

## Ohinewai Precinct

### Chapter 6: Infrastructure and Energy

#### Proposed Waikato District Plan

#### Stage 1



#### Explanatory Notes

In this version dated 23 December 2020;

Black text is the version of the Proposed District Plan recorded in s42A Rebuttal reports, except for Chapters 6 and 14 which are the s42A recommendation versions, Chapter 10 which relies on the Commissioners minute and directions dated 25 June 2020 and Chapter 15 which is the notified version of Stage 2 (Natural Hazards and Climate Change). References to the various source documents are at the end.

Red text underlined or strikethrough is text included in the 30 October 2020 version of the plan provisions circulated to the other parties to Hearing 19 – Ohinewai on 30 October 2020.

Blue text underlined is text added or amended as a result of amendments sought by parties in their documents circulated on 13 November 2020 or by subsequent discussions with the parties.

Comments boxes record the source of the blue text amendments and where appropriate a brief explanation.

Items that are not agreed or where there is uncertainty over agreement are identified by comments boxes that are highlighted **yellow**.

Note that highlighted Proposed District Plan text originates from the notified versions of the Plan.

The chapters included in this document are;

Chapter 6 Infrastructure and Energy

Chapter 10 Hazardous Substances and Contaminated Land

Chapter 13 Definitions

Chapter 14 Infrastructure and Energy

Chapter 15 Natural Hazards and Climate Change

Chapter 29 Ohinewai Precinct

Appendix 13 Ohinewai Precinct Plans, comprising;

- Figure 29B.1; Ohinewai Structure Plan
- Figure 29B.2; Ohinewai Business Area Structure Plan
- Figure 29B.3; Staging Plan
- Figures 29B.4 and 29B.5; Typical Road Cross-sections

A copy of the Zoning Plan identifying the areas to be rezoned on the Planning Maps

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## Chapter 6: Infrastructure and Energy

### 6.1 General Infrastructure

In addition to Sections 6.2, 6.3, 6.4 and 6.5, the following objectives and policies apply, unless otherwise stated.

#### 6.1.1 Objective – Development, operation and maintenance of infrastructure

(a) Infrastructure is developed, operated and maintained and upgraded to enhance social, economic, cultural and environmental well-being.

#### 6.1.2 Policy - Development, operation and maintenance

- (a) Provide for the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure throughout the district 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 sites;
  - (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;
  - (vii) The need for physical access to infrastructure.

#### 6.1.3 Policy - Technological advances

- (a) Provide flexibility for infrastructure operators to adopt new technologies that:
- (i) Improve access to, and efficient use of, infrastructure, networks and services;
  - (ii) Allow for the reuse of redundant services and infrastructure and structures;
  - (iii) Increase resilience, safety or reliability of infrastructure, networks and services;
  - (iv) Result in environmental benefits and enhancements; or
  - (v) Promote environmentally sustainable outcomes including green infrastructure and the increased utilisation of renewable resources.

#### 6.1.4 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.
- (b) Have particular regard to the benefits that the use and development of renewable energy provide.

### **6.1.5 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.

### **6.1.6 Objective –Adverse Effects on Infrastructure**

- (a) Infrastructure is protected from reverse sensitivity effects, and its construction, operation, maintenance, repair, replacement and upgrading is not compromised.

### **6.1.7 Policy –Adverse Effects on infrastructure**

- (a) Avoid reverse sensitivity effects on infrastructure from subdivision, use and development as far as reasonably practicable, and ensure that the construction, operation, maintenance, repair, replacement and upgrading of infrastructure are not compromised.

### **6.1.8 Objective – Infrastructure in the community and identified areas**

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

### **6.1.9 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.

### **6.1.10 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, historic heritage or economic reasons that require the infrastructure to be above ground.

### **6.1.11 Policy – Co-location of compatible facilities**

- (a) Encourage compatible infrastructure sharing of location or facilities where operational advantages can be achieved and adverse effects are avoided, remedied or mitigated.

### **6.1.12 Policy – Future growth areas**

- (a) Require infrastructure services to be planned, developed and co-ordinated with development to ensure it can be extended to future growth areas where and when appropriate.

### **6.1.13 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.

#### **6.1.14 Policy – Water conservation**

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

#### **6.1.15 Policy- Regionally Significant Infrastructure**

- a. Have particular regard to the benefits that can be gained from the development and use of regionally significant infrastructure (as defined in the Waikato Regional Policy Statement 2016); and
- b. Protect the effectiveness and efficiency of existing and planned regionally significant infrastructure.

### 6.2 Energy

#### **6.2.1 Objective – Renewable energy**

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

#### **6.2.2 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.

#### **6.2.3 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.

#### **6.2.4 Policy – Future renewable electricity**

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

#### **6.2.5 Objective – Non-renewable energy**

- (a) Non-renewable energy resources and electricity generation are recognised within the district.

#### **6.2.6 Policy – Recognise non-renewable energy resources**

- (a) Recognise the actual and potential contribution to national energy production from non-renewable electricity resources.

### 6.3 Infrastructure, Subdivision and Development

#### **6.3.1 Objective – Integration of infrastructure with subdivision, land use and development**

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

### **6.3.2 Policy – Provide adequate infrastructure**

- (a) Ensure adequate provision of infrastructure, including land transport networks, where land is subdivided creating one or more additional lots, excluding reserve or non-housing conservation lots, access and utility allotments, or its use significantly changed or intensified, needing additional or upgraded infrastructure.

### **6.3.3 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 management);
  - (ii) Telecommunication services;
  - (iii) Electricity services; and
  - (iv) Adequate water supply within urban areas for firefighting purposes.

### **6.3.4 Policy – Land transport network**

- (a) Avoid effects of subdivision, use and development that would compromise:
  - (i) The road function, as specified in the road hierarchy.
  - (ii) The access by emergency services and their vehicles; and
  - (iii) The safety and efficiency, including the maintenance, upgrading, development and operation of the land transport network.

### **6.3.5 Objective – Stormwater, drainage and flood management**

- (a) The hydrological characteristics of the natural drainage processes are retained where new subdivision, development or land use is proposed.
- (b) Recognise the importance to the economic and social well-being of the district and the essential nature of regional flood management infrastructure so as to provide for its development, operation and maintenance.
- (c) Regional flood management infrastructure is provided in a manner that:
  - (i) Does not adversely affect the health and safety of the people of the district
  - (ii) Avoids, remedies or mitigates any adverse effects on the natural and physical resources
  - (iii) Is sensitive to the amenity values of the district, and relevant cultural or spiritual values
  - (iv) Is efficient.

### **6.3.6 Policies – Stormwater, drainage and flood management**

- (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 at-source management;
  - (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 adjacent land or flood plains;
  - (vi) Provides a stormwater catchment management plan for future urban development;
  - (vii) Promotes clean water reuse and groundwater recharge where practicable;



- (viii) Avoids, remedies or mitigates the generation of contaminants from urban development, particularly from high contaminant generating car parks and high use roads; and
- (ix) Is supported by a stormwater management plan.
- (b) Protect the continuing operation of existing regional flood management infrastructure from the adverse effects of other activities. In particular consideration shall be given to:
  - (i) Maintaining and enhancing the operational efficiency, effectiveness, viability and safety of regional flood management infrastructure
  - (ii) Protecting investment in existing regional flood management infrastructure
  - (iii) Retaining the ability to maintain and upgrade regional flood management infrastructure.

## 6.4 Transport

### 6.4.1 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, upgrading and operation of the transport network are avoided, remedied or mitigated.
  - (iii) Strategic road and rail corridors play an important role in the district for facilitating the movement of inter and intra-regional freight;
  - (iv) There is an effective and efficient land transport system that enhances economic well-being, and supports growth and productivity within the Waikato region and upper North Island.

### 6.4.2 Policy – Construction, maintenance, upgrading and operation of the land transport network

- (a) Provide for the construction, maintenance, upgrading and operation of an efficient, effective, integrated, safe, resilient, accessible and sustainable 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) Safe and accessible provision for pedestrians and cyclists to maximise accessibility, including off-road facilities and connections.
  - (v) Corridor and carriageway design which enables provision of public transport
  - (vi) Provision for other infrastructure, including where suitable low impact design stormwater facilities;
  - (vii) Managing the installation of new at grade road and pedestrian rail level crossings by:
    - 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.
  - (ix) Protection and promotion of the development of the regional rail network for the transportation of freight;

- (x) Development of efficient processes and freight routes for the movement of high productivity motor vehicles through the region.

#### **6.4.3 Policy – Road hierarchy and function**

- (a) Establish a road hierarchy and categorise roads in the district in accordance with their function.
- (b) Adopt the one network approach to ensure ‘whole of journey’ people and goods movements within the region.
- (c) Protect the function of roads as identified in the road hierarchy from the adverse effects of subdivision, use and development.

#### **6.4.4 Policy – Road standards**

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

#### **6.4.5 Policy - Land transport safety**

- (a) Ensure that structures, vehicle access, 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.

#### **6.4.6 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.

#### **6.4.7 Policy – Vehicle access**

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

#### **6.4.8 Policy – Land transport network infrastructure**

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

(v) Design, alignment and dimension of new roads will accommodate installation of network infrastructure in accordance with technical and safety specification.

# Chapter 10: Hazardous Substances and Contaminated Land

Proposed Waikato District Plan

Stage 1



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## Chapter 10: Hazardous Substances and Contaminated Land

### 10.1 Hazardous Substances

#### 10.1.1 Introduction

Hazardous substances are used in a wide range of activities within the Waikato District. These activities can include industrial operations, petrol stations, emergency services facilities, workshops, agricultural and horticultural activities, and some occupations that are carried out from home. While the use, storage and disposal of hazardous substances allows people to provide for their social and economic wellbeing and their health and safety, such activities also create potential for adverse effects on human health and property and the wider environment.

The use of hazardous substances in New Zealand is primarily managed by the Hazardous Substances and New Organisms Act 1996 (HSNO), the Health and Safety at Work Act 2015 (HSW) and relevant regulations. The purpose of the HSNO and HSW legislation is to 'protect the environment and the health and safety of people and communities by preventing or managing the adverse effects of hazardous substances and new organisms'. The HSNO Act is administered by the Ministry for the Environment and implemented by the Environmental Protection Authority. The HSNO Act provides the general framework for controlling hazardous substances during their entire life-cycle. Requirements apply from manufacturing or importing a substance, through its use, to disposal. The HSW Act is administered by WorkSafe New Zealand.

The District Plan seeks to avoid duplication of other hazardous substances legislation and regulations. The provisions of this chapter are, therefore, designed to manage relevant effects of use, storage, or disposal of hazardous substances, where those effects are not appropriately controlled by existing legislation and regulations.

#### 10.1.2 Objective

To protect the community and natural environment from the adverse effects associated with the manufacture, use, storage or transportation of hazardous substances.

#### 10.1.3 Objective

To enable activities to utilise hazardous substances where necessary for their operations, in appropriate locations.

#### 10.1.4 Policy

To ensure that activities are able to utilise hazardous substances in compliance with relevant regulation as necessary to their operation, without being compromised by 'reverse sensitivity' (that is, by residential or other sensitive activities moving closer and seeking higher amenity levels, including reduced risks from hazardous substances).

#### 10.1.5 Policy

Ensure that major hazard facilities are appropriately sited and managed in order to reduce risks to the environment and community.

**10.1.6 Objective**

To avoid any unnecessary duplication of regulation between the Hazardous Substances and New Organisms Act 1996, the Health and Safety at Work Act 2015 and relevant regulations, and the District Plan.

**10.1.7 Policy**

To regulate the use, storage or transportation of hazardous substances, only where adequate levels of community and environmental protection is not already provided by the Hazardous Substances and New Organisms Act 1996 or other legislation and regulation.

**10.2 Contaminated Land**

**10.2.1 Objective – Contaminated land**

- (a) The subdivision, use and development of contaminated land is managed to protect human health and the environment.

**10.2.2 Policy – Managing the use of contaminated land**

- (a) Contaminated land is managed or remediated to ensure that contaminants are at a level acceptable for the proposed land use.
- (b) Disposal of contaminated soil must be carried out in a manner that avoids further adverse effects on human health or on the environment.
- (c) Use or development of contaminated land must not damage or destroy any contaminant containment works, unless comparable or better containment is provided, or monitoring demonstrates that the containment is no longer required.
- (d) Ensure that the use, subdivision and development of contaminated land management approaches include:
  - (i) undertaking a site investigation of any land identified as actually or potentially contaminated, prior to any new subdivision or change of use of land, that could result in an increase in any adverse effects from the contamination of a piece of land;
  - (ii) remedial action plans;
  - (iii) site validation reports,
  - (iv) site management plans as appropriate for identifying, monitoring and managing contaminated land.

**10.3 Rules for Hazardous Substances**

**Rule 10.3.1 Hazardous Substances**

<b>RULE</b>	<b>LAND USE ACTIVITIES</b>
<b>PI</b>	The storage, handling or use of hazardous substances except where Rule 10.3.1 DI, or Rule 10.3.1 NCI applies.

<b>DI</b>	<p>The storage, handling or use of hazardous substances in a Major Hazard Facility <a href="#">in the Ohinewai Precinct Industrial Zone and Ohinewai Precinct Business Zone</a>.</p> <p>Council's assessment under this rule may include, but is not limited to:</p> <p>A risk assessment, that addresses:</p> <ul style="list-style-type: none"> <li>(a) The probability and potential consequences of an accident leading to the release or loss of control of hazardous substances. This assessment should focus on the ability of the design and management of the site to avoid accidents, such as spill containment measures, fire safety and fire water management, emergency management, site drainage and off-site infrastructure (e.g. stormwater drainage system, sewer type and capacity) and the disposal of waste containing hazardous substances.</li> <li>(b) Potential risks and effects on people and neighbouring activities, with an emphasis on sensitive activities such as residential activities, educational facilities and community facilities.</li> <li>(c) Potential risks and effects on natural ecosystems and the life supporting capacity of land and water, waterbodies and sources of potable water.</li> <li>(d) Potential risks and effects on sites of significance to tangata whenua.</li> <li>(e) The potential for natural hazards to impact on the operation of the hazardous facility.</li> <li>(f) The potential for cumulative adverse effects of hazardous substances.</li> <li>(g) The extent to which alternative sites have been considered, and the reasons for selecting the site under consideration.</li> </ul>
<b>NCI</b>	Major hazard facility in the <a href="#">Ohinewai Precinct</a> Residential Zone.



## Chapter 13: Definitions

Proposed Waikato District Plan

Stage 1

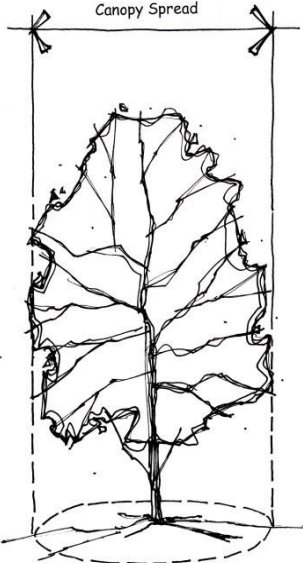


Definition	Meaning
<b>A</b>	
<b>Accessible</b>	Means able to be easily accessed by all members of the community, including those with sight and mobility impairment.
<b>Access allotment</b>	Means an allotment used only for access to, and provision of, services to other Records of Title.
<b>Accessory building</b>	Means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on that same site, but does not include a minor residential unit.
<b>Adjoining site</b>	Means any other site sharing any length of boundary with the subject site, but does not include a site across a road, service lane, or private way, unless specifically stated in the context.
<b>Allotment</b>	<p>Has the same meaning as in section 218 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <ul style="list-style-type: none"> <li>a. any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not— <ul style="list-style-type: none"> <li>i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or</li> <li>ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or</li> </ul> </li> <li>b. any parcel of land or building or part of a building that is shown or identified separately— <ul style="list-style-type: none"> <li>i. on a survey plan; or</li> <li>ii. on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or</li> </ul> </li> <li>c. any unit on a unit plan; or</li> </ul> <p>any parcel of land not subject to the Land Transfer Act 1952.</p> </div>
<b>Ancillary activity</b>	Means an activity that supports and is subsidiary to a primary activity.
<b>Ancillary equipment</b>	Means telecommunications, radiocommunications, electrical or similar equipment which is necessary to install within a facility to enable the facility to operate as intended, but not a self-contained power unit or a lightning rod.

<b>Annual exceedance probability or AEP</b>	<p>Means the probability of an event of a specified size occurring or being exceeded in any one year. The probability is expressed as a percentage and in respect to flooding generally refers to storm events of a particular magnitude occurring in any given year. For example;</p> <ul style="list-style-type: none"> <li>• A 1% AEP has a 1% chance of occurring in any one year, or is a 1 in 100-year flood event;</li> <li>• A 2% AEP has a 2% chance of occurring in any one year, or is a 1 in 50-year flood event;</li> <li>• A 5% AEP has a 5% chance of occurring in any one year, or is a 1 in 20-year flood event.</li> </ul>
<b>Antenna</b>	Means a device that receives or transmits radiocommunication or telecommunication signals, but not a small cell unit.
<b>Apartment</b>	Means a building, or part of a building, that contains three or more attached residential units.
<b>B</b>	
<b>Biodiversity</b>	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.
<b>Boundary</b>	<p>Means in relation to:</p> <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 exclusive use area; and</li> <li>(c) unit titles - the boundary of the accessory unit associated with the principal unit.</li> </ul>
<b>Boundary adjustment</b>	Means a <i>subdivision</i> that alters the existing boundaries between adjoining allotments, without altering the number of allotments.
<b>Building</b>	<p>means a temporary or permanent, movable or immovable physical construction that is:</p> <ul style="list-style-type: none"> <li>a. partially or fully roofed, and</li> <li>b. is fixed or located on or in land, but</li> <li>c. excludes any motorised vehicle or other mode of transport that could be moved under its own power.</li> </ul>
<b>Building coverage</b>	Means the percentage of the net site area <del>which is covered by any</del> the building footprint.
<b>Building footprint</b>	means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.

<b>Building platform</b>	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>	
<b>Cabinet</b>	Means a casing around equipment that is necessary to operate a telecommunication network.  It excludes the following:  (a) a casing around an antenna; (b) a small cell unit; (c) ancillary equipment; (d) any part of a telecommunication line; (e) a casing that is wholly underground; (f) a casing that is inside a building; or (g) a building.
<b>Childcare facility</b>	Means any land or buildings used for the care or training of predominantly pre-school children and includes a Playcentre, kindergarten or daycare.  It excludes:  (a) children residing overnight on the property; and (b) a school.
<b>Cleanfill material</b>	Means virgin excavated natural <del>inert</del> materials, including clay, gravel, sand, soil, <del>sand</del> , aggregate (rock) that are free of:  (a) combustible, putrescible, degradable or leachable components; (b) hazardous substances and materials; (c) products and materials derived from hazardous waste treatment, stabilization or disposal practices; (d) products or materials derived from the treatment, disposal or stabilisation of hazardous waste; (e) medical and veterinary wastes, asbestos, and radioactive substances; and/or (f) liquid wastes.
<b>Commercial activity</b>	Means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).
<b>Communal service court</b>	Means an area of outdoor space for three or more residential units for the communal use of garbage storage, refuse and recycling materials, excluding any space required for an outdoor living space <del>living court</del> , parking, manoeuvring, or buildings.
<b>Community facility</b>	Means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any <i>ancillary activity</i> that assists with the operation of the community facility.

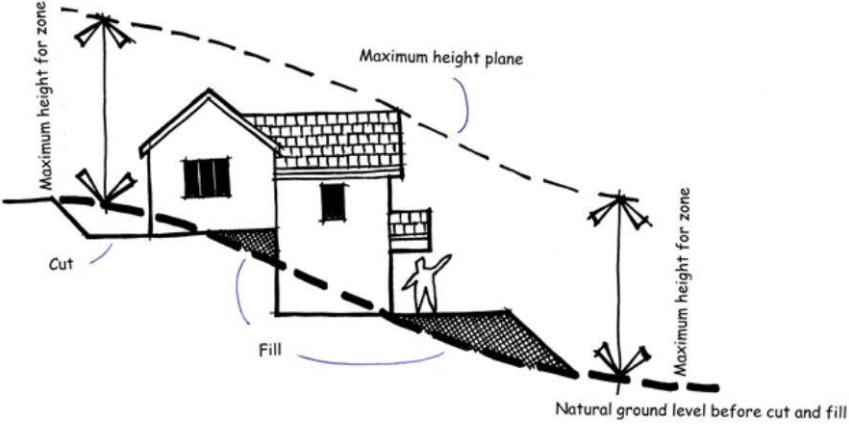
<b>Community-scale electricity generation</b>	Means renewable electricity generation for the purpose of supplying an immediate community (more than one site).
<b>Community-scale wastewater system</b>	Means a wastewater treatment system for the purpose of treating wastewater from more than one site. It does not include a wastewater system which is connected to a public, reticulated wastewater network.
<b>Contaminated land</b>	Has the same meaning as in section 2 of the RMA-(as set out in the box below)  <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>means land that has a hazardous substance in or on it that—</p> <ul style="list-style-type: none"> <li>(a) has significant adverse effects on the environment; or</li> <li>(b) is reasonably likely to have significant adverse effects on the environment.</li> </ul> </div>
<b>Contiguous</b>	Means abutting or touching at any point, e.g.  <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin: 5px;">Site 1</div> <div style="border: 1px solid black; padding: 5px; margin: 5px;">Site 2</div> </div> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin: 5px;">Site 1</div> <div style="border: 1px solid black; padding: 5px; margin: 5px;">Site 2</div> </div>
<b>Continuous landholding</b>	Means multiple adjoining Records of Title in the same ownership, including titles that are only separated by a road.
<b>Cumulative risk</b>	Means in the context of hazardous substances, the risk posed by a hazardous facility added to or multiplied, or otherwise accumulated by risk from other facilities.
<b>D</b>	
<b>Design Speed</b>	Means a speed fixed for the design of those geometric features of a carriageway that influence vehicle operation. Design speed is the 85 <sup>th</sup> percentile speed of traffic through that geometric feature. These can either be measured or estimated (Austroads design guides or similar).
<b>Development</b>	<a href="#">Means any activity undertaken to change the scale, character or intensity of any use of land, and includes any building activity</a> <a href="#">[101]</a> .

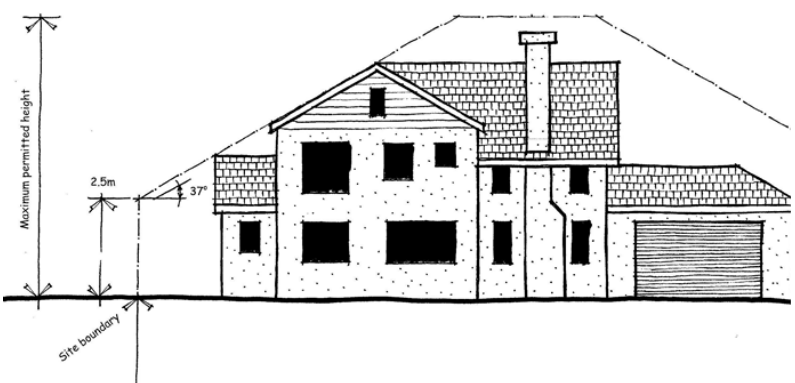
<b>Dripline</b>	<p>Means the ground beneath the foliage of a tree.</p> 
<b>Duplex</b>	<p>Means two attached residential units, including two units connected by an accessory building, such as a garage or a carport.</p>
<b>E</b>	
<b>Earthworks</b>	<p>Means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, <i>cultivation</i>, and disturbance of land for the installation of fence posts.</p>
<b>Educational facility</b>	<p>Means land or buildings used for teaching or training by childcare services, schools, and tertiary education services, including any <i>ancillary activities</i>.</p>
<b>Emergency generator</b>	<p>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.</p>
<b>Emergency services</b>	<p>Means the New Zealand Police, Fire and Emergency New Zealand, and hospital and emergency services.</p>
<b>Emergency service facility</b>	<p>Means a fire station, ambulance station or emergency coordination facility.</p>
<b>Emergency services training and management activities</b>	<p>Means the training activities, operational support and other non-emergency activities undertaken by the New Zealand Police, Fire and Emergency New Zealand, and hospital and ambulance services.</p>
<b>Environment</b>	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p>

	<p>includes—</p> <ul style="list-style-type: none"> <li>a. ecosystems and their constituent parts, including people and communities; and</li> <li>b. all natural and physical resources; and</li> <li>c. amenity values; and</li> <li>d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.</li> </ul>
<b>F</b>	
<b>Farming noise</b>	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.
<b>Controlled fill material</b>	Means predominantly clean fill material that may also contain inert construction and demolition materials and soils from sites that may have contaminant concentrations in excess of local background concentrations, but with total concentrations that will not restrict future land use.
<b>Flood plain</b>	Means the area that catchment flows cover when stream channel conveyance is exceeded. It is normally recognised as an area that becomes inundated in storms up to and including a 1 in 100-year runoff event.
<b>Functional need</b>	Means 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>	
<b>Grid layout</b>	Means an interconnecting system of roads, blocks and allotments, laid out in a predominantly rectilinear pattern.
<b>Gross floor area</b>	<p>Means the sum of the total area of all floors of a building (including any void area in each of these floors, such as service shafts, liftwells or stairwells),</p> <ul style="list-style-type: none"> <li><u>i.</u> where there are exterior walls, measured from the exterior faces of those exterior walls,</li> <li><u>ii.</u> ii, where there are walls separating two buildings, measured from the centre lines of the walls separating the two buildings,</li> <li><u>iii.</u> iii, where a wall or walls are lacking (for example a</li> </ul>

	<p>mezzanine floor, and the edge of the floor is discernible, measured from the edge of the floor.</p> <p>GFA has the same meaning.</p>
<b>Gross leasable floor area</b>	<p>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:</p> <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>Ground level</b>	<p>means—</p> <ul style="list-style-type: none"> <li>a. the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created)</li> <li>b. if the ground level cannot be identified under paragraph (a), the existing surface level of the ground</li> <li>c. if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary.</li> </ul>
<b>H</b>	
<b>Habitable building</b>	<p>Habitable building means a building that contains one or more habitable rooms.</p>
<b>Habitable room</b>	<p>Habitable room means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.</p>
<b>Hauora</b>	<p>Means a facility for the care and welfare of people inclusive of a medical practitioner and persons involved in alternative forms of medicine.</p>
<b>Hazard</b>	<p>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.</p>
<b>Hazardous facility</b>	<p>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.</p>



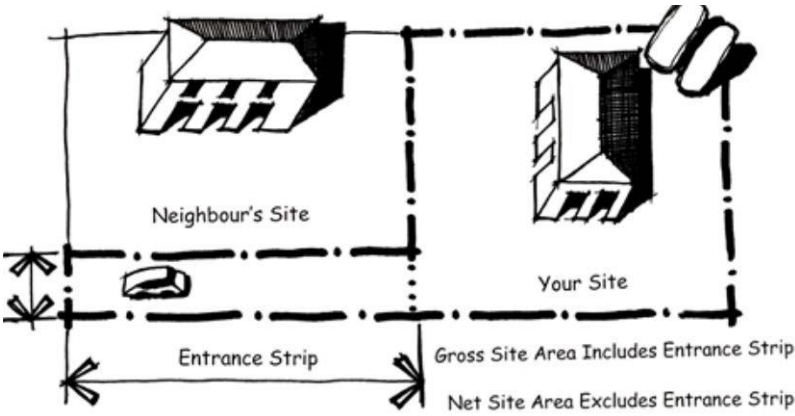
<b>Hazardous substance</b>	Has the same meaning as in section 2 of the Resource Management Act 1991.
<b>Hazardous waste</b>	Means any waste that contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) 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.
<b>Health facility</b>	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.
<b>Heavy vehicle</b>	Means: (a) a 'Single Unit Heavy Goods Vehicle' (being a motor vehicle comprising a single unit having a gross laden weight exceeding 3500kg); or a 'Multi-Unit Heavy Goods Vehicle' (being a motor vehicle comprising more than one unit, having a gross laden weight exceeding 3500kg).
<b>Height</b>	<p>Means, the vertical distance between a specified reference point and the highest part of any feature, structure, or building above that point</p> 
<b>Height in relation to boundary</b>	means the height of a structure, building or feature, relative to its distance from either the boundary of a: <ol style="list-style-type: none"> <li>site, or</li> <li>their specified reference point.</li> </ol>

	 <p>The diagram shows a cross-section of a house with a gabled roof. A vertical line on the left indicates the 'Maximum permitted height' from the ground level to the peak of the roof. A horizontal line is drawn 2.5m above the ground level. The roof slope is labeled as 37°. A vertical line marks the 'Site boundary'.</p>
<b>Home occupation</b>	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.
<b>Homestay</b>	Means accommodation provided to guests who pay a daily tariff to stay in a home with the permanent occupants of the household.
<b>I</b>	
<b>Impervious surface</b>	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.
<b>Indigenous vegetation</b>	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.
<b>Industrial activity</b>	means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any <i>ancillary activity</i> to the industrial activity.
<b>Informal recreation</b>	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 accessory buildings necessary for the maintenance of the park.
<b>Infrastructure</b>	Means:  (a) pipelines that distribute or transmit natural or

	<p>manufactured gas, petroleum, biofuel or geothermal energy;</p> <p>(b) a network for the purpose of telecommunication, as defined in section 5 of the Telecommunications Act 2001;</p> <p>(c) a network for the purpose of radiocommunication, as defined in section 2(1) of the Radiocommunications Act 1989;</p> <p>(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:</p> <ol 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> </ol> <p>(e) a water supply distribution system, including a system for irrigation;</p> <p>(f) a drainage or sewerage system;</p> <p>(g) structures for transport on, under or over land by cycle ways, rail, roads, walkways, or any other means;</p> <p>(h) facilities for the loading or unloading of cargo or passengers transported on land by any means;</p> <p>(i) an airport as defined in section 2 of the Airport Authorities Act 1966;</p> <p>(j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990;</p> <p>(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</p> <p>(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.</p>
<b>J</b>	
<b>K</b>	
<b>L</b>	
<b>Land transport network</b>	Means the network used for the land-based transportation of people and /or goods including by road, rail, cycling, walking and public transport.
<b>Living accommodation</b>	For the purposes of a residential activity, includes one or more residential units for: <p>(a) emergency and refuge accommodation,</p>

