted activity
  - (i) C Controlled activity
  - (j) RD Restricted discretionary activity
  - (k) D Discretionary activity
  - (l) NC Non-complying activity

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### 29D.1 Land Use – Activities

#### 29D.1.1 Permitted Activities

- (1) The following activities are permitted activities if they comply with all of the:
- (a) Land Use – Effects rules in **Rule 29D.2** and Land Use – Building rules in **Rule 29D.3** (unless the activity-specific rule and/or conditions identifies a condition(s) that does not apply); and
  - (b) Activity-specific conditions.

Activity	Activity-specific conditions
PI Temporary Event	(g) The event occurs no more than 3 times per consecutive 12 month period; (h) The duration of each event is less than 72 hours; (i) It may operate between 7.30am and 8:30pm Monday to Sunday; (j) Temporary structures are: (iii) erected no more than 2 days before the event occurs; and (iv) removed no more than 3 days after the end of the event;

	(k) The site is returned to its previous condition no more than 3 days after the end of the event.
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**29D.1.2 Restricted Discretionary Activities**

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

Activity	Matters of Discretion
<p><b>RDI</b></p> <p>(a) <u>A neighbourhood centre identified on the Ohinewai Structure Plan that comprises a grouping of commercial activities that meet all of the following conditions:</u></p> <ul style="list-style-type: none"> <li>(i) <u>Individual leasable retail units shall have a gross leasable floor area of no more than 400m<sup>2</sup>.</u></li> <li>(ii) <u>Any grocery store (a retail unit primarily selling pre-prepared fresh food/groceries and beverages, together with other non-food goods that are ancillary) shall have a gross leasable floor area of no more than 1,000m<sup>2</sup>.</u></li> <li>(iii) <u>Offices shall have a gross leasable floor area of no more than 200m<sup>2</sup>.</u></li> <li>(iv) <u>The total combined gross leasable floor area of commercial activities, excluding any service station, shall not exceed 2,500m<sup>2</sup>.</u></li> <li>(v) <u>The neighbourhood centre is in accordance with the Ohinewai Structure Plan.</u></li> </ul>	<p>(a) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) The extent to which the development is consistent with <b>Town Centre Guidelines contained in Appendix 3.3;</b></li> <li>(ii) <u>The extent to which the development is consistent with the Ohinewai Structure Plan;</u></li> <li>(iii) <u>The safety and efficiency of any private vehicle access;</u></li> <li>(iv) <u>Avoidance or mitigation of natural hazards;</u></li> <li>(v) <u>Geotechnical suitability for building, including liquefaction and settlement risks and adequacy of any ground improvements;</u></li> <li>(iii)(vi) <u>Effects on the safety and efficiency of the transport network as set out in any ITA prepared in accordance with Rule 29D.2.8.</u></li> </ul>
<p><b>RD2</b></p> <p>(a) <u>A service station, public transport facility and community facilities that meet the following condition:</u></p> <ul style="list-style-type: none"> <li>(i) <u>They are in accordance with the Ohinewai Structure Plan.</u></li> </ul>	<p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) <u>The extent to which the development is consistent with <b>Town Centre Guidelines contained in Appendix 3.3;</b></u></li> <li>(ii) <u>The extent to which the development is consistent with the Ohinewai structure Plan.</u></li> <li>(ii) <u>The safety and efficiency of any private vehicle access</u></li> <li>(iii) <u>Avoidance or mitigation of natural hazards.</u></li> </ul>

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		<p><u>(iv) Geotechnical suitability for building, including liquefaction and settlement risks and adequacy of any ground improvements.</u></p> <p><u>(v) Effects on the safety and efficiency of the transport network as set out in any ITA prepared in accordance with Rule 29D.2.8.</u></p>
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**29D.1.3 Discretionary Activities**

(I) The activities listed below are discretionary activities.

D1	Any activity that does not comply with Land Use – Effects or Land Use –Building rules, unless specified in <b>Rule 29D.2 or 29D.3</b> applies.
D2	Any activity that does not comply with one or more activity-specific conditions for a permitted activity under <b>Rule 29D.1.1.</b>
D3	Any activity that does not comply with one or more conditions for a restricted discretionary activity under <b>Rule 29D.1.2 RD1 and RD2, except for Rule 29D.1.2 RD1(a)(v) and Rule 29D.1.2 RD2 (a)(i)</b>

**29D.1.5 Non-Complying Activities**

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

NCI	Any activity that is not listed as Prohibited, Permitted, Restricted Discretionary or Discretionary <u>and any activity that is not in accordance with the Ohinewai Structure Plan.</u>
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29D.2 Land Use – Effects

**29D.2.1 Noise**

- (1) **Rules 29D.2.1.1 and 29D.2.1.2** provide the permitted noise limits for noise generated by land use activities.
- (2) **Rule 29D.2.1.1** Noise – general provides permitted noise limits.
- (3) **Rule 29D.2.1.2** Noise – Construction provides the noise limits for construction activities.

**29D.2.1.1 Noise – General**

P1	<b>Farming noise</b> , and noise generated by <b>emergency generators</b> and emergency sirens.
P2	(a) Noise measured within any <b>site</b> : (i) In the Business Zone must not exceed:

	<p>A. 65dB (LAeq), 7am to 11pm every day; and</p> <p>B. 55dB (LAeq) and 85dB (LA<sub>max</sub>), 11pm to 7am the following day;</p> <p>(ii) In the Residential or Village Zone must not exceed:</p> <p>A. 55dB (LAeq), 7am to 7pm;</p> <p>B. 50dB (LAeq), 7pm to 10pm;</p> <p>C. 45dB (LAeq) and 75dB (LA<sub>max</sub>), 10pm to 7am the following day.</p>
P3	(a) Noise measured within any <b>site</b> in any zone other than the Business Zone, Residential Zone or Village Zone must meet the permitted noise levels for that zone.
P4	<p>(a) Noise levels must be measured in accordance with the requirements of <b>NZS 6801:2008 "Acoustics - Measurement of Environmental Sound"</b>;</p> <p>(b) Noise levels must be assessed in accordance with the requirements of <b>NZS 6802:2008 "Acoustics - Environmental noise"</b>;</p>
DI	Noise that does not comply with <b>Rule 29D.2.1 P2, P3 or P4</b> .

