TABLE OF CONTENTS

Part A: Issues, objectives and policies

1 Introduction 1:1

1.1 Purpose of the plan 1:1

1.2 Organisation of the plan 1:2
- **1.2.1** Part A 1:2
- **1.2.2** Part B 1:2
- **1.2.3** Part C 1:2

1.3 Guide to issues, objectives and policies 1:3

1.4 Linkages with other plans 1:3

1.5 Cross boundary and other matters 1:4
- **1.5.1** Statement of intent 1:4
- **1.5.2** Referral 1:4

1.6 Monitoring 1:5
- **1.6.1** General 1:5
- **1.6.2** Statement of intent 1:5

1.7 Review of the District Plan 1:6

1.8 Supporting documentation 1:6

2 Sustainable management strategy 2:1

2.1 History of settlement and development 2:1

2.2 Significant resources of the District 2:2

2.3 Significant resource management issues 2:4
- **2.3.1** Residential growth – urban settlements 2:4
- **2.3.2** Controlling the adverse effects of activities 2:5
- **2.3.3** Tangata Whenua 2:6
- **2.3.4** Business 2:6
- **2.3.5** Industry 2:6
- **2.3.6** Integrating land use and infrastructure (including transport) 2:7
- **2.3.7** Regionally significant infrastructure networks 2:7
- **2.3.8** Renewable electricity generation 2:8

2.4 Sustainable management strategy 2:11

3 Environment 3:1

3.1 Natural environment and heritage 3:1
- **3.1.1** Significant resource management issues 3:1
- **3.1.2** Natural environment and heritage 3:3

3.2 Natural hazards 3:10
- **3.2.1** Significant issues of the District 3:10
- **3.2.2** Natural hazards 3:11

3.3 Land and development 3:15
- **3.3.1** Significant resource management issues 3:15
- **3.3.2** Land and development 3:16

3.4 Subdivision 3:20
- **3.4.1** Significant Resource Management Issues 3:20
- **3.4.2** Subdivision 3:21

3.5 Amenity 3:24
- **3.5.1** Significant resource management issues 3:24
- **3.5.2** Amenity 3:25

3.6 Surface of water 3:30
- **3.6.1** Significant resource management issues 3:30
- **3.6.2** Surface of water 3:31

3.7 Works and network utilities 3:32
- **3.7.1** Significant resource management issues 3:32
- **3.7.2** Works and network utilities 3:34

3.8 Transportation 3:40
- **3.8.1** Significant resource management issues 3:40

3.8.2 Transportation 3:44
3.9 Development Contributions 3:50
3.9.1 Significant resource management issues 3:50
3.9.2 Development Contributions 3:51

Part B: Rules

1 General provisions 1:1
1.1 Information requirements for resource consent applications 1:1
1.1.1 Written report 1:1
1.1.2 Plans 1:2
1.2 Development suitability 1:4
1.2.1 Activity status criteria 1:4
1.2.2 Development suitability 1:5
1.3 Standards and terms for controlled and restricted activity resource consent applications 1:8
1.3.1 Harvesting of plantation forests 1:9
1.3.2 Dwellings in the Rural zone 1:11
1.3.3 Dwellings in the Residential zone 1:11
1.3.4 Subdivision 1:11
1.3.5 Activities in natural hazard areas 1:11
1.3.6 Activities provided for in a Development Concept Plan 1:12
1.3.7 Use of land for effluent disposal of non-human waste from industrial activities 1:13
1.3.8 Temporary military training 1:13
1.4 Assessment criteria for restricted discretionary, discretionary and non-complying resource consent applications 1:14
1.4.1 Visual 1:14
1.4.2 Noise effects 1:16
1.4.3 Stormwater and effluent effects 1:16
1.4.4 Traffic and access – see Section 9: Transportation 1:16
1.4.5 Parking and loading – see Section 9: Transportation 1:17
1.4.6 Social and heritage effects 1:18
1.4.7 Wind effects 1:19
1.4.8 Odour effects and air emissions 1:19
1.4.9 Risk management 1:19
1.4.10 Biological effects 1:19
1.4.11 Rural zone 1:20
1.4.12 Kaitiaki (Conservation) zone 1:20
1.4.13 Mining or quarrying 1:21
1.4.14 Commercial stockyards, saleyards and holding paddocks 1:22
1.4.15 Intensive and litter poultry farming 1:23
1.4.16 Activities involving items in Schedules 1, 2 and 3 ....1:24
1.4.17 Surface of water 1:26
1.4.18 Hazardous substances 1:27
1.4.19 Solid waste 1:28
1.4.20 Subdivision ~~(excluding Rural zone subdivision)~~ – see Section 6 ....1:28
1.4.21 Subdivision – restricted discretionary activities in Precinct F 1:29
1.4.22 Activities in natural hazard areas 1:34
1.4.23 Temporary activities 1:35
1.4.24 Development Contributions 1:35
1.4.25 Discretionary activities on sites subject to a Development Concept Plan 1:35
1.4.26 ~~Specified~~ Shopping frontage~~s~~ 1:36
1.4.27 Signs in Business and Industrial zone 1:37
1.4.28 Reverse sensitivity 1:37
1.4.29 ~~1.4.30~~ Logging of natural native forest 1:38
1.4.30 ~~1.4.31~~ Regular stock movement within a berm of a road – see Section 8.7: Stock movements and stock crossings 1:39
1.4.31 ~~1.4.32~~ Neighbourhood Node – restricted discretionary activities 1:40
1.4.32 ~~1.4.33~~ Comprehensive Residential Development – restricted discretionary activities 1:43
1.4.33 ~~1.4.34~~ Restricted discretionary activities – utility services (power and telecommunications) – see Section 5.9: Infrastructure and servicing 1:46
1.5 Notified and non-notified consents 1:47
1.5.1 Decision on whether adverse affects on the environment will be minor 1:47
1.5.2 Determining who may be adversely affected by granting a resource consent 1:47
1.5.3 Non-Notified Restricted Discretionary Activities Consents 1:48

2 Activity Table 2:1

2.1 Guide to the Activity Table 2:1
2.2 Activity Table 2:3

3 Development controls 3:1
3.1 Residential zone 3:1
3.1.1 Building envelope 3:1
3.1.2 Density 3:2
3.1.3 Maximum building coverage 3:2
3.1.4 Household recreational space 3:3
3.1.5 Screening 3:3
3.1.6 Siting of parking facilities 3:3
3.1.7 Second and subsequent dwellings 3:4
3.1.8 Development Contributions 3:4
3.1.9 Access, parking, loading and manoeuvring 3:4
3.2 Rural and Rural-Residential zones 3:5
3.2.1 Building envelope 3:5
3.2.2 Maximum building coverage 3:6
3.2.3 Development Contributions 3:6
3.2.4 Access, parking, loading and manoeuvring 3:6
3.3 Industrial zone and any site identified as a scheduled site with a Development Concept Plan 3:6
3.3.1 Development Concept Plan (scheduled sites) 3:6
3.3.2 Building envelope (scheduled sites) 3:7
3.3.3 Building envelope (non-scheduled sites) 3:7
3.3.4 Design and appearance of buildings (scheduled and non-scheduled sites) 3:8
3.3.5 Landscaping (scheduled and non-scheduled sites) 3:8
3.3.6 Maximum coverage (non-scheduled sites) 3:8
3.3.7 Access, parking, loading and manoeuvring (scheduled and non-scheduled sites) 3:8
3.3.8 Derelict buildings (scheduled and non-scheduled sites) 3:9
3.3.9 Development Contributions (scheduled and non-scheduled sites) 3:9
3.4 Business zone 3:9
3.4.1 Building envelope 3:9
3.4.2 Maximum coverage 3:10
3.4.3 Landscaping/screening 3:10
3.4.4 Access, parking, loading and manoeuvring 3:10
3.4.5 Special character areas 3:10
3.4.6 Shop frontage 3:11
3.4.7 Development Contributions 3:11
3.5 Activities adjacent to the National Grid (all District Plan zones) 3:11
3.5.1 National Grid Yard – Activity Status 3:11
3.5.2 National Grid Yard – Activity Status Lot 1 DPS 18429 ..... 3:13
3.5.3 National Grid Yard – Matters of discretion 3:14
3.6 Development adjacent to sub-transmission lines (all District Plan zones) 3:14
3.7 Approach and restart sight triangles at railway level crossings (all District Plan zones) 3:14
3.8 Activities (other than flood control works – see Section 8.8) adjacent to the WRC's flood control assets as shown on the Planning Maps 3:15
3.9 ~~3.5~~ Signage – all zones 3:18
3.9.1 ~~3.5.1~~ Permitted activities 3:18
3.9.2 ~~3.5.2~~ General controls relating to signs 3:19
3.9.3 ~~3.5.3~~ Controlled activities 3:19
3.9.4 ~~3.5.4~~ Non-Complying Activities 3:20
3.9.5 ~~3.5.5~~ Sign letter heights 3:20
3.10 ~~3.6~~ Structure Plans 3:21

4 Activity related performance standards 4:1
4.1 Plantation and conservation forestry 4:1
4.1.1 Development plan 4:1
4.1.2 Replanting of plantation forestry within the Kaitiaki zone 4:1
4.2 Forestry and wood lot setbacks 4:2
4.3 Home occupations 4:2
4.3.1 Ancillary Character 4:2
4.3.2 Retailing 4:2
4.3.3 Parking and Loading 4:2
4.3.4 ~~4.3.3~~ Signage 4:2
4.4 Marae, whare nui and housing developments 4:3

4.4.1 Development 4:3
4.5 Goat and deer farming 4:3
4.5.1 Goat farming 4:3
4.5.2 Deer farming 4:4
4.6 Buildings not requiring building consent 4:4
4.7 Dependent person's dwelling 4:4
4.8 Aerial topdressing/spraying 4:5
4.8.1 Activity status 4:5
4.9 Mining, quarrying and mineral processing 4:5
4.9.1 Vibration and blasting 4:5
4.9.2 "Prospecting" and "exploration" 4:5
4.10 Service stations 4:6
4.11 Temporary activities 4:6
4.11.1 Permitted activities 4:6
4.11.2 Controlled activities 4:7
4.11.3 Discretionary activities 4:7
4.11.4 Rules related to temporary activities 4:7
4.12 Cleanfill 4:8
4.13 Neighbourhood Node – Mixed Use 4:8
4.13.1 General Rules – Neighbourhood Node 4:8
4.13.2 Permitted Activities – Neighbourhood Node 4:9
4.13.3 Restricted Discretionary Activities – Neighbourhood Node 4:9
4.13.4 Discretionary Activities – Neighbourhood Node 4:9
4.13.5 Development Standards – Neighbourhood Node 4:9
4.14 Comprehensive Residential Developments 4:10
4.14.1 General Rules – Comprehensive Residential Developments 4:10
4.14.2 Permitted Activities – Comprehensive Residential Developments 4:10
4.14.3 Restricted Discretionary Activities – Comprehensive Residential Developments 4:10
4.14.4 Discretionary Activities – Comprehensive Residential Developments 4:11
4.14.5 Development Standards – Comprehensive Residential Developments 4:11

5 Performance standards – all activities 5:1
5.1 Conservation 5:1
5.1.1 Riparian planting and retirement 5:1
5.1.2 Rehabilitation 5:1
5.1.3 Cleanfill 5:2
5.2 Noise 5:2
5.2.1 General noise 5:2
5.2.2 Residential zone 5:3
5.2.3 Business zone 5:4
5.2.4 Industrial zone 5:4
5.2.5 Scheduled sites (see Schedule 5) 5:4
5.2.6 Rural and Rural-Residential zones 5:5
5.2.7 Airport noise 5:5
5.2.8 Noise standards for works and network utilities 5:6
5.2.9 Noise insulation: Noise sensitive activities – railway lines and state highways 5:6
5.2.10 Matamata airport approach path 5:8
5.3 Vibration 5:9
5.4 Lighting and glare 5:10
5.5 Air emissions 5:10
5.5.1 Odour 5:10
5.5.2 Dust 5:10
5.6 Management and disposal of wastes 5:11
5.6.1 General 5:11
5.6.2 Effluent disposal systems 5:11
5.7 Use and storage of hazardous substances 5:12
5.7.1 Hazardous facilities management 5:12
5.7.2 Consent status matrix 5:12
5.7.3 Exemptions from the HFSP 5:15
5.7.4 Minimum conditions for hazardous facilities 5:16
5.8 Regular stock movement within a road – see Section 8.7: Stock movements and stock crossings 5:19
~~**5.8.1** Regular stock movement within an unformed road~~ 5:19
~~**5.8.2** Regular stock movement within a formed road~~ 5:19

~~5.8.3~~ ~~Security~~ 5:19
5.9 Infrastructure and servicing 5:19
5.9.1 Performance standards 5:19
5.9.2 ~~Performance outcomes~~ Non-Compliance with performance standards 5:20
5.9.3 Matters of discretion 5:21
5.9.4 Integrating land use with infrastructure – larger scale activities 5:25

6 Subdivision 6:1
6.1 Activities 6:1
6.1.1 Activity Table 6:1
6.1.2 Applicant's representative 6:3
6.1.3 Description of subdivision types 6:4
6.2 Performance standards 6:12
6.2.1 New Zealand Urban Design Protocol and Crime Prevention through Environmental Design 6:12
6.2.2 ~~Roading and access~~ Infrastructure (including roading) 6:14
6.2.3 Development Contributions 6:15
6.2.4 Esplanades 6:16
6.2.5 Protection and preservation of existing drainage channels 6:17
6.2.6 Earthworks 6:17
6.2.7 Natural hazards 6:17
6.2.8 Conservation 6:17
6.2.9 Vesting of beds of rivers 6:17
6.2.10 Rural zone 6:18
6.3 Matters of control 6:24
6.3.1 Subdivision in the Rural zone 6:24
6.4 Matters of discretion 6:25
6.4.1 Subdivision in the Rural zone 6:25

7 Development Contributions 7:1
7.1 General 7:1
7.2 Development Contributions as a condition of resource consents 7:2
7.3 Payment of Development Contributions 7:3

8 Works and network utilities 8:1
8.1 Telecommunication 8:8
8.1.1 Activity table 8:8
8.1.2 Performance standards 8:12
8.1.3 Permitted activities 8:13
8.1.4 Restricted-discretionary activities 8:13
8.1.5 Discretionary activities 8:13
8.1.6 Non-complying activities 8:13
8.1.7 Matters of discretion/assessment criteria 8:13
8.2 Electricity transmission and distribution activities 8:14
8.2.1 Activity table 8:14
8.2.2 Performance standards 8:16
8.2.3 Permitted activities 8:17
8.2.4 Restricted-discretionary activities 8:17
8.2.5 Discretionary activities 8:17
8.2.6 Non-complying activities 8:17
8.2.7 Matters of discretion/assessment criteria 8:18
8.3 Renewable energy generation activities 8:18
8.3.1 Activity table 8:18
8.3.2 Performance standards 8:19
8.3.3 Permitted activities 8:20
8.3.4 Restricted-discretionary activities 8:20
8.3.5 Discretionary activities 8:20
8.3.6 Non-complying activities 8:20
8.3.7 Matters of discretion/ assessment criteria 8:21
8.4 Liquid fuels and gas transmission and distribution 8:21
8.4.1 Activity table 8:21
8.4.2 Permitted activities 8:22
8.4.3 Restricted-discretionary activities 8:22
8.4.4 Discretionary activities 8:22
8.4.5 Matters of discretion/discretionary assessment criteria 8:23

8.5 Water, wastewater and stormwater 8:23
8.5.1 Activity table 8:23
8.5.2 Performance standards 8:25
8.5.3 Permitted activities 8:26
8.5.4 Restricted-discretionary activities 8:26
8.5.5 Discretionary activities 8:26
8.5.6 Matters of discretion/discretionary assessment criteria 8:26
8.6 Transportation network 8:27
8.6.1 Activity table 8:27
8.6.2 Permitted activities 8:28
8.6.3 Discretionary activities 8:28
8.7 Stock movements and stock crossings 8:29
8.7.1 Activity table 8:29
8.7.2 Performance standards 8:31
8.7.3 Permitted activities 8:32
8.7.4 Discretionary activities 8:32
8.7.5 Non-complying activities 8:32
8.7.6 Matters of discretion/assessment criteria 8:32
8.8 Flood control works 8:34
8.8.1 Activity table 8:34
8.8.2 Performance standards 8:35
8.8.3 Permitted activities 8:38
8.8.4 Discretionary activities 8:38
8.8.5 Discretionary assessment criteria 8:38
8.9 Miscellaneous works and network utilities 8:38
8.9.1 Activity table 8:38
8.9.2 Performance standards 8:39
8.9.3 Permitted activities 8:40
8.9.4 Restricted-discretionary activities 8:40
8.9.5 Discretionary activities 8:40
8.9.6 Non-complying activities 8:40
8.9.7 Matters of discretion/discretionary assessment criteria 8:40
8.10 Matters of discretion/discretionary assessment criteria/guidance for non-complying activities applicable to Sections 8.1–8.5, and 8.8–8.9. 8:41
8.11 ~~8.4~~ Subdivision 8:43

9 Transportation 9:1
9.1 Roading 9:1
9.1.1 ~~Access~~ Roading hierarchy 9:1
9.1.2 Access 9:3
9.1.3 ~~9.1.2~~ On-site ~~parking and~~ loading 9:19
9.1.4 On-site parking 9:21
9.1.5 General parking, loading and formation standards 9:25
9.1.6 Integrated Transport Assessments 9:27
9.2 Railways 9:31
9.2.1 Separation between site access and railway level crossings 9:32
9.2.2 Private railway crossings 9:32

10 Natural environment and heritage 10:1
10.1 Activities involving scheduled items and natural resources 10:1
10.2 Activity Table 10:1
10.3 Conservation plans 10:2

11 Natural hazards 11:1
11.1 General 11:1
11.2 Activity Table 11:1
11.3 Site suitability 11:2
11.4 Flooding 11:2
11.4.1 Design floor levels 11:2
11.4.2 Design standards for buildings subject to overland flow paths 11:3
11.4.3 Stormwater flows 11:3
11.4.4 Stormwater design 11:3
11.5 Geotechnical structural area 11:3

12 Surface of water 12:1
12.1 General 12:1
12.2 Activity Table 12:1

13 Other methods 13:1
13.1 Statutory provisions 13:1
13.2 Regional Council 13:1
13.3 District Council 13:2
13.3.1 ~~Strategic plan~~ Long-Term Plan (LTP) 13:2
13.3.2 Annual Plan 13:2
13.3.3 Building Code 13:2
13.3.4 Land Information Memorandum 13:2
13.3.5 MPDC Development Manual 2010 ..... 13:3
13.3.6 Infrastructure Code of Practice 13:3
13.3.7 National Urban Design Protocol 13:3
13.3.8 Land purchase 13:3
13.3.9 Bylaws and environmental health enforcement 13:4
13.3.10 Landcare plans 13:4
13.3.11 Hazardous substances 13:4
13.3.12 Property protocol plans 13:4
13.3.13 Solid waste disposal 13:4
13.4 Department of Conservation 13:4
13.5 New Zealand Historic Places Trust 13:5
13.6 Tangata Whenua 13:5
13.7 Special interest groups 13:5

14 Monitoring 14:1

15 Definitions 15:1

Schedules

Schedule 1: Heritage sites 1

Schedule 2: Heritage – waahi tapu 7

Schedule 3: Outstanding or significant natural features and trees and other protected items 13

Schedule 4: Designations 28

Schedule 5: Sites subject to a Development Concept Plan 39

Schedule 6: Development Contributions 41

Appendices

Appendix 1: Evaluation criteria for scheduled natural environment and heritage resources and protection of other items 1

Appendix 2: Identification of yards and daylighting requirements 4

Appendix 3: Matamata-Piako District Council Development Manual 2010 6

Appendix 4: Stock underpasses 7

Appendix 5: Business zone design criteria for yard reductions 8

Appendix 6: Matamata airport protection – definition and terms 10

Appendix 7: Morrinsville sewage treatment plant designation 11

Appendix 8: Motumaoho Quarry – Winstone Aggregates Ltd 14

Appendix 9: Schedules of Works 15

9.1 Banks Road Structure Plan 15

9.2 Matamata Precinct F Structure Plan Area – Explanation 16

Part C: Maps and Plans 1

1 Introduction

1.1 Purpose of the plan

The District Plan provides the means for the Council and residents of Matamata-Piako District to achieve integrated management of the effects of the use, development and protection of the natural and physical resources within the District.

The Plan is written under the provisions of the Resource Management Act 1991, in accordance with the Council's functions in Section 31 and duties in Section 32, to meet the purpose of that Act.

The purpose of the Resource Management Act is "to promote the sustainable management of natural and physical resources" [s.5 (1)].

Under the Act "sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment" [s.5 (2)].

In achieving the purpose of the Act, "all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;

(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and developments;

(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;

(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;

(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;

(f) The protection of historic heritage from inappropriate subdivision, use, and development;

(g) The protection of protected customary rights" [s.6].

In achieving the purpose of the Act, "all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to –

(a) Kaitiakitanga;

(aa) The ethic of stewardship;

(b) The efficient use and development of natural and physical resources;

(ba) The efficiency of the end use of energy;

(c) The maintenance and enhancement of amenity values;

(d) Intrinsic values of ecosystems;

(e) [Repealed]; ~~Recognition and protection of the heritage values of sites, buildings, places, or areas;~~

(f) Maintenance and enhancement of the quality of the environment;

(g) Any finite characteristics of natural and physical resources;

(h) The protection of the habitat of trout and salmon;

(i) The effects of climate change;

(j) The benefits to be derived from the use and development of renewable energy" [s.7].

In achieving the purpose of the Act, "all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)" [s.8].

1.2 Organisation of the plan

The Plan is organised into three Parts.

1.2.1 Part A

Part A consists of:

(i) This introduction explaining the purpose of the Plan, how the plan is set out, linkages to other plans and authorities and the responsibility to monitor the effectiveness of the Plan;

(ii) The significant resource management issues facing the District including the District's Sustainable Management Strategy; and

(iii) The objectives and policies which provide a description of the outcome sought and the solutions needed to resolve the significant resource management issues.

1.2.2 Part B

Part B provides the rules of the Plan which are subdivided into sections relating in general to the effects of activities on the environment.

Of particular importance is Section 2, Activity Table, which provides a guide to the use of the Plan as a whole and the Activity Table in that Section. The Activity Table itself lists all the activities anticipated in the District and the status of that activity in each of the zones in the District. To guide you in understanding the Plan, the rules are linked back to the relevant objectives and policies.

1.2.3 Part C

Part C comprises the Planning Maps for the District which identify the zone boundaries, significant natural environment and heritage areas, natural hazard areas, and designations.

The Development Concept Plans of Scheduled sites, Structure Plans, and the plans for Appendix 6 are also held in Part C of the Plan.

1.3 Guide to issues, objectives and policies

Section 2 of this part of the Plan sets out the principle issues and management strategy related to the sustainable management of the District's resources. Section 3 states the issues related to the effects on the Environment and includes issues on or by:

- Natural environment and heritage;
- Natural hazards;
- Land and development;
- Subdivision;
- Amenity;
- Surface of water;
- Works and network utilities;
- Transportation;
- Development Contributions.

The tables following in Sections 2 and 3 list the objectives, policies, methods, anticipated environmental results and reasons for their inclusion (explanation) in the District Plan.

In most cases the objectives and policies relate to the methods, including the rules formulated in this plan. The Council will have regard to all relevant objectives and policies when considering resource consent applications. However, where the particular objective or policy has a strategic goal it is also identified here and may be taken into account when considering resource consent applications for non-complying activities. The strategic objectives and policies are identified as SO and SP respectively. Strategic objectives and Policies are statements of Council's Management and they are linked in the District Plan for consideration as part of some resource consent applications.

The objectives and policies tables are linked to the issues generically through the subheading.

1.4 Linkages with other plans

There are a number of plans required or encouraged under various Acts which can affect activities and it can often be difficult to understand how they fit together and what they each do.

Under the Resource Management Act there are District Plans, Regional Plans, Regional Policy Statements and National Policy Statements (including a National Coastal Policy Statement). There are also Long Term Plans and Annual Plans of local and regional Councils that can affect activities. The Council has adopted the ~~Matamata-Piako District Council~~ Development Manual ~~2010~~ for engineering design purposes and the Matamata-Piako District Council Infrastructure Code of Practice for engineering specification and quality control purposes.

1. Essentially, Long Term Plans are strategic plans with a long time frame (~~twenty years or more~~ not less than ten years). They may plan for virtually any matter of public interest and are not effects based. District and Regional Plans have a medium time frame (~~five to~~ not more than ten years), and may only include matters involving the management of natural and physical resources. Annual Plans are just that, plans for a year. Like Long Term Plans, they may cover virtually any matter of public interest.

2. Regional Policy Statements are to provide an overview of the resource management issues of the region and policies and methods to achieve the integrated management of natural and physical resources of the whole region. The Regional Land Transport Strategy and Regional Pest Management Strategy also provide policy and methods to achieve the integrated management of regional resources.

3. District plans are used to control the effects of land use in a District, generally via zoning and performance standards of each type of activity.

4. The District Plan includes as Appendix 3 the ~~MPDC~~ Development Manual ~~2010~~ which is the design guide and sets out the processes and standards that are expected to be met when development occurs within the District. The Development Manual ~~2010~~ is considered the preferred means of compliance with the engineering provisions within the District Plan, however it also allows for alternative approaches to be considered to meet the District Plan performance ~~outcomes~~ standards.[1]

5. The Matamata-Piako District Council Infrastructure Code of Practice sets out the processes, technical specifications and quality systems for developments and subdivisions within the District.

[1] For subdivision in Precinct F Matamata (refer Planning Maps and Appendix 9.2), Comprehensive Residential Developments, Neighbourhood Nodes, and retirement villages, the requirements of the Development Manual may need to be tailored to the design outcomes sought from integrated and comprehensive development.

1.5 Cross boundary and other matters

1.5.1 Statement of intent

The Council will maintain liaison with the adjacent territorial authorities, the Waikato Regional Council (WRC), the Department of Conservation (DOC) and other organisations where appropriate. Active discussion on resource management issues and information sharing between authorities will be encouraged.

Wherever practicable, any application which requires the consent of two or more local authorities shall be heard jointly by an equal number of elected officials from both organisations at a mutually agreeable time and location. The Council will encourage practices which enable resource consent applications to be considered in a similar manner.

1.5.2 Referral

(i) Referral to, and liaison with, WRC (and DOC where relevant) where:

(a) The proposed activity involves the discharge of contaminants to air, water or land;

(b) The proposed activity involves taking water from a source other than a public water supply or private well;

(c) The proposed activity involves storing water on natural ground (i.e. using dams);

(d) The proposed activity involves discharging water to any place other than a public sewerage system, stormwater system or private septic or sewerage treatment system;

(e) The proposed activity involves land with slopes greater than 20 degrees;

(f) The proposed activity involves vegetation destruction covering a contiguous area of 1 hectare or more in any 12 month period;

(g) The proposed activity involves earthworks and land disturbance, except cultivation or normal road or track maintenance, involving the disturbance of 1000m^3 or more of earth, soil or rock in any 12 month period;

(h) The proposed activity involves any earthwork or land disturbance within 20 metres of any wetland or the bed of any lake or river, associated with the construction of a legal structure;

(i) The proposed activity involves hazardous materials.

(ii) Referral to and liaison with adjacent District Councils (and DOC where relevant) where the following cross-boundary issues are likely to arise:

(a) Generation of traffic to another District;

(b) Air emissions;

(c) Noise;

(d) Water quality from run-off and stormwater discharges;

(e) Natural hazards;

(f) Hazardous substances and contaminated sites;

(g) Network utility services.

1.6 Monitoring

1.6.1 General

Under the Resource Management Act Council is required to monitor the effectiveness of its policy statements and plans, the exercise of resource consents, the exercise of any transferred and delegated powers and the state of the environment in relation to Council's duties and responsibilities under the Resource Management Act.

1.6.2 Statement of intent

(i) The Council will:

(a) Monitor the key resource management matters identified in a timely manner;

(b) Produce regular reports to document trends and issues;

(c) Use existing data where possible in order to be cost effective; and

(d) Review the District Plan (or parts of it) to ensure objectives, policies and rules will effectively achieve the desired environmental outcomes.

(ii) In order to achieve this, the Council will rely as much as possible on:

(a) Its own monitoring programme and its Annual Plan requirements;

(b) Data gathered for other purposes but which has relevance for monitoring;

(c) Monitoring programmes carried out by WRC, DOC and other agencies;

(d) Monitoring will be undertaken in accordance with the provisions of Section 14, Monitoring.

1.7 Review of the District Plan

This review of the Matamata-Piako Transitional District Plan and the subsequent "rolling review" of parts thereof ~~has~~ have been prepared in accordance with the provisions of the Resource Management Act 1991.

In accordance with the Act the Plan contains:

(i) The significant resource management issues of the District – Part A;

(ii) The objectives sought to be achieved by the Plan – Part A;

(iii) The policies with regard to the issues and objectives and an explanation of those Policies – Part A;

(iv) The methods to be used to implement the policies, including the rules – Part B;

(v) The principal reasons for adopting the objectives, policies and methods of implementation. See the explanations in Parts A and B;

(vi) The anticipated environmental results – Part A;

(vii) Cross boundary issues – Part A, Sections 1.3 and 1.4;

(viii) Procedures to be used to review and monitor the effectiveness of the Plan – Part A, Section ~~1.5~~ 1.6 and Part B, Section ~~1.4~~ 14;

(ix) The information required for resource consents – Part B, Section 1.1.

The Plan is consistent with the National Policy Statements, the New Zealand Coastal Policy Statement, the Regional Policy Statements and Regional Plan in effect at the time of notification.

1.8 Supporting documentation

In the preparation of this Plan the following technical reports were prepared and considered in order to enable all alternatives to be considered and the benefits and costs associated with the alternatives to be assessed. All of the documents below are held at Council's offices for public reference.

1. Issues and Options for Resource Management in Matamata-Piako District (October 1993). Issues, objectives and policies, document (September 1994).
2. The Preliminary Visual and Landscape Study, October 1992 Volume 1.
3. Urban Growth Studies for Te Aroha, Matamata and Morrinsville.
4. Parking Report (September 1995).
5. Background Development Contributions Report (August 1996).
6. The Management of Trees within the District Plan and Tree Survey.
7. Rural Vehicle Entrance Standards (September 1995).
8. Noise survey (November 1995).
9. Esplanade Reserve Working Party – Esplanade Areas and On Surface of Water Activities.
10. Project Te Aroha (September 1992).
11. Matamata-Piako District Council Development Manual 2010.
12. Matamata-Piako District Council Urban Design Guidelines.

2 Sustainable management strategy

2.1 History of settlement and development

The District is 182,150ha in area of which 3,560ha is held in Maori title. The administrative boundaries of the Matamata-Piako District Council traverse the tribal areas of Hauraki, Raukawa and Waikato. Te Whenua, the land, is to the Maori one of their most important taonga (treasures) and they regard themselves as kaitiakitanga (custodians or care givers) of the land for future generations. The District Plan must aim to acknowledge the traditional concepts of turangawaewae (a place to stand, a sense of belonging, a home marae), ahi ka or hohokainga (keeping the home fires burning), and the strong trend toward whakamahana nga marae (a return to rural areas and strengthening of rural marae communities). An essential element to the sustainable management process is embodied in the Maori proverb or whakatauki: "Whatungarongaro te tangata, to itu te whenua" - "People come and go but the land remains". In a world where men and women and their possessions have no permanence, the land remains the one "possession" which never changes nor is ever destroyed. People's welfare depends on the land and everything related to it: water, fauna and flora.

Little is known of the history of pre-European life in the District. It appears that inter tribal tension was common and still underway at the time of the arrival of the first Pakeha. This was replaced by conflict between Maori and Pakeha as the European steadily encroached on Maori territory.

In 1833 missionaries established the first mission at Puriri, and then Matamata. Traders arrived during the 1850's via the Waihou River.