	<p>(b) accommodation for supervision staff and residents, where residents are subject to care or supervision (e.g. homes for people with disabilities),</p> <p>(c) home detention (as defined in the Criminal Justice Act 1985), but not prisons or other places where residents are subject to detention,</p> <p>(d) workers accommodation.</p>
<b>Lot</b>	Means the same as allotment.
<b>Low impact design (LID)</b>	Means a design approach for site and catchment development or re-development that protects and conserves and incorporates natural site features into stormwater management design and implementation.
<b>M</b>	
<b>Major hazard facility</b>	<p>Means any facility which involves one or more following activities:</p> <ul style="list-style-type: none"> <li>(a) Manufacturing and associated storage of hazardous substances (including industries manufacturing agrochemicals, fertilisers, acids / alkalis or paints).</li> <li>(b) Oil and agas exploration and extraction facilities.</li> <li>(c) Purpose built bulk storage facilities for the storage of hazardous substances (other than petrol, diesel or LPG) for wholesale or restricted commercial supply.</li> <li>(d) The storage/use of more than 100,000L of petrol.</li> <li>(e) The storage/use of more than 50,000L of diesel.</li> <li>(f) The storage/use of more than 6 tonnes of LPG.</li> <li>(g) Galvanising plants.</li> <li>(h) Electroplating and metal treatment facilities.</li> <li>(i) Tanneries.</li> <li>(j) Timber treatment.</li> <li>(k) Freezing works and rendering plants.</li> <li>(l) Wastewater treatment plants.</li> <li>(m) Metal smelting and refining (including battery refining or recycling).</li> <li>(n) Milk treatment plants.</li> <li>(o) Fibreglass manufacturing.</li> <li>(p) Polymer foam.</li> <li>(q) Asphalt/bitumen manufacture or storage.</li> <li>(r) Landfills.</li> </ul> <p>For the avoidance of doubt, the following activities are not considered to be major hazard facilities:</p> <ul style="list-style-type: none"> <li>(i) The incidental use and storage of hazardous substances in minimal domestic scale quantities.</li> </ul>

	<ul style="list-style-type: none"> <li>(ii) Retail outlets for hazardous substances intended for domestic usage (e.g. supermarkets, hardware stores and pharmacies).</li> <li>(iii) The incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities.</li> <li>(iv) Pipelines used for the transfer of hazardous substances such as gas, oil, trade waste and sewage.</li> <li>(v) Fuel in motor vehicles, boats, airplanes and small engines.</li> </ul>
<b>Minor residential unit</b>	Means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.
<b>Minor infrastructure structure</b>	Means any above-ground box-like structure or enclosure associated with infrastructure or that receives or transmits to or from any part of an infrastructure 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 height); and</li> <li>(i) link pillars.</li> </ul>
<b>Minor upgrading of existing infrastructure</b>	Means an increase in the capacity, efficiency or security of existing infrastructure where this utilises existing structures and networks and/or structures and networks of a similar scale and character.
<b>Motorised vehicle and vehicle</b>	Means any motorised vehicle or vehicle (including a vehicle or motor vehicle as defined in section 2 of the Land Transport Act 1998). It excludes an immovable vehicle that is occupied by people on a permanent or long-term basis.
<b>Multi-unit development</b>	Means multiple residential units or buildings, being attached or detached, which are planned and designed in an integrated in a comprehensive manner, and achieve compatibility between all buildings on a single or multiple sites. It includes: <ol style="list-style-type: none"> <li>1. an apartment;</li> <li>2 a duplex;</li> <li>3. terraced housing; and</li> </ol>

	<p>4. town houses.</p> <p>It excludes:</p> <ol style="list-style-type: none"> <li>1. retirement villages;</li> <li>2. papakainga housing development; and</li> <li>3. papakainga building.</li> </ol>
<b>N</b>	
<b>Neighbourhood centre</b>	Means a single or small grouping of commercial activities that service the day-to-day needs of the local community. Neighbourhood centres are identified in structure plans or masterplans.
<b>Net site area</b>	<p>Means the area of the site, but excludes:</p> <ol style="list-style-type: none"> <li>(a) any part of the site that provides legal access or access leg to another site;</li> <li>(b) any of a rear site that provides legal access to that site;</li> <li>(c) any part of the site used to access the site;</li> <li>(d) any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.</li> </ol>  <p style="text-align: center;">Gross Site Area Includes Entrance Strip Net Site Area Excludes Entrance Strip</p>
<b>Network utility operator</b>	Has the same meaning as in s166 of the Resource Management Act 1991.
<b>Noise-sensitive activity</b>	<p>Means the following:</p> <ol style="list-style-type: none"> <li>(a) buildings used for residential activities, including boarding establishments, retirement villages, papakainga housing development visitor accommodation, and other buildings used for residential accommodation but excluding camping grounds;</li> <li>(b) marae and marae complex;</li> <li>(c) hospitals;</li> <li>(d) teaching areas and sleeping rooms in an educational facility;</li> <li>(e) places of assembly.</li> </ol>

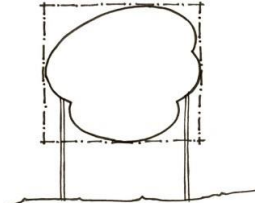
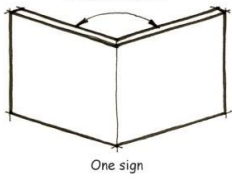

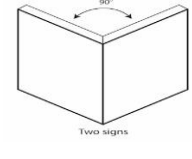
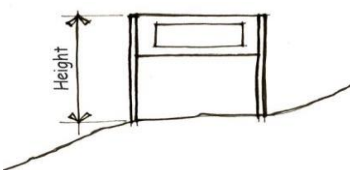
<b>Non-habitable building</b>	Non-habitable building means a building that does not contain one or more habitable rooms.
<b>Notional boundary</b>	Means a line 20 metres-from any side of a residential unit or a other building used for a noise sensitive activity, or the legal site boundary where this is closer to such a building.
<b>O</b>	
<b>Office</b>	Means premises used for an administrative or professional services where people work primarily sitting at desks, for example accounting or legal services.
<b>Operational need</b>	Means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.
<b>Outdoor living space</b>	Means an area of open space for use of the occupants of the residential unit or units to which the space is allocated.
<b>Overland flow path</b>	Means a route taken by stormwater runoff not captured in a reticulated or natural stormwater system. It includes a primary or secondary stormwater flow path.
<b>P</b>	
<b>Place of assembly</b>	Means land and/or buildings used principally for the public or private assembly of people for recreation activities, cultural activities or entertainment activities. It includes community centres and halls.
<b>Public amenity</b>	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.
<b>Public floor area</b>	Means the under-cover floor area usually accessible by the public.
<b>Public transport facility</b>	Means land and/or buildings 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>	
<b>Record of Title</b>	Means a record of title issued pursuant to section 12 of the Land Transfer Act 2017. Where more than one record of title is issued under that section for multiple concurrent interests in the same parcel

	<p>of land (including for example a lease, or for an undivided share in the land), Record of Title includes, for the purposes of this plan, all records of title issued in respect of the same parcel of land, as if only one record of title had issued.</p> <p>Where the context requires, Record of Title includes the land comprised in that record of title.</p>
<b>Real estate sign</b>	Means a real estate sign advertising a property or business for sale, for lease, or for rent.
<b>Rear Record of Title</b>	Means an allotment 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.
<b>Renewable electricity generation activities</b>	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 national grid and electricity storage technologies associated with renewable electricity.
<b>Reservoir</b>	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 site.
<b>Residential activity</b>	Means the use of land and buildings for people's living accommodation.
<b>Residential unit</b>	Means a building(s) or part of a building(s) that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.
<b>Residual risk</b>	Means the remaining level of risk after risk control measures have been taken.
<b>Retirement village</b>	Means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.
<b>Risk</b>	Means in respect of any hazardous substance, 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.



<b>Risk assessment</b>	Means the overall process of risk identification, risk analysis and risk evaluation.
<b>Road network activities</b>	<p>Means road infrastructure 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;</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> <li>(p) wastewater and water supply management structures.</li> </ul> <p>Rail activities, as defined in the Land Transport Management Act 2003, within the rail corridor shall have the same meaning and activity status as road network activities within the road.</p>
<b>S</b>	

<b>Self-contained power unit</b>	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.
<b>Sensitive land use</b>	Means: <ul style="list-style-type: none"> <li>(a) an education facility, including a childcare facility, waananga and koohanga reo;;</li> <li>(b) a residential activity, including papakainga building, retirement village, visitor accommodation, student accommodation, home stay;;</li> <li>(c) health facility or hospital;</li> <li>(d) place of assembly.</li> </ul>
<b>Service connection</b>	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.
<b>Service court</b>	Means an area of outdoor space for the exclusive use of the residential unit for domestic requirements, such as garbage storage and clothes line, but excludes any space required for outdoor living space, parking, manoeuvring, or buildings.
<b>Service station</b>	Means land and buildings used for the sale of motor vehicle fuels and can include the following ancillary activities: <ul style="list-style-type: none"> <li>(a) retail</li> <li>(b) administrative, storage and ablution facilities;</li> <li>(c) car wash facilities;</li> <li>(d) mechanical repair, servicing and testing of motor vehicles;</li> <li>(e) sale of lubricating oils, kerosene, LPG, or spare parts and accessories for motor vehicles; and</li> <li>(f) trailer hire.</li> </ul>
<b>Sign</b>	Means any device, character, graphic or electronic display whether temporary or permanent; which <ul style="list-style-type: none"> <li>a. is for the purposes of:- <ul style="list-style-type: none"> <li><u>i.</u> identification of or provision of information about any activity, property or structure or an aspect of public safety;</li> <li><u>ii.</u> providing directions; or</li> <li><u>iii.</u> promoting goods, services or events; and</li> </ul> </li> <li><u>b.</u> is projected onto, or fixed or attached to, any, structure or natural object; and</li> <li><u>c.</u> includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice.</li> </ul>

	<p>Sign Dimensions are calculated by measuring the rectangular area which encloses the uneven shaped sign.</p>  <p>Greater than 90°</p>  <p>One sign</p> <p>Less than 90°</p>  <p>Two Signs</p> <p>90°</p>  <p>Two signs</p>
<p><b>Sign height</b></p>	<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> 
<p><b>Site</b></p>	<p>Means:</p> <ul style="list-style-type: none"> <li>(a) any area of land comprised in a single record of title as per the Land Transfer Act 2017; or</li> <li>(b) an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or</li> <li>(c) the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title as per Land Transfer Act 2017 could be issued without further consent of the Council; or</li> <li>(d) except that in relation to each of sub clauses (a) to (c), in the case of land subdivided under the Unit Titles Act 1972</li> </ul>

	or 2010, or a cross lease system, a site is the whole of the land subject to the unit development or cross lease.
<b>Small-scale electricity generation</b>	Means renewable electricity generation producing less than 20kW for the purpose of providing electricity on a particular site or connecting into the distribution network.
<b>Speed environment</b>	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.
<b>Stable ground</b>	Means soil that is able to stand with a factor of safety against failure of greater than 1 under all expected conditions.
<b>Storage</b>	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.
<b>Structure</b>	has the same meaning as in section 2 of the RMA (as set out in the box below) <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.</p> </div>
<b>Subdivision</b>	Has the same meaning as “subdivision of land” in section 218 of the RMA (as set out in the box below) <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>means—</p> <ul style="list-style-type: none"> <li>a. the division of an allotment— <ul style="list-style-type: none"> <li>i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or</li> <li>ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or</li> <li>iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or</li> <li>iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or</li> <li>v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or</li> </ul> </li> <li>b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.</li> </ul> </div>

<b>T</b>	
<b>Telecommunication kiosk</b>	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.
<b>Temporary event</b>	Means a social, cultural or recreation event including entertainment events, carnivals, festivals, fairs, markets, and exhibitions, and associated temporary buildings and car parks.
<b>Temporary infrastructure</b>	Short-term structures and activities undertaken by a network utility operator as defined by the Resource Management Act 1991, including the operation of generators, including diesel-powered generators.
<b>Transport depot</b>	Means truck parking or servicing site, or depot for the handling or transfer of materials or vehicles.
<b>U</b>	
<b>Use</b>	Means with respect to a hazardous substance, the manufacturing, processing or handling of a hazardous substance for a particular activity without necessarily changing the physical state or chemical structure of the hazardous substance involved. This includes mixing, blending and packaging operations, or the use of a hazardous substance as a cooling or heating medium. It does not include the filling or drawing of a hazardous substance 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.
<b>Utility</b>	<p>For the purpose of Chapter 15 Natural Hazards means:</p> <ol style="list-style-type: none"> <li>(1) Transformation, transmission, generation or distribution of electricity provided by network utility operators or requiring authorities including: <ol style="list-style-type: none"> <li>(a) transmission lines and electricity distribution lines and associated equipment; and</li> <li>(b) private connections to such utilities;</li> </ol> </li> <li>(2) Telecommunications and radiocommunication facilities including: <ol style="list-style-type: none"> <li>(a) transmitting/receiving devices such as aerials, antennas, dishes (including cables), insulators, castings, tunnels and associated equipment; and</li> <li>(b) support structures as towers, masts and poles accessory buildings and private receiving dish antennas;</li> </ol> </li> <li>(3) Storage tanks and pipes for the distribution or transmission of petroleum or natural manufactured gas, including necessary</li> </ol>

	<p>incidental equipment provided by network utility operators or requiring authorities, and private connections to such utilities;</p> <p>(4) Reticulated water for supply or irrigation stormwater management basins, swales or drainage systems, and reticulated sewerage, including:</p> <p style="padding-left: 40px;">(a) Private stormwater facilities connecting to such utilities; and</p> <p style="padding-left: 40px;">(b) Necessary incidental equipment including water storage tanks and pumping facilities and</p> <p>(5) Meteorological facilities, navigation aids and beacons, including approach control services within the meaning of the Civil Aviation Act 1990.</p> <p>(6) Flood management infrastructure including stopbanks and erosion protection structures associated with flood management where owned or operated by the Waikato Regional Council, the Waikato District Council or the Crown.</p> <p>(7) Public roads and railway lines.</p>
<b>Utility allotment</b>	Means an allotment used exclusively for the purposes of accommodating infrastructure.
<b>V</b>	
<b>Vehicle movement</b>	Means the single passage of any vehicle between a road and a site.
<b>Visitor accommodation</b>	Means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.
<b>Visually permeable</b>	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>	
<b>Waananga</b>	Means a learning facility where family and extended family are educated in whaanau ora.
<b>Waste management</b>	Means activities relating to the minimisation or reduction of waste material and reuse, recycling, recovery, treatment, storage and disposal processes.
<b>Waste management facility</b>	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, commercial composting operations, recovery operations, transfer stations, recycling centres and resource recovery centres but excludes cleanfill areas.

<b>Water</b>	<p>Has the same meaning as in section 2 of the RMA (as set out in the box below) –</p> <div data-bbox="571 320 1422 521" style="border: 1px solid black; padding: 5px;"> <p>means water in all its physical forms whether flowing or not and whether over or under the ground:</p> <p>includes fresh water, coastal water, and geothermal water:</p> </div>
<b>Waterbody</b>	<p>has the same meaning as in section 2 of the RMA (as set out in the box below) –</p> <div data-bbox="571 656 1422 790" style="border: 1px solid black; padding: 5px;"> <p>means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.</p> </div>
<b>Wetland</b>	<p>Has the same meaning as in Section 2 of the RMA (as set out in the box below)</p> <div data-bbox="571 931 1406 1059" style="border: 1px solid black; padding: 5px;"> <p>includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</p> </div>
<b>Whaanau</b>	<p>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.</p>
<b>Wharenuī</b>	<p>Means a meeting house or large house that is the main building on a marae where guests are accommodated.</p>
<b>Wind energy facility</b>	<p>Means buildings, turbines and structures used to generate electricity from the wind, and ancillary structures. It includes electricity lines of less than 110kV.</p>
<b>X, Y, Z</b>	

## Chapter 14: Infrastructure and Energy

Proposed Waikato District Plan

Stage 1





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## Chapter 14: Infrastructure and Energy

### 14.1 Introduction

- (i) The provisions within this **Infrastructure** and Energy chapter of the district plan shall apply across the district in all the zones and overlays in the district plan. The zone chapters and their associated overlays, objectives, policies and rules do not apply to **infrastructure** and energy activities unless specifically referred to within this Infrastructure and Energy chapter or unless specifically referred to in Chapter 29 Ohinewai Precinct [JO2]. The provisions of the Natural Hazards and Climate Change chapter (Chapter 15) and associated natural hazard overlays identified in the planning maps, apply to activities in the Infrastructure and Energy chapter.
- (ii) 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 land development activities; and as such these particular rules should be read in conjunction with the relevant zone chapters where applicable.
- (iii) In the activity rules 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
- (iv) 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).
- (v) 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. In the case of conflict with any other provision of this plan, the NESTF provisions shall prevail.

This chapter is organised into the following rule sections:

14.2 Rules applying to all **infrastructure**

14.3 General **infrastructure**

14.4 Electrical distribution

14.5 Electricity generation

14.6 Liquid fuels and gas

14.7 Meteorological

14.8 Telecommunications and radiocommunications

14.9 Water, wastewater and stormwater

14.10 Transportation

Advice Note for 14.1 Introduction:

(1) The Electricity (Hazards from Trees) Regulations 2003 applies to vegetation planted within the National Grid Corridor or near sub-transmission or distribution electricity lines and must be complied with. To discuss works, including tree planting near any electricity line especially works within the National Grid Yard, contact the relevant network utility operator.

## 14.2 Rules applying to all infrastructure

### 14.2.1 Permitted Activities

- (i) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (ii) Where compliance with Rule 14.2 or 14.3 would contravene a rule in Rule 14.4, 14.5, 14.6, 14.7, 14.8, 14.9 or 14.10, then the requirements of Rule 14.4, 14.5, 14.6, 14.7, 14.8, 14.9 or 14.10 shall prevail.

Activity		Activity specific conditions
PI	New infrastructure	<p>14.2.1.1</p> <p>(1) Any new infrastructure activity and associated structures listed as a permitted activity within Chapter 14 must meet all of the following conditions:</p> <ul style="list-style-type: none"><li>(i) Comply with the height in relation to boundary limits for the zone in which it is located;</li><li>(ii) Comply with the height in relation to boundary limits for the adjoining zone, if located in road or unformed road;</li><li>(iii) Not exceed the relevant noise limits that are applicable to that zone, and any adjacent zone.</li><li>(iv) Any other relevant conditions applying to that activity listed within Rules 14.3–14.10.</li></ul> <p>(2) The conditions in Rule 14.2.1.1(1) do not apply to:</p> <ul style="list-style-type: none"><li>(i) Activities with specific conditions relating to location and noise listed elsewhere within Rules 14.3–14.10;</li><li>(ii) Roads or other lineal transport networks;</li><li>(iii) Road network activities, which include lighting and signage structures; and</li><li>(iv) Activities subject to National Environmental Standards Telecommunication Facilities 2016.</li></ul> <p>(e) Support poles associated with service connections are exempt from height in relation to boundary rules.</p>
P2	Construction noise	<p>14.2.1.2</p> <p>(1) Construction, maintenance, repair, replacement, upgrading or removal of infrastructure or the installation of new infrastructure must comply with NZS 6803:1999 Acoustics – Construction noise.</p>

P3	Any activity emitting electric and magnetic fields	14.2.1.3 (1) Compliance with the International Commission on Non-ionising Radiation Protection Guidelines 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 Environmental Health Criteria (No 238, June 2007).
P4	Any activity emitting radio frequency fields	14.2.1.4 (1) Radio frequency fields must not exceed the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.

### 14.2.2 Restricted Discretionary Activities

- (i) The activities listed below are restricted discretionary activities.

Activity	Matters of Discretion
RD1 New infrastructure that does not comply with one or more of the conditions of Rule 14.2.1.1	Discretion is restricted to: (a) The functional and operational needs of, and benefits derived from, the infrastructure; (b) Visual, landscape, streetscape and amenity effects; (c) Noise levels.
RD2 Construction noise that does not comply with Rule 14.2.1.2	Discretion is restricted to: (a) Effects on amenity values; (b) Hours of construction; (c) Noise levels; (d) Timing and duration; and (e) Methods of construction.

### 14.2.3 Discretionary Activities

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

DI	Any infrastructure not specifically provided for as a permitted, restricted discretionary or non-complying activity within Chapter 14, including associated earthworks.
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### 14.2.4 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 Rule 14.2.1.3
NC2	Any activity that does not comply with the radio frequency fields standard in Rule 14.2.1.4

## 14.3 General infrastructure

### 14.3.1 Permitted Activities

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

(b) The Activity and activity specific conditions in 14.3 apply to all infrastructure except where a provision in the specific infrastructure type section 14.4 to 14.10 deals with the same matter, in which case the specific infrastructure type provision shall prevail.

Activity		Activity specific conditions
P1	The operation, maintenance, repair and removal of existing infrastructure	Nil
P2	Minor upgrading of existing infrastructure	<p>14.3.1.1</p> <p>(1)The realignment, configuration, relocation or replacement of infrastructure and associated structures that meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Are within 5m of the existing alignment or location;</li> <li>(ii) Do not increase the height of any existing pole or support structure by more than 40% to a maximum height of 20m in all zones except the <b>Ohinewai Precinct Industrial Zone</b>;</li> <li>(iii) Do not increase the diameter (width) of any existing pole or support structure by more than 50% or 100% increase in the case of a double pole in ALL zones;</li> <li>(iv) Do not increase the diameter of any existing above-ground pipe by more than 300mm; and</li> <li>(v) Do not increase the area of any existing above-ground structure by more than 25%.</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 or visually similar fixtures;</li> <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 ISSN 0114-0663 (NZECP34:2001)</b>.</li> </ul>

		<p>(i) The addition, replacement or relocation of existing antennas where:</p> <ul style="list-style-type: none"> <li>(a) The antennas shall not increase <del>in</del> the largest face area by more than 20% for new panel antennas and shall not increase the diameter of dish antenna; and</li> <li>(b) The antennas shall not increase in height by more than 20% of the antennas.</li> </ul> <p>Except that this rule shall not restrict the size of an antenna that would otherwise comply with the permitted activity rules applying to new antennas.</p> <p><b>Earthworks</b> activities associated with the <b>minor upgrading of existing infrastructure</b> must comply with the conditions of <b>Rule 14.3.1.3</b>.</p> <p>The conditions in Rule 14.3.1.1(1) do not apply to road network activities or other lineal transport networks.</p>
P3	<b>Temporary infrastructure</b>	<p>14.3.1.2</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 14.3.1.2(1) (a) and (b)</b>, must not exceed 12 months in total.</li> </ul>
P4	Earthworks activities associated with <b>infrastructure</b>	<p>14.3.1.3</p> <p>(1) Any earthworks associated with infrastructure, including formation and maintenance of access tracks, 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 (excluding artificial watercourses) 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, excluding existing rail infrastructure;</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>clean fill</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> <li>(g) <b>Earthworks</b> shall not obstruct or divert any stormwater overland flow path in such a way as to result in changed stormwater drainage patterns on another <b>site</b>.</li> </ul>

		(a) Rule 14.3.1.3(1)(f) does not apply to earthworks required to establish a foundation or surface that will ultimately be sealed or constructed upon.
P5	Trimming, maintenance or removal of vegetation or trees associated with infrastructure	14.3.1.4  (1) Trimming and pruning of trees and vegetation, necessary to protect all overhead electric lines or telecommunication lines; and any trimming, maintenance or removal of vegetation or trees associated with infrastructure, including access tracks.  <b>Note:</b> Trimming, maintenance or removal of vegetation or trees in and around electrical assets shall be managed in accordance with the Electricity (Hazards from Trees) Regulations 2003.
P6	Pipe and cable bridge structures for the conveyance of electricity, telecommunications, water, wastewater, stormwater and gas	14.3.1.5  (1) Pipe and cable bridge structures that meet all of the following conditions: (i) Do not exceed 25m total length; (ii) Do not exceed 1m width; (iii) Do not exceed 1m depth;
P7	Electric vehicle chargers	14.3.1.6  (a) Electric vehicle chargers that meet all of the following conditions: (i) Do not exceed maximum height of 2.5m each; (ii) Do not exceed a maximum area of 1.5m <sup>2</sup> each;
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	14.3.1.7  (1) All new lots created as part of a subdivision other than a utility allotment or access allotment must be designed and located so that provision is made for access and service connections up to the boundary of the lot for: (a) Wastewater; (b) Water supply; (c) Stormwater (a management system that complies with Rule 14.9.1.1); (d) Electricity supply; (e) Telecommunications that is hard-wired or wireless; and (f) Vehicle access that complies with Rule 14.10.1.1.



		<p>(i) <b>Rule 14.3.1.7(1)(a)</b> does not apply to any allotment that is served by a site-contained wastewater system in accordance with <b>Rule 14.9.1.3</b>.</p> <p>(ii) Within all zones the water supply required under <b>Rule 14.3.1.7 (1)(b)</b> must be adequate for fire-fighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Compliance with this Code of Practice can typically be achieved through connection to a Council reticulated water supply.</p>
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### 14.3.2 Controlled Activities

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

Activity		Activity specific conditions	Matters of control
CI	Subdivision to create a <b>utility allotment</b> for accommodating <b>infrastructure</b>	<p>14.3.2.1</p> <p>(a) Is undertaken by a <b>network utility operator</b> as defined by the Resource Management Act 1991.</p>	<p>Control is reserved over:</p> <p>(a) The adequacy of the <b>allotment</b> for its intended use;</p> <p>(b) Whether any easement is required;</p> <p>(c) Measures to avoid or mitigate natural hazards, including liquefaction risk (refer to Chapter 15).</p>

### 14.3.3 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
RD1	<b>Minor upgrading of existing infrastructure</b> that does not comply with one or more of the conditions of <b>Rule 14.3.1.1</b> which are relevant to the activity proposed	<p>Discretion is restricted to:</p> <p>(a) The functional and operational needs of, and benefits derived from, the <b>infrastructure</b>;</p> <p>(b) Visual, streetscape and amenity effects;</p> <p>(c) Transport network safety and efficiency;</p> <p>(d) Management of sediment and dust, including the staging of works;</p> <p>(e) 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>
RD2	<b>Earthworks</b> associated with infrastructure that do not comply with one or more of the conditions of <b>Rule 14.3.1.3</b>	<p>Discretion is restricted to:</p> <p>(a) Management of sediment and dust, including the staging of works;</p> <p>(b) The volume, extent and depth of the <b>earthworks</b> activities;</p>

		<ul style="list-style-type: none"> <li>(c) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site.</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 14.3.1.4</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> <li>C. Land transport network safety and efficiency</li> </ul>
RD4	<p>Pipe and cable bridge structures for the conveyance of electricity, telecommunications, water, wastewater, stormwater and gas:</p> <ul style="list-style-type: none"> <li>(a) That do not comply with one or more of the conditions of <b>Rule 14.3.1.5</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) Public safety.</li> </ul>
RD5	<p>Electric vehicle charging stations located:</p> <ul style="list-style-type: none"> <li>(i) That do not comply with one or more of the conditions of <b>Rule 14.3.1.6</b>.</li> </ul>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>(1) The functional and operational needs of, and benefits derived from, the <b>infrastructure</b>;</li> <li>(2) Visual, streetscape and amenity effects;</li> <li>(3) Land transport network safety and efficiency;</li> <li>(4) Public safety;</li> </ul>
RD6	<p>The following activities that do not comply with <b>Rule 14.3.1.7</b>:</p> <ul style="list-style-type: none"> <li>(i) CCTV systems attached to existing buildings and structures</li> <li>(ii) Service connections</li> <li>(iii) 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, and</li> </ul>
RD7	Access and service connections for subdivision that do not comply with one or more of the conditions of 14.3.1.7	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a) The adequacy of the service connection;</li> <li>b) The functional and operational needs of, and benefits derived from, the infrastructure;</li> <li>c) Site design, layout and amenity;</li> <li>d) Visual, streetscape and amenity effects; and for vehicle access:</li> <li>e) Land transport network safety and efficiency;</li> <li>f) The extent to which the safety and efficiency of rail and road operations will be adversely affected, including: <ul style="list-style-type: none"> <li>i. The outcome of any consultation with KiwiRail; NZTA; Waikato District Council, as the rail or road controlling authority;</li> </ul> </li> </ul>

		<p>ii. Any characteristics of the proposed use that will make compliance unnecessary;</p> <p>g) Traffic generation by the activities to be served by the vehicle access;</p> <p>h) Mitigation to address safety and/or efficiency of vehicle access, including access clearance requirements for fire-fighting purposes;</p> <p>i) The foreseeable needs for access by emergency services and their vehicles;</p> <p>j) Location, design, construction and materials of the vehicle access;</p> <p>k) Safety for all users of the vehicle access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians.</p>
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#### 14.3.4 Discretionary Activities

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

D1	Temporary infrastructure that does not comply with one or more of the conditions of Rule 14.3.1.2
D2	Subdivision to create a utility allotment for accommodating infrastructure that does not comply with one or more of the conditions of Rule 14.3.2.1

### 14.4 Electrical distribution

#### 14.4.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific location and noise condition listed below.

Activity		Activity specific conditions
P1	Below ground distribution lines	Nil
P2	Overhead distribution lines and support structures within road or unformed road located adjacent to the Rural Zone	<p>14.4.1.1</p> <p>Overhead distribution lines and support structures that comply with the following:</p> <p>(a) Do not exceed a voltage up to and including 110kV; and</p> <p>(b) Do not exceed a maximum height of 25m; or</p> <p>(c) Do not exceed a maximum height of 30m for co-location of at least two operators; and</p>

P3	Substations and associated transformers and switching stations	<p>14.4.1.2</p> <p>(a) Substations and associated transformers and switching stations distributing electricity that comply with the following:</p> <p>A. Distribute electricity at a voltage up to and including 110kV; and</p> <p>B. Are located within the <b>Ohinewai Precinct</b> Business Zone and <b>Ohinewai Precinct</b> Industrial Zone</p> <p>C. Any ancillary <b>buildings</b> do not exceed 100m<sup>2</sup> in gross floor area; and</p> <p>D. Maximum height 10m</p>
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#### 14.4.2 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.	<p>(a) Discretion is restricted to:</p> <p>(i) The <b>functional need</b> and <b>operational need</b> of, and benefits derived from, the <b>infrastructure</b>;</p> <p>(ii) The extent to which alternative technologies and techniques have been considered;</p> <p>(iii) The extent to which co-location of overhead lines is technically, economically and practically reasonable;</p> <p>(iv) The extent to which the proposal is in accordance with relevant industry standards and meets specified clearance requirements for operational and safety reasons;</p> <p>(v) The extent to which the proposal will adversely affect the amenity values of the <b>site</b> and locality;</p> <p>(vi) The extent to which there are difficult ground conditions, topography or obstructions which make undergrounding impractical.</p>

#### 14.4.3 Discretionary Activities

- (1) 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 <b>Rule 14.4.1.2</b>

## 14.5 Electricity generation

### 14.5.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (b) **Rule 14.2.1.1** will apply to the activities set out in this table unless there is a specific location and noise condition listed below.