### 29D.2.1.2 Noise – Construction

PI	<p>(a) Construction noise must meet the limits in <b>NZS 6803:1999 (Acoustics – Construction Noise)</b>; and</p> <p>(b) Construction noise must be measured and assessed in accordance with the requirements of <b>NZS6803:1999 'Acoustics – Construction Noise'</b>;</p>
RDI	<p>(a) Construction noise that does not comply with <b>Rule 29D.2.2 P1</b>.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Effects on amenity values;</p> <p>(ii) Hours and days of construction;</p> <p>(iii) Noise levels;</p> <p>(iv) Timing and duration; and</p> <p>(v) Methods of construction.</p>

### 29D.2.2 Servicing and hours of operation

PI	The loading and unloading of vehicles and the receiving of customers and deliveries associated with a <b>commercial activity</b> on a <b>site</b> adjoining the Residential Zone may occur between 6.30am and 7.30pm.
RDI	<p>(a) Servicing and operation of a <b>commercial activity</b> that does not comply with <b>Rule 29D.2.2 P1</b>.</p> <p>(b) Council's discretion is limited to the following matters:</p> <p>(i) Effects on amenity values on <b>adjoining sites</b> within the Residential Zone and Village Zone;</p> <p>(ii) Timing, duration and frequency of adverse effects;</p> <p>(iii) Location of activity in relation to zone <b>boundary</b>;</p> <p>(iv) Location of activity in relation to <b>dwellings</b> on <b>adjoining sites</b>; and</p> <p>(v) The means to avoid, remedy or mitigate adverse effects on <b>adjoining sites</b>.</p>

### 29D.2.3 Onsite parking areas - Landscaping -

PI	<p>(a) Onsite car parking area for 5 or more parking spaces located adjoining a road, must comply with the following conditions:</p> <p>(i) The car parking area must be separated from the road by a 1.5m wide planting strip, with the exception of vehicle access points;</p> <p>(ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1 metre.</p>
DI	Onsite parking areas that do not comply with <b>Rule 29D.2.3 P1</b> .

**29D.2.4 Glare and artificial light spill**

PI	Glare and artificial light spill shall not exceed 10 lux measured horizontally and vertically at any point within any other site.
RDI	(a) Glare and artificial light spill that does not comply with Rule 29D.2.4 PI. (b) Council's discretion is limited to the following matters: (vii) Effects on amenity values; (viii) Light spill levels on other sites; (ix) Road safety; (x) Duration and frequency; (xi) Location and orientation of the light source; (xii) Mitigation measures.

**29D.2.5 Earthworks**

- (I) Rules 29D.2.5.1 – Earthworks - General provides the permitted rules for earthworks activities for the Business Zone.

*29D.2.5.1 Earthworks – General*

PI	(a) Earthworks within a site must meet the following conditions: (i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; (ii) Not exceed a volume of more than 250m <sup>3</sup> and an area of more than 1,000m <sup>2</sup> within a site; (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths. ;
P2	(a) The importation of fill material to a site must meet all of the following conditions in addition to Rule 29D.2.5.1 PI: (i) Does not exceed a total volume of 500m <sup>3</sup> per site and a depth of 1m; (ii) Is fit for compaction; (iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal); (iv) Does not restrict the ability for land to drain; (v) Is not located within 1.5m of public sewers, utility services or manholes; (vi) The sediment from fill material is retained on the site.
RDI	<u>Earthworks that do not comply with Rule 29D.2.5.1 PI and P2 and are in accordance with the Ohinewai Structure Plan are a restricted discretionary activity and must include an Ecological Rehabilitation and Management Plan (ERMP) that includes the following:</u>  (a) <u>An indigenous fish management plan, including:</u> i) <u>a summary of fish habitat and species present;</u>

	<ul style="list-style-type: none"> <li>ii) <u>a summary of planned works, permitting requirements, timing of works, procedures for dealing with pest fish, procedures for capturing and relocating indigenous fish prior to and during works and identification of indigenous fish release sites;</u></li> <li>iii) <u>roles and responsibilities of parties and their reporting requirements;</u></li> <li>iv) <u>any specific mitigation measures; and</u></li> <li>v) <u>a monitoring programme to enable an assessment of the success of any mitigation measures, including any translocations.</u></li> </ul> <p>(b) <u>A bat management plan that includes vegetation removal protocols and recommendations for any planting of trees and/or installation of artificial bat roost boxes for bat habitat;</u></p> <p>(c) <u>An ecological restoration plan for any parts of the site that are to be converted to wetlands for stormwater management or amenity purposes, including habitat creation and enhancement and planting and pest plant control;</u></p> <p>(d) <u>A predator control programme including:</u></p> <ul style="list-style-type: none"> <li>(i) <u>An overarching goal of contributing to the restoration and enhancement of indigenous biodiversity within the site, and therefore indirectly within the adjacent Rotokawau Reserve;</u></li> <li>(ii) <u>Objectives of increasing Ohinewai Structure Plan occupants' awareness of predator threats, and the need for predator control, including control of domestic cats and dogs, to reduce the threat of predation on indigenous fauna;</u></li> <li>(i) <u>A predator control strategy designed to achieve the above goal and objectives; and</u></li> <li>(ii) <u>A monitoring programme to ensure the objectives are being achieved and predator populations are being suppressed sufficiently to achieve biodiversity gains;</u></li> </ul> <p>(e) <u>Provisions for ongoing management and maintenance of wetland areas;</u></p> <p>(f) <u>A description of the proposed ecological monitoring framework;</u></p> <p>(g) <u>Evidence of consistency with the Waikato Regional Pest Management Plan 2014-2024; and</u></p> <p>(h) <u>Evidence of engagement with tangata whenua during preparation of the ERMP including how outcomes of that engagement have been addressed.</u></p> <p>(a) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Amenity values and landscape effects;</li> <li>(ii) Volume, extent and depth of <b>earthworks</b>;</li> <li>(iii) Nature of fill material;</li> <li>(iv) Contamination of fill material;</li> <li>(v) Location of the <b>earthworks</b> to waterways, significant indigenous vegetation and habitat;</li> <li>(vi) Compaction of the fill material;</li> <li>(vii) Volume and depth of fill material;</li> <li>(viii) <u>Geotechnical stability including liquefaction and settlement risks and adequacy of any ground improvements;</u></li> <li>(ix) Flood risk, including natural water flows and established drainage paths</li> <li>(x) Land instability, erosion and sedimentation; and</li> <li>(xi) Proximity to underground services and service connections.</li> <li>(xii) <u>The nature and extent of ecological mitigation measures and any residual ecological effects;</u></li> <li>(xiii) <u>The extent to which any post-earthworks mitigation measures are required and the methods for implementing them;</u></li> <li>(xiv) <u>The extent to which any identified habitat of threatened species is protected.</u></li> </ul>
NCI	<u>Earthworks that are not in accordance with the Ohinewai Structure Plan.</u>

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29D.2.5.2 Hazardous substances

PI	(a) The use, <b>storage</b> or disposal of any <b>hazardous substances</b> must meet the following conditions:
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	<ul style="list-style-type: none"> <li>(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Business Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances)</li> <li>(ii) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2029D.</li> </ul>
CI	<ul style="list-style-type: none"> <li>(a) Service station with a maximum storage for retail sale of:                             <ul style="list-style-type: none"> <li>(i) 100,000 litres of petrol in underground storage tanks;</li> <li>(ii) 50,000 litres of diesel in underground storage tanks; and</li> <li>(iii) 6 tonnes of LPG (single vessel storage).</li> </ul> </li> <li>(b) Council's control is limited to the following matters:                             <ul style="list-style-type: none"> <li>(i) the proposed site design and layout in relation to:                                     <ul style="list-style-type: none"> <li>A. the sensitivity of the surrounding natural, human and physical environment; potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities; and</li> <li>B. interaction with natural hazards (flooding, instability), as applicable;</li> <li>C. proposed emergency management planning (spills, fire and other relevant hazards);</li> </ul> </li> <li>(ii) proposed procedures for the monitoring and reporting of incidents.</li> </ul> </li> </ul>
DI	The use, storage or disposal of any hazardous substances that does not comply with Rule 29D.2.5.4 PI.
DI	A service station that does not comply with Rule 29D.2.4.5 CI.

