

## 26 Coastal Zone Rules

### 26.1 to 26.3 Introduction

#### 26.1

The rules in this chapter apply in the Coastal Zone. This chapter is divided into:

- Introduction
- Prohibited Activities
- Other Activities
  - Land use activities rule table
  - Land use effects rule table
  - Land use building rule table
  - Subdivision rule table.

#### 26.2

The Coastal Zone is expected to have the same amenity values as the Rural Zone, with additional consideration given to protecting the coastal environment. Anticipated activities are traditional extensive dairy and sheep farming, and horticulture with rural residential lifestyle lots interspersed. Rules seek to maintain rural land for productive rural activities, manage activities so that the effects of traditional farming can be accommodated alongside existing lifestyle blocks, to provide a level of lifestyle choice, and to preserve and protect landscape and ecological values, especially those of the coastal environment. It is anticipated that the amenity values experienced by residents of the Coastal Zone will be lower than those enjoyed in the Living Zone. Mineral extraction and intensive farming must avoid, remedy or mitigate their adverse effects. Additional controls apply to activities close to the coast. Residential development is kept away from mineral extraction and intensive farming, to avoid reverse sensitivity issues.

Activities locating in the zone need to accept existing amenity levels associated with land use management practices and the effects from activities (including agricultural and horticultural activities) that are already lawfully established. New residents need to recognise the accepted management practices including the presence, behaviour and effects of livestock, agrichemical spraying, use of farm machinery, seasonal operation of bird scarers, odour and night harvesting.

#### 26.3

See [Chapter 18](#) for an explanation of activity types, applications and assessment procedures. Principal reasons for rules are in [Chapter 29](#).

Any activity is permitted if it is not listed as prohibited, and it complies with conditions for permitted activities stated in every row of the rule tables.

Any activity requires resource consent if it fails to comply with a permitted activity condition in any row of the rule tables, or the rules directly state that a resource consent category applies.

Rule tables consist of horizontal rows. Each row contains three cells. In each row, the left hand cell indicates the subject matter, the middle cell states conditions that must be satisfied for the relevant activity or effect to be a permitted activity, and the right hand cell states the kind of resource consent application required, if the permitted activity conditions in that row are not complied with.

The rule table states matters that control is reserved over, and matters to which discretion is restricted, as appropriate. Additional matters of control and discretion, applicable to every rule are stated in [Chapter 20](#): General Rules.

## 26.5 Prohibited Activities

**26.5 The following activities are prohibited activities for which no resource consent shall be granted:**

### ***Land use***

- (a) **deleted**
- (b) **deleted**
- (c) **deleted**
- (d) **a refuse landfill in the Landscape Policy Area**

### ***Building***

- (e) **deleted**
- (f) **deleted**
- (g) **deleted**

### ***Subdivision***

- (h) **subdivision of land resulting in more than 2 additional allotments (excluding a utility allotment, access allotment or conservation house allotment) containing high quality soils from any allotment with a certificate of title issued prior to 6 December 1997**
- (i) **subdivision of land resulting in any additional allotments (excluding a utility allotment, access allotment or conservation house allotment) containing high quality soils from a certificate of title issued after 6 December 1997, except where the allotment being subdivided was created by**
  - (i) **a process other than subdivision under the Resource Management Act 1991, or**
  - (ii) **a boundary adjustment between land parcels contained in certificates of title issued prior to 6 December 1997, or**
  - (iii) **subdivision consent granted between 28 April 2001 and 25 September 2004, solely for a boundary relocation under the former district plan.**

26.10 to 26.83 Other Activities

**Editorial Note:**

**For rules for Telecommunication Facilities on Road Reserves see the National Environmental Standards in [Appendix Od](#).**

**For rules for Electricity Transmission Activities see the National Environmental Standards in [Appendix Oe](#).**

**For rules for the following activities which are proposed to occur on land where an activity or industry listed in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) is being or has been undertaken, or where it is more likely than not that a HAIL activity is being or has been undertaken, see the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in [Appendix Of](#):**

- Removing or replacing a fuel storage system;
- Sampling soil;
- Disturbing soil;
- Subdividing land; or
- Changing the use of land.

**26.10 to 26.11B Land Use - Activities**

**26.10 Type of activity**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.10 Type of activity</p>	<p>26.10.1 Any activity that complies with all effects and building rules is a permitted activity except:</p> <ul style="list-style-type: none"> <li>(a) on-site disposal or storage of solid waste, or</li> <li>(b) hazardous waste storage, reprocessing or disposal, or</li> <li>(c) an educational institution involving more than 10 students, or</li> <li>(d) a correctional facility, or</li> <li>(e) an extractive industry, or</li> <li>(f) commercial activities (excluding a produce stall), or</li> <li>(g) an industrial activity, or</li> <li>(h) traveller's accommodation for more than 5 people, or</li> <li>(i) a wastewater facility for the treatment of community, agricultural or industrial waste, or</li> <li>(j) a motorised recreation facility, or</li> <li>(k) an intensive farming activity, or</li> <li>(ka) a wind energy facility.</li> </ul> <p>Despite (f) and (g), commercial or industrial activities are permitted if they comply with the conditions for home occupations.</p>	<p>26.10.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity if the activity is:</p> <ul style="list-style-type: none"> <li>(a) an intensive farming activity in accordance with rule <a href="#">26.11B</a>.</li> </ul> <p>26.10.2A Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity if the activity:</p> <ul style="list-style-type: none"> <li>(a) is at least 1,000m from mean high water springs, and</li> <li>(b) does not involve                             <ul style="list-style-type: none"> <li>(i) an extractive industry, or</li> <li>(ii) a prison, and</li> </ul> </li> <li>(ba) does not involve an extractive industry in a Landscape Policy Area, and</li> <li>(bb) in the Whaanga Coast Policy Area, does not involve on-site disposal or storage of solid waste, commercial or industrial activities or a wind energy facility.</li> </ul> <p>25.10.3 Any activity that does not comply with a condition for a discretionary activity is a non-complying activity.</p>

**26.11 Temporary events**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.11 Temporary events</p>	<p>26.11.1 A temporary event is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) the event occurs no more than 3 times per year, and</li> <li>(b) it does not involve the assembly of more than 500 people per event, and</li> <li>(c) it does not involve motorised outdoor recreation, or outdoor musical events and concerts, and</li> <li>(d) operates within the hours of                             <ul style="list-style-type: none"> <li>(i) 7.30am to 10pm Monday to Saturday, and</li> <li>(ii) 7.30am to 6pm Sunday, and</li> </ul> </li> <li>(e) temporary structures are                             <ul style="list-style-type: none"> <li>(i) erected no more than 2 days before the event occurs, and</li> <li>(ii) removed no more than 3 days after the end of the event, and</li> </ul> </li> <li>(f) the site is returned to its original condition no more than 3 days after the end of the event, and</li> <li>(g) there is no direct site access from a national route or regional arterial road.</li> </ul>	<p>26.11.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.11A Home occupation**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.11A Home occupation</p>	<p>26.11A.1 A home occupation that complies with all effects and building rules is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) it involves no more than 40m<sup>2</sup> of the total gross floor area and is wholly contained within the dwelling or attached garage, and</li> <li>(b) no more than 2 people who are not permanent residents of the site are employed at any one time, and</li> <li>(c) the activity does not interfere with neighbours' televisions, radios, telephones or electronic equipment, and</li> <li>(d) the activity creates no more than 4 heavy vehicle movements per day, and</li> <li>(e) there is no unloading and loading of vehicles or the receiving of customers or deliveries before 7:30am or after 7:00pm on any day, and</li> <li>(f) there is no operation of machinery before 7:30am or after 9pm on any day, and</li> <li>(g) materials, machinery, trailers or heavy vehicles associated with the home occupation are not visible from a public road or neighbouring property.</li> </ul>	<p>26.11A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.11B Intensive farming**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.11B Intensive farming</p>	<p>26.11.1B An intensive farming activity that complies with all the effects and building rules is a restricted discretionary activity if:</p> <ul style="list-style-type: none"> <li>(a) building coverage does not exceed 3% of the site; and</li> <li>(b) building height does not exceed 15m, and</li> <li>(c) it is not in a Landscape Policy Area; and</li> <li>(d) for pig farming the operation is set back to                             <ul style="list-style-type: none"> <li>(i) at least 300 metres from the boundary of the site, and</li> <li>(ii) at least 1,200 metres (fewer than 500 pigs) or 2,000 metres (500 or more pigs) from the boundary of a Living or Country Living Zone; and</li> </ul> </li> <li>(e) for free range poultry farming the operation is set back to                             <ul style="list-style-type: none"> <li>(i) at least 100 metres from the boundaries of the site; and</li> <li>(ii) at least 500 metres from the boundary of a Living or Country Living Zone; and</li> </ul> </li> <li>(f) for poultry and all other intensive farming the operation is set back to                             <ul style="list-style-type: none"> <li>(i) at least 300 metres from the boundary of the site, and</li> <li>(ii) at least 500 metres from the boundary of a Living or Country Living Zone.</li> </ul> </li> </ul> <p>Discretion restricted to</p> <ul style="list-style-type: none"> <li>• Matters in <a href="#">Appendix Na: Intensive Farming Activities</a>.</li> </ul>	<p>26.11.2B Any intensive farming activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p> <p>Note: Setbacks are to be measured from that part of the building, enclosure or yard housing animals or plants, which is located closest to the boundary.</p> <p>Note: All rules in Chapter 26: Coastal Zone apply except for <a href="#">26.25.1(h)</a>, <a href="#">(j)</a>, <a href="#">26.26.1(b)(ii)</a>, <a href="#">26.44.1(b)</a>, <a href="#">26.44.1(d)</a>, <a href="#">26.48</a>.</p>

**26.12 to 26.43 Land Use - Effects**

**26.12 On-site services**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.12 On-site <a href="#">services</a></p>	<p>26.12.1 Any activity on a site used principally for a residential activity is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) the site is connected to a telecommunications network and energy supply network or has a stand-alone energy supply, and</li> <li>(b) the site is                             <ul style="list-style-type: none"> <li>(i) connected to reticulated water supply, stormwater and wastewater disposal networks where available, or</li> <li>(ii) provided with an alternative method of water supply, stormwater and wastewater disposal that complies with <a href="#">Appendix B</a> (Engineering Standards), and</li> </ul> </li> <li>(c) services are placed underground where reticulated services are already underground.</li> </ul>	<p>26.12.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>



**26.13 Network utility (excluding aerials)**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.13 Network utility (excluding aerials)</p>	<p>26.13.1 Any activity is a permitted activity if:</p> <p>(a) it is not a high pressure gas line with a gauge pressure of 2000 kilopascals or more, and</p> <p>(b) it is not an electricity line of 110kV or more, and</p> <p>(c) pipes are located underground, and (ca) above ground structures for electricity, gas and telecommunications (excluding aerials)</p> <p>(i) do not compromise road or pedestrian safety, and</p> <p>(ii) do not exceed 10m<sup>2</sup> in area and no setback is required, and</p> <ul style="list-style-type: none"> <li>• in road reserves do not exceed 2.4m in height, and</li> <li>• outside road reserves do not exceed 2.8m in height, and</li> </ul> <p>(iii) for electricity and telecommunications lines supported on overhead poles, the height does not exceed</p> <ul style="list-style-type: none"> <li>• 12m and</li> <li>• the height of a ridge in a Ridgeline Policy Area, and</li> </ul> <p>(iv) deleted</p> <p>(v) deleted</p> <p>(d) construction of a road complies with the conditions in <a href="#">Appendix A</a> (Traffic) and the conditions in <a href="#">Appendix B</a> (Engineering Standards).</p> <p>(e) deleted</p>	<p>26.13.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.13A Existing electricity and telecommunications lines**

ITEM	PERMITTED	RESOURCE CONSENT
26.13A Existing electricity and telecommunications lines	26.13A.1 Despite rules 26.13.1(b), 26.44, 26.49.1(a), (aa),(b), (ba) and (c), the operation, maintenance, minor upgrading and removal of existing electricity and telecommunications lines is a permitted activity if:  (a) the existing voltage is not increased, and (b) the height of support structures (excluding earthwires, earthpeaks and lightning rods) is not increased, and (c) the ground is reinstated on completion of works.	26.13A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26.14 Deleted**

**26.15 Access, vehicle entrance, parking, loading and manoeuvring space**

ITEM	PERMITTED	RESOURCE CONSENT
26.15 Access, vehicle entrance, parking, loading and manoeuvring space	26.15.1 Any activity is a permitted activity if:  (a) access, vehicle entrance crossing, parking, loading, queuing, and manoeuvring space is provided in accordance with <a href="#">Appendix A</a> (Traffic).	26.15.2 Any activity that does not comply with a condition for a permitted activity requires resource consent as stated in the appendix, or is a discretionary activity if not otherwise specified.