Activity		Activity specific conditions
P1	Small-scale electricity generation	14.5.1.1 (1) Small-scale electricity generation and community-scale electricity generation that comply with each of the following conditions, where applicable: (i) Is not located on a road, or unformed road; (ii) Less than 20kW of electricity is generated; (iii) Maximum one wind turbine per site in the <b>Ohinewai Precinct Residential Zone</b> ; (iv) Freestanding wind turbines must not exceed the building height limit of the zone in which they are located by more than 3m; (v) Freestanding wind turbines have a maximum blade diameter of 2.5m; (vi) Roof-mounted wind turbines must not exceed the building height limit of the zone in which they are located by more than 3m; (vii) Roof-mounted wind turbines have a maximum blade diameter of 2.5m; (viii) Any wind turbine on a site adjoining the <b>Ohinewai Precinct Residential Zone</b> must meet the height in relation to boundary limits on the boundary with that adjoining zone; (ix) Solar panels on the roof of a building must not exceed 1.5m in height above the existing roof; or attached to a ground mounted frame; (x) Wind turbine noise must: a. 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: i. Any existing building or structure for sensitive land uses; and ii. Any potential building site where a building or structure for sensitive land uses could be located as a permitted activity; b. Be measured and assessed in accordance with <b>NZS6808: 2010 Acoustics – Wind Farm Noise</b> (2) All other structures not listed above must not be higher than the maximum building height limit of the zone in which they are located.
P2	Community-scale electricity generation	
P3	Research and exploratory-scale investigations for	14.5.1.2

	renewable electricity generation activities	<p>(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following:</p> <p>(a) The noise limits that are applicable to the zone;</p> <p>(b) The height of any equipment must not exceed the building height limit of the zone in which they are located by more than 3m;</p> <p>(c) 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</p> <p>(d) Setbacks relevant to the zone in which it is located;</p> <p>(e) Is not located on a road, or unformed road.</p>
P4	Temporary diesel-fuelled electricity generation activities	Nil

### 14.5.2 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
RD1	Small-scale electricity generation that do not comply with one or more of the conditions of Rule 14.5.1.1	Discretion is restricted to: <ul style="list-style-type: none"> <li>(a) The functional and operational needs of, and benefits derived from, the infrastructure;</li> <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> <li>(e) Ecology and biodiversity effects.</li> </ul>
RD2	Community-scale electricity generation that do not comply with one or more of the conditions of Rule 14.5.1.1	
RD3	Research and exploratory-scale investigations for renewable electricity generation activities that do not comply with one or more of the conditions of Rule 14.5.1.2	

### 14.5.3 Non-Complying Activities

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

NC1	Large-scale wind farms located in a zone in the <a href="#">Ohinewai Precinct</a> .
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## 14.6 Liquid fuels and gas

### 14.6.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific location and noise condition listed below.

Activity		Activity specific conditions
P1	Below ground pipelines for the conveyance of liquid fuels and gas	14.6.1.1  (a) Below ground pipelines for the conveyance of liquid fuels and gas that comply with all of the following: (a) Any aboveground sections of pipeline must comply with the following: a. Not exceed 25m in length, and b. Not exceed 300mm in diameter. (b) Gas pipelines must not exceed a gauge pressure of 2,000 kilopascals.
P2	Storage facilities and pump stations for liquid fuels and gas which are operated by a network utility	14.6.1.2  (i) Storage facilities and pump stations for liquid fuels and gas which are operated by a network utility that comply with the following: (a) Is not located on a road, or unformed road.

#### 14.6.2 Discretionary Activities

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

D1	Pipelines for the conveyance of liquid fuels and gas that do not comply with one or more of the conditions of <a href="#">Rule 14.6.1.1</a> .
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 14.6.1.2</a> .

### 14.7 Meteorological

#### 14.7.1 Permitted Activities

- (a) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (b) [Rule 14.2.1.1](#) will apply to the activities set out in this table unless there is a specific location and noise condition listed below.

Activity		Activity specific conditions
P1	Meteorological enclosures and buildings, including automatic weather stations	14.7.1.1  (a) Meteorological enclosures and buildings, including automatic weather stations, that comply with all of the following: (a) The size of the structure must not exceed 30m <sup>2</sup> in gross floor area; (b) The structure complies with any relevant building <b>height</b> condition for the applicable zone; (c) Is not located on a road, or unformed road.
P2	Meteorological and air quality monitoring structures and devices	14.7.1.2  (a) Meteorological and air quality monitoring structures and devices that comply with all of the following:

		(a) Do not exceed 12m in height; (b) There shall be no more than one structure per site; (c) Is not located on a road, or unformed road. (i) Maximum area is 10m <sup>2</sup> .
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### 14.7.2 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	

### 14.7.3 Discretionary Activities

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

D1	Meteorological enclosures and buildings, including automatic weather stations that do not comply with one or more conditions in Rule 14.7.1 (P1)
D2	Meteorological and air quality monitoring structures and devices that do not comply with one or more conditions in Rule 14.7.1 (P2)

## 14.8 Telecommunications and radiocommunications

### Notes:

+1 Means activities not provided as a permitted activity under the Resource Management (National Environmental Standards for Telecommunication Facilities ("NESTF")) Regulations 2016

### 14.8.1 Permitted Activities

- The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific location and noise condition listed below.

Activity		Activity specific conditions
PI	Ancillary equipment <sup>+</sup>	14.8.1.1 (a) Ancillary equipment that complies with the following: (a) Not exceed 10m <sup>2</sup> in area above-ground;



		(b) Not exceed 2.5m in height.
P2	Below ground telecommunications and radiocommunications facilities, lines, cables and ducts	Nil
P3	Cabinets+	14.8.1.2  (a) Cabinets that comply with the following conditions: (i) Not exceed 10m <sup>2</sup> in area above-ground; (ii) Not exceed 2.5m in height.
P4	Antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road+	14.8.1.3  (a) Antennas that comply with all of the following conditions: (i) Panel antenna do not exceed 0.7m in width; (ii) Dish antenna do not exceed 0.6m in diameter within the Ohinewai Precinct Residential Zone; (iii) Within the Ohinewai Precinct Residential Zone the maximum number of antennas per site is 4. (b) Rule 14.8.1.3(a)(i) does not apply to a face-mounted panel antenna located within the fascia and below the roof line of an existing building.
P5	Antennas attached to a building and/or structure	14.8.1.4  (a) Antennas attached to a building and/or structure that comply with all of the following conditions: (i) The building and/or structure is located within the Ohinewai Precinct Business Zone or the Ohinewai Precinct Industrial Zone (b) The face of the antenna does not exceed 1.5m <sup>2</sup> or 1.2m in diameter for dish antennas, or 1.6m in length for Yagi antenna on an existing pole. Rule 14.8.1.4 does not apply to private television antennas and satellite dishes +
P6	Antennas inside new or existing buildings	Nil
P7	Other Antennas	14.8.1.5  (1) Antennas that comply with all of the following conditions are excluded from any height standards in 14.8.1 P4, P5 and P9: i. GPS Antennas that do not exceed the following dimensions: i. 300mm high; and ii. 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.

P8	Small cell units exceeding the permitted volumetric dimension of 0.11m <sup>3</sup> regulated in the <b>NESTF</b>	14.8.1.6 (a) Small cell units exceeding the permitted volumetric dimension of 0.11m <sup>3</sup> regulated in the <b>NESTF</b> that comply with all of the following conditions: (i) Do not exceed a maximum volume of 0.25m <sup>3</sup> .										
P9	Poles, <b>antennas</b> and headframes+	14.8.1.7 (i) Any poles and attached antenna that comply with the following conditions: (i) Comply with the <b>height</b> in relation to <b>boundary</b> limits for the zone in which it is located; (ii) Not exceed the height limits set out in the following table:  <table border="1"> <thead> <tr> <th>Zone</th> <th>Permitted height</th> </tr> </thead> <tbody> <tr> <td><b>Ohinewai Precinct</b> Industrial</td> <td>25m (and 30m for co-location of at least two operators)</td> </tr> <tr> <td><b>Ohinewai Precinct</b> Business</td> <td>20m</td> </tr> <tr> <td><b>Ohinewai Precinct</b> Residential</td> <td>15m</td> </tr> <tr> <td>Road or unformed road</td> <td>That of the adjoining zone</td> </tr> </tbody> </table> (ii) Headframes that comply with the following conditions: (a) Comply with the <b>height</b> in relation to <b>boundary</b> limits for the zone in which it is located; (b) Within the <b>Ohinewai Precinct</b> Residential Zone do not exceed 1.0m diameter; or (c) Within all other zones and unformed roads do not exceed 6.0m diameter; and (d) Within the road do not exceed 0.7m diameter.  (iii) <b>Rule 14.8.1.7(a)</b> does not apply to lightning rods and GPS antennas, omni directional whip antenna, ancillary telecommunication devices and earth peaks.	Zone	Permitted height	<b>Ohinewai Precinct</b> Industrial	25m (and 30m for co-location of at least two operators)	<b>Ohinewai Precinct</b> Business	20m	<b>Ohinewai Precinct</b> Residential	15m	Road or unformed road	That of the adjoining zone
Zone	Permitted height											
<b>Ohinewai Precinct</b> Industrial	25m (and 30m for co-location of at least two operators)											
<b>Ohinewai Precinct</b> Business	20m											
<b>Ohinewai Precinct</b> Residential	15m											
Road or unformed road	That of the adjoining zone											
P10	Externally-mounted telecommunication satellite dishes and ancillary components	14.8.1.8 (a) Externally-mounted telecommunication satellite dishes and ancillary components that comply with the following conditions: (i) Do not exceed 1.0m in diameter, or 1.8m in diameter in the <b>Ohinewai Precinct</b> Industrial Zone.										
P11	<b>Telecommunication kiosk</b>	14.8.1.9 (a) <b>Telecommunication kiosks</b> that comply with all of the following conditions:										

		(i) Not exceed 10m <sup>2</sup> in area above-ground; (ii) Not exceed 2.5m in height
P12	Telephone exchanges, including the installation and operation of equipment inside existing telephone exchanges	14.8.1.10 (a) Telephone exchanges, including the installation and operation of equipment inside existing telephone exchanges, that comply with the following conditions: (i) Do not exceed 20m <sup>2</sup> in area in roads or sites zoned <b>Ohinewai Precinct</b> Residential or (ii) Do not exceed 30m <sup>2</sup> in area in all other zones; (iii) Comply with the <b>height</b> and <b>height</b> in relation to <b>boundary</b> limits for the zone in which it is located.
P13	<b>Self-contained power units</b>	14.8.1.11 (a) <b>Self-contained power units</b> that comply with all of the following conditions: (i) Not exceed 10m <sup>2</sup> in area above-ground; (ii) Not exceed 2.5m in height.
P14	Lightning rods	14.8.1.12 (a) Lightning rods that comply with all of the following conditions: (i) Do not exceed 1.8m in height;

#### 14.8.2 Controlled Activities

- The activities listed below are controlled activities.

Activity	Matters of Control
C1	(i) Control is reserved over: (a) The size, colour and design of the proposed facility, equipment or structure; (b) The location of the proposed facility, equipment or structure; (c) The ability to provide screening or landscaping; and (d) Effects on the values, qualities and characteristics of the site.
C2	
C3	
C4	
C5	
C6	
C7	

### 14.8.3 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
RD1	(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) <b>Ohinewai Precinct</b> Residential Zone</li> <li>(ii) Road and unformed road</li> </ul>	Discretion is restricted to: <ul style="list-style-type: none"> <li>(i) The functional and operational needs of, and benefits derived from, the infrastructure;</li> <li>(ii) The bulk, form, scale, location of the structure;</li> <li>(iii) Visual, landscape, streetscape and amenity effects;</li> <li>(iv) Where located within a road, the operation and function of road network activities,</li> <li>(v) Effects on the values, qualities and characteristics of the <b>site</b>, or area.</li> </ul>
RD2	(a) <b>Antennas</b> attached to a <b>building</b> and/or structure that comply with all of the following conditions: Are located within: <ul style="list-style-type: none"> <li>(1) <b>Ohinewai Precinct</b> Residential Zone</li> <li>(2) Road and unformed road</li> </ul> The face of the <b>antenna</b> does not exceed 1.5m <sup>2</sup> or 1.2m in diameter for dish <b>antennas</b> .	
RD3	(1) Dish <b>antennas</b> not complying with regulations 26-35 of the <b>NESTF</b> that are located within: <ul style="list-style-type: none"> <li>a. <b>Ohinewai Precinct</b> Residential Zone</li> <li>b. Road and unformed road</li> </ul>	
RD4	Poles, <b>antennas</b> and headframes not complying with regulations 26-35 of the <b>NESTF</b> or <b>Rule 14.8.1.7</b>	
RD5	(a) Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the <b>NESTF</b> , that: <ul style="list-style-type: none"> <li>(i) Do not comply with one or more conditions of Rule 14.8.1.12.</li> </ul>	
RD6	<b>Telecommunication kiosks</b> that do not comply with one or more conditions of <b>Rules 14.8.1.9</b> or <b>14.8.2(C10)</b>	
RD7	Self-contained power units that do not comply with the conditions for a new <b>infrastructure</b> activity and associated structures under <b>Rule 14.2.1.1</b>	

### 14.8.4 Discretionary Activities

- The activities listed below are discretionary activities.

D1	<b>Antennas</b> attached to a <b>building</b> and/or structure that do not comply with one or more conditions of <b>Rule 14.8.3(RD2)</b>
D2	Telephone exchanges that do not comply with one or more conditions of <b>Rule 14.8.1.10</b>

## 14.9 Water, wastewater and stormwater

### 14.9.1 Permitted Activities

- (i) The following activities are permitted activities if they meet the activity specific conditions set out in this table.
- (ii) **Rule 14.2.1.1** will apply to the activities set out in this table unless there is a specific location and noise condition listed below.

Activity		Activity specific conditions
PI	Stormwater systems for new development or subdivision	<p>14.9.1.1</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>A. Operates by gravity;</li> <li>B. Manages stormwater through a Stormwater Management Plan in the following manner:                   <ul style="list-style-type: none"> <li>(a) Primary systems detain or retain 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.                       <ul style="list-style-type: none"> <li>C. Stormwater management measures must be in place and operational upon the completion of subdivision and/or development;</li> <li>D. 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>E. 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>(i) Retention of rainwater/stormwater for reuse;</li> <li>(ii) Soakage techniques;</li> <li>(iii) Infiltration rate of a minimum of 7mm/hour;</li> <li>(iv) Treatment, detention and gradual release to a watercourse;</li> <li>(v) Treatment, detention and gradual release to a piped stormwater system.</li> </ul> </li> <li>(vi) Stormwater treatment shall address water quality; downstream erosion and scour effects; and cumulative volume effects.                               <ul style="list-style-type: none"> <li>F. 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> </ul> </li> <li>G. 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> </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 (RITS)</b>. Refer also to Waikato Stormwater Management Guideline and Waikato Stormwater Run-off Modelling Guideline.</p> <p>A. A stormwater discharge consent may also be required from the Waikato Regional Council.</p>
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P2	Wastewater servicing for new development or subdivision	<p>14.9.1.2</p> <p>(a) New development or subdivision must have a wastewater system that complies with the following conditions:</p> <p>(a) Is connected to public, reticulated wastewater network; or</p> <p>(b) Is connected to a community-scale wastewater system; or</p> <p>(c) Is provided with a <b>site</b>-contained, alternative method of wastewater disposal that complies with <b>AS/NZS 1547:2012</b>.</p>
P3	Below ground pipelines for the conveyance of water, wastewater and stormwater	<p>14.9.1.3</p> <p>(a) Pipelines 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 14.9.1.4(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>
P4	Pump stations for the conveyance of water, wastewater and stormwater	<p>14.9.1.4</p> <p>(a) Pump stations for the conveyance of water, wastewater and stormwater that complies with the following conditions:</p> <p>(i) Not exceed 10m<sup>2</sup> in area above-ground;</p> <p>(ii) Not exceed 3m in height.</p>
P5	Stormwater treatment, detention and retention facilities or devices	<p>14.9.1.5</p> <p>(i) Stormwater treatment, detention and retention facilities or devices, excluding stormwater wetlands or ponds.</p>

P6	Stormwater ponds or wetlands	<p>14.9.1.6</p> <p>i. Stormwater ponds or wetlands that comply with the following:</p> <p>(a) The area of the pond or wetland does not exceed the equivalent site <b>building coverage</b> conditions applicable to the zone.</p>
P7	Ventilation facilities, drop shafts and manholes	Nil
P8	Below ground reservoirs	<p>14.9.1.7</p> <p>A. Below ground reservoirs that comply with all of the following:</p> <p>(a) Are not located within road or unformed road.</p>

P9	Water supply servicing for new development or subdivision	<p>14.9.1.8</p> <p>(a) New development or subdivision must have a water supply system that complies with the following conditions:</p> <p>(i) Is connected to any available public, reticulated water supply system nearby;</p> <p>(ii) In addition to connection to reticulated supply for potable water, may also use rainwater harvesting (installation of rain storage tanks for water conservation) to supplement water supply, but not for potable uses.</p>
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### 14.9.2 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 14.9.1.1</a>	<p>Discretion is restricted to:</p> <p>(a) The likely effectiveness of the system to avoid flooding, nuisance or damage to other <b>buildings</b> and <b>sites</b>;</p> <p>(b) The capacity of the system and suitability to manage stormwater.</p> <p>(c) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects.</p> <p>(d) Extent to which low impact design principles and approaches are used</p>
RD2	Wastewater servicing for new development or subdivision that do not comply with one or more of the conditions of <a href="#">Rule 14.9.1.3</a>	<p>Discretion is restricted to:</p> <p>(i) Health and safety of the occupants;</p> <p>(ii) Capacity of the system;</p> <p>(iii) Infiltration capacity of the soil;</p> <p>(iv) Location, including proximity to waterways and effects on habitats;</p> <p>(v) Contamination of downstream properties by wastewater.</p>
RD3	Below ground pipelines that do not comply with one or more of the conditions of <a href="#">Rules 14.9.1.4 and 14.9.1.5</a>	<p>Discretion is restricted to:</p> <p>(i) The <b>functional need</b> and <b>operational need</b> of, and benefits derived from, the <b>infrastructure</b>;</p> <p>(ii) Visual, streetscape and amenity effects;</p> <p>(iii) Road network safety and efficiency;</p> <p>(iv) The risk of hazards to public or individual safety, and risk of property damage.</p>
RD4	Pump stations for the conveyance of water, wastewater and stormwater larger than the area/height limits of Rule 14.9.1.6	
RD5	Stormwater ponds or wetlands, that serve more than one <b>site</b> , located within: <p>(i) <a href="#">Ohinewai Precinct Residential Zone</a></p> <p>(ii) Road and unformed road</p>	

RD6	Ventilation facilities, drop shafts and manholes that do not comply with one or more of the conditions of <b>Rule 14.9.1.9</b>	
RD7	Below ground reservoirs located within a road or unformed road	
RD8	Water supply that does not comply with Rule 14.9.1(P1).	Discretion is restricted to: (a) Health and safety of the occupants; and (b) Sufficiency of supply for fire-fighting.
RD9	Any other activity that is not permitted under Rule 14.9.1 P12, P13 or P14 but complies with activity specific condition 14.9.1.12 shall be a restricted discretionary activity.	Discretion is restricted to: (i) The extent to which the activity will affect the integrity of the flood control asset (ii) The extent to which the activity will impede maintenance access (iii) Methods to avoid, remedy, or mitigate adverse effects on the integrity of the flood control assets (iv) Methods to avoid, remedy, or mitigate adverse effects on maintenance access.  Non-notification Applications utilising RD9 that do not simultaneously trigger other consent requirements shall not be publicly notified and shall not be served on any party other than Council and the public authority responsible for the regional flood management infrastructure.

### 14.9.3 Discretionary Activities

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

D1	Water treatment plants not located within road or unformed road
D2	Wastewater treatment plants located within the following: (i) <b>Ohinewai Precinct</b> Industrial Zone
D3	Above ground reservoirs.

### 14.9.4 Non-Complying Activities

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

NC1	Water treatment plants located within the following: Road or unformed road.
NC2	Wastewater treatment plants located within the following:  (i) <b>Ohinewai Precinct</b> Residential Zone (ii) <b>Ohinewai Precinct</b> Business Zone (iii) Road and unformed road.



## 14.10 Transportation

### 14.10.1 Permitted Activities

- (i) The following activities are permitted activities if they meet the activity specific conditions set out in this table.

Activity		Activity specific conditions
PI	Vehicle access for all activities	<p>14.10.1.1</p> <p>(1) All activities must comply with the following vehicle access conditions:</p> <ul style="list-style-type: none"> <li>(i) The <b>site</b> has legal physical access to a formed road that is maintained by a road controlling authority;</li> <li>(ii) The <b>site</b> has a vehicle access that is constructed to comply with the relevant requirements of Table 14.10.5.1, Figure 14.10.5.2, Table 14.10.5.3 and Figure 14.10.5, Table 14.10.5.14 and Table 14.10.5.15 except: <ul style="list-style-type: none"> <li>(2) Rule 14.10.1.1(1)(b) does not apply where the separation distance requirements of Table 14.10.5.1 and Figure 14.10.5.2 cannot be achieved on a site's road frontage due to existing vehicle accesses on adjacent sites;</li> <li>(3) No access, access leg or right-of-way shall run parallel to any road within 30m of the road;</li> <li>(4) 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 14.10.5.5 and 14.10.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements);</li> <li>(5) No new vehicle access shall be created within 30 metres of a railway level crossing.</li> <li>(6) All existing and new accesses and roads that cross an operational rail network via a level crossing must be maintained in accordance with the sight line triangles provided in Table 14.10.5.15.</li> </ul> </li> </ul>
P2	On-site parking and loading	<p>14.10.1.2</p> <ul style="list-style-type: none"> <li>(i) All activities must comply with the following on-site parking and loading conditions:</li> <li>(a) The loading requirements in Table 14.10.5.7 and the accessible parking space requirements in Table 14.10.5.9, noting: <ul style="list-style-type: none"> <li>(i) 90 percentile car dimensions in Figure 14.10.5.8 apply to any carparks provided;</li> <li>(ii) Parking spaces must comply with the New Zealand Building Code DI/AS1 New Zealand Standard for <b>Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121:2001)</b>;</li> </ul> </li> <li>(b) On-site bicycle space requirements in Table 14.10.5.10, except: <ul style="list-style-type: none"> <li>(i) The requirements of Table 14.10.5.10 do not apply to residential activities;</li> </ul> </li> <li>(c) Any on-site car parking spaces for non-residential activities within the <b>Ohinewai Precinct Residential Zone</b> must be set back at least 3m from the road boundary of the site and screened by planting or fencing from being viewed from the road;</li> <li>(d) On-site loading bays are to be provided in accordance with the requirements of Table 14.10.5.7 and Table 14.10.5.11 and be</li> </ul>

		<p>located on the same <b>site</b> as the activity for which they are required;</p> <p>(e) On-site loading bays are not to be located on any shared access or living court;</p> <p>(f) Vehicles occupying any on-site 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>
P3	On-site manoeuvring and queuing	<p>14.10.1.3</p> <p>(a) All activities must comply with the following on-site manoeuvring and queuing conditions:</p> <p>(i) On-site manoeuvring space shall be provided to ensure that no vehicle is required to reverse from or to a road except;</p> <p>A. <b>Rule 14.10.1.3(1)(a)</b> does not apply to Local Roads within the <b>Ohinewai Precinct Residential Zone</b> with a posted speed limit of less than 60 km/h.</p> <p>(ii) A 90<sup>th</sup> percentile car, as defined in <b>Figure 14.10.5.8</b>, can enter and exit all parking spaces without making more than one reverse movement, excluding spaces required for a dwelling;</p> <p>(iii) On-site manoeuvring space for any heavy vehicle shall comply with the tracking curve (relevant for the type of activities to be carried out on the site and the largest combination standard configuration heavy vehicle permitted on the road(s) to which the site has frontage to be used).</p> <p>(iv) On-site manoeuvring space shall be formed;</p> <p>(v) On-site queuing space shall be provided in accordance with <b>Table 14.10.5.12</b> for vehicles entering and exiting any on-site car parking, loading or manoeuvring space, where:</p> <p>A. Length is measured from the road boundary where vehicles first enter the site; and</p> <p>B. On-site queuing above must not encroach into the required on-site manoeuvring area.</p>
P4	Traffic generation	<p>14.10.1.4</p> <p><u><a href="#">(a) Within the Ohinewai Precinct the traffic generation rules in Rule 29B.2.1 apply.</a></u></p> <p>Note: Where the likely vehicle movement rates or the actual generation rates of the actual activity are unknown, <b>Table 14.10.5.13</b> provides indicative traffic generation rates for various activities.</p>
P5	Operation, maintenance and minor upgrading of existing public roads and associated <b>road network activities</b>	<p>14.10.1.5</p> <p>i. Operation, maintenance and minor upgrading of existing public roads and associated road network activities must comply with the following conditions:</p> <p>i. The works occur within road reserve;</p> <p>ii. Works within the road corridor must be for the purpose of:</p> <p>(i) Maintaining or improving effectiveness or efficiency consistent with the function of the existing public road; or</p>

		<p>(ii) Maintaining or improving safety for road users or adjacent properties.</p> <p>Lighting shall be designed and located to comply with the <b>Australia New Zealand Roadway Lighting Standard 1158, (series) – Lighting for Roads and Public Spaces: 2005</b>; and</p> <p>iii. Any <b>earthworks</b> must comply with <b>Rule 14.3.1.3</b>.</p>
P6	New public roads and associated <b>road network activities</b>	<p>14.10.1.6</p> <p>(1) New public roads <b>in the Ohinewai Precinct</b>, and associated <b>road network activities</b> must comply with the <b>conditions in Rule 29B.2.4 and the following conditions</b>:</p> <p>(a) All vehicle accesses shall be constructed in accordance with Table 14.10.5.14;</p> <p>(a) Any earthworks must comply with Rule 14.3.1.3.</p> <p><b>Note:</b> Where the conditions of Table 14.10.5.14 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 Rule 14.10.1.6(1). 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 walkways and cycleways being sections of the public walkway and cycleway network that are not located within the road network	<p>14.10.1.7</p> <p>Off-road pedestrian walkways and/or cycleways that comply with all of the following conditions:</p> <p>(i) Have a minimum 2.0m width or 2.5m where alongside an arterial road or forming a shared path;</p> <p>(ii) Are formed;</p> <p>(iii) Any earthworks must comply with Rule 14.3.1.3.</p>

## 14.10.2 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
RDI	Vehicle access that does not comply with one or more of the conditions of <b>Rule 14.10.1.1</b>	<p>Discretion is restricted to:</p> <p>(a) Traffic generation by the activities to be served by the access;</p> <p>(b) Location, design, construction and materials of the vehicle access;</p> <p>(c) Safety for all users of the access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians;</p> <p>(d) Road network safety and efficiency; and</p> <p>(e) Mitigation to address safety and/or efficiency, including access clearance requirements for fire-fighting purposes.</p> <p>(f) The foreseeable needs for access by emergency services and their vehicles;</p> <p>(g) The extent to which the safety and efficiency of road operations will be adversely affected, including:</p>

		<p>i. The outcome of any consultation with NZTA and Waikato District Council, as the road controlling authority.</p> <p>ii. Any characteristics of the proposed use that will make compliance unnecessary.</p>
RD2	On-site parking and loading that does not comply with one or more of the conditions of <b>Rule 14.10.1.2</b>	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>i. The area, type, location and marking of parking spaces;</li> <li>ii. The area, design, gradient, stormwater management, construction and materials of parking and loading spaces,</li> <li>iii. Accessibility of parking areas from on-site activities;</li> <li>iv. Safety for all users of the access and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</li> <li>v. Mitigation to address amenity and connectivity;</li> <li>vi. The foreseeable needs for access by emergency services and their vehicles.</li> </ol>
RD3	On-site manoeuvring and queuing that does not comply with one or more of the conditions of <b>Rule 14.10.1.3</b>	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>i. Location, area, design, construction and materials of the manoeuvring and queuing space;</li> <li>ii. Type and frequency of use;</li> <li>iii. The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</li> <li>iv. Road network safety and efficiency.</li> </ol>
RD4	Operation, maintenance and minor upgrading of existing public roads and associated <b>road network activities</b> that do not comply with one or more of the conditions of <b>Rule 14.10.1.5</b>	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>i. Adverse effects on amenity values, including construction effects such as vibration and noise;</li> <li>ii. Adverse operational effects, particularly on residential or other sensitive land uses, including effects of vibration, noise, glare and vehicle emissions;</li> <li>iii. Severance and changes to drainage patterns;</li> <li>iv. The benefits provided by the activity, including safety and efficiency of the road network;</li> <li>v. Management of sediment and dust, including the staging of works;</li> <li>vi. The volume, extent and depth of the <b>earthworks</b> activities;</li> <li>vii. 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> </ol>
RD5	<p>New public roads and associated <b>road network activities</b> that:</p> <p>A. Do not comply with one or more of the conditions of <b>Rule 14.10.1.6</b></p>	
RD6	Off-road pedestrian and cycle facilities that do not comply with one or more of the conditions of <b>Rule 14.10.1.8</b>	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>(a) Design, construction and materials;</li> <li>(b) Safety for cyclists and pedestrians;</li> <li>(c) Connectivity with other off-road pedestrian and cycle facilities and the road network; and</li> <li>(d) Visual and amenity effects.</li> </ol>

		(e) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area.
RD7	Buildings and structures within a road/rail level crossing sight triangle	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>1. The extent to which the safety and efficiency of rail and road operations will be adversely affected</li> <li>2. The outcome of any consultation with KiwiRail</li> <li>3. Any characteristics of the proposed use that will make compliance unnecessary.</li> </ol>

## 14.10.5 Transportation tables and figures

Table 14.10.5.1 - Separation distances

Separation distance of an access onto a road from an intersection or between accesses									
Posted Speed	Design Speed	Distance (m)							
		P		K		M		N	
		Arterial	Collector Road and Local Road	Arterial	Collector Road and Local Road	Arterial	Collector Road and Local Road	Arterial	Collector Road and Local Road
100 km/h	110 km/h	800	500	500	100	60		200	100
80 km/h	100 km/h	550	305	305	80			100	80
70 km/h	80 km/h	220	200	220	30		45	40	30
60 km/h	70 km/h	160	160	160			20	20	
50 km/h or less	60 km/h	125	100	125			20	15	

**Note:** The references P, K, M and N are illustrated in [Figure 14.10.5.2](#)

Figure 14.10.5.2 - Separation distances

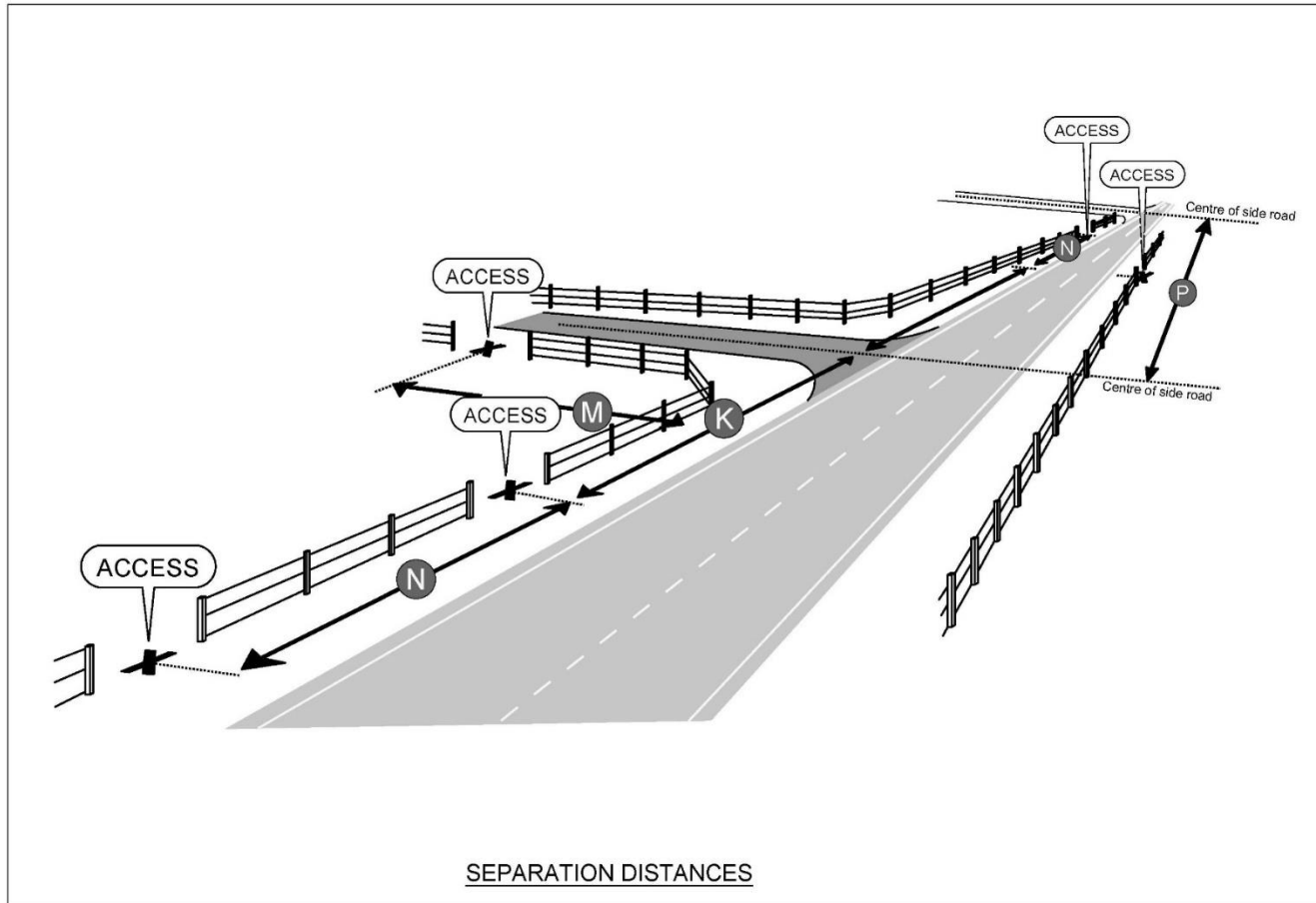


Table 14.10.5.3 - Minimum sight distances

Design Speed (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
		Urban Areas
40	65m	65m
50	90m	90m
60	115m	115m
70	140m	140m
80	180m	170m

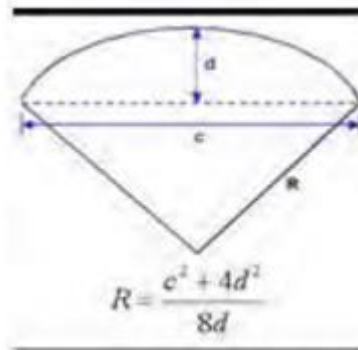
**Note:** Sight distances are measured as illustrated in [Figure 14.10.5.4](#)

Note: Urban areas being those with a posted speed limit of 70 km/h or below.