The first permanent European settlement was in 1865 when J C Firth established an estate of approximately 22,700 ha in size. He broke the land in for agriculture, built a number of roads and cleared the Waihou River for steam navigation to serve his estate. The Waihou and Piako rivers provided the major routes for freight and passenger traffic at this time. In 1874 Thomas and Samuel Morrin purchased an estate, setting up a sheep and cattle station which led to the development of Morrinsville. About the same year Thomas Russell also purchased a large tract of land on condition that he construct 25 miles of road connecting the Waikato, Piako and Thames Districts. This required reclamation of large tracts of swamp. It was found that effective reclamation resulted in land suitable for farming.

Meanwhile Firth established the first cheese and butter factory at Waharoa and laid the foundation of the family dairy industry by selling 20 hectare blocks of his land near the factory.

In 1880 Te Aroha became the centre of a short lived gold rush initiated by Hone Werahiko. In 1881 when the prospectors started to leave, the hot springs were developed. A regular boat service and permanent bath houses were provided, and in 1886 a rail link with Hamilton completed the link to Auckland. In the year ending 31 March 1887, 28,553 baths were taken compared with 4,878 in Rotorua.

By 1900 there were 22 springs discovered and the Hot Springs Domain passed into the control of the Department of Tourist and Health Resorts in 1903. The Department later handed over control of the area to a joint Piako County/Te Aroha Borough administrative body which today continues to be administered by the Council.

2.2 Significant resources of the District

The text below describes the significant resources of the District. Council is required to promote the sustainable management of these natural and physical resources. The District has steady population growth, particularly in the three main townships, and this is based primarily on the rural producing hinterland which in recent years is continuing to support major rural processing industries.

~~The Council's Strategic Plan identifies the vision and actions that are to be taken by Council to provide services to the community and to promote and facilitate continuing economic development in the District.~~

~~The Strategic Plan states with regard to economic development that Council will liaise with and provide information for investors and identify specific needs and, where appropriate, act as a facilitator.~~

Matamata-Piako District is bounded in the east by the Kaimai Ranges and in the west by older ranges. In between lies the valley of the Hauraki Plains. Over time the Waihou, Waitoa and Piako Rivers have moved back and forth across the Plains, depositing shingle and silt and creating swamps and wetland areas, and helping to create the present landscape of flat alluvial plains and peat swamp. Geologically the plains are made of sedimentary and alluvial deposits. Soil types on the plains are largely a mix of grey soils with yellow brown loams.

The Piako-Waitoa River catchment occupies a significant proportion of the District. The catchment has medium rainfall, negligible summer flow, and downstream of Morrinsville the catchment was swamp before it was drained. The Waihou River and its tributaries provide significant trout habitat, including spawning for both rainbow and brown trout, and trout fisheries. The Piako River Scheme provides river widening, deepening, straightening and stop-banking. Much of the catchment is now used for dairying whilst the adjacent Waihou catchment has a significant proportion of indigenous bush along the Kaimai-Mamaku Ranges with sheep and dry stock on the eastern hills. Much of the agricultural development and the lower areas of Te Aroha township are dependent on the river drainage schemes. Springs are notable in the Waihou catchment. The Waihou River has major flood protection structures. These structures form part of the District's regionally significant infrastructure that protect large areas of the Hauraki Plains from inundation during flood events.

The District has a well established dairy industry with 82% of the total land area being modified for farming and in grassland, lucerne and tussock. Dairy cattle are by far the most numerous of livestock carried (368,237 cattle September 1996) with sheep being the next highest productive group at 108,730 animals. The District supplies approximately 12% of total New Zealand milk fat (by weight). Beef, deer, pigs and goats are also notable productive groups. In February 1996 there were 1,184 people working full-time or part-time on 2,762 full time properties. Overall, thirty five percent of the labour force of the District is employed in the primary sector (i.e. agriculture, hunting and forestry). The planting and harvesting of forests, and the transportation and processing of their products make forestry an important industry in the District.

In addition to natural resources, the District is also traversed by infrastructure networks that comprise significant physical resources important for the wellbeing of the community. These resources include the significant road corridors that play an important role in the inter-regional movement of freight, passengers, and tourists, providing key road links between Auckland and Tauranga, and from Hamilton to Tauranga. Also included are the significant rail corridors that provide important freight links to the ports of Auckland and Tauranga. In addition to transport links, many other regionally significant infrastructure networks pass through the District such as the national electricity grid, telecommunication facilities, and gas transmission lines. The District's physical resources also include water, wastewater, and stormwater infrastructure that serve our local communities. These regionally and locally

significant physical resources are discussed in more detail in Part A, Sections 2.3 and 3.7 of the District Plan.

The District Plan must manage the adverse effects of infrastructure networks, as well as the reverse-sensitivity effects of third party activities on the networks. Both existing and planned infrastructure must be considered. Where the term “planned” is used in this District Plan in relation to infrastructure or networks, it must be recognised that it is not appropriate to apply the same definition of 'planned' in all instances. For example, in the case of a specific subdivision proposal, it would be appropriate to apply a restricted definition incorporating only consented or designated infrastructure. However, where district plan changes, growth strategies or structure plans are being considered the term 'planned' covers infrastructure where funding has been allocated to provide for the infrastructure project and where such infrastructure is subject to consenting or designation processes.

The District’s land resource also accommodates the three rural townships, numerous rural villages and many processing and manufacturing industries. In the past, some of the major rural industries have generated adverse effects on the rural environment, for example, smell nuisance from animal rendering and by-products plants, pig and poultry farms.

Regional Council research has shown that the catchment’s main waterways are significantly nutrient-enriched (particularly in nitrate) compared with other New Zealand streams draining pasture. Water quality degradation is a product of the community’s land use activities.

Generally speaking the District has significant primary production capabilities with the river plains having Class I to III classification under the former National Water and Soil Organisation’s Land Use Inventory system. However, the District’s agriculture is dependent on the continual maintenance of the Piako and Waihou River schemes (drainage/flood control).

Prospecting and mining activity in the District has been concentrated along the Kaimai-Mamaku Ranges, especially in the vicinity of Mt Te Aroha. A significant peat resource exists on the plains and peat has in the past been extracted by Waikato Peat Products NZ Ltd from an 80ha site near to the north-west of the District boundary. The western ranges of the District have also attracted recent investigations for precious and semi precious metals.

Aggregates are a significant resource of Matamata-Piako District. There are three principal types of aggregate resources in the District, volcanic and greywacke rock types suitable for the manufacture of crushed aggregate for roading, construction and building purposes and sand used for similar purposes as well as for watering, horticulture and miscellaneous use. Although quarrying should pose no greater threat to the environment than many other industries, any new quarrying activity proposed in the District must be subject to the appropriate consideration of environmental effects. The quarry on the slopes of the Kaimai Ranges has significant visual impact.

Along the Kaimai Ranges and in the vicinity of Mt Te Aroha there is a long mining history, particularly for precious metals (gold and silver). The District contains the legacy of New Zealand’s only significant base metal mine, the Tui mine at Te Aroha. The Tui mine was operated by the Norpac Mining Company between 1966 and 1973, and produced copper, lead and zinc concentrates in addition to silver and gold. The mine closed suddenly in 1973 without adequate rehabilitation or environmental protection measures in place. The Tui mine tailings sit high on the slopes of Mt Te Aroha. Discharges from the mine and tailings have permanently polluted the northern branch of the Tunakohoia Stream (which was previously used as a major source of water supply for the Te Aroha township), as well as the Tui Stream itself. ~~The tailings require regular maintenance and there have been problems identifying who should bear the cost of this work. At present the Council is involved in regular inspections and maintenance at its cost.~~ In 2007 Ministry for the Environment approved funding for remediation of the site. The remediation will be completed by the end of

2013 and will ensure that the tailings are contained within a stable location and that the release of contaminants into the Tui and Tunakohoia Streams are reduced.

The Kopuatai Peat Dome is the largest raised (domed) bog in New Zealand. It is also the only significantly unaltered restiad bog left in New Zealand. As the last remaining example of its type remaining intact, and because it supports a vegetation type unique in New Zealand and therefore the world, the site is of outstanding conservation value. It is an important location for at least nine nationally threatened plant species and is valuable habitat for endemic mudfish and eels. The surrounding seasonally flooded mineralised areas provide habitat for over 50 species of birds and the North Island's best remaining example of kahikatea swamp forest. Kopuatai is one of only five wetlands in New Zealand listed as a site of international importance under the Ramsar Convention.

The District also has notable areas of indigenous forest particularly along the three main rivers and their tributaries and the Kaimai Ranges. These, the wetlands, waterways, and lakes and their margins which connect them and fragments of indigenous vegetation throughout the District are significant for their support of the viability, extent and diversity of the ecosystems including indigenous aquatic and terrestrial fauna and micro-organisms. These ecological systems and their biological diversity are significant in their own right and in their contribution to landscape, amenity characteristics and natural features of the District.

2.3 Significant resource management issues

2.3.1 Residential growth – urban settlements

- ~~Residential development is spreading outside the existing urban boundaries and may compromise natural and physical resource values. The District's population in the 1986 - 91 period remained relatively constant. However, significant population growth of 5.4% has been experienced in Morrinsville. Medium population projections anticipate a 7% increase of the 1991 population by 2016.~~

  ~~Household growth has been significant when compared with population growth. In the three main towns of Te Aroha, Morrinsville and Matamata, there have been 6.0%, 6.6% and 7.3% increases respectively; in the 1986 - 91 period in occupied dwellings (i.e. decreased household size).~~

- The current (2013) population of the District is estimated to be around 32,085 persons, with 17,935 living in the District's three main towns of Matamata, Morrinsville and Te Aroha, and the remaining 14,150 people living rurally. The District is currently home to an estimated 12,395 households of which approximately 7,516 live in the three main towns, while 4,879 live rurally. Over the next 20 years it is projected that the population of the District will show growth of around 0.49% per year. While the growth will be moderate, more significant changes in the demographic composition is expected to occur, as the population ages and average household size decreases, in line with global and national trends.

  It is projected that the population of the District will increase to 35,200 by the year 2033, with the rural population remaining relatively stable, while the combined urban population of the three main towns will increase by 3,115 people to 21,050. Morrinsville is the District's largest town with a current (2013) population of approximately 7,066 people, representing 2,782 households. The population of Morrinsville is estimated to increase to 8,817 and the number of households to 3,768 by 2033. Matamata is the second largest town with a current (2013) population estimated to be approximately 6,821 people, representing 2,966 households. By 2033, the population of Matamata is estimated to increase to 7,831 and the number of households to 3,729. Te Aroha is the smallest of the District's

three main towns with a current (2013) population of approximately 4,048 people, representing 1,768 households. The population of Te Aroha is estimated to increase to 4,403 and the number of households to 2,107 by 2033.

This has implications for the current and future amount of residential land zoned for development. ~~Whilst there are adequate areas of land at Te Aroha and Matamata, more land for residential purposes will be required within the planning terms at Morrinsville. Council will monitor the uptake of sections annually in each township to ensure there is always a minimum of five years growth available to ensure there is adequate choice.~~ Council will prepare 20 year development strategies for the three main towns to ensure that adequate zoned land is available to meet future demand.

The town strategies will promote compact growth ~~Consolidation within existing urban boundaries is required~~ to retain the finite rural land resource, to ensure the life supporting capacity of those soils is not compromised and to provide for the efficient use and development of existing resources.

~~**Provided that** adverse environmental effects can be avoided, remedied or mitigated under the provisions of this plan then development may occur in areas not currently serviced or where existing services are placed under stress by proposed development. Development in those areas, where provided for, would only be consented to on the basis that the full cost of service delivery is met by the developer.~~

Given the predicted growth in Morrinsville, Matamata and Te Aroha it is considered that there are appropriate measures in place to ensure that the existing land and infrastructure resources will not be compromised by development in the foreseeable future. Although Waharoa and Waihou may be considered suitable for urban or suburban style development Council is concerned at the potential adverse effects on the environment, the social and economic wellbeing of the community and the finite nature of the land, economic and infrastructure resources that may be brought about by the further provision of services and extended zonings.

- The future use of high quality soils and significant features is in danger of being compromised. The three urban settlements are all located on good quality lands (Classifications I, II and III Land Use Inventory); the exception is the ranges behind Te Aroha which are a significant landscape feature identified for protection from urban encroachment. See Natural Environment: Section 10 and Natural Hazards: Section 11.

  Urban encroachment and various activities such as subdivision, use and development in the rural areas can easily compromise the future use of the good quality lands by the placement of hardstand and structures over the ground in a manner that makes future use of the soil difficult to achieve.

2.3.2 Controlling the adverse effects of activities

- The Resource Management Act requires Council to manage the effects of activities rather than attempt to control activities by description, definition or in their own right. If activities have minor effects and are generally compatible, there is no justification for preventing such activities from locating together.

  Industrial and rural activities should adopt all reasonable measures to internalise effects. In some cases however, all reasonable measures will not sufficiently mitigate the adverse effects of activities on a particular environment. One means of addressing this issue is to utilise zoning. Zones can be established with environmental standards set to reflect the values and environmental outcomes that are sought for each zone. Performance standards are established which should

adequately control the effects of activities on that environment. Potential nuisance effects are generated by some industrial and rural activities, but existing activity which is based on significant natural and physical resources of the District can also be adversely affected if new incompatible activities are located in the vicinity of the resource.

- The issues of sustainable management of indigenous biodiversity differ across the District. On the intensively developed plains there are small elements which should be managed for their heritage, landscape and natural feature values, or because they offer a tenuous link between those widely scattered relics. Within the District there are a few larger indigenous vegetation and habitat elements of the Kopuatai wetland, extensive rivers and drains, and tracts of native forests surviving on steeper hills. The adverse effects of activities should be controlled and managed to sustain ecological processes and indigenous biodiversity.

2.3.3 Tangata Whenua

- There has been to date limited partnership in the management of the District's resources and thereby limited recognition in planning rules of the needs of the tangata whenua particularly their desire to return to their lands for housing and employment opportunities.

  The issues of the tangata whenua include the protection of lands, waters, sites, waahi tapu (sacred sites) and other taonga (treasures) including Mt Te Aroha; the recognition of the Maori environmental ethic and the kaitiaki role (guardianship); greater involvement in local control and decision making; reaching agreement on who is to be consulted and how that consultation will occur; Treaty of Waitangi claims; enhancing channels of communication and consultation; and more flexibility to manage and develop Maori land and natural resources.

2.3.4 Business

- In Council's opinion service/industrial/commercial areas are similar in terms of their ability to attract relatively high numbers of client and worker vehicles. There can also be adverse visual effects created by extensive advertising of business. Given the similar nature of effects particularly the scale of buildings and traffic generation, Council intends to introduce a new zone which encompasses the former commercial and light Industrial zones. Within such areas there shall be no delineation as to where retailing should occur.
- Council is supportive of Main street rejuvenation programmes in Te Aroha, Morrinsville and Matamata. There is evidence in the Main street process of a desire to protect and enhance the central shopping street's character and amenity values as the central focus of retailing and recreation.
- The provision of local retail opportunities serving the day-to-day convenience needs of residents in a residential area can strongly influence the attractiveness and functioning of that area and the wellbeing of people.

2.3.5 Industry

- There is a community desire to ensure that adverse environmental effects of industries are managed in the future. The future location and performance of industries is a significant issue to both industry and the community. There is a greater expectation of internalisation of effects by newly established activities than of older existing activities. This is because new activities are not encumbered by existing plant and processes and have easier access to contemporary technology.

Precise and workable rules are required to ensure that adverse effects of all industry are appropriately avoided, remedied or mitigated.

2.3.6 Integrating land use and infrastructure (including transport)

- The land within our District is used for a wide range of urban, rural, processing, recreational, and conservation activities, connected by infrastructure (which includes transportation networks). Some of these networks such as the significant road and rail corridors, electricity and gas transmission lines, telecommunication infrastructure, and flood protection works serve a local, as well as a more strategic national or regional function. Other networks such as our urban water, wastewater and stormwater systems serve solely the local townships.
- Integrating the District's land uses with infrastructure is a significant resource management issue that the District Plan must address. This is the case as land use that is not integrated with infrastructure, impacts on our ability to sustainably manage the natural and physical resources that are important for our social, economic, and cultural wellbeing.
- This means the District Plan must ensure that rezoning, new development, and expansion of existing development take place in a manner that does not compromise the operation, maintenance, upgrading or development of infrastructure networks and that:
    - There is sufficient capacity in the transport networks and that the networks have been designed for the purpose of carrying the type and volume of traffic that will be generated by new development; and:
    - There is sufficient capacity in the other infrastructure networks to cope with the additional demand, or that the existing networks can be increased cost effectively.
- It also means, when we plan our future transport and other infrastructure networks, that we need to make sure that these networks are planned with sufficient capacity to cater for the demands that existing and future developments will place on them.
- Integrating land use, transport and other infrastructure is an important issue. Locating new development or allowing expansion where it will hinder strategic networks or where the networks have insufficient capacity, mean that we are not using our existing investment efficiently. It can result in reverse sensitivity effects arising on strategic networks or expose our Council to a liability to fund expensive new investment in infrastructure which could take years to recoup through development and/or financial contributions. It can also result in traffic congestion on roads that are under capacity with resulting delays and inefficiencies, or cause roads that were not planned to carry large traffic volumes and heavy vehicles to deteriorate, adding to our maintenance bill.
- The importance of integrated development was recognised in a recent change to the RMA which has added a new function to regional councils, making them responsible for ensuring the strategic integration of land use and infrastructure. To give effect to this new provision, the RPS requires that our District Plan addresses the issue of integration appropriately.

2.3.7 Regionally significant infrastructure networks

- The significant infrastructure networks referred to previously that traverse the District comprise the significant road corridors (including the state highways), rail corridors, (including the East Coast Main Trunk, Waitoa Branch and Kinleith Branch Lines), electricity transmission grid, telecommunication network, lifeline utilities, and flood

protection assets. These networks are collectively known as “regionally significant infrastructure” and require a specific resource management response that recognises their strategic importance for the economic and social wellbeing of a much wider catchment that can encompass a region-wide area, or, depending on their function, even the whole of the country. Therefore, not enabling or not protecting the operation, maintenance, upgrading or development of regionally significant infrastructure can adversely affect the economic and social wellbeing of national, regional, and local communities.

- The maintenance, upgrading, and expansion of these networks often result in adverse local effects, while most of the benefits commonly accrue to the wider community. Therefore, we need to have a balanced approach to the management of regionally significant infrastructure that:
    - Recognises their wider significance and enables their efficient operation, maintenance, upgrading, and expansion so as to meet the needs of present and future generations; and
    - Recognises the operational and technical requirements, location and design constraints that apply to these infrastructure networks; while
    - Managing the adverse environmental effects of the networks on the local receiving environment, and the effects of other activities on the networks (i.e. reverse-sensitivity effects).
- The need to adopt such a balanced approach is required (in so far as the electricity transmission grid is concerned), under the NPS-ET. The RPS also requires District Plans to recognise the importance of the other regionally significant infrastructure networks in a similar manner.
- The RMA also mandates that our District Plan must not be in conflict with the following National Environmental Standards (NESs) that were gazetted after our District Plan first became operative:
    - The NES-ET that relates to activities associated with existing high voltage transmission lines; and
    - The NES-TF that provides a nationally consistent regulatory framework for radiofrequency fields associated with all telecommunication facilities, and for the development of low impact telecommunications infrastructure in road reserves.

2.3.8 Renewable electricity generation

- An adequate, affordable, clean, secure, and reliable supply of energy, in the form of electricity, gas, and fuel, to heat our homes, power our businesses and industry, and keep our transport systems moving, is vital to the economy and to our way of life. New Zealand’s energy demand has been growing steadily and is forecast to continue to grow. Our District Plan needs to respond to the challenges we face in meeting the energy demand.

Energy efficiency

- The most effective way of stemming the growing demand is to use energy more efficiently, thereby ensuring that we consume the minimum amount necessary, for the maximum desired output. By making better use of energy and conserving energy, the growth in demand necessary to satisfy the country’s requirements is reduced. By reducing the growth in demand, less energy is required, consequently:
    - Fewer resources required to generate energy are used up;

    - Less transmission capacity is required to convey the energy from where it is generated to the end-user;
    - With less energy generation and transmission capacity required, investment in new infrastructure can be delayed resulting in cost savings;
    - Fewer of the adverse effects associated with the generation and transmission of additional energy are created;
    - The risks of climate change are reduced, by reducing the greenhouse gas emissions caused by the production and use of additional energy.
- There are a number of ways to achieve efficient energy use, such as:
    - Energy conservation initiatives (unplugging devices when not used, energy efficient appliances, etc.);
    - Home insulation;
    - Energy efficient heating;
    - Solar water heating;
    - Building orientation to allow passive heating and natural light penetration;
    - Energy efficient building design;
    - Compact town form (to reduce distances between work, schools, shops, and homes);
    - Locating large energy users close to generation, to avoid transmission losses;
    - Efficient, well connected road networks;
    - Promoting energy efficient transport modes such as cycling, pedestrian movement and public transport.
- Some of these matters are outside the scope of the District Plan and are able to be addressed only through non-regulatory methods such as advocacy. Other methods, such as sun-orientation and road connectivity are already addressed in other parts of the District Plan.

Renewable energy

- Even if energy efficiency targets can be met, there will still be a demand for new energy generation and transmission. The most sustainable way to meet the demand is to generate energy from our abundance of renewable resources such as solar, wind, or biomass. By generating energy from these renewable resources, the finite resources that are currently used such as coal and gas are not depleted, greenhouse gas emissions are reduced, and the associated risks of climate change mitigated.
- However, the natural resources from which renewable electricity is generated can coincide with areas of significant natural character, significant amenity values, historic heritage, outstanding natural features and landscapes, significant indigenous vegetation and significant habitats of indigenous fauna. There are also potential conflicts with the relationship of Maori with their taonga and their role of kaitiaki. Often, the benefits of renewable energy manifest at the national level, while the adverse environmental effects tend to be felt at the local level.
- Notwithstanding the resource management challenges that the generation of renewable energy present, the Government has set a target for 90% of electricity demand to be met from renewable sources by 2025. To encourage renewable electricity generation, the NPS-REG was gazetted in 2011.

- The objective of the NPS-REG is to recognise the national significance of renewable electricity generation and to provide for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities. The objective is underpinned by a number of policies that, amongst others, require that provisions which enable renewable electricity generation activities, including small and community-scale renewable generation, be incorporated in all district plans. The RMA determines that our District Plan must give effect to the NPS-REG.

Having regard to the above discussion, a significant resource management issue that the District Plan must address is that failure to use energy efficiently, and to enable the development, operation, maintenance and upgrading of new and existing renewable energy generation activities, impact on our ability to meet the growing energy demand in a sustainable manner.

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. Residential and rural-residential growth					
O1	To avoid inappropriate residential and rural-residential growth in the rural environment so as to protect the use of the District's rural land resource for rural production.	P1	To direct and ensure consolidation of residential development within appropriate existing zone boundaries of all settlements subject to the availability of infrastructure services, contiguous growth and the constraints of the environment.	• Activity Table, Section 2 • Performance Standards, Section 5 • Subdivision, Section 6 • Other Methods, Section 13	*Council aims to achieve residential consolidation wherever practicable, subject to servicing constraints and the community's acceptance of changing amenity values.* *Structure plans have been developed which recognise that where growth is occurring and consolidation is not feasible that expansion is managed in an integrated manner.* *The Plan aims to ensure that land is not fragmented such that it limits the productive use of the rural land resource.*
		P2	To manage the orderly and programmed expansion of residential areas consistent with the relevant structure plan and the ability to provide utility services.		
		P3	To encourage and direct rural-residential development to establish in defined Rural-Residential zones, where the effects and servicing requirements of such development can be managed.		
2. Controlling activities					
O1	To manage activities in a manner that gives certainty to the public as to the potential location and effects of activities.	P1	To implement effective separation between incompatible activities while recognising that some existing activities may not be able to provide effective separation within their sites.	• Development Controls, Section 3 • Performance Standards, Section 5 • Other Methods, Section 13	*In some cases mitigation of adverse effects by isolating buffer areas will be a means of gaining a resource consent. The establishment of buffer areas may be implemented to protect the community from the activity and the activity from future incompatible activities.* *It is acknowledged that many activities such as intensive farming operations, rural contractors, quarries, equine based activities and infrastructure networks/sites require a rural location and can be considered as part of a rural environment depending on the locality*
O2	To sustainably manage the natural resources of indigenous biodiversity for ecological, landscape, heritage and natural feature value.	P2	To recognise the effect activities may have on indigenous vegetation and habitat of indigenous fauna.		
O3	To recognise that the rural environment is primarily a place for rural production activities while also providing for a variety of other activities, including rural lifestyle, intensive farming, rural based industry and significant infrastructure networks and sites,	P3	Activities should not establish in rural areas unless they are able to be undertaken without constraining the lawful operation of existing activities.		

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
	which are dependent on a rural location.				*and subject to adverse effects being avoided, remedied or mitigated. It is further acknowledged that some activities are dependent on resource location.*
3. Tangata whenua					
O1	To maintain and encourage kaitiaki responsibility (guardianship) of Maori by implementing a partnership approach to the sustainable management of the District's natural and physical resource.	SP1	To establish a joint Council/Iwi management process for considering and resolving resource management issues and policy.	• Activity Table, Section 2 • Other Methods, Section 13	*The joint Council/Iwi establishment and agreement of policy should mean that the Iwi issues and concerns are appropriately dealt with at the level of individual resource consents.*
4. Business					
O1	To protect identified central business areas from activities that are out of character with existing amenity values.	P1	To avoid the development of activities which adversely affect the character of the "mainstreet" shopping environment.	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Other Methods, Section 13 • Monitoring, Section 14	*The objective seeks to maintain and enhance the three mainstreets at Te Aroha, Morrinsville and Matamata in conjunction with community programmes. The policy aims to protect the functional aspects of mainstreet buildings that promote recreational/shopping amenity values. It is anticipated that service/light industrial activities in mainstreet areas will be inappropriate.*
O2	To achieve neighbourhood nodes in appropriate locations to provide local-scale convenience.	P2	Subdivision and development should provide Neighbourhood Nodes in general accordance with a structure plan and within walking	• Development Controls, Section 3 • Activity Related Performance Standards, Section 4.	*The objective and policy seeks to encourage the development of neighbourhood convenience nodes to*

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			distance of their residential catchments. The Neighbourhood Node should be a scale, form and include activities consistent with surrounding residential areas, serve a local convenience function for new or growing residential areas and avoid compromising the viability and vitality of a town centre.	• Performance Standards, Section 5 • Subdivision, Section 6	*provide for the day to day needs of residents within growing residential areas of the District's towns. Neighbourhood nodes are identified in appropriate locations on structure plans.*
5. Industry					
O1	To enable the orderly and coherent development of processing and extractive industry in a manner that promotes the sustainable management of natural and physical resources in the rural areas.	P1	The adverse effects of processing and extractive industries should be avoided, remedied or mitigated in accordance with the amenity values of the adjacent community.	• Development Controls, Section 3 • Performance Standards, Section 5	*The objective and policy implements the strategy of protecting the District's high quality soils, and allowing diversification in the economy.* *The reduction, avoidance or mitigation of effects is a prerequisite of all industrial development and specified zones limits the degree of potential adverse effects on the community.* *The existing serviced industrial sites have separation from residential areas and the opportunity for buffer areas.* *Zones facilitate centralisation of activity and offers economies of scale in the provision of infrastructure services and facilities.*
6. Integrating land-use and infrastructure					
O1	Land-use, subdivision and infrastructure are planned in an integrated manner that: • Does not compromise the function, operation, maintenance, upgrading or development of infrastructure, including regionally significant infrastructure; • Recognises the need for the provision of infrastructure; and subdivision, land-use and development to be co-ordinated;	P1	Rezoning, new development, and expansion/ intensification of existing development shall take place where: • The operation, maintenance, upgrading, or development of infrastructure, including regionally significant infrastructure, is not compromised; • There is sufficient capacity in the infrastructure networks to cope with the	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities Section 8 • Transportation, Section 9 • Development Manual, Appendix 3	*The objective and policies seek to ensure that:* • *Land use and infrastructure planning is co-ordinated;* • *Development can be serviced cost effectively;* • *Land use change does not result in unplanned effects on the functioning of infrastructure;*

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
	and • Ensures the sustainable management of natural and physical resources while enabling people and communities to provide for their economic, social, and cultural wellbeing.		additional demand, or where the existing networks can be upgraded cost-effectively to meet that demand; • The networks have been designed to carry the type of service including the type and volume of traffic required to support the development; and • Adverse effects on the natural and physical environment can be appropriately avoided, remedied, and mitigated.		• *The benefits of collective infrastructure provision are recognised; and* • *Existing infrastructure is used efficiently.*
		P2	Land use and infrastructure must be co-ordinated so that: • Development can be appropriately serviced by infrastructure in a cost-effective manner; • Land use change does not result in adverse effects on the functioning of infrastructure networks; and • Development does not adversely affect the efficiency and effectiveness of infrastructure networks.		
		P3	Subdivision and development which result in the uneconomic expansion of existing infrastructure shall be avoided.		
		P4	The increased demand on infrastructure is managed by requiring subdivision and development to be co-ordinated with the provision of infrastructure and integrated with the transport network and the District's road hierarchy.		

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
		P5	The role of sustainable design technologies such as rainwater harvesting, rain gardens and grey water recycling in reducing pressures on, and the cost of providing, maintaining, and upgrading infrastructure networks, is recognised.		
7. Regionally significant infrastructure					
O1 O2 O3	The national, regional, and local benefits of regionally significant infrastructure are recognised and protected. Operation, maintenance, upgrading, and development of regionally significant infrastructure is enabled, efficiency is promoted, and the asset is protected to promote the economic, social, and cultural wellbeing of national, regional and local communities, while avoiding, remedying or mitigating adverse effects on the environment to the extent practicable. Adverse effects including reverse-sensitivity effects on regionally significant infrastructure are avoided, remedied, or mitigated.	P1 P2 P3	Enable the safe and efficient operation, maintenance, upgrading, and development of regionally significant infrastructure by recognising: • Operational requirements and technical constraints; • Location, route, and design constraints; • The complexity of infrastructure services and that infrastructure is generally managed as a connected network; and • The benefits of regionally significant infrastructure to the wider community. Require the development and major upgrading of regionally significant infrastructure to avoid, remedy or mitigate adverse effects to the extent practicable on the: • Health, safety, and wellbeing of people; • Visual and amenity values; • Natural and physical environment; • Intrinsic values of scheduled sites; and • Existing sensitive activities. Substantial upgrades of regionally significant	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Transportation, Section 9	*The objective and policies recognise that the wellbeing of the nation, the region and the community is dependent on the continued operation, maintenance, upgrading, and development of the regionally significant infrastructure networks that traverse the District. These networks include the state highways, railway lines, national electricity transmission grid, the electricity sub-transmission networks, telecommunications network, and gas transmission lines. While serving our local community, these networks are also vitally and strategically important for the economic and social wellbeing of the entire country, or of the region. Also included are the Waihou and Piako River flood protection assets. The agricultural sector and the towns and other settlements on the plains are reliant on the continued effective operation of these drainage and flood control schemes. The District's economy and that of neighbouring areas on the plains would*

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			infrastructure should, where practicable, be used as an opportunity to reduce existing significant adverse effects such as by promoting co-siting of infrastructure.		*falter if the systems are not maintained.*
		P4	Ensure that the provision of works and network utilities that cross jurisdictional boundaries can be managed in an integrated manner.		*Given the scale and/or linear nature of these regionally significant networks, there are often limitations on the extent to which their adverse effects can practically be avoided, remedied, or mitigated. In addition, these adverse effects often manifest locally, whereas the benefits accrue to the wider community.*
		P5	Prevent inappropriate subdivision, use and development that may compromise the efficient, affordable, secure, and reliable operation and capacity of regionally significant infrastructure.		*The objectives and policies seek to provide for a balanced resource management approach that recognises the significance of these networks while ensuring that the adverse effects that they have on the environment are avoided, remedied, or mitigated to the greatest extent practicable.*
		P6	As far as practicable, the location of regionally significant infrastructure is identified on the Planning Maps.		
		P7	Adverse effects including reverse-sensitivity effects on the National Grid are avoided.		
8. Energy efficiency and renewable energy generation					
O1	Energy demand is met in a sustainable manner that: • Maximises the efficient use of energy; and: • Enables the operation, maintenance, upgrading, and development of renewable energy generation activities and associated electricity transmission.	P1	The national significance of renewable energy generation activities (including their contribution to the national renewable electricity generation target), and the national, regional, and local benefits of these activities are recognised.	• Works and Network Utilities, Section 8	*The objective and policies recognise the national significance of electricity transmission and renewable electricity in terms of reducing greenhouse gas emissions and providing clean, affordable energy. The provisions seek to ensure a balanced response whereby the operation, maintenance, upgrading and development of electricity transmission and renewable electricity generation activities are enabled, while managing*
		P2	Investigation into, operation, maintenance, upgrading, and development of new and existing renewable energy generation activities (including small and community		

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			scale renewable electricity generation) and their connections to the electricity transmission grid are enabled while managing: • Significant adverse effects on the environment and ensuring that any residual environmental effects which cannot be avoided remedied or mitigated can be offset or compensated to benefit the affected community or the region; and: • The potential for conflict with existing land uses/natural and physical resources.		*the associated adverse effects on the environment.*
		P3	The practical constraints associated with the operation, maintenance, upgrading, and development of renewable electricity generation activities and associated electricity transmission are recognised.		
		P4	Efficiency in the use of energy is encouraged as far as is practicable having regard to: • The energy requirements of urban form, subdivision patterns and site orientation; • The design, location and orientation of buildings; • Transport modes and patterns; • Use of energy saving technologies; and: • Waste recovery and re-use.		