**26.16 Vehicle movements**

ITEM	PERMITTED	RESOURCE CONSENT
26.16 Vehicle movements	26.16.1 Any activity is a permitted activity if:  (a) it does not involve more than 200 vehicle movements per day.	26.16.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

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**26.17 Noise**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.17 Noise</p>	<p>26.17.1 Any activity is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site does not exceed:</p> <ul style="list-style-type: none"> <li>(a) 50dBA (L<sub>10</sub>), 7am to 7pm any day, and</li> <li>(b) 45dBA (L<sub>10</sub>), 7pm to 10pm any day, and</li> <li>(c) 40dBA (L<sub>10</sub>), and 65dBA (L<sub>max</sub>) at all other times.</li> </ul> <p>Despite the above, construction noise, farming noise, forest harvesting noise, extractive industry noise and emergency sirens are not subject to these standards and are permitted under this rule.</p>	<p>26.17.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.18 Construction noise**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.18 Construction noise</p>	<p>26.18.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) it is designed and conducted so that construction noise from the activity complies with <a href="#">Appendix N</a> (Construction Noise).</li> </ul>	<p>26.18.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.19 Extractive industry noise**

ITEM	PERMITTED	RESOURCE CONSENT
26.19 Extractive industry noise	26.19.1 Any activity is permitted if extractive industry noise, measured at the notional boundary of any dwelling existing at 25 September 2004, or at any site in the Living Zone, does not exceed:  (a) 50dBA ( $L_{10}$ ), 7 am to 10 pm any day, and  (b) 45dBA ( $L_{10}$ ) and 70dBA ( $L_{max}$ ), at all other times.	26.19.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26.20 Wind turbine noise**

ITEM	PERMITTED	RESOURCE CONSENT
26.20 Wind turbine noise	26.20.1 Any activity is permitted if wind turbine noise, measured at any other site, does not exceed:  (a) 40dBA ( $L_{95}$ ), measured and assessed under NZS6808:1998, and the penalty of +5dBA shall apply to noise with a special audible characteristic under the standard.	26.20.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26.21 Vibration**

ITEM	PERMITTED	RESOURCE CONSENT
26.21 Vibration	26.21.1 Any activity is a permitted activity if:  (a) vibration arising from the activity complies with <a href="#">Appendix I</a> (Ground Vibration).	26.21.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26.22 Glare and lighting**

ITEM	PERMITTED	RESOURCE CONSENT
26.22 Glare and lighting	26.22.1 Any activity is a permitted activity if light spill from artificial lighting, other than a streetlight, navigation light or traffic signal, does not exceed:  (a) 10 lux measured vertically at any other site.	26.22.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26.23 Dust, smoke, fumes, odour or ground level**

ITEM	PERMITTED	RESOURCE CONSENT
26.23 Dust, smoke, fumes, odour or ground level	26.23.1 Any activity is a permitted activity if:  (a) there is no objectionable or offensive dust, smoke, fumes or odour having adverse effects at any other site, and  (b) stockpiles of loose material are contained or maintained to prevent dispersal of material into the air, and  (ba) earthworks undertaken within 20m of the centreline of an electricity transmission line with a voltage of 110kV or more do not generate adverse effects of dust on the transmission lines or raise the ground level.	26.23.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26.24 High frequency electromagnetic field**

ITEM	PERMITTED	RESOURCE CONSENT
26.24 High frequency electromagnetic field	26.24.1 Any activity is a permitted activity if:  (a) any electromagnetic field does not exceed the maximum exposure level in NZS2772.1: 1999 Radiofrequency Fields Part 1: Maximum exposure levels 3kHz - 300GHz when measured in accordance with NZS6609.2: 1990.	26.24.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

26.25 Earthworks

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.25 Earthworks</p>	<p>26.25.1 Any activity is a permitted activity if earthworks:</p> <ul style="list-style-type: none"> <li>(a) are not in the Flood Risk Area, except for filling in accordance with rule 26.27, and                             <ul style="list-style-type: none"> <li>(aa) are not in the Huntly East Mine Subsidence Area or Hauraki Gulf Catchment Area, and</li> </ul> </li> <li>(b) comply with <a href="#">Appendix B</a> (Engineering Standards), and</li> <li>(c) including cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced, and</li> <li>(d) do not remove material from the site, and</li> <li>(e) retain sediment on site through implementation and maintenance of sediment controls, and</li> <li>(f) do not adversely affect other land through changes in natural water flows or established drainage paths, and</li> <li>(g) deleted                             <ul style="list-style-type: none"> <li>(ga) deleted</li> <li>(gb) are not within 100m of mean high water springs, and</li> </ul> </li> <li>(h) do not disturb or move more than 500m<sup>3</sup> in the Landscape Policy Area and Whaanga Coast Policy Area, or 1000m<sup>3</sup> in all other areas, within a site in a single calendar year, and</li> <li>(i) in relation to the height of any cut or batter face does not exceed 2m in the Landscape Policy Area or 3m in all other areas, and</li> <li>(j) do not exceed 250m<sup>2</sup> in the Landscape Policy Area or 1000m<sup>2</sup> in all other areas.</li> </ul> <p>Despite (h) to (j), the following earthworks are permitted if they comply with (a) to (gb), and:</p> <ul style="list-style-type: none"> <li>(k) the work                             <ul style="list-style-type: none"> <li>(i) is part of an approved subdivision, or</li> <li>(ii) is necessary for building works authorised by a building consent, and the area of earthworks is no more than 150% of the area of those</li> </ul> </li> </ul>	<p>26.25.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

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building works or occurs on land with an average gradient no steeper than 1:8, or

- (iii) is a backfilled trench for network utilities and original ground levels are reinstated, (such trenches are also exempt from (d)), or
- (iiia) outside an LPA is for the construction and/or maintenance of farm tracks, fences or farm drains or
- (iiiaa) within an LPA is for the maintenance of existing farm tracks, fences or farm drains, or
- (iiib) is for construction and maintenance of existing public roads.

**26.26 Earthworks - filling using imported fill**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.26 Earthworks</p> <ul style="list-style-type: none"> <li>• filling using imported fill</li> </ul>	<p>26.26.1 Any activity is a permitted activity if:</p> <p>(a) all material for filling is clean fill, and</p> <p>(b) filling</p> <p style="padding-left: 40px;">(i) that is part of building work approved by a building consent is carried out in accordance with NZS4431: 1989 Code of Practice for earth fill for residential development, or</p> <p style="padding-left: 40px;">(ii) that is not part of building work:</p> <ul style="list-style-type: none"> <li>• does not exceed a volume of 200m<sup>3</sup> and a depth of 1m, and</li> <li>• does not include a building platform, and</li> <li>• does not include placing fill into an area of significant indigenous vegetation or habitat, or</li> </ul> <p style="padding-left: 40px;">(iia) that is for minor upgrading of existing electricity lines does not exceed 50m<sup>3</sup>.</p>	<p>26.26.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.27 Filling - Flood Risk Area**

ITEM	PERMITTED	RESOURCE CONSENT
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<p>26.27 Filling</p> <ul style="list-style-type: none"><li>• Flood Risk Area</li></ul>	<p>26.27.1 Any activity in a Flood Risk Area is a permitted activity if:</p> <p>(a) filling is no more than is necessary to</p> <p>(i) provide a foundation for building approved by a building consent, and access to that building, or</p> <p>(ia) enable minor upgrading of existing electricity lines and does not exceed 50m<sup>3</sup>.</p>	<p>26.27.2 Any activity that does not comply with a condition for a permitted activity is a non-complying activity.</p>
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**26.28 Deleted**

**26.29 Contaminated land - remediation**

ITEM	PERMITTED	RESOURCE CONSENT
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<p>26.29 Contaminated land</p> <ul style="list-style-type: none"> <li>• remediation</li> </ul>	<p>26.29.1 Any activity is a permitted activity if:</p> <p>(a) remediation of contaminated land</p> <ul style="list-style-type: none"> <li>(i) does not cause a greater risk to the environment than if the work was not done, and</li> <li>(ii) is not within <ul style="list-style-type: none"> <li>• a significant indigenous vegetation or habitat area, or</li> <li>• the Landscape Policy Area, or</li> <li>• the Flood Risk Area, or</li> <li>• 50m of mean high water springs or a water body, and</li> </ul> </li> <li>(iii) disposes of removed material in a location approved for the receipt of such material, and</li> <li>(iv) is reported to the Council by the land owner at the completion of the work detailing: <ul style="list-style-type: none"> <li>• the work done and the results obtained, and</li> <li>• the nature and location of remaining contaminated material on-site, and</li> <li>• as-built plans and specifications of any permanent containment structure and</li> </ul> </li> </ul> <p>(b) the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in <a href="#">Appendix Of</a></p> <ul style="list-style-type: none"> <li>(i) does not apply to the activity, or</li> <li>(ii) does apply and the activity meets the permitted activity requirements set out in Regulation 8.</li> </ul>	<p>26.29.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity except</p> <p>(a) where compliance with 26.29.1(b)(ii) is not achieved the activity status is determined by the NES</p>
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**26.30 Hazardous substances**

ITEM	PERMITTED	RESOURCE CONSENT
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<p>26.30 Hazardous substances</p>	<p>26.30.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) storage or use of hazardous substances complies with <a href="#">Appendix H</a> (Hazardous Substances), or</li> <li>(b) hazardous substances stored or used on the site are <ul style="list-style-type: none"> <li>(i) trade waste in a wastewater or waste treatment facility that complies with <a href="#">Appendix B</a> (Engineering Standards), or</li> <li>(ii) road materials within a road reserve, or</li> <li>(iii) domestic storage and use of consumer products for domestic purposes, or</li> <li>(iv) consumer products, held for resale to the public in the manufacturers' packaging, or</li> <li>(v) gas or oil pipelines and ancillary equipment, or</li> <li>(vi) fuel or safety equipment in motor vehicles, aircraft, ships, boats or small engines, or</li> <li>(vii) small fireworks subject to the Hazardous Substances (Fireworks) Regulations 2001, or safety ammunition, in domestic quantities, or</li> <li>(viii) fire fighting substances on emergency vehicles.</li> </ul> </li> </ul>	<p>26.30.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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**26.31 Radioactive materials**