Road Centreline Radius	Approx. Design Speed
0 - 45m	50 km/h
45 - 60m	60 km/h
60 - 80m	65 km/h
80 - 100m	70 km/h
100 - 120m	75 km/h



120 - 150m	80 km/h
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curve radius can be determined using the following formula

Figure 14.10.5.4 - Minimum sight distances

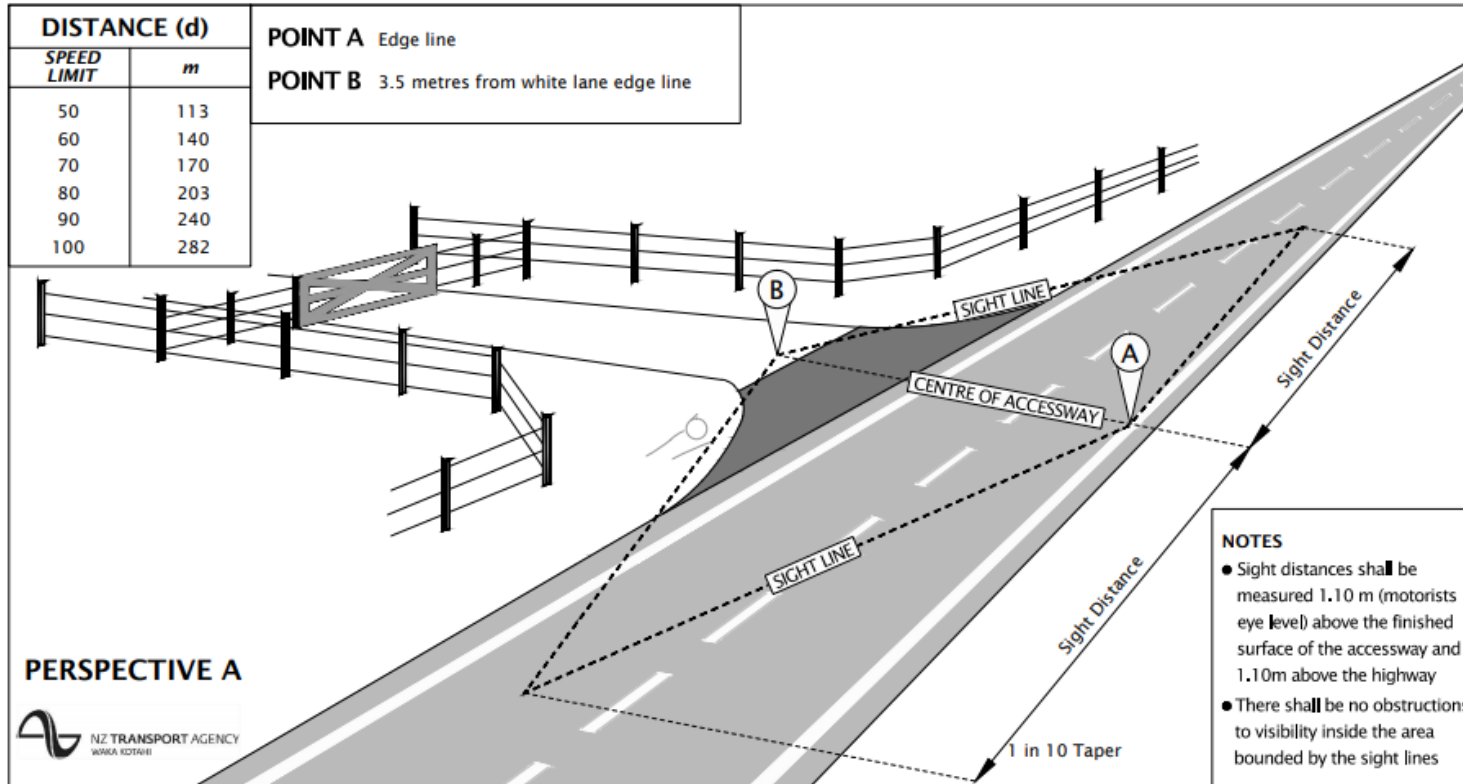


Table 14.10.5.5 - Functions of roads within the Road Hierarchy

Category	Function
<p>Arterial roads:</p> <ul style="list-style-type: none"> <li>i. links between residential, commercial, industrial or recreational land use activities</li> <li>ii. 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>(1) form a strategic network of district importance</li> <li>(2) provide for the collection and distribution of goods significant to the district's economy</li> <li>(3) rural roads that typically provide for less than 6,000 vehicle movements per day (vmpd)</li> <li>(4) 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>(a) provide links between local roads and arterials.</li> </ul>	<p>Roads that:</p> <ul style="list-style-type: none"> <li>(1) provide locally-preferred routes between or within areas of population or activities</li> <li>(2) provide alternative routes to arterials</li> <li>(3) are sealed and are of road geometry aligned with operational safety standards required for the traffic volumes on each section</li> <li>(4) 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 14.11.5.14 and 14.11.5.15](#).

Table 14.10.5.6 - Road Hierarchy list

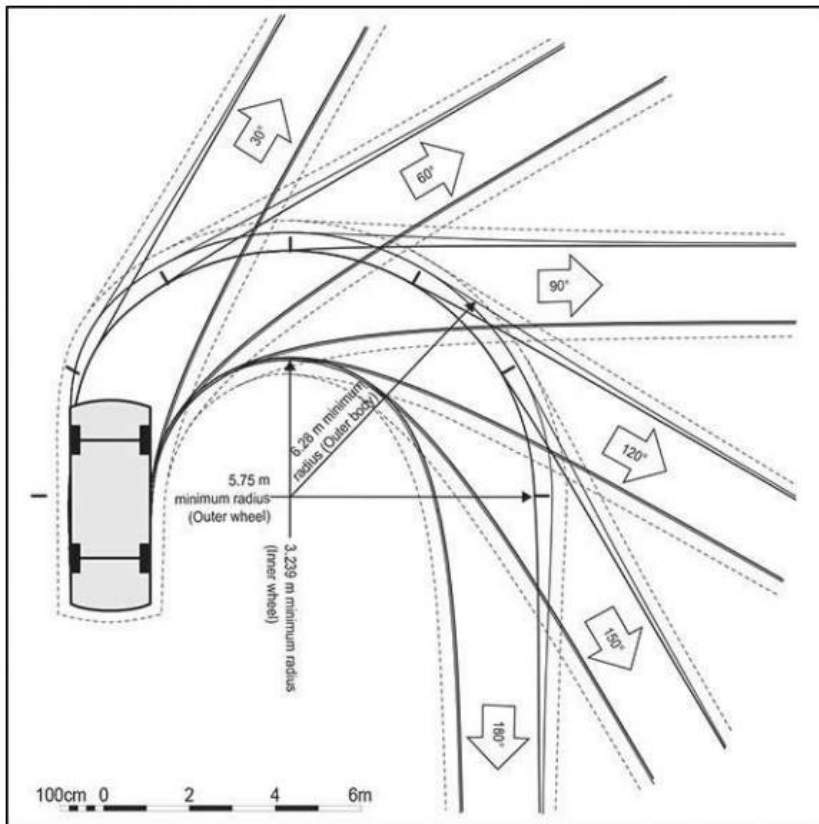
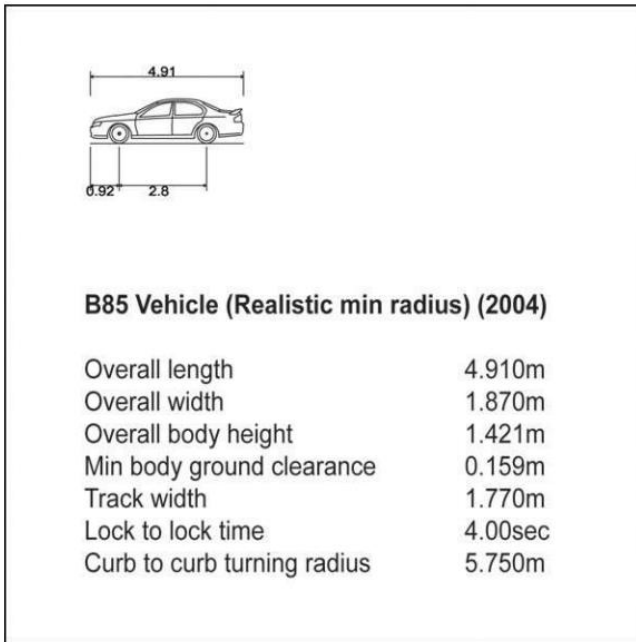
Arterial		
Road Name	Start	Finish
Tahuna Road	Ohinewai South Road	District boundary

Table 14.10.5.7 – Required loading bays<sup>[J03]</sup>

Activity	Minimum Required Loading Bays
Car yards	1 heavy goods vehicle

<b>Activity</b>	<b>Minimum Required Loading Bays</b>
Early Childhood Education and day care facility	Nil
Clubrooms at sports facilities	1 heavy goods vehicle
<b>Community facilities</b> , conference facilities and <b>place of assembly</b>	1 heavy goods vehicle
Dairies, takeaway food, bottle stores	1 heavy goods vehicle
<b>Minor dwelling</b>	Nil
<b>Dwelling</b>	Nil
Retirement village	Nil
<b>Multi-unit development</b>	Nil
Boarding houses / boarding establishments	Nil
Emergency service facilities	Nil
Garden centres	1 heavy goods vehicle
<b>Health facility</b> , veterinary and personal services	Nil
<b>Home occupations</b>	Nil
Hospitality services (e.g. cafés, taverns)	1 heavy goods vehicle
Housing for the elderly/ residential care	Nil
Indoor sports facilities	Nil
<b>Industrial activity</b>	1 heavy goods vehicle
<b>Infrastructure sites</b> and activities	Nil
<b>Office</b>	Nil
Outdoor sports field	Nil
Hospital or care facilities associated with <b>retirement village</b>	1 heavy goods vehicle
<b>Retail activity</b>	Nil
School	1 bus space per 200 students where school bus services are provided
Service stations	Nil
<b>Travellers' accommodation</b>	1 heavy goods vehicle

Figure 14.10.5.8 – 90<sup>th</sup> Percentile car tracking curve minimum radius



Note 1

The dotted line about the vehicle depicts a 300mm clearance about the vehicle.

Table 14.10.5.9 – 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 14.10.5.10 – 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 provided.

Table 14.10.5.11 – 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

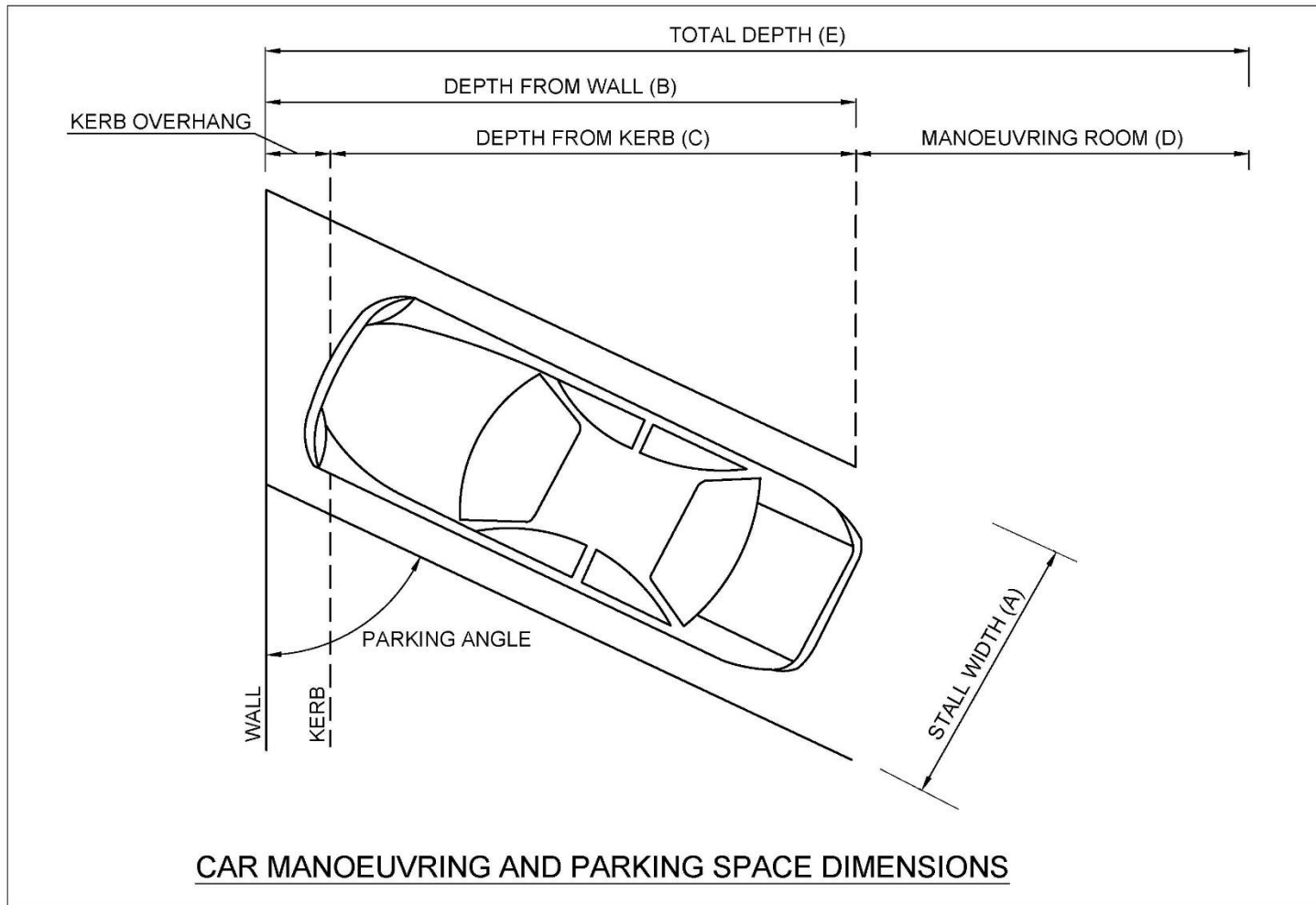




Table 14.10.5.12 – Queuing space

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 14.10.5.13 – Vehicle movement rates

<b>Activity</b>	<b>Indicative daily vehicle movements*</b>
Bulk retail and car yards	45 per 100m <sup>2</sup> gross floor area (GFA)
Early childhood education and day care facility	4 per child the facility is designed to accommodate
Dairies, bottle stores	100 per 100m <sup>2</sup> GFA
Takeaway food	360 per 100m <sup>2</sup> GFA
Dwellings	10 per dwelling
Garden centres	100 per 100m <sup>2</sup> GFA
Health facility veterinary, and personal services	79.4 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	Manufacturing 30 per 100m <sup>2</sup> GFA Warehouse 2.4 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 14.10.5.14 – Access conditions (Ohinewai Precinct Residential, Business, Industrial\_Zones)

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 (Ohinewai Precinct Residential, Business and Industrial Zones)</b>												
Access leg to an allotment (Residential)	1	N/A	8m Rigid	4	N/A							
Access leg to an allotment (Business and Industrial)	1	N/A		6	N/A							
Private access, including ROWs and access allotments (Residential)	2 to 4	N/A		8	5	N/A	N/A	4	Unsealed 1.2m on at least one side	N/A	Nib on one side, mountable on other	Subject to specific design that has been certified
Private access, including ROWs and access allotments (Business and Industrial)	2 to 8	N/A		10	6	N/A	6	Subject to specific design that has been certified				
Access allotment (Residential)	5 to 8	N/A		8	5	Optional	5	Yes				
Service Lane (Business and Industrial)	N/A	N/A	Subject to specific design that has been certified	8	6	No parking	6	Subject to specific design that has been certified	Optional	Non-mountable	Subject to specific design that has been certified	

**Notes:**

- (a) The **Regional Infrastructure Technical Specifications** May 2018 contains further details on road width/design requirements.
- (b) \*Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8) except where the access terminates less than 135m from the nearest road that has reticulated water supply (included hydrants.)

### 14.10.5.15 Railway Level Crossing Sight Triangles and Explanations

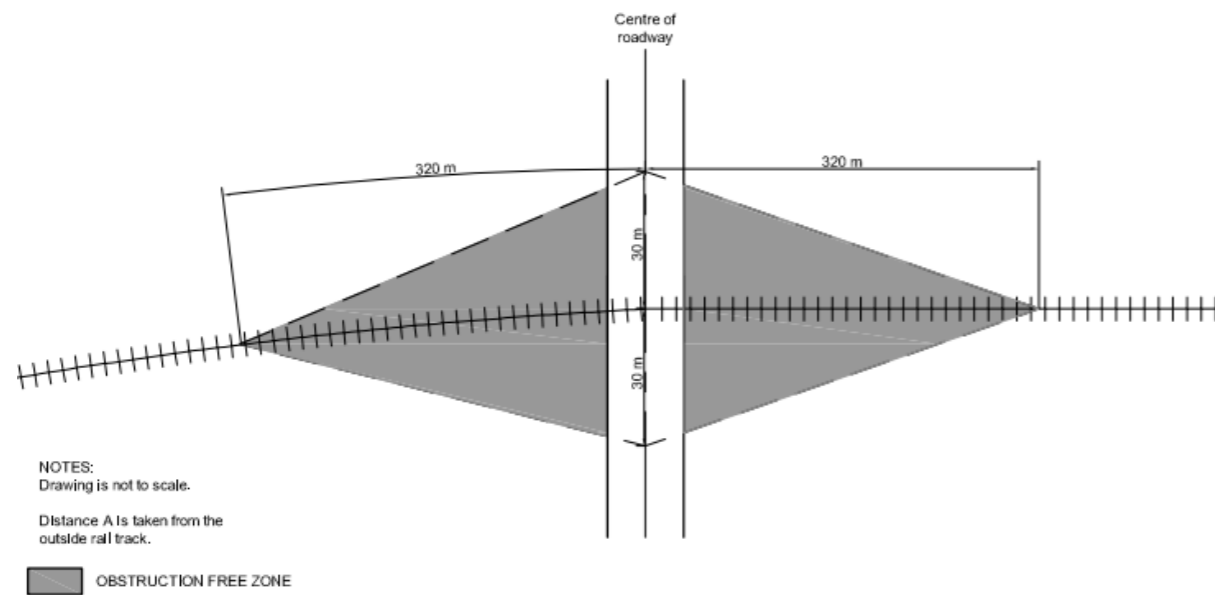
#### Developments near Existing Level Crossings

It is important to maintain clear visibility around level crossings to reduce the risk of collisions. All the conditions set out in this standard apply during both the construction and operation stages of any development.

#### Approach sight triangles at level crossings with Give Way signs

On sites adjacent to rail level crossings controlled by Give Way signs, no building, structure or planting shall be located within the shaded areas shown in 14.10.5.15 Figure 1. These are defined by a sight triangle taken 30 metres from the outside rail and 320 metres along the railway track.

APPROACH SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS



#### 14.10.5.15 Figure 1: Approach Sight triangles for level crossings with “Give Way” Signs

Advice Note: The approach sight triangles ensure that clear visibility is achieved around rail level crossings with Give Way signs so that a driver approaching a rail level can either:

- See a train and stop before the crossing; or
- Continue at the approach speed and cross the level crossing safely.

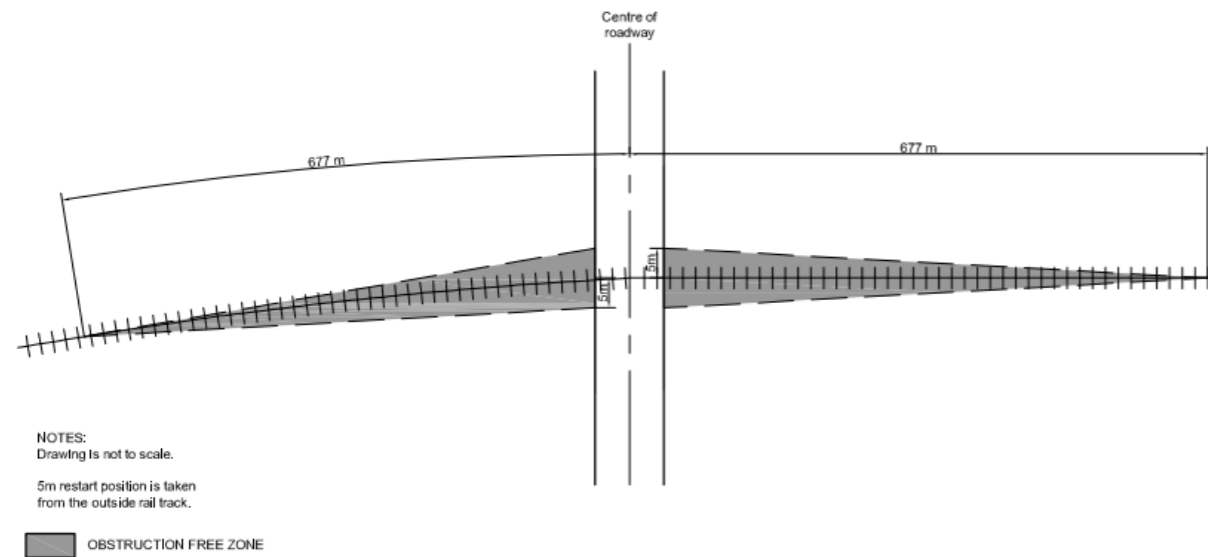
Of particular concern are developments that include shelter belts, tree planting, or series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.

No approach sight triangles apply for level crossings fitted with alarms and/or barrier arms. However, care should be taken to avoid developments that have the potential to obscure visibility of these alarm masts. This is particularly important where there is a curve in the road on the approach to the level crossing, or where the property boundary is close to the edge of the road surface and there is the potential for vegetation growth.

Restart sight triangles at level crossings

On sites adjacent to all rail level crossings, no building, structure or planting shall be located within the shaded areas shown in 14.10.5.15 Figure 2. These are defined by a sight triangle taken 5 metres from the outside rail and distance A along the railway track. Distance A depends on the type of control (14.10.5.15 Table 1).

RESTART SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS



14.10.5.15 Figure 2: Restart Sight Triangles for all Level Crossings (except those fitted with train activities barriers)

14.10.5.15 Table 1: Required Restart Sight Distances for Figure 2

Required approach visibility along tracks A (m)		
Signs only	Alarms only	Alarms and barriers
677 m	677 m	60m

Advice Note: The restart sight line triangles ensure that a road vehicle driver stopped at a level crossing can see far enough along the railway to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train. Of particular concern are developments that include shelter belts, tree planting or series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.

Notes:

1. 14.10.5.15 Figures 1 and 2 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along-track distance in Figure 1, and 50 m to the along-track distance in Figure 2.
2. All figures are based on the sighting distance formula used in NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based; however, the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a:
  - train speed of 110 km/h

- vehicle approach speed of 20 km/h
- fall of 8 % on the approach to the level crossing and a rise of 8 % at the level crossing
- 25 m design truck length
- 90° angle between road and rail

# Chapter 15: Natural Hazards and Climate Change

Proposed Waikato District Plan

Stage 2



## 15.1 Introduction

- (1) Climate change has the potential to increase risk through exacerbating natural hazards, but will also have effects on the environment beyond natural hazards. The Ministry for the Environment predicts the effects of climate change on the Waikato District to include overall warmer temperatures, fewer frosts, a decrease in spring rainfall, increased storm events (including extreme winds) and an average rise in mean sea level. This is likely to mean more frequent droughts leading to water shortages, more inland flooding and salt water intrusion in low-lying coastal areas and an increase in erosion and land instability. For this reason, an allowance for the projected effects of climate change has been included in the 2D flood modelling of key risk areas within this district plan (Horotiu - Huntly - Ohinewai). Specific provision has also been made within the Coastal Sensitivity Areas in respect to development that may be impacted by the projected effects of sea level rise over a 100 year timeframe.
- (2) The Floodplain Management Area is the 1% Annual Exceedance Probability (AEP) floodplain, and is identified through both 1D and 2D modelling, depending on the level of information available. Between Horotiu - Huntly – Ohinewai, where 2D modelling is available, High Flood Risk Areas have also been identified. These are areas within the flood plain where the depth of flood water in a 1% AEP flood event exceeds 1 metre and the speed of flood water exceeds 2 metres per second, which is considered to put the community at an unacceptable (or intolerable) level of risk in terms of the potential for loss of life, injury or serious damage to property. Subdivision and new activities within the High Flood Risk overlay are carefully regulated.
- (3) Residual Risk Areas are areas of land that would be at risk from a natural hazard event if it were not for a structural defence such as a stopbank. In the district plan, these are areas of land protected by stopbanks with a design level of service of at least a 1% AEP flood event, and are generally located along the length of the Waikato River. For the purpose of the district plan, these areas have been called Defended Areas. The district plan includes provision for land protected by stopbanks to ensure that the residual risk is understood and considered as part of any subdivision or development proposals, or any proposal to rezone land to a more intensive land use.
- (4) While liquefaction areas have not been identified on the planning maps, provisions in the district plan require this seismically-induced natural hazard to be assessed before new zonings or subdivision and development are undertaken. This will primarily be achieved through resource consent or plan change processes.
- (5) Areas of slope instability can occur within the district. To comprehensively identify these areas over the entire district is not practical, given the size of the district and the changing circumstances in which slope instability occurs (often after high rainfall or seismic events). Consequently, assessment matters are included in the subdivision rules that require a geotechnical investigation to confirm that a building platform is stable before subdivision or development takes place.

### 15.1 Objectives and policies

#### Objective 15.2.1 - Resilience to natural hazard

risk

A resilient community where the risks from natural hazards on people, property, infrastructure and



the environment from subdivision, use and development of land are avoided or appropriately mitigated.

**Policy 15.2.1.1 - Managing natural hazard risk generally**

- (a) Provide for rezoning, subdivision, use and development outside High Risk Flood, High Risk Coastal Hazard (Inundation) and High Risk Coastal Hazard (Erosion) Areas where natural hazard risk has been appropriately identified and assessed and can be adequately avoided, remedied or mitigated and does not transfer or exacerbate risk to adjoining properties.

**Policy 15.2.1.2 - Natural features and buffers providing natural hazard protection**

- (a) Protect maintain and, where appropriate, enhance the integrity of natural features and buffers which provide a natural defence against the effects of natural hazards and sea level rise, including natural ponding areas, coastal dunes, intertidal areas, wetlands, waterbody margins, riparian/coastal vegetation and floodways.

**Policy 15.2.1.3 - Liquefaction prone land risk assessment**

- (a) On land potentially prone to liquefaction, ensure that:
  - (i) An assessment by a geotechnical specialist occurs before new subdivision, use or development takes place; and
  - (ii) the level of assessment reflects the type and scale of the subdivision, use or development and the overall vulnerability of the activity to the effects of liquefaction

**Policy 15.2.1.4 – Control activities on land susceptible to damage from liquefaction**

- (a) Control subdivision use and development on land assessed as being susceptible to liquefaction induced ground damage, to ensure that appropriate mitigation is provided so that the level of risk to people, property, infrastructure and the environment is acceptable.