Anticipated environmental results

1. Contiguous, orderly expansion of residential zoning. ~~onto the finite good quality soils.~~
2. A reduction in the number of complaints from the public concerning the adverse effects of activities.
3. The management of the District through the principles of partnership.

2.4 Sustainable management strategy

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
4. The establishment of industry within zones and the allowance on a case by case basis of extractive industries with minimal industrial development out of zone. 5. Significant natural and physical resources will not be unreasonably compromised by the introduction of new incompatible activities in the vicinity. 6. Land use and infrastructure are planned, and occur, in an integrated manner. 7. Land use change does not result in adverse effects on the functioning of infrastructure networks. 8. Planning decisions take into account the interdependence between land use and infrastructure. 9. Development and subdivision are serviced by infrastructure in a cost-effective manner. 10. Investment in existing and planned infrastructure networks is used efficiently. 11. The national, regional and local benefits of significant infrastructure networks are recognised and protected. 12. The operation, maintenance, upgrading and development of significant infrastructure networks are enabled while ensuring that the associated adverse effects on the environment are managed appropriately. 13. The adverse effects of other activities on infrastructure networks are avoided. 14. The national significance of electricity transmission and renewable electricity generation activities is recognised. 15. Investigation into, operation, maintenance, upgrading, and development of renewable electricity generation activities are enabled. 16. Practical constraints associated with the operation, maintenance, upgrading, and development of electricity transmission and renewable electricity generation activities are recognised.					

3 Environment

3.1 Natural environment and heritage

3.1.1 Significant resource management issues

- Outstanding natural features and resources in the District are threatened by activities that would modify, destroy or compromise their outstanding qualities. The District contains some nationally and regionally outstanding natural features which Council must ensure are protected from adverse effects. In the majority of cases areas such as the Kopuatai Peat Dome and the Kaimai-Mamaku Ranges are held as reserve or in public ownership. The challenge for the District Plan is to ensure protection by managing activities with adverse effects in and adjacent to these areas and to ensure protection of outstanding natural resources in private ownership. A land use issue is the use of land for farming, growing or running animals near outstanding natural features where the escape or release of the species could adversely affect the sustainable management of the features and their biodiversity.
- The intrinsic values of particularly sensitive ecosystems may be compromised through unlimited or uncontrolled public access to those ecosystems. The enthusiasm of the public to enjoy a significant feature can often lead to the feature deteriorating and losing its values. Wetlands, forests and waterways are important to the tangata whenua as traditional areas for kai (food supply), taonga rongoa (medicine) and taonga ruranga (weaving).
- There has been a significant loss of indigenous vegetation, habitats of indigenous fauna, and of indigenous species as a result of development. Most unprotected areas of indigenous vegetation or habitats are natural resources of the District which are losing abundance and diversity of native species.
- Development pressure can lead to the loss of many urban trees which have historical and visual significance. Trees on public reserves can be equally significant as those on private property and under equal pressure from development of public facilities. Urban trees significantly enhance the amenity of local areas, for instance Matamata's trees make an outstanding contribution to the appearance of the town. However mature trees are vulnerable to development decisions and the encouragement of urban consolidation may create additional pressure to remove existing trees.
- Inappropriate clearance of trees near waterways may adversely affect water and soil conservation. Such an activity is also likely to adversely affect the natural values of aquatic and riparian ecosystems by the direct removal of habitat or alteration of habitat, or the restriction of wildlife movement by damaging wildlife corridors. Stock grazing and clearance for pasture may threaten the viability of and make more vulnerable, native trees which are a noted landscape characteristic of the District.
- The loss of trees near waterways adversely affects water and soil conservation. Such an activity is also likely to adversely affect the natural values of aquatic and riparian ecosystems by the direct removal of habitat or alteration of habitat, or the restriction of wildlife movement by damaging wildlife corridors. Stock grazing and pasture clearance can threaten the viability of stands of native trees which are a noted landscape characteristic of the District.
- The loss of the District's heritage due to inappropriate development, use, neglect or destruction. Many heritage resources and values are sensitive to change. With redevelopment, buildings and places of historic importance can be lost or other special features destroyed. Archaeological sites are particularly vulnerable because they are often unrecorded and not easily identified. It is important that places and

buildings which contribute to the District's heritage resource be recorded and conserved or protected as they provide a special identity and unique sense of place.

- Most wetlands and many rivers and their margins have been adversely affected by inappropriate development and use. Natural character, natural processes and ecosystems have been modified. However, the Waihou and some tributaries provide significant habitat for trout and it is important that these are protected from inappropriate use and development.
- The ecological processes and indigenous biodiversity are being adversely affected by use, development and subdivision.

3.1.2 Natural environment and heritage

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. Landscape character					
O1	To retain and enhance the varied landscape qualities of the District.	P1	The scale, location and design of buildings, structures and activities in outstanding landscape types of the District should: • Preserve the elements which contribute to its natural character. • Not detract from the amenity values of the landscape.	• General Provisions, Section 1 • Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Natural Environment and Heritage, Section 10 • Surface of Water, Section 12 • Other Methods, Section 13	*RMA requires Council to recognise and provide for the protection of outstanding landscapes from inappropriate subdivision use or development [S6 (b)] as a matter of national importance.* *Council is aware of adverse visual effects caused by inappropriately located activities which intrude or dominate the landscape.* *It is also recognised that certain landscapes are particularly sensitive to change and others are more able to absorb change or development.* *Policy P1 recognises the intrinsic values of the significant landscape types of the District and is designed to minimise the effect of activities located in environmentally and visually sensitive areas.* *Council wishes to take a pro-active role in improving the general amenity of the District and the planting of trees is seen as an effective means of achieving this aim. Accordingly, Policies SP1 and SP2 advocate public tree planting programmes and encourage private landowners to assume responsibility for enhancing landscape features.* *Council recognises that to prevent the replanting of existing plantation forests in exotic species on visual grounds alone may render the land incapable of*
O2	To recognize the community desire to return areas in exotic vegetation in the Kaitiaki zone within the Kaimai Ranges to indigenous cover.	P2	Where a resource consent concerning exotic vegetation is required in the Kaitiaki zone, Council will consult with the community under the Local Government Act 2002 about the methods of achieving objectives 1 and 2 including the purchase of land in accordance with section 13.3.8.		
		SP1	Council will enhance the general landscape of the District by implementing a tree planting programme.		
		SP2	Council will encourage landowners to plant trees which reflect the native character of the ecological District.		

3.1.2 Natural environment and heritage

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
					reasonable use and may place an unfair and unreasonable burden on the landowner.
Anticipated environmental results 1. Visual amenity of significant landscape areas is unchanged or improved (typical performance measure: area of land disturbed by visually obtrusive activities or uses). 2. Increase in number of trees planted in the District by Council and private landowners.					
2. Natural environment					
O1	To protect and enhance the natural resources within the District that is valued for their intrinsic, scientific, educational and recreational values.	P1 P2 P3 P4 SP1	Recreational use of wetlands and bush and the surface of rivers and streams will be allowed where such use is consistent with the conservation objectives of that area. Council may exclude access to some areas of high ecological quality. To avoid, remedy or mitigate the adverse effects of activities that have the potential to compromise, damage or destroy significant areas of indigenous vegetation and habitats of indigenous fauna. Outstanding natural features, areas of indigenous vegetation or habitats of indigenous fauna are to be permanently protected at the time of subdivision, use and development. To maintain and enhance ecosystems with their essential values and qualities. Council will encourage landowners to permanently protect natural features, trees and vegetation provisions.	• General Provisions, Section 1 • Activity Table Section 2 • Development Controls, Section 3 • Activity Related Standards, Section 4 • Performance Standards, Section 5 • Subdivision , Section 6 • Development Contributions, Section 7 • Natural Environment and Heritage, Section 10 • Other Methods, Section 13	*Little of the natural environment remains unchanged by human occupation. Areas of the natural environment that exist require protection because of their scarcity or their value as representative examples of particular ecosystems and landscapes. Preservation of the natural character of the wetlands, rivers and their margins is a matter of national importance. The Kopuatai Peat Dome is the largest peat dome in the country and contains at least six threatened plants, the locally threatened North Island fernbird, a number of important fish species and has international significance as a waterfowl habitat wetland.* *Council acknowledges the Dome is part of our vanishing natural heritage. The Peat Dome is very vulnerable to change and parts of this wetland remain unprotected. The margins of the Dome are affected by land drainage practices, grazing, maize cropping and peat mining.* *Council considers it important that this*

3.1.2 Natural environment and heritage

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
		SP2	To encourage a "conservation" education programme in conjunction with other agencies for targeted groups such as farmers, schools, tangata whenua. This programme may be developed in consultation with these groups.		*wetland be protected and managed in a sustainable manner.* *Other smaller wetlands exist through the District and Council wishes to retain as many examples of the District's wetlands, for environmental and botanical reasons.* *RMA requires Council to have particular regard to the maintenance and enhancement of amenity values and the quality of the environment and the finite characteristics of natural and physical resources.* *Policies recognise that the natural environment is vulnerable to insensitive uses and development which may generate adverse effects. These policies give a higher level of protection to certain areas of the District in recognition of their regional, national and international significance and their vulnerability.* *Council recognises conflicting demands on the environment may result in natural features being damaged or destroyed. A regulatory approach is adopted to control activities as one method of ensuring their long term protection.* Policies SP1 and SP2 will, through the Strategic Plan, enable Council to use voluntary incentives and educational programmes to encourage public support and "ownership" of the need for protection. Information empowers landowners to
		SP3	Council may, where it considers necessary acquire land to protect threatened outstanding natural features.		
		SP4	Council will advocate and promote the voluntary protection of individual trees or stands of trees.		
		SP5	Council will advocate that the Regional Council investigate the hydrological dynamics of the Kopuatai Peat Dome with a view to reviewing catchment policies on drainage, water quality and erosion control where necessary.		
		SP6	Council will actively support the preparation of a management plan for the Kopuatai Peat Dome and land uses in the vicinity.		

3.1.2 Natural environment and heritage

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
					make informed decisions and results in a greater understanding of the need for protection of particular natural features or resources by the Community. Policy SP3 provides Council with the option, where the cost can be justified; of using public ownership it ensures permanent protection for outstanding natural features. Inappropriate subdivision, use or development can then be prohibited and the development of more sympathetic activities permitted, if these were sensitive to the character and intrinsic values of the District's outstanding natural features. A "partnership" in the wider community in protecting the tree resources of the District is sought by Council to encourage community acceptance and support for tree protection. A regulatory approach is considered essential to provide certain protection from the adverse effects of inappropriate subdivision, use or development. Through Policies SP5 and SP6 Council advocates further investigations into the natural functioning of wetland ecosystems. This approach will enable Council to make more informed decisions on activities near wetlands while enabling to consider the effectiveness of present policies and methods relating to wetlands. Under Policy SP6 the preparation of a

3.1.2 Natural environment and heritage

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
					management plan for the Kopuatai Peat Dome is strongly recommended by Council to ensure the long term sustainability of the wetland. Issues such as recreational use of the wetlands, drainage for agricultural purposes is a need to be debated in more detail in a forum such as a management plan process
Anticipated environmental results 1. Protection in perpetuity of outstanding natural features and resources. 2. Greater public awareness and support for protection of the natural environment. 3. To permanently protect significant examples of specimen trees and stands of native bush or trees (Typical performance measure: reduction in number of trees destroyed in the District). 4. Reduction in the risk of serious or irreparable damage being done to trees through lack of knowledge or undue haste. 5. To achieve permanent protection and sustainability of the Kopuatai Peat Dome and other important wetland areas.					
3. Heritage					
O1	To recognise, protect and enhance significant heritage resources which are valued as part of the District's heritage.	P1 P2 P3 P4 P5	Activities in the vicinity of significant heritage resources should be sensitive to their original form and features. Activities in the Victorian/Edwardian areas of Te Aroha should be managed in such a way as to ensure their distinctive heritage character is fostered and enhanced. Use or refurbishment of heritage resources will be encouraged provided it does not give rise to the damage or destruction of these resources or any of their valued features. Activities which adversely affect significant recorded archaeological sites and waahi tapu should be avoided, remedied or mitigated. To actively encourage Iwi to participate in the protection of all their heritage resources.	• General Provisions, Section 1 • Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Natural Environment and Heritage Section 10 • Other Methods, Section 13	*The recognition and protection of the heritage values of sites, buildings, places or areas is a particular matter which the RMA requires Council to have regard to (S7(e)).* *Objective O1 extends protection for important heritage resources which are not subject to a heritage covenant or Heritage Order. See Sections 187 – 197 RMA, thus ensuring protection of important regional and local resources.* *Policy 1 recognises that the integrity of heritage resources can be threatened by inappropriate development. Where heritage resources are located closely together in an area, it is not only the*

3.1.2 Natural environment and heritage

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
		P6	To facilitate greater public awareness and appreciation of heritage resources and the statutory protection afforded them and the limits of that statutory protection.		*buildings that warrant protection but also the spaces, structures and sites which surround them. In these situations steps must be undertaken to ensure activities and development within these areas do not detract from the unique character of particular heritage resources.* *Policy P2 recognises that parts of Te Aroha have a unique character which requires a broad unifying approach to control the use and management of public and privately owned properties to maintain and enhance the character to the whole area.* *Council believes the adoption of historic resources for new uses may encourage their conservation, provided controls to protect their inherent qualities and characteristics are implemented.* *Policy P4 seeks to avoid the accidental or deliberate damage to Maori heritage resources. Policy P5 seeks to encourage Iwi to manage the protection of highly sensitive sites which are not publicly recorded. Council recognises the need for greater Maori control over Maori heritage resources and will consider at any time Iwi initiatives to schedule sites and resources.* *Through Policy P6 Council wishes to encourage owners to protect and retain historic resources by providing opportunities to assist owners to restore,*
		SP1	To support initiatives which seek to encourage alternative means of protection, such as financial incentives or technical assistance.		
		SP2	To encourage the refurbishment or use of historic resources while ensuring that their valued features are not impaired or destroyed.		
		SP3	To consult with key agencies such as iwi, NZHPT to develop a tourism strategy which is sensitive to tangata whenua requirements and the integrity of historic resources.		
		SP4	Council may, where it considers it necessary, purchase important heritage resources. The primary responsibility and opportunities however rests with the owner or future owner(s).		
		SP5	To increase public awareness of the value of its historic resources through public education programmes and by setting a good example.		
		SP6	To develop a cultural heritage strategy to coordinate data collection and evaluation.		

3.1.2 Natural environment and heritage

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
					refurbish or retain historic resources.

Anticipated environmental results

1. Certainty in the protection of the significant historic resources of the District.
2. Owners of historic resources will retain and protect these resources for the appreciation of future generations (typical performance measure: reduction in the loss or degradation of historic resources).
3. Improved public awareness of the value of the District's historic resources (typical performance measure: greater public support for measures to protect historic resources).

3.2 Natural hazards

3.2.1 Significant issues of the District

- The District is subject to a wide range of natural hazards and there have been several significant natural events in recorded history which have caused loss of life, damage to property and environmental damage.
- Rainfall events that exceed the capacity of the drainage and flood control schemes have led to inundation. The District's agriculture is dependent on the continual maintenance of the Piako and Waihou River drainage/flood control schemes. Te Aroha Township is dependent on the flood control works on the tributaries of the Waihou River to reduce the effects of major flood events as occurred in 1985. On the plains future modifications may be necessary to flood control structures to mitigate the effect of rising sea levels. See also Natural Hazards: Section 11. There is a need to ensure that the public has access to information defining the location and extent of such facilities so that adverse effects can be avoided.
- A considerable amount of effort has been put into remedying flood hazard and in general, the flood protection schemes along major rivers within the District provide a high level of protection. However, stopbank breaches or overtopping still present a significant hazard in the rural areas.
- Hazards from slips, landslides and erosion are important concerns in the hill country of the District, particularly on the steep slopes of Mt Te Aroha and along the Kaimai Range. Erosion along stream and river margins also needs to be addressed. Peat soils have been identified due to the subsidence that occurs and the fire and flood risks associated with them.
- Forest fire is a natural phenomena with the potential hazard greatly exacerbated by human settlement patterns and activities. In particular, hazard would significantly increase if intensified development is permitted in forested hill country areas, particularly the Kaimai Range.
- Wind hazard is a particular problem in areas adjacent to the Kaimai Ranges and in known wind tunnelling areas. Wind zones can be identified, with building standards and locations controlled according to the predicted level of risk.
- Earthquake and volcanic hazards are known to affect the District, however, at present the understanding of the extent, severity or location of these risks is poor. Further work is warranted in this area to clarify the extent of risks. However, in the interim, it is possible to identify suspected higher risk areas along fault lines or on unconsolidated ground, where a precautionary approach to development is warranted.
- The District Plan implements rules to avoid or mitigate the effects of natural hazards in line with the Regional Policy statement.

3.2.2 Natural hazards

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. Flooding					
O1	To minimise the risks of flooding affecting people and property in the District.	P1	To ensure that all future development does not increase the flood risk for existing buildings and activities.	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Natural Hazards, Section 11 • Other Methods, Section 13	*The Resource Management Act obliges Council to address the cause and effects of flooding within the District and avoid, remedy or mitigate the hazards.* *Policy P1 seeks to minimise the cumulative effects of increased flood loads.* *Policies P2-P4 seek to avoid additional hazards by directing development away from known flood areas and providing pathways and ponding areas for flood waters which avoid potential personal and property damage.* *The "acceptable degree of protection from flooding" referred to in Policy P5 is that identified on the planning maps and the return periods are identified in the rules and the Development Manual.* Policy SP1 recognises that vegetation retention in catchment areas is a proven technique for reducing rural runoff. By providing practical incentives for bush retention, land practices which contribute to hazards can be avoided.
		P2	To avoid building development below a known risk factor of 1% annual return flood levels.		
		P3	To ensure new developments and subdivision take cognisance of overland flow paths in their design to avoid adverse effects.		
		P4	To utilise public open space as natural floodways and ponding areas where this does not adversely affect protected natural environments and heritage features.		
		P5	To provide an acceptable degree of protection to settlements and productive rural land from the adverse effects of flooding.		
		SP1	To provide incentives to promote replanting and bush retention in catchment headwaters.		

Anticipated environmental results

1. Negligible additional runoff from new development (typical performance measure: runoff calculations pre and post development should be similar).
2. Concentration of building development above a 1% flood level risk (typical performance measure: building permits check).
3. Establishment of identified flooding and ponding areas within public open space.
4. Increase in extent of catchment headwater vegetation cover.
5. Negligible net increase in stormwater loads generated by development in flood prone areas.
6. Protection of land and assets from floods and poor drainage.

3.2.2 Natural hazards

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
2. Fire hazard					
O1	To minimise fire hazard for people and property in the District.	P1 ~~SP1~~	To avoid new dwellings being erected in high risk bush and forest areas of the District. ~~To ensure that rural fire and emergency services are adequately resourced.~~	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Natural Hazards, Section 11 • Other Methods, Section 13	*The Resource Management Act obliges Council to address the cause and effects of natural hazards and avoid, remedy or mitigate the hazards.* *Forest fire is a natural phenomena with the degree of hazard being significantly increased by human activities. Objective O1 and ~~Policies~~ Policy P1 ~~and SP1~~ seek to avoid exacerbation of the natural hazard by directing development elsewhere and imposing public access restrictions as necessary. The policies also recognise that forest fire would have significant negative multiplier effects in terms of increased runoff, erosion and flooding hazard.*
3. Wind hazard					
O1	To minimise wind hazards for people and property in the District.	P1 P2	To avoid new dwellings being erected in known, specific design wind risk areas such as exposed ridges or sites subject to known wind tunnelling effects. To manage activities so as to avoid increasing wind erosion or hazard.	• Other Methods, Section 13	*Objective O1 and Policies P1 and P2 recognise that some parts of the District are subject to particular wind hazard created by topographical features or particular weather phenomena. The prudent response for avoiding wind hazard is to avoid development in high risk areas and control building standards as necessary elsewhere.*

Anticipated environmental results

1. Concentration of building development away from high fire and wind hazard areas such as bush tracts, forested hill country and exposed ridges.
2. No increase in the net cost of damage to persons and property through incidence of forest fire or severe wind events.
3. No new habitable development in known high flood, wind, forest fire or land stability risk areas where mitigation cannot be readily or economically achieved.

3.2.2 Natural hazards

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
4. Land movement					
O1	To minimise hazards for people and property caused by erosion, slipping, slumping and land instability.	P1 P2 SP1 SP2	To ensure that future development does not aggravate instability or erosion problems. To avoid development in areas subject to high risk of land movement. To encourage WRC to provide incentives for bush retention and replanting of steep land and alongside erosion prone stream and river margins. To encourage the retirement of high risk land to regeneration by covenant protection, public purchase and subdivision where feasible.	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Natural Hazards, Section 11 • Other Methods, Section 13	*The Resource Management Act obliges Council to address the cause and effects of land movement hazard within the District and avoid, remedy or mitigate the hazard.* *The objectives and policies recognise that a variety of land movement hazards exist within the District.* *The most effective management technique available is to avoid development in high risk areas completely. High risk areas can be effectively replanted or allowed to revert to bush with additional amenity and environmental benefits.* *Where avoidance is not possible or practicable, specific geotechnical investigations are warranted in suspected risk areas.*
Anticipated environmental results 1. Concentration of building development away from high land movement hazard areas such as steep exposed land, soft sediments and along eroding waterway margins. 2. No increase in the nett cost of damage to persons and property through incidence of land movement. 3. Increase in extent of bush regeneration and planting on erosion prone land. 4. Increased awareness of the extent of earthquake and volcanic hazard affecting the District.					
5. Earthquake hazard					
O1	To minimise the risks of earthquakes affecting people and property in the District as far as practicable.	P1 ~~SP1~~	To take a precautionary approach to development in suspected risk areas until further information on the extent and nature of earthquake risk becomes available. ~~To support initiatives aimed at designing and establishing public works and infrastructure which is more earthquake resistant.~~	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Natural Hazards, Section 11	*Parts of the District are expected to be subject to particular earthquake risks. Volcanic hazards from several parts of the central North Island also need to be considered. These are natural phenomena and research is not sufficiently advanced to permit detailed land use*

3.2.2 Natural hazards

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
		~~SP2~~	~~To support initiatives for improved earthquake prediction and monitoring at District, regional and national levels.~~	• Other Methods, Section 13	*management and planning controls to be implemented to mitigate against the risk of an earthquake or volcanic event. In any case it will never be possible to completely avoid the effects of a major event. Accordingly it is appropriate that Council adopts a precautionary approach to development in suspected risk areas near fault lines or on unconsolidated ground until further work to quantify the extent of hazard is completed.* ~~*Council should also support the various agency initiatives taking place to gain a better understanding of the hazard in this regard.*~~

Anticipated environmental results

1. Increased awareness of the extent of earthquake and volcanic hazard affecting the District.

3.3 Land and development

3.3.1 Significant resource management issues

- Water quality degradation (particularly in the middle reaches of the Piako and Waitoa Rivers as analysed by the WRC) is a result of some of the community's current and historic land use activities which are compromising the sustainable management of the resource.
- In conjunction with the Regional Council it is essential to analyse the degree and nature of unsustainable agricultural practices within the District and to then determine the appropriate actions that both Councils should take within the District Plan and by other mechanisms.

  Lack of rehabilitation of land following mining and extraction is a community concern. The Tui Mine Tailings near Te Aroha which are currently being remediated are a regrettable example of a lack of a restorative plan and the abandonment of a site with contaminated hazardous substances.
- There is an ever increasing number of hazardous substances used both domestically and in the commercial and industrial sectors. Land uses and land use practices are to be promoted to avoid, remedy or mitigate adverse effects of the use of hazardous substances, and manage risks to human safety in the environment, while enabling maximum net benefit to the District to be achieved.
- In the rural working environment, rural activities have the potential to be adversely affected by rural-residential living in that conflict between activities is likely to occur due to incompatibilities between uses. Examples of these include cropping and harvesting, and intensive farming activities. The adverse effects from these activities may conflict with the expectations of those who have gone to the country for a quiet rural lifestyle which may inhibit legitimate rural activities. Rural land use activities now and in the future may be inhibited due to their requiring large areas of land, including buffer space for independent production. The reverse can also be said in that the adverse effects from rural activities are likely to affect rural-residential lifestyles.

3.3.2 Land and development

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. Sustainable activities					
O1	To maintain and enhance the District's land resource to enable activities that do not threaten the life supporting capacity of the soil and consequently water and ecosystems.	P1 P2 P3 ~~SP1~~ ~~SP2~~	To maintain and enhance the soil cover and soil values including: water holding capacity, soil structure and organic components necessary to support a diversity of vegetation. To avoid, remedy or mitigate any adverse effects on the intrinsic values of the land from the disposal of solid and liquid wastes and or stormwater. To avoid, remedy or mitigate the adverse effects of land use practices on the land resource in a way that avoids any potential for soil erosion and sedimentation of waterways. ~~To liaise with the WRC, interest groups, representative organisations and land users in the provision of information to the public on sustainable rural production in the District including the promotion of Landcare Plans.~~ ~~To request of the WRC comprehensive research and monitoring of the District's rivers, erosion and flooding patterns, conservation planting, soil values and drainage schemes and their relationship to current and anticipated rural activities and changing climatic conditions.~~	• Activity Table, Section 2 • Development Controls, Section 3 • Performance Standards, Section 5 • Other Methods Section 13	*The District Plan's goal is to sustain the land resource for the community's social and economic well being and that of future generations as per Section 5 of the Act. This will also have positive effects on the District's water resource. In the short term Council can be supportive of the Regional Council's research and monitoring programme and promote the inclusion in that programme of work that is specifically relevant to the District's land resource.* *Council's policy on conservation planting and Landcare Plans is intended to be supportive of the Regional Council's policy and research concerning the management of land particularly accelerated erosion and its affect on water quality.* *Sustainable primary production is likely to maintain and enhance the quality of life, the concept of Kaitiakitanga, cultural values of land form and vegetation.* *Policy 2 aims to manage waste disposal to avoid the generation of contaminant discharges.* *Significant adverse effects can result from earthworks particularly that associated with mining and quarrying. Restoration Management Plans will be required to ensure that the environment is rehabilitated to a useable form free from contamination or hazards for future*

3.3.2 Land and development

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
					generations. *Rehabilitation attempts to ensure contaminated products or hazardous substances are dealt with at that time when full knowledge of the situation is available rather than decades later.*
O2 O3	To manage all activities in a manner that maintains and enhances the District's high quality soils and to ensure that the productive capability of rural land is not compromised. To safeguard the life-supporting capacity of the District's high quality soils by preventing inappropriate further fragmentation of rural land titles.	P1 P2 P3 P4	Subdivision, use or development must minimise the coverage of good quality soils. To limit fragmentation of rural land by limiting opportunities for residential or rural-residential subdivision in the Rural zone to conserve the land for the use of future generations. To avoid, remedy or mitigate the effects of development through the consideration of the natural and physical resources including roading, drainage, conservation, any hazards, and effects incompatible with other activities. To ensure that the productive potential of high quality soils in the Rural zone is retained by promoting large lot sizes that provide for a range of productive rural uses.	• Activity Table, Section 2 • Subdivision Section 6 • Other Methods Section 13	*The policy ensures that a landform be created that is in character and is appropriate for the location in which it is located.* *The specific elements listed should enable a range of vegetation to grow and avoids derelict land and the potential for land to be left untreated.* *Land should not be left open to the elements such as intensive rain or wind which generates erosion. Restoration should be done on a rotational basis as each land area is worked.* *Sections 5-7 of the Act refer to the life supporting capacity nature of land and the need to enable efficient use and development of the land resource.* *Objective 2 recognises the need to conserve the rural land resource while Objective 3 and Policy 4 specifically address the protection of high quality soils which is of particular importance to the Matamata-Piako District.* *The broader plan provisions provide housing opportunities for future generations including the needs of Maori people. Hapu with good quality lands are not to lose the opportunity for papakainga housing entirely. There is recognition of the desirability by some sectors*

3.3.2 Land and development

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
					of the community to live in rural areas. *Good management of the housing opportunities will avoid, remedy or mitigate potential land loss, waste disposal, and access issues.*
Anticipated environmental results 1. An acceptance of, and willing participation in, an iwi management plan process and the provision of tangata whenua housing areas judged by the consultation partnership with Council. 2. A reduction in the number of building permits granted for dwellings on the high quality soils areas where there is no connection with an agricultural operation. 3. A progressive increase in the amount of conservation planting, better management of riparian areas the connection of ecosystems and implementation of Landcare Plans over the ten year planning programme. 4. A reduction on the number of contamination incidents caused by indiscriminate and poorly managed waste disposal. 5. To ensure early and immediate restoration programmes. 6. The avoidance of sedimentation/erosion particularly in the Hinuera Sand Formations. 7. To ensure land is rehabilitated to useable nature and natural landform character.					
2. Hazardous substances					
O1	To avoid, remedy or mitigate the potential for adverse effects on the environment that may result from the use, storage, disposal and transportation of hazardous substances.	P1	Hazardous wastes should be disposed of to authorised disposal sites with appropriate management systems in place.	• General Provisions, Section 1 • Activity Table, Section 2 • Development Controls, Section 3 • Activity Related Standards, Section 4 • Performance Standards, Section 5 • Subdivision, Section 6 • Transportation, Section 9 • Other Methods, Section 13	*The District Plan hazardous substances objectives, policies and rules reflect the Regional Council's policy which aims for consistent comprehensive management.* *The policy ensures that Council is aware of what, where and how hazardous substances are currently used in the District. Council can facilitate preventative and emergency measures by ensuring such information is made available to the NZ Fire Service and Civil Defence.* *Knowledge of hazardous substances in the District will rationalise Council's future management strategy in the District Plan.* *The risks associated with the use of hazardous substances should be clear at the outset to ensure a fair assessment to be given and*
O2	To ensure that contaminated sites in the District are managed and/or redeveloped in a manner which avoids, remedies or mitigates any adverse environmental effects.	P2	The risks associated with the use, storage, disposal and transportation of hazardous substances or contaminated sites must be comprehensively documented to enable Council and the public to manage potential adverse effects.		

3.3.2 Land and development

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
					appropriate on-site management measures put in place.

Anticipated environmental results

1. Minimal adverse effects from hazardous substances.

3.4 Subdivision

3.4.1 Significant Resource Management Issues

- Council will continue to ensure that land titles are capable of being utilised for their intended purpose with particular attention to the provision of a stable useable building platform. Sustainable land management includes ensuring that all land titles are capable of accommodating activities consistent with those anticipated by the zone which do not have adverse effects on the environment which cannot be avoided, remedied or mitigated.
- The amenity values of the District's principal waterways are affected by development that restricts public access to those waterways.
- Subdivision and consequential development can threaten and/or degrade significant indigenous vegetation and habitats including waterbodies, archaeological, waahi tapu (sacred sites) or heritage sites.
- Unsustainable and inefficient movement systems created by ad hoc subdivision within urban areas.
- A lack of urban design in our towns can result in poor quality and lead to unsuccessful towns. Through Council signing the New Zealand Urban Design Protocol and applying the National Guidelines for Crime Prevention Through Environmental Design the design of buildings, places, spaces and networks that make our towns work for all, both now and in the future, is achievable.

