

## 20 General Rules

### 20.1 Scope of Chapter

This chapter contains rules that apply throughout the district. Principal reasons for rules are stated in [Chapter 29](#).

### 20.2 General

The general presumption of this plan is that every land use is permitted unless it contravenes a rule in the plan.

Resource consent is required for every subdivision, either as a controlled, restricted discretionary, discretionary or non-complying activity, as specified in the rules in each chapter. Some subdivision is a prohibited activity.

Every row in the rules tables has equal status to all others. An activity is a permitted activity only if it complies with conditions in all relevant rows of the table. Otherwise it falls into an activity class (controlled, restricted discretionary, discretionary or non-complying) as determined in the rule.

Interpretation of words and phrases used in this plan shall be as provided in [Appendix P – \(Meaning of Words\)](#).

The appendices, including rules, standards and other provisions apply throughout the district, unless otherwise stated.

### 20.3 Notification of Resource Consents

Applications for consent for subdivisions that are controlled activities shall not be notified, and notice of such applications does not need to be served on affected parties.

The Council may notify any application if the applicant requests, or if special circumstances exist.

Notification of applications for activities other than controlled subdivisions will be administered under sections 95 to 95F of the Resource Management Act. Notification will often entail serving notices on people who might be adversely affected by the application, and the Resource Management Act also requires newspaper advertisements in some cases.

### 20.4 Controlled Activities – Matters of Control

For controlled activities, the Council may impose conditions in respect of the matters that control is reserved over, as stated in the rule tables.

The additional matters of control listed in paragraph 20.6, apply to every controlled activity. (They are stated in this chapter, rather than repeated in each rule, to save space.)

### 20.5 Restricted Discretionary Activities – Matters of Discretion

For restricted discretionary activities, the Council may grant or refuse consent, or impose conditions, taking into account the matters that discretion is restricted to, as stated in the rule tables.

The additional matters of discretion listed in paragraph 20.6, apply to every restricted discretionary activity. (They are stated in this chapter, rather than repeated in each rule, to save space.)

### 20.6 Additional Matters of Control and Restricted Discretion

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Additional matters over which control has been reserved for all controlled activities, and to which discretion has been restricted, for all restricted discretionary activities:

- (a) financial contributions in the form of money or land, or a combination of these. Refer to [Chapter 16: Financial Contributions](#)
- (b) bonds or covenants or both, to ensure performance or compliance with any conditions imposed, including provision for variation, cancellation or renewal or covenants
- (c) administrative charges to be paid to the Council in respect of processing applications, administration, monitoring and supervision of resource consents, and for the carrying out of the Council's functions under section 36 of the Resource Management Act
- (d) a requirement that the holder of a consent supply information relating to the exercise of the consent, as detailed in section 108(3) and (4) of the Resource Management Act
- (e) works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including the creation, extension or upgrading of services and systems, planting or replanting, or any other works or services necessary to ensure the avoidance, remedy or mitigation of adverse environmental effects
- (f) the duration of a resource consent, under section 123 of the Resource Management Act
- (g) lapsing of a resource consent, under section 125 of the Resource Management Act
- (h) change and cancellation of a consent, under sections 126 and 127 of the Resource Management Act
- (i) notice that some or all conditions may be reviewed at some time in the future, under section 128 of the Resource Management Act
- (j) whether any land use or subdivision consent should attach to the land to which it relates, and be enjoyed by the owners and occupiers for the time being, under section 134 of the Resource Management Act
- (k) the matters on which conditions can be imposed on subdivision consents under section 220 of the Resource Management Act. These include esplanadereserves and strips, amalgamation of land, holding parcels in same ownership, design of structures, protection against natural hazards, filling and compacting of land, and creation or extinguishing of easements
- (l) consent notices to secure compliance with continuing conditions under section 221 of the Resource Management Act.

### 20.7 Staged Subdivisions

Approval pursuant to section 224 of the Resource Management Act relating to each stage of a staged subdivision will only be given when the Council is satisfied that the relevant conditions have been met and the balance of the area being subdivided is an allotment that complies with the provisions of the plan.

In all staged unit title and cross-lease subdivisions, provision shall be made for servicing the building or buildings in the current stage and all possible future stages.

### 20.8 Planning Maps

The [Planning Map](#) are part of this plan. The maps show the zones, policy areas and designations referred to in the text. Every part of the district is in one and only one zone. Roads appear white in the maps, as the zone shading has been left off to assist map users with orientation for ease of use. Although the roads are not shaded, they are in a zone, which is the zone of the land immediately

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adjacent to each point of the road. Where the zone is different on either side of the road, then the boundary between the zones is the centre line of the road.

Similarly, lakes and rivers appear with a blue shading, also to assist map users with orientation. Although the rivers and lakes are not given a zone shading, they are in a zone, which is the zone of the land nearest to each point of the river or lake. Where the zone is different either side of the river or lake, then the boundary between the zones is the centre of the river or lake.

Activities on the surface of rivers, lakes and other water bodies are subject to the ordinary zone rules, for example the noise rules. A person wanting to build a structure in the water, such as a jetty, would also have to observe the zone building standards. Regional council consents might also be required.

Hazard areas shown on the Planning Maps are not exhaustive. Extensive areas of the district are subject to some flood, erosion or subsidence hazards, but these areas are not shown on the Planning Maps. The Council has little site-specific knowledge of these. Applicants for resource consent will be required to identify relevant hazards in all areas.

Selected areas in the Living Zone at Huntly have been mapped as flood-risk areas because of the particular risks in those areas and the availability of a Regional Council flood management plan. Note that the maps are at a scale of 1:10,000: this means that precise detail for each property cannot be inferred from the maps. The maps are intended only to indicate generally areas within which special inquiry about flood risks needs to be made. Within the mapped flood-risk areas, there will be land that is not affected by the hazard. These areas can only be identified by a site-specific survey.