**Objective 15.2.2 - Climate change**

A well-prepared community that:

- (a) is able to adapt to the effects of climate change; and
- (b) is able to effectively and efficiently respond to, and recover from, natural hazard events

**Policy 15.2.2.1 - Effects of climate change on new subdivision and development**

- (a) Ensure that adequate allowances are made for the projected effects of climate change in the design and location of new subdivision and development throughout the district, including undertaking assessments where relevant that provide for:
  - (i) the projected increase in rainfall intensity, as determined by national guidance, but being not less than 2.3°C by 2120;
  - (ii) in respect to new urban zoning, stress testing under the RCP 8.5 scenario for rainfall [1] and RCP 8.5H+ for sea level rise [2].

[1] Stress testing under the RCP 8.5 scenario for rainfall, see Ministry for the Environment, 2018: Climate Change Projections for New Zealand. September 2018. Publication No. MFE 1385.

[2] Stress testing under the RCP 8.5H+ scenario for sea level rise, see Ministry for the Environment, 2017: Coastal Hazards and Climate Change – Guidance for Local Government. December 2017. Publication No. ME 1341.

### **Policy 15.2.2.2 - Future land use planning and climate change**

- (a) Increase the ability of the community to adapt to the effects of climate change when undertaking future land use planning by
  - (i) ensuring the potential environmental and social costs of climate change, including effects on indigenous biodiversity (inland migration), mahinga kai, public health and safety, public access to waterway margins, and the built environment are addressed
  - (ii) encouraging the incorporation of sustainable design measures within new subdivision, landuse and development, including:
    - (A) low impact, stormwater management, urban design and green infrastructure;
    - (B) efficient water storage;
    - (C) provision of renewable energy generation; and
    - (D) transferring to activities with lower greenhouse gas emissions.
  - (iii) providing ongoing monitoring of changes to the environment due to climate change; and
  - (iv) facilitating community discussion on adaptive pathways to manage the risks associated with climate change and incorporating them, where appropriate, into the district plan through plan changes.

### **Policy 15.2.2.3 - Precautionary approach for dealing with uncertainty**

- (a) In areas throughout the district likely to be affected by climate change over the next 100 years, adopt a precautionary approach towards new subdivision, use and development which may have potentially significant or irreversible adverse effects but for which there is incomplete or uncertain information.

### **Policy 15.2.2.4 - Provide sufficient setbacks for new development**

- (a) Protect people, property and the environment from the projected adverse effects of climate change, including sea level rise, by providing sufficient setbacks from water bodies when assessing new development.
- (b) Ensure that in establishing development setbacks, adequate consideration is given to:
  - (i) the protection of natural ecosystems, including opportunities for the inland migration of coastal habitats;
  - (ii) the vulnerability of the community;
  - (iii) the maintenance and enhancement of public access to the coast and public open space; the requirements of infrastructure; and
  - (iv) natural hazard mitigation provision, including the protection of natural defences.

### **Policy 15.2.2.5 - Assess the impact of climate change on the level of natural hazard risks**

- (a) For all new subdivision, use and development requiring rezoning or a resource consent, ensure that account is taken of the projected effects of climate change over the next 100 years when assessing any identified risks from natural hazards, and their effects on people, property, infrastructure and the environment.
- (b) Ensure that, when assessing the effects of climate change on the level of natural hazard risk in accordance with Policy 15.2.2.5(a) above, the allowances in Policy 15.2.2.1(a) are applied.
- (c) Where the assessment required by Policy 15.2.2.5(a) and Policy 15.2.2.5(b) above indicates that natural hazards are likely to be exacerbated by climate change, ensure that subdivision and development are designed and located to avoid, or appropriately mitigate, any increased and cumulative risk, including increased risk of flooding, liquefaction, slope instability, fire, and drought.

### **15.2 How to use and interpret the rules**

- (a) The activities covered by the rules in this chapter are also subject to the rules in the relevant zone chapters and the district-wide rules in Chapter 14 Infrastructure and Energy.
- (b) Where subdivision is specified, a subdivision consent is also required under the provisions of the relevant zone chapter, and the district-wide rules in Chapter 14 Infrastructure and Energy will also apply.
- (c) The rules in this chapter do not apply to:
  - (i) any activity which is a regulated activity under the National Environmental Standards for Telecommunication Facilities 2016 (NESTF);
  - (ii) plantation forestry activities regulated under the National Environmental Standards for Plantation
- (d) The information requirements for resource consent applications in respect to natural hazards are set out in Rule 15.3.

### **15.3 Liquefaction**

#### **15.3.1 Overview of method**

- (1) Areas in the district susceptible to liquefaction have not been identified on the planning maps as a natural hazard overlay as is the case with the other natural hazards in this chapter. Where specific land uses have already been identified as restricted discretionary activities in the activity status tables in the relevant zone, liquefaction risk has been added as a matter over which the Council will reserve its discretion, where it is considered relevant for that activity. To satisfy the requirements of sections 104 and 106 of the RMA, identification of appropriate mitigation may be required where the site and proposed development are considered vulnerable to liquefaction based on site-specific characteristics. It is expected that best practice geotechnical and engineering methods will be used to ensure that the site is suitable for the intended use.
- (2) Where potential liquefaction risk is identified as a matter that the Council restricts its discretion to, the additional matters outlined in Rules 15.3.2 and 15.3.3 below apply where relevant.

#### **15.3.2 Additional matters of restricted discretion for subdivision to create one or more additional vacant lots liquefaction risk**

- (1) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a subdivision rule elsewhere in this Plan, and where that proposal involves subdivision to create one or more additional vacant lots, the Council restricts its discretion to the following additional matters (note: these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):
- (a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (see information requirements in section 15.4);
  - (b) Measures proposed to mitigate the effects of liquefaction hazard if present including:
    - (i) Location, size, layout and design of allotments, structures, and building platforms, including consideration given to alternative siting away from where liquefaction risk is greatest;
    - (ii) Location, timing, scale and nature of earthworks;
    - (iii) Provision for ground strengthening and foundation design;
    - (iv) Provision for resilient services and infrastructure, including wastewater, water supply, roads and access;
    - (v) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground or free face, or alternative geotechnical measures to address any identified potential for lateral spread
    - (vi) Effects on adjoining properties

### 15.3.3 Additional matters of restricted discretion for new land use (e.g. multi unit development liquefaction risk)

- (1) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a rule elsewhere in this Plan for new land use, the Council restricts its discretion to the following additional matters (note these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site)
- (a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (see information requirements in section 15.4);
  - (b) Measures proposed to mitigate the effects of liquefaction hazard, if present, including:
    - (i) Location, size, layout and design of buildings, structures, car parking areas, access and provision for resilient infrastructure and services, including wastewater, stormwater and water supply;
    - (ii) Location, timing, scale and nature of earthworks; Provision for ground strengthening and foundation design;
    - (iii) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground (or free face, or alternative geotechnical measures to address any identified potential for lateral spread);
    - (iv) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction induced damage;
    - (v) Effects on adjoining properties.

## 15.4 Information requirements for all resource consent applications addressing natural hazards

### 15.4.1 General

- (1) The following documents, to the extent relevant to the proposal;
- (b) Geotechnical assessment, including identification and assessment of any potentially liquefaction prone land and land subject to slope instability;
  - (a) An assessment of natural hazard risk, including the type of natural hazards present, such as flooding, slope stability, liquefaction, subsidence and coastal hazards. The assessment shall include the level of risk and any increase in risk as a result of the proposal associated with each hazard. Where applicable, the projected effects of climate change over the period to 2120 must be included;
  - (b) Remediation and mitigation measures necessary to make the site and any proposed buildings suitable for the proposed use, such as minimum floor levels, foundation design for relocatability, and appropriate time limits and/or triggers for the removal of any building and onsite wastewater disposal systems.
- (2) Plans identifying:
  - (a) Topographical features within the site and surrounding area;
  - (b) The location of natural hazards on all or part of the site.

### 15.4.2 Liquefaction Information

- (1) For land use resource consent applications where the additional matters the Council will restrict its discretion to include liquefaction, as per Rule 15.3.3, the following information is required:
  - (a) A preliminary geotechnical assessment in sufficient detail to determine:
    - (i) the liquefaction vulnerability category, being either “liquefaction damage is unlikely” or “liquefaction damage is possible”, as shown in Table 4.4 in “Preliminary Document: Planning and engineering guidance for potentially liquefaction-prone land – Resource Management Act and Building Act aspects. Pub MfE and MBIE, September 2017”; or
    - (ii) whether or not the site is susceptible to liquefaction using an alternative accepted method, observation, or desk-top study.
  - (b) Where a “liquefaction damage is possible” category has been identified for the site as per 15.3.2(1)(a)(i) above, or an alternative accepted method, observation or desktop study indicates that the site is susceptible to liquefaction as per 15.3.2(1)(a)(ii) above, the assessment will be required to determine the liquefaction vulnerability in more detail, and in proportion to the scale and significance of the liquefaction hazard, and must:
    - (i) Identify any areas which require particular ground strengthening or other mitigation measures, and recommendations for such mitigation; and
    - (ii) Identify areas to be excluded from built development, due to liquefaction hazard constraints (which includes lateral spread), or which require geotechnical setbacks; and
    - (iii) Indicate options and recommended locations for the proposed activities and infrastructure recommended by the geotechnical engineer.
  - (c) All geotechnical assessments in respect of liquefaction risk are to be prepared by a suitably- qualified and experienced engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered).
- (2) For subdivision consent applications that create one or more additional vacant lots as per

Rule 15.3.2:

- (a) An assessment in accordance with 15.3.2(1)(a) above will be required to be provided.
- (b) Where a “liquefaction damage is possible” category has been identified for the site as per 15.3.2(1)(a)(i) above, or an alternative accepted method, observation, or desktop study indicates that the site is susceptible to liquefaction as per 15.3.2(1)(a)(ii) above, the subdivision application will be required to include sufficient information and proposed measures to satisfy that liquefaction risk can be adequately avoided, remedied or mitigated, including the potential effects of lateral spread.
- (c) Subdivision plans shall show, to the extent relevant or appropriate to the scale and significance of the liquefaction hazard identified:
  - (i) Any areas which require particular ground strengthening or other mitigation measures, and recommendations for such mitigation; and
  - (ii) any areas which should be excluded from built development due to geotechnical constraints, or which require geotechnical setbacks; and
  - (iii) any features of subdivision layout recommended by the geotechnical engineer, for example any recommended locations for proposed activities and other infrastructure as a result of geotechnical constraints.
- (d) All geotechnical reports in respect of liquefaction potential are to be prepared by a suitably- qualified and experienced engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered)

## Chapter 29: Ohinewai Precinct

Proposed Waikato District Plan

Stage 1



## **Chapter 29; Ohinewai Precinct**

The Ohinewai Precinct is defined by the Ohinewai Structure Plan area. The provisions relating to this precinct do not apply to land outside this area, other than in respect to infrastructure that is required to service the Precinct<sup>[J04]</sup>.

### **29A Objectives and policies**<sup>[J05]</sup>

#### **29A.1.1 Objective - Development**

- (a) Development of an Ohinewai Precinct to establish a new strategically important industrial node with supporting residential and commercial activities. ~~that does impact on the rural character of the existing Ohinewai Area~~<sup>[J06]</sup>

#### **29A.1.2 Policies – Development**

- (i) Require d-Development is to be consistent with the Ohinewai Structure Plan including:
- a. The location and function of access points to the existing road network;
  - b. The functions of the internal road network and shared path network;
  - c. The areas of the open space network including the Central Park and Wetland Park<sup>[J07]</sup>.
- (ii) Enable large scale industrial development within the Ohinewai Precinct to provide for industrial growth and employment<sup>[J08]</sup>.
- (iii) Enable a neighbourhood centre in the Ohinewai Precinct Business Zone to provide small scale local convenience retail and community activities thereby ensuring any adverse economic effects on the Huntly Town Centre<sup>[J09]</sup> are minimised.
- (iv) 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.
  - 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 urban design criteria.

#### **29A.2.1 Objective – Vision and Strategy for the Waikato River**

- (a) Development in the Ohinewai Precinct 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).

#### **29A.2.2 Policies – Vision and Strategy for the Waikato River**

- (a) Development achieves improvements in water quality of stormwater discharges, compared to existing discharges, and creates new areas of wetland habitat<sup>[J010]</sup>.
- (b) Development includes the control and management of introduced pest flora and fauna
- (c) Development includes the opportunity to undertake cultural and customary activities around constructed wetlands.
- (d) Mana whenua narratives are woven into the development<sup>[J011]</sup>.

#### **29A.3.1 Objective – Community facilities and open space**<sup>[J012]</sup>

- (a) Development achieves a community with an appropriate range of accessible, walkable and conveniently-located services, community facilities and public open spaces that serve the day-to-day needs of people living and working in the Ohinewai Precinct.



### **29A.3.2 Policies – Community facilities and open space**

- (a) Require–Development and subdivision is to identify and provide for social and community infrastructure to be staged to support community needs.
- (b) A range of active and passive open spaces are provided to meet community needs, with provision for open space areas that are privately-owned and managed but open to the public<sup>[J013]</sup>.

### **29A.4.1 Objective – Infrastructure**

- (a)Ohinewai Precinct is well-connected to Huntly by road, walking and cycling networks.
- (b) Development is staged to ensure water supply, wastewater and transport infrastructure with the necessary capacity is available prior to development.

### **29A.4.2 Policies – Infrastructure**

- (a) Require Infrastructure upgrades necessary to support development are to be identified at the time of subdivision in accordance with Table 29B.1 to confirm staging and timing of delivery.
- (b) Require aAll development is to be connected to a reticulated public water supply and wastewater system, except for self-contained on-site water supply and wastewater disposal for initial industrial development<sup>[J014]</sup>.
- (c) Except for initial subdivision and development which is self-contained, the Precinct is connected to a water treatment plant at Huntly or Te Kauwhata that is compliant with its resource consent conditions.
- (d) Except for initial subdivision and development which is self-contained, the Precinct is connected to a public reticulated wastewater network that connects to the Huntly<sup>[J015]</sup> a Wastewater Treatment Plant at Huntly and:
  - (i) The plant is compliant with its discharge consent conditions; or
  - (ii) The connection is consistent with and supports a suite of planned treatment plant improvements that will result in a compliant plant; and
  - (iii) The connection does not result in any increase in non-compliance with the discharge consent conditions.

### **29A.5.1 Objective – Natural hazards**

- (a)Land development is undertaken to ensure that the risks of natural hazards to the Ohinewai Precinct are avoided or appropriately mitigated<sup>[J016]</sup>.

### **29A.5.2 Policies – Natural hazards**

- (a) Avoid increases in flood risk on land beyond the Ohinewai Precinct.
- (b) Ensure at the time of subdivision building platforms are located above~~outside~~ the 100 year AEP flood level~~plain~~.
- (c) The functional and operational requirements of the Lower Waikato Flood Protection Scheme are recognised and any adverse effects (including cumulative effects) on the storage capacity of the scheme are appropriately managed<sup>[J017]</sup>.
- (d) Ensure that liquefaction risk is assessed and where necessary mitigated, at the time of subdivision.

### **29A.6.1 Objective – Stormwater management**

- (a)Stormwater is managed in accordance with a best practice Low Impact Design approach.

### **29A.6.2 Policies – Stormwater management**

- (a)Ensure stormwater is treated to a high standard through Low Impact Design methods that implement a treatment train with at least two steps, the first of which is on-lot.
- (b)Ensure stormwater management planning is undertaken as part of development and subdivision<sup>[J018]</sup>.

### **29A.7.1 Objective – Ecological restoration** JO19

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

### **29A.7.2 Policies – Ecological restoration**

(a) Existing significant ecological values are protected and enhanced where practicable, and otherwise mitigated JO20.

(b) Ecological Restoration and Management Plans (ERMP) are prepared as part of staged development to;

(i) protect and enhance ecological values where practicable, including use of indigenous planting suitable to the habitat, and the required range of natural food sources;

(ii) control or remove pest plants and pest animal species;

(iii) establish or enhance ecological processes and corridors; and

(iv) mitigate effects on ecological values.

### **29A.8.1 Objective – Amenity and character** JO21

(a) Effects on existing rural character of nearby land are mitigated.

(b) A high level of amenity within the Precinct is achieved through good urban design JO22.

### **29A.8.2 Policies – Amenity and character** JO23

(a) Development is attractive and connected, including in relation to public open space networks and integrated networks of roads, public transport, cycle and pedestrian routes.

(b) A range of supporting local community facilities and services are provided for residents daily needs.

(c) Enable a variety of housing types, including multi-unit development.

(c) Building setbacks and landscape buffers mitigate visual and landscape effects on rural areas and neighbours.

### **29A.9.1 Objective – Reverse sensitivity** JO24

(a) Reverse sensitivity effects of residential development are minimised.

### **29A.9.1 Policies – Reverse sensitivity** JO25

(a) Adequate separation distances between Ohinewai Precinct Industrial and Business zones and the Residential zone are achieved through the open space buffers in the Ohinewai Structure Plan.

(b) Potential reverse sensitivity effects of recreational hunting on the Rotokawau Reserve are mitigated by acoustic treatment of the closest dwellings.

## **Rules**

The rules that apply to activities in Chapter 29, the Ohinewai Precinct, are contained in JO26;

- (a) 29B.1 Infrastructure Rules.
- (b) 29C Ohinewai Precinct Residential Zone.
- (c) 29D Ohinewai Precinct Business Zone.
- (d) 29E Ohinewai Precinct Industrial Zone.

The activity status tables and standards in the following chapters also apply to activities in the Ohinewai Precinct, except where they are inconsistent with a rule in Chapter 29, in which case the rule in Chapter 29 prevails;

## **10 Hazardous Substances and Contaminated Land**

[14 Infrastructure and Energy.](#)

[15 Natural Hazards and Climate Change](#)

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](#)

The rules providing for subdivision in the Ohinewai Precinct are contained in [Rules 29C.4, 29D.4 and 29E.4](#)

In this chapter the terms 'in accordance with the Ohinewai Structure Plan' [means](#)<sup>[1027]</sup>:

- [\(i\) The location and function of access points to the existing road network must be complied with;](#)
- [\(ii\) The location of the internal road network and shared path network is indicative and some variation is anticipated, provided the functions of the networks are complied with;](#)
- [\(iii\) The location of buildings and community infrastructure is indicative, and some variation is anticipated; and](#)
- [\(iv\) The areas of open space must be provided but their boundaries are indicative.](#)

## 29B Ohinewai Precinct-Infrastructure and Energy [JO28]

### Rules

- (a) The following Table 29B.1 specifies the staging and sequencing of infrastructure upgrades in the Ohinewai Precinct. The Ohinewai Precinct is defined as the Ohinewai Structure Plan area.
- (b) The Ohinewai Structure Plan comprises the following:
- (i) The Ohinewai Structure Plan map; Figure 29B.1 (Structure Plan Drawing No 1805\_012a Rev K)
- (ii) The Ohinewai Business Area Structure Plan; Figure 29B.2 (Drawing No 1805\_012b Rev F).
- (iii) The Ohinewai Precinct Staging Plan; Figure 29B.3 (Drawing No P19-176-00-1050-SK Rev1).
- (c) The required infrastructure upgrades are in Table 29B.1 [JO29] and the relevant staging rules are in sections 29C, 29D and 29E. The staging of subdivision, development and infrastructure must comply with the sequencing set out on the Staging Plan and Table 29B.1, except that where a later stage is brought forward, the need for infrastructure is to be reassessed, and provided to the extent necessary for the out-of-sequence stage [JO30].
- (d) In this chapter the term ‘development’ means any activity undertaken to change the scale, character or intensity of any use of land, and includes any building activity [JO31].

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

<b>Upgrade required [JO32]</b>	<b>Staging and Sequencing and Timing</b>
<b>29B.1.1 Transport</b>	
<u>(a) Walking and cycling linkages to Ohinewai West over the NIMT and the Waikato Expressway, including:</u>	<u>To be provided [JO33] prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 3A or prior to development occupation and use of the first more than 100 dwellings, whichever comes first.</u>
<ul style="list-style-type: none"> <li>i. <u>Construction of a separate shared path bridge to the south of the Ohinewai interchange; and</u></li> <li>ii. <u>Construction of shared paths and ramps connecting to the bridge.</u></li> </ul>	
<u>(b) Construction of an interim bus stop on Tahuna Road between the Ohinewai interchange and Lumsden Road and associated pedestrian access to the bus stop [JO34].</u>	<u>To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 2A or 2B, or prior to development of more than 100 dwellings [JO35], whichever comes first.</u>
<u>(c) Tahuna Road upgrade (from Lumsden Road to Access 2), including:</u>	<u>To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 2A, 2C and 2D [JO36].</u>
<ul style="list-style-type: none"> <li>(i) <u>Kerb and channel and street lighting on northern side of the road. (Table 14.11.5.14</u></li> </ul>	
<u>(c) Construction of Access 2 on Tahuna Road (roundabout), including:</u>	<u>To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 3A, or prior to development of</u>
<ul style="list-style-type: none"> <li>(i) <u>Construction of new intersection to provide access to residential area.</u></li> </ul>	

	<a href="#">more than 360 dwellings, whichever comes first</a> <sup>[JO37]</sup> .
<a href="#">(e) Balemi Road upgrade (to easternmost access), including:</a> <a href="#">(i) Reconstruction of the road to urbanised industrial cross-section (Table 14.10.5.14, Collector Road, Business and Industrial</a> <sup>[JO38]</sup> ) <a href="#">including widening and sealing and kerb and channel on southern side of the road.</a>	<a href="#">To be provided prior to the completion of the Rail Siding.</a> <a href="#">This upgrade is not required if the rail siding is not constructed and is not required for any other stages</a> <sup>[JO39]</sup> .
<a href="#">(f) Lumsden Road upgrade (from Tahuna Road to Access 4), including:</a> <a href="#">(i) Upgrade to urbanised/industrial cross-section with kerb and channel and graded berms (Table 14.10.5.14 Collector Road, Business and Industrial</a> <sup>[JO40]</sup> );	<a href="#">To be provided 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.</a>
<a href="#">(ii) Construct 620m of shared path on eastern side of road extending from Tahuna Road to Access 4.</a> <a href="#">(iii) Street lighting on eastern side of Lumsden Road from Tahuna Road to just north of Balemi Road.</a>	
<a href="#">(g) Construction of Access 1 on Tahuna Road (Left-in, left-out).</a>	<a href="#">To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stages 2C and 2D</a> <sup>[JO41]</sup> .
<a href="#">(h) Construction of Access 3 on Lumsden Road (T-intersection).</a>	<a href="#">To be provided 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 FI-F4 ), whichever comes first.</a>
<a href="#">(i) Construction of Access 4 on Lumsden Road (T-intersection).</a>	<a href="#">To be provided 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 FI-F4), whichever comes first.</a>
<a href="#">(j) Construction of new low speed slip lane from the Great South Road to Ohinewai South Road, including provisions for pedestrians and cyclists</a> <sup>[JO42]</sup> .	<a href="#">To be provided 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.</a>
<a href="#">(k) Lumsden Road realignment north of Access 4 for rail siding, including:</a> <a href="#">(a) Relocation and reconstruction of Lumsden Road/Balemi Road intersection, including the necessary sight line improvements; and</a> <a href="#">(b) Gated speed threshold treatment and speed reduction measures for southbound traffic speed calming.</a>	<a href="#">To be provided prior to the operation of the rail siding.</a> <a href="#">This upgrade is not required if the rail siding is not constructed and is not required for any other stages</a> <sup>[JO43]</sup> .

<u>(l) Sightline increased improvements [J044] to Southbound offramp on the Ohinewai interchange by clearing vegetation and relocating stop line.</u>	<u>To be provided prior to the development occupation and use of Factory Stage I or prior to development the occupation and use of the first 100 dwellings, whichever comes first.</u>
<u>(m) Walking and cycling linkage to/from Huntly, including:</u> <u>(a) 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> <u>(b) 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>To be provided prior to the development occupation and use of Factory Stage F3 or prior to any section 224c certificate for subdivision under the RMA being issued for more than 31 ha (net) of Industrial or Business zoned land, whichever comes first.</u>
<b>29B.1.2 Water &amp; Wastewater</b>	
<u>(a) On-site disposal of wastewater and on-site water supply.</u>	<u>To be provided prior to the occupation and use of initial industrial development (Factory Stage F1 and F2) [J045].</u>
<u>(b) Bulk main connections to a Huntly Wastewater Treatment Plant</u>	<u>(i) To be provided prior to the development occupation and use of Factory Stage F3 or F4 (which is beyond the initial industrial development) and [J046] prior to the occupation and use of any other Industrial, Business or Residential development.; and</u> <u>(ii) The wastewater treatment plant must be certified by the Waikato District Council [J047] as being compliant in all respects with the conditions of the relevant discharge consent(s) or alternatively, is certified by the Waikato District Council that the bulk main connection will not result in any increase in the extent of non-compliance with the conditions [J048].</u>
<u>(c) Bulk main connections to a Huntly Water Treatment Plant or a Te Kauwhata Water Treatment Plant</u>	<u>(i) To be provided prior to the development occupation and use of Factory Stage F3 or F4 (which is beyond the initial industrial development) and [J049] prior to the occupation and use of any other Industrial, Business or Residential development.; and</u> <u>(ii) The water treatment plant must be certified by the Waikato District Council as being compliant in all respects with the conditions of the relevant water permits [J050].</u>
<b>29B.1.3 Community Infrastructure</b>	
<u>(a) Community facility</u>	<u>To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 3A, or prior to the development [J051] occupation and use of more than 350 dwellings, whichever comes first.</u>

(b) Sports fields	To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 4 or prior to the development <sup>[J052]</sup> occupation and use of more than 600 dwellings, whichever comes first.
(c) Central Park wetland/open space, including recreational paths.	To be provided prior to the development occupation <sup>[J053]</sup> and use of the first 100 dwellings.
(d) Wetland park/open space, including recreational paths.	To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 6-4 or prior to the development <sup>[J054]</sup> use and occupation of more than 800600 dwellings <sup>[J055]</sup> .
(e) Market Gardens	To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 7.
(f) Orchard/Beehives	To be provided prior to any section 224c certificate for subdivision under the RMA being issued for the completion of Stage 8.

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 to communities outside the Precinct<sup>[J056]</sup>.

Note 2: Refer to Staging Plan, Figure 29B.3 in Appendix 13 (Dwg P19-176-00-1050-SK Rev 1) for location of stages and access points.

## 29B.2 Integrated Transport Assessments<sup>[J057]</sup>

29B.2.1 Any restricted discretionary activity under Rules 29C.2.6 RD2, 29D.2.8 RDI or 29E.2.8 RDI must include an Integrated Transport Assessment (ITA) that includes the information in Table 29B.2.2.

The following information shall be provided with the application for resource consent:

- (a) If the site gains access principally via Tahuna Road or Lumsden Road, and generates 51 – 250 ECM per day a simple ITA, or more than 250 ECM per day a broad ITA.
- (b) If the site gains access principally via any other road, a simple ITA.

In this rule Equivalent Car Movements (ECM) means: 1 car movement is equivalent to 1 car movement, 1 truck movement is equivalent to 3 car movements, 1 truck and trailer movement is equivalent to 5 car movements.

### Table 29B.2.2

A Simple ITA shall contain:

Item Description	Details to be included
1. Background	Description of proposed activity, purpose and intended use of ITA
2. Existing land data	Description of location, site layout, existing use, adjacent and surrounding land use.
3. Existing transport data	Description of access arrangements, onsite car parking, surrounding road network (including hierarchy, traffic volumes and crash analysis). Comment on public transport, walking and cycling networks. Reference to any previous ITAs that have been prepared for the Ohinewai Precinct.
4. Committed environmental changes	Consideration of other developments and land use in the immediate vicinity.
5. Existing travel characteristics	Trip generation of existing use.
6. Proposal details	Consideration of other developments and land use in the immediate vicinity.
7. Predicted travel data	Trip generation of proposal. Consideration of other modes.
8. Appraisal of transportation effects	Assessment of safety, efficiency and environmental effects.
9. Avoiding or mitigating actions	Details of any mitigating measures and revised effects.

10. Compliance with policy and other frameworks	Waikato District Plan objectives, policies and rules.
11. Consultation	Evidence of consultation with Waka Kotahi/NZ Transport Agency and Waikato Regional Council and how any feedback has been addressed.
12. Discussion and conclusions	Assessment of effects and conclusion of effects.
13. Recommendations	Proposed conditions (if any).

#### A Broad ITA shall contain:

Item Description	Details to be included
1. Background	Description of proposed activity, purpose and intended use of ITA, outline of any previous discussions with Council
2. Existing land data	Description of location, site layout, existing use, adjacent and surrounding land use.
3. Existing transport data	Description of existing access and service arrangements, onsite car parking; Description of , surrounding road network (including hierarchy, traffic volumes, crash analysis, congestion and intersections; Description of public transport modes, walking and cycling networks. Reference to any previous ITAs prepared in the Ohinewai Precinct.
4. Committed environmental changes	Consideration of other developments and land use and transport network improvements (including public transport, walking and cycling)
5. Existing travel characteristics	Existing trip generation, modal split, assignment of trips to the network.
6. Proposal details	Description of the proposal (site layout, operational hours, vehicle access, on site car parking and drop off, internal vehicle circulation, end of journey facilities, travel demand management); Construction management Any staging, triggers and thresholds for activities and mitigation measures.
7. Predicted travel data	Trip generation of proposal, modal split, trip assignment to the network, trip distribution and trip type proportions. Future traffic volumes and trip generation. Consideration of appropriate assessment year (eg 10 year forecast for local and collector roads; 30 year forecast for arterials).
8. Appraisal of transportation effects	Assessment of safety, efficiency and environmental effects. Sensitivity testing
9. Avoiding or mitigating actions	Details of any mitigating measures and revised effects. This should include travel planning and travel demand management measures and sensitivity testing mitigations
10. Compliance with policy and other frameworks	Waikato District Plan objectives, policies and rules.
11. Consultation	Evidence of consultation with Waka Kotahi/NZ Transport Agency and Waikato Regional Council and how any feedback has been addressed.
12. Discussion and conclusions	Assessment of effects and conclusion of effects.
13. Recommendations	Proposed conditions (if any).

Note; Table 14.11.5.13 provides indicative traffic generation rates for various activities.

#### 29B.2.3 Council's discretion shall be restricted to the following matters:

##### Discretion is restricted to:

- (a) The trip characteristics associated with the proposed activity;
- (b) The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;
- (c) Land transport network safety and efficiency, particularly at peak traffic times (of both the activity and road network);
- (d) Number of carparks provided on site;
- (e) Within the Ohinewai Precinct Business Zone, the need for any access onto Tahuna Road [J058].
- (f) Infrastructure deficiencies, risk or positive effects identified from consultation with the NZ Transport Agency where state highways may be affected.
- (g) The extent to which previous ITA's undertaken in the Ohinewai Precinct are relied on
- (h) Mitigation to address adverse effects, such as:
  - (i) Travel planning;
  - (ii) Providing alternatives to private vehicle trips, including accessibility to public transport;
  - (iii) Staging development; and
  - (iv) Contributing to improvements to the road network.