3.4.2 Subdivision

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. Subdivision					
O1	To ensure that land subdivision results in allotments that are suitable for activities anticipated by the zone and that existing activities and resources in the vicinity of the site are not unreasonably compromised.	P1	To ensure that each allotment has suitable natural and physical characteristics including infrastructure services for the activities anticipated by the zoning or resource consent.	• Subdivision, Section 6 • Development Contributions, Section 7 • Works and Network Utilities, Section 8 • Transportation, Section 9 • Other Methods, Section 13	*Subdivision is a legal definition of ownership. Ownership of a title may provide the ability to operate an activity. Sustainable management includes the creation of titles that are usable. Usable must include the provision of a safe building platform, effective sewerage disposal and site access. Consideration will also be given to future activities such as urban growth or wetland restoration, people and associated amenity values, natural and physical resources and the constraints of natural hazards. Council's servicing strategy and contributions policy must not be compromised by ad hoc servicing requests. The form of subdivision can affect the manner in which land is used. The allied objectives and policies of the Plan must not be compromised particularly those associated with integration of land use and infrastructure, significant infrastructure networks, natural hazards, transportation and amenity values. The Plan specifically aims to maintain the productive potential and use of the land. Subdivision that compromises this should be discouraged. It is acknowledged that a range of activities not dependent on soils*
		P2	To provide for limited rural lifestyle subdivision in the rural environment that does not reduce or restrict the ability of the rural land resource to be used primarily for rural production activities.		
		P3	To provide for the amalgamation of land parcels and adjustments of boundaries where this would encourage primary production to occur.		
		P4	To avoid subdivision around legally established activities in the rural environment that can lead to reverse sensitivity effects.		
		P5	To provide for boundary relocations where they result in more efficient and effective rural lots and uses.		
O2	To maintain and enhance, where appropriate, public access to and along the District's principal waterways.	P6	To improve through subdivision, use and development of the public's access to, and enjoyment of, the District's waterways and the environmental quality of riparian margins and waterways.		
O3	To ensure that subdivision does not	P7	To avoid, remedy or mitigate the adverse		

3.4.2 Subdivision

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
	compromise the sustainable management of significant sites and features.		effects of subdivision and consequential development on the environment.		*may need to be located in this environment, including such activities as papakainga, intensive farming operations and equine facilities.* *The Council is a signatory to the Urban Design Protocol and the consideration of the key principles of the Urban Design Protocol and the National Guidelines for Crime Prevention Through Environmental Design will contribute to the enhancement of the community through good quality urban design.*
O4	Subdivision of land in a manner that does not adversely affect the function or capacity of transportation networks within the District, including the avoidance, remediation, or mitigation of potential reverse-sensitivity effects.		See Section 2.4.6 – (Integrating land use and infrastructure and 2.4.7 (Regionally significant infrastructure).		
O5	To ensure that our towns are developed to enhance our communities through recognising good quality urban design.	P8	To avoid, remedy or mitigate any potential adverse effects of subdivision as a result of a lack of urban design through the New Zealand Urban Design Protocol and through the National Guidelines for Crime Prevention Through Environmental Design.		
O6	To achieve subdivision in Precinct F, Matamata that provides a high standard of amenity, walkability, safety and convenience, provides a range of densities and contributes to the creation of a positive sense of place and identity reflecting the 'garden city' character of Matamata.	P9	To ensure that subdivision within Precinct F Matamata: (i) contributes to the implementation of the structure plan and provides a high quality of amenity and urban design. (ii) provides an integrated and connected road, walkway and reserve network including establishing a collector road between Station Road and Hinuera Road / Firth Street, while ensuring that safety at the Hinuera / State Highway 27 intersection is not adversely ~~effected~~ affected. (iii) establishes the pedestrian walkway on the boundary of the Precinct and the Rural Zone as a landscape buffer and	• Structure Plan – Appendix 9.2 • Subdivision, Section 6 • Design Assessment Criteria, Section 1	*The Matamata Precinct F Structure Plan envisages that growth in the residential population in the south-west of the town will be guided by the following general principles:* *(i) That growth of the town within the precinct should be contained within legible boundaries.* *(ii) That the precinct should provide a mix of residential densities and housing types, recreational opportunities and neighbourhood convenience activities to support a sustainable neighbourhood.* *(iii) That the precinct should develop in an integrated manner, particularly with*

3.4.2 Subdivision

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			pedestrian and cycle trail between Station Road and Hinuera Road / Firth Street. (iv) provides a range of lot sizes and urban densities, with lower density subdivisions adjoining the rural area. (v) is accompanied by the provision of appropriate infrastructure and utilises low impact stormwater management techniques to service the needs of an urban area. (vi) maintains long-term opportunities for the development of the neighbourhood nodes.		*respect to the road network to support a walkable and connected neighbourhood that integrates with Matamata while not adversely affecting the safety of traffic accessing State Highway 27.* *(Refer also to Appendix 9.2)*

Anticipated environmental results

1. All land titles are to be useable now and for future generations.
2. Land titles must not compromise the achievement of the Plan's Objectives and Policies.
3. Improved environmental quality and public access along the District's principal waterways.

3.5 Amenity

3.5.1 Significant resource management issues

- The District's residents place a high value on their residential privacy and consider that generous access to daylight, sunlight and private open space must be maintained, especially in urban areas.
- The District's residents also desire healthy and safe working, living and recreational environments.
- The amenity and heritage values of Te Aroha and Matamata could be adversely affected by unsuitable development. It is acknowledged that the special amenity and heritage characteristics would be likely to be lost by rapid change to the physical fabric and the past stability of the built environment is a significant part of its amenity.
- Amenity in rural areas has a different character to that of urban areas, in that people commonly both live and work on the land. This may be compromised by rural activities which generate noise, odour, dust and other effects. In general there is a higher degree of acceptance of the effects of legitimate farming. People living in rural areas value the amenity characteristics of privacy, open space, low ambient noise and clean air. In urban areas and in rural areas near large scale rural industry there is an expectation that significant adverse effects on amenity values should be avoided, remedied or mitigated; and in some cases this will justify separation where this cannot be reasonably achieved.
- The District's residents and Council are concerned about the ongoing adverse impacts of signage and advertising on the visual amenity and traffic safety of the environment.

3.5.2 Amenity

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. Development standards					
O1	To maintain and enhance a high standard of amenity in the built environment without constraining development innovation and building variety.	P1	To ensure that development in residential and rural areas achieves adequate levels of daylight admission, privacy and open space for development sites and adjacent properties.	• Development Controls, Section 3 • Other Methods, Section 13	*The maintenance and enhancement of amenity values is a particular matter which the RMA requires Council to have regard to [S7 (a)].* *Objectives O1 and O2 recognise that people's perceptions of amenity standards are highly dependent upon the standard of development which occurs and in particular the need to maintain and improve levels of privacy, open space and access to daylight and sunlight.* *Council is concerned that traditional building controls may have stifled building innovation and variety and may not have achieved desired outcomes as successfully as alternative management techniques.* *Accordingly Policies P1-P5 reflect the findings of extensive consultation and an evaluation of a range of possible management techniques which indicated that the adoption of performance standards is desirable provided that flexibility to achieve compliance via a range of innovative design techniques is maintained. The policies also reflect the need to formulate standards which reflect the particular uses and character of different parts of the District.*
O2	To minimise the adverse effects created by building scale or dominance, shading, building location and site layout.	P2	To minimise the effects created by building scale, overshadowing, and building bulk in business, industrial and recreational areas.		
		P3	To maintain the open space character of residential and rural areas by ensuring that development is compatible in scale to surrounding activities and structures.		
		P4	To recognise that the low density urban form in the District's towns contributes to the amenity and character of the area.		
		P5	To provide for development within the District in a manner that encourages flexibility and innovation in design and variety in the built form while achieving the anticipated environmental results.		
Anticipated environmental results 1. Improved public perception of general amenity in the built environment, particularly urban areas (typical performance measure: reduction in number of submissions lodged (and complaints					

3.5.2 Amenity

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
related to) development proposals – see also Section 14: Monitoring). 2. Evolution of a more interesting and varied urban form (typical performance measure: extent to which development applications comply with and exceed minimum standards – see also Section 14: Monitoring).					
2. Design, appearance and character					
O1   O2   O3

3.5.2 Amenity

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
		P9	character. Subdivision, use and development that is not primarily related to productive rural activities or requiring a rural location shall occur predominately in urban areas.		*mechanism available for meeting the environmental objectives in comprehensive residential developments. Subdivision should result in the rural landscape, character and amenity values being maintained and the avoidance of inappropriate subdivision design. Development should avoid the placement of lots near ridgelines and on prominent hillside faces. A variety of lot sizes may avoid uniformity and the spacing of building sites should be consistent with current rural character.* *Clustering of lots may be appropriate in specific circumstances where it can be demonstrated that a more appropriate form of rural amenity and design is achieved, cumulative effects are avoided and appropriate mitigation is provided.*
Anticipated environmental results 1. Maintenance and enhancement of building, site and visual appearance in rural, residential and business areas. 2. Establishment of increasing number of innovative and comprehensive residential development with generous amenity provision. 3. Retention of the special heritage character of Te Aroha, the "garden city" character of Matamata and introduction of the Mainstreet concept in Morrinsville.					
3. Nuisance effects					
O1	To ensure that residences are free from the effects of unreasonable and excessive noise, odour, dust, glare and vibration.	P1	To protect residential and rural amenity by the use of performance standards for noise, glare, odour, particulates and vibration control which generally ensure that generated effects do not exceed background or ambient levels.	• Activity Table, Section 2 • Development Controls, Section 3 • Activity Related Standards, Section 4 • Performance Standards Section 5 • Other Methods, Section 13	*Residential amenity can be seriously impacted upon by nuisance effects of odour, noise, dust, glare and vibration. In general residents have a right to live in an environment free from nuisance. Objective O1 and Policy P1 recognise the higher amenity values necessary about*

3.5.2 Amenity

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
O2	To provide healthy and safe working, living and recreational environments by avoiding and mitigating the effect of excessive noise, vibration, odour and dust.	P2	To ensure that activities in business, rural, industrial and recreational areas avoid, remedy or mitigate generated effects to maintain and enhance a healthy, safe and pleasant environment and take all reasonable steps to internalise any nuisance effects.		*residences.* *In rural, working and recreational environments, minor odour, noise, dust, glare and vibration effects can normally be accepted provided that a healthy and safe environment is maintained. The objectives and policies recognise that legitimate farming activities in particular can create minor nuisance effects and a degree of acceptance is warranted. However issues associated with agricultural spray application and drift require particular attention. Objective O6 and Policy P4 recognise the potential for adverse effects from traffic noise and disturbance. While traffic noise abatement will be necessary along major arterial routes, in general it is desirable to promote and encourage increased usage of alternative transport modes.*
O3	To recognise the existing character of rural areas and acknowledge that some adverse effects will arise from rural activities that may require management.	P3	To reinforce existing mitigation measures, and to encourage those who generate the nuisance effect to maintain and enhance those measures, including separation between industry, public or designated works or intensive farming operations and Residential zones and the notional boundaries about rural residences.		
O4	To ensure that lawfully established activities which generate minor nuisance effects are not unreasonably compromised by the proximity or action of neighbouring land-users or non-rural activities.	P4	To avoid, remedy or mitigate significant adverse noise, odour, dust, glare and vibration effects generated by rural activities and other activities in rural areas.		
O5	To ensure that the effects of chemical and effluent spray application and spray drift are avoided, remedied or mitigated.	P5	To maintain rural amenity while acknowledging that lawfully established activities in the rural area may generate effects such as odour, noise, dust and vibration which are generally not anticipated in urban areas.		
O6	To ensure that subdivision and land use activities are located and sited in a manner that recognises existing and planned ~~transport~~ infrastructure networks and avoids, remedies, or mitigates any potential reverse-sensitivity effects on those infrastructure networks.	P6	To ensure that appropriate buffers and other mitigation measures are established between incompatible activities and zones.		
		P7	To avoid, the establishment of high polluting industries in the District.		
		~~SP1~~	~~To support initiatives aimed at reducing the use of toxic agricultural chemicals and sprays.~~		

Anticipated environmental results 1. Reduced incidence of nuisance affecting residential, business and recreational areas (typical performance measure: reduction in number of complaints lodged with Council – see also Section14: Monitoring). 2. Longer term improvements in environmental health and safety due to reduced rural nuisance and improved management of agricultural spray usage and application.					
4. Signage					
O1 O2	To minimise the adverse effects of signage on the character of rural, residential, industrial and business areas. To ensure that signs and business advertising do not compromise visual amenity and traffic safety.	P1 P2 P3 P4 P5	To restrict the number and size of signs in rural, residential, industrial and business areas to avoid cluttering of the landscape. To avoid the visual impact and traffic safety impacts of general advertising by adoption of a site dependency criteria for all signage for rural, residential and business areas. To utilise design guidelines to ensure that signage is sympathetic to other building forms in special character areas. To avoid the adverse effects of advertising in the air space over and above land activities. To ensure that traffic safety is maintained by carefully managing the location and design of any signs visible from arterial and principal roadways.	• Development Controls, Section 3 • Works and Network Utilities, Section 8 • Transportation, Section 9	*Objectives O1 and O2 recognise that signage and advertising can detrimentally impact upon perceived amenity standards, particularly in rural and residential areas. The contribution made by signs to the vitality and viability of a street frontage in Business zones, the need for signage appropriate to the amenity of the area and to the activity, and the functions served by such signs is recognised.* *Policies P1 and P2 are designed to restrict signage to those that are clearly ancillary to on-site activity.* *Policy P3 recognises that in some special character areas (e.g. main street Te Aroha) additional signage controls are necessary to protect particular amenity features.* *Policy P4 identifies the need to mitigate against new forms of air space advertising such as blimps and balloons, while Policy P5 seeks to maintain traffic safety along arterial roadways by carefully monitoring signage visible from roads.*
Anticipated environmental results 1. Minimal adverse visual amenity and traffic safety effects from signs and advertising (typical performance measures: reduction in number of complaints related to size and location of signs. Reduction in number of arterial road accidents which can be attributed to advertising or signage distractions – see also Section14: Monitoring).					

3.6 Surface of water

3.6.1 Significant resource management issues

- The three main rivers in the District, the Piako, Waihou and Waitoa, have all been modified to some extent as a result of farming, settlement, drainage, stopbanking and other activities. However some streams and creeks in the Kaimai-Mamaku Ranges and the Te Tapui Scenic Reserve are in a relatively natural state. The Waihou and its tributary streams provide trout habitat. The tributaries are important for providing spawning habitat for both brown and rainbow trout.
- Council wishes to avoid the progressive degradation of the quality of the District's waterways from inappropriate use and development on the surface of water and on adjacent land. A wide range of activities are undertaken on the District's waterways and in general, the majority of activities have little or no adverse effect. However individually or cumulatively, there is the potential for activities to adversely affect the environment and the public use of water resources.
- Activities that occur on the surface of water can have an adverse effect on the adjoining land. In particular noise from motorised boating can affect the enjoyment of land activities, particularly in the vicinity of esplanade reserves and walkways, and residences. Wash from boats can result in scouring and habitat disturbance or destruction. The action of boats can adversely impact on trout habitat. Structures over the surface of the water can also have an impact on the visual amenity and aesthetics of a water body. The visual appearance of the District waterways can be adversely affected by oil and grease films, scums and foams and by changes in colour and visual clarity on the surface of the water. There is also the potential for conflict to arise in respect of access, safety and general enjoyment of the water, where multiple use is made of an area, e.g. power boating and fishing. These activities and structures need to be managed to ensure that the effects are acceptable. It is acknowledged that the WRC has a role with regard to structures in, over or on the beds of rivers.

3.6.2 Surface of water

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
O1	To ensure that activities carried out on the surface of water and structures occupying the water surface do not adversely affect the quality and amenity values of the water environment or that of adjacent land.	P1 P2 P3	To ensure that nuisance effects of surface water activities, particularly noise and wash do not adversely affect the amenity enjoyed by people using the river and on the amenities of adjoining land. To ensure that activities and structures on the surface water do not adversely affect the integrity, functioning and resilience of ecosystems within and adjacent to the water environment. To maintain safe and navigable waterways by avoiding conflicts between incompatible surface water activities.	• Activity Related Standards, Section 4 • Performance Standards, Section 5 • Works and Network Utilities, Section 8 • Surface of Water, Section 12 • Other Methods, Section 13	*The District is crossed by a number of significant waterways, particularly the Waihou, Waitoa and Piako Rivers which are capable of being utilised for a range of surface water activities involving river transport and recreational boating. Council recognises that these are legitimate activities but seeks to minimise the potential adverse effects created by surface water activities. If the natural and ecological qualities of these waterways are to be enhanced, then the effects of activities need to be recognised and controlled. The effects of structures also need to be controlled, so that the natural values and public access to these water ways are not compromised.*

Anticipated environmental results

1. Maintenance and enhancement of environmental quality along waterways and margins (typical performance measure: improved water quality, habitat quality and diversity).
2. Improved public perception of general amenity on and in the vicinity of waterways (typical performance measure: reduction in number of complaints to Council regarding surface water activities).
3. Maintenance and enhancement of the recreational and conservation values of waterways and access along them.

3.7 Works and network utilities

3.7.1 Significant resource management issues

- ~~Rainfall events that exceed the capacity of the drainage and flood control schemes have led to inundation. The District's agriculture is dependent on the continual maintenance of the Piako and Waihou River drainage/flood control schemes. Te Aroha township is dependent on the flood control works on the tributaries of the Waihou River to reduce the effects of major flood events as occurred in 1985. On the plains future modifications may be necessary to flood control structures to mitigate the effect of rising sea levels. See also Natural Hazards: Section 11. There is a need to ensure that the public has access to information defining the location and extent of such facilities so that adverse effects can be avoided.~~

- ~~Works and network utilities may have adverse effects. However the community often accepts this because the service is required for the effective functioning of our society. Adverse social, economic and environmental effects would result if works and infrastructure services were not provided whilst avoiding, remedying, or mitigating adverse effects on the environment. It is acknowledged that works and infrastructure can be developed by requiring authorities, private companies and in some cases individual groups or persons.~~

- The District's works and utility networks not only comprise the regionally significant networks discussed in Section 2.3.7, but also include the district road network, the urban water, wastewater, and stormwater systems, as well as the electricity distribution lines and telecommunication facilities that serve our local community. These works and network utilities are the essential infrastructure that supports the functioning of the local community, comprising public, Council, quasi-public and/or privately owned infrastructure, collectively referred to as "community infrastructure" (as opposed to regionally significant infrastructure that serves a wider catchment).

- These local infrastructure networks are essential to avoid adverse social, economic, and environmental effects and to ensure the health and safety of our community. For instance, access to reticulated potable water is essential for our urban community as is the ability to dispose of wastewater and stormwater. Yet, the maintenance, upgrading and development of these networks can often result in adverse environmental effects themselves. For instance, the installation of reticulated water, wastewater, and stormwater systems requires earthworks that can have short-term adverse effects. However the community often accepts these adverse effects, because public works and network utilities are required for the effective functioning of our society. In fact, greater adverse social, economic and environmental effects would result if these works and network utilities were not provided.

- Because of the contradiction that exists between the adverse effects of not providing public works and network utilities, and the adverse effects associated with the provision of those facilities themselves, the District Plan must balance:

    - The need to enable the provision of works and network utilities; and

    - The need to ensure that the adverse effects of the provision of these facilities are avoided, remedied, or mitigated.

- In addition, the District Plan needs to ensure that our works and network utilities are protected from incompatible land use and reverse-sensitivity effects. For instance, land use incompatibility and reverse-sensitivity effects can occur if we allow sensitive uses such as dwellings to locate near our wastewater treatment ponds

thus creating the potential for nearby residents to complain about the odour effects generated by the ponds.

- With growing demands on our natural resources such as the use of more land for urban expansion, increasing water consumption, discharge of more effluent, and a growing demand for electricity and transport, it is becoming increasingly difficult to sustain healthy environments. Therefore, our District Plan must ensure that works and network utilities are provided in a sustainable, environmentally sensitive, and appropriate manner. This includes making provision for small and community scale renewable electricity generation as a means to promote “clean” energy and to support a reduction in green-house gas emissions from conventional electricity generation, in accordance with the renewable electricity objectives and policies in Section 2.4.8 of the District Plan. Our District Plan should also provide for other sustainable design technologies such as on-site stormwater detention and rainwater harvesting which reduce the need for reticulation of drinking water and disposal of stormwater.
- There is an increasing awareness of the close correlation between land use and infrastructure, and the need to anticipate the demand on infrastructure that new development will generate. Planning decisions must ensure that land use and infrastructure are well integrated and that existing investment in infrastructure is used efficiently. Therefore, the provision of works and network utilities must also meet the integration objectives and policies set out in Section 2.4.6 of the District Plan. In addition, the Matamata-Piako District Growth Strategy 2009 sets out the long-term vision and growth management direction for the District. The Strategy along with any future regional or sub-regional growth management initiatives are supported as valuable techniques to promote the integration of land use and infrastructure and to ensure a strategic long-term approach to development.
- In addition to the integration of land-use with infrastructure, the remaining issue that the District Plan must address, in so far as community infrastructure is concerned, is the efficient provision of works and network utilities. It is essential for the wellbeing of our Community and their health and safety that efficient provision of works and utilities is enabled and the networks are protected, while ensuring that the adverse effects associated with the provision of these facilities are avoided, remedied, or mitigated to the greatest extent possible.

3.7.2 Works and network utilities

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. ~~Provision and benefits~~ Community infrastructure					
O1	~~To enable the effective provision of works and utilities so as to minimise the adverse environmental effects while enabling people and communities to provide for their social economic and cultural wellbeing and for their health and safety.~~ The safe, efficient, and reliable provision of works and network utilities essential for the wellbeing of the community is enabled and protected, while the associated adverse effects are appropriately managed. O2 Development is planned, and works and network utilities are provided, in an integrated and coordinated manner.	P1	To encourage the co-siting of facilities where practical to avoid, remedy or mitigate adverse environmental effects particularly the impact of multiple masts and lines on the landscape.	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Works and Network Utilities, Section 8 • Transportation, Section 9 • Natural Hazards, Section 11 • Other Methods, Section 13 • Development Manual, Appendix 3	*Works and utilities are generally critical to the effective operation of the economy and the well being of the community and in some cases the environment. Some works and network utilities benefit not only our local community but also a much wider, regional or even national catchment. Strategic works and networks of this nature are referred to as "significant infrastructure". The provisions in Section 2.4 apply specifically to regionally significant infrastructure, in addition to the objectives and policies in this Section.* *Works and Utilities are provided for the purposes of furthering the community's activities and therefore any proposals should maximise the benefits to the community rather than the operator. Such maximisation must be achieved whilst minimising adverse effects.* *Co-siting of equipment associated with network utilities such as ~~large masts and~~ microwave dishes and the like on a shared support structure or mast can reduce the degree of adverse visual impact or interference with natural environments on the high peaks where such facilities are often located. There is the potential to use land more efficiently and potentially gain cost savings which may be passed on to the community.*
		P2	To protect ~~existing and proposed~~ works and network utilities ~~infrastructure~~ from incompatible development, use or subdivision.		
		P3	To ensure that works and network utilities are considered having ~~particular~~ regard to: • The environment as it exists; • The duration, timing and frequency of the adverse effect; • The impact on the network and levels of service if the new work is not undertaken; • The need for the work in the context of the wider network or in the context of the provision of alternative infrastructure; • The avoidance, remediation or mitigation of anticipated adverse environmental effects to the extent practicable; • ~~Comprehensive analysis of~~ The demand for/benefits of existing and future services/facilities; • The route, site, and method selection process; and: • The technical and locational constraints.	
		P4	Where applicable, to encourage new		

3.7.2 Works and network utilities

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			infrastructure to be located within road reserves.		*Whilst it is accepted that the majority of work and utilities are necessary for the maintenance and enhancement of the economy and the community's standards of living, all proposals need to be assessed in terms of the effects ~~of~~ on the environment. ~~The duty to avoid, remedy or mitigate adverse effects has not diminished.~~ The level of acceptance of adverse effects may reflect the benefits or significance of the work or network utilities. Given the importance of works and network utilities for the effective functioning of our community, these facilities must be protected from incompatible land-uses and reverse-sensitivity effects.*
		~~P4~~	~~To provide an acceptable degree of protection to settlements and productive rural land from the adverse effects of flooding.~~		~~*The acceptable degree of protection from flooding is that identified on the planning maps and the return periods are identified in the policies and rules.*~~
		P5	To take a ~~precautionary~~ prudent approach in the siting of ~~facilities~~ sensitive activities relative to ~~dwellings~~ works and network utilities where there is ~~significant doubt or debate over the impact of its effects~~ potential for reverse-sensitivity or other adverse effects to occur.		*Objective O1 recognises the benefits of local infrastructure in providing for the wellbeing, health and safety of the community. Objective O1 therefore seeks to ensure that the provision of local infrastructure is enabled and protected while adverse effects are managed appropriately. Objective O1 is implemented through Policies P1 to P4 that set the policy framework for how these networks are to be enabled and*
		P6	The nature, timing, and sequencing of land-use, development and subdivision must: • Prioritise the development of identified growth areas and areas with existing infrastructure capacity in order to achieve the efficient use of existing infrastructure; • Be co-ordinated with the funding, implementation, and operation of the associated requirements for works and network utilities; • Optimise the efficient and affordable provision of works and network utilities; • Maintain and enhance the operational efficiency, effectiveness, viability and safety of works and network utilities; • Protect investment in existing works and network utilities; • Ensure new development does not occur		

3.7.2 Works and network utilities

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			until appropriate infrastructure services are in place or alternative infrastructure has been provided by the development; and: • Retain the ability to maintain and upgrade works and network utilities.		*protected, and how the adverse effects need to be managed.* *Objective O2 seeks to ensure that infrastructure required to serve developments, is provided in a planned, coordinated, and integrated manner. Objective O2 is implemented through Policies P6–P9.* *Policy P6 will ensure timely provision of the local infrastructure services required to serve new developments.* *Policy P7 seeks that cumulative effects and the long-term impacts associated with the provision of infrastructure services are considered and wherever possible avoided, remedied and mitigated.* *Policies P8–P9 seek to ensure that infrastructure services are provided in an environmentally appropriate, manner.*
		P7	Provision of works and network utilities occurs in a planned and coordinated manner which recognises and addresses potential cumulative effects and is based on sufficient information to allow assessment of the potential long-term effects on the environment.		
		P8	Provision of works and network utilities adopts, where appropriate, sustainable design technologies such as the incorporation of energy-efficient design, rain gardens, rainwater harvesting, and grey-water recycling.		
		P9	Stormwater is managed having regard to a total catchment management approach and low impact design methods.		

Anticipated environmental results

1. Efficient use of land for utilities.
2. The management of buffer areas around certain utilities.
3. Provision of essential works and network utilities is enabled.
4. Adverse effects associated with the provision of works and network utilities are managed.
5. Efficient and coordinated provision of local infrastructure.

3.7.2 Works and network utilities

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
6. Timely provision of the infrastructure services required to serve new development. 7. Consideration of cumulative and long-term effects associated with the provision of infrastructure services. 8. Infrastructure services are provided in an environmentally appropriate manner.					
~~2. Council infrastructure services~~					
~~SO1~~	~~To ensure that effective, efficient and environmentally appropriate water supply, sewage reticulation and treatment and stormwater services continue to be provided and maintained.~~			~~• Subdivision, Section 6~~ ~~• Development Contributions, Section 7~~ ~~• Other Methods, Section 13~~	~~*In managing the effects of a proposal Council needs to consider the unique technical features of a proposal that are operationally necessary.*~~ ~~*With the increasing privatisation of utility operator companies, proposals should be driven by community need and not only commercial advantage.*~~ ~~*The District Council will continue to provide a significant proportion of the utility services within the District. The funding of the capital works and maintenance will be drawn principally from rates and Development Contributions.*~~ ~~*The Morrinsville landfill is the only existing landfill site with future capacity and therefore Council is in the process of researching and planning for future needs. See Natural Hazards: Section 11 and Development Contributions: Section 7.*~~ ~~*The agricultural sector on the plains is reliant on the continued effective operation of drainage and flood control schemes. The District's economy would falter if the systems are not maintained.*~~
~~Anticipated environmental results~~ ~~1. Efficient provision of infrastructure by Council.~~ ~~2. Protection of land and assets from floods and poor drainage.~~					

3.7.2 Works and network utilities

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
~~3~~2. Reserves and public open space					
O1	To manage the development of reserves in a manner which best serves the dual objectives of environmental enhancement and the provision of adequate land for recreational use.	~~S~~P1 ~~S~~P2	To adopt a comprehensive approach to reserve management utilising a 10 year strategic plan covering acquisition, maintenance and upgrading of all public open space. To encourage increased recreational usage of the natural open space areas of the District while avoiding the adverse effects of increased public accessibility.	• Subdivision, Section 6 • Development Contributions, Section 7 • Other Methods, Section 13 • Development Manual, Appendix 3.	*The objectives ~~and policies~~ recognises that social well-being is largely dependent upon the availability of open space and recreational opportunities for the District residents to enjoy.* *At the same time, however the acquisition, development and use of reserve land must not generate adverse environmental effects ~~and in this regard it is appropriate that a strategic plan be prepared to guide Council policy on recreational matters~~.* *Improved public access to the District's principal waterways is identified as an important recreational goal. At the same time increased usage of existing natural areas such as the Kaimai Ranges and Kopuatai Peat Dome is desirable provided that adverse effects due to public accessibility are avoided.*
Anticipated environmental results 1. Establishment of a planned network of recreational facilities and open space areas which can satisfy the range of recreational needs of the District.					
~~4~~3. Solid and hazardous waste					
O1	To ensure the appropriate storage, disposal and reduction of solid and hazardous wastes through the avoidance, remediation or mitigation of adverse effects on the environment.	P1 P2 ~~SP1~~	Solid waste storage and disposal must be safe and effective with minimal adverse effects on the environment. Promote solid waste minimisation and beneficial re-use of waste materials. ~~To introduce and support other organisations practices, which reduce the generation of~~	• Performance Standards, Section 5 • Other Methods, Section 13	*Council has introduced waste minimisation and recycling strategies at Council ~~landfills and~~ transfer stations. In addition similar actions by private developments will be considered as positive effects of activities. Serious environmental degradation can occur through the inappropriate management of disposal of solid waste and more particularly hazardous wastes.*

3.7.2 Works and network utilities

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			~~waste, and recover and conserve resources for the community.~~		*To ensure that private solid waste disposal is effectively controlled particularly on farms.* *To ensure that all waste storage areas particularly in industrial sites are effectively managed.*

Anticipated environmental results

1. Progressive reduction in the generation of solid waste including hazardous waste.
2. Safe and effective solid waste storage and disposal.
3. Reduction in adverse effects on the environment.

