

27 Country Living Zone Rules

27.1 to 27.3 Introduction

27.1

The rules in this chapter apply in the Country Living 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.

27.2

The Country Living Zone provides for low density living at specific locations in rural areas. Rules seek to manage activities to maintain a high standard of amenity.

27.3

See [Chapter 18](#) for 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 are not complied with.

The rule tables state 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.

27.5 Prohibited Activities

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

Land use

- (a) **deleted**
- (b) **on-site disposal or storage of solid waste**
- (c) **hazardous waste storage, reprocessing or disposal**

Building

- (d) **deleted**
- (e) **construction or alteration of a building valued at \$15,000 or more on the route of an indicative road in the Tamahere Country Living Zone except network utility buildings approved by the road controlling authority.**
- (f) **deleted**
- (g) **an additional vehicle entrance or access to Newell Road.**

Subdivision

- (h) **deleted**
- (i) **inside the Hamilton Airport SEL 95 Boundary or inside the Airport Noise Subdivision Control Boundary, a subdivision that creates allotments with an average net site area of less than 1.1ha.**
- (j) **straddling the Hamilton Airport Noise Subdivision Control Boundary, a subdivision that creates more allotments than the number calculated by the following formula:**

$$\text{new allotments} = \frac{\text{area (ha) outside}^*}{0.5} + \frac{\text{area (ha) inside}^*}{1.1}$$

*** outside and inside Hamilton Airport Noise Subdivision Outer Control Boundary.**

27.10 to 27.73 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.

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27.10 to 27.12 Land Use - Activities

27.10 Type of activity

ITEM	PERMITTED	RESOURCE CONSENT
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<p>27.10 Type of activity</p>	<p>27.10.1 Any activity that complies with all effects and building rules is a permitted activity except:</p> <ul style="list-style-type: none"> (a) a child care facility for 11 or more children, or (b) a commercial activity (excluding a produce stall), or (c) a community facility, or (d) a comprehensive residential development, or (e) an educational facility, or (f) a funeral parlour, crematorium or cemetery or (g) a health facility, or (h) a hospital or hospice of 10 or more beds, or (i) deleted (j) a residential centre for more than five residents in addition to caregivers, or (k) travellers accommodation, or <ul style="list-style-type: none"> (ka) an extractive industry, or (kb) an industrial activity, or (kc) a correctional facility, or (kd) a wind energy facility, or (ke) an intensive farming activity. <p>Despite the above, the following are permitted activities if they comply with the conditions for home occupations:</p> <ul style="list-style-type: none"> (l) a commercial activity, or (m) a health facility, or (n) an office, or (o) retailing, other than sale of liquor, or (p) a homestay that provides accommodation for no more than 4 temporary residents, or (q) an arts and crafts workshop, or (r) a wood working or metal working workshop, excluding panel beating and car wrecking. 	<p>27.10.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity, except:</p> <ul style="list-style-type: none"> (a) a prison. an extractive industry <p>27.10.3 Any activity that does not comply with a condition for a discretionary activity is a non-complying activity.</p> <p>27.10.4 The following activities are discretionary activities if they are located inside the Hamilton Airport Noise Outer Control Boundary:</p> <ul style="list-style-type: none"> (a) travellers accommodation (b) an educational facility. <p>27.10.5 The following activities are non-complying activities if they are located inside the Hamilton Airport Noise Outer Control Boundary:</p> <ul style="list-style-type: none"> (a) a childcare facility (b) a comprehensive residential development (c) a hospital or hospice (d) a residential centre.
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27.11 Home occupation

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.11 Home occupation</p>	<p>27.11.1 A home occupation that complies with all effects and building rules is a permitted activity if:</p> <ul style="list-style-type: none"> (a) it involves no more than 40m² of the total gross floor area; and (b) is wholly contained within the dwelling or attached garage; and (c) no more than 2 people who are not permanent residents of the site are employed at any one time, and (d) the activity does not interfere with neighbours' televisions, radios, telephones or electronic equipment, and (e) the activity creates no more than 4 heavy vehicle movements per day; and (f) 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 (g) there is no operation of machinery before 7:30am or after 7:00pm on any day; (h) materials, machinery, trailers or heavy vehicles associated with the home occupation are not visible from a public road or neighbouring property. 	<p>27.11.2 A home occupation that does not comply with b) for a permitted activity is a controlled activity if it is contained within an accessory building.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • location of building to boundaries of site • entrances in relation to boundaries • noise and acoustic insulation • visual amenity. <p>27.11.3 A home occupation that does not comply the condition for a controlled activity is a discretionary activity.</p>

27.11A Home occupation Tamahere Country Living Zone

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.11A Home occupation Tamahere Country Living Zone</p>	<p>27.11A.1 A home occupation that complies with all effects and building rules is a permitted activity if:</p> <p>(a) It involves no more than 40m² of the total gross floor area and is wholly contained within the dwelling or attached garage, and</p> <p>(b) no more than 2 people who are not permanent residents of the site are employed at any one time, and</p> <p>(c) the activity does not interfere with neighbours' televisions, radios, telephones or electronic equipment, and</p> <p>(d) the activity creates no more than 4 heavy vehicle movements per day, and</p> <p>(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.</p> <p>(f) there is no operation of machinery before 7:30am or after 7:00pm on any day, and</p> <p>(g) materials, machinery, trailers or heavy vehicles associated with the home occupation are not visible from a public road or neighbouring property.</p>	<p>27.11A.2 A home occupation that does not comply with a condition for a permitted activity is a controlled activity if:</p> <p>(a) the activity involves no more than 40sqm gross floor area, and</p> <p>(b) is contained within an accessory building, and</p> <p>(c) no more than 2 people who are not permanent residents of the site are employed at any one time, and</p> <p>(d) the activity does not interfere with neighbours' televisions, radios, telephones or electronic equipment, and</p> <p>(e) the activity creates no more than 4 heavy vehicle movements per day, and</p> <p>(f) 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.</p> <p>(g) there is no operation of machinery before 7:30am or after 7:00pm on any day, and</p> <p>(h) materials, machinery, trailers or heavy vehicles associated with the home occupation are not visible from a public road or neighbouring property.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • matters referred to in the

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ITEM	PERMITTED	RESOURCE CONSENT permitted activity conditions <ul style="list-style-type: none"> ● location of building to boundaries of site ● entrances in relation to boundaries ● size of building ● noise and acoustic insulation ● visual amenity <p>27.11A.3 A home occupation that does not comply with the conditions for a controlled activity is a discretionary activity.</p>

27.12 Temporary event

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.12 Temporary event</p>	<p>27.12.1 A temporary event is a permitted activity if:</p> <ul style="list-style-type: none"> (a) the event takes place within a public park, school, or community centre, and (b) the event occurs no more than 3 times per year, and (c) it does not involve the assembly of more than 500 people per event, and (d) it operates within the hours of <ul style="list-style-type: none"> (i) 7.30am to 10pm Monday to Saturday, and (ii) 7.30am to 6pm Sunday, and (e) temporary structures are: <ul style="list-style-type: none"> (i) erected no more than 2 days before the event occurs, and (ii) removed no more than 3 days after the end of the event, and (f) the site is returned to its original condition no more than 3 days after the end of the event, and (g) there is no direct site access from a national route or regional arterial road. 	<p>27.12.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

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27.13 to 27.40B Land Use - Effects

27.13 On-site services

ITEM	PERMITTED	RESOURCE CONSENT
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<p>27.13 On-site services</p>	<p>27.13.1 Any activity on a site used principally for a residential activity is a permitted activity if:</p> <p>(a) the site is connected to a telecommunications network and energy supply network or has a stand-alone energy supply, and</p> <p>(b) the site is</p> <p style="padding-left: 40px;">(i) connected to reticulated water supply, stormwater and wastewater disposal networks where available, or</p> <p style="padding-left: 40px;">(ii) provided with an alternative method of water supply, stormwater and wastewater disposal that</p> <ul style="list-style-type: none"> • complies with Appendix B (Engineering Standards), and • avoids the concentrated discharge of surface water over gully slopes, and • ensures stormwater is not disposed of to ground within 25m of the top contour of a gully shown on the planning maps, and <p>(c) services are placed underground where reticulated services are already underground and</p> <p>(d) no sewage treatment field is located closer than 25m from the top contour of, or within, a gully identified on the planning maps.</p>	<p>27.13.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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27.14 Network utility (excluding aerials)