#### 29B.2.4 Road Cross-sections



[The following road cross-sections apply in the Ohinewai Precinct:](#)

	General				Seal Width				Berm		General	
Road Type	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>												
<b>Roads in Ohinewai Precinct</b>	≥1	30-80 (max)	N/A	16	Refer to typical cross-sections (Figures 29B.4 and 29B.5) in Appendix I3 [U059].							

## 29C Ohinewai Precinct Residential Zone Rules

- (a) 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.
- (b) The rules that apply to subdivision in the Ohinewai Precinct Residential Zone are contained in Rule 29C.4 and the relevant rules in Chapter 14 Infrastructure and Energy, and Chapter 15 Natural Hazards and Climate Change.

### 29C.1 Land Use - Activities

#### 29C.1.1 Permitted Activities

- (a) The following activities are permitted activities if they meet all the following:
- 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);
  - 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);
  - Activity-specific conditions.

Activity		Activity-specific conditions
P1	Construction, alteration, additions, or demolition of buildings.	Nil
P1	<u>Residential activity</u> , unless specified below <sup>[J060]</sup> .	Nil <sup>[J061]</sup>
P2	<u>Home occupation</u>	<ol style="list-style-type: none"> <li>It is wholly contained within a <u>building</u><sup>[J062]</sup>;</li> <li>The storage of materials or machinery associated with the <u>home occupation</u> are either wholly contained within a <u>building</u> or are screened so as not to be visible from a public road or neighbouring residential property;</li> <li>No more than 2 people who are not permanent residents of the <u>site</u> are employed at any one time;</li> <li>Unloading and loading of vehicles or the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day;</li> <li>Machinery may only be operated between 7:30am and 9pm on any day.</li> </ol>
P3	<u>Temporary event</u>	<ol style="list-style-type: none"> <li>The event occurs no more than 3 times per consecutive 12 month period;</li> <li>The duration of each temporary event is less than</li> </ol>

		<p>72 hours;</p> <p>(c) It may operate between 7.30am and 8:30pm Monday to Sunday;</p> <p>(d) Temporary structures are:</p> <ul style="list-style-type: none"> <li>▪ erected no more than 2 days before the temporary event occurs;</li> <li>▪ removed no more than 3 days after the end of the event;</li> </ul> <p>(e) The <b>site</b> is returned to its previous condition no more than 3 days after the end of the <b>temporary event</b>;</p> <p>(f) There is no direct <b>site</b> access from a national route or regional arterial road.</p>
P4	<del>Cultural event on Maaori Freehold Land [JO63] containing a Marae Complex</del>	Nil
P4	Community activity	Nil
P5	Home stay	<p>(a) No more than 4 temporary residents;</p> <p>(b) No more than two people who are not permanent residents of the <b>site</b> are employed at any one time.</p>
P6	Childcare	(a) For up to 4 children that are not permanent residents of the household unit.

### 29C.1.2 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		Council's discretion shall be restricted to the following matters:
RDI	<p>A Multi-Unit development of three or more units that meets the following conditions:</p> <p>(i) The Multi-Unit development is connected to public wastewater and water reticulation;</p> <p>(ii) <a href="#">The infrastructure upgrades in Table 29B, [JO64] are implemented;</a></p> <p>(iii) <a href="#">Development is in accordance with the Ohinewai Structure Plan [JO65];</a></p>	<p>a. Density of the development;</p> <p>b. Contribution of the development to and engagement with adjacent streets and public open space;</p> <p>c. The visual quality and interest created through design such as the separation of <b>buildings</b>, variety in built form and architectural detailing, glazing, materials and colour, <a href="#">including when viewed from any public space [JO66];</a></p> <p>d. The incorporation of energy efficiency measures such as passive solar principles;</p> <p>e. Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, <b>living court</b> orientation, <b>site</b> design and layout, including proposed unit boundaries which identify space around each unit and any common areas;</p>

		<ul style="list-style-type: none"> <li>f. Staging needed to ensure that development is carried out in a coordinated and timely manner;</li> <li>g. Avoidance or mitigation of natural hazards;</li> <li>h. Geotechnical suitability for <b>building</b>, including liquefaction risk (refer to Chapter 15) <u>and settlement risks and adequacy of any ground improvements.</u></li> <li>i. Provision of <b>infrastructure</b> to individual units,</li> <li>j. Provision of trunk infrastructure;</li> <li>k. <del>On-site parking and manoeuvring</del><sup>[J067]</sup>;</li> <li>l. Safety and efficiency of the transport network;</li> <li>m. <u>When viewed from any public space, buildings create visual interest through articulation, roof form, openings and variation;</u></li> <li>n. <u>Garage doors do not dominate the road elevation, so they are generally set back further than the front face of the building;</u></li> <li>o. <u>Fences and walls along any road or public open space boundary are avoided or limited in height;</u></li> <li>p. <u>Provision of a <del>transition</del><sup>[J068]</sup> in height and scale is provided between new development and any neighbouring buildings;</u></li> <li>q. <u>Soft landscaping is concentrated along public open space boundaries, with species selected to maintain views between residential units and public open space;</u></li> <li>r. <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></li> <li>s. <u>Buildings are positioned to minimise overshadowing or visual domination of adjoining private outdoor spaces;</u></li> <li>t. <u>Direct views from the windows of one residential unit into the windows of another are minimised</u><sup>[J069]</sup>;</li> </ul>
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		<p>u. <del>Proximity of garages and parking areas are located adjoining or in close proximity to</del><sup>[J070]</sup> <del>the residential unit they serve.</del></p> <p>v. <del>Effects on the safety and efficiency of the transport network as set out in any ITA prepared in accordance with Rule 29C3.1</del><sup>[RD]</sup><del>[J071].</del></p>
<u>RD2</u>	<p><del>A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land that meets the following condition:</del></p> <p><del>(i) The total building coverage does not exceed 50%.</del></p>	<p><del>(a) Avoidance or mitigation of natural</del><sup>[J072]</sup> <del>hazards;</del></p> <p><del>(b) Geotechnical suitability for building, including liquefaction and settlement risks and adequacy of any ground improvements;</del></p> <p><del>(ii) 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:</del></p> <p><del>(a) A Concept Management Plan approved by the Māori Land Court and</del></p> <p><del>(b) A Licence to Occupy;</del></p> <p><del>(iii) 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:</del></p> <p><del>— A Concept Management Plan approved by the Māori Land Court;</del></p> <p><del>— A lease, or an Occupation Order of the Māori Land Court;</del></p> <p><del>(iv) The following Land Use — Effects rules in Rule 29C.3 do not apply:</del></p> <ul style="list-style-type: none"> <li><del>• Rule 29C.3.1 (Dwelling);</del></li> <li><del>• Rule 29C.3.2 (Minor dwellings);</del></li> <li><del>• Rule 29C.3.6 (Building Coverage);</del></li> </ul>
<u>RD2</u>	<u>Neighbourhood park</u>	<p>(i) <u>The extent of consistency with the Ohinewai Structure Plan.</u></p>

### 29C.1.3 Discretionary Activities

(a) The activities listed below are discretionary activities.

D1	Any permitted activity that does not comply with one or more of the 'Activity-Specific Conditions' in <a href="#">Rule 29C.1.2</a> .
D2	Any <a href="#">Multi-unit development</a> that does not comply with <a href="#">Rule 29C.1.2 RDI</a> .
<del>D3</del>	<del>Any Marae Complex or Papakainga Development that does not comply with Rule 29C.1.2 RD2.</del>
<del>D3</del>	<del>A new retirement village or alterations to an existing retirement village.</del>
D4	A corner shop and café of not more than 400m <sup>2</sup> gross leasable floor area each, provided the total gross leasable floor area of commercial activities (including the corner shop and café) in the Ohinewai Structure Plan area does not exceed the maximum permitted gross leasable floor area in <a href="#">Rule 29D.6.2 RDI</a> <a href="#">J073</a> .
D5	Any activity that is not listed as Permitted, Restricted Discretionary or Non-complying.

### 29C.1.4 Non-complying Activities

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

NCI	<a href="#">Any activity that is not in accordance with the Ohinewai Structure Plan.</a>
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## 29C.2 Land Use – Effects

### 29C.2.1 Noise

- (a) [Rules 29C.2.1.1](#) and [29C.2.1.2](#) provide the permitted noise levels generated by land use activities.  
 (b) [Rule 29C.2.1.1](#) Noise – general provides permitted noise levels in the Residential Zone.  
 (c) [Rule 29C.2.1.2](#) Noise – Construction provides the noise levels for construction activities

#### 29C.2.1.1 Noise – General

P1	<a href="#">Farming noise</a> , and noise generated by <a href="#">emergency generators</a> and emergency <a href="#">sirens</a> <a href="#">J074</a> .
P2	(a) Noise measured within any other <a href="#">site</a> in the Residential Zone must not exceed: (a) 50dB L <sub>Aeq(15min)</sub> , 7am to 7pm, every day; (b) 45dB L <sub>Aeq(15min)</sub> , 7pm to 10pm, every day; and (c) 40dB L <sub>Aeq(15min)</sub> , 10pm to 7am the following day. (d) 65dB L <sub>Amax</sub> , 10pm to 7am the following day. (b) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 “Acoustics-Measurement of Environmental Sound”; and (c) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 “Acoustic-Environmental noise”.
<del>P3</del>	<del>Any habitable rooms in dwellings in Stages 8 and 9 on the Ohinewai Precinct Staging Plan that have a property boundary adjoining the Wetland Park, and <a href="#">J075</a> 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 certified by a suitably qualified building services engineer.</del>
D1	Noise that does not comply with <a href="#">Rule 29C.2.1.1 P2</a> .
<del>D2</del>	<del>Dwellings that do not comply with Rule 29C.2.1.1 P3.</del>

### 29C.2.1.2 Noise – Construction

PI	(a) Construction noise must not exceed 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'.
RD1	(a) Construction noise that does not comply with <a href="#">Rule 29C.2.1.2 PI</a> . (b) Council's discretion shall be restricted to the following matters: Effects on amenity values; (i) Hours and days of construction; (ii) Noise levels; (iii) Timing and duration; and (iv) Methods of construction.

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

PI	Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site.
P2	<a href="#">Illumination from glare and artificial light spill must not exceed any requirements specified in an approved ERMP<sup>[J076]</sup>.</a>
RD1	(a) Illumination that does not comply with <a href="#">Rule 29C.2.2 PI</a> . The Council's discretion shall be restricted to the following matters: (a) Effects on amenity values; (b) Light spill levels on other sites; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; and (f) Mitigation measures. (g) <a href="#">The effects of light spill on native bats<sup>[J077]</sup>.</a>

### 29C.2.3 Earthworks

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

#### 29C.2.3.1 Earthworks - General

PI	<b>Earthworks</b> (excluding the use of <b>cleanfill material</b> or controlled fill material) within a <b>site</b> must meet all of the following conditions: (a) Be located more than 5 m horizontally from any infrastructure including a waterway, open drain or <b>overland flow path</b> ; (b) Not exceed a volume of 250m <sup>3</sup> and an area of not more than 1,000m <sup>2</sup> over any consecutive-12 month period; (c) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; (d) 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); (e) <b>Earthworks</b> are set back at least 1.5m from all <b>boundaries</b> ; (f) Areas exposed by <b>earthworks</b> are stabilised to avoid runoff within one month and re-vegetated to achieve 80% ground cover within 6 months of the cessation of the <b>earthworks</b> ;
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	<p>(g) Sediment resulting from the <b>earthworks</b> is retained on the <b>site</b> through implementation and maintenance of erosion and sediment controls;</p> <p>(h) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</p>
P2	<p><b>Earthworks</b> for the purpose of creating a <b>building platform</b> and accessway for residential purposes within a <b>site</b>, including the use of imported <b>cleanfill or fill material</b> must meet the following condition:</p> <p>(i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.</p>
P3	<p><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> <p>(a) Not exceed a total volume of 20m<sup>3</sup>;</p> <p>(b) Not exceed a depth of 1m;</p> <p>(c) 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);</p> <p>(d) <b>Fill material</b> is setback at least 1.5m from all <b>boundaries</b>;</p> <p>(e) Areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the <b>earthworks</b>;</p> <p>(f) Sediment resulting from the filling is retained on the <b>site</b> through implementation and maintenance of erosion and sediment controls;</p> <p>(g) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</p>
RDI	<p><del>Earthworks that do not comply with the conditions of 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</del></p> <p><del>An Ecological Rehabilitation and Management Plan (ERMP) must be provided with the application, that<sup>[JO78]</sup> includes the following:</del></p> <p>(h) <del>An indigenous fish management plan, including:</del></p> <p>(i) <del>a summary of fish habitat and species present;</del></p> <p>(ii) <del>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;</del></p> <p>(iii) <del>roles and responsibilities of parties and their reporting requirements;</del></p> <p>(iv) <del>any specific mitigation measures; and</del></p> <p>(v) <del>a monitoring programme to enable an assessment of the success of any mitigation measures, including any translocations.</del></p> <p>(vi) <del>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;</del></p> <p>(vii) <del>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;</del></p> <p>(viii) <del>A predator control programme including:</del></p> <p>(A) <del>An overarching goal of mitigating the adverse effects associated with an increase of cats and dogs in nearby high value conservation areas and contributing to the restoration and enhancement of indigenous biodiversity within the site, and therefore indirectly within the adjacent Rotokawau Reserve;</del></p> <p>(B) <del>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;</del></p> <p>(C) <del>A predator control strategy designed to achieve the above goal and objectives;</del></p>



	<p>(D) <u>Predator control methods that extend to at least the western portion of the Rotokawau Reserve, subject to the agreement of the Department of Conservation to undertake those activities on the Reserve;</u></p> <p>(E) <u>Predator control methods that include the effective control of cats and dogs;</u></p> <p>(F) <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>(G) <u>Provisions for ongoing management and maintenance of wetland areas;</u></p> <p>(H) <u>A description of the proposed ecological monitoring framework;</u></p> <p>(I) <u>Evidence of consistency with the Waikato Regional Pest Management Plan 2014-2024; and</u></p> <p>(J) <u>Evidence of engagement with tangata whenua during preparation of the ERMP including how outcomes of that engagement have been addressed.</u></p> <p>(K) <u>Reference to any previous ERMP in the Ohinewai Precinct to avoid unnecessary repetition</u><sup>[J079]</sup>.</p> <p>The Council's discretion shall be restricted to the following matters:</p> <p>(a) <u>Amenity values and landscape effects;</u></p> <p>(b) <u>Volume, extent and depth of earthworks;</u></p> <p>(c) <u>Nature of fill material;</u></p> <p>(d) <u>Contamination of fill material;</u></p> <p>(e) <u>Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</u></p> <p>(f) <u>Compaction of the fill material;</u></p> <p>(g) <u>Volume and depth of fill material;</u></p> <p>(h) <u>Geotechnical stability, including liquefaction and settlement risks and adequacy of any ground improvements;</u></p> <p>(i) <u>Flood risk, including natural water flows and established drainage paths; and</u></p> <p>(j) <u>Land instability, erosion and sedimentation.</u></p> <p>(k) <u>The protection of areas of significant habitat and the nature and extent of ecological mitigation measures and any residual ecological effects, including the implementation of the management and restoration plans and programmes required by this rule</u><sup>[J080]</sup>.</p> <p>(l) <u>Effects on indigenous biological diversity</u><sup>[J081]</sup></p> <p>(a) <u>Extent of proposed ecological restoration</u></p> <p>(b) <u>Adequacy of ongoing management and monitoring of ecological outcomes</u></p> <p>(m) <u>Adequacy of predator control programme and consistency with the Waikato Regional Pest Management Strategy 2014-2024</u></p> <p>(n) <u>The extent to which the outcomes of tangata whenua engagement are addressed</u></p> <p>(o) <u>The extent to which any post-earthworks mitigation measures are required and the methods for implementing them.</u></p>
NCI	<b>Earthworks</b> involving the importation of controlled fill material to a site.

### 29C.2.4 Signs

- (a) **Rule 29C.2.4.1** Signs – general provides permitted standards for any sign, including real estate signs, across the entire Residential Zone.
- (b) **Rule 29C.2.4.2** Signs – effects on traffic applies specific standards for signs that are directed at road users.

**29C2.4.1 Signs – general**

P1	A public information <b>sign</b> erected by a government agency.
P2	<p>(a) A <b>sign</b> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) It is the only <b>sign</b> on the <b>site</b>;</li> <li>(ii) The <b>sign</b> is wholly contained within the <b>site</b>;</li> <li>(iii) The <b>sign</b> does not exceed 0.25m<sup>2</sup>;</li> <li>(iv) The <b>sign height</b> does not exceed 2m in height above the ground;</li> <li>(v) The <b>sign</b> is not illuminated;</li> <li>(vi) The <b>sign</b> does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</li> <li>(vii) The <b>sign</b> relates to: <ul style="list-style-type: none"> <li>(A) goods or services available on the <b>site</b>; or</li> <li>(B) a property name <b>sign</b>.</li> </ul> </li> </ul>
P3	<p>(a) A real estate 'for sale' or 'for lease' <b>sign</b> relating to the <b>site</b> 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 <b>sign</b> per agency;</li> <li>(ii) The <b>sign</b> is not illuminated;</li> <li>(iii) The <b>sign</b> does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</li> </ul>
RDI	<p>(a) A <b>sign</b> 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 <b>sign</b>;</li> <li>(vi) Effects on notable architectural features of a <b>building</b>.</li> </ul>

**29C.2.4.2 Signs – Effects on traffic**

PI	<p>(a) Any <b>sign</b> directed at land transport users must:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control <b>sign</b>;</p> <p>(ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other <b>sign</b>;</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a <b>site</b> entrance and intersections or at a level crossing;</p> <p>(iv) Contain no more than 40 characters and no more than 6 symbols or graphics;</p> <p>(v) Have lettering that is at least 150mm high;</p> <p>(vi) Be at least 130m from a <b>site</b> entrance, where the <b>sign</b> directs traffic to the entrance.</p>
DI	<p>Any <b>sign</b> that does not comply with <b>Rule 29C.2.5.2 PI</b>.</p> <p>Council's discretion shall be restricted to the following matters;</p> <p>(a) Amenity;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign;</p> <p>(f) Effects on notable architectural features of a building.</p>

**29C.2.5 Traffic Effects**

<b>PI</b>	<b><u>There must be no direct vehicle access from any property onto Tahuna Road</u></b>
<b>P2</b>	<b><u>Any activity must generate a maximum of 100 vehicle movements per day, measured cumulatively together with all other<sup>[J082]</sup> existing or consented activities in the Ohinewai Precinct Residential Zone, and no more than 15% of these vehicle movements are heavy vehicle movements.</u></b>
<b>RD1</b>	<b><u>Any activity that does not comply with Rule 29C.2.5 P1. Councils discretion shall be restricted to the following matters:</u></b> <b><u>(i) Effects on the safety and efficiency of the transport network.</u></b>
<b>RD2</b>	<b><u>Any activity that does not comply with Rule 29C.2.5 P2. <del>Multi-Unit Development, retirement village or<sup>[J083]</sup> alterations to retirement villages, Marae Complex or Papakainga Housing Development</del> must include an Integrated Transport Assessment (ITA) in accordance with Rule 29B.2. <del>that assesses the levels of traffic generation from the development, confirms the staging and timing of transport infrastructure upgrades specified in Table 29.1 and recommends any necessary mitigation measures.</del></u></b>  <b><u>Council's discretion shall be restricted to the following matters:</u></b> <b><u>(i) <del>Road network safety and efficiency, particularly at peak traffic times.</del></u></b> <b><u>(ii) <del>Requirements for staging and timing of transport infrastructure improvements as set out in Table 29B.1.</del></u></b> <b><u>(iii) <del>The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing.</del></u></b> <b><u>(iv) <del>Safety of design for vehicles and pedestrians.</del></u></b> <b><u>(v) <del>Mitigation measures such as travel planning and providing alternatives to private vehicle trips<sup>[J084]</sup>.</del></u></b>

## 29C3.3 Land Use – Building

**29C3.1 Dwelling**

PI	One or two <b>dwelling</b> s within a <b>site</b> .
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### 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; <ul style="list-style-type: none"> <li>(i) The <b>site</b> does not contain a <b>Multi-unit development</b>.</li> <li>(ii) The gross floor area shall not exceed 70m<sup>2</sup></li> </ul>
DI	A <b>minor dwelling</b> that does not comply with <b>Rule 29C.3.2 PI</b> .

### 29C3.3 Height

- (a) **Rule 29C.3.3.1** provides permitted height for buildings.
- (b) **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 <b>height</b> of any <b>building</b> must not exceed 7.5m above ground level.
RDI	Any <b>building</b> that does not comply with <b>Rule 29C.3.3.1 PI</b> . Council's discretion is restricted to the following matters; <ul style="list-style-type: none"> <li>(a) Extent of overshadowing and shading of adjoining sites, particularly internal and external living spaces;</li> <li>(b) Loss of privacy through overlooking adjoining sites;</li> <li>(c) Whether development on adjoining sites (such as separation by land used for vehicle access, the provision of screening) reduces the need to protect the adjoining site from overlooking;</li> <li>(d) Design (such as high windows) and location of the building.</li> </ul>

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

PI	(a) Fences and walls between the applicable <b>building setbacks</b> under <b>Rule 29C.3.9</b> on a site and any road boundaries must comply with all of the following conditions: <ul 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:           <ul style="list-style-type: none"> <li>(A) <b>visually permeable</b> for the full 1.8m height of the fence or wall; or</li> <li>(B) solid up to 1.2m and <b>visually permeable</b> between 1.2 and 1.8m.</li> </ul> </li> </ul>
RDI	Fences or walls that do not comply with <b>Rule 29C.3.4 PI</b> . <ul style="list-style-type: none"> <li>(a) Council's discretion shall be restricted to the following matters:           <ul 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> </ul> </li> </ul>

### 29C3.5 Daylight admission

PI	<b>Buildings</b> must not protrude through a <b>height control plane</b> rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the <b>site boundary</b> .
RDI	<ul style="list-style-type: none"> <li>(i) A <b>building</b> that does not comply with <b>Rule 29C.3.5 PI</b>.</li> <li>(ii) Council's discretion shall be restricted to the following matters:           <ul style="list-style-type: none"> <li>(a) <b>Height</b> of the <b>building</b>;</li> <li>(b) Design and location of the <b>building</b>;</li> <li>(c) Extent of shading on any other <b>sites</b>;</li> <li>(d) Privacy on any other <b>sites</b>; and</li> </ul> </li> </ul>

	(e) Effects on amenity values and residential character.
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### 29C3.6 Building coverage

PI	The total <b>building coverage</b> must not exceed 40%.
RDI	Total <b>building coverage</b> that does not comply with <b>Rule 29C.3.6 PI</b> . Council's discretion shall be restricted to the following matters; (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; (c) Management of stormwater flooding, nuisance or damage to within the site.

### 29C3.7 Impervious surfaces

PI	The impervious surfaces of a site must not exceed 70%.
RDI	Impervious surface that does not comply with Rule 29C.3.7 Council's discretion shall be restricted to the following matters; (a) Site design, layout and amenity; (b) The risk of flooding, nuisance or damage to the site or other buildings and site.

### 29C3.8 Living court

PI	(a) A <b>living court</b> must be provided for each <b>dwelling</b> that meets all of the following conditions: (i) It is for the exclusive use of the occupants of the <b>dwelling</b> ; (ii) It is readily accessible from a living area of the <b>dwelling</b> ; (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 (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.
P2	(a) A <b>living court</b> must be provided for each <b>minor dwelling</b> that meets all of the following conditions: (i) It is for the exclusive use of the occupants of the <b>minor dwelling</b> ; (ii) It is readily accessible from a living area of the <b>minor dwelling</b> ; (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; (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.
RDI	A <b>living court</b> that does not comply with <b>Rule 29C.3.8 PI or P2</b> . Council's discretion is restricted to the following matters; (a) The extent to which the space is useable and contributes to the feeling of spaciousness; (b) Access to sunlight; (c) Privacy of adjoining residential sites; (d) Accessibility to and convenience of the space for occupiers; (e) Whether the size and quality of communal outdoor living space in the development, or other public open space, compensates for for any reduction in the private space.

**29C3.9 Service court**

PI	A <b>service court</b> must be provided for each <b>dwelling</b> and <b>minor dwelling</b> , either as two separate areas or one combined area, each with all the following dimensions: (a) Storage of waste and recycling bins-minimum area of 3m <sup>2</sup> and minimum dimension of 1.5m. (b) Washing line- minimum area of 5m <sup>2</sup> and minimum dimension of 2m.
RD1	A <b>service court</b> that does not comply with <b>Rule 29C.3.9 PI</b> . Council's discretion is restricted to the following matters: (a) The convenience and accessibility of the spaces for building occupiers; (b) The adequacy of the space to meet the expected requirements of building occupiers; (c) Adverse effects of the location of the space on visual amenity from the street or adjoining sites.

**29C3.10 Building setbacks**

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

**29C3.10.1 Building setbacks – All boundaries**

PI	The finished external walls (excluding eaves) of a <b>building</b> must be set back a minimum of: (a) 3m from the road <b>boundary</b> , except for <b>Tahuna Rd</b> ; (b) <b>1.5m from the road boundary of Tahuna Rd</b> ; (c) 1.5m from every <b>boundary</b> other than a road <b>boundary</b> ; (d) 1.5m from every vehicle access to another <b>site</b> ; and (e) <b>1.5m from the boundary of the Rural Zone</b> .
P2	a) The finished external wall (excluding eaves) of non-habitable <b>building</b> can be set back less than 1.5m from a <b>boundary</b> , where: (a) the total length of all <b>buildings</b> within 1.5m of the <b>boundary</b> does not exceed 6m; and (b) the building does not have any windows or doors on the side of the <b>building</b> facing the <b>boundary</b> .
P3	A garage must be set back behind the front façade of the <b>dwelling</b> where the dwelling and garage are on site that has frontage to a road.
RD1	(a) A <b>building</b> that does not comply with <b>Rule 29C.3.9.1 PI, P2, P3 or P4</b> . (b) Council's discretion shall be restricted to the following matters: (a) Road network safety and efficiency; (b) Reverse sensitivity effects; (c) Adverse effects on amenity; (d) Streetscape; (e) Potential to mitigate adverse effects; (f) Daylight admission to adjoining properties; and (g) Effects on privacy at <b>adjoining sites</b>

**29C.3.11 Density**

	<del>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).</del>
	<del>Building that does not comply with Rule 29C.3.10PI Councils discretion shall be restricted to the following matters:</del>

	(a) <del>The extent of departure from the minimum density requirement</del> <sup>[J085]</sup> ;
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### 29C.3.11 Infrastructure and Site Suitability

PI	<del>All dwellings must include a site-specific geotechnical assessment and be constructed in accordance with any necessary ground improvement works and specific foundation design</del> <sup>[J086]</sup> ;
PI	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.
RDI	A dwelling that does not comply with Rule 29C.3.11 PI.  (a) Councils discretion shall be restricted to the following matters: (i) <del>Extent of compliance with the Regional Infrastructure Technical Standards (RITS)</del> (ii) <del>Extent of compliance with any recommendations of a site-specific geotechnical assessment.</del> (iii) <del>The likely effectiveness of the system to avoid flooding nuisance or damage to other buildings and sites</del> <sup>[J087]</sup> . (iv) <del>The capacity of the stormwater systems and suitability of the treatment train to manage stormwater.</del>

### 29C.4 Subdivision

- (a) Rule 29C.4.1 provides for subdivision within the **Ohinewai Precinct Residential Zone**.
- (b) The following rules apply to specific areas and/or activities:
- (c) 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	<ul style="list-style-type: none"> <li>▪ Subdivision must comply with all of the following conditions:             <ol style="list-style-type: none"> <li>(a) Proposed lots must have a minimum net site area of 450m<sup>2</sup>, except where the proposed lot is an access allotment or utility allotment or reserve to vest;</li> <li>(b) Proposed lots must be able to connect to public-reticulated water supply and wastewater;</li> <li>(c) <del>Subdivision must be in accordance with the Ohinewai Structure Plan.</del></li> <li>(d) <del>Any subdivision of more than 3 lots must include an Ecological Rehabilitation and Management Plan (ERMP) as set out in Rule 29C.2.3.1 RDI if one has not already been prepared for the subject site</del> <sup>[J088]</sup>.</li> <li>(e) <del>All subdivision applications must be in accordance with the recommendations of any ERMP</del> <sup>[J089]</sup> prepared for associated earthworks under Rule 29C.2.3.1 RD. This may include lighting design that is sensitive to bat habitat, the retention and protection of identified bat roosting trees and the imposition of relevant ongoing predator control requirements through consent notices or other instruments. <del>in accordance with any recommendations in any ERMP.</del></li> <li>(f) <del>Subdivision must be staged in accordance with Table 29B.1 and the Staging Plan Figure 29B.3 (Dwg No P19-176-00-1050-SK Rev1).</del></li> <li>(g) <del>All subdivision applications must identify and provide include details of infrastructure upgrades</del> <sup>[J090]</sup> in accordance with Table 29B.1 that are to be constructed or upgraded prior to s224c RMA approval of any lots in that stage.</li> </ol> </li> </ul>
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	<p>(h) <u>All subdivision applications must include a geotechnical report that demonstrates the ability of each lot to accommodate a building, and recommends any necessary ground improvement works and specific foundation design requirements</u><sup>[J091]</sup>.</p> <p><del>(i) 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</del><sup>[J092]</sup>;</p> <p>Council's discretion shall be restricted to the following matters:</p> <p>(ii) <b>Subdivision</b> layout, including a grid layout of roads and the number of rear lots;</p> <p>(iii) Shape of <b>lots</b> and variation in lot sizes;</p> <p>(iv) Ability of <b>lots</b> to accommodate a practical <b>building platform</b> including geotechnical stability for <b>building</b>;</p> <p>(v) Likely location of future buildings and their potential effects on the environment;</p> <p>(vi) Avoidance or mitigation of natural hazards including liquefaction risk and fire risk (refer to Chapter 15);</p> <p>(vii) Amenity values and streetscape landscaping;</p> <p><del>(viii) Vehicle and pedestrian networks;</del></p> <p><del>(ix) Consistency with the Ohinewai Structure Plan including the provision of neighbourhood parks the open space network</del><sup>[J093]</sup>;</p> <p>(x) Provision for new <b>infrastructure</b> and the operation, maintenance, upgrading and development of existing infrastructure, including water for supply for firefighting purposes;</p> <p><del>(xi) Road network safety and efficiency, particularly at peak traffic times</del><sup>[J094]</sup>;</p> <p><del>(xii) Requirements for staging and timing of transport</del><sup>[J095]</sup> infrastructure improvements as set out in Table 29B.1;</p> <p><del>(xiii) The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing;</del></p> <p><del>(xiv) Consistency with the recommendations in any ERMP</del><sup>[J096]</sup>;</p> <p><del>(xv) Requirements for consent notices on records of title requiring future buildings to adhere to the recommendations of a geotechnical report and to provide minimum building platform ground levels</del><sup>[J097]</sup>.</p> <p><del>(xvi) Safety of design for vehicles and pedestrians;</del></p> <p><del>(xvii) Mitigation measures such as travel planning and providing alternatives to private vehicle trips</del><sup>[J098]</sup>;</p>
D1	<b>Subdivision</b> that does not comply with a condition in <b>Rule 29C.4.1 RD1</b> .
<del>D2</del>	<del>Any subdivision that is not in accordance with the Staging Plan Figure 29B.3 (Dwg No P19-176-00-1050-SK Rev I) or Table 29B.1 (excluding Rule 29B.1.2 (b) or (c)</del> <sup>[J099]</sup> <del>).</del>
<del>D3</del>	<del>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.</del>
	<p><del>Assessment criteria:</del></p> <p><del>(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 RD1</del><sup>[J0100]</sup>;</p>
<del>NC1</del>	<del>Subdivision that is not in accordance with the Ohinewai Structure Plan.</del>
<del>NC2</del>	<del>Any subdivision that is not in accordance 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</del> <sup>[J0101]</sup> <del>).</del>