3.8 Transportation

3.8.1 Significant resource management issues

- ~~The urban areas are relatively free of significant parking, loading and vehicle access problems. The inappropriate location, design and use of property access has adversely affected the safe and efficient operation of state highways and arterial routes.~~
- ~~Roads generate adverse effects particularly noise on state highways. In some locations, roads with high vehicle counts can detrimentally affect the amenity values and function of the adjacent environment.~~
- A safe, efficient, and well-connected transport network that provides for all modes of transport is fundamental to ensure a successful, thriving community where people can interact with ease and where sections of the community are not left isolated. Along with connecting people, a safe and efficient transport network is necessary to underpin our economy, provide for the trading of goods and services, and sustain the agricultural activities on which we depend for our livelihood. In other words, our social, economic, and cultural wellbeing is dependent on an integrated, safe and efficient transportation network that is environmentally sustainable and that considers the movement of both people and freight.
- The District's transport system includes road and rail networks, pedestrian and cycleways, public transport, and the Matamata airport that caters for both recreational and commercial aviation. There is currently no passenger rail transport service operating in our District. Opportunities for viable public transport services are also limited, given the rural nature of the District. With few other options available, passenger transport relies heavily on private motor vehicle use. Reliance on the motor vehicle generates adverse amenity, environmental and ~~some~~ social effects such as traffic noise, air pollution, the discharge of greenhouse gasses and an unhealthy, inactive lifestyle. ~~Development of a~~Alternative ~~passive~~ active transportation modes, ~~particularly~~ (cycling and walking) will have environmental, ~~and~~ socio-economic, and health benefits and should be encouraged, ~~Council wishes to encourage cyclepaths throughout the District as an alternative means of transportation~~ particularly in urban areas, for instance by providing cycleways and pedestrian paths that connect residential areas with schools and other community facilities.
- Freight is a significant input and output of our economic activity and with continued economic growth, the freight transport task is ever-increasing. The freight task includes:
    - The transport of goods from remote destinations (such as coal and timber), through the District, en-route to domestic markets or to the ports of Auckland and Tauranga;
    - The transport of goods produced or processed in the District, (such as milk or meat) to domestic markets, or to the ports for export;
    - The transport of goods from the ports or domestic markets to the District, for use as inputs in local production such as stock feed or fertiliser.
- Road transport is by far the predominant mode whereby freight is moved to, from, and through the District. With rising oil prices and concerns regarding emission of greenhouse gasses, we are likely to see a modal shift from road to rail transport. Even so, road transport will continue to carry the bulk of freight into the future.

- Recent (2010) changes to land transport legislation now enable larger vehicles capable of carrying heavier loads, so-called “High Productivity Motor Vehicles” (HPMV) to be granted a route specific permit to travel on roads that have been determined to be able to accommodate the additional mass and/or length. While, to date, the Council has not granted any HPMV permits for District roads, the trend is that deliveries are increasingly being made by larger vehicles such as “B-Trains”. The increased size of delivery vehicles needs to be considered when setting loading standards. However, loading requirements must be considered on a case-by-case basis taking into account the frequency of deliveries and the type of delivery vehicles most commonly used.
- While the road transport of freight will remain dominant, rail transport will also see growth. Thus, to ensure safe and efficient transportation both the rail and road networks need to be considered.

Significant transport infrastructure

Our roads comprise a network of inter-regional and local roads. The inter-regional routes include state highways managed by the New Zealand Transport Agency and arterial roads managed by Council.

The state highways in our District include sections of:

- State Highway 1, from the State Highway 29 intersection at Paiarere, west for a short length of approximately 3 km;
- State Highway 29, from State Highway 1 at Piarere, to Tauranga via the Kaimais Ranges;
- State Highway 27 connecting Auckland with State Highway 1, via Matamata;
- State Highway 24 connecting State Highway 27 at Matamata, with State Highway 29 to Tauranga; and
- State Highway 26 connecting Hamilton and Te Aroha, via Morrinsville.

Significant arterial roads in the District are:

- Tahuna-Ohinewai Road connecting State Highway 1 at Ohinewai, with State Highway 27;
- Paeroa-Tahuna Road connecting State Highway 27 at Tahuna, with State Highway 26 north of Te Aroha; and
- Morrinsville-Tahuna Road, parallel with State Highway 27, connecting Morrinsville with Tahuna.

The railway network in our District comprises:

- The Kinleith Branch Line, Waitoa Branch Line and the East Coast Main Trunk Line that carry significant volumes of freight, including dairy and forestry goods, through the District generally en-route to the Port of Tauranga, with freight stations at Waharoa and Morrinsville.

The above mentioned network of inter-regional transport corridors serves a catchment much wider than just the District, providing access for freight and people to key destinations including major urban centres, ports, tourism locations, and employment centres. As such, these routes are vital to local, regional, and national prosperity and, given their strategic importance, form an integral part of the Region’s “significant transport infrastructure” as identified in the RPS.

The RPS sets the overarching policy framework within which these significant road and rail corridors are to be managed to ensure their primary function as inter-regional connectors are recognised, enabled, and protected. These corridors sit at the top of a hierarchy of

transportation routes, and form the focus of the Region's policy aimed at ensuring a well-connected and integrated strategic transport network to meet the needs of passengers and freight into the future.

Policy 6.6 of the RPS specifically addresses this issue and requires that the built environment be managed in a manner to ensure that the effectiveness and efficiency of regionally significant infrastructure is protected and that regard is given to the local, regional, and national benefits that can be gained from the use of these important physical resources.

The RLTS is required to be aligned with, and form a key tool for implementing the RPS's transport objectives. The RLTS further refines the RPS policy framework by distinguishing, within the RPS's "significant transport infrastructure" category, between nationally, regionally, and sub-regionally significant road corridors, and between nationally and regionally significant rail corridors. The RLTS identifies State Highways 1 and 29 as nationally significant, State Highways 27 and 24 as regionally significant, and State Highway 26, Morrinsville-Tahuna Road, Paeroa-Tahuna Road, and Tahuna-Ohinewai Road as sub-regionally significant. For the railway network, the RLTS identifies the East Coast Main Trunk Line as nationally significant, and the Kinleith Branch line as regionally significant. It should be noted however that all rail corridors in the District identified on Map 6.1 of the Proposed Waikato Regional Policy Statement, are considered to be Regionally Significant Infrastructure under the definition provided in Section 15 of this District Plan.

In order to ensure the effectiveness and efficiency of the Region's significant transport infrastructure, the RPS and the RLTS focus on the need for an integrated approach to land use and transport management as a key implementation method in avoiding adverse effects on these strategic corridors. For instance, ribbon development along main routes can slow traffic down, which in turn affects the efficiency of transport along these routes. Development that is not appropriately managed can also lead to undesirable and unsustainable outcomes. For example, increased population density in proximity to main routes or railway lines can detrimentally affect the amenity values and function of the adjacent environment. Reverse-sensitivity effects can also arise whereby complaints from residents about noise and pollution can result in pressure to curtail movements on main routes and railway lines. In addition, main routes and railway lines form "barriers" that cannot be crossed easily and safely. Thus, land uses must be planned in a manner that takes into account the location of these routes and minimises further community severance.

The integration of land use and infrastructure and the management of regionally significant infrastructure form part of the District Plan's sustainable management strategy, discussed in Sections 2.3.6 and 2.3.7. The objectives and policies under Sections 2.3.6 and 2.3.7 apply to all infrastructure networks, including transport infrastructure, and are not repeated here. However, there are a number of provisions that apply specifically to regionally significant transport infrastructure and its integration with land use. These provisions aim to respond more directly to the RPS and RLTS policy framework relating to significant transport infrastructure within the District, and are discussed in Section 3.8.2 below.

Local transport infrastructure

At a more localised scale, the integration of land use and transport needs to ensure that the pattern of land uses and the land transport system will provide a safe and efficient network for all road users. Development must be managed in a way that will ensure that the intensity of land use and the capacity of the transport networks are compatible and able to support each other.

To ensure an integrated, safe and efficient road network, routes must be classified according to their function and how much traffic they carry (i.e. local roads, collector roads, and arterial roads). Based on its classification in the road hierarchy, appropriate standards for pavement construction and design, vehicle access points, vehicle entrance formation, and sightlines, aimed at ensuring traffic safety and efficiency, must be set. Similarly, standards must be set

to ensure that railway and stock crossings are safe and can operate in a manner that mitigates impacts on traffic efficiency.

Appropriate parking and loading standards must be set so as to avoid overspill of cars and delivery vehicles onto the road network with consequent adverse effects on traffic safety and efficiency. At the same time, parking and loading requirements must take into account the need to use land efficiently, and must avoid standards that are so onerous as to stifle development.

Parking and loading in the “core” (i.e. “shopping frontage”) areas of the town centres of Morrinsville, Matamata, and Te Aroha present specific challenges. This is the case as these areas are valued for their historic character and pedestrian orientation. Requiring the same parking and loading standards in these environments will be contrary to the need to preserve their historic character and amenity values. Therefore, a balanced approach is required whereby adequate street and public parking must be provided in the town centres to ensure traffic safety and efficiency, while limiting the requirement for on-site parking in the “shopping frontage” areas. Similarly, loading in these parts of the town centres must be managed on a case-by-case basis that will mitigate the traffic safety and efficiency effects associated with loading from street frontages.

Land use must also be planned in a manner that seeks to minimise transport energy demand, reduces reliance on fossil fuels, and thereby reduces greenhouse gas emissions. In order to do so, we must promote an energy efficient urban form that reduces the demand for transport, coupled with a well-connected road network that minimises travel distances.

Our local transport network must also take into account demographic trends that point towards an ageing of our population meaning that we need to consider mobility transport such as wider footpaths to accommodate mobility scooters, and provision of mobility parking. In addition, community-based transport in the form of mini-busses that cater for the needs of the aged, infirm, and handicapped is important to ensure that the vulnerable sector of our community is not left isolated.

3.8.2 Transportation

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
O1	The strategic importance of significant transport infrastructure is recognised.	P1	Subdivision, use and development shall be managed to recognise, enable, and protect: • The primary function of significant transport infrastructure as inter-regional connectors; and • The local, regional, and national benefits of significant transport infrastructure.	• Development Controls, Section 3 • Performance Standards, Section 5 • Subdivision, Section 6 • Development Contributions, Section 7 • Transportation, Section 9 • Other Methods, Section 13 • Development Manual, Appendix 3	*The components of the Region's significant transport infrastructure located within the District ~~Roads are a key means of mobility for people and goods. Roads, particularly state highways,~~ are a key factor in the maintenance and growth of the economy.* *~~State highways~~ These corridors facilitate the shipment of goods and therefore they are of national significance in facilitating the growth of the economy.* *Given their strategic importance, the significant transport corridors require a specific resource management response that recognises their primary function as inter-regional connectors.* *It is very important that the design and standard of the transportation networks within the district comply with accepted minimum standards for safety and efficiency and which also serve community expectations. Inappropriate subdivision and development could potentially compromise these standards.* *On-street congestion from parking and loading will be avoided, remedied or mitigated where appropriate in favour of safe and effective roadways.* *Poor access/visibility will be avoided and this may also reduce vehicle accidents.* *The policy will assist in enhancing the mainstreets as shopper and recreation*
O2	A safe, efficient, integrated, and environmentally sustainable transport network that ensures our social, economic, and cultural wellbeing.				
~~O1~~	~~To protect or improve the safety and efficiency of the transportation networks, including state highways, district roads and railways.~~	P2	The District's road hierarchy shall recognise and manage significant road corridors as the highest order of road.		
O3~~O5~~	The avoidance, remediation or mitigation of the adverse effects of transportation.	P3	Subdivision, use and development shall enable a safe, integrated, efficient, and well-connected transport network that provides for all modes of passenger and freight transport in a manner that: • Ensures land-use and transportation successfully interface with each other; • Manages the adverse environmental effects of the network, and the effects of other activities on the network (i.e. reverse-sensitivity effects); • Considers the transport needs of an ageing population; and: • Ensures route security across all modes of travel.		
O4~~O7~~	To ensure that those activities that place demands on the roading network contribute fairly to any works considered necessary to meet those demands.				
O5~~O2~~	To protect residential amenity from the effects of excessive traffic generation and on-street parking on residential streets.				
O6~~O4~~	To maximise safety and convenience for pedestrians and vehicular traffic on all sites.				
~~O3~~	~~To encourage self-sufficiency in the provision of parking and loading spaces to avoid conflict with on-street usage.~~	P4	The road network shall be hierarchical, differentiating between roads according to their primary function thereby assisting in the planning and management of the network		

3.8.2 Transportation

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
O7	Provision for parking and loading is adequate to ensure the safety and efficiency of the road network, without stifling development or leading to inefficient use of land.		and surrounding land-uses.		*environments. See also Business Strategy.*
		P5~~P1~~	To ensure that access points and intersections ~~have optimum visibility~~ meet safe sightline and spacing standards for the class of road within the hierarchy ~~along the state highway~~ and are formed to appropriate design standards.		*Local streets will not be impaired by the adverse effects of additional unrelated traffic.*
O8~~O6~~	To encourage the provision of alternative transportation networks where it is clearly demonstrated that the provision of such networks will positively benefit and enhance the environment and community which they serve.				*The removal of state highway traffic from Matamata and Morrinsville is in the process of consideration.*
		P6~~P15~~	To manage the location of subdivision and land use activities to avoid compromising road intersection and railway level crossing safety sightlines		*Sensitive areas such as significant ecological and historical sites must be protected from the adverse effects of transportation.*
~~O8~~	~~To create a road system that provides for the safe, efficient and strategic movement of traffic (vehicular and pedestrian) in a manner that promotes the sustainable management of resources used.~~				*Landscape measures will be a principle mitigation measure.*
		P7~~P2~~	To ensure that the safety and efficiency of the state highways and district road networks are not compromised by proposed subdivision and/or development and the cumulative effect of subdivision and/or development.		*Inadequate provision for car parking, loading and vehicle access can significantly impact upon levels of amenity, particularly in urban areas* *The objectives and policies seek to ensure that adequate on-site parking and roading facilities are provided to avoid conflicts with on street traffic movements and to maintain the safety and general amenity of street environments.* *Policies ~~P13~~ P17–P20 and Objective ~~O6~~ O7 seek to address this amenity issue positively. Objective 08 and Policies P21 and P22 ~~by seeking~~ seek to encourage alternative transport modes and ensure that the transport needs of an ageing population and the mobility impaired are appropriately considered.*
		P8~~P10~~	To promote appropriate roading connections within and between land being subdivided to ensure our towns are well connected.		
		P9~~P7~~	To implement ~~noise abatement~~ measures to avoid, or mitigate reverse-sensitivity effects on land near ~~along State highways, District arterials,~~ significant transport infrastructure, and at the Matamata airport~~s~~.		
		P10~~P4~~	To ensure that traffic safety is maintained by		

3.8.2 Transportation

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			carefully managing the location and design of any signs visible from state highway and District roads.		~~*Discouraging inefficient and unsustainable roading developments.*~~ *In the future Council wishes to ensure the efficient and strategic movement of traffic through the introduction of structure plans.*
		P11	Subdivision, use and development shall be managed in a way that takes into account the planning and availability of funding for transport infrastructure.		
		P12~~P11~~	To ensure that subdivision and development takes into account the existing and proposed capacity and design of the transportation networks and that any adverse effects are avoided, remedied or mitigated.		
		P13~~P5~~	To manage unrelated through traffic on local roads to maintain and enhance the amenity values of the locality.		
		P14~~P6~~	To require landscaping within the transportation facilities or corridors where appropriate.		
		P15~~P8~~	To avoid dust and noise nuisance by requiring formation, sealing and screening of parking and loading areas and access ways in residential, business and Industrial zones and Kaitiaki (Conservation) zones that adjoin an urban area.		
		P16	Parking and loading facilities must be designed to ensure safe manoeuvring of		

3.8.2 Transportation

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
			vehicles and safe movement of pedestrians and cyclists.		
		~~P3~~	~~To maintain road safety and efficiency by requiring activities to provide adequate on-site parking and loading facilities for foreseeable future needs.~~		
		P17	Outside "shopping frontage" areas, development shall provide adequate parking and loading facilities on-site, for foreseeable future needs.		
		P18	Within "shopping frontage" areas in the town centres: • Provision for parking and loading shall avoid adverse effects on the safety and efficiency of the road network; while: • The requirement for on-site parking and loading must not unnecessarily constrain development, or result in development that is not in keeping with the character of the town centre.		
		P19~~P9~~	To enhance the amenity value of the central business area of Te Aroha, Matamata, and Morrinsville by ensuring that such areas are not congested by service delivery activities and a lack of adequate parking.		
		P20~~P12~~	To establish and maintain service lanes and public carparks which assist in reducing traffic congestion on surrounding streets.		

3.8.2 Transportation

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
		P21~~P13~~	To encourage alternative transport modes by making provision for cycleways and walkways.		
		P22	To provide for the transportation needs of an ageing population and the mobility impaired.		
		P23~~P14~~	To require the retention of all roads, including paper roads, where alternative public access to the District's rivers is not available.		

Anticipated environmental results

1. Safer and more efficient roading network.
2. Mitigation and avoidance of the adverse effects of transportation.
3. Protection and enhancement of the amenity of the areas within which transportation networks operate.
4. More equitable funding of upgrading transportation links needed as a result of development.

3.8.2 Transportation

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
5. Reduction of public funding of infrastructure servicing private development. 6. Increased utilisation of alternative transport modes, particularly cycling and walking in residential areas. 7. Increase in the number of activities outside of "shopping frontage" areas which are self sufficient in terms of parking and loading space provision. 8. Minimal adverse traffic safety effects from signs and advertising. 9. Requiring adequate parking and loading to ensure the safety and efficiency of the road network, without stifling development or leading to inefficient use of land.					

3.9 Development Contributions

3.9.1 Significant resource management issues

- The economic burden of funding works and infrastructure is significant to sectors of the community. There are likely to be significant costs in the next ten years associated with new facilities and extensions prompted by household growth, particularly in Morrinsville. Such costs will be borne by the implementation of fair Development Contributions that take into account equity between new development and the existing resident population. See Section 7: Development Contributions.
- The avoidance, remediation or mitigation of adverse environmental effects from activities may also warrant the implementation of a contribution as outlined in Section 7 of this plan.

3.9.2 Development Contributions

	Outcome sought (objectives)		Solutions (policies)	Implementation (methods) Refer to the following sets of controls and reasons for chosen methods	Explanations and reasons for objectives and policies
1. Development Contributions					
O1	To ensure that adequate water supply, roading, sewage reticulation and treatment, stormwater services and public reserves are available to support the needs of people in the District and to avoid, remedy or mitigate any adverse effects on the environment.	P1	To avoid, remedy or mitigate the adverse effects of new development on the infrastructure services (including reserves) and on the environment generally through the implementation of fair and equitable Development Contributions.	• Subdivision, Section 6 • Development Contributions, Section 7	*Council gains the opportunity of placing the economic cost of facilities more equitably with those who are to benefit rather than having the general community finance the projects through rates.* *The new approach will allow contributions to be drawn from both rural and urban development. This applies particularly to reserves contributions that have not traditionally been taken in rural locations despite the fact that rural residents are equally interested in recreational pursuits.* *If there are existing facilities with surplus capacity that new development requires, then a buy-in fee can be charged and that will assist Council's finances.* *Contributions will assist in mitigating the effects of development.* *A contributions system will require monitoring of demand and supply of services and may assist in improving the efficiency of Council facilities.*
O2	To manage the acquisition and development of reserves in a manner which best serves the dual objectives of environmental enhancement and the provision of adequate land for recreational use.	P2	To implement a fair and equitable reserves contribution levy which recognises the additional demand for recreational facilities and open space that new development will generate.		
Anticipated environmental results 1. More equitable funding of Council services. 2. Reduction of public funding of infrastructure servicing private development.					

1 General provisions

1.1 Information requirements for resource consent applications

Information shall be provided as required under the 4th Schedule of the Resource Management Act 1991 and the following information shall be provided, where appropriate, to Council as part of any application for resource consent.

1.1.1 Written report

(i) A certificate of title and details of any matters affecting title to the site. This includes copies of documents relating to any encumbrances, covenants, easements, leases or building line restrictions imposed on the land.

(ii) For all applications for Marae, Wharenui and Housing Developments of a similar nature, and any other applications involving multiple-owned land, the status of the proponents and evidence that the landowners agree with the proposal.

(iii) A description of the proposed activity. Where applicable this shall include:

- (a) The hours of operation;
- (b) Number of people employed and/or accommodated on the site;
- (c) Type and frequency of vehicle movements to and from the site;
- (d) A description of the carparking, loading and access provisions on the site;
- (e) Type of materials stored on the site and the method of storage;
- (f) The nature and use of any hazardous substances including their use manufacture, transportation, storage and disposal;
- (g) The type, frequency and duration of any discharge of contaminants into the environment, including odour, dust, spray drift and any emission of noise;
- (h) A description of proposed methods for the treatment and/or disposal of effluent, stormwater, and any other potential contaminant provided by the activity;
- (i) Duration and nature of construction.

(iv) The time-frame over which the development is likely to occur should also be described if staging of the works is proposed, an indication of the number and extent of the stages and duration of the work required for completion of each stage should also be provided.

(v) A statement indicating all other resource consents which may be required from any consent authority in respect of the activity to which the application relates, and whether the applicant has applied for such consents.

(vi) All applications for resource consent must include an assessment of effects on the environment.

Such an assessment shall be in accordance with the Fourth Schedule to the Act and should include an indication of the consultation undertaken. Any assessment of effects supplied must provide sufficient information for any person to understand the actual or potential effects (both beneficial or adverse) of that proposed activity on the environment, and the ways it is proposed to mitigate any adverse effects.

As part of an assessment of effects, the applicant may be required, unless it is unreasonable in the circumstances, to consult as part of the assessment with the following persons as appropriate:

- The owner(s) and occupier(s) of the subject land;
- Persons likely to be directly affected by the proposed activity;
- The District and Regional Council;
- Transpower NZ Ltd ("Transpower");
- New Zealand Transport Agency;
- KiwiRail Holdings Limited (KiwiRail);
- The Department of Conservation;
- The New Zealand Historic Places Trust;
- Iwi authorities;
- Community Health;
- Fish & Game Council;
- Environmental Futures;
- Federated Farmers;
- Royal Forest & Bird Society;
- Te Aroha Earthwatch;
- Other authorities or organisations as relevant.

(vii) Any resource consent affecting a heritage item is to provide information appropriate to the nature of the proposal and the significance of the item involved. This assessment can include building reports, heritage inventories or conservation plans, historical information and photographs and should include diagrams and, important, photographs of the existing situation.

(viii) All discretionary applications shall be accompanied by an engineering assessment and investigative evidence of the site which indicates that the site can be safely developed, and the measures to be adopted to avoid, flooding, forest fire hazard, land instability and ecotoxicity potential.

(ix) For subdivision consent applications, where any entitlement to apply for subdivision of a Small Rural Lot as a controlled activity or to apply for subdivision of a Rural Lifestyle Lot subdivision as a restricted discretionary activity is to be retained with one of the newly created lots, the consent applicant shall clearly nominate the lot which shall hold the entitlement. The retention of that entitlement will then be recorded in the consent decision and in a consent notice on the new title for the lot holding the entitlement.

(x) Applications may require to be accompanied by an ITA. For clarification of circumstances when an ITA is required, and the scope of matters to be included in the assessment under different circumstances, refer to Section 9 – Transportation.

Advice Note: Certain activities may also require resource consent under the Waikato Regional Plan. Applicants should consult the Waikato Regional Council for further information.

1.1.2 Plans

Any application for resource consent shall include plans (to scale) illustrating the proposal. The plans shall include:

(i) A plan showing the location of the site, with road name, property number, legal description, north point and the name of the owner and applicant (if different from the owner).

(ii) A site plan of the property at an appropriate scale adequate to show the level of detail relevant to the proposal. The site plan shall show:

(a) All legal boundaries of the property including all property dimensions and the area of the site;

(b) The extent and nature of any fill on the site, any areas of instability/earth movement and a description of any habitats, wetlands, watercourses or other significant topographical features on the site including any indigenous vegetation;

(c) The location (with distances to site boundaries) and dimensions of all existing and proposed buildings, additions or alterations;

(d) The proposed use of each building;

(e) Original and proposed contours and ground levels, in relation to the Department of Survey and Land Information datum, or as appropriate in relation to a permanent datum established on the site, at a level of detail to enable assessment of compliance with building height, building height in relation to boundary, and vehicle access gradient rules;

(f) Floor levels of all buildings expressed in terms of the Department of Survey and Land Information datum, or in relation to a permanent datum established on the site;

(g) The position of any easement over the site;

(h) The location of water courses, and drainage and sewerage pipes, power and telecommunication lines within and adjacent to the site including demonstrating the ability of the development to comply with NZECP34;

(i) The extent of proposed earthworks including filling, excavation and retaining walls dimensions horizontally and vertically;

(j) The existing and proposed location of parking and loading spaces, vehicle and pedestrian access, manoeuvring areas and proposed traffic circulation within the site, including information to enable assessment of any access issues including the location of vehicle crossings and details of adjoining roads and any changes thereto that affect or are affected by access to the site;

(k) Dimensioned areas of proposed landscape treatment together with all existing and proposed sealed areas;

(l) The locations and dimensions of any heritage resource listed in Schedules 1, 2 and 3;

(m) The location and dimensions of any known archaeological site;

(n) For multiple residential units, the location and dimensions of the building platform, parking, private recreational areas, and common areas.

(iii) For all applications for Marae, Wharenui and Housing developments a plan showing:

(a) The complete development and general stages of construction including the location of dwellings, marae and garages/carports; and

(b) Places, objects, buildings and trees that are protected under the provisions of the District Plan.

(iv) A floor plan of each building at a scale of not less than 1:100, or as appropriate, showing:

(a) The present or proposed future use of all parts of the building including basements, parking, lift towers, storage or service areas.

Where several floors are of the same area and use, a standard floor plan may be shown.

(v) Elevations of each building at a scale of not less than 1:100 showing:

(a) External appearance of buildings including doors and windows;

(b) Building height, and height in relation to boundary, illustrating degree of compliance or non-compliance;

(c) Original ground levels along boundaries in relation to datum used at 1 metre intervals.

(vi) Landscape plans at a scale of 1:100 (1:200 if the site is larger than 1500m^2) and shall show the following:

(a) The areas within the site to be landscaped;

(b) The exact nature of the proposal including the intensity of the use taking into consideration height, yards, coverage and size of the site;

(c) The identification and location of any existing tree or groups of trees (to the area occupied by their driplines) and whether these are to be retained;

(d) Any trees that are protected in Schedules of the District Plan and the measures for the retention of these trees;

(e) The plant species to be used within the landscaped areas, including plant numbers, planting size and spacing, as well as the height and spread at maturity;

(f) Areas that are to be grassed;

(g) The outline of buildings, car parks and vehicle accessways.

Unless otherwise stated, when assessing a landscape plan, Council will have regard to the following assessment criteria:

(a) Whether existing landscape features are integrated into the new development;

(b) Whether the layout and design are of a high standard, and provide a visual environment that is interesting and in scale with the proposed development;

(c) Size of trees to be planted at the time of planting and at maturity;

(d) The timing of implementation of the landscape plan and the maintenance of approved planting;

(e) Whether the type and the location of planting promotes public safety.

1.2 Development suitability

1.2.1 Activity status criteria

(i) Except as otherwise stated:

(a) The controls and performance standards within Part B shall be met by all Permitted Activities and considered as a guide for all other activities;

(b) Any Permitted Activity, which fails to comply with any of these controls and performance standards, shall be deemed to be a Restricted Discretionary Activity for the area of non-compliance;

(c) Any Controlled Activity, (managed by specific standards and terms listed in Rule 1.3), which does not meet all the provisions for Controlled Activities

shall be deemed a Restricted Discretionary Activity for the particular non-compliance.

(ii) It is not intended that Council's discretion on Discretionary Activities be limited to the controls, performance standards and criteria that are listed in Part B.

(iii) Any activity not listed in the Activity Table (Section 2) shall be deemed to be non-complying.

(iv) In the event of conflict between provisions or activity status, the more onerous provisions and/or activity status will apply.

1.2.2 Development suitability

(i) Compliance

All activities in all zones shall comply with the following conditions, performance standards and terms.

Every allotment created by subdivision exclusive of those for works and network utilities shall comply with the following conditions, performance standards and terms.

(ii) Building site

(a) ~~Building site~~
Each lot must contain a rectangular area of land for building purposes measuring no less than 10 metres on one side and 15 metres on the other that is free of impediments to buildings such as: drainage lines, building line restrictions, easements, bulk and location requirements, protected registered significant features or other items or topographical impediments;

(b) Future urbanisation (dwellings within the Residential and Rural-Residential zones)
The location of the dwelling shall not compromise the future servicing and development of the site for residential purposes.

(iii) On-site effluent treatment and disposal

See Section 5.9: Infrastructure and Servicing and the Development Manual.

~~(a) Where each lot or development lies within Council's reticulated area, they shall be served by a connection to the Council reticulation system. If this is not practicable, then treatment and disposal shall be contained within the property boundaries, subject to the necessary consents being obtained.~~

~~(b) Any disposal or treatment areas located off-site, other than to MPDC owned systems, shall be protected by easements as appropriate.~~

~~(c) Any necessary consents shall be obtained from the Waikato Regional Council.~~

~~(d) Where stock trucks are associated with the activity, the applicant shall ensure that all such trucks are fitted with effluent holding tanks and that waste, storage and disposal facilities are provided.~~

~~***Advice note: The use of a conventional septic tank is not permitted on sites less than 2500 m².***~~

(iv) On-site stormwater treatment and disposal

See Section 5.9: Infrastructure and Servicing and the Development Manual.

~~(a) Where each lot or development lies within Council's reticulated area, they shall be served by a connection to the Council reticulation system. If this is~~

~~not practicable, then treatment and disposal shall be contained within the property boundaries, subject to the necessary consents being obtained.~~

~~(b) Any disposal or treatment areas located off-site, other than to MPDC owned systems, shall be protected by easements as appropriate.~~

~~(c) Council may require a detailed stormwater plan to ensure that there are no adverse stormwater effects off-site.~~

~~(d) Any necessary consents shall be obtained from the Waikato Regional Council.~~

(v) Roading and access

See Section 9: Transportation, Section 5.9, Infrastructure and Servicing, and the ~~MPDC~~ Development Manual ~~2010~~.

(vi) Water

See Section 5.9: Infrastructure and Servicing and the Development Manual.

~~All sites shall be able to be provided with a reliable supply of water sufficient to meet the needs of any proposed development of the site. The requirements of the MPDC Development Manual 2010 shall be deemed compliance.~~

(vii) Suitability for development

Council will require a report, including certification from an appropriately qualified person(s), stating that the land is suitable for the activities anticipated in the zone, or the development proposed, and/or the conditions under which development will be appropriate including:

(a) Each building area as described in (ii) above is free from flooding or inundation, erosion, subsidence and thermal ground;

(b) Slope stability, foundations of structures, major earthworks including access tracks and roads;

(c) Ground water table levels;

(d) Earthquake faultlines or other seismic hazard;

(e) For contaminated sites, a report on the extent and likely effect of the contamination on the proposed activity, including any off-site effects that may occur as a result of disturbance or development of the site.

(f) The matters within the MPDC Development Manual 2010.

The report shall set out the facts relating to the investigation together with test results and other data on which recommendations are based.

Council may refuse to approve a subdivision or resource consent or in approving the proposal, impose appropriate conditions to avoid high probabilities of accelerated erosion, land slip, flooding or subsidence, or increased adverse effects resulting from contaminants on the site.

See also Section 11: Natural Hazards.

(viii) Protection of scheduled significant items

Council shall require the legal protection in perpetuity of any scheduled significant item or feature with the exception of Scheduled Item 213 of Schedule 3, as a condition of resource consent. Scheduled significant items are listed in Schedules 1, 2 and 3.

(a) Council shall require that legal boundaries are located in a position that does not impair or destroy the integrity of the scheduled significant item;

(b) Suitably qualified persons shall, be engaged, if necessary, to determine the boundaries or significance of such items;

(c) Any such required protective measures shall be taken into account when addressing the Development Contribution for reserves that would otherwise apply. See Section 7: Development Contributions.

(ix) Protection of other items

Council may require, as a condition of subdivision or resource consent, the legal protection in perpetuity of a significant feature that is found to exist on the property or the sustainable management of vegetation resources of indigenous or landscape value.

Provided that this rule shall not apply to Scheduled Item 213 of Schedule 3 and where approval has otherwise been given for use of archaeological sites from the Historic Places Trust. Evaluation shall be undertaken in accordance with the criteria in Appendix 1. The feature/area must be fully described and intrinsic value ranked alongside other similar features. Any protective measures shall be taken into account when assessing the financial contribution for reserves that would otherwise apply. See Development Contributions: Section 7.

Council may require that legal boundaries are located in a position that does not impair or destroy the integrity of the significant feature found to exist on the property.

(x) Protection of riparian areas. See Performance Standards: Section 5.1.1.

(xi) Existing buildings to comply

All subdivision consent applications shall demonstrate that existing and proposed buildings comply with the provisions of the District Plan once the new lots have been created.

Provided that subdivision around activities created as a result of the grant of a land use consent shall take into consideration the needs and requirements of the particular land use granted consent and Council shall consider the location of existing and proposed buildings relative to new boundaries.