**29D.2.6 Signs**

- (1) Rule 29D.2.6.1 Signs – general provides permitted standards for any sign, including real estate signs, across the Business Zone.
- (2) Rule 29D.2.6.2 Signs – effects on traffic provides specific standards for any sign that is directed at road users.

## 29D.2.6.1 Signs – General

P1	A public information sign erected by a government agency.
P2	<p>(a) A sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The sign is wholly contained on the site;</li> <li>(ii) The sign height must not exceed 10m;</li> <li>(iii) Where the sign is illuminated it must: <ul style="list-style-type: none"> <li>A. Not have a light source that flashes or moves;</li> <li>B. Not contain moving parts or reflective materials; and</li> <li>C. Be focused to ensure that it does not spill light beyond the site;</li> </ul> </li> <li>(iv) Where the sign is attached to a building, it must: <ul style="list-style-type: none"> <li>A. Not extend more than 300mm from the building wall; and</li> <li>B. Not exceed the height of the building;</li> </ul> </li> <li>(v) Where the sign is a freestanding sign, it must: <ul style="list-style-type: none"> <li>A. Not exceed an area of 3m<sup>2</sup> for one sign per site, and 1m<sup>2</sup> for any other freestanding sign on the site; and</li> <li>B. Be set back at least 5m from the boundary of the Residential Zone;</li> </ul> </li> <li>(vi) The sign relates to: <ul style="list-style-type: none"> <li>A. goods or services available on the site; or</li> <li>B. a property name sign.</li> </ul> </li> </ul>
P3	<p>(a) A real estate 'for sale' sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) It relates to the sale of the site on which it is located;</li> <li>(ii) There is no more than 1 sign per agency;</li> <li>(iii) The sign is not illuminated;</li> <li>(iv) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</li> </ul>
RD1	<p>(a) A sign that does not comply with Rule 29D.2.6.1, P2 or P3.</p> <p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Amenity values;</li> <li>(ii) Effects on traffic safety;</li> <li>(iii) Effects of glare and artificial light spill;</li> <li>(iv) Content, colour and location of the sign;</li> <li>(v) Effects on notable architectural features of the building.</li> </ul>

29D.2.6.2 Signs - Effects on traffic

PI	(a) (c)	Any sign directed at road users must: (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; (iv) Contain no more than 40 characters and no more than 6 symbols; (v) Have lettering that is at least 150mm high; and (vi) Where the sign directs traffic to a site entrance, the sign must be at least 130m from the entrance.
DI		Any sign that does not comply with Rule 29D.2.6.2 PI.

29D.2.7 Outdoor storage

PI	(a)	Outdoor storage of goods or materials must: (i) Be associated with the activity operating from the site; (ii) Not encroach on required parking or loading areas; and (iii) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any: A. Public road; B. Public reserve; and C. Adjoining site in another zone.
RDI	(a) (b)	Outdoor storage of materials that does not comply with Rule 29D.2.7 PI. The Council's discretion shall be limited to the following matters: (i) Visual amenity; (ii) Effects on loading and parking areas; (iii) Size and location of storage area; and (iv) Measures to mitigate adverse effects.

29D.2.8 Traffic Effects

RDI	Any neighbourhood centre, service station, public transport facility and community facilities must include an Integrated Transport Assessment (ITA) that assesses the levels of traffic generation from the development, confirms the staging and timing of transport infrastructure upgrades specified in Table 29B.1 and recommends any necessary mitigation measures.  <u>Council's discretion shall be restricted to the following matters:</u>  (a) Road network safety and efficiency, particularly at peak traffic times. (b) Requirements for staging and timing of transport infrastructure improvements as set out in Table 29B.1. (c) The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing. (d) Safety of design for vehicles and pedestrians. (e) Mitigation measures such as travel planning and providing alternatives to private vehicle trips. <del>(e)(f) The need for and location and design of any vehicle access to Tahuna Road.</del>
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29D.2.9 Landscaping

PI	Any activity on a lot that fronts Lumsden Road or Tahuna Road must provide a 3m wide minimum landscaped strip, excluding access, running parallel with the road boundary.
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<b>RDI</b>	Any activity that does not comply with Rule 29D.2.9. Council's discretion shall be restricted to the following matters: (a) Effects on amenity values.
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29D.3 Land Use – Building

**29D.3.1 Height**

- (1) Rule 29D.3.1.1 provides permitted heights for buildings, structure or vegetation.

**29D.3.1.1 Height – Building General**

<b>PI</b>	The maximum height of any building must not exceed 10m.
<b>DI</b>	Any building that does not comply with Rule 29D.3.1.1 PI.

**29D.3.2 Daylight admission**

<b>PI</b>	(a) Any building must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins a: (i) Residential Zone; or (ii) The boundary of Lumsden Rd or Tahuna Rd.
<b>RDI</b>	(a) Any building that does not comply with Rule 29D.3.2 PI. (b) The Council's discretion shall be limited to the following matters: (i) Height of building; (ii) Design and location of the building; (iii) Level of shading on an adjoining site; (iv) Privacy on other site; (v) Amenity values of the locality.

**29D.3.3 Building setbacks**

- (1) Rule 29D.3.4 provides the permitted building setback distances for buildings from zone boundaries.
- (2) Rule 29D.3.4.1 Building setback – zone boundaries provides permitted setback distances on any site within the business zone where the site adjoins a different zone. Different setback distances are applied based on the zone.

*29D.3.3.1 Building setbacks - Zone boundaries*

<b>PI</b>	(a) Any building must be set back at least: (i) 7.5m from rear and side boundaries adjoining the: A. Residential Zone; (ii) 1.5m from rear and side boundaries adjoining the: A. Industrial Zone. (iii) 1.5m from the road boundary of Lumsden Rd.
<b>DI</b>	Any building that does not comply with Rule 29D.3.3.1 PI.

**29D.3.4 Infrastructure and Site Suitability**

P1	All buildings must include a site-specific geotechnical assessment and be designed and constructed in accordance with it, including any necessary ground improvement works and specific foundation design.
P2	All buildings must include provision for on-lot Low Impact Design stormwater devices based on at least a two-step treatment train approach with the first step being included on the lot.
RDI	A building that does not comply with Rule 29C.3.4 P1 or P2.  (b) Councils discretion shall be restricted to the following matters: (i) Extent of compliance with the Regional Infrastructure Technical Standards (RITS) (ii) Extent of compliance with any recommendations of a site-specific geotechnical assessment.