ITEM	PERMITTED	RESOURCE CONSENT
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<p>27.14 Network utility (excluding aerials)</p>	<p>27.14.1 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) either</p> <p style="padding-left: 40px;">(i) pipes and cables are located underground, or</p> <p style="padding-left: 40px;">(ii) above ground structures for electricity, gas and telecommunications (excluding aerials):</p> <ul style="list-style-type: none"> • do not exceed 10m² in area and no setback is required, and • in road reserves, do not exceed 2.4m in height, and • outside road reserves, do not exceed 2.8m in height, and • deleted • deleted • do not compromise road or pedestrian safety, and <p>(d) construction of a road complies with the conditions in Appendix A (Traffic) and the conditions in Appendix B (Engineering Standards), and the requirements of any relevant structure plan, and</p> <p>(e) deleted.</p>	<p>27.14.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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27.14A Existing electricity and telecommunications lines

ITEM	PERMITTED	RESOURCE CONSENT
27.14A Existing electricity and telecommunications lines	27.14A.1 Despite rules 27.14.1(b) , 27.45.1(a) and (ba) , 27.46 , 27.48 and 27.49 , 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.	27.14A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.15 Deleted

27.16 Access, vehicle entrance, parking, loading and manoeuvring space

ITEM	PERMITTED	RESOURCE CONSENT
27.16 Access, vehicle entrance, parking, loading and manoeuvring space	27.16.1 Any activity is a permitted activity if: (a) access, vehicle entrance crossing, parking, loading, queuing and manoeuvring space is provided in accordance with Appendix A (Traffic).	27.16.2 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.

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27.17 Vehicle movements

ITEM	PERMITTED	RESOURCE CONSENT
27.17 Vehicle movements	27.17.1 Any activity is a permitted activity if: (a) it does not involve more than 30 vehicle movements per day.	27.17.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.18 Noise

ITEM	PERMITTED	RESOURCE CONSENT
27.18 Noise	27.18.1 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: (a) 50 dBA(L ₁₀), 7am to 7pm, Monday to Saturday, and (b) 45 dBA(L ₁₀), 7pm to 10pm, Monday to Saturday, and (c) 40 dBA(L ₁₀), and 65 dBA(L _{max}) all other times and Public Holidays. Despite the above, construction noise, farming noise and emergency sirens are not subject to these standards and are permitted under this rule.	27.18.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.18A Noise - Tamahere Commercial Area

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.18A Noise Tamahere Commercial Area</p>	<p>27.18A.1 Any activity in the Tamahere Commercial Area is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site:</p> <p>(a) in the Tamahere Commercial Area, does not exceed</p> <ul style="list-style-type: none"> (i) 75dBA (L₁₀), 7am to 10pm (ii) 45dBA (L₁₀), 10pm to 7am the following day (iii) 75dBA (L_{max}), 10pm to 7am the following day, and <p>(b) outside the Tamahere Commercial Area, does not exceed</p> <ul style="list-style-type: none"> (i) 55dBA (L₁₀), 7am to 10pm (ii) 40dBA (L₁₀), 10pm to 7am the following day (iii) 70dBA (L_{max}), 10pm to 7am the following day. <p>Despite the above, construction noise and emergency sirens are not subject to this rule.</p>	<p>27.18A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity</p>

27.19 Construction noise

ITEM	PERMITTED	RESOURCE CONSENT
27.19 Construction noise	27.19.1 Any activity is a permitted activity if: (a) it is designed and conducted so that construction noise from the activity complies with Appendix N (Construction Noise).	27.19.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.20 Vibration

ITEM	PERMITTED	RESOURCE CONSENT
27.20 Vibration	27.20.1 Any activity is a permitted activity if: (a) vibration arising from the activity complies with Appendix I (Ground Vibration).	27.20.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.21 Glare and lighting

ITEM	PERMITTED	RESOURCE CONSENT
27.21 Glare and lighting	27.21.1 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.	27.21.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.22 Dust, smoke, fumes, odour or ground level

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.22 Dust, smoke, fumes, odour or ground level</p>	<p>27.22.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (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 <ul style="list-style-type: none"> (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. 	<p>27.22.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.23 High frequency electromagnetic field

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.23 High frequency electromagnetic field</p>	<p>27.23.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) any electromagnetic field does not exceed the maximum exposure level in New Zealand Standard 2772.1:1999 Radiofrequency Fields Part I: Maximum exposure levels 3kHz - 300GHz when measured in accordance with New Zealand Standard 6609.2:1990. 	<p>27.23.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.24 Earthworks

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.24 Earthworks</p>	<p>27.24.1 Any activity is a permitted activity if earthworks:</p> <ul style="list-style-type: none"> (a) are not in the Flood Risk Area except for filling in accordance with rule 27.26, and, <ul style="list-style-type: none"> (aa) are not in the Huntly East Mine Subsidence Area, the Hauraki Gulf Catchment Area, or gullies shown on Planning Maps, and (b) comply with Appendix B (Engineering Standards), and (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 (d) do not remove material from the site, and (e) retain sediment on the site through implementation and maintenance of sediment controls, and (f) do not adversely affect other land through changes in natural water flows or established drainage paths, and (g) deleted <ul style="list-style-type: none"> (ga) deleted (h) do not disturb or move more than 100m³ within a site in a single calendar year, and (i) in relation to the height of any cut or batter face does not exceed 3m, and (j) do not exceed 1000m². <p>Despite (h) to (j), the following earthworks are permitted if they comply with (a) to (ga), and</p> <ul style="list-style-type: none"> (k) the work: <ul style="list-style-type: none"> (i) is part of an approved subdivision, or (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 land with an average gradient no steeper than 1:8, or (iii) is a backfilled trench for network 	<p>27.24.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

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utilities, and original ground levels are reinstated, (such trenches are also exempt from (d)), or

(iia) outside an LPA is for the construction and/or maintenance of farm tracks, fences or farm drains, or

(iiaa) within an LPA is for the maintenance of existing farm tracks, fences or farm drains,
or

(iib) is for construction and maintenance of existing public roads.

27.25 Earthworks - filling using imported fill

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.25 Earthworks</p> <ul style="list-style-type: none"> • filling using imported fill 	<p>27.25.1 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"> • does not exceed a volume of 20m³ and a depth of 1m, and • does not include a building platform, and • does not include placing fill into an area of significant indigenous vegetation or habitat, or <p style="padding-left: 40px;">(iia) that is for minor upgrading of existing electricity lines does not exceed 50m³.</p>	<p>27.25.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.26 Filling - Flood Risk Area

ITEM	PERMITTED	RESOURCE CONSENT
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<p>27.26 Filling</p> <ul style="list-style-type: none"> • Flood Risk Area 	<p>27.26.1 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 style="padding-left: 40px;">(i) provide a foundation for building approved by a building consent, and access to that building, or</p> <p style="padding-left: 40px;">(ia) enable minor upgrading of existing electricity lines and does not exceed 50m³.</p>	<p>27.26.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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27.27 Deleted

27.28 Contaminated land - remediation

ITEM	PERMITTED	RESOURCE CONSENT
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<p>27.28 Contaminated land</p> <ul style="list-style-type: none"> • remediation 	<p>27.28.1 Any activity is a permitted activity if:</p> <p>(a) remediation of contaminated land</p> <ul style="list-style-type: none"> (i) does not cause a greater risk to the environment than if the work was not done, and (ii) is not within: <ul style="list-style-type: none"> • a significant indigenous vegetation or habitat area, or • the Landscape Policy Area, or • the Flood Risk Area, or • 50m of mean high water springs or a water body, and (iii) disposes of removed material in a location approved for the receipt of such material, and (iv) is reported to the Council by the land owner at the completion of the work detailing: <ul style="list-style-type: none"> • the work done and the results obtained, and • the nature and location of remaining contaminated material on-site, and • as built plans and specifications of any permanent containment structure and <p>(b) the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in Appendix Of</p> <ul style="list-style-type: none"> (i) does not apply to the activity, or (ii) does apply and the activity meets the permitted activity requirements set out in Regulation 8. 	<p>27.28.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity except</p> <p>(a) where compliance with 27.28.1(b) (ii) is not achieved the activity status is determined by the NES.</p>
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27.29 Hazardous substances