(xii) Consent notices

Consent Notices pursuant to Section 221 of the Resource Management Act, or such other legal instrument as may be considered appropriate in the circumstances, shall be registered on the Certificate of Title created to ensure ongoing compliance with the conditions of subdivision consent. Such conditions may include, but are not limited to, the ongoing protection or maintenance of a significant site or landscape, conservation planting or landscaped area.

The consent notice or instrument shall include:

- The condition of resource consent;
- The accepted means of compliance;
- The term of the agreement (if applicable); and
- A plan of the area to which the condition relates.

(xiii) Works and vegetation in proximity to electricity lines

Advice Notes:

Works in close proximity to any electricity line can be dangerous. Compliance with NZECP 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electricity lines.

Vegetation to be planted in proximity to transmission and sub-transmission lines should be selected and/or managed to ensure that it will not result in vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, the line operator should be contacted.

Objectives/Policies		
2.4.2	O1	P1
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2
3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2	P1, P2, P3
3.3.2.2	O1	P1, P2
3.4.2.1	O1, O2, O3	P1, ~~P2, P3,~~ P6, P7
3.7.2.1	O1	P2

Explanation

The development suitability rules are, unless stated otherwise, the primary conditions under which development may occur. Before Council grants consents to any subdivision consent application it must be certain that the resultant allotments may be developed in accordance with the provisions of the zone in which they are located. In addition all activities must occur in a manner that is in accord with the matters of Part II of the Act.

In general, existing buildings have shown the extent to which the development has affected the environment. However consideration must be given to the way new allotment boundaries may restrict the use and development of the new properties created.

The District Plan pre-states the anticipated environmental result of development and subdivision. Neither must be allowed to compromise these anticipated results.

Consent Notices are a legal instrument that may be imposed at the time of subdivision to ensure that the conditions of consent are complied with. Other instruments include restrictive covenants that may be imposed under Section 108 of the Act.

1.3 Standards and terms for controlled and restricted activity resource consent applications

In addition to the Information requirements (Section 1.1), Development Suitability Criteria (Section 1.2), Development Controls (Section 3), Activity Related Standards (Section 4), Performance Standards (Section 5), Development Contributions (Section 7) and the ~~MPDC~~ Development Manual ~~2010~~, Council shall apply the following standards and terms when assessing controlled activities. These sections shall also be used as a guide when imposing conditions of consent.

Unless otherwise stated:

- If a controlled activity does not meet the requirements of this Section and Sections 3, 4 and 5, the activity shall become a restricted discretionary activity in respect of the specific area(s) of non-compliance;
- If a controlled activity does not meet the requirements of Sections 6 to 12, the activity shall become a discretionary activity. ~~except i~~If the Connectivity Performance Standard (Rule 6.2.1(iii)(e)) is breached, ~~in which case~~ the activity shall become

restricted discretionary, with Council's discretion restricted to the need to ensure strategic road and pedestrian connections and linkages when sites are developed.

1.3.1 Harvesting of plantation forests

(i) The applicant shall provide sufficient detail for Council to process the application including:

(a) Where an application may have an adverse effect on roading in the District and which may require expenditure by Council, it should preferably be made two years prior to the proposed exercise or commencement of the consent.

Advice note: Where such applications are made less than two years prior to the proposed commencement, the commencement date and any conditions of consent relating to any roading may be affected.

(b) An estimate of the volume of wood to be harvested;

(c) The expected programme of work for harvesting;

(d) The roads proposed to be used;

(e) Specific traffic management proposals to mitigate the effects of logging trucks in rural areas;

(f) The potential impact on archaeological sites;

(g) The extent to which the application meets rule 5.1.1 (riparian planting and retirement);

(h) The extent to which the proposal meets the provisions of section 9 of the plan (access, parking and loading);

(i) The matters to be considered by Council in clause (iii) below;

(j) Consideration of 3.1.2.1 Landscape Character O2 and P2 and Section 13 Other Methods.

(ii) The Council may impose a financial contribution in accordance with Section 7 – Development Contributions.

(iii) In determining what conditions are appropriate to apply to harvesting activities Council shall consider the following matters:

(a) Compliance with rule 5.1.1 (Riparian planting and retirement) Activities undertaken under rule 4.1.2 are excluded from this rule, as this rule provides for riparian management specifically for the Kaitiaki zone. Note Item 213 in Schedule 3 excludes understorey and re-growth of vegetation in a plantation forest;

(b) Use of management techniques as recommended in the Forest Industry Training Best Practice Guidelines and the New Zealand Forest Code of Practice (LIRO);

(c) Any adverse effects on indigenous biological diversity;

(d) Compliance with 1.3.1(i) and (ii) above;

(e) The methods for revegetating the site, (including the methods and programmes for revegetating the site);

(f) The measures to mitigate the impact of harvesting on any kiwi present, (including provision for the management of dogs, ongoing pest management, the control of burning and other mitigating factors);

(g) Whether any scheduled significant items or features require further legal protection.

Note: This rule does not apply to Scheduled Item 213 of Schedule 3.

(h) The criteria in 1.4.12 – (Kaitiaki (Conservation) zone) relevant to the application;

(i) The criteria in 1.4.16 – (Activities Involving Items in Schedules 1, 2 and 3), relevant to the application;

(j) The criteria in 1.4.221~~1~~(a) (b) and (c) – (Activities in Natural Hazard Areas), relevant to the application;

(k) Visual effects and whether harvesting can practicably be carried out in a way, which mitigates effects on natural character.

Advice note: Council shall consider the progress made with the NZHPT procedures as they relate to archaeological sites.

Objectives/Policies		
3.1.2.1	O1, O2	
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2	P1, P2, P3
3.8.2.1	O1, O2, O3, O4, O5, O6	P1, P2, P3, P4, P5
3.9.2.1	O1	P1

Explanation

The Kaitiaki (Conservation) zone in the Kaimai Ranges is identified on the planning maps and includes:

- All that land held in public reserve including former State Forest;
- Areas identified by previous Hauraki Catchment Commission reports as being subject to soil conservation measures;
- Generally all land down to the bush line at the base of the Ranges, Pastoral country is generally excluded.

The Piako County District Scheme 1974 identified that some of the lands (classed as VII(e) and VIII(e) as well as some class VI(e) lands on high plateaus were recommended by the former Hauraki Catchment Board as "Watershed Protection Forest" as part of the Waihou Valley Scheme. Those areas identified were at that time predominantly in native bush or scrub or other steep hill country. Those areas identified were included in the District Scheme as Native Bush or Forest Conservation Zone which determined that it was essential that the forest cover be maintained to ensure proper control of water run-off and a minimum of soil erosion, or to preserve their scenic quality. The zone along with the definition of protection forest precluded the milling, thinning or destruction of these areas and required that in the event of destruction that it be allowed to regenerate or be replanted. It was also deemed essential that grazing of the area be prohibited and noxious animals be kept under control so as to prevent damage to the forest.

In addition to this a separate "Protective Afforestation" zone was introduced into the Piako County District Scheme. The goal was to protect river watersheds and safeguard areas from erosion, and at the same time to encourage afforestation where it would assist with the prevention of erosion and control of water run-off. This zone recognised that while those areas were susceptible to erosion in the absence of proper management programmes, they were still capable of being utilised. Afforestation and timber extraction, if correctly and sensibly controlled and managed, was permitted to be undertaken subject to erosion and water run-off and good management.

Council's policy at this time was to allow afforestation and subsequent timber extraction within this zone, but prior to any approval Council required the preparation of a Comprehensive Forest Development Plan (CFDF). The approval by both the Council and Hauraki Catchment Board of the CFDP was required.

The Piako County District Scheme, which became operative in 1985 enlarged the "Native Bush" or "Conservation" zone and included the Protection Afforestation zone within it. Areas in this zone were identified as being liable to erosion if not properly managed. The Scheme also stated that most of these lands should be maintained in permanent forest cover to control water run-off and erosion and to preserve scenic quality but the Scheme also recognised that some of the land was capable of use as forestry "if the afforestation of these areas and any eventual harvesting of timber is carefully managed." Protection forestry was identified as being the management of forests principally for soil conservation and regulation of water, and included harvesting operations that were compatible with the principal management objective.

Management activities of the NZ Forest Service which did not conflict with the objective of the zone including preservation of the ground or maintenance planting designed to re-establish such cover subject to management plans approved by the Council were permitted. Commercial forestry was not permitted.

The provisions of this plan have recognised that the harvesting of those former forest service areas that are already established, regardless of their status and whoever manages the land, should be able to be undertaken provided that the criteria for harvest and subsequent revegetation as outlined are met.

1.3.2 Dwellings in the Rural zone

(i) Dwellings on existing Certificates of Title less than 4.2 ha in area.

The applicant shall prove that the Certificate of Title was in existence prior to November 1996.

(ii) Dwellings, accessory to an approved dwelling, directly associated with farming or production forestry.

The applicants shall show that the accessory dwelling is directly associated with farming or production forestry.

Advice note: See Also Section 1.2.2

Objectives/Policies		
3.3.2.1		P1, P2, P3
3.3.2.1	O1	P1, P2, P3

1.3.3 Dwellings in the Residential zone

(i) Future urbanisation

The location of the dwelling shall not compromise the future servicing and development of the site for residential purposes.

Objectives/Policies		
2.4.1	O1	P1
2.4.2	O1	P1
3.9.2.1	O1, O2	P1, P2

1.3.4 Subdivision

(i) Development suitability

In assessing subdivision consent applications Council shall have particular regard to the Development Suitability Criteria (Section 1.2), Infrastructure and Servicing provisions (Section 5.9), ~~and~~ the Subdivision rules (Section 6) and the Transportation provisions (Section 9).

(ii) Development Contributions

As a condition of consent for any subdivision consent Council may require the payment of a Development Contribution to avoid, remedy or mitigate any adverse off-site effects generated by the subdivision. See Section 7: Development Contributions.

Objectives/Policies		
See objectives and policies in Section 1.2, Section 5.9 and Section 6.		
3.9.2.1	O1, O2	P1, P2

1.3.5 Activities in natural hazard areas

Council reserves control over the following matters for controlled activity resource consent applications and may impose controls in respect of each:

(i) The location of buildings, storage areas and fences in relation to forests;

(ii) The location of production or plantation or conservation and stands of vegetation;

(iii) The location and the times of operation of open fires, refuse fires, chimneys and flues;

(iv) The storage of flammable chemicals or materials and fire fighting water supplies;

(v) Access to the site for emergency vehicles;

(vi) Any activity on-site that may adversely affect the natural drainage of peatlands held as public reserve or Scheduled in this Plan for protection;

(vii) The matters within the ~~MPDC~~ Development Manual ~~2010~~.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2
3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1

1.3.6 Activities provided for in a Development Concept Plan

(i) General

(a) Any activity shall be located in general accordance with the Development Concept Plan;

(b) Any proposed activity shall be assessed as to the extent to which the activity complies with the Development Controls and Performance Standards of the District Plan;

(c) Conditions may be imposed with regard to compliance with the Performance Standards and Development Controls and the matters assessed under this Rule.

(ii) Visual

(a) The visual effects of buildings, structures, access and manoeuvring areas and earthworks, landscaping or other activities will be assessed in terms of the likely effect on or of:

- The surrounding environment and general landscape character (including ridgelines and view planes) with particular consideration of public roads, public reserves, identified significant features, Residential zones, dwellings in Rural zones, or marae in the vicinity of the proposed facility;
- Design elements in relation to the locality, with reference to the existing landscape character of the locality and amenity values;
- The mitigating effects of any proposed landscaping.

(b) In making an assessment of visual impact regard shall be had to:

- The scale of the facility or building;
- Height, cross sectional area, colour and texture of structures and buildings;
- Distance of structures to site boundaries, the degree of compatibility with surrounding properties;
- Proposed planting, fencing and other landscaping treatments;
- Proposed signs;
- Civil aviation height, colour and design requirements;

- The intensity of lighting when viewed from a distance should not be out of character with the environment in which the installation is situated;
- Lights should be directed and positioned as far as practicable so as to prevent spill or light adversely affecting the use and enjoyment of adjoining properties;
- The opportunity for co-siting the facilities.

(c) Subject to the master landscape plan and planting programme, in assessing any proposed landscaping regard shall be had to:

- Whether existing landscape features are integrated into the new development;
- Whether the layout and design are of a high standard, and provide a visual environment that is interesting and in scale with the proposed development;
- The size of trees to be planted at the time of planting and at maturity;
- The timing of implementation of the landscape plan and the maintenance of approved planting;
- Whether the type and the location of planting promotes public safety;
- The Preliminary Visual and Landscape Study, October 1992, Volume I.

1.3.7 Use of land for effluent disposal of non-human waste from industrial activities

Any effluent disposal system (including disposal onto land by way of spray irrigation) associated with the disposal of non-human waste shall comply with the following:

(i) Yards

- 10 metres from a road boundary;

- 150 metres from dwellings;

- 300 metres from a school, marae, hall, public reserve, or Residential zone.

(ii) No spraying shall occur from a public road or place.

(iii) Access

- Section 9.1.2(~~ix~~vi) shall apply; and

- Any mud or materials deposited on the roadway shall be removed immediately.

(iv) Noise

- Section 5.2.5 shall apply.

~~**1.3.8 Overhead power lines**~~

~~(i) The visual effects shall be considered in the light of 1.4.1;~~

~~(ii) The management of risk as in 1.4.9.~~

1.3.8 Temporary military training

(i) The building envelope rules of the respective zone shall apply.

Objectives/Policies		
2.4.1	O1	P1
2.4.5	O1	P1
3.1.2.1	O1	P1

3.5.2.1	O1, O2	P1, P2, P3, P4, P5
3.5.2.2	O1, O2	P1, P2, P3, P4, P5, P6
3.5.2.3	O1, O2, O3, O4, O5, O6	P1, P2, P3, P4, P5
3.5.2.4	O1, O2	P1, P2, P3, P4, P5
3.7.2.1	O1	P1, P2, P3, P4

1.4 Assessment criteria for restricted discretionary, discretionary and non-complying resource consent applications

In considering restricted discretionary, discretionary and non-complying activities, Council shall, unless otherwise stated, have regard to any or all of the following matters, as appropriate, as well as the Performance Standards (Section 5), Transportation provisions (Section 9), Development Contributions (Section 7), the Other Methods in Section 13 and the ~~MPDC~~ Development Manual ~~2010~~. For discretionary activities, ~~T~~these matters do not restrict Council's discretionary power.

1.4.1 Visual

(i) The visual effects of an activity or work will be assessed in terms of the likely effect on:

(a) The surrounding environment and general landscape character (including ridgelines and view planes) with particular consideration of public roads, public reserves, identified significant features, Residential zones, dwellings in Rural zones, or marae in the vicinity of the proposed facility;

(b) Design elements in relation to the locality, with reference to the existing landscape character of the locality and amenity values;

(c) The mitigating effects of any proposed Landscaping.

(ii) With regard to activities in the Kaitiaki (Conservation) zone:

(a) Whether the siting, design and external appearance of any building dominates the skyline when viewed from any formed public road, accessway or public open space;

(b) Where the application involves a building on or near a ridgeline the Council will consider whether:

- The highest point of any building is below that of the natural landform at the watershed of the ridge line immediately adjacent to it; or
- The highest point of any building is below that of any existing vegetation, or proposed planting, which provides a vegetative screen between the site of the proposed building and the watershed of the ridge immediately adjacent to that site.

(c) Whether existing bush and vegetation will be retained where practicable, and sufficient landscape planting is provided for screening and as a backdrop where necessary, to ensure that buildings blend with the natural character of the landscape;

(d) Whether any earthworks necessary for the creation of a building platform, and access, will cause minimal disturbance to the landform and character of the site, and whether any such areas will be appropriately landscaped as soon as practicable having regard to the season;

(e) Whether driveways, private ways and turning areas will be constructed in such a manner as to require minimal disturbance to existing landform or vegetation;

(f) In addition to (a) – (e) above consideration shall be given to the activities provided for on the Development Concept Plan for Part Okauia 1 Block being Part DP7148, Okauia 4B Block, Lot 1 DPS 24315 Blocks IV and VIII Tapapa SD as identified in Schedule 5 whilst ensuring adverse effects of such activities are avoided, remedied or mitigated;

(g) In addition to (a) – (e) above consideration shall be given to the activities provided for on the Development Concept Plan for Part Section 126, Block II Tapapa East Survey District (CT SA5B/22) as identified in Schedule 5 whilst ensuring adverse effects of such activities are avoided, remedied or mitigated.

(iii) In making an assessment of visual impact regard shall be had to:

(a) The scale of the facility or building;

(b) Height, cross sectional area, colour and texture of structures and buildings;

(c) Distance of structures to site boundaries, the degree of compatibility with surrounding properties;

(d) Site location in terms of the general locality, topography, geographical features, adjoining land use, i.e. landscape character, rural houses;

(e) Proposed planting, fencing and other landscaping treatments;

(f) Proposed signs;

(g) Civil aviation height, colour and design requirements;

(h) The intensity of lighting when viewed from a distance should not be out of character with the environment in which the installation is situated;

(i) Lights should be directed and positioned as far as practicable so as to prevent spill or light adversely affecting the use and enjoyment of adjoining properties;

(j) The opportunity for co-siting the facilities;

(k) Increased movement resulting from the activity.

(iv) In assessing any proposed landscaping regard shall be had to:

(a) Whether existing landscape features are integrated into the new development;

(b) Whether the layout and design are of a high standard, and provide a visual environment that is interesting and in scale with the proposed development;

(c) Size and type of trees to be planted at the time of planting and at maturity having considered:

- The character of the building or activity on-site;
- The character of adjacent properties;
- The scale of any parking areas to be screened;
- Potential shadowing in winter of adjacent residential or rural properties or public reserves;
- Underground and overground services;
- Suitability of the species to the location;
- Suitability of the maintenance plan and watering programme to the species.

(d) The timing of implementation of the landscape plan and the maintenance of approved planting;

(e) Whether the type and the location of planting promotes public safety;

(f) Whether the Landscape Plan is certified by an appropriately qualified person as consisting of hardy plants suited to the location and capable of achieving the appropriate screening or enhancement purposes desired in the circumstances;

(g) The Preliminary Visual and Landscape Study, October 1992 (Volume I).

Objectives/Policies		
2.4.2	O1	P1
3.1.2.1	O1	P1
3.5.2.1	O1, O2	P1, P2, P3, P4, P5
3.5.2.2	O1, O2	P1, P2, P3, P4, P5, P6
3.5.2.4	O1, O2	P1, P2, P3, P4, P5

1.4.2 Noise effects

(i) The Council shall ensure that existing activities are not adversely affected by the proposal. In determining appropriate noise levels, Council shall have regard to the noise environment of the locality in which it is proposed to site the facility and the practicality of reducing noise from the utility components;

(ii) With regard to airports, Council shall have regard to New Zealand Standard 6805:1992 and New Zealand Standard 6807 with regard to Helicopter noise;

(iii) Council shall also have regard to the "Guide to assessing road-traffic noise using NZS 6806 for state highway asset improvement projects", Version 1.0, October 2011 ~~"Guidelines for the Management of Road Traffic Noise - State highway Improvements"~~ by ~~Transit New Zealand~~ the NZ Transport Agency;

(iv) With regard to noise-sensitive activities ~~dwellings~~ adjacent to ~~located within 50 metres of~~ a state highway or railway line, see Rule 5.2.9. ~~and 25 metres of any other road within the Rural zone, Council shall have regard to the environmental outcome prescribed for dwellings in Rule 5.2.1. Applicants should note that in some circumstances an acoustic design report may be required to enable the impact of noise on the dwelling to be fully assessed.~~

Objectives/Policies		
3.4.2	O1	P1
3.5.2.3	O1, O2, O3, O4	P1, P2, P3, P4

1.4.3 Stormwater and effluent effects

The proposal shall be designed and maintained in a manner which prevents as far as practicable, pollution or contamination of ground or water or Council's stormwater system. Techniques such as bunding, impermeable layers under bunds and interceptors may be required. The extent of measures required will be determined after consideration of the Building Code and the sensitivity of the receiving environment to discharges.

The matters indentified in Section 5.9.2 and Section 6.2.1 shall also be considered.

Objectives/Policies		
2.4.2	O1	P1
3.3.2.1	O1	P1, P2, P3

1.4.4 Traffic and access – see Section 9: Transportation

~~(i) Traffic volumes, traffic mix relative to the existing and future traffic patterns, speed environment, access, parking and loading on-site;~~

(ii) Hours of operation relative to the existing and future neighbourhood amenity;

(iii) Construction traffic volumes, traffic mix, hours of operation;

(iv) The operational requirements of the activity (e.g. wherever more than one access facilitates the safe and efficient movement of vehicles to and from the site);

(v) The extent to which potential adverse effects of the activity on traffic safety and efficiency will be avoided, remedied or mitigated by implementing traffic management measures such as:

- Flush medians or solid medians;
- Deceleration and acceleration lanes on state highways;
- The careful design and location of access points on to roads, particularly state highways.

(vi) The effects of the activity having regard to the LTSA Guidelines for Service Stations (to the extent that these are relevant to other high traffic generating uses);

(vii) In respect to Section 9.1.1(iii)(g) (restricting vehicle access to specified shopping frontages) whether there will be no significant loss of pedestrian amenity if a vehicular access is provided and, having regard to the particular location and the nature of the activity, the overall objectives for the zone will not be compromised.

(viii) The matters identified in Section 5.9.2 and Section 6.2.1 shall also be considered.

Objectives/Policies		
2.4.2	O1	P1
3.8.2	O1,O2, O3, O4, O5, O6, O7	P1, P2, P3, P4, P5, P6, P7, P8, P9

1.4.5 Parking and loading – see Section 9: Transportation

(i) Alternative means of providing parking and loading

(a) Joint provision of parking and loading for several activities

Where several activities are established on any site, or on several sites in any area, the Council may permit the developers of such activities to provide joint off-street parking and loading areas for their common use. The number of parking spaces required shall be the sum of the requirements for each activity.

Where it can be shown that the parking or loading demand of one or more of the activities occurs at a different time from that of the remaining activities, the Council may waive the parking or loading requirement through a resource consent application for one or more of the activities.

The Council may allow a developer to enter into an agreement to use an existing parking or loading area as a joint area where the demand for parking or loading of vehicles occurs at a different time from that of the existing activities, or where the Council considers that there is sufficient capacity to accommodate the additional vehicles.

In every case Council shall require written documentation of the agreement or arrangement entered into.

The Council reserves the right, with notice, to re-impose the individual requirements should circumstances change with respect to the right of any developer, owner or occupier to use the joint parking or loading area,

Or

(b) Cash in lieu

~~Council may accept cash-in-lieu of parking and the monies received shall equate to the value of Council land nearby (being 25m2 per carpark) and the formation costs of the required carparks. Council shall provide such off-site parking within 5 years of receipt of such cash-in-lieu provision.~~

~~An account shall be kept at Council's Offices of the number of spaces funded by developments in the vicinity of the carpark. This information must be referred to prior to Council accepting a financial contribution. See also Development Contributions: Section 7.~~

~~Or~~

~~(c) On-street parking~~

~~Where on-site parking is required for commercial development but Council considers that it is not reasonable or practical now or in the future to make that provision on-site, Council may approve on-street parking immediately adjacent to the property.~~

~~The Council may require a set back of the footpath to accommodate such parking and may require the full cost to be borne by the applicant.~~

~~For clarity such alternative parking provision shall only be permitted on the same side of the street as the proposed activity.~~

~~Or~~

~~(d) Additional land~~

~~The Council may approve parking provided on suitably zoned land sufficiently close to that site (but not on any road or service lane) to ensure the ready use of such parking areas by visitors and employees of the activity. Council shall require legal evidence of the parking site being tied to the activity.~~

~~Whichever option is pursued, the matters identified in Section 5.9.2 and Section 6.2.1 shall be considered.~~

~~**Objectives/Policies**~~		
~~2.4.2~~	~~O1~~	~~P1~~
~~3.8.2~~	~~O2, O3, O4, O5~~	~~P2~~

~~**Explanation**~~

~~When considering applications for activities that do not meet the performance standards required with respect to access on-site parking and loading, Council shall consider alternatives that may be appropriate to the site specific circumstances of the proposal.~~

1.4.6 Social and heritage effects

(i) The likely impact of construction, operation and maintenance activities including those in residential and rural areas, marae, public reserves and identified significant features (Particularly the function of community and recreational facilities in the vicinity of the proposed facility). See Appendix 1: Evaluation Criteria;

(ii) The impact on the adjacent site's management including public and private airfields;

(iii) The Iwi's opinion if Maori land titles are being alienated;

(iv) The degree to which the proposal complies with a Reserves Management Plan prepared under the Reserves Act 1977 or any other empowering legislation.

Objectives/Policies		
2.4.2	O1	P1
3.1.2.3	O1	P1, P4, P5, P6

1.4.7 Wind effects

The effects of the structures on the micro wind climate of the neighbourhood particularly adjacent to residential, marae and recreational facilities.

Objectives/Policies		
3.2.2.3	O1	P1, P2

1.4.8 Odour effects and air emissions

The effect of, and the probability of, offensive odours and particulate matter from the operation of facilities and in particular the operation of sewage treatment and disposal facilities and solid waste management disposal sites.

Objectives/Policies		
2.4.2	O1	P1
3.5.2.3	O1, O2, O3, O4, O5, O6	P1, P2, P3, P4, P5

1.4.9 Risk management

(i) Council shall have regard to the degree of risk associated with the following (Council may require further information to enable a full assessment of the proposal):

(a) The use of hazardous substances in the facility and proof that the NZ Fire Service and the Regional Council have been advised;

(b) The technology used in the provision of the service e.g. high voltage electricity, radio-active material, electro magnetic fields;

(c) Risk of rupture, breakage, collapse, failure, movement etc of components of the facility as it relates to the design and maintenance of the facility and the effect of natural hazards on the facility;

(d) The measures inherent in the proposal which will avoid, remedy or mitigate the potential for that effect to occur.

(ii) Where the application relates to the use, management, development or rehabilitation of a contaminated site the applicant shall advise on the risks of undertaking the proposed activity in relation to the contaminants identified on the site.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2
3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1

1.4.10 Biological effects

The existence on-site or adjacent to the site of outstanding, significant or intrinsically valuable ecosystems or flora or fauna. See Appendix 1 for the Evaluation Criteria.

(a) Whether all existing indigenous vegetation will be retained but not including the understorey, and regrowth of failed lawful plantings of a plantation forest except where removal is unavoidable for the reasons outlined below:

- To create a building platform;
- For access and parking.

Any works should minimise disturbance to the landform/character and vegetation.

(b) Whether there is sufficient time and expertise to record and document the heritage resource before the proposal occurs;

(c) Consideration of the provisions of any relevant Management Plans;

(d) Where the evaluation criteria in Appendix 1 show any significant natural feature, tree or stand of trees, building, object, geological feature or waahi tapu worthy of protection then that item should be included in the relevant schedule;

Objectives/Policies		
3.1.2.2	O1	P1, P2, P3, P4

1.4.11 Rural zone

(i) Discretionary or non-complying activity resource consent applications on Class I, II and III soils within the Rural zone must show that the high quality soil is not degraded, compromised or lost from the land resource.

(ii) That the requirement for the dwelling is directly related to the long-term labour requirements of the property and there is appropriate servicing available to the site at the applicant's expense.

Objectives/Policies		
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2	P1, P2, P3

1.4.12 Kaitiaki (Conservation) zone

(i) The nature and extent of the proposed work and the degree to which it may disturb natural landforms, landscapes, features and vegetation, or create soil instability, or lead to adverse effects to natural habitats, watercourses and wetlands.

(ii) Any proposal for use and development shall as far as practicable, be located, designed, constructed or placed to complement the character of the environment in which it is located.

(iii) Use and development shall be considered inappropriate where it would modify, damage or destroy any regionally or nationally or internationally rare, threatened or endangered indigenous fauna or habitat of such fauna, plant or plant community, or any significant indigenous vegetation which contributes to the recognised values of the area.

(iv) The location and extent of any archaeological cultural and historic sites within any area subject to the application and how they will be affected by the proposal.

(v) The likely impact of the proposal on natural landforms in terms of visual appearance, and the potential for subsidence or erosion (including stream banks).

(vi) Development proposals shall ensure that any run-off or stormwater resulting from the establishment of the activity does not lead to siltation, sedimentation, or a reduction of water quality in natural watercourses and groundwater that leads to adverse effects on identified natural habitats and ecosystems or detracts from the natural character of the environment.

(vii) All existing indigenous vegetation shall be retained except where removal is unavoidable for the following reasons:

(a) To create a building platform;

(b) For access and parking;

(c) For the purposes of the proposed activity.

(viii) Native vegetation removal and all earthworks must not adversely affect the sustainability of natural habitats and ecosystems.

(ix) Details of an appropriate rehabilitation programme or other mitigation measures for the area to be subject to the proposed activities.

(x) The time period over which the work will take place.

(xi) The provisions of any relevant management plan or conservation plan.

(xii) In addition to (i) – (xi) above consideration shall be given to the activities provided for on the Development Concept Plan for Part Okauia 1 Block being Part DP7148, Okauia 4B Block, Lot 1 DPS 24315 Blocks IV and VIII Tapapa SD as identified in Schedule 5 whilst ensuring adverse effects of such activities are avoided, remedied or mitigated.

(xiii) In addition to (i) – (xi) above consideration shall be given to the activities provided for on the Development Concept Plan for Part Section 126, Block II Tapapa East Survey District (CT SA5B/22) as identified in Schedule 5 whilst ensuring adverse effects of such activities are avoided, remedied or mitigated.

(xiv) And the standards and terms of 1.4.29(i).

Objectives/Policies		
3.1.2.1	O1	P1
3.1.2.2	O1	P1, P2, P3, P4

1.4.13 Mining or quarrying

In addition to the general assessment criteria for discretionary and non-complying activity resource consent applications, Council shall have regard to:

(i) Management plan

Whether there is an adequate management plan for the site and the extent to which it describes the activity, and details appropriate methods to be used to avoid, remedy or mitigate adverse affects, of:

- Stripping and stockpiling top soil and overburden;
- Stormwater and wastewater disposal;
- Dust;
- The transport, storage and use of hazardous substances including explosives;
- Traffic;
- Access;
- Noise;
- Rehabilitation.

Council should have regard to whether the working of the mine, quarry or pit shall be programmed into stages and the working area shall be restricted to one stage at a time.

- Blast noise and vibration. See Rule 4.9.1.

(ii) Rehabilitation

(a) The means and extent to which top soil is proposed to be retained for future rehabilitation of the land;

(b) The means and extent of restoration proposed of the soil profile and of all excavations and land disturbances to a natural, vegetated landscape;

(c) The programme, species and timing proposed for rehabilitation planting;

(d) Closure programme including removal of plant, buildings and waste on completion of works or expiry of consent.

(iii) Separation

(a) Whether a minimum of 300m separation is provided for between the working areas (including stockpiling areas) and the site boundary for mitigation of noise, dust and other nuisances;

(b) Whether a lesser distance can mitigate all such adverse effects.

Objectives/Policies		
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2	P1, P2, P3
3.5.2.3	O1, O2, O3	P1, P2, P3, P4, P5

Explanation

These rules are implementing the Objectives and Policies concerning Sustainable Primary Production, Landscape and Amenity. The District has in the past experienced the adverse effects created by mining and quarrying and is thereby very aware of the need to ensure operators are committed to a realistic site management system and rehabilitation of mining and quarrying sites.

1.4.14 Commercial stockyards, saleyards and holding paddocks

In addition to the general assessment criteria for discretionary and non-complying activity resource consent applications, the following shall apply for Commercial Stockyards, Saleyards and Holding Paddocks.

(i) Separation

Council shall have regard to whether a minimum of 500 metres separation can be provided from a Residential or Business zone to mitigate the potential adverse effects of odour, noise and other nuisances can be provided or whether a lesser distance can mitigate all adverse effects and whether a minimum of 30 metres can be provided from ancillary buildings to such zones.

Objectives/Policies		
2.4.2	O1	P1
3.5.2.3	O1, O2, O6	P1, P3, P4, P5
3.8.2	~~O1~~O2	P1, P2, P3

Explanation

The concentration of animals into stockyards and saleyards can result in adverse effects including concentrations of effluent aerosols and odour as well as excessive noise and traffic congestion for the term of the sale. Council's rules are based on Objectives 3.5.2.3, O1, O2 and O6 of the Amenity section as well as Objective 3.8.2, O2~~1~~ concerning the maintenance of safe and efficient roading networks.