29D.4 Subdivision

- (1) Rule 29D.4.1 provides for subdivision density.
- (2) Rules 29D.4.1 and Rule 29D.4.1.1 apply across the Ohinewai Precinct Business Zone.
- (3) Rules 29D.4.1 are subject to the following subdivision controls:
  - (i) Rule 29D.4.1.3 – subdivision boundary adjustments
  - (ii) Rule 29D.4.1.7 – subdivision road frontage

**29D.4.1 General subdivision**

RDI	<p>(a) Subdivision of land must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Proposed lots must have a minimum size of 225m<sup>2</sup> net site area with the exception of access or utility allotments or reserves to vest;</li> <li>(ii) Proposed lots must be connected to public-reticulated water supply and wastewater.</li> <li>(iii) Subdivision must be in accordance with the Ohinewai Structure Plan.</li> <li>(iii) All subdivision applications must include lighting design that is sensitive to bat habitat in accordance with any recommendations in any ERMP.</li> <li>(iv) Subdivision must be staged in accordance with Table 29B.1 and the Staging Plan (Dwg No PI9-176-00-1040-SK). All subdivision applications must include details of infrastructure to be constructed or upgraded prior to s224c RMA approval of any lots in that stage and must be in accordance with the Staging Plan.</li> <li>(v) Any subdivision to create additional lots must include an Integrated Transport Assessment (ITA) that assesses the levels of traffic generation from the development, confirms the staging and timing of transport infrastructure upgrades specified in Table 29B.1 and recommends any necessary mitigation measures.</li> </ul> <p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) amenity values;</li> <li>(ii) the extent to which a range of business activities provided for can be accommodated.</li> <li>(iii) road network safety and efficiency, particularly at peak traffic times.</li> </ul>
DI	Subdivision that does not comply with a condition in Rule 29D.4.1 RDI.

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<b>D2</b>	Any subdivision that is not in accordance with the Staging Plan (Dwg No P19-176-00-1040-SK) or the infrastructure upgrades in Table 29B.1, excluding Rule 29B.1.2 (b) or (c).
<b>NC1</b>	Any subdivision that is not in accordance with the Ohinewai Structure Plan.
<b>NC2</b>	Any subdivision that does not comply with Rule 29B.1.2 (b) or (c) in Table 29B.1 (bulk main connections to Huntly Wastewater Treatment Plant and Water Treatment Plant).

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#### 29D.4.2 Subdivision – Boundary adjustments

<b>CI</b>	<p>(b) Boundary adjustments must comply with the following:</p> <p>(i) the conditions specified in:</p> <p>A. Rule 29D.4.1 (Subdivision - General).</p> <p>(ii) Proposed lot must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p>(b) The Council's control shall be limited to the following matters:</p> <p>(i) Subdivision layout;</p> <p>(ii) Shape of title and variation in title size.</p>
<b>DI</b>	Boundary adjustment that does not comply with Rule 29D.4.2 CI.

#### 29D.4.3 Subdivision - Road frontage

<b>RDI</b>	<p>(a) Subdivision of land with a road frontage must provide:</p> <p>(i) A width along the road boundary of at least 15m; and</p> <p>(b) Rule 29D.4.1.6 (a)(i) (a) does not apply to a proposed access allotment or utility allotment.</p> <p>(c) The Council's discretion shall be limited to the following matters:</p> <p>(ii) Road efficiency and safety;</p> <p>(iii) Amenity and streetscape.</p>
<b>DI</b>	Subdivision that does not comply with Rule 29D.4.1.6 RDI.

#### 29D.4.4 – Landscape Concept

<b>RDI</b>	<p>All subdivision applications must include a Landscape Concept Plan that includes the following:</p> <p>(a) Landscape concept design for all areas of open space and stormwater management areas;</p> <p>(b) Details of landscape treatment of streets, footpaths and cycleways;</p> <p>(c) Details of plant types and species including eco-sourcing of plants from within the Meremere Ecological District;</p> <p>(d) Use of indigenous species and landscape design that reflects cultural perspectives including food gathering species and those that support habitat for mahinga kai, indigenous birds and lizards;</p> <p>(e) Details of ongoing maintenance plans to ensure the planting achieves acceptable establishment, survival and canopy closure targets;</p> <p>(f) Identification of areas for public access and any areas that are not public and the legal mechanisms to secure and maintain public access;</p> <p>(g) Details of any commemorative or other interpretation material communicating the history and significance of places and resources;</p> <p>(h) Details of any tangata whenua inspired artwork or features;</p> <p>(i) Evidence of consistency with any Ecological Rehabilitation and Management Plan;</p> <p>(j) Evidence of consistency with the Waikato District Council Park Strategy 2014, the Urban Design Guidelines: Town Centres, 2018; and</p> <p>(k) Evidence of engagement with tangata whenua in preparation of the landscape concept plan, including how the outcomes of that engagement have been addressed.</p> <p>Council's discretion shall be restricted to the following matters:</p>
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	<p><u>i) effects on amenity values;</u></p> <p><u>ii) extent of consistency with any Ecological Rehabilitation and Management Plan;</u></p> <p><u>iii) extent of consistency with the Waikato District Council Park Strategy 2014 and the Urban Design Guidelines: Town Centres, 2018.</u></p> <p><u>iv) quantity, distribution and spacing of landscape planting and extent to which it will mitigate landscape, visual and amenity effects.</u></p> <p><u>v) adequacy of maintenance plans.</u></p> <p><u>vi) extent of provision for public access and legal instruments to implement it.</u></p> <p><u>vii) extent of recognition of cultural values.</u></p>
DI	A subdivision application that does not include one or more of the items in 29D.4.4 RDI.