ITEM	PERMITTED	RESOURCE CONSENT
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<p>27.29 Hazardous substances</p>	<p>27.29.1 Any activity is a permitted activity if:</p> <p>(a) storage or use of hazardous substances complies with Appendix H (Hazardous Substances), or</p> <ul style="list-style-type: none"> (i) hazardous substances stored or used on the site are: (ii) trade waste in a wastewater or waste treatment facility that complies with Appendix B (Engineering Standards), or (iii) road materials within a road reserve, or (iv) domestic storage and use of consumer products for domestic purposes, or (v) consumer products, held for resale to the public in the manufacturers' packaging, or (vi) gas or oil pipelines and ancillary equipment, or (vii) fuel or safety equipment in motor vehicles, aircraft, ships, boats or small engines, or (viii) small fireworks subject to the Hazardous Substances (Fireworks) Regulations 2001, or safety ammunition, in domestic quantities, or (ix) fire fighting substances on emergency vehicles. 	<p>27.29.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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27.30 Radioactive materials

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.30 Radioactive materials</p>	<p>27.30.1 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 style="padding-left: 40px;">(i) radioactive materials are confined to domestic appliances.</p>	<p>27.30.2 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>27.30.3 Any activity that does not comply with a condition for a discretionary activity is a non-complying activity.</p>

27.31 Wastewater treatment

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.31 Wastewater treatment</p>	<p>27.31.1 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) 300m from a dwelling, and</p> <p style="padding-left: 40px;">(ii) 30m from the site boundary, or</p> <p style="padding-left: 40px;">(iii) 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;">(iv) 30m from a dwelling, and</p> <p style="padding-left: 40px;">(v) 15m from the site boundary.</p>	<p>27.31.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.32 Plant or animal effluent disposal

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.32 Plant or animal effluent disposal</p>	<p>27.32.1 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"> (i) For a pressurised spray system, is set back at least 150m from a habitable building, educational facility, marae or community hall, and (ii) For a non-pressurised or subsurface system, is set back at least 20m from a habitable building, educational facility, marae or community hall, and (iii) is operated at times and in wind conditions so as to mitigate adverse effects. 	<p>27.32.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.33 Notable tree - removal or destruction

ITEM	PERMITTED	RESOURCE CONSENT
27.33 Notable tree <ul style="list-style-type: none"> • removal or destruction 	27.33.1	27.33.2 Removal or destruction of a tree identified in Appendix F (Notable Trees) is a discretionary activity.

27.34 Notable tree - trimming

ITEM	PERMITTED	RESOURCE CONSENTS
<p>27.34</p> <p>Notable tree</p> <ul style="list-style-type: none"> • trimming 	<p>27.34.1</p> <p>Any activity is a permitted activity if:</p> <p>(a) trimming of a tree identified in Appendix F (Notable Trees) is:</p> <p style="padding-left: 40px;">(i) either</p> <ul style="list-style-type: none"> • to remove dead, dying, diseased, crowded, weakly attached, low vigour branches and watershoots from a tree crown, or • 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 • the balanced removal of lower branches of a tree on road reserve, and <p style="padding-left: 40px;">(ii) done in accordance with accepted arboricultural practice, and</p> <p style="padding-left: 40px;">(iii) necessary to protect people's health and safety, or to protect structures or utilities.</p>	<p>27.34.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.35 Notable tree - activities within the dripline

ITEM	PERMITTED	RESOURCE CONSENTS
<p>27.35</p> <p>Notable tree</p> <ul style="list-style-type: none"> • activities within the dripline 	<p>27.35.1</p> <p>Any activity within the dripline of a tree identified in Appendix F (Notable Trees) is a permitted activity if:</p> <ul style="list-style-type: none"> (a) it does not involve compaction, sealing or soil disturbance except for sealing of an existing road or footpath, and (b) it does not involve parking or storage of materials, vehicles or machinery, and (c) there is no discharge of an ecotoxic substance, and (d) there is no construction of structures. 	<p>27.35.2</p> <p>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"> • location of activity in relation to the tree • timing and manner in which the activity is carried out • remedial measures • protection of the tree.

27.36 Signs - advertising signs

ITEM	PERMITTED	RESOURCE CONSENTS
<p>27.36 Signs</p> <ul style="list-style-type: none"> • advertising signs 	<p>27.36.1</p> <p>Any activity is a permitted activity if an advertising sign visible from a public place:</p> <ul style="list-style-type: none"> (a) relates to goods or services available on the site, or is a property name sign, and (b) is the only sign on the site, and (c) does not exceed 3m in height, and (d) does not exceed 1m² in area, and (e) is not illuminated, flashing or moving, and (f) does not include materials designed to reflect light at night, and (g) is not on a road reserve, except for a traffic sign or safety sign erected by a public authority, and (h) is set back at least 50m from an expressway, or the proposed Waikato Expressway, and (i) is not attached to a heritage item listed in Appendix C I (Historic Heritage Items), site of significance to Maaori, or a tree identified in Appendix F (Notable Trees), except for the purpose of identification. <p>Despite (a) and (b), the following advertising signs are permitted if they comply with (c) to (i):</p> <ul style="list-style-type: none"> (j) a real estate sign relating to the sale of the site, if there are no more than 2 signs per site, and (k) deleted (l) a sign advertising a community event, on display for no more 	<p>27.36.2</p> <p>Any advertising sign that does not comply with a condition for a permitted activity is a restricted discretionary activity if:</p> <p>sign height does not exceed 7.5m, and</p> <ul style="list-style-type: none"> (a) the sign does not exceed 3m² in area, and (b) there are no more than 3 signs on the site. <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • amenity values • character of the locality • effects on state highways • traffic safety • effects on heritage values of any heritage item due to the size, location, design and appearance of a sign. <p>27.36.3</p> <p>Any advertising sign that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

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	than 3 months prior to the event.	
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27.37 Signs - effects on traffic

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.37 Signs</p> <ul style="list-style-type: none"> • effects on traffic 	<p>27.37.1</p> <p>Any advertising sign directed at drivers is a permitted activity if the sign:</p> <ul style="list-style-type: none"> (a) does not imitate the content, colour or appearance of traffic control signs, and (b) is at least 60m from controlled intersections, pedestrian crossings and another advertising sign, and (c) can be viewed by drivers for at least 250m, and (d) contains no more than 40 characters or 6 symbols, and (e) has lettering that is at least 160mm high, and (f) where the sign directs traffic to a site entrance, it is at least: <ul style="list-style-type: none"> (i) 150m from the entrance on roads with a speed limit of 80 km/hr or less, and (ii) 250m from the entrance on roads with a speed limit of more than 80 km/hr. 	<p>27.37.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.38 Production forestry

ITEM	PERMITTED	RESOURCE CONSENT
27.38 Production forestry	27.38.1 Any activity is a permitted activity if production forestry: (a) is set back at least (i) 10m from the site boundary, and (ii) 20m from the boundary of any other zone, and (iia) is set back at least 10m from any river, lake or wetland, and (iii) if it is in a Landscape Policy Area, the trees are indigenous species, and (ba) is harvested complying with Appendix Oa : Forestry Harvesting Notice.	27.38.2 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"> • effects on the amenity of neighbouring property • future management of the vegetation • admission of daylight and sunlight to the site and other sites • effects on views, and landscape and amenity values • scale and shape of the forest, planting and fire break patterns, and tree species • effects on skylines and ridgelines • effects of future harvesting. • effects on Hauraki Gulf Catchment Area

27.39 Shading

ITEM	PERMITTED	RESOURCE CONSENT
27.39 Shading	27.39.1 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.	27.39.2 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"> • effects on amenity of neighbouring property • future management of the vegetation • admission of daylight and sunlight to the site and other sites.