It is recognised that the separation distances will require larger sites and thereby incur costs on operators. The WRC's rules on discharge permits will ensure that contaminants are adequately collected, treated and disposed of. The issues of stormwater, effluent aerosols and odour will be controlled through District Council rules. Distance can abate noise levels to a degree and such a measure is implemented in conjunction with the noise standards of Section 5 Performance Standards.

Sale times attract large numbers of vehicles as well as a significant proportion of stock trucks. The provisions of Section 9 concerning safe and effective accessways and on-site parking, loading and manoeuvring are also relevant to this activity.

The rule in relation to separation distances from the Residential or Business zones has not been extended to rural dwellings because it is perceived that such a rule would be unduly onerous on the development of stockyards and saleyards.

The character and amenity values of the Rural zones includes the effects of pastoral farming and the consequential saleyard activities. Council considers that saleyards and stockyards are an integral part of rural life and that rural residents accept different amenity values to those persons in Residential and Business zones.

1.4.15 Intensive and litter poultry farming

In addition to the applicable Assessment Criteria elsewhere in Section 1.4 and the Performance Standards in Section 5:

(i) Intensive farming

(a) Council may consider the provisions of Codes of Practice produced by farming groups such as the Pork Industry Board (1993).

- To determine the appropriate separation of buildings from adjacent buildings and Residential zones. A minimum separation of 500 metres is anticipated or 100 metres per 700m^2 of gross floor area whichever is the greater;
- To assess the ability of the operation to internalise objectionable odours having regard to any separation that may exist;
- To determine the appropriate measure for the disposal of solid and wastewater;
- To determine the appropriate level of landscaping.

(ii) Litter poultry farming

In addition to the applicable Assessment Criteria elsewhere in Section 1.4 and the Performance Standards in Section 5, Council shall consider the measures to be implemented to avoid, remedy or mitigate adverse effects at or beyond the property boundaries having regard to the following:

- No less than 500 metres separation is provided to a Residential zone;
- No less than 250 metres separation is provided on site to the property boundary. Such measurement is to be from the perimeter of the proposed and/or existing sheds (external walls) exclusive of spray irrigation areas;
- Shed location and design, and the means of ventilation;
- A topographical plan and the provision of information as to the prevailing weather patterns particularly wind patterns;
- A Management Plan for the facility including:
  - Environmental objectives and targets, use of best practicable options, performance reviews, checklists.
  - Construction protocols.
  - Shed details including ventilation and litter management.
  - Waterway and feeding systems.
  - Harvest and cleanout, dead bird management.
  - Landscape planting and maintenance.
  - Wastewater and stormwater management.
  - Waste management and litter disposal.
  - Air quality and odour management.
  - Traffic noise and management.
  - Noise mitigation.
  - Hazardous goods, emergency and incident management.

- Monitoring, maintenance, records and reporting.
- Community liaison with adjoining neighbours.
- Complaints systems and management including schedule of neighbouring properties and contact phone list.

Advice note: That Council has a commitment to ensuring a high quality of feed is supplied by the supplier to the grower in order to reduce odours associated with litter poultry farming. Materials/ingredients that are used in the feed should be those that reduce the potential of the feed to produce an objectionable odour. An agreement between the Council and the supplier of the feed may be appropriate to specify feed content and quality.

(iii) Encroachment of Separation Distance onto Adjacent Land

Council will consider the encroachment of the separation distance around Intensive and Litter Poultry Farms onto adjacent land holdings where that adjacent land owner and/or occupiers have voluntarily offered their written consent to the potential effects and where the applicant demonstrates that it has explained the implications of such consent and suggested that legal advice be obtained. Such consent may be recorded on the certificate of title in the form of a "No Complaints Covenant".

Advice note: In assessing the possibility of adverse effects from odour, particulate matter, and wastewater discharges emanating from Intensive and Litter Poultry Farming, the Council shall concern itself with integrated land-use management and amenity impacts in terms of its functions under Section 31 of the Resource Management Act 1991, leaving regulation of the actual discharges to the Regional Council (as provided for under Section 30 of the Resource Management Act 1991).

Objectives/Policies		
2.4.2	O1	P1
3.5.2.3	O1, O2, O3, O4, O5	P1, P3, P4, P5

Explanation

The District has experienced the adverse effects of poultry farms, hatcheries and piggeries and the District Plan's rules are intended to avoid, remedy or mitigate these adverse effects.

The rules are intended to allow Council to implement guidelines that have been prepared by each agricultural sector which has in depth knowledge of the performance of the activity.

It is considered that the more restrictive discretionary activity process is necessary to ensure that each proposal is fully assessed and all adverse effects are appropriately managed.

1.4.16 Activities involving items in Schedules 1, 2 and 3

(i) General

(a) Whether the proposal has adverse effects on the scheduled resource and the measures taken to avoid, remedy, or mitigate potential adverse effects;

(b) The necessity for the proposed works or activity and any alternative methods and locations available to the applicant for carrying out the work or activities;

(c) Whether the proposed activity detracts from the intrinsic value of the resource;

(d) Whether the works or activity would wholly or partially nullify the effect of scheduling the resource;

(e) Whether there is any change in circumstance that has resulted in a reduction of the value of the resource since it was scheduled in the plan;

(f) Any proposal for use and development shall as far as practicable, be located, designed, constructed or placed to complement the character of the environment in which it is located;

(g) Use and development shall be considered inappropriate where it would modify, damage or destroy any regionally or nationally or internationally rare, threatened or endangered indigenous fauna or habitat or such fauna, plant or plant community, or any significant indigenous vegetation which contributes to the recognised values of the area;

(h) The likely impact of the proposal on natural landforms in terms of visual appearance, and the potential for subsidence or erosion (including stream banks);

(i) Development proposals shall ensure that any run-off or stormwater resulting from the establishment of the activity does not lead to siltation, sedimentation, or a reduction of water quality in natural watercourses and groundwater that leads to adverse effects on scheduled natural habitats and ecosystems or detracts from the natural character of the environment.

(ii) Trimming, maintenance, removal and the undertaking of any activity or works within the dripline of any scheduled or generally protected tree:

(a) The necessity for carrying out the works including whether the tree is:

- Dead, dying, diseased, or has lost the original qualities for which it was originally scheduled,
- Required to be removed from drainage systems, rivers or watercourses,
- Interfering with network utilities or other public works,
- Causing significant or unusual hardship.

(b) The extent of trimming, maintenance and the methods to be employed and whether this is in accordance with accepted arboricultural practice;

(c) Any alternative methods which may be available to protect the tree, including modification of development controls where this would encourage retention and enhancement of existing large trees on the site;

(d) Whether the tree can be relocated;

(e) Whether or not the proposed activities in the dripline of the tree are in the opinion of the Council likely to damage the tree or endanger its health;

(f) Extent to which the tree or areas of bush contributes to the amenity of the neighbourhood, both visually and physically, including as a habitat for birds and animals;

(g) Whether the proposed landscaping or revegetation can compensate for any loss envisaged.

(iii) Any works or activities which will have an effect on any scheduled waahi tapu.

(a) Whether any consultation has occurred with tangata whenua and there is written confirmation from any affected parties that the activity avoids, remedies or mitigates adverse effects on tangata whenua taonga.

(iv) In addition to the general matter in (i), the following matters shall apply for alteration, modification or demolition of a Scheduled building or object.

(a) Whether the building or object is classified in Group 1 or 2 and the reasons why it was scheduled;

(b) Whether the proposed alterations or modifications respect the original building and are not visually dominant;

(c) Whether the relationship of the building or object with the setting is maintained;

(d) Where a change of use is proposed, which is not a permitted activity within the zone, the economic viability of the project will be taken into account and whether the proposed activity encourages the protection and maintenance of the scheduled building or property;

(e) When considering the application Council may invite an opinion from an architect specialising in building conservation and/or the New Zealand Historic Places Trust, except where that person or organisation has lodged a submission to the application. Where a building object or place is registered by the Historic Places Trust or subject to a heritage order or requirement or otherwise identified in the plan as having heritage value, the Trust is recognised as an affected party;

(f) Whether the consent sought avoids the least loss of material of heritage significance from the scheduled building or place.

(v) Te Aroha area

(a) Nature, form and extent of the development, alteration or change and its effect on the particular character of the character area;

(b) The use made of similar building materials and design in alterations or additions;

(c) Reasons why the work is necessary;

(d) Where demolition or removal of a building is proposed, demonstration that such action will not significantly affect the streetscape appearance of the character area and will not destroy its unified entity;

(e) The proposed activity will positively enhance the protection and maintenance of the building, in a manner in keeping with the particular character of the character area;

(f) The proposal will not have an adverse effect on the particular character or environment of the character area.

Objectives/Policies		
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6

1.4.17 Surface of water

In addition to the general assessment criteria for discretionary or non-complying resource consent applications the following shall apply to resource consent applications relating to the Surface of Water:

(i) The functional need for the activity or structure to locate on or over the surface of the river.

(ii) Whether the activity or use can be accommodated by existing facilities or services.

(iii) The impact of the activity or structure on the natural character, landscape quality and amenity of the river.

(iv) Any disturbance that may be caused to residents in adjoining Residential or Rural zones, particularly noise impacts.

(v) The impact of the structure on the ecology and hydrology of the river.

(vi) The speed and size of any vessels to be used shall comply with the Water Recreation Regulations on the surface of waterways and any likelihood of bank erosion.

(vii) The impact on public access over the surface of water.

(viii) Any visual effects of buildings, within the waterway or from adjoining rural or Residential zones, particularly in respect of their size and scale.

(ix) Any adverse effects the buildings may cause on waterway and floodplain management and functions, including erosion.

(x) Where appropriate the Evaluation Criteria for Significant Natural Features (Appendix 1) shall be considered.

Objectives/Policies		
3.6.2	O1	P1, P2, P3

1.4.18 Hazardous substances

The Hazardous Facility Screening Procedures (HFSP), shall be used to identify the appropriate level of scrutiny to process an application for a proposed hazardous facility.

The Hazardous Facility Screening Procedure (HFSP) shall be applied to all proposed new facilities using or storing hazardous substances.

In addition to the general assessment criteria for discretionary and non-complying activity resource consent applications the following shall apply for resource consent applications for hazardous facilities:

Where the HFSP has determined that a hazardous facility is a discretionary activity and will therefore require a resource consent, the consent application shall be accompanied by an assessment of environmental effects. This shall be provided in such detail as corresponds with the scale and significance of the actual or potential effects and risks of the proposed development.

An application will be assessed having regard to the following matters:

(i) Consistency with the objectives, policies and controls for the relevant zone;

(ii) Risk assessment.

A qualitative or quantitative risk assessment may be required, depending on the scale or potential effects of the proposed development. As well as addressing more analytically the issues addressed in the HFSP, this assessment should place particular emphasis on those issues not addressed in detail by the HFSP, including:

(a) Identification of potential hazards, failure modes and exposure pathways;

(b) The separation distance to neighbouring activities, with emphasis on people-sensitive activities such as childcare facilities, schools, rest homes, hospitals, shopping centres and residential areas;

(c) The location of the facility in relation to the nearest aquifer, waterway, coast or other sensitive environments;

(d) The nature of the sub-soil and the site geology and possible exacerbated natural leaching;

(e) The distance to environmental sensitive areas such as wildlife habitats or water catchments;

(f) Assessment of the probability and potential consequences of an accident leading to a release of a hazardous substance or loss of control;

(g) Identification of cumulative and/or synergistic effects;

(h) Fire safety and fire water management;

(i) Adherence to health and safety and/or environmental management systems;

(j) Spill contingency and emergency planning, monitoring and maintenance schedules;

(k) Site drainage and offsite infrastructure, e.g. stormwater drainage system, sewer type and capacity;

(l) The transport of hazardous substances; and

(m) The disposal of wastes containing hazardous substances.

(iii) Risk mitigation and management

Consideration will be given to the adoption of specific spill contingency plans, emergency procedures, stormwater management and treatment, treatment and disposal procedures for wastes containing hazardous substances, fire safety, monitoring and maintenance procedures, and appropriate site management systems.

(iv) Alternatives

Where it is likely that an activity may result in significant adverse effects on the environment, a description of alternative locations or methods for undertaking the activity shall be submitted.

(v) Traffic safety

It should be demonstrated that the proposal will generate no significant adverse effects on the safety of the operation of the adjoining road network and that vehicles transporting hazardous substances will not utilise local roads in residential areas as a regular means of transport. Conditions may be imposed that require access along specified routes.

Objectives/Policies		
3.3.2.2	O1	P1, P2

1.4.19 Solid waste

Council shall have regard to the degree to which the operation applies waste reduction and/or waste minimisation techniques.

Objectives/Policies		
3.3.2.1	O1	P2
3.7.2.~~4~~3	O1	P1

1.4.20 Subdivision ~~(excluding Rural zone subdivision)~~ – see Section 6

~~In addition to the general assessment criteria for discretionary and non-complying resource consent applications the following criteria shall be considered for discretionary subdivision consent applications.~~

~~(i) Development suitability~~

The Development Suitability Criteria in Section 1.2.

~~(ii) Urban Design~~

The New Zealand Urban Design Protocol and the National Guidelines for Crime Prevention Through Environmental Design principles for all subdivisions within the Residential, Business and Industrial zones.

~~***Advice Note: The Council has prepared Urban Design Guidelines to provide direction in the approach sought.***~~

~~**Objectives/Policies**~~		
~~See objectives and policies in Section 1.2~~		
~~3.1.2.2~~	~~O1~~	~~P1, P2, P3, P4~~

1.4.21 Subdivision – restricted discretionary activities in Precinct F

1. For restricted discretionary activity subdivision consent applications provided for in Table 6.1.1. Council has restricted its discretion to the consideration of the following matters (refer 2. below for assessment criteria) and may impose conditions of consent in relation to these:

   (a) Structure Plan

   (b) Design and Layout

   (c) Development Suitability

   (d) Activities with Resource Consents

   (e) Servicing

   (f) Future Urbanisation

   (g) Geotechnical matters

   (h) Natural Hazards

   (i) Remediation of soil contamination and verification of effective completion of works

   (j) Earthworks, silt and sediment control

   (k) Transportation

   (l) Maintenance of the opportunity for a Neighbourhood Node (as identified on a structure plan).

   (m) Development Contributions under Section 7 and the Local Government Act 2002

   (n) Reverse sensitivity

2. Applications for restricted discretionary activity Resource Consent for subdivision will be assessed against the following criteria.

   (a) Structure Plan

   Whether the subdivision is consistent with the relevant Structure Plan (refer Appendix 9) and does not preclude the achievement of the structural elements identified therein.

   (b) Design and Layout

   (i) Whether the subdivision is in general accordance with the relevant Structure Plan and subdivision design assessment criteria (below), and/or whether the subdivision gives appropriate consideration to the design and

layout of reserves, walkways and cycle ways and street design, including connections to neighbouring properties, and avoids, remedies or mitigates adverse effects on the State Highway network. Conditions may be imposed to ensure access to adjoining sites is maintained through either the street network or the provision of walkways and cycle ways, particularly where community facilities, reserves and other residential or commercial areas are located nearby.

Road, reserve and access networks design assessment criteria

- The layout and design of roading and open space networks as indicated on a relevant structure plan should achieve connectivity within and between neighbourhoods.
- Road patterns should be logical and contribute to the legibility of the area and should maximise convenient access to arterial and collector roads, schools, reserves, neighbourhood node, employment and a town centre.
- Road layouts should provide for flexibility of access.
- Neighbourhood nodes (where provided on a structure plan) should be located on a collector road and adjoin or be opposite a reserve.
- Safe pedestrian and cycle routes should be integrated with road and reserve design and should match desired lines.
- Layouts should retain existing mature trees, preferably in reserves or road reserves, where these contribute to existing site amenity.
- Layouts should implement identified pedestrian walking trails and provide appropriate hard and soft landscaping designs.

Block size, lot type and orientation design assessment criteria

- Blocks should be of a scale and shape to achieve a permeable street layout.
- Blocks and lots should be designed to enable future dwellings with good solar access.
- As many lots as possible should front onto and be accessed directly from a legal road. Rear lots should generally be avoided.
- A variety of lot sizes should be provided.
- Lots should generally have a depth that is twice the width of the lot
- Lots intended for comprehensive housing developments, where within the Comprehensive Housing Development Overlay, should be of an appropriate size, shape and orientation and should have adequate frontage with a road to support the development of housing in general accordance with the relevant design assessment criteria and provide for the development of infrastructure and roads illustrated on the relevant Structure Plan.

Roads and accessways design assessment criteria

- Road cross-sections should be appropriate to the nature of the service they provide and also reflect urban design legibility considerations in addition to transport engineering.
- Local traffic management measures such as road narrowing, tightened intersection corners, chicanes, raised table pedestrian crossing points and material differentiation should be applied to limit the speed of

vehicles on local roads to enhance safety, movement and amenity for pedestrians and cyclists.

- Collector roads shall be designed to manage traffic speeds
- A consistent palette of traffic management tools should be used in a given development area or neighbourhood.
- Generous street tree planting should be provided on all roads.
- Street trees and landscaping with slender trunks and foliage above 1.5 to 1.8m should be utilised with consideration to utility assets above and underground, on-going maintenance, the life-cycle and the effects on adjoining building sites and properties.
- Where jointly owned private ways or right of ways are required, they should be generous in width and if passing between adjacent lots, be short and avoid sharp bends, and comply with section ~~6.2.3~~ 9 and the ~~MPDC~~ Development Manual ~~2010~~.
- For roads with identified parking bays, the position of parking bays should be designed with recognition of the likely position of driveway crossings onto lots.

Reserve design assessment criteria

- Reserves should be distributed in general accordance with the locations shown on a Structure Plan.
- Reserves should generally be reasonably flat, and be designed and located to provide a focal point for the neighbourhood.
- Reserves associated with neighbourhood nodes should be larger than other local reserves in recognition of their central community function.
- Clear sight lines into all areas of reserve should generally be available from public roads (as a first priority) or nearby dwellings. Reserves should generally be fronted by two public roads.
- Consideration to be given to the potential of the reserve design with cultural heritage of Ngati Haua.
- Trees and any structures should be positioned for winter shelter and summer shade, to maximise the focal qualities of any reserve, and to reinforce any linkages from the reserve to other areas.
- Reserves should be located and designed to retain any existing significant vegetation.
- Reserves should have relatively low maintenance planning.
- Adjoining drainage reserves for stormwater infrastructure should be designed and located to avoid adverse effects on the use and function of recreation reserves.

(ii) Whether the subdivision provides for the natural, vegetation (including individual trees) or heritage and cultural features of the site that are protected, or warrant protection or enhancement and the use of legal instruments such as covenants to secure protection.

(c) Development Suitability

The Development Suitability Criteria in Section 1.2.

(d) Activities with Resource Consents

The size and frontage of the new lot created should be appropriate to the approved activity.

(e) Servicing

(i) Whether sites can be adequately serviced for stormwater (while managing cumulative effects on a catchment wide basis), wastewater, water supply including access suitable for fire fighting purposes and utilities.

(ii) Whether the subdivision is in general accordance with the ~~MPDC~~ Development Manual ~~2010~~ for urban subdivision.

(iii) Whether the layout of building platforms and underground services is appropriate to avoid adverse effects on infrastructure.

(iv) Whether there is a need for easements or other mechanisms for securing access to services or utilities on sites.

(v) The effects on the public services the Council is responsible for in the locality or district and that the residents or occupants of the subdivided or developed area would make use of, generate a need for, or have an impact on (and for which "development contributions" may be required to offset adverse effects).

(vi) The undergrounding of any utility lines within or outside the site being subdivided.

(vii) Whether subdivision provides appropriate infrastructure in a coordinated manner, ensuring that subdivision, development and the provision of infrastructure keep pace with each other.

(viii) Notwithstanding the matters in criteria (vii) above, for the first subdivision or development proposal in Precinct F Matamata (refer Planning Maps and Appendix 9.2) the Council reserves discretion to ensure that the first resource consent application is of an appropriate scale so that the Council's financial exposure for any required infrastructure upgrades to the reticulated network is limited and mitigated (also refer 1.4.21.2.(f)) and so that infrastructure is provided in a coordinated manner. The appropriate threshold for the first subdivision of development proposal is 50 lots.

Exemption to this criteria may apply to subdivision and development proposals in Precinct F Matamata that provide alternative solutions to supply water and wastewater treatment, which are subject to approval by Council.

(ix) Whether the subdivision is consistent with any approved discharge consent, and/or relevant regional technical publication and appropriate measures are proposed to avoid, remedy or mitigate the effects of stormwater discharges on the subdivision and any other site or property. Applications shall provide an assessment by a suitably qualified person(s) to ensure that stormwater generated on the site by the proposal can be disposed of to the satisfaction of Council.

(x) In an identified Structure Plan area, whether low impact stormwater management practices, including rainwater detention, reuse and groundwater recharging are proposed to be utilised. Council reserves discretion to impose conditions of consent and consent notices on certificates of title specifying the requirements for stormwater detention and low impact stormwater management practices that all development must comply with.

(xi) Whether compliance with Section 5.9 has been demonstrated.

(f) Future Urbanisation

The location of the building platform (also refer Section 1.2.2 Development Suitability) on lots with a size greater than 1500 m² should not compromise the future servicing and development of the lot for more intensive future residential purposes. Applications will need to demonstrate how future urbanisation of lots no less than 750 m² or the minimum density permissible whichever is the lesser has been considered in the location of building platforms. Council reserves discretion to impose conditions of consent and consent notices on certificates of title specifying the location of a building platform to secure long-term opportunities, which may not be provided for in this District Plan, for urbanisation.

(g) Geotechnical Matters

Whether the subdivision lots are suitable for the development of buildings.

(h) Natural Hazards

The provisions of 1.4.22 apply.

(i) Remediation of soil contamination and verification of effective completion of works.

(i) Whether, upon investigation, soil has been found to be contaminated by substances associated with rural activities, horticultural uses or other contaminating uses.

(ii) Whether, in instances where contaminants have been identified as being present, appropriate remediation works can be undertaken to satisfactorily deal with any potential adverse effects on human health.

(iii) Whether mitigating measures can be adopted to deal with any potential effects (if any) of undertaking these works.

(j) Earthworks, silt and sediment control

(i) Whether earthworks are to be undertaken with the establishment and maintenance of recognised methods and techniques for the retention of sediment on site and the prevention of discharges of sediment off-site or into water bodies.

(ii) Whether site management methods and techniques will be put in place to ensure that vehicle movements to and from the site or location where earthworks are being undertaken do not result in any material being deposited on public roads creating a hazard or a nuisance to road users.

(k) Transportation

Whether the provisions in Section 9 can be met and ~~W~~whether subdivision addresses, and where necessary mitigates the extent and nature of effects from additional traffic on the State Highway network.

(l) Maintenance of the opportunity for a Neighbourhood Node (as identified on a Structure Plan).

Whether the subdivision creates a lot or lots that are of a suitable size and dimension to facilitate the development of a Neighbourhood Node to ~~save~~ serve the local residential catchment once developed and is in the general location(s) shown on a relevant Structure Plan.

(m) Development Contributions.

The provisions of Rule 1.3.4 apply.

Reserves proposed to be vested with Council shall be in general accordance with the relevant Structure Plan.

(n) Reverse Sensitivity

For lots adjoining the Rural Zone, including those lots separated from the Rural Zone by a road reserve or local purpose access reserve, Council shall register consent notices on the certificates of title that state:

Many agricultural/horticultural production activities are located in the rural zone of the District, where farm management practices, such as the general use of farm machinery on and off-farm, the application of agrichemicals, pumping water for crop irrigation, spreading of effluent, and harvesting of crops occur at various times including during the day, at night, weekends and on public holidays. These practices have the potential to create noise, dust and odour either of a temporary or intermittent nature beyond the boundary of the property concerned but are nevertheless typical environmental effects expected for such activities and zoning consistent with their ongoing sustainability.

The owners of the lot shall not complain to Council about these typical environmental effects.

Objectives/Policies		
See objectives and policies in Section 1.2		
2.4.1	O1	P2
2.4.4	O2	P2
3.1.2.2	O1	P1, P2, P3, P4
3.3.2	O1	P3
3.4.2	O1, O4, O5	P1, P3, P4
3.8.2	O4, O6	P5
3.9.2.1	O1, O2	P1, P2

Explanation:

The minimum number of 50 lots provides a reasonable critical mass and commitment from the applicant to contribute to the funding of the proposed infrastructure upgrades. To achieve the threshold of 50 lots small proposals may be required to coordinate to provide an overall minimum number of lots. All proposals will be subject to the requirements of criteria 1.4.21 and Council's Development Contributions Policy, which may include the use of private development agreements.

1.4.22 Activities in natural hazard areas

Council shall have regard to:

(a) The existing and anticipated stormwater and debris flows and the necessity or otherwise of retention ponds or other stormwater control and/or mitigation devices to avoid, remedy or mitigate natural hazards;

(b) Measures to be taken to mitigate any adverse effects of fire;

(c) Whether the use of land is likely to accelerate, worsen or result in material damage to that land, any other land or structure;

(d) Whether the development and use of land involves the storage of hazardous substances or the congregation of large numbers of people;

(e) Any measures to be taken to avoid any adverse effects of ecotoxicity.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2
3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1

Explanation

Criteria provided for discretionary activities place considerable emphasis on the need for specific technical investigation of impact and/or risk. This is because it is recognised that hazard (its scale, extent or nature) is often poorly understood and Council has decided to adopt a precautionary approach to hazard management.

1.4.23 Temporary activities

Council shall consider:

(i) The duration of the activity;

(ii) Scale of the activity;

(iii) Access;

(iv) Parking;

(v) Noise;

(vi) Waste disposal;

(vii) Restoration.

Objectives/Policies		
3.5.2.3	O1, O2, O3, O6	P1, P2, P4

1.4.24 Development Contributions

As a condition of consent for any discretionary or non-complying activity Council may require the payment of a Development Contribution to avoid remedy or mitigate any adverse off-site effects generated by the activity. See Section 7: Development Contributions.

Objectives/Policies		
3.9.2.1	O1, O2	P1, P2

1.4.25 Discretionary activities on sites subject to a Development Concept Plan

(i) Noise effects

(a) The Council shall ensure that existing activities are not adversely affected by the proposal. In determining appropriate noise levels, Council shall have regard to the noise environment of the locality in which it is proposed to site the facility, and the practicality of reducing noise from the utility components;

(b) Council shall have regard to Section 5.2 and the ~~"Guidelines for the Management of Road Traffic Noise - State highway Improvements" by Transit New Zealand "~~Guide to assessing road-traffic noise using NZS 6806 for state highway asset improvement projects", Version 1.0, October 2011 by the NZ Trasport Agency.

(ii) Stormwater and effluent effects

The proposal shall be designed and maintained in a manner which prevents as far as practicable, pollution or contamination of land, water or Council's stormwater system. Techniques such as bunding, impermeable layers under bunds and interceptors may be required. The extent of measures required will be determined after having regard to the Building Code and the sensitivity of the receiving environment to discharges. The requirements of the ~~Matamata-Piako District Council~~ Development Manual ~~2010~~ shall not apply to existing or future on-site, self-

serviced stormwater or wastewater infrastructure associated with any Discretionary Activity on a site subject to a Development Concept Plan.

(iii) Traffic, parking, loading and access

Any application shall be assessed upon consideration of the following:

(a) Traffic volumes, traffic mix relative to the existing and future traffic patterns, access, parking and loading on-site;

(b) Hours of operation relative to the existing and future neighbourhood amenity;

(c) Construction traffic volumes, traffic mix, hours of operation;

(d) Design and location of access points onto roads particularly state highways.

The requirements of Section 9: Transportation and the ~~MPDC~~ Development Manual ~~2010~~ shall be met in respect of the relevant matters outlined.

(iv) Social and heritage effects

The likely impact of construction operation and maintenance activities including those in residential and rural areas, marae, public reserves and identified significant features. (Particularly the function of community and recreational facilities in the vicinity of the proposed facility).

(v) Odour effects

(a) Council shall consider the effect of the probability of offensive odours from the operation of facilities and in particular the operation of sewage treatment and disposal facilities and solid waste management disposal sites.

(vi) Solid waste

Any application shall undertake a solid waste audit to identify waste reduction and/or to conform with the Council's solid waste minimisation strategy.

(vii) Risk management

Any application shall advise on the risk associated with, but not restricted to:

(a) The use of hazardous substances in the facility and proof that the New Zealand Fire Service and the WRC have been advised;

(b) The technology used in the provision of the service, e.g. high voltage, electricity, radio-active material, electro magnetic radiation;

(c) Risk of rupture, breakage, collapse, failure, movement etc of components of the facility as it relates to the design and maintenance of the facility and the effect of natural hazards on the facility;

(d) The measures inherent in the proposal which will avoid, remedy or mitigate the potential for that effect to occur.

(viii) Biological effects

(a) The existence on-site of outstanding significant or intrinsically valuable ecosystems or flora or fauna.

1.4.26 ~~Specified~~ Shopping frontage~~s~~

Rule 3.4.6 may be waived or varied where any of the following circumstances apply:

- There will be no significant loss of pedestrian amenity if the veranda is not provided on the site in question;
- The operational requirements of the activity do not enable a veranda to be provided in a reasonably practical manner;
- Alternative provision has been made for pedestrian shelter or owing to the particular location and the nature of the activity, such provision is not necessary.

1.4.27 Signs in Business and Industrial zone

Council shall consider:

(a) Whether signs are obtrusively visible from any residential area or public open space;

(b) Whether the area of the sign is in scale with the associated activities or building development and compatible with the visual amenity of the area in which it is situated;

(c) Whether in respect to freestanding signs they have positive effects in identifying the activity and contributing to the vitality of the streetscape having regard to the nature of the activity and the traffic environment in which the site is located;

(d) Whether larger signs are warranted for a vehicle oriented activity.

1.4.28 Reverse sensitivity

In assessing the likely impact of new dwellings and subdivision for dwellings within the reverse sensitivity areas for potential reverse sensitivity as referred to in rules ~~2.2.3.9~~2.2.3.11 and ~~6.1.1.5~~6.1.1.6, Council shall restrict its discretion for a restricted discretionary activity resource consent to the following matters and may impose conditions in respect of each:

(i) Any reverse sensitivity effect which may arise from the proposed subdivision/residential development in respect of any lawfully existing activities ("relevant existing activity") in the vicinity. Sensitivity of proposed residents is to be considered in respect of the nature, scale and size of the subdivision/residential development and its location and topographical relationship to, and distance and bearing from, the relevant existing activity. As a reverse sensitivity effect may be present only in certain circumstances, the following factors will be relevant and should be taken into account:

  (a) The frequency of the relevant adverse effect;

  (b) The duration of the relevant adverse effect and time of exposure;

  (c) The character and intensity of the relevant adverse effect;

  (d) The location of the relevant adverse effect;

  (e) Previous experiences of people with the relevant adverse effect;

  (f) Existing levels of sensitivity;

  (g) Whether or not mitigation measures can be put in place;

  (h) The effects of the relevant established existing activity in its particular environment having regard to such factors as direction and velocity of wind and air movement and the extent to which mitigation of adverse effects is reasonable;

  (i) Whether mitigation of the reverse sensitivity effect by the applicant for the proposed subdivision/residential development is in all the circumstances reasonable whether by way of design, earthworks, planting or moving the proposal (either by increasing the separation from the relevant existing

activity, or by changing the bearing from the relevant existing activity by moving a proposed house site within the lot).

(ii) On receipt of the resource consent application the Council shall notify the owner/operator of the relevant existing activity which has triggered this rule, and the owner/operator shall advise within 10 working days if he/she wishes to enter into consultation as to whether the proposal will give rise to a reverse sensitivity effect.

(iii) Following the opportunity for consultation, the Council shall proceed to deal with the application in the ordinary manner.

Advice note: For the guidance of Council, when assessing an application for such consent the Council will request the owner/operator of the relevant existing activity to provide an assessment of its effects to which the proposed dwelling or site will probably be subject. This assessment shall address criteria (a) to (i) above and, subject to any agreement between the applicant and the owner/operator, shall be provided at the cost of the owner/operator.

