

## Comparison between Operative, Proposed and Recommended Provisions

Subdivision Type	Operative Plan Waikato Section	Operative Plan Franklin Section	Proposed Plan Notified 18 July 2018	Recommended Rule as a result of submissions/evidence
<b>Prohibited Rule</b>	<p>Rule 25.5(d), (e) and (f)(xi)                      Note: subdivision in the UEA was only restricted to lots less than 5,000m<sup>2</sup> or an allotment average below 1.3ha</p>	<p>Rule 22B.6 Prohibited Activities</p> <ul style="list-style-type: none"> <li>• Subdivision of a subsidiary dwelling from the principal dwelling</li> <li>• Transfer of any 'Rural Lot' (as defined) across territorial boundaries of Waikato District Council.</li> </ul>	Rule 22.4.1.1 PR1 – PR4	Rule 22.4.1.1 PR2 – PR4 only PR1 now recommended to be a NC activity.
<b>General Subdivision</b>	<p>Rule 25.70A Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• No more than one additional certificate of title</li> <li>• Must have title date prior to 6 Dec 1997</li> </ul> <p>Rule 25.74 Allotment Size</p> <ul style="list-style-type: none"> <li>• Must have parent title at least 20ha in area</li> <li>• Every new CT must have a minimum of</li> </ul>	No 'general lot' subdivision provision.	<p>Rule 22.4.1.2 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Must have 6 Dec 1997 title date</li> <li>• 20ha parent title area</li> <li>• Provides for 1 8,000m<sup>2</sup> – 1.6ha additional lot</li> <li>• Restricts high class soils (80%/20% rule)</li> </ul>	<p>Rule 22.4.1.2 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Must have 6 Dec 1997 title date</li> <li>• 40ha parent title area</li> <li>• Provides for 1 8,000m<sup>2</sup> – 1.6ha additional lot</li> <li>• Restricts high class soils (15% rule)</li> </ul>

	<p>8,000m<sup>2</sup> and a maximum of 1.6ha</p> <ul style="list-style-type: none"> <li>• No more than one CT produced by the subdivision has an area greater than 1.6ha</li> <li>• Provides 50m<sup>2</sup> for utility or network utility allotments.</li> </ul>			
<b>Boundary Adjustment</b>	<p>Rule 25.71 Controlled Activity</p>	<p>Rule 22B.15 Controlled Activity</p> <p><i>For any lot created after 21 October 2013, a minor boundary adjustment is limited to a 20% adjustment to the area of the lot.</i></p>	<p>No specific provision (refer to boundary relocation rule instead)</p>	<p>No specific provision (refer to boundary relocation rule instead)</p>
<b>Boundary Relocation</b>	<p>Rule 25.71A Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Provides for a maximum of five 'viable certificates of title' (defined term)</li> <li>• Common boundaries</li> <li>• No additional potential for permitted activity dwellings and no additional subdivision potential</li> <li>• 20ha balance</li> </ul>	<p>Rule 22B.15 Controlled Activity</p> <ul style="list-style-type: none"> <li>• Must not create additional titles</li> <li>• Minimum area of resulting lots = 2,500m<sup>2</sup></li> <li>• Only 'Rural Lots' (as defined) are eligible</li> <li>• <i>For any lot created after 21 October 2013, a minor boundary relocation is limited to a 20% adjustment to the area of the lot.</i></li> </ul>	<p>Rule 22.4.1.4 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Common boundary between two existing Records of Title that existed prior to 18 July 2018</li> <li>• Must form a continuous landholding</li> <li>• Not result in any additional lot</li> <li>• Create one lot of at least 8,000m<sup>2</sup> area</li> </ul>	<p>Rule 22.4.1.4 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Common boundary between two existing Records of Title</li> <li>• Titles eligible for boundary relocation must be at least 5,000m<sup>2</sup>, not a road severance or stopped road and is able to accommodate a suitable building platform</li> </ul>