27.40 Landscape and Conservation Policy Areas and gullies - indigenous vegetation clearance

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.40 Landscape and Conservation Policy Areas and gullies</p> <ul style="list-style-type: none"> • indigenous vegetation clearance 	<p>27.40.1 Any activity in a Landscape Policy Area, Conservation Policy Area, or a gully as shown on the planning maps is a permitted activity if:</p> <p>(a) it does not involve vegetation clearance of indigenous vegetation or habitat of indigenous fauna in a gully, and</p> <p>(b) vegetation clearance of indigenous vegetation or habitat of indigenous fauna outside of a gully is limited to</p> <ul style="list-style-type: none"> (i) a building platform and access for a dwelling, not exceeding 500m², or (ii) 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 (iii) conservation fencing to exclude stock or pests, or (iv) fire risk management in a production forest, or (v) gathering of plant matter in accordance with Maaori custom and values. 	<p>27.40.2 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"> • effects on landscape • amenity values • effects on ecological values • effects on natural character • remediation or mitigation measures • area of clearance • contribution of gully to ecological corridors • effects on social, cultural and economic wellbeing • relocation of species

27.40A Indigenous vegetation clearance

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.40A Indigenous vegetation clearance</p>	<p>27.40A.1 Vegetation clearance of indigenous vegetation or habitat of indigenous fauna is a permitted activity if:</p> <p>(a) it is for the following purposes</p> <ul style="list-style-type: none"> (i) managing, maintaining or harvesting existing production forests including under storey clearance and fire break maintenance, or (ii) replanting a production forest or establishing a new land use within 5 years of production forest harvesting on the site, or (iii) harvesting indigenous timber under a Sustainable Management Plan or Permit (under the Forests Act 1949) or (iv) removal of 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 (v) maintaining or reinstating productive pasture, tracks and fences through the removal of manuka and / or kanuka and / or treeferns that are less than 15 years old or less than 5m in height and any under-storey under such manuka or kanuka or treeferns growing on land that was previously in productive use, or (vi) stream or river crossings or the formation of farm drains¹⁰ or 	<p>27.40A.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"> • effects on landscape values • effects on ecological values • effects on significant indigenous vegetation and habitat • effects on amenity values • effects on natural character of water bodies and the coastal environment • remediation or mitigation measures • effects on social, cultural and economic wellbeing • relocation of species.

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	<p>(vii) a building platform for a permitted or approved building, or structure(s), or access or gathering of plants in accordance with Maori custom and values up to 3,000m² 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.¹¹</p>	
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¹⁰The 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.

¹¹Refer to section [2.4.1\(a\)](#).

27.40B Impervious Surfaces - Tamahere

ITEM	PERMITTED	RESOURCE CONSENT
27.40B Impervious Surfaces <ul style="list-style-type: none"> • Tamahere 	27.40B.1 Any activity is a permitted activity if, in the Tamahere Country Living Zone: (a) impervious surfaces (excluding swimming pools but not paving and other development surrounding a swimming pool) do not exceed 700m ² per allotment, and (b) stormwater from buildings and other impervious surfaces is adequately disposed of on site.	27.40B.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.41 to 27.61C Land Use - Building

27.41 Deleted

27.42 Number of dwellings

ITEM	PERMITTED	RESOURCE CONSENT
27.42 Number of dwellings	27.42.1 Construction of a dwelling, other than a dependent person's dwelling is a permitted activity if, after completion: (a) there is only one dwelling on the land contained in the certificate of title.	27.42.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.43 Dependent person's dwelling

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.43 Dependent person's dwelling</p>	<p>27.43.1 Construction or alteration of a dependent person's dwelling is a permitted activity if:</p> <p>(a) there is only one dependent person's dwelling on the site, and</p> <p style="padding-left: 40px;">(i) it is within 20m of the main dwelling on the site, and</p> <p style="padding-left: 40px;">(ii) it shares an outdoor living court with the main dwelling on the site, and</p> <p style="padding-left: 40px;">(iii) within an Airport Noise Outer Control Boundary, the dependent person's dwelling is contained within the main dwelling.</p>	<p>27.43.2 Construction or alteration of a dependent person's dwelling that does not comply with a condition for a permitted activity is a restricted discretionary activity if:</p> <p>(a) the dwelling is removable.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • amenity values • on-site services • structural design and foundations • matters referred to in permitted activity conditions. <p>27.43.3 Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

27.44 Minimum site area - dwelling

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.44 Minimum site area</p> <ul style="list-style-type: none"> • dwelling 	<p>27.44.1 Construction or alteration of a dwelling is a permitted activity if:</p> <p>(a) the site is connected to a reticulated wastewater system, or</p> <p style="padding-left: 40px;">(i) the net site area is at least 2500m².</p> <p style="padding-left: 40px;">(ii) deleted</p>	<p>27.44.2 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"> • effects on amenity, health and safety, and the environment.

27.45 Building height

ITEM	PERMITTED	RESOURCE CONSENT
27.45 Building height	<p>27.45.1</p> <p>Construction or alteration of a building or structure is a permitted activity if:</p> <p>(a) height does not exceed 7.5m, and</p> <p>(b) it does not protrude through the obstacle limitation surfaces defined in Chapter 30 (Designations), Designation NI (Hamilton Airport), and</p> <p>(ba) the highest part of the building is below the 60m contour (Moturiki Datum) on the eastern side of the Hakarimata Range between Elgood and Parker Roads.</p>	<p>27.45.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.46 Daylight admission

ITEM	PERMITTED	RESOURCE CONSENT
27.46 Daylight admission	<p>27.46.1</p> <p>Construction or alteration of a building is a permitted activity if:</p> <p>(a) 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.</p>	<p>27.46.2</p> <p>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"> • height of building • design and location of the building • admission of daylight and sunlight to the site and other sites • privacy on other sites • amenity values of the locality

27.47 Building coverage

ITEM	PERMITTED	RESOURCE CONSENT
27.47 Building coverage	27.47.1 Construction or alteration of a building is a permitted activity if: (a) total building coverage does not exceed 10%, and (b) the gross floor area of all accessory buildings does not exceed 80m ² .	27.47.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.48 Building setbacks - allotments 1050m² or more

ITEM	PERMITTED	RESOURCE CONSENT
27.48 Building setbacks • allotments 1050m ² or more	27.48.1 Construction or alteration of a building on an allotment 1050m ² or more is a permitted activity if it is set back at least: (a) 7.5m from a road boundary, and (b) 17.5m from the centre line of an indicative road, and (c) 12m from every boundary other than a road boundary, and (d) deleted (da) deleted (e) deleted	27.48.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity except: (a) a dwelling within the Tamahere Country Living Zone that is within 12m from any boundary other than a road boundary. 27.48.3 Any activity that does not comply with a condition for a discretionary activity is a non-complying activity

27.49 Building setbacks - allotments less than 1050m²

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.49 Building setbacks</p> <ul style="list-style-type: none"> • allotments less than 1050m² 	<p>27.49.1 Construction or alteration of a building on an allotment less than 1050m² is a permitted activity if the building is set back at least:</p> <ul style="list-style-type: none"> (a) 3m from a road boundary, and (b) 1.5m from every boundary other than a road boundary, and (c) meets all of the following <ul style="list-style-type: none"> (i) the building is set back at least 24m from an existing dwelling on any adjoining allotment, and (ii) the building is screened by an opaque structure of a height of at least 1.8m or vegetation of similar effect, and (iii) the building is designed and constructed to comply with Appendix M (Acoustic Insulation). (d) deleted (e) deleted (ea) deleted 	<p>27.49.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.49A Building setbacks road boundary - State Highway road boundary (designated boundary of Waikato Expressway, or national route or regional arterial road)

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.49A Building setbacks road boundary</p> <ul style="list-style-type: none"> • State Highway road boundary (designated boundary of Waikato Expressway, or national route or regional arterial road) 	<p>27.49A.1 Construction or alteration of a building is a permitted activity if:</p> <p>(a) it is setback at least:</p> <ul style="list-style-type: none"> (i) 7.5m from a local or collector road boundary, and (ii) 15m from a national route or regional arterial road boundary, and (iii) 35m from the designated boundary of the Waikato expressway, or <p>(b) it is a detached non habitable accessory building or attached non habitable garage and:</p> <ul style="list-style-type: none"> (i) it is on a certificate of title issued prior to 25 September 2012 and (ii) is set back at least 15m from the designated boundary of the Waikato Expressway, and (iii) 15m from a national route or regional arterial road boundary; or <p>(c) it is a detached non habitable accessory building or attached non habitable garage and:</p> <ul style="list-style-type: none"> (i) it is on a certificate of title issued after 25 September 2012 and (ii) is set back at least 25m from the designated boundary of the Waikato Expressway, and (iii) 15m from a national route or regional arterial road boundary. 	<p>27.49A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.50 and 27.50A Deleted

27.50B Housing Restriction Area

ITEM	PERMITTED	RESOURCE CONSENT
27.50B Housing Restriction Area	27.50B.1	27.50B.2 Construction of a dwelling in the Housing Restriction Area is a non-complying activity.