ITEM	PERMITTED	RESOURCE CONSENT
26.31 Radioactive materials	<p>26.31.1</p> <p>Any activity is a permitted activity if:</p> <p>(a) radioactivity is below that specified as an exempt activity in the Radiation Protection Regulations 1982, or</p> <p>(b) radioactive materials are confined to domestic appliances.</p>	<p>26.31.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity if:</p> <p>(a) radioactivity does not exceed 10 terabecquerels.</p> <p>26.31.2</p> <p>Any activity that does not comply with a condition for a discretionary activity is a non-complying activity.</p>

**26.32 Wastewater treatment**

ITEM	PERMITTED	RESOURCE CONSENT
26.32 Wastewater treatment	<p>26.32.1</p> <p>Any activity is a permitted activity if:</p> <p>(a) ponds used for processing or storing wastewater are set back at least</p> <p style="padding-left: 40px;">(i) 150m from a dwelling, and</p> <p style="padding-left: 40px;">(ii) 30m from the site boundary, or</p> <p>(b) a wastewater plant serving 3 or more dwellings, where wastewater treatment is fully enclosed, is set back at least</p> <p style="padding-left: 40px;">(i) 30m from a dwelling, and</p> <p style="padding-left: 40px;">(ii) 15m from the site boundary.</p>	<p>26.32.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.33 Plant or animal effluent disposal**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.33 Plant or animal effluent disposal</p>	<p>26.33.1 Any activity is a permitted activity if:</p> <p>(a) treatment and application of whey or liquid effluent derived from plants or animals (including disposal onto land by spray irrigation):</p> <ul style="list-style-type: none"> <li>(i) for a pressurised spray system is set back at least 150m from a habitable building, educational facility, marae or community hall, and</li> <li>(ii) for a non-pressurised or subsurface system, is set back at least 20m from a habitable building, educational facility, marae or community, and</li> <li>(iii) is operated at times and in wind conditions so as to mitigate adverse effects.</li> </ul>	<p>26.33.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.34 Notable tree - removal or destruction**

ITEM	PERMITTED	RESOURCE CONSENT
26.34 Notable tree <ul style="list-style-type: none"> <li>• removal or destruction</li> </ul>	26.34.1	26.34.2 Removal or destruction of a tree identified in <a href="#">Appendix F</a> (Notable Trees) is a discretionary activity.

**26.35 Notable tree - trimming**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.35 Notable tree</p> <ul style="list-style-type: none"> <li>• trimming</li> </ul>	<p>26.35.1 Any activity is a permitted activity if:</p> <p>(a) trimming of a tree identified in <a href="#">Appendix F</a> (Notable Trees) is:</p> <p>(i) either</p> <ul style="list-style-type: none"> <li>• to remove dead, dying, diseased, crowded, weakly attached, low vigour branches and watershoots from a tree crown, or</li> <li>• cutting of a branch or root less than 50mm thick (cross section) and no more than 15% of the foliage of the tree is removed, or</li> <li>• the balanced removal of lower branches of a tree on road reserve, and</li> </ul> <p>(ii) done in accordance with accepted arboricultural practice, and</p> <p>(iii) necessary to protect people's health and safety, or protect structures or utilities.</p>	<p>26.35.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>



**26.36 Notable tree - activities within the dripline**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.36 Notable tree</p> <ul style="list-style-type: none"> <li>• activities within the dripline</li> </ul>	<p>26.36.1 Any activity within the dripline of a tree identified in <a href="#">Appendix F</a> (Notable Trees) is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) it does not involve compaction, sealing or soil disturbance except for sealing of an existing road or footpath, and</li> <li>(b) it does not involve parking or storage of materials, vehicles or machinery, and</li> <li>(c) there is no discharge of an ecotoxic substance, and</li> <li>(d) there is no construction of structures.</li> </ul>	<p>26.36.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• location of activity in relation to the tree</li> <li>• timing and manner in which the activity is carried out</li> <li>• remedial measures</li> <li>• protection of the tree.</li> </ul>

26.37 Deleted

26.38 Signs - advertising signs

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.38 Signs</p> <ul style="list-style-type: none"> <li>• advertising signs</li> </ul>	<p>26.38.1</p> <p>Any activity is a permitted activity if an advertising sign visible from a public place:</p> <ul style="list-style-type: none"> <li>(a) relates to goods or services available on the site, or is a property name sign, and</li> <li>(b) is the only sign on the site, and</li> <li>(c) does not exceed 3m in height, and</li> <li>(d) does not exceed 1m<sup>2</sup>, and</li> <li>(e) is not illuminated, flashing or moving, and</li> <li>(f) does not include materials designed to reflect light at night, and</li> <li>(g) is not on road reserve, except for a traffic sign or a safety sign erected by a public authority, and</li> <li>(h) is not attached to a heritage item listed in <a href="#">Appendix C I</a> (Historic Heritage Items, site of significance to Maaori, or a tree identified in <a href="#">Appendix F</a> (Notable Trees), except for the purpose of identification.</li> </ul> <p>Despite (a) and (b), the following advertising signs are permitted if they comply with (c) to (h)</p> <ul style="list-style-type: none"> <li>(i) one or two real estate 'for sale' signs relating to the site, and</li> <li>(ii) deleted</li> <li>(iii) one sign advertising a community event, on display for no more than 3 months prior to the event.</li> </ul>	<p>26.38.2</p> <p>Any advertising sign that does not comply with a condition for a permitted activity is a restricted discretionary activity if:</p> <ul style="list-style-type: none"> <li>(a) sign height does not exceed 10m, and</li> <li>(b) the area of the sign does not exceed 3m<sup>2</sup>, and</li> <li>(c) there are no more than 3 signs on the site.</li> </ul> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• amenity values and the wild and scenic character of the locality</li> <li>• natural character of the coastal environment</li> <li>• traffic safety</li> <li>• effects on heritage values of any heritage item due to the size, location, design and appearance of a sign.</li> </ul> <p>26.38.3</p> <p>Any advertising sign that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

**26.39 Signs - effects on traffic**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.39 Signs</p> <ul style="list-style-type: none"> <li>• effects on traffic</li> </ul>	<p>26.39.1</p> <p>Any advertising sign directed at drivers is a permitted activity if the sign:</p> <ul style="list-style-type: none"> <li>(a) does not imitate the content, colour or appearance of traffic control signs, and</li> <li>(b) is at least 60m from controlled intersections, pedestrian crossings and another advertising sign, and</li> <li>(c) can be viewed by drivers for at least 250m, and</li> <li>(d) contains no more than 40 characters or 6 symbols, and</li> <li>(e) has lettering that is at least 160mm high, and</li> <li>(f) where the sign directs traffic to a site entrance, it is at least                             <ul style="list-style-type: none"> <li>(i) 150m from the entrance on roads with a speed limit of 80km/hr or less, and</li> <li>(ii) 250m from the entrance on roads with a speed limit of more than 80km/hr.</li> </ul> </li> </ul>	<p>26.39.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.40 Production forestry**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.40 Production forestry</p>	<p>26.40.1 Any activity is a permitted activity if production forestry:</p> <ul style="list-style-type: none"> <li>(a) is at least 100m from mean high water springs, and</li> <li>(b) comprises no more than 50% of any allotment, and</li> <li>(c) is set back at least 10m from every boundary, and</li> <li>(d) if it is in a Landscape Policy Area, the trees are indigenous species, and</li> <li>(e) is not in the Whaanga Coast Policy Area and                             <ul style="list-style-type: none"> <li>(ea) is set back at least 10m from any river, lake or wetland, and</li> <li>(eb) is harvested complying with <a href="#">Appendix Oa: Forestry Harvesting Notice</a></li> </ul> </li> </ul>	<p>26.40.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity if:</p> <ul style="list-style-type: none"> <li>(a) in the Whaanga Coast Policy Area, the forest does not exceed 12ha.</li> </ul> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• natural character of the coastal environment</li> <li>• wild and scenic coastal character</li> <li>• scale and shape of the forest, planting and fire break patterns, and tree species</li> <li>• effects on views, skylines and ridgelines</li> <li>• natural hazards, landscape values and amenity values</li> <li>• significant indigenous vegetation and habitat</li> <li>• rehabilitation</li> <li>• effects of future harvesting.</li> </ul> <p>26.40.3 Any activity that does not comply with a condition for a restricted discretionary activity is a non-complying activity.</p>

**26.41 Shading**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.41 Shading</p>	<p>26.41.1 Any activity is a permitted activity if:  (a) any shelter belt or hedge will not cast a shadow longer than 12m onto an adjoining site at midday on the shortest day of the year.</p>	<p>26.41.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.  Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects on amenity of neighbouring property</li> <li>• future management of the vegetation</li> <li>• admission of daylight and sunlight to the site and other sites.</li> </ul>

**26.42 Indigenous vegetation clearance - Landscape Policy Area**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.42 Indigenous vegetation clearance</p> <ul style="list-style-type: none"> <li>• Landscape Policy Area</li> </ul>	<p>26.42.1 Vegetation clearance of indigenous vegetation or habitat of indigenous fauna within a Landscape Policy Area is a permitted activity if:</p> <p>(a) it does not exceed 1000m<sup>2</sup> or 1% of contiguous indigenous vegetation or habitat of indigenous fauna, whichever is the lesser, per contiguous area per site in any 3-year period, and is limited to</p> <p style="padding-left: 40px;">(i) gathering of plants in accordance with Maori custom and values, or</p> <p>(b) it does not exceed 3000m<sup>2</sup> or 3% of contiguous indigenous vegetation or habitat of indigenous fauna, whichever is the lesser, per contiguous area per site in any 3-year period, and is limited to</p> <p style="padding-left: 40px;">(i) maintaining or reinstating of productive pasture and productive forests and maintenance of tracks and fences through the removal of manuka and / or kanuka and / or treeferns that are more than 10m from a water body and less than 15 years old or less than 4m in height and any under-storey under such manuka or kanuka or treeferns growing on land that was previously in productive use, or</p>	<p>26.42.2 Clearance of indigenous vegetation that does not comply with a condition for a permitted activity is a restricted discretionary activity if it is not within 100m of mean high water springs.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects on natural character of the coastal environment</li> <li>• natural hazards</li> <li>• effects on landscape values</li> <li>• effects on amenity values</li> <li>• effects on wild and scenic coastal character</li> <li>• effects on ecological values, and significant indigenous vegetation and habitat</li> <li>• remediation or mitigation measures</li> <li>• effects on social, cultural and economic wellbeing</li> <li>• relocation of species.</li> </ul> <p>26.42.3 Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

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| <p>(c) it is for the following purposes</p> <ul style="list-style-type: none"><li>(i) removing vegetation that endangers human life or existing buildings or structures or poses a risk to the integrity of, the safe use of, or access to existing network utilities, or</li><li>(ii) conservation fencing to exclude stock or pests, or</li><li>(iii) fire risk management in a production forest</li></ul> |  |
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**26.42A Indigenous vegetation clearance (outside Landscape Policy Area and coastal margin)**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.42A Indigenous vegetation clearance (outside Landscape Policy Area and coastal margin)</p>	<p>26.42A.1 Vegetation clearance of indigenous vegetation or habitat of indigenous fauna that is not within 100m of mean high water springs and is not within a Landscape Policy Area is a permitted activity if:</p> <p>(a) it is for the following purposes</p> <ul style="list-style-type: none"> <li>(i) managing, maintaining or harvesting existing production forests including under-storey clearance and fire break maintenance or fire risk management, or</li> <li>(ii) replanting a production forest or establishing a new land use within 5 years of production forest harvesting on the site, or</li> <li>(iii) harvesting indigenous timber under a Sustainable Management Plan or Permit (under the Forests Act 1949) or</li> <li>(iv) removing vegetation that endangers human life or existing buildings or structures or poses a risk to the integrity of, the safe use of, or access to existing network utilities, or</li> <li>(v) maintaining or reinstating productive pasture, tracks and fences through the removal of manuka and / or kanuka and / or treeferns that are more than 10m from a water body and less than 15 years old or less than 4m in height and any under-storey under such manuka or kanuka or treeferns growing on land that was previously in productive use, or</li> <li>(vi) stream or river crossings or the formation of farm drains<sup>4</sup> or</li> <li>(vii) a building platform for a</li> </ul>	<p>26.42A.2 Clearance of indigenous vegetation that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects on natural character of the coastal environment</li> <li>• natural hazards</li> <li>• effects on landscape values</li> <li>• effects on amenity values</li> <li>• effects on wild and scenic coastal character</li> <li>• effects on ecological values, and significant indigenous vegetation and habitat</li> <li>• remediation or mitigation measures</li> <li>• effects on social, cultural and economic wellbeing</li> <li>• relocation of species.</li> </ul>



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	<p>permitted or approved building, or structure(s), or access or gathering of plants in accordance with Maaori custom and values up to 1000m<sup>2</sup> or 1% of contiguous indigenous vegetation or habitat of indigenous fauna, whichever is the lesser, per contiguous area per site within any 3-year period, or</p> <p>(viii) conservation fencing to exclude stock or pests, or</p> <p>(b) the Council certifies that the vegetation to be cleared is not significant indigenous vegetation or significant habitat of indigenous fauna.<sup>5</sup></p>	
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<sup>4</sup> The Waikato regional Plan contains rules relating to the clearance of vegetation in "high risk erosion areas", and adjacent to water courses, and rules relating to tracking and earthworks and works within water courses.