	<ul style="list-style-type: none"> <li>8,000m<sup>2</sup> – 1.6ha lot sizes</li> </ul>			<ul style="list-style-type: none"> <li>Must form a continuous landholding</li> <li>Not result in any additional lot</li> <li>Create one lot of at least 8,000m<sup>2</sup> area</li> <li>15% threshold for High Class Soils.</li> <li>No additional potential for permitted dwellings and no additional subdivision potential is created.</li> <li>Additional Non-Complying rule for a boundary relocation within the Urban Expansion Area.</li> </ul>
<b>Rural Hamlet</b>	No specific provision.	No specific provision.	<p>Rule 22.4.1.5 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>3 – 5 lots clustered together</li> <li>Forms one continuous landholding</li> <li>8,000m<sup>2</sup> – 1.6ha</li> <li>Minimum balance area of 20ha</li> <li>It does not create any additional lots</li> </ul>	<p>Rule 22.4.1.5 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>3 – 5 lots clustered together</li> <li>Eligible titles must be at least 5,000m<sup>2</sup>, not a road severance or stopped road, be able to accommodate a suitable building platform</li> </ul>

			beyond the number of existing Records of Title.	<ul style="list-style-type: none"> <li>• Forms one continuous landholding</li> <li>• 8,000m<sup>2</sup> – 1.6ha</li> <li>• Minimum balance area of 20ha</li> <li>• It does not create any additional lots beyond the number of existing Records of Title.</li> </ul>
<b>Conservation Lot Subdivision</b>	<p>Rule 25.73 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Legal protection required</li> <li>• Must meet criteria in Oc</li> <li>• 2ha – less than 5ha = 1 lot</li> <li>• 5ha – less than 10ha = 2 lots</li> <li>• 10ha or more = 3 lots</li> </ul>	<p>Environmental Lots – Rule 22B.11.1 (within the EEOA)/22B.11.2 (outside of the EEOA) Restricted Discretionary Activity (Refer to diagram)</p>	<p>Rule 22.4.1.6 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Legal protection of a contiguous area of existing SNA</li> <li>• Must meet Appendix 2 criteria</li> <li>• Within Hamilton Basin Ecological Area 1 – 2ha = 1 lot</li> <li>• Outside Hamilton Basin Ecological Area</li> <li>• 2ha – less than 5ha = 1 lot</li> <li>• 5ha – less than 10ha = 2 lots</li> <li>• 10ha or more = 3 lots</li> <li>• 8,000m<sup>2</sup> – 1.6ha lot</li> </ul>	<p>Rule 22.4.1.6 Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Legal protection of a contiguous area of existing SNA</li> <li>• Must meet Appendix 2 criteria</li> <li>• Within Hamilton Basin Ecological Area 0.5ha+ = 1 lot</li> <li>• Outside Hamilton Basin Ecological Area</li> <li>• 2ha – less than 5ha = 1 lot</li> <li>• 5ha – less than 10ha = 2 lots</li> <li>• 10ha or more = 3 lots</li> <li>• 8,000m<sup>2</sup> – 1.6ha lot</li> <li>• HCS rule – 15%</li> </ul>

<b>Subdivision of Maori Land</b>	No specific provisions in Rural Zone. However, Rule 22.70 in Pa Zone provides for this subdivision as a Discretionary Activity where it is not for the purposes of a hapu partition under Te Ture Whenua Maori Act 1993.	No specific provision.	Rule 22.4.1.3 Provides for full partition as a <i>Discretionary Activity</i> . Any other subdivision of MFL is Non-Complying.	Rule 22.4.1.3 Provides for full partition as a <i>Discretionary Activity</i> . Any other subdivision of MFL is Non-Complying.
<b>Reserve Lot Subdivision</b>	Rule 25.73B Restricted Discretionary Activity <ul style="list-style-type: none"> <li>• Contains an area that is identified in a Council strategy document</li> <li>• Vested in council</li> <li>• No more than one additional CT</li> </ul>	No specific provision.	Rule 22.4.1.2 Restricted Discretionary Activity <ul style="list-style-type: none"> <li>• Contains an area that is identified in a Council strategy document</li> <li>• Vested in council</li> <li>• No more than one additional lot of 8,000m2 minimum area</li> </ul>	Rule 22.4.1.2 Restricted Discretionary Activity <ul style="list-style-type: none"> <li>• Contains an area that is identified in a Council strategy document</li> <li>• Vested in council</li> <li>• No more than one additional lot of 8,000m2 minimum area</li> </ul>
<b>Transferable Rural Lot Right Subdivision</b>	No specific provision.	Rule 22B.12 TRLRs (refer to diagram for transfers in and outside the Environmental Enhancement Overlay Area).  Rule 22B.11.2 (refer to diagram involving transfers within the Environmental Enhancement Overlay Area) Restricted Discretionary Activity Incentive Transfer Lot within the EEOA.	No specific provision.	No specific provision.

<b>Other</b>		Rule 22B.10 Restricted Discretionary Activity Lots for existing intensive rural activity.  Rule 22B.13 Lots for Network and Other Utilities Controlled Activity.  Rule 22B.14 Lots for Road Severances Controlled Activity.		
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