27.50C Building Setbacks from Tamahere Commercial Area A

ITEM	PERMITTED	RESOURCE CONSENT
27.50C Building Setbacks From Tamahere Commercial Area A	<p>27.50.1C</p> <p>Construction or alteration of a building is a permitted activity if it is:</p> <p>(a) Setback at least 100m from Tamahere Commercial Area A, or</p> <p>(b) within 100m of the Tamahere Commercial Area A and it is:</p> <p style="padding-left: 40px;">(i) an accessory building, or</p> <p style="padding-left: 40px;">(ii) a non-habitable building, or</p> <p style="padding-left: 40px;">(iii) an alteration to a dwelling existing as at 30 June 2012 that:</p> <ul style="list-style-type: none"> • does not extend towards the boundary of the Tamahere Commercial Area A, and • complies with Appendix M (Acoustic Insulation). 	<p>27.50.2C</p> <p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • reverse sensitivity • means to avoid, remedy or mitigate adverse effects on amenity within the site • matters referred to in Appendix M (Acoustic Insulation) • effective visual screening of the Tamahere Commercial Area A from habitable rooms

27.50D Building Setbacks from Tamahere Commercial Area B

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.50D Building Setbacks From Tamahere Commercial Area B</p>	<p>27.50.1D Construction or alteration of a building is a permitted activity if it is:</p> <p>(a) Setback at least 100m from Tamahere Commercial Area B, or</p> <p>(b) within 100m of the Tamahere Commercial Area B and it is:</p> <ul style="list-style-type: none"> (i) an accessory building, or (ii) a non-habitable building, or (iii) an alteration to a dwelling existing as at 30 June 2012 that: <ul style="list-style-type: none"> • does not extend towards the boundary of the Tamahere Commercial Area B, and • complies with Appendix M (Acoustic Insulation), or (iv) a new dwelling that is placed within the building platform that has been approved in the course of any subdivision and it complies with Appendix M (Acoustic Insulation), or <p>(c) within Tamahere Commercial Area B and it is:</p> <ul style="list-style-type: none"> (i) an accessory building, or (ii) a non-habitable building, or (iii) a dwelling and it complies with Appendix M (Acoustic 	<p>27.50.2D Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • reverse sensitivity • means to avoid, remedy or mitigate adverse effects on amenity within the site • matters referred to in Appendix M (Acoustic Insulation) • effective visual screening of the Tamahere Commercial Area B from habitable rooms • set back distance from the boundary with the Tamahere Commercial Area B • position, orientation and design of the building and outdoor living court in relation to the Tamahere Commercial Area B • cumulative effects of ongoing alterations to existing dwellings

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Insulation).

Note: All other relevant setback rules will still apply

27.51 Dwelling setbacks - intensive farming activity - aggregate extraction policy area

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.51 Dwelling setbacks</p> <ul style="list-style-type: none"> • intensive farming activity • aggregate extraction policy area 	<p>27.51.1 Construction of a dwelling is a permitted activity if it is set back at least:</p> <ul style="list-style-type: none"> (a) 200m from the boundary of an Aggregate Extraction Policy Area containing a sand resource, and (b) 500m from the boundary of an Aggregate Extraction Policy Area containing a rock resource rock extraction, and (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 	<p>27.51.2 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"> • distance between dwelling and aggregate extraction policy area, or intensive farming activity • effects, including reverse sensitivity • matters in industry codes of practice.

27.52 Setbacks - wastewater treatment

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.52 Setbacks</p> <ul style="list-style-type: none"> • wastewater treatment 	<p>27.52.1 Construction or alteration of a dwelling is a permitted activity if:</p> <ul style="list-style-type: none"> (a) it is set back at least 300m from the boundary of a site containing a wastewater treatment plant with oxidation ponds, and (b) it is set back at least 30m from a wastewater treatment plant where the treatment process is fully enclosed, and (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. 	<p>27.52.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.52A Setbacks - high voltage electricity transmission lines

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.52A Setbacks</p> <ul style="list-style-type: none"> • high voltage electricity transmission lines 	<p>27.52A.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>27.52A.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"> • effects of electromagnetic fields • extent to which location and orientation of habitable rooms mitigates effects of the lines • access to transmission lines for maintenance • safety of people and property • amenity values of the site • effects on integrity of electricity supply including <ul style="list-style-type: none"> - the extent to which compliance will be achieved <ul style="list-style-type: none"> with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP:34 2001 - the nature and location of any landscaped amenity areas.

27.53 Building near a lake or river

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.53 Building near a lake or river</p>	<p>27.53.1 Construction or alteration of a building is a permitted activity if:</p> <ul style="list-style-type: none"> (a) the building is set back at least 27.5m from <ul style="list-style-type: none"> (i) the margin of any lake with a bed area of 8ha or more, and (ii) the bank of any river whose bed has an average width of 3m or more, and (aa) the building is set back at least 32.5m from the Waikato River and the Waipa River, and (ab) the building is set back at least 50m from the river on sites to which the River Bank Stability Area applies. <p>Despite the above, a public amenity of up to 25m² on an esplanade reserve, a public walkway, or a pump shed are not subject to this rule.</p> <p>Note: Rule 4.2.18.1 Waikato Regional Plan controls building within 10m of artificial watercourses (drains), modified watercourses or rivers within drainage districts and river control scheme areas managed by Waikato Regional Council or Waikato District Council.</p>	<p>27.53.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.54 Buildings near the coast

ITEM	PERMITTED	RESOURCE CONSENT
27.54 Buildings near the coast	27.54.1 Construction or alteration of a building is a permitted activity if: (a) it is set back at least 27.5m from mean high water springs, and (i) the floor level of any habitable room is at least 3.7m above Moturiki Datum.	27.54.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.54A Buildings near a gully

ITEM	PERMITTED	RESOURCE CONSENT
27.54A Buildings near a gully	27.54A.1 Construction or alteration of a building or building platform is a permitted activity on any site containing a gully shown on the planning map if: (a) it is not located within the gully, and (i) it is set back at least 15m from the top contour of the gully.	27.54A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.55 Building in Flood Risk Area

ITEM	PERMITTED	RESOURCE CONSENT
27.55 Building in Flood Risk Area	27.55.1 Construction or alteration of a building on land shown on the Planning Map as a Flood Risk Area or other land that is subject to flood hazards is a permitted activity if: (a) the floor level of any habitable room is at least 0.3m above the 1% design flood level, and (i) the floor level of any non-habitable room is at or above the 1% design flood level, and (ii) wastewater and stormwater disposal systems comply with Appendix B (Engineering Standards).	27.55.2 Any activity that does not comply with a condition for a permitted activity is a non-complying activity.