Resource consents may be required from the Waikato Regional Council for these activities.

<sup>5</sup> Refer to section [2.4.1\(a\)](#)

**26.42B Indigenous vegetation clearance - coastal margin**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.42B Indigenous vegetation clearance</p> <ul style="list-style-type: none"> <li>• coastal margin</li> </ul>	<p>26.42B.1 Vegetation clearance of indigenous vegetation or habitat of indigenous fauna any activity is a permitted activity if:</p> <p>(a) it is within 100m of mean high water springs, and</p> <p>(b) does not exceed 300m<sup>2</sup> per site in any 3-year period, and</p> <p>(c) it is limited to</p> <ul style="list-style-type: none"> <li>• access track development or maintenance, or</li> <li>• conservation fencing to exclude stock or pests, or</li> <li>• removing vegetation that endangers human life or existing buildings or structures or poses a risk to the integrity of, the safe use of, or access to existing network utilities.</li> </ul>	<p>26.42B.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.43 Ridgeline protection**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.43 Ridgeline protection</p>	<p>26.43.1 Any activity is a permitted activity if:</p> <p>(a) earthworks and formation of tracks and accesses are at least 20m vertically and horizontally from any prominent headland or ridgeline visible from the coast.</p>	<p>26.43.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects on landscape and amenity values</li> <li>• effects on skylines and ridgelines</li> <li>• effects on views</li> <li>• revegetation of bare earth.</li> </ul>

**26.44 to 26.57B Land Use - Building**

Note that most building in the Coastal Zone requires resource consent as controlled activity. Some building work is a permitted activity.

**26.44 Building - height and bulk**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.44 Building</p> <ul style="list-style-type: none"> <li>• height and bulk</li> </ul>	<p>26.44.1</p> <p>Construction or alteration of a building is a controlled activity if:</p> <ul style="list-style-type: none"> <li>(a) the building is placed within any building envelope that has been approved in the course of subdivision, and</li> <li>(b) height does not exceed 7.5m, and</li> <li>(c) the building does not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary, and</li> <li>(d) total building coverage does not exceed 2% of the site area, or 500m<sup>2</sup>, whichever is the larger, and</li> <li>(e) the floor level of any habitable room is at least 3.7m above Moturiki Datum, and</li> <li>(f) alterations to a building within 100m of mean high water springs do not increase the building coverage or height.</li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• building form, bulk, location, external cladding and colour</li> <li>• admission of daylight and sunlight to the site and other sites</li> <li>• privacy on other sites</li> <li>• natural character of the coastal environment, including wild and scenic values</li> <li>• natural character of water bodies and their margins</li> <li>• amenity and landscape values, including visual impacts of earthworks</li> <li>• significant indigenous vegetation and habitat</li> <li>• archaeological and heritage values</li> <li>• natural hazards</li> <li>• effects on sites of significance to Maaori.</li> </ul>	<p>26.44.2</p> <p>Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26.45 Number of dwellings**

ITEM	CONTROLLED	RESOURCE CONSENT
26.45 Number of dwellings	<p>26.45.1</p> <p>Construction of a dwelling, other than a dependent person's dwelling, is a controlled activity if, after completion:</p> <p>(a) there is only one dwelling on the land contained in the certificate of title, or</p> <p>(b) there are 2 dwellings on the land contained in the certificate of title, and the title contains at least 40ha.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• building form, bulk, location, external cladding and colour</li> <li>• visibility from public places and screening.</li> </ul>	<p>26.45.2</p> <p>Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26.46 Dependent person's dwelling**

ITEM	DISCRETIONARY	RESOURCE CONSENT
26.46 Dependent person's dwelling	<p>26.46.1</p> <p>Construction, or alteration that increases the floor area, of a dependent person's dwelling is a discretionary activity if:</p> <p>(a) there is only one other dwelling on the site, and</p> <p>(b) there will only be one dependent persons dwelling on the site, and</p> <p>(c) it is within 20m of the main dwelling on the site, and</p> <p>(d) it shares an outdoor living court with the main dwelling on the site, and</p> <p>(e) it shares a single driveway access with the main dwelling on the site, and</p> <p>(f) there is no more than a single car garage with a maximum gross floor area of 24m<sup>2</sup> associated with the dependent person's dwelling.</p>	<p>26.46.2</p> <p>Any activity that does not comply with a condition for a discretionary activity is a non-complying activity.</p>

**26.47 Minimum site area - dwelling**

ITEM	CONTROLLED	RESOURCE CONSENT
26.47 Minimum site area <ul style="list-style-type: none"> <li>• dwelling</li> </ul>	26.47.1 Construction or alteration of a dwelling is a controlled activity if: <ul style="list-style-type: none"> <li>(a) the site is connected to a reticulated wastewater system, or</li> <li>(b) the net site area is at least 2500m<sup>2</sup> per dwelling.</li> </ul> Control reserved over: <ul style="list-style-type: none"> <li>• matters referred to in <a href="#">Appendix B</a> (Engineering Standards.)</li> </ul>	26.47.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.

**26.48 Non-residential building**

ITEM	CONTROLLED	RESOURCE CONSENT
26.48 Non-residential building	26.48.1 Construction or alteration of a building is a permitted activity if: <ul style="list-style-type: none"> <li>(a) the gross floor area of any non-residential building does not exceed 400m<sup>2</sup> and</li> <li>(b) the gross floor area of any non-residential building on a site of less than 2ha does not exceed 250m<sup>2</sup>.</li> </ul>	26.48.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26.49 Building setbacks**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.49 Building setbacks</p>	<p>26.49.1 Construction or alteration of a building is a controlled activity if the building is set back at least:</p> <ul style="list-style-type: none"> <li>(a) 12m from a road boundary, and                             <ul style="list-style-type: none"> <li>(aa) 15m from a state highway, and</li> </ul> </li> <li>(b) 22m from the centre line of an indicative road, and                             <ul style="list-style-type: none"> <li>(ba) 12m from the boundary of an adjoining allotment less than 6ha, and</li> </ul> </li> <li>(c) 25m from every other boundary, and</li> <li>(d) 20m vertically and horizontally from any prominent headland or ridgeline visible from the coast, and</li> <li>(e) deleted</li> <li>(f) (except for pump sheds, public amenities of up to 25m<sup>2</sup> on esplanade reserves and public walkways) 32m from:                             <ul style="list-style-type: none"> <li>(i) the margin of any lake with a bed area of 8ha or more, and</li> <li>(ii) the bank of any river whose bed has an average width of 3m or more, and</li> <li>(iii) any wetland with an area greater than 1 hectare.</li> </ul> </li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• building form, bulk, location, external cladding and colour</li> <li>• admission of daylight and sunlight to the site and other sites</li> <li>• privacy on other sites</li> <li>• natural character of the coastal environment, including wild and scenic values</li> <li>• natural character of water bodies and their margins</li> <li>• amenity and landscape values, including visual impacts of earthworks</li> <li>• significant indigenous vegetation and habitat</li> <li>• archaeological and heritage values</li> </ul>	<p>26.49.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

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- natural hazards
- effects on sites of significance to Maaori.



**26.49A Coastal building setbacks**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.49A Coastal building setbacks</p>	<p>26.49A.1 Construction of a building is a controlled activity if the building is set back at least:</p> <p>(a) 100m from mean high water springs, except as specified in (b), and</p> <p>(b) 32m from mean high water springs, in the case of a building on an allotment wholly within 100m of mean high water springs created under a subdivision consent granted by Council on or before 25 September 2004.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• building form, bulk, location, external cladding and colour</li> <li>• admission of daylight and sunlight to the site and other sites</li> <li>• privacy on other sites</li> <li>• natural character of the coastal environment, including wild and scenic values,</li> <li>• natural character of water bodies and their margins</li> <li>• amenity and landscape values, including visual impacts of earthworks</li> <li>• significant indigenous vegetation and habitat</li> <li>• archaeological and heritage values</li> <li>• natural hazards</li> <li>• effects on sites of significance to Maaori.</li> </ul>	<p>26.49A.2 Any activity that does not comply with a condition for a controlled activity is a non-complying activity</p>

**26.50 Dwelling setbacks - intensive farming activity - aggregate extraction policy area**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.50 Dwelling setbacks</p> <ul style="list-style-type: none"> <li>intensive farming activity</li> <li>aggregate extraction policy area</li> </ul>	<p>26.50.1 Construction of a dwelling is a controlled activity if it is set back at least:</p> <ul style="list-style-type: none"> <li>(a) 200m from the boundary of an Aggregate Extraction Policy Area containing a sand resource, and</li> <li>(b) 500m from the boundary of an Aggregate Extraction Policy Area containing a rock resource, and</li> <li>(c) 500m from the boundary of the site of an intensive farming activity, or 300m from the boundary of the site of an intensive farming activity of poultry or plants legally established prior to 25 September 2004.</li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>effects on amenity, health and safety, and the environment, including reverse sensitivity.</li> </ul>	<p>26.50.2 Any activity that does not comply with a condition for a controlled activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>distance between dwelling and aggregate extraction policy area, or intensive farming activity</li> <li>matters that control is reserved over</li> <li>matters in industry codes of practice.</li> </ul>

**26.51 Setbacks - wastewater treatment**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.51 Setbacks</p> <ul style="list-style-type: none"> <li>wastewater treatment</li> </ul>	<p>26.51.1 Construction or alteration of a dwelling is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) it is set back at least 300m from the boundary of a site containing a wastewater treatment plant with oxidation ponds, and</li> <li>(b) it is set back at least 30m from a wastewater treatment plant where the treatment process is fully enclosed, and</li> <li>(c) it is set back at least 15m from the boundary of a site containing a wastewater treatment plant where the treatment process is fully enclosed.</li> </ul>	<p>26.51.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.51A Setbacks - high voltage electricity transmission lines**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26.51A Setbacks</p> <ul style="list-style-type: none"> <li>• high voltage electricity transmission lines</li> </ul>	<p>26.51A.1 Construction or alteration of a building is a permitted activity if:</p> <p>(a) it is set back at least 20m from the centre line of any electricity transmission line designed to operate at 110kV or more.</p>	<p>26.51A.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects of electromagnetic fields</li> <li>• extent to which location and orientation of habitable rooms mitigates effects of the lines</li> <li>• access to transmission lines for maintenance</li> <li>• safety of people and property</li> <li>• amenity values of the site</li> <li>• effects on integrity of electricity supply including                             <ul style="list-style-type: none"> <li>- the extent to which compliance will be achieved with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP:34 2001</li> <li>- the nature and location of any landscaped amenity areas.</li> </ul> </li> </ul>