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**29D.4.5 – Subdivision – Stormwater Management**

RD1	<p>All applications for subdivision must be accompanied by a stormwater management report and plans. The report and plans must:</p> <p>(a) describe how the plans comply with any relevant discharge consent;</p> <p>(b) identify overland flow paths;</p> <p>(c) describe the nature and extent of any off-site stormwater management devices and how these devices are to be delivered if they are on land outside the application site including identification of land areas that are to be allocated to open space to maintain their stormwater function and the methods of protection of them for that purpose;</p> <p>(d) if stormwater devices are to be located below 8.0m RL, describe how these devices are to be designed to be resilient to flood-related damage while not exacerbating flood risks for upstream or downstream activities.</p> <p>Council's discretion shall be restricted to the effects of any inconsistency with any discharge consent and the methods of accessing and maintaining stormwater devices.</p>
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**29D.4.6 – Subdivision – Building platform**

RD3	<p>Every lot, other than one designed specifically for access or as a utility allotment must have a building platform that is above 8.3m RL (ground level).</p> <p>Council's discretion is restricted to avoidance or mitigation of natural hazards.</p>
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## 29E Ohinewai Precinct Industrial Zone

- (1) The rules that apply to activities in the Ohinewai Precinct Industrial Zone are contained in Rule 29E.1 Land Use – Activities, Rule 29E.2 Land Use – Effects and Rule 29E.3 Land Use – Building.
- (2) The rules that apply to subdivision in the Ohinewai Precinct Industrial Zone are contained in Rule 29E.4.
- (3) The activity status tables and standards in the following chapters also apply to activities in the Ohinewai Precinct Industrial Zone:
  - 29B Infrastructure and Energy;
  - In this section the term ‘In accordance with the Ohinewai Structure Plan’ refers to the Structure Plan (1805\_012a RevK) and the Business Area Structure Plan (1805\_012b Rev F), and means:
    - (a) That the location and function of access points to the existing road network must be complied with.
    - (b) Strict compliance with the location of the internal road network and shared path network is not required, provided the functions of the networks are complied with.
    - (c) Strict compliance with the location of buildings and community infrastructure is not required as their locations are indicative.
    - (d) The areas of open space must be provided but their boundaries are indicative.
- (3)(4) The following symbols are used in the tables:
  - (a) PR Prohibited activity
  - (b) P Permitted activity
  - (c) C Controlled activity
  - (d) RD Restricted discretionary activity
  - (e) D Discretionary activity
  - (f) NC Non-complying activity

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### 29E.1 Land Use – Activities

#### 29E.1.1 Restricted Discretionary Activities

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

Activity	Matters of Discretion
RD1 Industrial activity that meets the following condition: (a) It is in accordance with the Ohinewai Structure Plan.	Councils discretion shall be limited to the following: (a) when viewed from any public space, the building creates visual interest through articulation, roof form, minimal blank walls, and variations;
RD2 Trade and industry training activity that meets the following condition: (a) It is in accordance with the Ohinewai Structure Plan	(b) ancillary offices and ancillary retail buildings are set forward of any storage or warehouse buildings and address the street;
RD3 Truck stop for refueling that meets the following condition:	(c) storage areas are screened when viewed from any public place;

	(a) It is in accordance with the Ohinewai Structure Plan	(d) any carparking which is forward of the building has sufficient landscaped areas;
RD4	Office ancillary to an industrial activity that meets the following conditions: (a) Less than 100m <sup>2</sup> gfa; or (b) Does not exceed 30% of all buildings on the site; and (c) It is in accordance with the Ohinewai Structure Plan	(e) soft landscaping is concentrated along public space boundaries, with species selected to complement the scale of the building; (f) signage is clearly visible from the street. (g) The extent to which the development is consistent with Town Centre Guidelines contained in Appendix 29.3;
RD5	Food outlet that meets the following conditions: (a) Less than 200m <sup>2</sup> gfa. (b) It is in accordance with the Ohinewai Structure Plan	(h) The extent to which the development is consistent with the Ohinewai Structure Plan; (i) The safety and efficiency of any private vehicle access; (j) Avoidance or mitigation of natural hazards;
RD6	Ancillary retail that meets the following conditions: (a) That does not exceed 10% of all buildings on the site. (b) It is in accordance with Ohinewai Structure Plan	(k) Geotechnical suitability for building, including liquefaction and settlement risks and adequacy of any ground improvements; (l) Effects on the safety and efficiency of the transport network as set out in any ITA prepared in accordance with Rule 29E.2.8.

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### 29E.1.2 Discretionary Activities

(a) The activities listed below are discretionary activities.

D1	Any restricted discretionary activity that does not comply with an activity specific condition in Rule 29E.1.1.
D2	Any activity that does not comply with Land Use - Effects Rule 29E.2 or Land Use - Building Rule 29E.3 unless the activity status is specified as controlled, restricted, discretionary or non-complying.
D3	A waste management facility
D4	Hazardous waste storage, processing or disposal
D5	An extractive industry
D6	An office
D7	A retail activity

### 29E.1.3 Non-Complying Activities

(a) The activities listed below are non-complying activities.

NC1	Any activity that is not listed as a restricted discretionary or discretionary activity.
NC2	Any activity that is not in accordance with the Ohinewai Structure Plan.

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## 29E.2 Land Use - Effects

### 29E.2.1 Servicing and hours of operation

PI	Servicing and operation of an industrial activity adjoining any Residential Zone may load or unload vehicles or receive customers or deliveries between 7.30am and 6.30pm.
RDI	(a) Servicing and operation of an industrial activity that does not comply with Rule 29E.2.1.PI.

	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) effects on amenity values;</li> <li>(ii) distance to the nearest residential activity;</li> <li>(iii) nature and frequency of the after hours activity;</li> <li>(iv) noise, lighting and glare; and</li> <li>(v) type of vehicles involved.</li> </ul>
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### 29E.2.2 Landscape planting

P1	(a) Any activity on a lot that has a side and/or rear boundary adjoining any Residential Zone shall provide a 3m wide landscaped strip running parallel with the side and/or rear boundary.
P2	(a) A 3m wide landscaped strip, excluding accesses, must be provided on the road boundary of any site, except where a different requirement is included in Rule P3 below.
P3	<ul style="list-style-type: none"> <li>(a) Any activity on a lot that fronts Lumsden Road must provide a 1.5m wide landscaped strip adjoining the road boundary, excluding accesses.</li> <li>(b) Any activity that fronts Balemi Road must provide an 8m wide landscaped strip along the road boundary, excluding accesses.</li> <li>(c) Planting required by (a), (b) and (c) above must include species capable of reaching a minimum height of 5m within 5 years that are capable of substantially screening development.</li> </ul>
RDI	<ul style="list-style-type: none"> <li>(a) Any activity that does not comply with Rule 29E.2.2 P1-P3.</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) adequacy of the width of landscaped strip;</li> <li>(ii) type, density and height of plantings conducive to the location;</li> <li>(iii) maintenance measures;</li> <li>(iv) amenity values.</li> </ul> </li> </ul>

### 29E.2.3 Noise

- (1) Rule 29E.2.3.1 Noise – General provides permitted noise levels in the Ohinewai Precinct Industrial Zone.
- (2) Rule 29E.2.3.2 Noise – Construction provides the noise limits for construction activities.