27.55A Aerials

ITEM	PERMITTED	RESOURCE CONSENT
<p>27.55A Aerials</p>	<p>27.55A.1 Despite rules 27.45.1(a), and 27.46, construction or alteration of an aerial and its support structures is a permitted activity if:</p> <p>(a) there are no more than 3 support structures per site, and</p> <p>(b) the height of aerials or support structures does not exceed 15m, and</p> <p>(c) aerials and support structures (except for those on a road) 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, and</p> <p>(d) no dish antenna exceeds 2m diameter, and no panel antenna exceeds 2.5m in any dimension, and</p> <p>(e) above 9.5m high</p> <p style="padding-left: 40px;">(i) no support structure exceeds 500mm in any cross section dimension, and</p> <p style="padding-left: 40px;">(ii) no dish antenna exceeds 1m diameter, and</p> <p>(f) it is not attached to an historic heritage item listed in Appendix CI (Historic Heritage Items), except for a domestic television reception aerial.</p>	<p>27.55A.2 Any aerial or support structure 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"> ● amenity values ● effects on landscape and streetscape ● height and setback ● design, safety and appearance ● location within site ● admission of daylight and sunlight to the site and other sites <p>matters mentioned in conditions not complied with effects on the values, context and setting of a heritage item.</p>

27.56 Deleted

27.57 Group A heritage item - demolition, removal or relocation

ITEM	PERMITTED	RESOURCE CONSENT
27.57 Group A heritage item <ul style="list-style-type: none"> demolition, removal or relocation 	27.57.1	27.57.2 Demolition, removal or relocation of any Group A heritage item listed in Appendix C1 (Historic Heritage Items) is a non-complying activity.

27.58 Group B heritage item - demolition, removal or relocation

ITEM	PERMITTED	RESOURCE CONSENT
27.58 Group B heritage item <ul style="list-style-type: none"> demolition, removal or relocation 	27.58.1	27.58.2 Demolition, removal or relocation of any Group B heritage item listed in Appendix C1 (Historic Heritage Items) is a discretionary activity.

27.59 All heritage items - alteration - addition

ITEM	PERMITTED	RESOURCE CONSENT
27.59 All heritage items <ul style="list-style-type: none"> alteration addition 	27.59.1 (a) Alteration of, or addition to, a heritage item listed in Appendix C1 (Historic Heritage Items) is a permitted activity if: (b) no significant feature of interest is removed, destroyed or damaged, and (c) deleted (d) alterations or additions are not visible from a public place, and (ca) alterations or additions are of similar style, bulk and sympathetic to the original structure.	27.59.2 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"> form, style, materials and appearance effects on heritage values.

27.59A All heritage items - maintenance repair

ITEM	PERMITTED	RESOURCE CONSENT
27.59A All heritage items <ul style="list-style-type: none"> • maintenance • repair 	27.59A.1 Maintenance or repair to a heritage item listed in Appendix C1 (Historic heritage Items) is a permitted activity if: <ul style="list-style-type: none"> (a) no significant feature of interest is destroyed or damaged, and <ul style="list-style-type: none"> (i) replacement materials are the same as, or similar to, the original with the original form, style and appearance. 	27.59A.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"> • form, style, materials and appearance • effects on heritage values

27.60 All heritage items - site development

ITEM	PERMITTED	RESOURCE CONSENT
27.60 All heritage items <ul style="list-style-type: none"> • site development 	27.60.1 Development on the site of a heritage item listed in Appendix C1 (Historic Heritage Items) is a permitted activity if: <ul style="list-style-type: none"> (a) deleted <ul style="list-style-type: none"> (i) it is set back at least% 10m from the heritage item, and (ii) a building is not located between the front of the heritage item and the road. 	27.60.1 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"> • effects on the values, context and setting of the heritage item • location, design, size, materials and finish • landscaping • the relationship of the heritage item with the setting.

27.61 Acoustic insulation of buildings - Airport Noise Outer Control Boundary

ITEM	PERMITTED	RESOURCE CONSENT
27.61 Acoustic insulation of buildings <ul style="list-style-type: none"> • Airport Noise Outer Control Boundary 	27.61.1 Construction or alteration of a building within an Airport Noise Outer Control Boundary is a permitted activity if: <ul style="list-style-type: none"> (a) the building is designed and constructed to comply with Appendix M (Acoustic Insulation) 	27.61.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.61A Relocated building

ITEM	CONTROLLED	RESOURCE CONSENT
<p>27.61A Relocated building</p>	<p>27.61A.1 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"> • external appearance • effects on amenity values and natural character of locality • visibility from public places and screening • structural integrity and weatherproofing • maintenance, repair, replacement, or decoration, of cladding, roofing, porches, decks, baseboards, steps, windows, chimney spaces, spouting and stormwater drains • stormwater management on the site • timetable for works • bond to secure compliance • matters referred to in Appendix B (Engineering Standards). 	<p>27.61A.2 Any activity that does not comply with conditions for a controlled activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • matters referred to in conditions for controlled activities • matters that control is reserved over.

27.61B Noise Mitigation Programme

ITEM	CONTROLLED	RESOURCE CONSENT
<p>27.61B Noise Mitigation Programme</p>	<p>27.61B.1 Within the SEL 95 Boundary, where an existing residential activity was lawfully established:</p> <ul style="list-style-type: none"> • Before 29 October 2011; or • For which a resource consent or building consent was granted before 29 October 2011; and • Hamilton International Airport proposes to commence scheduled wide body jet operations between 10pm and 7am on more than three occasions per week: <p>The Airport Operator shall make an offer to the Owners to install acoustic treatment and ventilation measures as set out in Appendix M5.</p>	<p>27.61B.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27.61C Acoustic insulation of dwellings - Horotiu Acoustic Amenity overlay

ITEM	PERMITTED	RESOURCE CONSENT
27.61C Acoustic insulation of dwellings Horotiu Acoustic Amenity Overlay	27.61C.1 Construction or alteration of a dwelling within the Horotiu Acoustic Amenity Overlay is a permitted activity if: (a) the building is designed and constructed to comply with Table A - Internal Sound Levels in Appendix M6 (Acoustic Insulation), and (b) it is setback at least 40m from the Industrial Zone boundary.	27.61C.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27.62 to 27.73 Subdivision

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](#).

27.62 Allotment size

ITEM	CONTROLLED	RESOURCE CONSENT
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Waikato District Plan - Waikato Section

<p>27.62 Allotment size</p>	<p>27.62.1 Subdivision is a controlled activity if:</p> <p>(a) every allotment, other than a utility allotment or access allotment, has a net site area of at least 5000m², and</p> <p>(aa) every allotment in the Tamahere Country Living Zone other than a utility allotment, has sufficient site area to allow stormwater from a 700 m² impervious surface to be disposed of on site, and to ensure that effluent disposal fields do not create adverse effects in areas of high ground water level, and</p> <p>(b) utility allotments do not exceed 50m², and</p> <p>(c) if the land being subdivided is inside the Airport Noise Subdivision Control Boundary or inside the SEL 95 Boundary, the average net site area of all allotments created by the subdivision is at least 1.1ha, and</p> <p>(d) if the land being subdivided straddles the Hamilton Airport Noise Outer Control Boundary, the maximum number of allotments created by the subdivision is the smallest nearest whole number calculated by the formula:</p> $\text{new lots} = \frac{\text{area (ha) outside}^*}{0.5} + \frac{\text{area (ha) inside}^*}{1.1}$ <p>* outside and inside Hamilton Airport Noise Subdivision Control Boundary</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> ● shape, location and orientation ● matters referred to in Appendix B (Engineering Standards) ● amenity and streetscape ● vehicle and pedestrian networks ● effects on Hauraki Gulf Catchment area ● matters referred to in Appendix M: Acoustic Insulation, M4 Airport Noise Outer Control Boundary Consent Notice ● reverse sensitivity. 	<p>27.62.2 Subdivision that does not comply with <u>a</u> condition for a controlled activity is a discretionary activity.</p> <p>Note: Some subdivision in the Airport Noise Outer Control Boundary is prohibited. See prohibited activity rule 27.5.</p>
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27.63 Allotment boundaries

ITEM	CONTROLLED	RESOURCE CONSENT
<p>27.63 Allotment boundaries</p>	<p>27.63.1 Subdivision is a controlled activity if the boundary of every allotment is drawn so that:</p> <ul style="list-style-type: none"> (a) existing buildings comply with the permitted 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 (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 (c) boundaries avoid any tree listed in Appendix F (Notable Trees) and <ul style="list-style-type: none"> (ca) the largest new allotment shall contain all that land which is within: <ul style="list-style-type: none"> (i) 200m from the boundary of an Aggregate Extraction Policy Area used for sand extraction (ii) 500m from the boundary of an Aggregate Extraction Policy Area used for rock extraction (iii) 300m of the boundary of an operating intensive farm <p>Control reserved over:</p> <ul style="list-style-type: none"> • effects on amenity values of buildings • effects on sites of significance to Maaori • effects on any notable trees • amenity and rural character • effects on heritage items • reverse sensitivity • effects on archaeological sites. 	<p>27.63.2 Subdivision 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"> • matters referred to in conditions for controlled activities • matters that control is reserved over.