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

RDI	<p>(a) <b>Multi-Unit development</b> must comply with all of the following conditions:</p> <p>(i) An application for land use consent under Rule 29C.1.2 (Multi-Unit Development) must accompany the <b>subdivision</b> or have been granted land use consent by Council;</p> <p>(ii) The <b>Multi-Unit development</b> is able to be connected to public wastewater and water reticulation;</p> <p>(iii) The exclusive area for each residential unit must be 300m<sup>2</sup> <b>net site area</b>.</p> <p><u>(iv) Subdivision must be in accordance with the Ohinewai Structure Plan.</u></p> <p><u>(v) Subdivision must be in accordance with the Staging Plan Figure 29B.3 (Dwg No P19-176-00-1050-SK Rev [J0102]).</u></p> <p><u>(vi) All subdivision applications must identify and provide infrastructure upgrades in accordance with Table 29B.1 that are to be constructed or upgraded prior to s224c RMA approval of any lots in that stage [J0103].</u></p> <p>(b) Where a <b>residential unit</b> is being created in accordance with the Unit Titles Act 2010 it must meet the following minimum <b>residential unit</b> size:</p> <table border="1" style="margin-left: 40px;"> <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> <p>▪ Council's discretion shall be restricted to the following matters:</p> <p>(a) <b>Subdivision</b> layout including common boundary and party walls for the <b>Multi-unit development</b>;</p> <p>(b) Provision of common areas for shared spaces, access and services;</p> <p>(c) Provision of <b>infrastructure</b> to individual <b>residential units</b> (including for firefighting purposes);</p> <p>(d) Avoidance or mitigation of natural hazards;</p> <p>(e) Geotechnical suitability of <b>site</b> for <b>buildings</b>, including liquefaction risk (refer to Chapter 15);</p> <p>(f) Amenity values and streetscape;</p> <p>(g) Consistency with the Ohinewai Structure Plan, including the provision of neighbourhood parks, and <b>neighbourhood centres</b>;</p> <p>(h) Vehicle, pedestrian and cycle networks;</p> <p>(i) Safety, function and efficiency of road network and any internal roads or accessways.</p>	Unit of Multi-Unit	Minimum Unit Area	Studio unit or 1 bedroom unit	60m <sup>2</sup>	2 bedroom unit	80m <sup>2</sup>	3 or more bedroom unit	100m <sup>2</sup>
Unit of Multi-Unit	Minimum Unit Area								
Studio unit or 1 bedroom unit	60m <sup>2</sup>								
2 bedroom unit	80m <sup>2</sup>								
3 or more bedroom unit	100m <sup>2</sup>								
DI	<b>Subdivision</b> that does not comply with <b>Rule 29C.4.2 RDI</b> <u>except for Rule 29.4.2RDI(a)(iv).</u>								
NCI	<u>Subdivision that does not comply with Rule 29C.4.2RDI(a)(iv).</u>								

### 29C4.3 Subdivision – Boundary adjustments

CI	<p>i) <b>Boundary</b> adjustments must comply with all of the following conditions:</p> <p>(ii) The conditions specified in:</p> <p style="margin-left: 40px;">i. <b>Rule 29C.4.1</b> Subdivision - General; or</p> <p style="margin-left: 40px;">ii. <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. Council's control is reserved over the following matters:</p> <p style="margin-left: 40px;">(i) <b>Subdivision</b> layout;</p>
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	(ii) Shape of titles and variation in lot sizes.
RD1	<p><b>Boundary</b> adjustments that do not comply with <b>Rule 29C.4.3 CI</b>.</p> <p>The Council's discretion shall be restricted to the following matters;</p> <p>(a) Subdivision layout;</p> <p>(b) Shape of title and variation in lot size.</p>

#### 29C4.4 Subdivision - Road frontage

RD1	<p>(a) Every proposed lot with a road boundary, other than an access allotment, utility allotment, or a proposed lot containing a ROW or access leg must have a width along the road boundary of at least 15m.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>a. Safety and efficiency of vehicle access and road network; and</p> <p>b. Amenity values and residential character.</p>
DI	Subdivision that does not comply with <b>Rule 29C.4.4 RDI</b> .

#### 29C4.5 Subdivision - Building platform

RD1	<p>(a) Every proposed lot, other than one designed specifically for access, or is a utility allotment, or is designed in accordance with Rule 29C.4.2, Subdivision-Multi-unit development, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform 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 is a utility allotment, must establish<sup>[JO104]</sup> a building platform that is above 8.5m RL (ground level).</b></p> <p>Council's discretion shall be restricted to the following matters:</p> <p>(a) Subdivision layout;</p> <p>(b) Shape of allotments;</p> <p>(c) Ability of allotments to accommodate a practical building platform;</p> <p>(d) Likely location of future buildings and their potential effects on the environment;</p> <p>(e) Avoidance or mitigation of natural hazards;</p> <p>(f) Geotechnical suitability for building, including liquefaction risk (refer to Chapter 15); and</p> <p>(g) Ponding areas and primary overland flow paths.</p> <p><b>(h) The imposition of consent notices to ensure building platforms above 8.5m RL are established<sup>[JO105]</sup>.</b></p>
DI	Subdivision that does not comply with <b>Rule 29C.4.5 RDI</b> .

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

RD1	<p>All subdivision applications must include a Landscape Concept Plan that includes the following:</p> <p>(a) Landscape concept design for all areas of public open space and stormwater management areas;</p> <p>(b) Details of landscape treatment of streets, footpaths and cycleways;</p> <p>(c) Details of landscape treatment of stormwater swales, wetlands, detention areas and riparian margins;</p> <p>(d) Details of landscape treatment to integrate the site with the vegetation on the adjacent Lake Rotokawau Reserve;</p> <p>(e) Details of plant types and species including eco-sourcing of plants from within the Meremere Ecological District;</p> <p>(f) 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>
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	<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><sup>[J0106]</sup>;</p> <p>(l) <u>Evidence of consistency with any Ecological Rehabilitation and Management Plan;</u></p> <p>(m) <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>(a) <u>Extent of consistency with the Ohinewai Structure Plan.</u></p> <p>(b) <u>Quantity, distribution and spacing of landscape planting and extent to which it will mitigate landscape, visual and amenity effects.</u></p> <p>(c) <u>Extent of consistency with any Ecological Rehabilitation and Management Plan.</u></p> <p>(d) <u>Adequacy of maintenance plans.</u></p> <p>(e) <u>Extent of provision for public access and nature of legal instruments to secure access.</u></p> <p>(f) <u>Extent of recognition of cultural values.</u></p> <p>(g) <u>The extent to which fencing and landscaping proposals will create an attractive and open interface with Tahuna Road.</u></p>
<u>DI</u>	<u>A subdivision application that does not include one or more of the items in 29C.4.6 RDI.</u>

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

<u>RDI</u>	<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 stormwater management will achieve Low Impact Design through at least a two-step treatment train approach, with the first stage on-lot</u><sup>[J0107]</sup>;</p> <p>(b) <u>Describe how the plans comply with any relevant discharge consent;</u></p> <p>(c) <u>Identify overland flow paths;</u></p> <p>(d) <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>(e) <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>(f) <u>Assess the extent of any flooding</u><sup>[J0108]</sup>.</p> <p><u>Council's discretion shall be restricted to the following matters:</u></p> <p><u>A subdivision application that does not include one or more of the items in 29C.4.7 RDI.</u></p> <p>(i) <u>the effects of any inconsistency with any discharge consent;</u></p> <p>(ii) <u>the methods of accessing and maintaining stormwater devices.</u></p> <p>(iii) <u>the requirement for consent notices on new records of titles requiring provision for on-lot Low Impact Design stormwater devices</u><sup>[J0109]</sup>.</p>
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	<ul style="list-style-type: none"><li>(iv) <a href="#">the likely effectiveness of the stormwater system to avoid flooding nuisance and damage to other buildings or sites</a> [JO110]</li><li>(v) <a href="#">the capacity of the system to suitably manage stormwater through a treatment train approach</a> [JO111].</li></ul>
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## 29D Ohinewai Precinct Business Zone Rules

- (a) 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](#) The rules that apply to subdivision are contained in [Rule 29D.4](#), and the relevant rules in Chapter 14 Infrastructure and Energy and Chapter 15 Natural Hazards and Climate Change.

### 29D.1 Land Use – Activities

#### 29D.1.1 Permitted Activities

- (a) The activities listed below are permitted activities if they meet all of the following:
- (i) 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
  - (ii) Activity-specific conditions.

	Activity	Activity-specific conditions
P1	Construction, alteration, additions or demolition of buildings	Nil
P2	Temporary Event	<ol style="list-style-type: none"> <li>(a) The event occurs no more than 3 times per consecutive 12 month period;</li> <li>(b) The duration of each event is less than 72 hours;</li> <li>(c) It may operate between 7.30am and 8:30pm Monday to Sunday;</li> <li>(d) Temporary structures are: <ul style="list-style-type: none"> <li>▪ erected no more than 2 days before the event occurs; and</li> <li>▪ removed no more than 3 days after the end of the event;</li> </ul> </li> <li>(e) The site is returned to its previous condition no more than 3 days after the end of the event.</li> </ol>

#### 29D.1.2 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><a href="#">RDI</a> <a href="#">Commercial activities that meet all of the following conditions</a><sup>[J0112]</sup>:</p> <p><a href="#">(a) Located in the neighbourhood centre in accordance with identified on the Ohinewai Business Area</a><sup>[J0113]</sup> <a href="#">Structure Plan</a></p>	<ol style="list-style-type: none"> <li>(i) Council's discretion is limited to the following matters:</li> </ol>

	<p><del>(Figure 29B.2 in Appendix I3). that comprises a grouping of commercial activities that meet all of the following conditions:</del></p> <p><del>(b) Individual leasable retail units shall have a gross leasable floor area of no more than 400m<sup>2</sup>.</del></p> <p><del>(c) 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>.</del></p> <p><del>(d) Offices shall have a gross leasable floor area of no more than 200m<sup>2</sup>.</del></p> <p><del>(e) The total combined gross leasable floor area of commercial activities, excluding any service station, shall not exceed 2,500m<sup>2</sup>.</del></p>	<p><del>(i) The extent to which the development is consistent with the Ohinewai Structure Plan [JO114]</del></p> <p><del>(ii) The safety and efficiency of any private vehicle access.</del></p> <p><del>(iii) Avoidance or mitigation of natural hazards.</del></p> <p><del>(iv) Geotechnical suitability for building, including liquefaction risk (refer to Chapter 15) and settlement risks and adequacy of any ground improvements.</del></p> <p><del>(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 [JO115];</del></p>
<p><b>RD2</b></p>	<p>(a) <del>Service station;</del></p> <p>(b) <del>public transport facility;</del></p> <p>(c) <del>emergency service facilities; and</del></p> <p>(d) <del>community facilities;</del></p> <p>That meet the following condition [JO116]:</p> <p><del>(i) They are in accordance with the Ohinewai Structure Plan.</del></p>	<p><u>Council's discretion is limited to the following matters:</u></p> <p><del>(ii) The extent to which the development is consistent with the Ohinewai structure Plan [JO117];</del></p> <p><del>(ii) The safety and efficiency of any private vehicle access</del></p> <p><del>(iii) Avoidance or mitigation of natural hazards.</del></p> <p><del>(iv) Geotechnical suitability for building, including liquefaction risk (refer to Chapter 15) and settlement risks and adequacy of any ground improvements.</del></p> <p><del>(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 [JO118];</del></p>

**29D.1.3 Discretionary Activities**

(a) The activities listed below are discretionary activities.

<p>D1</p>	<p>Any activity that does not comply with one or more conditions for a restricted discretionary activity under <b>Rule 29D.1.2 RDI</b> and <b>RD2</b>, except for <b>Rule 29D.1.2 RDI(a)</b> and <b>Rule 29D.1.2 RD2 (i)</b></p>
<p>D2</p>	<p>Any activity that is not listed as Permitted, Restricted Discretionary or Non-complying.</p>

### 29D.1.5 Non-Complying Activities

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

NCI	<a href="#">Any activity that is not in accordance with the Ohinewai Business Area Structure Plan.</a>
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### 29D.2 Land Use – Effects

#### 29D.2.1 Noise

- (a) [Rules 29D.2.1.1 and 29D.2.1.2](#) provide the permitted noise limits for noise generated by land use activities.
- (b) [Rule 29D.2.1.1](#) Noise – general provides permitted noise limits.
- (c) [Rule 29D.2.1.2](#) Noise – Construction provides the noise limits for construction activities.

#### 29D.2.1.1 Noise – General

P1	Farming noise, and noise generated by emergency generators and emergency sirens.
P2	<p>Noise measured within any site [U0119]:</p> <p>(a) In the <a href="#">Ohinewai Precinct</a> Business Zone must not exceed:</p> <ul style="list-style-type: none"> <li>(a) 65dB <math>L_{Aeq(15min)}</math>, 7am to 11pm every day;</li> <li>(b) 55dB <math>L_{Aeq(15min)}</math>, 11pm to 7am the following day;</li> <li>(c) 85dB <math>L_{Amax}</math>, 11pm to 7am the following day;</li> </ul> <p>(b) In the <a href="#">Ohinewai Precinct</a> Residential Zone must not exceed:</p> <ul style="list-style-type: none"> <li>(i) 55dB <math>L_{Aeq(15min)}</math>, 7am to 7pm;</li> <li>(ii) 50dB <math>L_{Aeq(15min)}</math>, 7pm to 10pm;</li> <li>(iii) 45dB <math>L_{Aeq(15min)}</math>, 10pm to 7am the following day.</li> <li>(iv) 75dB <math>L_{Amax}</math> 10pm to 7am the following day.</li> </ul> <p>(c) Noise measured within any site in any zone other than the Ohinewai <a href="#">Precinct</a> Business Zone or <a href="#">Ohinewai Precinct</a> Residential zone must meet the permitted noise levels for that zone.</p> <p>(d) Noise levels must be measured in accordance with the requirements of NZS6801:2008 “Acoustics-Measurement of Environmental Sound”.</p> <p>(e) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 “Acoustics-Environmental noise”.</p>
DI	Noise that does not comply with <a href="#">Rule 29D.2.1 P1</a> or P2.

#### 29D.2.1.2 Noise – Construction

PI	<p>(a) Construction noise must not exceed the limits in <a href="#">NZS 6803:1999 (Acoustics – Construction Noise)</a>; and</p> <p>(b) Construction noise must be measured and assessed in accordance with the requirements of <a href="#">NZS6803:1999 ‘Acoustics – Construction Noise’</a>.</p>
RDI	<p>(a) Construction noise that does not comply with <a href="#">Rule 29D.2.2 P1</a>.</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> </ul>

	(iii) Noise levels;
	(iv) Timing and duration; and
	(v) Methods of construction.

### 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 <b>Ohinewai Precinct</b> Residential Zone must only occur between 6.00am and 8.00pm.
RDI	<p>(a) Servicing and operation of a <b>commercial activity</b> that does not comply with <b>Rule 29D.2.2 PI</b>.</p> <p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Effects on amenity values on <b>adjoining sites</b> within the <b>Ohinewai Precinct</b> Residential Zone;</li> <li>(ii) Timing, duration and frequency of adverse effects;</li> <li>(iii) Location of activity in relation to zone <b>boundary</b>;</li> <li>(iv) Location of activity in relation to <b>dwellings</b> on <b>adjoining sites</b>; and</li> <li>(v) The means to avoid, remedy or mitigate adverse effects on <b>adjoining sites</b>.</li> </ul>

### 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> <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1 metre.</li> </ul>
RDI	<p>Onsite parking areas that do not comply with <b>Rule 29D.2.3 PI</b>.</p> <p>Council's discretion is restricted to the following matters;</p> <ul style="list-style-type: none"> <li>(a) Design and location of the parking area and landscaping strip;</li> <li>(b) Effects on streetscape amenity.</li> </ul>

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

PI	Illumination from glare and artificial light spill shall not exceed 10 <b>lux</b> measured horizontally and vertically at any other <b>site</b> zoned <b>Ohinewai Precinct</b> Residential Zone.
<u>P2</u>	<u>Illumination from glare and artificial light spill must not exceed any requirements specified in an approved <b>ERMP</b>[JO120].</u>
RDI	<p>(a) Glare and artificial light spill that does not comply with <b>Rule 29D.2.4 PI</b>.</p> <p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Effects on amenity values;</li> <li>(ii) Light spill levels on other <b>sites</b>;</li> <li>(iii) Road safety;</li> <li>(iv) Duration and frequency;</li> <li>(v) Location and orientation of the light source;</li> <li>(vi) Mitigation measures.</li> </ul>

### 29D.2.5 Earthworks

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



## 29D.2.5.1 Earthworks – General

P1	<p>(a) Earthworks within a site must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Be located more than 1.5m from infrastructure including a public sewer, open drain, overland flow path or other public service pipe;</li> <li>(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 over any single consecutive 12 month period;</li> <li>(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</li> <li>(iv) Earthworks are set back at least 1.5m from all boundaries;</li> <li>(v) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and re-vegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks, or finished with a hardstand surface;</li> <li>(vi) Sediment resulting from the earthworks is retained on the site 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>
P2	<p>(a) Earthworks for the purpose of creating a building platform within a site (including the use of imported fill material) that is:</p> <ul style="list-style-type: none"> <li>(i) subject to an approved building consent; and</li> <li>(ii) the earthworks occur wholly within the footprint of the building.</li> </ul> <p>(b) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall.</p> <p>(c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building.</p>
P3	<p>(a) Earthworks using the importation of fill material to a site must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Must not exceed a total volume of 500m<sup>3</sup> per site and a depth of 1m (excluding backfill);</li> <li>(ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1m vertical to 2m horizontal);</li> <li>(iii) Fill material is set back at least 1.5m from all boundaries;</li> <li>(iv) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and revegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks;</li> <li>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</li> <li>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> </ul>
<u>RDI</u>	<p><u>Earthworks that do not comply with Rule 29D.2.5.1 P1, P2 and P3</u></p> <p><u>An Ecological Rehabilitation and Management Plan (ERMP) that includes the following must be provided with the application;</u></p> <ul style="list-style-type: none"> <li>(a) <u>An indigenous fish management plan, including:</u> <ul style="list-style-type: none"> <li>(i) <u>a summary of fish habitat and species present;</u></li> <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> <li>(vi) <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></li> </ul> </li> </ul>

	<p>(vii) <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>(viii) <u>A predator control programme including:</u></p> <p>(A) <u>An overarching goal of mitigating the adverse effects associated with an increase of cats and dogs in nearby high value conservation areas and contributing to the restoration and enhancement of indigenous biodiversity within the site, and- within the adjacent Rotokawau Reserve;</u></p> <p>(B) <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></p> <p>(C) <u>A predator control strategy designed to achieve the above goal and objectives;</u></p> <p>(D) <u>Predator control methods that extend to at least the western portion of the Rotokawau Reserve, subject to the agreement of the Department of Conservation to undertake those activities on the Reserve;</u></p> <p>(E) <u>Predator control methods that include the effective control of cats and dogs;</u></p> <p>(F) <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>(G) <u>Provisions for ongoing management and maintenance of wetland areas;</u></p> <p>(H) <u>A description of the proposed ecological monitoring framework;</u></p> <p>(I) <u>Evidence of consistency with the Waikato Regional Pest Management Plan 2014-2024; an</u></p> <p>(J) <u>Evidence of engagement with tangata whenua during preparation of the ERMP including how outcomes of that engagement have been addressed.</u></p> <p>(K) <u>Reference to any previous ERMP in the Ohinewai Precinct to avoid unnecessary repetition.</u></p> <p>(b) Council's discretion is limited to the following matters:</p> <p>(i) Amenity values and landscape effects;</p> <p>(ii) Volume, extent and depth of <b>earthworks</b>;</p> <p>(iii) Nature of fill material;</p> <p>(iv) Contamination of fill material;</p> <p>(v) Location of the <b>earthworks</b> to waterways, significant indigenous vegetation and habitat;</p> <p>(vi) Compaction of the fill material;</p> <p>(vii) Volume and depth of fill material;</p> <p>(viii) <u>Geotechnical stability including liquefaction and settlement risks and adequacy of any ground improvements;</u></p> <p>(ix) Flood risk, including natural water flows and established drainage paths</p> <p>(x) Land instability, erosion and sedimentation; and</p> <p>(xi) Proximity to underground services and service connections.</p> <p>(xii) <u>The protection of areas of significant habitat and the nature and extent of ecological mitigation measures and any residual ecological effects, including the implementation of the management and restoration plans and programmes required by this rule<sup>[JO121]</sup>;</u></p> <p>(xiii) <u>Effects on indigenous biological diversity<sup>[JO122]</sup>.</u></p> <p>(xiv) <u>Extent of proposed ecological restoration.</u></p> <p>(xv) <u>Adequacy of the predator control programme and consistency with the Waikato Regional Pest Management Strategy 2014-2024.</u></p> <p>(xvi) <u>The extent to which the outcomes of tangata whenua engagement are addressed<sup>[JO123]</sup>.</u></p> <p>(xvii) <u>The extent to which any post-earthworks mitigation measures are required and the methods for implementing them.</u></p>
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## 29D.2.6 Signs

- (a) **Rule 29D.2.6.1** Signs – general provides permitted standards for any sign, including real estate signs, across the **Ohinewai Precinct Business Zone**.
- (b) **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> <p>(b) The sign is wholly contained on the site;</p> <p>(c) The sign height must not exceed 10m;</p> <p>(d) Where the sign is illuminated it must:</p> <p style="margin-left: 20px;">A. Not have a light source that flashes or moves</p> <p style="margin-left: 20px;">B. Not contain moving parts or reflective materials; and</p> <p style="margin-left: 20px;">C. Be focused to ensure that it does not spill light beyond the site;</p> <p>(e) Where the sign is attached to a building, it must:</p> <p style="margin-left: 20px;">A. Not extend more than 300mm from the building wall; and</p> <p style="margin-left: 20px;">B. Not exceed the height of the building;</p> <p>(f) Where the sign is a freestanding sign, it must:</p> <p style="margin-left: 20px;">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</p> <p style="margin-left: 20px;">B. Be set back at least 5m from the boundary of the Residential Zone;</p> <p>(g) The sign relates to:</p> <p style="margin-left: 20px;">A. goods or services available on the site; or</p> <p style="margin-left: 20px;">B. a property name sign.</p>
P3	<p>(a) A real estate 'for sale' or 'for lease' sign must comply with all of the following conditions:</p> <p style="margin-left: 20px;">(i) It relates to the sale or lease of the site on which it is located;</p> <p style="margin-left: 20px;">(ii) There is no more than 1 sign per agency;</p> <p style="margin-left: 20px;">(iii) The sign is not illuminated;</p> <p style="margin-left: 20px;">(iv) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</p>
RD1	<p>(a) A sign that does not comply with <b>Rule 29D.2.6.1, P2 or P3</b>.</p> <p>(b) The Council's discretion shall be limited to the following matters:</p> <p style="margin-left: 20px;">(i) Amenity values;</p> <p style="margin-left: 20px;">(ii) Effects on traffic safety;</p> <p style="margin-left: 20px;">(iii) Effects of glare and artificial light spill;</p> <p style="margin-left: 20px;">(iv) Content, colour and location of the sign;</p> <p style="margin-left: 20px;">(v) Effects on notable architectural features of the building.</p>

## 29D.2.6.2 Signs - Effects on traffic

PI	Any <b>sign</b> directed at land transport users must meet all of the following conditions: (a) Not imitate the content, colour or appearance of any traffic control <b>sign</b> ; (b) Be located at least 60m from controlled intersections or at a level crossing, pedestrian crossings and any other <b>sign</b> ; (c) Not obstruct sight lines of drivers turning into or out of a <b>site</b> entrance and intersections or at a level crossing; (d) Contain no more than 40 characters and no more than 6 words and/or symbols; (e) Have lettering that is at least 150mm high. (ii) <b>Rule P1 (i)</b> does not apply to site identification signs.
DI	Any <b>sign</b> that does not comply with <b>Rule 29D.2.6.2 PI</b> .

## 29D.2.7 Traffic Effects

PI	<u>Any activity must generate a maximum of 300 vehicle movements per day, measured cumulatively with any other existing or consented activities in the Ohinewai Precinct Business Zone, and no more than 15% of those movements are heavy vehicle movements<sup>[10124]</sup>.</u>
RD1	<u>Any <del>activity that does not comply with Rule 29D.2.7 PI</del> <del>neighbourhood centre, service station, public transport facility and community facilities</del> must include an Integrated Transport Assessment (ITA) in accordance with Rule 29B.2<sup>[10125]</sup> 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>          (i) <del>Road network safety and efficiency, particularly at peak traffic times.</del>          (ii) <del>Requirements for staging and timing of transport infrastructure improvements as set out in Table 29B.1.</del>          (iii) <del>The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing.</del>          (iv) <del>Safety of design for vehicles and pedestrians.</del>          (v) <del>Mitigation measures such as travel planning and providing alternatives to private vehicle trips.</del>          (vi) <del>The need for and location and design of any vehicle access to Tahuna Road.</del></u>

## 29D.2.8 Landscaping

PI	<u>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.</u>
RD1	<u>Any activity that does not comply with Rule 29D.2.8. PI</u> <u>Council's discretion shall be restricted to the following matters:</u> <u>(a) Effects on amenity values.</u>

## 29D.3 Land Use – Building

## 29D.3.1 Height

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

## 29D.3.1.1 Height – Building General

PI	(a) The maximum <b>height</b> of any <b>building</b> must not exceed 12m.
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	(b) The height of hose drying towers associated with emergency services must not exceed 15m.
RD1	Any <b>building</b> that does not comply Rule <b>29D.3.1.1 PI</b> . The Council's discretion shall be restricted to the following matters; (a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjoining sites; (d) Privacy on adjoining sites.

### 29D.3.2 Daylight admission

PI	(a) Any <b>building</b> must not protrude through a <b>height control plane</b> rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at the <b>site boundary</b> where it adjoins: (i) <b>The Ohinewai Precinct Residential Zone</b> ; or (ii) <b>The boundary of Lumsden Rd or Tahuna Rd.</b>
RD1	Any <b>building</b> that does not comply with <b>Rule 29D.3.2 PI</b> . The Council's discretion shall be restricted to the following matters: (a) <b>Height</b> of the <b>building</b> ; (b) Design and location of the <b>building</b> ; (c) Level of shading on any other <b>site</b> ; (d) Privacy on other <b>site</b> ; (e) Amenity values of the locality.

### 29D.3.3 Building setbacks

- (a) **Rule 29D.3.3.1** provides the permitted **building** setback distances for buildings from zone boundaries.

#### 29D.3.3.1 Building setbacks - Zone boundaries

PI	(a) Any <b>building</b> must be set back a minimum of: (i) 3.0m from rear and side boundaries adjoining the <b>Ohinewai Precinct Residential Zone</b> ; (ii) 1.5m from rear and side boundaries adjoining the <b>Ohinewai Precinct Industrial Zone</b> . (iii) <b>1.5m from the road boundary of Lumsden Rd.</b>
RD1	Any <b>building</b> that does not comply with <b>Rule 29D.3.3.1 PI</b> . Council's discretion shall be restricted to; (a) Height, design and location of the building relative to the boundary; (b) Impacts on the privacy for adjoining sites; (c) Impacts on amenity values, including main living areas, outdoor living spaces of adjoining sites, and (d) Landscaping and/or screening.

### 29D.3.4 Infrastructure and Site Suitability

<del>PI</del>	<del>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 [U0126];</del>
PI	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.

<b>RD1</b>	<p><b>A building that does not comply with Rule 29C.3.4 P1.</b></p> <ul style="list-style-type: none"> <li>(i) <b>Councils discretion shall be restricted to the following matters:</b></li> <li>(ii) <b>Extent of compliance with the Regional Infrastructure Technical Standards (RITS)</b></li> <li>(iii) <b>Extent of compliance with any recommendations of a site-specific geotechnical assessment.</b></li> <li>(iv) <b>The likely effectiveness of the system to avoid flooding nuisance or damage to other buildings and sites</b>[JO127].</li> <li>(v) <b>The capacity of the stormwater systems and suitability of the treatment train to manage stormwater.</b></li> </ul>
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## 29D.4 Subdivision

- (a) Rule 29D.4.1 provides for subdivision density within the **Ohinewai Precinct** Business Zone.
- (b) Rules 29D.4.1 and Rule 29D.4.1.1 apply across the **Ohinewai Precinct** Business Zone.
- (c) 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 Subdivision-general subdivision

<b>RD1</b>	<p>(a) <b>Subdivision</b> must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The record of title must have a minimum size of 225m<sup>2</sup> <b>net site area</b> with the exception of <b>access or utility allotments</b> or reserves to vest;</li> <li>(ii) All proposed <b>lots</b> must be connected to public-reticulated water supply and wastewater.</li> <li>(iii) <b>Subdivision must be in accordance with the Ohinewai Structure Plan.</b></li> <li>(iv) <b>Any subdivision of more than 3 lots must include an Ecological Rehabilitation and Management Plan (ERMP) as set out in Rule 29D.2.5.1 RD if one has not already been prepared for the subject site</b>[JO128].</li> <li>(v) <b>All subdivision applications must be in accordance with the recommendations of any ERMP</b>[JO129] prepared for associated earthworks under Rule 29C.2.3.1 RD. This may include lighting design that is sensitive to bat habitat, the retention and protection of identified bat roosting trees and the imposition of relevant ongoing predator control requirements through consent notices or other instruments. <del>in accordance with any recommendations in any ERMP.</del></li> <li>(vi) <b>Subdivision must be staged in accordance with Table 29B.1 and the Staging Plan Figure 29B.3 (Dwg No P19-176-00-1050-SK).</b></li> <li>(vii) <del>All subdivision applications must identify and provide include details of infrastructure upgrades in accordance with Table 29B.1 that are to be constructed or upgraded prior to s224c RMA approval of any lots in that stage</del>[JO130] <del>and must be in accordance with the Staging Plan.</del></li> <li>(viii) <b>All subdivision applications must include a geotechnical report that demonstrates the ability of each lot to accommodate a building, and recommends any necessary ground improvement works and specific foundation design requirements</b>[JO131].</li> <li>(ix) <del>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</del>[JO132]</li> </ul> <p>(b) The Council's discretion shall be restricted 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 <b>provided for</b> can be accommodated;</li> <li><del>(b) road network safety and efficiency, particularly at peak traffic times</del>[JO133];</li> <li>(c) (iii) avoidance and/or mitigation of natural hazards, including liquefaction (refer to Chapter 15).</li> </ul>
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	<p><u>(iv) the extent to which a landscaped buffer is provided along the boundaries of Lots 1-3 DP 4743475 if residential activities remain on these sites at the time of subdivision</u><sup>[JO134]</sup>.</p> <p><u>(v) Consistency with the recommendations in any ERMP</u><sup>[JO135]</sup>;</p> <p><u>(vi) Requirements for consent notices on records of title requiring future buildings to adhere to the recommendations of a geotechnical report and to provide minimum building platform ground levels</u><sup>[JO136]</sup>.</p> <p><u>(vii) Requirements for staging and timing of transport</u><sup>[JO137]</sup> infrastructure improvements as set out in Table 29B.1;</p> <p><u>(viii) The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing;</u></p>
D1	Subdivision that does not comply with a condition in Rule 29D.4.1 RDI.
D2	Any subdivision that is not in accordance with the Staging Plan Figure 29B.3 (Dwg No PI 9-176-00-1050-SK Rev1) 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 Business Area 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).