#### 29E.2.3.1 Noise – General

P1	Noise generated by emergency generators and emergency sirens.
P2	<ul style="list-style-type: none"> <li>(a) Noise measured within any other site: <ul style="list-style-type: none"> <li>(i) In an Industrial Zone must not exceed: <ul style="list-style-type: none"> <li>A. 75dB (LAeq) 7am to 10pm; and</li> <li>B. 55dB (LAeq) and 85dB (LAmax) 10pm to 7am the following day.</li> </ul> </li> </ul> </li> </ul>
P3	(a) Noise measured within any site in any zone other, than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone.
P4	<ul style="list-style-type: none"> <li>(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound".</li> <li>(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental noise".</li> </ul>
P5	<p>Noise measured at the notional boundaries of the dwellings on Lots 1-3 DP 4743475 existing as at 1 September 2020 must not exceed:</p> <ul style="list-style-type: none"> <li>(a) 55dB (LAeq), 7am to 7pm every day</li> <li>(b) 50dB (LAeq), 7pm to 10pm every day</li> <li>(c) 45dB (LAeq), and 75dB (LAmax), 10pm to 7am the following day.</li> </ul>

	<p>Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics – Measurement of Environmental Sound; and</p> <p>Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 Acoustics – Environmental noise.</p>
D2	Noise that does not comply with Rule 29E.2.3.1 P2, P3, P4 or P5.

**29E.2.3.2 Noise – Construction**

PI	<p>(a) Construction noise must meet the limits in NZS 6803:1999 (Acoustics – Construction Noise);</p> <p>(b) Construction noise must be measured and assessed in accordance with the requirements of NZS6803:1999 'Acoustics – Construction Noise'</p>
RDI	<p>(a) Construction noise that does not comply with Rule 29E.2.3.2 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) effects on amenity values;</li> <li>(ii) hours and days of construction;</li> <li>(iii) noise levels;</li> <li>(iv) timing and duration; and</li> <li>(v) methods of construction.</li> </ul>

**29E.2.4 Glare and Artificial Light Spill**

PI	Glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site.
RDI	<p>(c) Illumination that does not comply with Rule 29E.2.4 PI.</p> <p>(d) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(xiii) effects on amenity values;</li> <li>(xiv) light spill levels on another site;</li> <li>(xv) road safety;</li> <li>(xvi) duration and frequency;</li> <li>(xvii) location and orientation of the light source; and</li> <li>(xviii) mitigation measures.</li> </ul>

**29E.2.5 Earthworks**

- (1) Rule 29E.2.5.1 Earthworks - General provides the permitted rules for earthwork activities in the Ohinewai Precinct Industrial Zone.

**29E.2.5.1 Earthworks – General**

PI	<p>(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;</li> <li>(ii) not exceed a volume of more than 250m<sup>3</sup>;</li> <li>(iii) not exceed an area of more than 1000m<sup>2</sup> over any consecutive 12 month period;</li> <li>(iv) the total depth of any excavation or filling does not exceed 1.5m above or below ground level;</li> <li>(v) the slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal);</li> </ul>
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	<ul style="list-style-type: none"> <li>(vi) earthworks are set back 1.5m from all boundaries;</li> <li>(vii) areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(viii) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and</li> <li>(ix) do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> </ul>
<p><b>RD1</b></p>	<p>Earthworks that do not comply with Rule 29E.2.5.1 PI are a restricted discretionary activity and must include an Ecological Rehabilitation and Management Plan (ERMP) that includes the following:</p> <ul style="list-style-type: none"> <li>(i) An indigenous fish management plan, including:             <ul style="list-style-type: none"> <li>i. a summary of fish habitat and species present;</li> <li>ii. a summary of planned works, permitting requirements, timing of works, procedures for dealing with pest fish, procedures for capturing and relocating indigenous fish prior to and during works and identification of indigenous fish release sites;</li> <li>iii. roles and responsibilities of parties and their reporting requirements;</li> <li>iv. any specific mitigation measures; and</li> <li>v. a monitoring programme to enable an assessment of the success of any mitigation measures, including any translocations.</li> </ul> </li> <li>(ii) A bat management plan that includes vegetation removal protocols and recommendations for any planting of trees and/or installation of artificial bat roost boxes for bat habitat;</li> <li>(iii) An ecological restoration plan for any parts of the site that are to be converted to wetlands for stormwater management or amenity purposes, including habitat creation and enhancement and planting and pest plant control;</li> <li>(iv) A predator control programme including;</li> <li>(v) An overarching goal of contributing to the restoration and enhancement of indigenous biodiversity within the site, and therefore indirectly within the adjacent Rotokawau Reserve;</li> <li>(vi) Objectives of increasing Ohinewai Structure Plan occupants' awareness of predator threats, and the need for predator control, including control of domestic cats and dogs, to reduce the threat of predation on indigenous fauna;</li> <li>(vii) A predator control strategy designed to achieve the above goal and objectives; and</li> <li>(viii) A monitoring programme to ensure the objectives are being achieved and predator populations are being suppressed sufficiently to achieve biodiversity gains;</li> <li>(ix) Provisions for ongoing management and maintenance of wetland areas;</li> <li>(x) A description of the proposed ecological monitoring framework;</li> <li>(xi) Evidence of consistency with the Waikato Regional Pest Management Plan 2014-2024; and</li> <li>(xii) Evidence of engagement with tangata whenua during preparation of the ERMP including how outcomes of that engagement have been addressed.</li> <li>(xiii) Council's discretion shall be restricted to the following matters:</li> <li>(xiv) amenity values and landscape effects;</li> <li>(xv) volume, extent and depth of earthworks;</li> <li>(xvi) nature of fill material;</li> <li>(xvii) contamination of fill material;</li> <li>(xviii) location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</li> <li>(xix) compaction of the fill material;</li> <li>(xx) volume and depth of fill material;</li> <li>(xxi) protection of the Hauraki Gulf Catchment Area;</li> <li>(xxii) geotechnical stability including liquefaction and settlement risks and adequacy of any ground improvements;</li> <li>(xxiii) flood risk, including natural water flows and established drainage paths; and</li> <li>(xxiv) land instability, erosion and sedimentation.</li> <li>(xxv) proximity to underground services and service connections.</li> <li>(xxvi) The nature and extent of ecological mitigation measures and any residual ecological effects.</li> </ul>

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	<p>(xxvii) _____ The extent to which ant post-earthworks mitigation measures are required and the methods for implementing them.</p> <p>(xxviii) _____ The extent to which any identified habitat of threatened species is protected.</p> <p><del>(xxvii)</del>(xxix) _____</p>
NCI	Earthworks that are not in accordance with the Ohinewai Structure Plan.

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**29E.2.6 Hazardous Substances**

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P1	(b) The use, storage or disposal of any hazardous substance where: (ii) the aggregate quantity of a hazardous substance of any hazard classification on a site is less than the quantity specified for the Industrial Zone in Table 5I contained within Appendix 5 (Hazardous Substances).
P2	(b) The storage or use of radioactive materials is: (iii) an approved equipment for medical and diagnostic purposes; or (iv) specified as an exempt activity or article in the Radiation Safety Act and Regulations 29E17.
CI	(iv) The storage of the following maximum volumes of fuel for retail sale within a service station: (i) 100,000 litres of petrol in underground storage tanks; (ii) 50,000 litres of diesel in underground storage tanks; and (iii) 6 tonnes of LPG (single vessel storage). (v) Council shall reserve its control over the following matters: (i) The proposed site design and layout in relation to: A. the sensitivity of the surrounding natural, human and physical environment; potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities; B. interaction with natural hazards (flooding, instability), as applicable. proposed emergency management planning (spills, fire and other relevant hazards); (ii) Procedures for monitoring and reporting of incidents.
DI	The use, storage or disposal of any hazardous substances that does not comply with Rule 29E.2.6 P1, P2 or CI.