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27.64 Frontage

ITEM	CONTROLLED	RESOURCE CONSENT
27.64 Frontage	<p>27.64.1</p> <p>Subdivision is a controlled 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 50m.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • road efficiency and safety • amenity and streetscape. 	<p>27.64.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

27.65 Road access

ITEM	CONTROLLED	RESOURCE CONSENT
27.65 Road access	<p>27.65.1</p> <p>Subdivision is a controlled 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 Appendix A (Traffic) and Appendix B (Engineering Standards).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • adequacy of the access for its intended use • road efficiency and safety • matters referred to in Appendix A (Traffic) and Appendix B (Engineering Standards). 	<p>27.65.2</p> <p>Subdivision that does not comply with a condition for a controlled activity requires resource consent as stated in the relevant appendix, or is a discretionary activity if not otherwise specified.</p>

27.66 Building platform

ITEM	CONTROLLED	RESOURCE CONSENT
<p>27.66 Building platform</p>	<p>27.66.1 Subdivision is a controlled activity if every allotment, other than a utility or access allotment is capable of containing:</p> <p>(a) deleted</p> <p>(b) 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 1000m² with a minimum dimension of 25m exclusive of boundary setbacks, and</p> <p style="padding-left: 40px;">(ba) a building platform where a dwelling could be built as a permitted activity, being a circle with a diameter of at least 18m, located within the shape factor.</p> <p>(c) in the Tamahere Country Living Zone a proposed building platform that</p> <p style="padding-left: 40px;">(i) is not in an area where a storm event with a 1% annual exceedance probability (i.e. 1 in a 100 years) will result in inundation of the building platform, and</p> <p style="padding-left: 40px;">(ii) complies with Appendix B.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> ● subdivision layout ● shape of allotments ● ability of allotments to accommodate a practical building platform ● likely location of future buildings and their potential effects on the environment ● avoidance or mitigation of natural hazards ● building platform location in relation to geotechnical suitability ● for a building platform inside the Airport Noise Outer Control Boundary, compliance with Appendix M (Acoustic Insulation), and consent notice M4. ● building platform location in relation to 	<p>27.69.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

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	<p>ponding areas and primary overland flow paths within the Tamahere Country Living Zone</p> <ul style="list-style-type: none"> ● location of building platform and outdoor living court in relation to the boundary of the Tamahere Commercial Areas A or B ● reverse sensitivity and location of building platform within Tamahere Commercial Area B. 	
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27.67 Earthworks

ITEM	CONTROLLED	RESOURCE CONSENT
27.67 Earthworks	<p>27.67.1</p> <p>Subdivision is a controlled activity if:</p> <p>(a) earthworks comply with Appendix B (Engineering Standards).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> ● matters referred to in Appendix B (Engineering Standards) ● amenity and streetscape ● nature and source of fill ● location earthworks and fill ● compaction of fill ● volume and depth of earthworks and fill ● identification of future building platforms ● water quality ● provision of erosion and sediment control plan for the work ● notice prior to commencement ● protection of the Hauraki Gulf Catchment Area. ● earthworks in relation to adverse effects of stormwater and primary overland flow paths within the Tamahere Country Living Zone 	<p>27.67.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

27.68 On-site services

ITEM	CONTROLLED	RESOURCE CONSENT
<p>27.68 On-site services</p>	<p>27.68.1 Subdivision is a controlled 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 style="padding-left: 40px;">(i) either</p> <p style="padding-left: 40px;">(ii) 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;">(iii) an alternative method of water supply, stormwater, land drainage and wastewater disposal that complies with Appendix B (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>(bb) every allotment near Scott Rd, Te Kauwhata, is connected to Council operated water supply and waste water disposal networks, and</p> <p style="padding-left: 40px;">(i) services are placed underground where:</p> <p style="padding-left: 40px;">(ii) a new road is required as part of the subdivision, or</p> <p style="padding-left: 40px;">(iii) existing services to the land are already placed underground, <u>and</u></p> <p>(ca) for land at Ohinewai and Te Kauwhata, complies with structure plans under Appendix B, (Engineering Standards) B8A.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> ● health and safety ● amenity values ● matters referred to in Appendix B 	<p>27.68.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

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(Engineering Standards)

- easements to facilitate development beyond the site
- in the Tamahere Country Living Zone (except Tamahere Eventide Home) a complete site development plan showing the utilities required to service all the land being subdivided when it is developed to its full potential as a controlled activity, including on site stormwater disposal.

27.69 Hazard risks

ITEM	CONTROLLED	RESOURCE CONSENT
27.69 Hazard risks	<p>27.69.1</p> <p>Subdivision is a controlled activity if:</p> <p>(a) the land is not in the Flood Risk Area.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> avoidance, mitigation or remedy of hazard risk. 	<p>27.69.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

27.70 Esplanade reserves and esplanade strips

ITEM	CONTROLLED	RESOURCE CONSENT
27.70 Esplanade reserves and esplanade strips	<p>27.70.1</p> <p>Subdivision is a controlled activity if an esplanade reserve or strip 20m wide (or other width stated in Appendix G: 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"> (i) mean high water springs, or (ii) the bank of any river whose bed has an average width of 3m or more, or (iii) a lake whose bed has an area of 8ha or more, or <p>(b) 4ha or more within 20m of mean high water springs, or a water body identified in Appendix G (Esplanade Priority Areas).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> the type of esplanade provided - reserve or strip width of the esplanade reserve or strip access to the esplanade reserve or strip matters provided for in an instrument creating an esplanade strip or access strip works required prior to vesting any reserve in the Council. 	<p>27.70.2</p> <p>Subdivision 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"> matters that control is reserved over costs and benefits of acquiring the land.

27.70A Off road walkways

ITEM	CONTROLLED	RESOURCE CONSENT
27.70A Off road walkways	27.70A.1 Subdivision is a controlled activity if any walkway shown on the planning maps is: (a) at least 3 metres wide, and (i) generally in accordance with the walkway route shown on the planning maps, and (ii) shown on the plan of subdivision and vested in the Council.	27.70A.2 Any activity that does not comply with a condition for a controlled activity is a restricted discretionary activity. Discretion restricted to: <ul style="list-style-type: none"> • alignment of walkway • costs and benefits of acquiring the land • matters that control is reserved over.

27.71 Land containing heritage items

ITEM	CONTROLLED	RESOURCE CONSENT
27.71 Land containing heritage items	27.71.1	27.71.2 Subdivision of land containing a heritage item listed in Appendix C1 (Historic Heritage Items) is a restricted discretionary activity if: (a) the heritage item is wholly contained on one allotment, and (i) the relationship of the heritage item with its setting is maintained. Discretion restricted to: <ul style="list-style-type: none"> • effects on the values, context and setting of the heritage item. 27.74.3 Subdivision that does not comply with a condition for a restricted discretionary activity is a discretionary activity.

27.72 Traffic generation

ITEM	CONTROLLED	RESOURCE CONSENT
27.72 Traffic generation	<p>27.72.1</p> <p>Subdivision is a controlled activity if:</p> <p>(a) traffic generated by likely land uses following the subdivision does not alter the status or function of roads in the road hierarchy identified in Appendix A (Traffic).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • capacity and quality of the road surface • function of the public road • safety and efficiency of the road network • safety of road users. 	<p>27.72.2</p> <p>Subdivision 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"> • function of the public road • safety of road users • capacity and quality of road surface.