**26.51B Aerials**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.51B Aerials</p>	<p>26.51B.1 Despite rule <a href="#">26.44</a>, construction or alteration of an aerial and its support structures is a controlled activity if:</p> <p>(a) the height of aerials or support structures does not exceed:</p> <ul style="list-style-type: none"> <li>(i) 15m, or</li> <li>(ii) 12.5m in the Landscape Policy Area, or</li> <li>(iii) the height of the ridge in a Ridgeline Policy Area, and</li> </ul> <p>(b) above 13m high, no support structure exceeds 500mm in any cross section dimension, and</p> <p>(c) aerials and support structures (except for those on a road) are set back at least:</p> <ul style="list-style-type: none"> <li>(i) 15m from road boundaries, if they exceed 10m high, and</li> <li>(ii) in every other case, the setbacks required for buildings, and</li> </ul> <p>(d) no dish antenna exceeds 5m diameter, and no panel antenna exceeds 2.5m in any dimension, and</p> <p>(e) it is not attached to an historic heritage item listed in <a href="#">Appendix C1</a> (Historic Heritage Items), except for a domestic television reception aerial.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• amenity values</li> <li>• effects on landscape and streetscape</li> <li>• height, setback, location within site</li> <li>• design, safety and appearance</li> <li>• admission of daylight and sunlight to the site and other sites</li> <li>• natural character of the coastal environment.</li> </ul>	<p>26.51B.2 Any aerial or support structure that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26.52 Relocated buildings**

ITEM	CONTROLLED	RESOURCE CONSENT
26.52 Relocated buildings	<p>26.52.1</p> <p>Relocation of a used building to a new site is a controlled activity if:</p> <p>(a) the building is delivered to its final position on the site, and connected to its new foundations within 7 days of arrival.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• external appearance;</li> <li>• effects on amenity values and natural character of locality</li> <li>• visibility from public places and screening</li> <li>• structural integrity and weatherproofing</li> <li>• maintenance, repair, replacement or decoration of cladding, roofing, porches, decks, baseboards, steps, windows, chimney spaces, spouting and stormwater drains</li> <li>• stormwater management on the site</li> <li>• timetable for works;</li> <li>• a bond to secure compliance</li> <li>• matters referred to in <a href="#">Appendix B</a> (Engineering Standards).</li> </ul>	<p>26.52.2</p> <p>Any activity that does not comply with a condition for a controlled activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• matters referred to in conditions for controlled activities,</li> <li>• matters that control is reserved over.</li> </ul>

**26.53 Papakaainga Policy Area**

ITEM	PERMITTED	RESOURCE CONSENT
26.53 Papakaainga Policy Area	<p>26.53.1</p> <p>Despite rules <a href="#">26.45</a> and <a href="#">26.46</a>, construction or alteration of papakaainga housing is a permitted activity if:</p> <p>(a) it is in the Papakaainga Policy Area, and</p> <p>(b) it complies with all the rules in the Pa Zone.</p>	<p>26.53.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

**26.53A Papakainga housing**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.53A Papakainga housing</p>	<p>26.53A.1 Despite rules <a href="#">26.45</a> and <a href="#">26.46</a>, construction or alteration of papakainga housing on Maaori Customary Land or Maaori Freehold Land (within the meaning in section 129 of the Te Ture Whenua Maori Act 1993) is a controlled activity if:</p> <p>(a) The development complies with the rules of the Pa Zone; and</p> <p>(b) The land is not located in a Landscape Policy Area or a Ridgeline Policy Area; and</p> <p>(c) The land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation; or</p> <p>(d) Where a Trust or Maaori Incorporation does not exist one of the following instruments is provided to Council at the time of lodgement of the Building Consent:</p> <p style="padding-left: 20px;">(i) a lease; or</p> <p style="padding-left: 20px;">(ii) an order of the Maaori Land Court; or</p> <p style="padding-left: 20px;">(iii) a licence to occupy</p> <p>Matters of control:</p> <ul style="list-style-type: none"> <li>• Earthworks</li> <li>• Location of access</li> <li>• Building form, bulk, location, external cladding</li> <li>• Landscaping</li> </ul> <p>Note: Please refer to <a href="#">Papakainga Housing</a> in Explanation and Reasons for guidance.</p>	<p>26.53A.2 Any activity that does not comply with a condition for a controlled activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Location on site and number of dwellings</li> <li>• Earthworks</li> <li>• Location of access</li> <li>• Building form, bulk, external cladding and colour</li> <li>• Landscaping</li> </ul>

**26.54 Group A heritage item - demolition, removal or relocation**

ITEM	CONTROLLED	RESOURCE CONSENT
26.54 Group A heritage item <ul style="list-style-type: none"> <li>demolition, removal or relocation</li> </ul>	26.54.1	26.54.2 Demolition, removal or relocation of any Group A heritage item listed in <a href="#">Appendix C1</a> (Historic Heritage Items) is a non-complying activity.

**26.55 Group B heritage item - demolition, removal or relocation**

ITEM	CONTROLLED	RESOURCE CONSENT
26.55 Group B heritage item <ul style="list-style-type: none"> <li>demolition, removal or relocation</li> </ul>	26.55.1	26.55.2 Demolition, removal or relocation of any Group B heritage item listed in <a href="#">Appendix C1</a> (Historic Heritage Items) is a discretionary activity.

**26.56 All heritage items - alteration - addition**

ITEM	CONTROLLED	RESOURCE CONSENT
26.56 All heritage items <ul style="list-style-type: none"> <li>alteration</li> <li>addition</li> </ul>	26.56.1 Alteration of, or addition to a heritage item listed in <a href="#">Appendix C1</a> (Historic Heritage Items) is a permitted activity if: <ul style="list-style-type: none"> <li>(a) no significant feature of interest is removed, destroyed or damaged, and</li> <li>(b) deleted</li> <li>(c) alterations or additions are not visible from a public place, and                             <ul style="list-style-type: none"> <li>(ca) alterations or additions are of similar style, bulk and sympathetic to the original structure.</li> </ul> </li> <li>(d) alterations to a building within 100m of mean high water springs do not increase the building coverage or height.</li> </ul>	26.56.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.  Discretion restricted to: <ul style="list-style-type: none"> <li>form, style, materials and appearance</li> <li>effects on heritage values.</li> </ul>

**26.56A All heritage items - maintenance - repair**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.56A All heritage items</p> <ul style="list-style-type: none"> <li>• maintenance</li> <li>• repair</li> </ul>	<p>26.56A.1 Maintenance or repair to a heritage item listed in <a href="#">Appendix C1</a> (Historic heritage Items) is a permitted activity if:</p> <p>(a) no significant feature of interest is destroyed or damaged, and</p> <p>(b) replacement materials are the same as, or similar to, the original with the original form, style and appearance.</p>	<p>26.56A.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• form, style, materials and appearance</li> <li>• effects on heritage values</li> </ul>

**26.57 All heritage items - site development**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.57 All heritage items</p> <ul style="list-style-type: none"> <li>• site development</li> </ul>	<p>26.57.1 Development on the site of a heritage item listed in <a href="#">Appendix C1</a> (Historic Heritage Items) is a controlled activity if:</p> <p>(a) deleted</p> <p>(b) it is set back at least 10m from the heritage item, and</p> <p>(c) a building is not located between the front of the heritage item and the road.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• effects on the heritage values, context and setting of the heritage item</li> </ul>	<p>26.57.2 Any activity that does not comply with a condition for a controlled activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects on the heritage values, context and setting of the heritage item</li> <li>• location, design, size, materials and finish</li> <li>• landscaping</li> <li>• the relationship of the heritage item with the setting.</li> </ul>



**26.57A Wind measurement system**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26.57A Wind measurement system</p>	<p>26.57A.1 Construction or alteration of a wind measurement system is a controlled activity if:</p> <ul style="list-style-type: none"> <li>(a) its height does not exceed 50m, and</li> <li>(b) it is removed from the site within 3 years of construction and the site restored to original condition, and</li> <li>(c) there are no more than 2 masts on the same site, and</li> <li>(d) it generally conforms to the diagram in <a href="#">Appendix Ob: Wind Measuring System</a>, and</li> <li>(e) it is not within a Landscape Policy Area or Ridgeline Policy Area.</li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• location on site</li> <li>• visual and other amenity values</li> <li>• noise</li> <li>• relocation of a mast within site</li> <li>• effects on ecological values and significant indigenous vegetation and habitat</li> <li>• effects on sites of significance to Maori</li> <li>• natural character of the coastal environment</li> <li>• wild and scenic coastal environment</li> <li>• effects on views, skylines and ridgelines.</li> </ul>	<p>26.57A.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26.57B Land Stability - Policy Area**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.57B Land Stability</p> <ul style="list-style-type: none"> <li>• Policy Area</li> </ul>	<p>26.57.B1</p> <p>Construction or alteration of a building in the Land Stability Policy Area is a restricted discretionary activity if, after completion:</p> <p>(a) there is only one dwelling (including a dependent person's dwelling) on the land contained in the Certificate of Title.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• geotechnical risks associated with the location, size and type of structure including extent to which the proposal would worsen the risk posed by the natural hazard or adversely affect nearby properties</li> <li>• manner in which stormwater is disposed of extent of cutting, filling and retaining walls contemplated on site.</li> </ul>	<p>26.57B2</p> <p>Any activity that does not comply with a condition for a restricted discretionary activity is a non-complying activity.</p>

**26.70 to 26.83 Subdivision**

**Note and Editorial Note**

Note that there are no controlled activity subdivisions in the Coastal Zone. Prohibited subdivisions are stated in Rule [26.5](#).

**Editorial Note:**

Any subdivision application relating to land that is contaminated or potentially contaminated, because of its past, present or likely use of the land for an activity or industry described in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL), is required to be assessed under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in [Appendix Of](#).