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

CI	<p>(a) Boundary adjustments must comply with the following:</p> <p>(i) the conditions specified in either:</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 reserved over the following matters:</p> <p>(i) Subdivision layout;</p> <p>(ii) Shape of title and variation in title size.</p>
RDI	<p>Boundary adjustment that does not comply with Rule 29D.4.2 CI.</p> <p>Council's discretion is restricted to the following matters;</p> <p>(a) Subdivision layout;</p> <p>(b) Shape of title and variations in title size.</p>

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

RDI	<p>(a) Every proposed lot with a road boundary, other than an access or utility allotment, right of way or access leg, must have:</p> <p>(i) a width along the road boundary of at least 15m;</p> <p>(b) The Council's discretion shall be restricted to the following matters:</p> <p>(ii) Safety and efficiency of vehicle access and road network;</p> <p>(iii) Amenity and streetscape.</p>
D1	Subdivision that does not comply with Rule 29D.4.3 RDI.

#### 29D.4.4 – Landscape Concept

RDI	<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>
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	<p>(d) <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>(e) <u>Details of ongoing maintenance plans to ensure the planting achieves acceptable establishment, survival and canopy closure targets;</u></p> <p>(f) <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>(g) <u>Details of any commemorative or other interpretation material communicating the history and significance of places and resources;</u></p> <p>(h) <u>Details of any tangata whenua inspired artwork or features;</u></p> <p>(i) <u>Evidence of consistency with any Ecological Rehabilitation and Management Plan; and</u></p> <p>(j) <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>Council's discretion shall be restricted to the following matters;</u></p> <p>(i) <u>effects on amenity values;</u></p> <p>(ii) <u>extent of consistency with any Ecological Rehabilitation and Management Plan;</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>adequacy of maintenance plans.</u></p> <p>(v) <u>extent of provision for public access and legal instruments to implement it.</u></p> <p>(vi) <u>extent of recognition of cultural values</u></p>
<u>DI</u>	<u>A subdivision application that does not include one or more of the items in 29D.4.4 RDI</u>

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

<u>RDI</u>	<p><u>All applications for subdivision 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 8.0m 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.</u></p> <p>(e) <u>assess the extent of any flooding</u><sup>[J0138]</sup>.</p> <p><u>Council's discretion shall be restricted to</u></p> <p>(a) <u>the effects of any inconsistency with any discharge consent</u></p> <p>(b) <u>the methods of accessing and maintaining stormwater devices.</u></p> <p>(c) <u>avoidance or mitigation of flooding hazards</u><sup>[J0139]</sup>.</p>
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### **29D.4.6 – Subdivision – Building platform**

<u>RDI</u>	<p><u>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).</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>avoidance or mitigation of natural hazards</u></p>
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	<a href="#">(ii)The imposition of consent notices to ensure building platforms above 8.3m RL are established</a> [JO140].
<a href="#">D1</a>	<a href="#">Subdivision that does not comply with Rule 29D.4.6 RDI</a> [JO141]

## 29E Ohinewai Precinct Industrial Zone Rules

- (a) 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.
- (b) The rules that apply to subdivision in the Ohinewai Precinct Industrial Zone are contained in [Rule 29E.4](#).

### 29E.1 Land Use – Activities

#### 29E.1.1 Permitted Activities

The following activities are permitted activities.

	Activity	Activity-specific conditions
PI	Construction, alteration, additions or demolition of buildings	Nil

#### 29E.1.2 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
<b>RD1</b> Industrial activity that meets the following condition (i) <del>It is in accordance with the Ohinewai Structure Plan.</del>	Councils discretion shall be limited to the following: (a) <del>when viewed from any public space, the visual interest created through articulation, roof form, minimal blank walls, and variations when viewed from any public place;</del> (b) <del>contribution of the development to, and engagement with adjacent streets and public open space</del> <sup>[JO142]</sup> ; (c) <del>ancillary offices and ancillary retail buildings are set forward of any storage or warehouse buildings and address the street;</del> (d) <del>screening of storage areas are screened when viewed from</del> <sup>[JO143]</sup> any public place; (e) <del>landscaping of any carparking which is forward of the building has sufficient landscaped areas;</del> (f) <del>soft-landscaping layout and species selection</del> <sup>[JO144]</sup> is concentrated along public space boundaries, with species selected to complement the scale of the building; (g) <del>visibility of signage is clearly visible from the street</del> <sup>[JO145]</sup> . (h) <del>The extent to which the development is consistent with the Ohinewai Structure Plan</del> (i) <del>The safety and efficiency of any private vehicle access.</del> (j) <del>Avoidance or mitigation of natural hazards.</del> (k) <del>Geotechnical suitability for building, including liquefaction and settlement risks and adequacy of any ground improvements.</del>
<b>RD2</b> Trade and industry training activity that meets the following condition: (a) <del>It is in accordance with the Ohinewai Structure Plan</del>	
<b>RD3</b> Truck stop for refueling that meets the following condition: 1) <del>It is in accordance with the Ohinewai Structure Plan</del>	
<b>RD4</b> Office ancillary to an industrial activity that meets the following conditions: (i) Less than 100m <sup>2</sup> gfa; or (ii) Does not exceed 30% of all buildings on the site; and (iii) <del>It is in accordance with the Ohinewai Structure Plan</del>	
<b>RD5</b> Food outlet that meets the following conditions: (a) Less than 200m <sup>2</sup> gfa. (b) <del>It is in accordance with the Ohinewai Structure Plan</del>	
<b>RD6</b> Ancillary retail that meets the following condition: (a) That does not exceed 10% of all buildings on the site.	

	<del>(b) It is in accordance with Ohinewai Structure Plan</del>	<del>(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 [J0146];</del> (m) Consistency with the infrastructure upgrades in the Staging Table 29B [J0147]. (n) reverse sensitivity effects including noise, odour, dust, glare and light spill.
RD7	A residential unit for a caretaker or security personnel that meets the following condition; (a) does not exceed 70m <sup>2</sup> gross floor area	

### 29E.1.3 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 <b>Rule 29E.1.1.</b>
D2	A <b>waste management facility</b>
D3	An <b>extractive industry</b>
D4	An office not provided by Rule 29E.1.2 RD4
D5	A <b>retail</b> activity [J0148] not provided by Rule 29E.1.2 RD6
D6	Any activity that is not specifically listed as a permitted, restricted discretionary or non-complying activity

### 29E.1.3 Non-Complying Activities

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

<b>NC1</b>	<del>Any activity that is not in accordance with Rule 29B.1.2 (b) or (c) in Table 29B (bulk connections to Huntly Wastewater Treatment Plant and Water Treatment Plant [J0149]).</del>
<b>NC2</b>	<del>Any activity that is not in accordance with the Ohinewai Structure Plan.</del>

## 29E.2 Land Use - Effects

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

PI	Servicing and operation of an <b>industrial activity</b> adjoining any <b>Ohinewai Precinct Residential Zone</b> may load or unload vehicles or receive customers or deliveries between 7.30am and 6.30pm.
RD1	Servicing and operation of an <b>industrial activity</b> that does not comply with <b>Rule 29E.2.1.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>(ii) distance to the nearest <b>residential activity</b>;</li> <li>(iii) nature and frequency of the after hours activity;</li> <li>(iv) <b>noise</b>, lighting and glare; and</li> <li>(v) type of vehicles involved.</li> </ul>

## 29E.2.2 Landscape planting

P1	Any building or land use activity on a record of title that has a side and/or rear <b>boundary</b> adjoining any <b>Ohinewai Precinct</b> Residential Zone shall be landscaped to the following minimum standards; (i) a 3m depth landscaped strip measured from the side and/or rear <b>boundary</b> ; (ii) comprises a mixture of indigenous shrubs and trees planted a maximum of 1.5m apart.
P2	<u>(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.</u>
P3	(a) <u>Any activity on a lot that fronts Lumsden Road must provide a 15m wide landscaped strip adjoining the road boundary, excluding accesses.</u> (b) <u>Any activity that fronts Balemi Road must provide an 8m wide landscaped strip along the road boundary, excluding accesses.</u> (c) <u>Planting required by (a) and (b) above must include species capable of reaching a minimum height of 5m within 5 years that are capable of substantially screening development.</u>
RD1	(a) Any activity that does not comply with <b>Rule 29E.2.2 PI-P3</b> . Council's discretion is restricted to the following matters: (i) adequacy of the width of landscaped strip; (ii) type, density and scale of indigenous vegetation; (iii) the extent to which the amenity of the adjoining Residential Zone is maintained.

## 29E.2.3 Noise

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

### 29E.2.3.1 Noise – General

P1	<b>Noise</b> generated by <b>emergency generators</b> and emergency sirens.
P2	<b>Noise</b> measured within any other <b>site</b> : (a) In the <b>Ohinewai Precinct</b> Industrial Zone must not exceed: (i) 75dB (L <sub>Aeq</sub> ) 7am to 10pm at any time. (b) <b>Noise</b> measured within any <b>site</b> in any zone other than the <b>Ohinewai Precinct</b> Industrial Zone, must meet the permitted <b>noise</b> levels for that zone. (c) <b>Noise</b> levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound". (d) <b>Noise</b> levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise".
P3	<u>Noise measured at the notional boundaries of the dwellings on Lots 1-3 DP 4743475 existing as at 1 September 2020 must not exceed:</u> (a) <u>55dB (L<sub>Aeq</sub>), 7am to 7pm every day</u> (b) <u>50dB (L<sub>Aeq</sub>), 7pm to 10pm every day</u> (c) <u>45dB (L<sub>Aeq</sub>), and 75dB (L<sub>Amax</sub>), 10pm to 7am the following day.</u>  <u>Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics – Measurement of Environmental Sound; and</u>  <u>Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 Acoustics – Environmental noise.</u>

RD1	<p><b>Noise</b> that does not comply with <a href="#">Rule 29E.2.3.1 P2 or P3</a>. Council's discretion is restricted to the following matters;</p> <ul style="list-style-type: none"> <li>(a) effects on amenity values;</li> <li>(b) hours and days of operation;</li> <li>(c) location of noise sources in relation to any boundary;</li> <li>(d) frequency or other special characteristics of noise;</li> <li>(e) mitigation measures;</li> <li>(f) noise levels and duration.</li> </ul>
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### 29E.2.3.2 Noise – Construction

PI	Noise from any construction, maintenance, or demolition activity that is measured, assessed and managed in accordance with the requirements of <a href="#">NZS 6803:1999 (Acoustics – Construction Noise)</a> .
RD1	<ul style="list-style-type: none"> <li>(a) <b>Construction noise</b> that does not comply with <a href="#">Rule 29E.2.3.2 P1</a>.</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) effects on amenity values;</li> <li>(ii) hours and days of construction;</li> <li>(iii) <b>noise</b> levels;</li> <li>(iv) timing and duration; and</li> <li>(v) method of construction.</li> </ul> </li> </ul>

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

PI	Glare and artificial light spill that does not exceed 10 <b>lux</b> measured horizontally and vertically within any other <b>site</b> not located in the <a href="#">Ohinewai Precinct Industrial Zone</a> .
<a href="#">P2</a>	<a href="#">Glare and artificial light spill that does not exceed any requirement specified in an approved <a href="#">ERMP</a><sup>[JO150]</sup>.</a>
RD1	<p>Illumination that does not comply with <a href="#">Rule 29E.2.4 P1</a> or <a href="#">P2</a>. <a href="#">Council's</a> discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(a) effects on amenity values;</li> <li>(b) light spill levels on another <b>site</b>;</li> <li>(c) <b>road</b> safety;</li> <li>(d) duration and frequency;</li> <li>(e) location and orientation of the light source; and</li> <li>(f) mitigation measures.</li> <li>(g) <a href="#">The effects of light spill on native <a href="#">bats</a></a><sup>[JO151]</sup>.</li> </ul>

### 29E.2.5 Earthworks

- (a) [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	<b>Earthworks</b> within a site that may or may not involve imported cleanfill material, for the purpose of creating a building platform and/or ancillary hardstand area.
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P2	<p><b>Earthworks</b> (including or excluding imported <b>fill material</b>) within a <b>site</b> that;</p> <ul style="list-style-type: none"> <li>(a) are located more than 1.5 m from any water body, open drain or overland flow path;</li> <li>(b) do not exceed a volume of more than <b>250m<sup>3</sup></b>;</li> <li>(c) do not exceed an area of more than <b>250m<sup>2</sup></b> within a 12 month period;</li> <li>(d) do not exceed a slope in <b>stable ground</b> of 1:2 (1 metre vertical to 2 metres horizontal);</li> <li>(e) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the cessation of the <b>earthworks</b>, or finished with a hardstand surface;</li> <li>(f) result in sediment being retained on the <b>site</b> through implementation and maintenance of erosion and sediment controls; and</li> <li>(g) do not result in any change to natural water flows, any water body or established drainage paths.</li> </ul>
RDI	<p><u>Earthworks that do not comply with Rule 29E.2.5.1 P1 or P2. are a restricted discretionary activity and Earthworks must be in accordance with the Ohinewai Structure Plan and include An Ecological Rehabilitation and Management Plan (ERMP) that includes the following must be provided with the application:</u></p> <ul style="list-style-type: none"> <li>(a) <u>An indigenous fish management plan, including:</u> <ul style="list-style-type: none"> <li>i. <u>a summary of fish habitat and species present;</u></li> <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> </li> <li>(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></li> <li>(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></li> <li>(d) <u>A predator control programme including:</u> <ul style="list-style-type: none"> <li>(i) <u>An overarching goal of mitigating the adverse effects associated with an increase of cats and dogs in nearby high value conservation areas and contributing to the restoration and enhancement of indigenous biodiversity within the site, and therefore indirectly 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>(iii) <u>A predator control strategy designed to achieve the above goal and objectives;</u></li> <li>(iv) <u>Predator control methods that extend to at least the western portion of the Rotokawau Reserve, subject to the agreement of the Department of Conservation to undertake those activities on the Reserve;</u></li> <li>(v) <u>Predator control methods that include the effective control of cats and dogs;</u></li> <li>(vi) <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> </li> <li>(e) <u>Provisions for ongoing management and maintenance of wetland areas;</u></li> <li>(f) <u>A description of the proposed ecological monitoring framework;</u></li> <li>(g) <u>Evidence of consistency with the Waikato Regional Pest Management Plan 2014-2024; and</u></li> <li>(h) <u>Evidence of engagement with tangata whenua during preparation of the ERMP including how outcomes of that engagement have been addressed.</u></li> <li>(i) <u>Reference to any previous ERMP in the Ohinewai Precinct to avoid unnecessary repetition.</u></li> </ul> <p>Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(a) amenity values and landscape effects;</li> <li>(b) volume, extent and depth of <b>earthworks</b>;</li> <li>(c) nature of <b>fill material</b>;</li> <li>(d) contamination of <b>fill material</b>;</li> <li>(e) location of the <b>earthworks</b> in relation to any water body, significant <b>indigenous vegetation</b> and habitat;</li> </ul>

	<ul style="list-style-type: none"> <li>(f) compaction of the fill material;</li> <li>(g) volume and depth of fill material;</li> <li>(h) geotechnical stability <u>including liquefaction and settlement risks and adequacy of any ground improvements;</u></li> <li>(i) flood risk, including natural water flows and established drainage paths;</li> <li>(j) land instability, erosion and sedimentation.</li> <li>(k) <u>The protection of areas of significant habitat and the nature and extent of ecological mitigation measures and any residual ecological effects, including the implementation of the management and restoration plans and programmes required by this rule</u><sup>[JO152]</sup>.</li> <li>(l) <u>Effects on indigenous biodiversity</u><sup>[JO153]</sup>.</li> <li>(m) <u>Extent of proposed ecological restoration.</u></li> <li>(n) <u>Adequacy of predator control programmes and consistency with the Waikato Regional Pest Management Strategy 2014-2024.</u></li> <li>(o) <u>The extent to which the outcomes of tangata whenua engagement are addressed.</u></li> <li>(p) <u>The extent to which any post-earthworks mitigation measures are required and the methods for implementing them.</u></li> </ul>
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### 29E.2.6 Signs

- (a) **Rule 29E.2.6.1 Signs – General** provides permitted standards for any sign, including a real estate sign, across the **Ohinewai Precinct** Industrial Zone.
- (b) **Rule 29E.2.6.2 Signs – Effects on traffic** applies to specific standards for a sign directed at road users.

## 29E.2.6.1 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) The sign height does not exceed 10m;</li> <li>(ii) The sign is wholly contained within the site;</li> <li>(iii) Relates to goods and services available on the site or the property name;</li> <li>(iv) If illuminated: <ul style="list-style-type: none"> <li>a. Does not have a light source that flashes or moves; and</li> <li>b. Does not contain moving parts or reflective materials.</li> </ul> </li> </ul> <p>(b) A sign attached to a building, that:</p> <ul style="list-style-type: none"> <li>(i) Does not extend more than 300mm from the building wall; and</li> <li>(ii) Does not exceed the height of the building;</li> </ul> <p>(c) Freestanding signs, that:</p> <ul style="list-style-type: none"> <li>(i) Do not exceed an area of 3m<sup>2</sup> for one sign per site, and 1m<sup>2</sup> for one additional freestanding sign on the site; and</li> <li>(ii) be set back at least 5m from the boundary of any site in the <b>Ohinewai Precinct Residential Zone</b>.</li> </ul>
P3	<p>(a) A real estate sign that;</p> <ul style="list-style-type: none"> <li>(i) relates to the sale or lease of the site on which it is located;</li> <li>(ii) does not result in more than 3 signs per site;</li> <li>(iii) is not illuminated;</li> <li>(iv) does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</li> <li>(v) does not exceed dimensions of 1800mm x 1200mm.</li> </ul>
RDI	<ul style="list-style-type: none"> <li>(i) A sign that does not comply with <b>Rules 29E.2.6.1 P2 or P3</b>.</li> <li>(ii) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> <li>A. visual amenity;</li> <li>B. effects on traffic safety;</li> <li>C. glare and artificial light spill; and</li> <li>D. content, colour and location of the sign.</li> </ul> </li> </ul>

## 29E.2.7.2 Signs – effects on traffic

PI	<p>Any sign directed at users that:</p> <ul style="list-style-type: none"> <li>(a) Does not imitate the content, colour or appearance of any traffic control sign;</li> <li>(b) Is located at least 60m from controlled intersections, pedestrian crossings and another advertising sign;</li> <li>(c) Does not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level rail crossing;</li> <li>(d) Does not contain more than 40 characters and no more than 6 symbols;</li> <li>(e) Has lettering that is at least 150mm high; and</li> <li>(f) Is at least 130m from a site entrance, where the sign directs traffic to the entrance.</li> </ul>
RDI	<p>Any sign that does not comply with <b>Rule 29E.2.6.2 P1</b>.</p> <p>Council's discretion is restricted to the following matter;</p> <ul style="list-style-type: none"> <li>(a) The extent to which the safety of road users is maintained.</li> </ul>



### 29E.2.7 Traffic Effects

PI	<u>Any activity must generate a maximum of 250 vehicle movements per day, measured cumulatively with all other existing and consented activities in the Ohinewai Precinct Industrial zone, and no more than 15% of these vehicle movements are heavy vehicle movements</u> <sup>[JO154]</sup> .
RDI	<p><del>Any activity that does not comply with Rule 29E.2.7 PI All applications for development must include</del><sup>[JO155]</sup> <u>an Integrated Transport Assessment (ITA) in accordance with Rule 29B.2. 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.</u></p> <p><del>Council's discretion shall be restricted to the following matters:</del></p> <ul style="list-style-type: none"> <li><del>(iii) Road network safety and efficiency, particularly at peak traffic times.</del></li> <li><del>(iv) Requirements for staging and timing of transport infrastructure improvements as set out in Table 29B.1.</del></li> <li><del>(v) The extent of any transport upgrades required other than those in Table 29B.1, and their staging and timing.</del></li> <li><del>(vi) Safety of design for vehicles and pedestrians.</del></li> <li><del>(vii) Mitigation measures such as travel planning and providing alternatives to private vehicle trips.</del></li> </ul>

### 29E.2.8 Infrastructure and Site Suitability

PI	<u>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</u> <sup>[JO156]</sup> .
PI	<u>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.</u>
RDI	<p><u>Any development that does not comply with Rule 29E.2.8 PI</u></p> <p><u>Councils discretion shall be restricted to the following matters:</u></p> <ol style="list-style-type: none"> <li><u>1. Extent of compliance with the Regional Infrastructure Technical Standards (RITS)</u></li> <li><u>2. Extent of compliance with any recommendations of a site-specific geotechnical assessment.</u></li> <li><u>3. The likely effectiveness of the system to avoid flooding nuisance or damage to other buildings and sites</u><sup>[JO157]</sup>.</li> <li><u>4. The capacity of the stormwater systems and suitability of the treatment train to manage stormwater.</u></li> </ol>

## 29E.3 Land Use - Building

- (a) **Rule 29E.3.1** provides permitted heights for buildings.

### 29E.3.1 Building height

PI	(a) A <b>building</b> that does not exceed a height of: <ul style="list-style-type: none"> <li>(i) <b>17.5m</b></li> </ul>
RDI	Any <b>building</b> that does not comply with <b>Rule 29E.3.1 PI</b> . <ul style="list-style-type: none"> <li>(i) Council's discretion is restricted to the following matter:</li> </ul>

	A. The extent to which amenity is maintained.
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### 29E.3.2 Height in relation to boundary

PI	<p>(a) A building that does not project beyond a 45 degree height control plane measured from a point 3m above natural ground level along the <b>boundary</b> of a site located outside of the <b>Ohinewai Precinct</b> Industrial Zone with any other zone;</p> <p>(b) <b>A building that does not project beyond a 30 degree height control plane measured from a point 2.5m above natural ground level at any boundary along Lumsden Road.</b></p>
RDI	<p>(a) A <b>building</b> that does not comply with <b>Rule 29E.3.2 PI.</b></p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) effects on amenity.</p>

### 29E.3.4 Building setbacks

- (a) **Rule 29E.3.4.1** provides the permitted building setbacks from boundaries

#### 29E.3.4.1 Building setbacks

PI	<p>(a) A <b>building</b> is set back at least:</p> <p>(i) 5m from a <b>road boundary</b>;</p> <p>(ii) 3m from any other <b>boundary</b> where the <b>site</b> adjoins another zone, and</p> <p>(iii) <b>1.5m from the boundary of Lumsden Road.</b></p>
RDI	<p>(a) A <b>building</b> that does not comply with <b>Rule 29E.3.4.1 PI.</b></p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) effects on amenity values;</p> <p>(ii) effects on streetscape;</p> <p>(iii) traffic and <b>road</b> safety.</p>

### 29E.4 Subdivision

- (a) **Rule 29E.4.1 – General** provides for subdivision density.
- (b) 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	<p>(a) Proposed lots in a <b>subdivision</b> must:</p> <p>(i) have a minimum <b>net site area</b> of 1000m<sup>2</sup>;</p> <p>(ii) be connected to a public-reticulated water supply and wastewater;</p> <p>(iii) <b>be in accordance with the Ohinewai Structure Plan</b></p> <p>(b) <b>Any subdivision of more than 3 lots must include an Ecological Rehabilitation and Management Plan (ERMP) as set out in Rule 29DE 2.5.1 RDI if one has not already been prepared for the subject site</b>[JO158].</p> <p>(c) <b>All lots must have building platforms that are above 8.3mRL (ground level).</b></p> <p>(d) <b>Subdivision must be staged in accordance with Table 29B.1 and the Staging Plan (Dwg No P19-176-1050-SK Rev I).</b></p>
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	<p>(e) <del>All subdivision applications must identify and provide include details of infrastructure upgrades in accordance with Table 29B.1 that are to be constructed or upgraded prior to s224c approval of any lots in that stage, and must be in accordance with the Staging Plan</del><sup>[JO159]</sup>.</p> <p>(f) <del>All subdivision applications must be in accordance with the recommendations of any</del><sup>[JO160]</sup> ERMP prepared for associated earthworks under Rule 29E 2.5.1 RD1. This may include lighting design that is sensitive to bat habitat, the retention and protection of identified bat roosting trees and the imposition of relevant ongoing predator control requirements through consent notices or other instruments. <del>in accordance with any recommendations in any ERMP.</del></p> <p>(g) All subdivision applications must include a geotechnical report that demonstrates the ability of each lot to accommodate a building and recommends any necessary ground improvement works and specific foundation design requirements<sup>[JO161]</sup>.</p> <p><del>(j) 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</del><sup>[JO162]</sup>.</p> <p><u>(h) The Council's discretion shall be restricted to the following matters:</u></p> <p>(i) <u>amenity values;</u></p> <p>(ii) <u>the extent to which a range of industrial activities provided for can be accommodated.</u></p> <p><del>(viii) road network safety and efficiency, particularly at peak traffic times.</del></p> <p><del>(ix) (iii) avoidance and/or mitigation of natural hazards risk, including liquefaction (refer to Chapter 15).</del></p>
D1	<u>Subdivision that does not comply with a condition in Rule 29C.4.1 RD1.</u>
D2	<u>Any subdivision that is not in accordance with the Staging Plan (Dwg No P19-176-00-1050-SK) or the infrastructure upgrades in Table 29B.1, excluding Rule 29B.1.2 (b) or (c).</u>
NC1	<u>Any subdivision that is not in accordance with the Ohinewai Structure Plan.</u>
NC2	<u>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).</u>

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

RD1	<p>(a) Any <b>boundary</b> of a proposed lot must be located so that:</p> <p>(i) any existing <b>building</b> complies with the permitted activity rules relating to setbacks and height in relation to boundary, except to the extent of any non-compliance that existed lawfully prior to the subdivision;</p> <p>(a) no <b>contaminated land</b>, or wetland is divided between any proposed lot.</p> <p>(b) Council's discretion is restricted to:</p> <p>(i) amenity;</p> <p>(ii) effects on <b>contaminated land</b>;</p> <p>(iii) effects on any wetland;</p> <p>(iv) the extent to which a range of future <b>industrial activities</b> can be accommodated.</p>
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#### 29E.4.3 Subdivision - Road Frontage

RD1	<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> <p>(i) traffic effects; and</p> <p>(ii) amenity and streetscape.</p>
D1	<u>Subdivision that does not comply with Rule 29E.4.3 RD1</u>

### 29E.4.4 Subdivision – Landscape Concept

<b>RDI</b>	<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>(a) <u>effects on amenity values;</u></li> <li>(b) <u>extent of consistency with any Ecological Rehabilitation and Management Plan;</u></li> <li>(c) <u>quantity, distribution and spacing of landscape planting and extent to which it will mitigate landscape, visual and amenity effects.</u></li> <li>(d) <u>adequacy of maintenance plans.</u></li> <li>(e) <u>extent of security and certainty of public access.</u></li> <li>(f) <u>extent of recognition of cultural values</u></li> </ul>
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### 29E.4.4 Subdivision – Stormwater Management

<b>RDI</b>	<p>All applications for subdivision must be accompanied by a stormwater management report and plans. <u>The report and plans must:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Describe how stormwater management will achieve Low Impact Design through at least a two-step treatment train approach, with the first stage on-[ot]U0163].</u></li> <li>(b) <u>describe how the plans comply with any relevant discharge consent;</u></li> <li>(c) <u>identify overland flow paths;</u></li> <li>(d) <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></li> <li>(e) <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></li> <li>(f) <u>Assess the extent of any flooding[U0164].</u></li> </ul> <p><u>Council's discretion shall be restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li>(i) <u>effects of any inconsistency with any discharge consent</u></li> <li>(ii) <u>methods of accessing and maintaining stormwater devices</u></li> <li>(iii) <u>avoidance or mitigation of flooding hazards.</u></li> </ul>
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**29E.4.5 – Subdivision – Building platform**

<p><u>RD1</u></p>	<p><u>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).</u></p> <p>(a) <u>Council's discretion is restricted to the following matters:</u>  <u>avoidance or mitigation of natural hazards</u></p> <p>(b) <u>The imposition of consent notices to ensure building platforms above 8.3m RL are established</u> [JO165].</p>
<p><u>DI</u></p>	<p><u>Subdivision that does not comply with Rule 29D.4.5</u> [RD1] [JO166]</p>

23/12/2020 Version

Reference documents;

Hearing 9: Business and Business Town Centre Zones WDC Rebuttal – Appendix 2 and Appendix 3

Hearing 10: Residential Zone WDC Rebuttal- Appendix 3

Hearing 5: Definitions Appendix 2 Recommended Amendments to Chapter 13 Definitions

Chapter 14: Infrastructure and Energy: Recommended amended Council version on Panel direction 4 November 2020

Chapter 6; Recommended amended Council version on Panel direction of 4 November 2020.

Infrastructure and Energy-Amendments recommended to other parts of the PWDP- Recommended amendments Council version on Panel direction of 4 November 2020.

Chapter 15; Stage 2 as notified on 27 July 2020.

Hearing 8A Hazardous Substances- Minute and Directions from Hearing Commissioners 25 June 2020.

## Appendix 13: Ohinewai Precinct Plans

### Proposed Waikato District Plan