27.73 Gully protection and planting

ITEM	CONTROLLED	RESOURCE CONSENT
27.73 Gully Protection and Planting	<p>27.73.1</p> <p>Subdivision of land containing a gully identified on the Planning Maps is a controlled activity if:</p> <p>(a) the subdivision application includes a gully planting plan showing existing and proposed native plantings within the gully, and</p> <p>(b) deleted</p> <p>(ba) no transmission lines traverse any identified gully areas on the land to be subdivided.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • width of gully area • access to gully reserve area • planting programme • vesting of reserve land in Council if appropriate 	<p>27.73.2</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"> • matters that control is reserved over. • potential for gully erosion without additional planting • amenity values • effects on ecological values • the extent to which vegetation shown on a gully planting plan will comply with the Electricity (Hazards from Trees) Regulations 2003

Schedule 27A - deleted

Schedule 27AB - Tamahere Eventide Home

27AB.1 Application of the Schedule

In this schedule:

- "Tamahere Eventide Home" means the land shown on the [Planning Map](#).
- "Concept Layout Plan" means the Concept Layout Plan in [Figure 27AB](#).
- "Residential unit" means a dwelling used solely for elderly persons housing at Tamahere Eventide Home.
- "Development Area" means all of the land shown on the [Planning Map](#) as Tamahere Eventide Home excluding the Open Space Area as shown in [Figure 27AB](#).

The rules in this schedule apply to the whole of the Tamahere Eventide Home while it is used under the management of the Tamahere Eventide Home Trust for elderly persons residence and care.

27AB.2 Application of Country Living Zone Rules

Despite any other rule in [Chapter 27](#), rules [27.10.1\(g\)](#), [\(h\)](#) and [\(j\)](#), [27.16](#), [27.17](#), [27.40A](#), [27.40B](#), [27.42](#), [27.44](#), [27.46](#), [27.47](#), [27.62](#) to [27.66](#), and [27.73](#) do not apply to the Tamahere Eventide Home.

All other rules in [Chapter 27](#): Country Living Zone apply to the Tamahere Eventide Home.

27AB.3 to 27AB.10 Rule table

27AB.3 Land use - Activities

ITEM	PERMITTED	RESOURCE CONSENT
<p>27AB.3 Type of activity (Development Area)</p>	<p>27AB.3.1 In addition to any activity permitted in the Country Living Zone, any activity that complies with all effects and building rules is a permitted activity in the Development Area if it is:</p> <p>(a) aged care, residential, hospital or dementia facilities, and</p> <ul style="list-style-type: none"> (i) housing for elderly residents, and (ii) recreational buildings for use by residents/patients, and (iii) water supply and storage facilities, and (iv) support services including machinery garages, workshops, plant and vehicle depots, laundries, sewerage pumping stations and Tamahere Eventide Home identification signage in accordance with rule 27AB.5. 	<p>27AB.3.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27AB.4 to 27AB.5 Land use - Effects

27AB.4 Access, vehicle entrance, parking, loading, vehicle movements and manoeuvring space

ITEM	PERMITTED	RESOURCE CONSENT
<p>27AB.4 Access, vehicle entrance, parking, loading, vehicle movements and manoeuvring space</p>	<p>27AB.4.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) car parking (excluding that associated with residential units) and accesses are provided and located generally in accordance with the Concept Layout Plan, and (b) access to Tamahere Eventide Home is limited to entrances to Cherry Lane and State Highway One as shown on the Concept Layout Plan, and (c) the State Highway One entrance is used only by staff and emergency services, and (d) vehicle movements do not exceed 200 per day, and (e) internal accesses, footpaths and cycleways: <ul style="list-style-type: none"> (i) comply with Appendix B: Engineering Standards, and (ii) accesses have a width of at least 7m, and (iii) carriageways have a width, of at least 4m for the main access and 3m for other accesses. 	<p>27AB.4.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27AB.5 Signs - general

ITEM	PERMITTED	RESOURCE CONSENT
27AB.5 Signs <ul style="list-style-type: none"> • general 	27AB.5.1 Despite rule 27.36.1 (b) and (d) , two signs, in addition to the signs under that rule, are permitted if: <ul style="list-style-type: none"> (a) no sign exceeds 10m² in area, and <ul style="list-style-type: none"> (i) only one sign exceeds 2m² in area. 	27AB.5.2 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"> • location of sign • amenity values and rural character of the locality

27AB.6 to 27AB.9 Land use - Building

27AB.6 Building - wastewater, location, coverage

ITEM	PERMITTED	RESOURCE CONSENT
27AB.6 Building <ul style="list-style-type: none"> • wastewater • location • coverage 	27AB.6.1 Construction or alteration of a building is a permitted activity if it is: <ul style="list-style-type: none"> (a) not in the Open Space Area, and <ul style="list-style-type: none"> (i) located in general accordance with the Concept Layout Plan, and (ii) connected to a reticulated wastewater and water supply system, and (iii) total building coverage in the Tamahere Eventide Home does not exceed 35 %, and (iv) there are no more than 37 double residential units located within the Proposed Residential Unit Development Area. 	27AB.6.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

27AB.6A Impervious Surfaces

ITEM	PERMITTED	RESOURCE CONSENT
<p>27AB.6A Impervious Surfaces</p>	<p>27AB.6A.1 Any activity is permitted if:</p> <ul style="list-style-type: none"> (a) impervious surfaces do not exceed 35% of the site area, and (b) Stormwater is controlled and managed in accordance with Appendix B: Engineering Standards, paragraph B5. 	<p>27AB.6A.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity</p>

27AB.7 Building setbacks

ITEM	PERMITTED	RESOURCE CONSENT
27AB.7 Building setbacks	<p>27AB.7.1</p> <p>Construction or alteration of a building is a permitted activity if it is set back at least:</p> <p>(a) 7.5m for 20% of the boundary between Cherry Lane and State Highway One with no buildings parallel to that boundary, and</p> <p>(b) 12m from every remaining external boundary of Tamahere Eventide Home.</p> <p>Note - all other building setbacks are subject to the zone rules, including setbacks from state highways and expressways under rules 27.48 and 27.49.</p>	<p>27AB.7.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27B.8 Daylight admission

ITEM	PERMITTED	RESOURCE CONSENT
27AB.8 Daylight admission	<p>27AB.8.1</p> <p>Construction or alteration of a building is a permitted activity if:</p> <p>(a) 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 external boundary of Tamahere Eventide Home.</p>	<p>27AB.8.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27AB.9 Aerials

ITEM	PERMITTED	RESOURCE CONSENT
27AB.9 Aerials	<p>27AB.9.1</p> <p>In addition to aerials permitted in the Country Living Zone, the following aerials are permitted:</p> <p>(a) no more than one domestic television reception aerial per residential unit, with dish antennas limited to 1m in diameter and sited below the apex of the roof.</p>	<p>27AB.9.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

27AB.10 Subdivision

ITEM	CONTROLLED	RESOURCE CONSENT
<p>27AB.10 Subdivision</p>	<p>27AB.10.1 Subdivision is a controlled activity if:</p> <p>(a) every allotment is connected to a reticulated wastewater and water supply system, and</p> <p style="padding-left: 40px;">(i) the total area of the allotments used for residential units does not exceed half the total area of the Tamahere Eventide Home, and</p> <p style="padding-left: 40px;">(ii) every allotment, other than a utility allotment or access allotment, has a net site area of at least 5000m², and</p> <p style="padding-left: 40px;">(iii) allotments created for residential units are subject to statutory management under the Retirement Villages Act 2003.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • future use in association with Tamahere Eventide Home • shape, location and orientation • matters in Appendix B (Engineering Standards) • amenity and streetscape • services, vehicle and pedestrian networks • matters in Appendix M: Acoustic Insulation, M4 Airport Noise Outer Control Boundary Consent Notice • provision of utilities to service land being subdivided when it is fully developed under the concept layout plan, including stormwater disposal. 	<p>27AB.10.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

Figure 27AB Concept Layout Plan - Tamahere Eventide Home