**26.70 Subdivision generally**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.70 Subdivision generally</p>	<p>26.70.1</p> <p>Subdivision is a restricted discretionary activity if:</p> <p>(a) the subdivision creates no more than</p> <ul style="list-style-type: none"> <li>(i) one additional certificate of title from each existing viable certificate of title that existed prior to subdivision, and</li> <li>(ii) one utility allotment, and</li> <li>(iii) one access allotment, and</li> </ul> <p>(b) the land being subdivided comprises land with each certificate of title issued</p> <ul style="list-style-type: none"> <li>(i) prior to 6 December 1997, or</li> <li>(ii) after 6 December 1997 if it was created:                             <ul style="list-style-type: none"> <li>• by a process other than subdivision under the Resource Management Act 1991, or</li> <li>• by a boundary adjustment approved under rule 26.71 where the land was contained in a viable certificate of title issued prior to 6 December 1997, or</li> <li>• despite rule 26.5(i), by a subdivision which created a utility allotment exclusively for</li> </ul> </li> </ul>	<p>26.70.2</p> <p>Subdivision that does not comply with condition (a) (ii), (a)(iii), (e), (f) or (g) for a restricted discretionary activity is a discretionary activity.</p> <p>26.70.3</p> <p>Subdivision that does not comply with a condition for a discretionary activity, or conditions (a)(i), (b), (c) or (d) for a restricted discretionary activity is a non-complying activity.</p> <p>Note: some subdivision is a prohibited activity. See rule 26.5. Conservation and reserve allotments are governed by rules 26.73 and 26.73A.</p>

the purposes of  
a network utility  
from land  
contained in a  
certificate of  
title issued prior  
to 6 December  
1997, and

- (c) every certificate of title has a minimum net site area of 8000m<sup>2</sup> and a maximum of 1.6ha excluding an access allotment or utility allotment, and
- (d) the parent certificate of title is at least 20ha, and
- (e) no more than one certificate of title created by the subdivision has an area greater than 1.6ha, and
- (f) a utility allotment does not exceed 50m<sup>2</sup>, and
- (g) the land being subdivided is not within the Landscape or Ridgeline Policy Areas

Discretion restricted to:

- subdivision layout
- provision for reserves and utilities
- natural character of the coastal environment
- wild and scenic coastal character
- amenity values and rural character
- landscape values
- significant indigenous vegetation and habitat
- effects, especially cumulative effects, of building, earthworks and accesses resulting from the subdivision
- effects on water quality and land drainage
- archaeological and heritage values
- sites of significance to Maaori
- avoidance or mitigation of natural hazards
- subdivision layout and proximity of building platforms to indigenous vegetation and habitats
- potential for reverse sensitivity
- subdivision layout supporting the efficient use of soils



**26.71 Boundary adjustment**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.71 Boundary adjustment</p>	<p>26.71.1 Despite rules <a href="#">26.70.1(b)(ii)</a> and <a href="#">26.70.1(e)</a>, subdivision is a restricted discretionary activity if:</p> <ul style="list-style-type: none"> <li>(a) the result of the subdivision is to adjust a common boundary between two viable certificates of title, and</li> <li>(b) no additional certificates of title are created, and</li> <li>(c) the subdivision creates certificates of title having substantially the same area, shape, location and access as before the subdivision, and</li> <li>(d) no additional potential for controlled activity dwellings and no additional subdivision potential is created beyond that which already existed prior to the subdivision occurring.</li> </ul> <p>Discretion restricted to</p> <ul style="list-style-type: none"> <li>• area and shape of allotments</li> <li>• easements</li> <li>• amenity and rural character</li> </ul>	<p>26.71.2 Subdivision that does not comply with a condition for a restricted discretionary activity is not a boundary adjustment and will be processed under Rule 26.71A or other relevant rules.</p>

**26.71A Boundary relocation**

item	restricted discretionary	resource consent
<p>26.71A Boundary relocation</p>	<p>26.71A.1 Despite rule 26.70.1(b) and (e), a boundary relocation is a restricted discretionary activity if:</p> <ul style="list-style-type: none"> <li>(a) the boundary relocation is between a maximum of five viable certificates of title forming a continuous landholding in the same ownership, and</li> <li>(b) the result of the boundary relocation is to relocate a common boundary or boundaries, and</li> <li>(c) no additional potential for controlled activity dwellings and no additional subdivision potential is created beyond that which already existed prior to the subdivision occurring, and</li> <li>(d) the boundary relocation creates:                             <ul style="list-style-type: none"> <li>(i) one certificate of title of at least 20ha; and</li> <li>(ii) the remaining certificates of title each having an area no less than 8000m<sup>2</sup> and no more than 1.6ha.</li> </ul> </li> </ul> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• subdivision layout including supporting the efficient use of soils</li> <li>• rural character and amenity</li> <li>• potential for reverse sensitivity effects</li> </ul> <p>Note: Continuous landholding is defined in <a href="#">P20aa</a></p>	<p>26.71A.2 Despite rules <a href="#">26.5(h)</a> and <a href="#">26.5(i)</a>, subdivision that does not comply with conditions, (b), (c) and (d) for a restricted discretionary activity is a discretionary activity.</p> <p>26.71A.3 Subdivision that does not comply with condition (a) for a restricted discretionary activity will not be processed as a boundary relocation and will be assessed as a subdivision under other relevant rules, such as Rule 26.70A Subdivision Generally.</p>



**26.72 Allotment boundaries**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.72 Allotment boundaries</p>	<p>26.72.1 Subdivision is a restricted discretionary activity if the boundary of every allotment is drawn so that:</p> <ul style="list-style-type: none"> <li>(a) existing buildings comply with the controlled activity rules relating to building coverage, set backs, and daylight angles, except to the extent of any non-compliance that existed lawfully prior to the subdivision, and</li> <li>(b) no area of significant indigenous vegetation and habitat, hazard area, contaminated land, dune land, heritage item, site of significance to Maaori, or wetland is divided between allotments, and</li> <li>(c) boundaries avoid any tree listed in <a href="#">Appendix F</a> (Notable Trees), and                             <ul style="list-style-type: none"> <li>(ca) the largest new allotment contains all land within:                                     <ul style="list-style-type: none"> <li>(i) 200m of the boundary of an Aggregate Extraction Policy Area used for sand extraction, and</li> <li>(ii) 500m of the boundary of an Aggregate Extraction Policy Area used for rock extraction, and</li> <li>(iii) 300m of the boundary of an operating intensive farm</li> </ul> </li> </ul> </li> </ul> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• area and shape of allotments</li> <li>• alignment of allotment boundaries</li> <li>• public access to and along the coastal marine area</li> <li>• effects on amenity values of buildings</li> <li>• effects on sites of significance to Maaori</li> <li>• effects on notable trees</li> <li>• conservation works, including fencing</li> <li>• effects on heritage items</li> <li>• reverse sensitivity effects</li> <li>• effects on archaeological sites.</li> </ul>	<p>26.72.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

**26.73 Conservation allotment**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT										
<p>26.73 Conservation allotment</p>	<p>26.73.1 Despite rule <a href="#">26.70.1</a>, subdivision for a conservation allotment is a restricted discretionary activity if:</p> <p>(aa) the land being subdivided contains an area of significant indigenous vegetation or significant habitat of indigenous fauna that will be legally protected under this rule, and</p> <p>(ab) the area to be protected is assessed by a suitably qualified person as being significant according to the criteria listed in <a href="#">Appendix Oc</a>, and</p> <p>(ac) the area to be protected is assessed by a suitably qualified person to be a functioning indigenous ecosystem having regard to the extent to which it is in a natural, mature and self-sustaining state, and</p> <p>(ad) all areas within the certificate of title that are significant according to the criteria in <a href="#">Appendix Oc</a> and are functioning indigenous ecosystems, as assessed by a suitably qualified person, are legally protected, and</p> <p>(a) this rule or its equivalent in a previous district plan has not previously been used to gain an additional subdivision entitlement, and</p> <p>(b) the number of allotments created does not exceed the number in the table below:</p> <table data-bbox="416 1554 959 1756"> <thead> <tr> <th>Area protected (ha)</th> <th>No. of allotments</th> </tr> </thead> <tbody> <tr> <td>Less than 2</td> <td>0</td> </tr> <tr> <td>2 to less than 5</td> <td>1</td> </tr> <tr> <td>5 to less than 10</td> <td>2</td> </tr> <tr> <td>10 or more</td> <td>3</td> </tr> </tbody> </table> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• subdivision layout and proximity of new allotments to indigenous vegetation and habitats</li> <li>• area protected by conservation covenant</li> <li>• legal mechanism used to protect the significant indigenous vegetation or habitat</li> </ul>	Area protected (ha)	No. of allotments	Less than 2	0	2 to less than 5	1	5 to less than 10	2	10 or more	3	<p>26.73.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a non-complying activity.</p>
Area protected (ha)	No. of allotments											
Less than 2	0											
2 to less than 5	1											
5 to less than 10	2											
10 or more	3											

## Waikato District Plan - Waikato Section

- requirement for and contents of a management plan for the covenant area.

**26.73A Reserve allotment**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.73A Reserve allotment</p>	<p>26.73A.1 Despite rules 26.5(i) and 26.70.1, subdivision is a restricted discretionary activity if:</p> <p>(a) the land being subdivided contains an area that is identified in a Council strategy document to be required for permanent public access or for reserve purposes, and</p> <p>(b) the area referred to in (a) is vested in Council or public access is permanently secured by way of easement, and</p> <p>(c) no more than one additional certificate of title, excluding any land vested in Council, is created.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• size and location of area for which public access or reserve is secured</li> <li>• method of securing public access</li> <li>• management of land remaining in private ownership over which access rights are granted</li> <li>• location of additional certificate of title</li> <li>• size of additional certificate of title</li> </ul>	<p>26.73A2.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

Waikato District Plan - Waikato Section

**26.74 Frontage**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
26.74 Frontage	<p>26.74.1</p> <p>Subdivision is a restricted discretionary activity if:</p> <p>(a) every allotment with a road boundary, other than an access allotment, access leg or utility allotment, has a width along the road boundary of at least 60m.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• safety and efficiency of the vehicle access, and of the road network</li> <li>• amenity values</li> <li>• public access to and along the coastal marine area.</li> </ul>	<p>26.74.2</p> <p>Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

**26.75 Road access**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
26.75 Road access	<p>26.75.1</p> <p>Subdivision is a restricted discretionary activity if:</p> <p>(a) every allotment is provided with vehicle access to a public road, and</p> <p>(b) the vehicle access complies with <a href="#">Appendix A</a> (Traffic) and <a href="#">Appendix B</a> (Engineering Standards).</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• adequacy of the access for its intended use</li> <li>• road efficiency and safety</li> <li>• matters referred to in <a href="#">Appendix A</a> (Traffic) and <a href="#">Appendix B</a> (Engineering Standards)</li> <li>• rural character.</li> </ul>	<p>26.75.2</p> <p>Subdivision that does not comply with a condition for a restricted discretionary activity requires resource consent as stated in the relevant appendix, or is a discretionary activity if not otherwise specified.</p>

**26.76 Building platform**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
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Waikato District Plan - Waikato Section

<p>26.76 Building platform</p>	<p>26.76.1 Subdivision is a restricted discretionary activity if every allotment, other than a utility or access allotment, is capable of containing:</p> <p>(a) deleted</p> <p>(b) deleted</p> <p>(c) a shape factor, being either</p> <p style="padding-left: 40px;">(i) a circle with a diameter of at least 30m exclusive of boundary setbacks, or</p> <p style="padding-left: 40px;">(ii) a rectangle of at least 1000m<sup>2</sup>, exclusive of boundary setbacks, of which each dimension is at least 25m, and</p> <p style="padding-left: 40px;">(ca) a building platform where a dwelling could be built as a controlled activity, being a circle with a diameter of at least 18m, located within the shape factor, and</p> <p style="padding-left: 40px;">(cb) the building platform is set back at least 100m from mean high water springs, and has an average gradient not steeper than 1:8.</p> <p>(d) deleted</p> <p>(e) deleted.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• subdivision layout</li> <li>• shape of allotments</li> <li>• ability of allotments to accommodate a practical building platform</li> <li>• earthworks and fill required for subsequent building on the allotment</li> <li>• geotechnical suitability for building</li> <li>• likely location of future buildings and their potential effects on the environment</li> <li>• natural character of the coastal environment</li> <li>• landscape values</li> <li>• amenity values and rural character</li> <li>• wild and scenic coastal character</li> <li>• significant indigenous vegetation and habitat</li> <li>• effects on water quality and land drainage</li> <li>• archaeological and heritage values</li> <li>• sites of significance to Maaori</li> <li>• avoidance or mitigation of natural hazards.</li> </ul>	<p>26.76.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a non-complying activity.</p>
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**26.77 Building envelope**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.77 Building envelope</p>	<p>26.77.1 Subdivision is a restricted discretionary activity if, for every allotment containing less than 1.6ha within 1,000m of mean high water springs:</p> <p>(a) a building envelope is specified for a dwelling for which land use consent has been granted, including details of the:</p> <ul style="list-style-type: none"> <li>(i) floor plate, and</li> <li>(ii) building height, and</li> <li>(iii) location of windows and balconies</li> <li>(iv) elevations and plans.</li> </ul> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• natural character of the coastal environment</li> <li>• natural hazards</li> <li>• landscape values</li> <li>• amenity values and rural character</li> <li>• wild and scenic coastal character</li> <li>• significant indigenous vegetation and habitat</li> <li>• effects, including visual impacts, of future building, earthworks and accesses</li> <li>• effects on water quality and land drainage</li> <li>• archaeological and heritage values</li> <li>• sites of significance to Maaori</li> <li>• avoidance or mitigation of natural hazards.</li> </ul>	<p>26.77.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