**29E.2.7 Signs**

- (1) Rule 29E.2.7.1 Signs – General provides permitted standards for any sign, including a real estate sign, across the Ohinewai Precinct Industrial Zone.
- (2) Rule 29E.2.7.2 Signs – Effects on traffic applies to specific standards for a sign directed at road users.

29E.2.7.1 Signs – General

P1	A public information sign erected by a government agency.
P2	<p>(a) A sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The sign height does not exceed 10m;</li> <li>(ii) The sign is wholly contained on the site;</li> <li>(iii) An illuminated sign must: <ul style="list-style-type: none"> <li>A. not have a light source that flashes or moves; and</li> <li>B. not contain moving parts or reflective materials; and</li> </ul> </li> </ul> <p>(b) Where the sign is attached to a building, it must:</p> <ul style="list-style-type: none"> <li>(i) not extend more than 300mm from the building wall; and</li> <li>(ii) not exceed the height of the building;</li> </ul> <p>(c) Where the sign is a freestanding sign, it must:</p> <ul style="list-style-type: none"> <li>(i) not exceed an area of 3m<sup>2</sup> for one sign per site, and 1m<sup>2</sup> for any other freestanding sign on the site; and</li> <li>(ii) be set back at least 5m from the boundary of any site a Residential, Village or Country Living Zone;</li> </ul> <p>(d) The sign relates to:</p> <ul style="list-style-type: none"> <li>(i) goods or services available on the site; or</li> <li>(ii) a property name sign.</li> </ul>
P3	<p>(a) A real estate 'for sale' sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The sign relates to the sale of the site on which it is located;</li> <li>(ii) There is no more than 1 sign per agency;</li> <li>(iii) The sign is not illuminated;</li> <li>(iv) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</li> <li>(v) The sign does not project into or over road reserve.</li> </ul>
RDI	<p>(a) A sign that does not comply with Rules 29E.2.7.1 P2 or P3.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) visual amenity;</li> <li>(ii) character of the locality;</li> <li>(iii) effects on traffic safety;</li> <li>(iv) glare and artificial light spill; and</li> <li>(v) content, colour and location of the sign.</li> </ul>

29E.2.7.2 Signs – effects on traffic

PI	<p>(a) Any sign directed at road users must:</p> <ul style="list-style-type: none"> <li>(i) Not imitate the content, colour or appearance of any traffic control sign; and</li> <li>(ii) Be located at least 60m from controlled intersections, pedestrian crossings and another advertising sign; and</li> <li>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and</li> <li>(iv) Contain no more than 40 characters and no more than 6 symbols; and</li> <li>(v) Have lettering that is at least 150mm high; and</li> <li>(vi) Be at least 130m from a site entrance, where the sign directs traffic to the entrance.</li> </ul>
DI	Any sign that does not comply with Rule 29E.2.7.2 PI.

29E.2.8 Outdoor storage

PI	<p>(a) Outdoor storage of goods or materials must comply with all the following conditions:</p> <ul style="list-style-type: none"> <li>(i) be associated with the activity operating from the site;</li> <li>(ii) not encroach on required parking or loading areas;</li> <li>(iii) not exceed a height of 9m;</li> <li>(iv) not exceed 30% site coverage;</li> <li>(v) be set back at least 3m from the boundary of any: <ul style="list-style-type: none"> <li>A. public road;</li> <li>B. Residential Zone; and</li> </ul> </li> <li>(vi) be screened from any public road, public reserve and adjoining site in another zone, by the following: <ul style="list-style-type: none"> <li>A. a landscaped strip consisting of plant species that achieve a minimum height of 1.8m at maturity; or</li> <li>B. a close-boarded or solid fence or wall to a height of 1.8m.</li> </ul> </li> </ul>
RDI	<p>(a) Outdoor storage of goods or materials that does not comply with Rule 29E.2.8 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) visual amenity; and</li> <li>(ii) traffic safety.</li> </ul>

29E.2.8 Traffic Effects

PI	<p>All applications for development must include an Integrated Transport Assessment (ITA) that assesses the level of traffic generation from the development, confirms the staging and timing of transport infrastructure upgrades specified in Table 29B.1 and recommends any necessary mitigation measures.</p> <p>Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(c) Road network safety and efficiency, particularly at peak traffic times.</li> <li>(d) Requirements for staging and timing of transport infrastructure improvements as set out in Table 29B.1.</li> <li>(e) The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing.</li> <li>(f) Safety of design for vehicles and pedestrians.</li> <li>(g) Mitigation measures such as travel planning and providing alternatives to private vehicle trips.</li> </ul>
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**29E.2.9 Infrastructure and Site Suitability**

PI	All development must be designed and constructed in accordance with the recommendations of a site-specific geotechnical assessment and include any necessary ground improvement works and specific foundation design.
P2	All development must include provision for Low Impact Design stormwater devices based on at least a two-step treatment train approach with the first step being included on the industrial lot.
RDI	Any development that does not comply with Rule 29E.2.9 PI or P2  (c) Councils discretion shall be restricted to the following matters: (iii) Extent of compliance with the Regional Infrastructure Technical Standards (RITS) (iv) Extent of compliance with any recommendations of a site-specific geotechnical assessment.

29E.3 Land Use - Building

(I) Rule 29E.3.1 provides permitted heights for buildings.

**29E.3.1 Building height**

PI	(a) The maximum height of a building must not exceed: (i) 17.5m
RDI	(a) Any building that does not comply with Rule 29E.3.1 PI (b) Council's discretion is restricted to the following matter: (i) effects on amenity.

**29E.3.2 Daylight Admission**

PI	(a) A building, structure, sign, or any stack or stockpile of goods or materials must not protrude through a height control plane rising at an angle of: (i) 45 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone; (ii) 37 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone between south-east or south-west of the building or stockpile. (iii) 30 degrees commencing at an elevation of 2.5m above ground level at any boundary along Lumsden Road.
RDI	(a) A building, structure, sign, or any stack or stockpile of goods or materials that does not comply with Rule 29E.3.2 PI (b) Council's discretion is restricted to the following matter: (i) effects on amenity.