**26.78 Earthworks**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.78 Earthworks</p>	<p>26.78.1 Subdivision is a restricted discretionary activity if:</p> <p>(a) earthworks comply with <a href="#">Appendix B</a> (Engineering Standards).</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• matters referred to in <a href="#">Appendix B</a> (Engineering Standards)</li> <li>• amenity and streetscape</li> <li>• nature and source of fill</li> <li>• location of earthworks and fill</li> <li>• compaction of fill</li> <li>• volume and depth of earthworks and fill</li> <li>• identification of future building platforms</li> <li>• provision of erosion and sediment control plan for the work</li> <li>• notice prior to commencement.</li> </ul>	<p>26.78.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a non-complying activity.</p>



26.79 On-site services

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.79 On-site <a href="#">services</a></p>	<p>26.79.1 Subdivision is a restricted discretionary activity if for every allotment other than a utility or access allotment:</p> <p>(a) provision is made to connect to a telecommunications network and energy supply network, and</p> <p>(b) either</p> <p style="padding-left: 40px;">(i) provision is made to connect to reticulated water supply, stormwater, land drainage and wastewater disposal networks where available, or</p> <p style="padding-left: 40px;">(ii) an alternative method of water supply, stormwater, land drainage and wastewater disposal that complies with <a href="#">Appendix B</a> (Engineering Standards) is provided, and</p> <p>(ba) every allotment less than 6ha in an area serviced by the existing infrastructure of a rural water supply scheme is connected to that scheme, and</p> <p>(c) services are placed underground where:</p> <p style="padding-left: 40px;">(i) a new road is required as part of the subdivision, or</p> <p style="padding-left: 40px;">(ii) existing services to the land are already placed underground.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• health and safety</li> <li>• amenity values</li> <li>• matters referred to in <a href="#">Appendix B</a> (Engineering Standards)</li> <li>• easements to facilitate development beyond the site.</li> </ul>	<p>26.79.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

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**26.80 Hazard risks**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.80 Hazard risks</p>	<p>26.80.1 Subdivision is a restricted discretionary activity if:</p> <p>(a) the land is not in the Flood Risk Area and                      (aa) every allotment has an area of at least 1000m<sup>2</sup> not subject to inundation in a 2% probability storm or flood event.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• size and area of allotments</li> <li>• avoidance or mitigation of natural hazards.</li> </ul>	<p>26.80.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

**26.81 Esplanade reserves and esplanade strips**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p>26.81 Esplanade reserves and esplanade strips</p>	<p>26.81.1 Subdivision is a restricted discretionary activity if an esplanade reserve or strip 20m wide (or other width stated in <a href="#">Appendix G</a> Esplanade Priority Areas) is created from every allotment:</p> <p>(a) less than 4ha and within 20m of</p> <ul style="list-style-type: none"> <li>(i) mean high water springs, or</li> <li>(ii) the bank of any river whose bed has an average width of 3m or more, or</li> <li>(iii) a lake whose bed has an area of 8ha or more, or</li> </ul> <p>(b) 4ha or more within 20m of mean high water springs or a water body identified in <a href="#">Appendix G</a> (Esplanade Priority Areas).</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• deleted</li> <li>• the type of esplanade provided - reserve or strip</li> <li>• width of the esplanade reserve or strip</li> <li>• access to the esplanade reserve or strip</li> <li>• matters provided for in an instrument creating an esplanade strip or access strip</li> <li>• works required prior to vesting any reserve in the Council</li> <li>• costs and benefits of acquiring the land.</li> </ul>	<p>26.81.2 Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

**26.82 Land containing heritage items**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
26.82 Land containing heritage items	<p>26.82.1</p> <p>Subdivision of land containing a heritage item listed in <a href="#">Appendix C1</a> (Historic Heritage Items) is a restricted discretionary activity if:</p> <p>(a) the heritage item is wholly contained on one allotment, and</p> <p>(b) the relationship of the heritage item with its setting is maintained.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>● effects on the values, context and setting of the heritage item.</li> </ul>	<p>26.82.2</p> <p>Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

**26.83 Traffic generation**

ITEM	RESTRICTED DISCRETIONARY	RESOURCE CONSENT
26.83 Traffic generation	<p>26.83.1</p> <p>Subdivision is a restricted discretionary activity if:</p> <p>(a) traffic generated by likely land uses after the subdivision does not alter the status or function of roads in the Roding Hierarchy identified in <a href="#">Appendix A</a> (Traffic).</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>● capacity and quality of the road surface</li> <li>● function of the public road</li> <li>● safety and efficiency of the road network</li> <li>● safety of road users.</li> </ul>	<p>26.83.2</p> <p>Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

Schedule 26A Whaanga Coast - Rules

**26A.1 Application of the Schedule**

In this schedule:

- "Whaanga Coast Area" means the defined area of land shown on the [Planning Map](#) and as indicated in further detail in [Figure 26A.1](#).

**26A.2 Application of Coastal Zone Rules**

The following rules in [Chapter 26: Coastal Zone](#) do not apply to the Whaanga Coast Area:

Rules [26.5](#), [26.10](#), [26.11A](#), [26.15](#), [26.16](#), [26.25](#), [26.40](#), [26.42](#), [26.44](#), [26.45](#), [26.46](#), [26.47](#), [26.48](#), [26.49](#), [26.51B](#), [26.53](#), and [26.53A](#) (Papakaainga Housing).

All other Rules in [Chapter 26: Coastal Zone](#) apply to the Whaanga Coast Area.

**26A.5 Prohibited Activities**

**26A.5 The following activities are prohibited activities for which no resource consent shall be granted:**

***Land use***

- (a) **a refuse landfill**

***Subdivision***

- (b) **subdivision of land resulting in more than 2 additional allotments (excluding a utility allotment, access allotment or conservation house allotment) containing high quality soils from any allotment with a certificate of title issued prior to 6 December 1997**
- (c) **subdivision of land resulting in any additional allotments (excluding a utility allotment, access allotment or conservation house allotment) containing high quality soils from a certificate of title issued after 6 December 1997, except where the allotment being subdivided was created by**
- (i) **a process other than subdivision under the Resource Management Act 1991,**
  - (ii) **a boundary adjustment between land parcels contained in certificates of title issued prior to 6 December 1997, or**
  - (iii) **subdivision consent granted between 28 April 2001 and 25 September 2004, solely for a boundary relocation under the former district plan.**

**26A.10 to 26A.12A Land Use - Activities**

**26A.10 Type of Activity**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26A.10 Type of Activity</p>	<p>26A.10.1 Any activity that complies with all effects and building rules is a permitted activity except:</p> <ul style="list-style-type: none"> <li>(a) on-site disposal or storage of solid waste, or</li> <li>(b) hazardous waste storage, reprocessing or disposal, or</li> <li>(c) an educational facility for more than 10 students, or</li> <li>(d) a correctional facility, or</li> <li>(e) an extractive industry, or</li> <li>(f) commercial activities (excluding a produce stall and community activity), or</li> <li>(g) an industrial activity, or</li> <li>(h) traveller's accommodation for more than 5 people, or</li> <li>(i) a wastewater facility for the treatment of community, agricultural or industrial waste, or</li> <li>(j) a motorised recreation facility, or</li> <li>(k) an intensive farming activity, or</li> <li>(l) a wind energy facility (excluding for self sufficient domestic supply), or</li> <li>(m) health facility.</li> </ul>	<p>26A.10.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity if it is: an educational facility for up to 30 students. travellers accommodation for up to 10 people.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects on traffic</li> <li>• effects on amenity</li> <li>• noise</li> </ul> <p>26A.10.3 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26A.11A Home Occupation**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26A.11A Home occupation</p>	<p>26A.11A.1 A home occupation that complies with all effects and building rules is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) it involves no more than 40m<sup>2</sup> of the total gross floor area and is wholly contained within the dwelling or attached garage or any other building within the Development Area, and</li> <li>(b) no more than 2 people who are not permanent residents of the site are employed at any one time, and</li> <li>(c) the activity does not interfere with neighbours televisions, radios, telephones or electronic equipment, and</li> <li>(d) the activity creates no more than 4 heavy vehicle movements per day, and</li> <li>(e) there is no unloading and loading of vehicles or the receiving of customers or deliveries before 7:30am or after 7:00pm on any day, and</li> <li>(f) there is no operation of machinery before 7:30am or after 9pm on any day.</li> </ul>	<p>26A.11A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

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**26A.12A Servicing**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26A.12A Servicing</p>	<p>26A.12A.1 Any dwelling or papakaainga building is a controlled activity if:</p> <ul style="list-style-type: none"> <li>(a) it is connected to a reticulated wastewater system or has a net site area of at least 2500m<sup>2</sup>; and</li> <li>(b) each Development Area is the subject of a Stormwater Management Plan addressing management measures to avoid erosion, instability and silt deposition; and</li> <li>(c) wastewater and stormwater disposal systems comply with <a href="#">Appendix B</a>; and</li> <li>(d) each dwelling and building used for habitable purposes is connected to a potable water supply; and</li> <li>(e) each dwelling and building is located to provide for access for emergency vehicles.</li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• effects on amenity in the Landscape Policy Area,</li> <li>• effects on health and safety</li> <li>• effects on coastal natural character</li> </ul>	<p>26A.12A.2 Any activity that does not comply with a condition for a controlled is a discretionary activity.</p>



**26A.15 to 26A.43A Land Use - Effects**

**26A.15 Access, vehicle entrance, parking, loading and manoeuvring space**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26A.15 Access, vehicle entrance, parking, loading and manoeuvring space</p>	<p>26A.15.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> <li>(a) access, vehicle entrance crossing, parking, loading , queuing and manoeuvring space is provided in accordance with <a href="#">Appendix A</a> (Traffic); and</li> <li>(b) the location of a new vehicle entrance, to service a dwelling, accessory building or papakainga building has been investigated by a suitably qualified transportation engineer. The transportation engineer shall complete an assessment report confirming the vehicle entrance location complies with <a href="#">Appendix A</a> is provided to Council, and</li> <li>(c) there is only one vehicle entrance and accessway serving all dwellings, accessory buildings or papakainga building in each Development Area; and</li> <li>(d) total vehicle movements for all activities will not exceed 200 vehicle movements per day per certificate of title.</li> </ul>	<p>26A.15.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

26A.25 Earthworks

ITEM	PERMITTED	RESOURCE CONSENT
<p>26A.25 Earthworks</p>	<p>26A.25.1 Any activity is a permitted activity if earthworks:</p> <ul style="list-style-type: none"> <li>(a) are not in the Flood Risk Area, except for filling in accordance with rule 26.27, and</li> <li>(b) comply with <a href="#">Appendix B</a> (Engineering Standards), and</li> <li>(c) including cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced, and</li> <li>(d) do not remove material from the site, and</li> <li>(e) retain sediment on site through implementation and maintenance of sediment controls, and</li> <li>(f) do not adversely affect other land through changes in natural water flows or established drainage paths, and</li> <li>(g) deleted                         <ul style="list-style-type: none"> <li>(ga) that disturb contaminated land include full remediation works, and</li> <li>(gb) are not within 100m of mean high water springs, and</li> </ul> </li> <li>(h) do not disturb or move more than 500m<sup>3</sup> within each certificate of title within a Development Area in a single calendar year, and</li> <li>(i) in relation to the height of any cut or batter face does not exceed 2m, and</li> <li>(j) do not exceed 250m<sup>2</sup> and</li> <li>(k) the slope of the land does not exceed 25 degrees.</li> </ul> <p>Despite (h) to (j), the following earthworks are a permitted activity if they comply with (a) to (gb), and the work</p> <ul style="list-style-type: none"> <li>(i) is needed for the maintenance of existing tracks, or</li> <li>(ii) is necessary for building works authorised by a building consent, and the area of earthworks is no more than 150% of the area of those building works or occurs on</li> </ul>	<p>26A.25.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

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	<p>land with an average gradient no steeper than 1:8, or</p> <p>(iii) is a backfilled trench for network utilities and original ground levels are reinstated, (such trenches are also exempt from (d)).</p>	
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**26A.40 Production forestry - indigenous and exotic**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26A.40 Production forestry</p> <ul style="list-style-type: none"> <li>• indigenous and exotic</li> </ul>	26A.40.1	<p>26A.40.2 Production forestry both indigenous or exotic is a non complying activity.</p>

**26A.42 Indigenous vegetation clearance - within a Development Area**

ITEM	PERMITTED	RESOURCE CONSENT
<p>26A.42 Indigenous vegetation clearance - Within a Development Area</p>	<p>26A.42.1 Vegetation clearance of indigenous vegetation or habitat of indigenous fauna is a permitted activity if:</p> <p>(a) it does not exceed 1000m<sup>2</sup> or 1% of contiguous indigenous vegetation or habitat of indigenous fauna, whichever is the lesser, per contiguous area per site in any 3-year period, and</p> <p>(b) is not within 100m of mean high water springs, and</p> <p>(c) is not within 20m of a watercourse, and</p> <p>(d) is at least 20m vertically and horizontally from any prominent headland or ridgeline visible from the coast, and</p> <p>(e) is limited to:</p> <p>(i) a building platform for an approved building, or</p> <p>(ii) sole access to all buildings and dwellings within a Development Area; or</p> <p>(iii) removing vegetation that endangers human life or existing buildings or structures or poses a risk to the integrity of, the safe use of, or access to existing network utilities, or</p> <p>(iv) conservation fencing to exclude stock or pests, or</p> <p>(v) gathering of plants in accordance with Maori custom and values.</p>	<p>26A.42.2 Clearance of indigenous vegetation that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> <li>• effects on natural character of the coastal environment</li> <li>• natural hazards</li> <li>• effects on landscape values</li> <li>• effects on amenity values</li> <li>• effects on wild and scenic coastal character</li> <li>• effects on ecological values, and significant indigenous vegetation and habitat</li> <li>• remediation or mitigation measures</li> <li>• effects on social, cultural and economic wellbeing</li> <li>• relocation of species.</li> <li>• visibility from public places</li> </ul>

**26A.42A Indigenous vegetation clearance - outside of Development Areas**

ITEM	PERMITTED	RESOURCE CONSENT
26A.42A Indigenous vegetation clearance <ul style="list-style-type: none"> <li>• Outside of Development Areas</li> </ul>	26A.42A.1	26A.42A.2 Indigenous vegetation clearance outside of a Development Area is a non complying activity.

**26A.43A Outdoor storage**

ITEM	PERMITTED	RESOURCE CONSENT
26A.43A Outdoor storage	26A.43A.1 Outdoor storage of goods or materials is a permitted activity if stacks or stockpiles: <ul style="list-style-type: none"> <li>(a) do not exceed 5m high, and</li> <li>(b) are set back at least 12m from any road or Development Area boundary; and</li> <li>(c) are situated at least 20m from any watercourse, and</li> <li>(d) are situated at least 32m from mean high water springs, and</li> <li>(e) do not exceed 250m<sup>2</sup> in area per Development Area, and</li> <li>(f) are situated at least 20m vertically and horizontally from any prominent headland or ridgeline visible from the coast, and</li> <li>(g) are screened from view from:                             <ul style="list-style-type: none"> <li>(i) a public road or reserve, or</li> <li>(ii) an adjoining site in another zone, and</li> </ul> </li> <li>(h) are located entirely within a Development Area identified in <a href="#">Figure 26A</a></li> </ul>	26A.43A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

**26A.44 to 26A.51B Land Use - Building**

**26A.44 Building - height and bulk**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26A.44 Building</p> <ul style="list-style-type: none"> <li>• height and bulk</li> </ul>	<p>26A.44.1 Construction or alteration of a dwelling, accessory building or papakaainga building is a controlled activity if:</p> <ul style="list-style-type: none"> <li>(a) height does not exceed 7.5m, and</li> <li>(b) does not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary, and</li> <li>(c) is the subject of a management plan for the Development Area that provides information on the following:                             <ul style="list-style-type: none"> <li>(i) details of provisions made for wastewater and stormwater disposal including the location of wastewater treatment;</li> <li>(ii) the location of watercourses;</li> <li>(iii) details the measures to protect indigenous vegetation and habitats and riparian margins; and</li> <li>(iv) area/s proposed for carparking; and any impermeable surfaces; and</li> </ul> </li> <li>(d) the floor level of any habitable room is at least 3.7m above Moturiki Datum; and</li> <li>(e) alterations to a building within 100m of mean high water springs do not increase the building coverage or height.</li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• building form, bulk, location, external cladding and colour;</li> <li>• admission of daylight and sunlight to the site and other sites;</li> <li>• natural character of the coastal environment;</li> <li>• natural character of water bodies and their</li> </ul>	<p>26A.44.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

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margins;

- visibility from public places
- amenity and landscape values, including visual impacts of earthworks;
- significant indigenous vegetation and habitat; and
- integration into the existing natural landscape

**26A.44A Dwellings, accessory buildings and papakainga housing buildings outside of Development Areas in Figure 26A**

ITEM	PERMITTED	RESOURCE CONSENT
26A.44A Dwellings, accessory buildings and papakainga housing buildings outside of Development Areas in <a href="#">Figure 26A</a>	26A.44A.1	26A.44A.2 The construction of a dwelling, accessory building or papakainga housing building located outside of a Development Area defined in <a href="#">Figure 26A</a> is a Non Complying Activity.

**26A.45 Number of dwellings**

ITEM	CONTROLLED	RESOURCE CONSENT
26A.45 Number of dwellings	<p>26A.45.1 Construction of a dwelling within a Development Area identified in <a href="#">Figure 26A</a> is a controlled activity if:</p> <p>(a) there are no more than 8 dwellings including those established prior to 7 August 2012 in each Development Area; and</p> <p>(b) each dwelling does not exceed a gross floor area of 180m<sup>2</sup>.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>● building form, bulk, location, external cladding and colour;</li> <li>● integration within the natural landscape;</li> <li>● visibility from public places;</li> <li>● screening;</li> <li>● natural character of the coastal environment;</li> <li>● significant indigenous vegetation and habitat.</li> </ul>	26A.45.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.



**26A.45A Accessory buildings**

ITEM	CONTROLLED	RESOURCE CONSENT
26A.45A Accessory buildings	<p>26A.45A.1</p> <p>Construction or alteration of an accessory building is a controlled activity if:</p> <p>(a) the gross floor area does not exceed 50m<sup>2</sup>, and</p> <p>(b) the height does not exceed 5 metres, and</p> <p>(c) There is no more than 1 accessory building per dwelling (a maximum of 8 in each Development Area).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• building form, bulk, location, external cladding and colour;</li> <li>• integration within the natural landscape;</li> <li>• visibility from public places;</li> <li>• screening.</li> </ul>	<p>26A.45A.1</p> <p>Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26A.46A Dependent person's dwelling**

ITEM	DISCRETIONARY	RESOURCE CONSENT
26A.46A Dependent person's dwelling	<p>26A.46A.1</p> <p>Construction or alteration that increases the floor area of a dependent person's dwelling is a discretionary activity if:</p> <p>(a) there is a maximum of 8 dwellings per development area; and</p> <p>(b) there will only be one dependent person's dwelling per certificate of title within each development area; and</p> <p>(c) it is within 20m of a dwelling within the development area; and</p> <p>(d) it is accessed by one accessway and vehicle entrance per Development Area.</p>	<p>26A.46A.2</p> <p>Any activity that does not comply with a condition for a discretionary activity is a non complying activity.</p>

**26A.46B Papakaainga building**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26A.46B Papakaainga building</p>	<p>26A.46B.1 Despite rule <a href="#">26A.45</a>, construction or alteration of papakaainga building is a controlled activity if:</p> <ul style="list-style-type: none"> <li>(i) there is no more than 1 papakaainga building on each Development Area, and</li> <li>(ii) the gross floor area of each papakaainga building does not exceed 250m<sup>2</sup>.</li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• earthworks</li> <li>• building form, bulk, location and external cladding</li> <li>• landscaping</li> <li>• visibility from public places</li> <li>• screening</li> </ul>	<p>26A.46B.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26A.49 Building setbacks**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26A.49 Building setbacks</p>	<p>26A.49.1 Construction or alteration of a dwelling, accessory building or papakainga building is a controlled activity if it is located within an identified Development Area as identified on <a href="#">Figure 26A.1</a> and is set back at least:</p> <ul style="list-style-type: none"> <li>(a) 12m from any road boundary or boundary with any other zone, and</li> <li>(b) 20m from any watercourse or area proposed for wastewater disposal and treatment, and</li> <li>(c) 100m from mean high water springs.</li> </ul> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>• building form, bulk, location, external cladding and colour</li> <li>• admission of daylight and sunlight to the site and other sites</li> <li>• natural character of the coastal environment, including wild and scenic values</li> <li>• natural character of water bodies and their margins</li> <li>• amenity and landscape values, including visual impacts of earthworks</li> <li>• significant indigenous vegetation and habitat.</li> </ul>	<p>26A.49.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

**26A.51B Aerials**

ITEM	CONTROLLED	RESOURCE CONSENT
<p>26A.51B Aerials</p>	<p>26A.51B.1 Construction or alteration of an aerial and its support structures is a controlled activity if:</p> <p>(a) the height of aerials or support structures does not exceed:</p> <p style="padding-left: 40px;">(i) 12.5m; and</p> <p style="padding-left: 40px;">(ii) the height of the ridge in a Ridgeline Policy Area, and</p> <p>(b) above 10.5m high no support structure exceeds 500mm in any cross section; and</p> <p>(c) no dish antenna exceeds 2m in diameter, and no panel antenna exceeds 2.5m in any dimension; and</p> <p>(d) aerials and support structures are set back at least:</p> <p style="padding-left: 40px;">(i) 15m from road boundaries, if they exceed 10m high; and</p> <p style="padding-left: 40px;">(ii) in every other case, the setbacks required for buildings.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> <li>● amenity values;</li> <li>● effects on landscape and streetscape;</li> <li>● height, setback, location within the Development Area;</li> <li>● design, safety and appearance;</li> <li>● admission of daylight and sunlight to the site and other sites;</li> <li>● natural character of the coastal environment.</li> <li>● visibility from public places</li> </ul>	<p>26A.51B.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

Figure 26A.1 Whaanga Coast - Proposed Development Area

Figure 26A.1 Whaanga Coast - Proposed Development Area