**29E.3.4 Building setbacks**

(I) Rule 29E.3.4.1 provides the permitted building setbacks from boundaries

29E.3.4.1 Building setbacks

PI	(a) A building must be set back at least: <ul style="list-style-type: none"> <li>(i) 5m from a road boundary;</li> <li>(ii) 7.5m from any other boundary where the site adjoins another zone, and</li> <li>(iii) 15m from the boundary of Lumsden Road.</li> </ul>
RDI	(a) A building that does not comply with Rule 29E.3.4.1 PI. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) effects on amenity values;</li> <li>(i) effects on streetscape;</li> <li>(ii) traffic and road safety.</li> </ul>

29E.4 Subdivision

- (1) Rule 29E.4.1 – General provides for subdivision density.
- (2) Other subdivision provisions are contained in:
  - (a) Rule 29E.4.2 – Boundaries for Records of Title
  - (b) Rule 29E.4.3 – Road Frontage

29E.4.1 Subdivision - General

RDI	(a) Subdivision must comply with all of the following conditions: <ul style="list-style-type: none"> <li>(i) proposed lots must have a minimum net site area of 1000m<sup>2</sup>;</li> <li>(ii) proposed lots must have an average area of at least 2000m<sup>2</sup>; and</li> <li>(iii) no more than 20% rear lots are created.</li> <li>(iv) All subdivision must be in accordance with the Ohinewai Structure Plan</li> <li>(v) All lots must have building platforms that are above 8.3mRL (ground level).</li> <li>(vi) Subdivision must be staged in accordance with Table 29B.1 and the Staging Plan (Dwg No P19-176-1040-SK). All subdivision applications must include details of infrastructure that is to be constructed or upgraded prior to s224c approval of any lots in that stage and must be in accordance with the Staging Plan.</li> <li>(vii) All subdivision applications must include lighting design that is sensitive to bat habitat in accordance with any recommendations in any ERMP.</li> <li>(vi) Any subdivision must include an Integrated Transport Assessment (ITA) that assesses the levels of traffic generation from the development, confirms the staging and timing of transport infrastructure upgrades specified in Table 29B.1 and recommends any necessary mitigation measures.</li> </ul> (b) The Council's discretion shall be limited to the following matters: <ul style="list-style-type: none"> <li>(i) amenity values;</li> <li>(ii) the extent to which a range of business activities provided for can be accommodated.</li> <li>(iii) road network safety and efficiency, particularly at peak traffic times.</li> </ul>
D1	Subdivision that does not comply with a condition in Rule 29C.4.1 RD1.
D2	Any subdivision that is not in accordance with the Staging Plan (Dwg No P19-176-00-1040-SK) or the infrastructure upgrades in Table 29B.1, excluding Rule 29B.1.2 (b) or (c).
NC1	Any subdivision that is not in accordance with the Ohinewai Structure Plan.
NC2	Any subdivision that does not comply with Rule 29B.1.2 (b) or (c) in Table 29B.1 (bulk main connections to Huntly Wastewater Treatment Plant and WWater Treatment Plant).

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**29E.4.2 Subdivision – Boundaries for Records of Title**

RDI	<p>(a) Any <b>boundary</b> of a proposed lot must be located so that:</p> <ul style="list-style-type: none"> <li>(i) existing <b>buildings</b> comply with the permitted activity rules relating to setbacks and daylight admission, except to the extent of any non-compliance that existed lawfully prior to the subdivision; and</li> <li>(ii) no <b>contaminated land, heritage item</b>, archaeological site, or wetland is divided between any proposed lot.</li> </ul> <p>(b) Council's discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(i) amenity;</li> <li>(ii) effects on <b>contaminated land</b>;</li> <li>(iii) effects on any wetland;</li> <li>(iv) the extent to which a range of future <b>industrial activities</b> can be accommodated.</li> </ul>
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**29E.4.3 Subdivision - Road Frontage**

RDI	<p>(a) Any proposed <b>lot</b> must have a <b>road</b> frontage of least 15m.</p> <p>(b) <b>Rule 29E.4.3 (a)</b> does not apply to any proposed rear <b>lot</b> or to a proposed <b>access allotment</b>.</p> <p>(c) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) traffic effects; and</li> <li>(ii) amenity and streetscape.</li> </ul>
DI	<b>Subdivision that does not comply with Rule 29E.4.3 RDI</b>

**29E.4.4 Subdivision – Landscape Concept**

RDI	<p>All subdivision applications must include a Landscape Concept Plan that includes the following:</p> <ul style="list-style-type: none"> <li>(a) <u>Landscape concept design for all areas of open space and stormwater management areas;</u></li> <li>(b) <u>Details of landscape treatment of streets, footpaths and cycleways;</u></li> <li>(c) <u>Details of planting adjacent to Tahuna Road to screen views of industrial buildings;</u></li> <li>(d) <u>Details of plant types and species including eco-sourcing of plants from within the Meremere Ecological District;</u></li> <li>(e) <u>Use of indigenous species and landscape design that reflects cultural perspectives including food gathering species and those that support habitat for mahinga kai, indigenous birds and lizards;</u></li> <li>(f) <u>Details of ongoing maintenance plans to ensure the planting achieves acceptable establishment, survival and canopy closure targets;</u></li> <li>(g) <u>Identification of areas for public access and any areas that are not public and the legal mechanisms to secure and maintain public access;</u></li> <li>(h) <u>Details of any commemorative or other interpretation material communicating the history and significance of places and resources;</u></li> <li>(i) <u>Details of any tangata whenua inspired artwork or features;</u></li> <li>(j) <u>Evidence of consistency with any Ecological Rehabilitation and Management Plan; and</u></li> <li>(k) <u>Evidence of engagement with tangata whenua in preparation of the landscape concept plan, including how the outcomes of that engagement have been addressed.</u></li> </ul> <p><u>Council's discretion shall be restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li><u>i) effects on amenity values;</u></li> <li><u>ii) extent of consistency with any Ecological Rehabilitation and Management Plan;</u></li> <li><u>iii) extent of consistency with the Waikato District Council Park Strategy 2014 and the Urban Design Guidelines: Town Centres, 2018.</u></li> <li><u>iv) quantity, distribution and spacing of landscape planting and extent to which it will mitigate landscape, visual and amenity effects.</u></li> </ul>
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	<u>v)adequacy of maintenance plans.</u>
	<u>vi)extent of security and certainty of public access.</u>
	<u>vii)extent of recognition of cultural values</u>

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**29E.4.4 Subdivision – Stormwater Management**

<b>RDI</b>	<p><u>All applications for subdivision must be accompanied by a stormwater management report and plans. The report and plans must:</u></p> <ul style="list-style-type: none"> <li><u>(a) describe how the plans comply with any relevant discharge consent;</u></li> <li><u>(b) identify overland flow paths;</u></li> <li><u>(c) describe the nature and extent of any off-site stormwater management devices and how these devices are to be delivered if they are on land outside the application site including identification of land areas that are to be allocated to open space to maintain their stormwater function and the methods of protection of them for that purpose;</u></li> <li><u>(d) if stormwater devices are to be located below 8.05m RL, describe how these devices are to be designed to be resilient to flood-related damage while not exacerbating flood risks for upstream or downstream activities.</u></li> </ul> <p><u>Council's discretion shall be restricted to the effects of any inconsistency with any discharge consent and the methods of accessing and maintaining stormwater devices.</u></p>
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