~~**1.4.29 Strategic objectives and policies**~~

~~Strategic objectives and policies may also be taken into account when considering resource consent applications for non-complying activities.~~

Objectives/Policies		
2.4.1	O1	P1
2.4.5	O1	P1
3.1.2.1	O1	P1
3.5.2.1	O1, O2	P1, P2, P3, P4, P5
3.5.2.2	O1, O2	P1, P2, P3, P4, P5, P6
3.5.2.3	O1, O2, O3, O4, O5, O6	P1, P2, P3, P4, P5
3.5.2.4	O1, O2	P1, P2, P3, P4, P5
3.7.2.1	O1	P1, P2, P3, P4

1.4.29 ~~1.4.30~~ Logging of natural native forest

(i) Applicants must demonstrate that the proposal has minor adverse effects on sustaining the abundance or distribution of native fauna or vegetation species or is consistent with the objectives and policies of the Plan.

That the method of extracting timber will not promote weed invasion by forming new tracks or clearing vegetated tracks. Following harvesting, the applicant shall undertake an annual plant and animal eradication programme of the harvested site to a total of 10 years. Such a programme will be applied to the following species:

Japanese Honeysuckle	(Lonicera Japonica)
Jasmine	(Jasmine Polyanthum)
Moth Creeper	(Araujia Cericifera)
Climbing Asparagus	(Asparagus Scandens)
Smilax	(Asparagus Asparagoides)
Elaeagnus	(Elaeagnus Xreflexa)
Madeira Vine	(Andredera Cordifolia)
Blue Morning Glory	(Ipomoea Indica)
Mile-a-minute	(Dipogon Lignosus)
German Ivy	(Senecio Mikanioides)
Ginger	(Hedychium Flavescens and H. Gardnerianum)
Wandering Willie	(Tragescantia Fluminensis)
Tuber Ladder Fern	(Nephrolepis Cordifolia)
Australian Monkey Apple Tree	(Acmena Smithii)
And trespassing stock, goats and possums	

Such a programme shall be ~~complimentary~~ complementary to any regional programme and the results of it shall be reported to the District Council and regional Council on an annual basis.

Advice note: The Regional Council can assist with the identification of these species. Also refer to the National Surveillance of Plant Pests.

(ii) Where a logging permit or forest management plan under the Forest Amendment Act and any subsequent amendments applies the area of native forest set aside in perpetuity from logging shall represent the mature vegetation type and species targeted for logging.

(iii) Compliance with 1.3.1(i), (ii) and (iii) Harvesting of Plantation Forests.

1.4.30 ~~1.4.31~~ Regular stock movement within a berm of a road – see Section 8.7: Stock movements and stock crossings

~~(i) Road safety and maintenance~~

~~Each stock race route needs to allow for the safe use of the roading network. Any stock race must be considered in terms of a road safety audit carried out by Council so as to ensure the efficient and effective operation of the road. Such matters that will be considered will include the following:~~

~~(a) Crossing a state highway, intersection, road, bridge or any other location where it is deemed to be dangerous to road users by Council;~~

~~(b) The movement of stock during the hours of darkness;~~

~~(c) Stock race maintenance such as fencing, clearing of noxious weeds, effluent disposal and potential damage to private property;~~

~~(d) Potential effects on any utilities located in the road reserve are not affected by the stock race;~~

~~(e) Any potential adverse effects on the roading network.~~

~~(ii) The extent to which regular stock movement may adversely affect access to adjacent owners.~~

~~(iii) Access~~

~~Whether an underpass should be installed so as to allow for the free movement of vehicles and stock so as to ensure future access is not impaired.~~

~~(iv) Fencing~~

~~Three wire electric fence or similar to ensure road safety. This fencing shall be at a safe distance from the road carriageway as determined necessary.~~

~~(v) Drainage~~

~~To ensure that Council's roadside drainage and any other drainage system is not adversely affected.~~

~~(vi) Future public works~~

~~Whether the proposal will hinder the possibility of any future public work within the road reserve as a result of regular stock movement within the grass verge. Consent to use the road reserve may be revoked so Council can use the road reserve for other purposes such as shape correction and minor safety works.~~

~~(vii) Review~~

~~The appropriateness of a review or a fixed term of the consent to protect future access of adjacent owners (it is expected that most consents issued under this rule would provide for a review and/or a fixed term).~~

1.4.31 ~~1.4.32~~ Neighbourhood Node – restricted discretionary activities

1. For restricted discretionary activity buildings and development in a Neighbourhood Node complying with Rule 4.13, Council has restricted its discretion to the consideration of the following matters (refer 2. below for assessment criteria) and may impose conditions of consent in relation to these:

   (a) Structure Plan

   (b) Location and Size

   (c) Design

   (d) Servicing

   (e) Earthworks, silt and sediment control

   (f) Design of dwellings

   (g) Development Contributions

2. Applications for restricted discretionary activity resource consent for buildings and development in a Neighbourhood Node will be assessed against the following criteria.

   (a) Structure Plan

   Whether the development is consistent with the relevant Structure Plan (refer Appendix 9) and does not preclude the achievement of the structural elements identified therein.

   (b) Location and Size

   Whether the Neighbourhood Node is located in general accordance with a Structure Plan (refer Appendix 9), and is of a size to serve local convenience needs of the neighbourhood but not undermine the function of a town centre as the primary retailing and commercial activities centre.

   (c) Design

   (i) Whether the development is consistent with the relevant design assessment criteria (below).

   Planning, position and orientation design assessment criteria.

   - Neighbourhood Node should be located on a site that directly adjoins a road and is located adjoining or opposite a reserve that provides a recreation focal point for the neighbourhood.
   - A Neighbourhood Node should provide an appropriately located and designed courtyard or square to allow informal outdoor seating and may include cultural art form design.
   - Fencing on the boundary between a Neighbourhood Node and the related reserve and road should be avoided.
   - A Neighbourhood Node should accommodate most associated parking on site, but should provide some on-street parking on

one or more of the frontage roads, preferably in 90 degree bays.

- Where buildings do not front roads, landscaped or open space areas (courtyard or square) should be provided between the building and the main road frontage, and parking in these areas should be avoided.
- Outdoor storage should be concealed from view from a road, reserve and adjoining dwellings by the configuration of the building, screening or landscaping.
- Cycle racks should be provided at a convenient and sheltered location.

External appearance design assessment criteria

- The buildings of a Neighbourhood Node should be built generally abutting the boundary of the adjoining road, and designed to address the road with an active frontage treatment. Buildings may be set back from the road boundary where a courtyard or square is provided in front of the buildings.
- When viewed from any public space the buildings should create visual interest through modulation, articulation, roof form, openings, and variation, and avoid a continuous flat or blank building frontage to the road and/or reserve.
- Canopies should be provided along the road frontage (as a minimum) and other locations as required for dry access to the main entry(s) from at least some of the car parking.
- Buildings should exhibit proportions and forms complementary to nearby residential development.
- Building height should provide interest and identity or define local landmarks.
- Corners of buildings should be emphasised and are appropriate locations for architectural elements that are higher than the other buildings on site.
- Signage should be designed to fit with the building and attached to the building rather than on freestanding signs.

Mix of activities design assessment criteria

- A Neighbourhood Node should contain a wide mix of activities to serve the day to day convenience needs of the neighbourhood if possible.
- Activities that open out towards (and ideally have outdoor spaces facing or overlooking the edge of) the road or reserve, such as cafes and restaurants, are particularly encouraged.
- Any childcare facility should have a safe and secure outdoor play area and a separate access. Parking and drop off for childcare activities should be provided in an identified and marked area close to the entrance to the childcare facility.
- Any upstairs residential dwellings should be provided with a usable and private balcony or similar outdoor space, directly accessible from the main living area.

- Views from the main living area of upstairs residential dwellings should have outlook over the reserve or road as a preference.
- The main entrance to the upstairs residential dwellings from the outside should be provided separately from the entrance to the ground floor tenancies.

(ii) Whether the design of the development can appropriately manage vehicle access, and loading and car parking requirements as provided for in section 9.

(iii) Whether the design and layout of the development can ensure that activities (including outdoor activities) can adequately avoid, remedy or mitigate adverse effects on adjoining properties.

(d) Servicing

(i) Whether the development can be adequately serviced for stormwater (while managing cumulative effects on a catchment wide basis), wastewater, water supply and utilities.

(ii) Whether the development meets the performance standards in Section 5.9: Infrastructure and servicing, and the provisions in Section 9: Transportation, and whether the development is in general accordance with the ~~MPDC~~ Development Manual ~~2010~~.

(iii) Whether the layout of building platforms and underground services is appropriate to avoid adverse effects on infrastructure.

(iv) Whether there is a need for easements or other mechanisms for securing access to services or utilities on sites.

(v) The effects on the public services the Council is responsible for in the locality or District and that the residents or occupants of the subdivided or developed area would make use of, generate a need for, or have an impact on (and for which "development contributions" may be required to offset adverse effects).

(vi) The undergrounding of any utility lines within or outside the site being developed.

(vii) Whether development provides appropriate infrastructure in a coordinated manner, ensuring that development and the provision of infrastructure keep pace with each other.

(viii) Whether the development is consistent with any approved discharge consent, and/or relevant regional technical publication and appropriate measures are proposed to avoid, remedy or mitigate the effects of stormwater discharges on the development site and any other site or property. Applications shall provide an assessment by a suitably qualified person(s) to ensure that stormwater generated on the site by the proposal can be disposed of to the satisfaction of Council.

(ix) In an identified Structure Plan Area, whether low impact stormwater management practices, including rainwater detention, reuse and ground water recharging are proposed to be utilised Council maintains a discretion to impose conditions of consent and consent notices on certificates of title specifying the requirements for stormwater detention and low impact stormwater management practices that all development must comply with.

~~(x) Whether the development is consistent with the performance outcomes identified in Section 5.9.2.~~

(e) Earthworks, silt and sediment control.

The provisions of 1.4.21.2.~~i~~j) apply.

(f) Design of dwellings

The provisions of 1.4.3~~3~~2 apply as relevant

(g) Development Contributions

The provisions of Rule 1.3.4 apply.

Objectives/Policies		
2.4.4	O2	P2
3.3.2	O1	P3
3.4.2	O5	P4
3.5.2.2	O1, O2	P1, P3, P5
3.5.2.3	O1, O2	P1, P2
3.5.2.4	O2	P1

1.4.32 ~~1.4.33~~ Comprehensive Residential Development – restricted discretionary activities

1. For restricted discretionary activity Comprehensive Residential Development complying with Rule 4.14, Council has restricted its discretion to the consideration of the following matters (refer 2. below for assessment criteria) and may impose conditions of consent in relation to these:

   (a) Structure Plan

   (b) Design

   (c) Servicing

   (d) Earthworks, silt and sediment control

   (e) Maintenance of the opportunity for a Neighbourhood Node (as identified on a Structure Plan)

   (f) Development Contributions

2. Applications for restricted discretionary activity resource consent for Comprehensive Residential Development will be assessed against the following criteria.

   (a) Structure Plan

   Whether the development is consistent with the relevant Structure Plan (refer Appendix 9) and does not preclude the achievement of the structural elements identified therein.

   (b) Design

   Whether the development is consistent with the relevant design assessment criteria (below).

   Location, extent, and mix design assessment criteria

   - Every Comprehensive Residential Development should include a range of dwelling options.
   - Higher dwelling densities should be located adjoining a neighbourhood node or reserve, with densities reducing the greater the distance from these features

- Larger scale Comprehensive Residential Developments should be designed to deliver:
  - Outcomes in general accordance with a structure plan;
  - Interconnected public roads;
  - Neighbourhood reserve networks.

Public interface design assessment criteria

- The majority of dwellings should front roads.
- Dwellings fronting roads should be located such that part of the dwelling is as close to the road frontage as possible.
- As many dwelling plans as possible should have a public front and more private side or rear, including main living rooms, facing and opening generally to the northwest or northeast.
- Driveways and garaging should generally be located close to the southernmost side boundary of the resultant lot.
- Garage doors should be at least 6 metres back from the boundary with the road.
- Dwellings adjacent to a road or reserve or other form of open space feature should have at least one window from a living room, dining room or kitchen that enables views to the road, reserve or feature.

External appearance design assessment criteria

- A transition in height and scale between the new development and any neighbouring buildings should be provided.
- When viewed from any public space buildings should create visual interest through modulation, articulation, roof form, openings, and variation, and avoid a continuous flat or blank building frontage to the public space.
- Secondary elements such as balconies, canopies, porches, bay windows, dormers and pediments should also be used to break up continuous mass and large roof forms.
- Garage doors should not dominate the road elevation.
- Where similar buildings are grouped or joined together individuality should be provided to each dwelling through devices such as individualised front doors, architectural detail, window boxes, colour schemes, materials and so on.
- The style and materials used for any walls or fences forward of the front face of a dwelling should relate directly to the style and materials of the dwelling and the height of these structures should not exceed 1.2 metres.

Planning, position and orientation design assessment criteria

- Buildings should be oriented and located to define external spaces that allow adequate daylight to dwellings and sunlight to main living rooms and private outdoor spaces.
- Buildings should be positioned to minimise overshadowing or visual domination of adjoining private outdoor spaces.
- Site layouts should retain any existing mature trees where they contribute to site amenity.

Private outdoor spaces design assessment criteria

- Every dwelling should be provided with a flat private outdoor space located to the north, east or west of the dwelling and directly accessible from it.
- Private outdoor space should not be positioned solely at ground level between the dwelling and any road boundary, though secondary semi private spaces such as verandas may be positioned in this location.
- Outdoor space on site should also include service areas for bin storage and should include provision of an outdoor washing line.
- Ground level private outdoor space should be protected from being overlooked from windows and private outdoor spaces of adjacent dwellings.

Parking and access design assessment criteria

- Use of space on the development site for the turning and manoeuvring of vehicles should be minimised.
- Outdoor parking spaces, shared vehicle access routes and any pedestrian routes on site should have adequate dimensions and be well lit for night time visibility and security.
- Outdoor parking and access areas serving more than two dwellings should include attractive hard and soft landscape features where visible from publicly accessible locations.

(c) Servicing

(i) Whether the development can be adequately serviced for stormwater (while managing cumulative effects on a catchment wide basis), wastewater, water supply and utilities.

(ii) Whether the development meets the performance standards ~~and performance outcomes~~ in Section 5.9: Infrastructure and servicing, and the provisions in Section 9: Transportation, and whether the development is in general accordance with ~~any Council adopted~~ the Development Manual.

(iii) Whether the layout of building platforms and underground services is appropriate to avoid adverse effects on infrastructure.

(iv) Whether there is need for easements or other mechanisms for securing access to services or utilities on sites.

(v) The effects on the public services the Council is responsible for in the locality or District and that the residents or occupants of the subdivided or developed area would make use of, generate a need for, or have an impact on (and for which “development contributions” may be required to offset adverse effects).

(vi) The undergrounding of any utility lines within or outside the site being developed.

(vii) Whether development provides appropriate infrastructure in a coordinated manner, ensuring that development and the provision of infrastructure keep pace with each other.

(viii) Whether the development is consistent with any approved discharge consent, and/or relevant regional technical publication and appropriate measures are proposed to avoid, remedy or mitigate the effects of stormwater discharges on the development

site and any other site or property. Applications shall provide an assessment by a suitably qualified person(s) to ensure that stormwater generated on the site by the proposal can be disposed of to the satisfaction of Council.

(ix) In an identified Structure Plan Area, whether low impact stormwater management practices, including rainwater detention, reuse and groundwater recharging are proposed to be utilised. Council maintains a discretion to impose conditions of consent and consent notices on certificates of title specifying the requirements for stormwater detention and low impact stormwater management practices that all development must comply with.

(d) Earthworks, silt and sediment control

The provisions of 1.4.21.2 ~~(i)~~(j) apply

(e) Maintenance of the opportunity for a Neighbourhood Node (as identified on a structure plan).

Whether the proposal maintains opportunities to facilitate the development of a Neighbourhood Node in the general location(s) shown on a relevant Structure Plan

(f) Development Contributions

The provisions of Rule 1.3.4 apply.

1.4.33 ~~1.4.34~~ Restricted discretionary activities – utility services (power and telecommunications) – see Section 5.9: Infrastructure and servicing

~~For restricted discretionary activities that do not provide utility services in accordance with relevant performance standards the Council has restricted its consideration to the following matters and may impose conditions in relation to these matters:~~

~~(i) Telecommunications~~

~~(a) That the cost of providing reticulated services is cost prohibitive; or~~

~~(b) Any other unique site circumstances that justify services not being provided.~~

~~If the application meets either of the above criteria it will also have to comply with the following:~~

- ~~Alternative options for telecommunications exist, such as mobile services; and~~
- ~~Consent notices are used to ensure potential purchasers are made aware of the lack of reticulated services.~~

~~(ii) Power (electricity)~~

~~(a) That not requiring electricity shall only be considered in exceptional circumstances.~~

~~If the application meets the above criterion it will also have to comply with the following:~~

- ~~Consent notices are used to ensure potential purchasers are made aware of the lack of reticulated services.~~

Objectives/Policies		
3.3.2	O1	P3
3.5.2.2	O1, O2	P1, P2, P3, P4, P5, P6
3.5.2.4	O1, O2	P1, P2, P3, P4, P5

1.5 Notified and non-notified consents

1.5.1 Decision on whether adverse affects on the environment will be minor

In deciding whether the adverse effect of the activity on the environment will be minor, Council may take into account the following:

(i) Whether the activity generated an adverse effect off-site from discharges to land, water or air;

(ii) Whether the proposed activity involves the use of hazardous substances and/or installations that are likely to have adverse effects;

(iii) Whether the proposal is likely to have an adverse effect on the amenity of the neighbourhood;

(iv) Whether the proposal affects the relationship of Maori and their culture and traditions with their ancestral lands, water, the protection of taonga, sites of cultural, spiritual and symbolic importance;

(v) Whether the proposal requires an extension to Council services that are not in the current annual plan and whereby unprogrammed cost may be borne by the community;

(vi) Whether the proposal generates adverse effects on the natural environment and ecosystems including:

- (a) The area, structure, function, composition, resilience and regeneration capacity of the natural environment and ecosystems;
- (b) The District's natural diversity, rarity and distinctiveness;
- (c) Erosion and sedimentation.

(vii) Whether the proposal adversely affects outstanding landscapes or natural features.

1.5.2 Determining who may be adversely affected by granting a resource consent

Where for the purposes of section ~~94~~95 the Council is required to determine who may be adversely affected by the grant of a resource consent and from whom the applicant may be required by Council to obtain written approval, the Council shall consider:

- (a) Whether there is any adverse effect, including any minor effect, on any person or organisation;
- (b) Effects on persons or organisations who can be identified as having and interest or concern which differentiates them from the public generally.

~~***Advice note: In accordance with section 94 all applications for Discretionary and Non-complying Resource Consent shall be notified unless the criteria in section 94(2) (a) and (b) are met to Council's satisfaction. In order to meet the test under section 94(2) (b) the Council must require the applicant to produce a written consent from every***~~

~~***person who may be adversely affected unless the Council considers it unreasonable in the circumstances to require the obtaining of every such approval. Council can disregard only such adverse effects as will be de minimis.***~~

Advice note: For notification requirements please see sections 95, 95A, 95B, 95C, 95D, 95E and 95F.

1.5.3 Non-Notified Restricted Discretionary Activities Consents

Unless special circumstances exist or the applicant requests notification as provided for by the Resource Management Act 1991, applications for restricted discretionary activities in Rule 6.1.1.2 and considered to be in general accordance with a Structure Plan, or for a restricted discretionary activity Neighbourhood Node or Comprehensive Residential Development will be considered without notification.

2 Activity Table

2.1 Guide to the Activity Table

The Activity Table below lists the majority of activities anticipated in the District.

Activities may be one of six categories depending on the zone in which they are located and the potential effects they may have on the environment.

The six activity categories are:

1. Permitted (P)

These activities may proceed as of right provided they comply with the rules of the District Plan.

2. Controlled (C)

These activities are subject to consent from Council. Unless otherwise stated, ~~C~~ consent will be assessed in accordance with the Development Suitability Criteria in Section 1.2 and the Assessment Criteria in Section 1.3. Provided the activity meets the Development Controls (Section 3), the Activity Related Standards (Section 4), ~~and~~ the Performance Standards (Section 5), Transportation (Section 9), Natural Environment and Heritage (Section 10), Natural Hazards (Section 11) and Surface of Water (Section 12) provisions of the Plan it is not within Council's powers to decline a resource consent application for a controlled activity.

3. Restricted Discretionary (RD)

Any permitted or controlled activity that does not comply with any rule or rules of this plan, unless otherwise provided, shall become a restricted discretionary (RD) activity with respect to that particular area of non-compliance.

4. Discretionary (D)

These activities are subject to consent from Council. Unless otherwise stated, ~~C~~consent will be assessed in accordance with the Development Suitability Criteria in Section 1.2 ~~2.1~~ and the Assessment Criteria in Section 1.4. However, these criteria and other rules in the Plan do not restrict Council's discretionary powers. It is within Council's powers to either approve an application (with or without conditions) or to decline the application altogether.

5. Non-complying (N/C)

These activities are not provided for in the plan and are subject to consent from Council. Consent will be assessed in accordance with the requirements of the Act. All activities not listed in the Activity Tables are deemed to be non-complying.

6. Prohibited (PRHB)

These activities are not allowed in the zone.

Conditions may be imposed on any resource consent to avoid, remedy or mitigate any adverse effect of the proposal on the environment with reference to the objectives and policies of the Plan.

The District is made up of six zones.

1. Rural;

2. Rural-Residential;

3. Residential;

4. Industrial;

5. Business;

6. Kaitiaki (Conservation).

These zones are shown on the Planning Maps in Part C.

The Activity Table is grouped into nine activity areas.

1. General. These activities apply in all other activity areas;
2. Community related activities;
3. Dwellings and dwelling based activities;
4. Industrial based activities;
5. Marae, wharenui and housing development;
6. Reserve, landscape and conservation activities;
7. Retailing and office based activities;
8. Rural based activities;
9. Other Sections of the District Plan. Refer to the separate sections indicated for further information.

How to use the Table

1. Find out what zone your site is in from the Planning Maps, Part C;
2. Turn to the activity area in the table that your activity falls into. For example, if you wish to open a pre-school (educational facility) look under Community Related Activities;
3. Find your specific activity in the list;
4. Follow along the line to the zone you are in and note the activity category;

   E.g. Educational facility in a Residential zone

   - Educational facilities

Rural	Rural-Residential	Residential	Industrial	Business	Kaitiaki (Conservation)
P	P	P	P	P	N/C

5. Having found the right category you probably have more questions. If in doubt ask a planner;
6. Please note that in addition the matters conveyed in Tables in Sections 5, 8, 10, 11 and 12 must also be complied with.

2.2 Activity Table

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			
** Unless otherwise specified (in 4.1 and 4.2 of the table) the activity status in the Industrial zone refers to non-scheduled sites only.*			

Activity	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
1. General						
1.1 Accessory buildings for any permitted or controlled activities.	P	P	P	P	P	N/C
1.2 Activities listed in the Table that are permitted or controlled not complying with the Developmental Controls and Performance Standards, unless otherwise provided.	RD	RD	RD	RD	RD	RD
1.3 Second-hand or pre-used buildings relocated from off-site.	D	D	D	D	D	N/C
1.4 Demolition of buildings and structures except those outlined in Schedules 1, 2 and 3.	P	P	P	P	P	D
1.5 Activities undertaken on known contaminated sites.	D	P	D	D	D	N/C
1.6 Temporary Activities Listed in Rule 4.11.1.	P	P	P	P	P	N/C
1.7 Temporary Activities Listed in Rule 4.11.2.	C	C	C	C	C	N/C
1.8 Temporary Activities Listed in Rule 4.11.3.	D	D	D	D	D	N/C
2. Community related activities						
2.1 Educational facilities to maximum of 10 pupils.	P	P	P	P	P	N/C
2.2 Educational facilities for greater than 10 pupils.	D	D	D	D	D	N/C
2.3 Places of Assembly.	D	D	D	D	P	N/C
2.4 Fire Stations.	N/C		D	P	P	N/C
3. Dwellings and dwelling based activities						
3.1 One or two dwellings per urban site.	N/C	P	P	N/C	N/C	N/C
3.2 One dwelling per urban site within an identified structure plan**		P	P			
3.3 More than two dwellings per urban site.	N/C	D	D	N/C	N/C	N/C
3.4 Two or more dwellings per urban site within an identified structure plan ** (excluding Comprehensive Residential Development – refer 3.14 below)		D	D			
3.5 One dwelling per property except as identified in 3.4 and 3.7 below.	P	C	C	N/C	N/C	N/C
3.6 One dwelling per Certificate of Title for a rural lot (existing at November 1996) less than or equal to 4.2 ha in area.	C	C	C	N/C	N/C	N/C
3.7 One dwelling accessory to an approved dwelling directly associated with farming or production forestry.	C	C	C	N/C	N/C	N/C
3.8 Two or more dwellings accessory to an approved dwelling directly associated with farming or production forestry.	D	D	N/C	N/C	N/C	N/C
3.9 One dwelling for dependent person(s). See 4.7.	P	P	P	N/C	N/C	N/C
3.10 One dwelling per property ancillary to a business or industrial activity within the business	N/C	N/C	N/C	P	P	N/C

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			
** Unless otherwise specified (in 4.1 and 4.2 of the table) the activity status in the Industrial zone refers to non-scheduled sites only.*			

Activity	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
or Industrial zone.						
3.11 New dwellings. • Within 500 metres of an existing intensive farm as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within 250 metres of an existing litter poultry farm as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within 300 metres of existing Council effluent treatment plants at Morrinsville, Matamata, Te Aroha, Waihou as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within the Reverse Sensitivity Areas for the Motumaoho Quarry as shown in Appendix 8 as at 13 May 2005. • Measurement of the separation of Intensive Farming/Litter Poultry Farming is to be from the perimeter of the existing sheds/facilities exclusive of spray irrigation areas. • See Rule 1.4.~~27~~ 28 for Assessment Criteria	RD	RD	RD	N/C	N/C	N/C
3.12 Home occupation. See 4.3	P	P	P	N/C	N/C	N/C
3.13 Accommodation Facilities.	D	D	D	N/C	D	N/C
3.14 Comprehensive Residential Development located within the Comprehensive Residential Development Overlay** identified on a Structure Plan and complying with the additional performance standards of Rule 4.14.			RD			
3.15 Activities within a Neighbourhood Node identified on a Structure Plan **complying with the additional performance standards of Rule 4.13.		P	P			
3.16 New buildings for a Neighbourhood Node identified on a Structure Plan** and complying with the additional performance standards of Rule 4.13.		RD	RD			
4. Scheduled sites only. See Schedule 5.						
4.1 Activities complying with a Development Concept Plan unless shown as P, C, D or N/C on the DCP. Scheduled sites only, see Schedule 5.	See DCP	N/C	N/C	C	N/C	See DCP
4.2 Buildings/Activities defined for future development on the DCP unless shown as P, C, D or N/C on the DCP. Defined Scheduled sites only, see Schedule 5 and Rule 3.3.1.	See DCP	N/C	N/C	D	N/C	N/C
5. Industrial based activities						
5.1 Depots.	D	N/C	N/C	P	D	N/C
5.2 Light Industry.	N/C	N/C	N/C	P	P	N/C
5.3 Industry.	N/C	N/C	N/C	P	N/C	N/C
5.4 Industry including activities involving the extraction, processing and packaging of meat, milk, poultry, fish, seafood, animal by-products, beverages, produce, and pulped paper.	N/C	N/C	N/C	D	N/C	N/C
5.5 Mining, Quarrying and Mineral Processing.	D	N/C	N/C	D	N/C	PRHB
5.6 Packhouses, coolstores less than or equal to 150m².	P	N/C	N/C	P	P	N/C

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.

** Unless otherwise specified (in 4.1 and 4.2 of the table) the activity status in the Industrial zone refers to non-scheduled sites only.*

Activity	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
5.7 Packhouses, coolstores greater than 150m^2.	D	N/C	N/C	P	P	N/C
5.8 Peat processing.	N/C	N/C	N/C	N/C	N/C	PRHB
5.9 Minerals "Prospecting". For permitted activities see Rule 4.9.2.	P	D	D	D	D	P
5.10 Minerals "Exploration". For permitted activities see Rule 4.9.2.	P	D	D	D	D	N/C
5.11 Storage and warehousing.	N/C	N/C	N/C	P	P	N/C
5.12 Offices, canteens, dining rooms, ablution facilities, daycare facilities and recreation facilities ancillary to other activities provided for in the Industrial zone. (Scheduled and non-scheduled sites).	N/C	N/C	N/C	P	D	N/C
6. Marae, whare nui and housing development						
6.1 Iwi housing and marae subject to an Iwi Housing and Marae Development Plan. See 4.4.	P	P	P	N/C	D	N/C
6.2 Preparation and variation of an Iwi housing and Marae Development Plan.	D	D	D	N/C	D	N/C
6.3 Marae, wharenui and housing developments where there is no approved Iwi Housing and Marae Development Plan or where the development is not in accordance with an approved Plan.	D	D	D	N/C	D	N/C
7. Reserve and Kaitiaki (Conservation) Zones						
7.1 Activities (excluding buildings) on public reserves as provided by a Management Plan under the Reserves Act 1977 or by a Conservation Management Strategy under the Conservation Act 1987.	P	P	P	P	P	D
7.2 Activities (excluding buildings) on public reserves not provided by a Management Plan approved under the Reserves Act 1977, or by a Conservation Management Strategy under the Conservation Act 1987, or where there is no Management Plan.	D	D	D	D	D	N/C
7.3 Any buildings on all public reserves.	D	D	D	D	D	N/C
7.4 Wetland and wildlife habitats conservation.	P	P	P	P	P	P
7.5 Wildlife management activities carried out by the Department of Conservation and Fish & Game Council.	P	P	P	P	P	P
7.6 Outdoor informal recreation excluding all water craft in the Kaitiaki (Conservation) zone. Provided that this rule does not apply to activities under 9.9.	P	P	P	P	P	P
Kaitiaki (Conservation) zone only - All other zones the Performance Standards (Section 5) apply. 7.7 Any alteration to landform, trees or other vegetation or any other physical feature which involves: - The diversion or modification of natural watercourses, rivers or ponding areas; or						D

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.

** Unless otherwise specified (in 4.1 and 4.2 of the table) the activity status in the Industrial zone refers to non-scheduled sites only.*

Activity	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
- The clearing of trees or other vegetation, or - Earthworks, excavation, including the depositing of spoil, soil, or other materials.						
7.8 The construction of any permanent building or structure not otherwise referred to in this table or any other table.						D
8. Retailing and office based activities						
8.1 Commercial Services.	N/C	N/C	N/C	N/C	P	N/C
8.2 Medical facilities	N/C	N/C	D	N/C	P	N/C
8.3 Offices.	N/C	N/C	N/C	D	P	N/C
8.4 Retailing.	N/C	N/C	D	D	P	N/C
8.5 Service stations. See 4.10.	N/C	N/C	N/C	P	P	N/C
8.6 Veterinary clinics.	D	D	N/C	N/C	P	N/C
9. Rural based activities						
9.1 Clean fill activities involving the depositing of less than 1000m3 material (as measured compacted in place) (including scheduled sites in the Industrial zone, see Schedule 5).	P	P	P	P	P	N/C
9.2 Clean fill activities involving the deposit of 1000m3 or more of material (as measured compacted in place). See 4.12.	D	D	D	D	D	N/C
9.3 Commercial stockyards, saleyards and holding paddocks.	D	N/C	N/C	N/C	N/C	N/C
9.4 Conservation forestry.	P	P	P	P	P	P
9.5 Establishment for the boarding/breeding of domestic pets.	D	D	N/C	N/C	D	N/C
9.6 (a) Intensive Farming.	D	N/C	N/C	N/C	N/C	N/C
*Where an Intensive Farming operation cannot provide 500m separation to site boundaries and 500m separation to a Residential zone and written consent to the potential effects has not been voluntarily offered by an adjacent landowner.	N/C*	N/C	N/C	N/C	N/C	N/C
9.6 (b) Litter Poultry Farming.	D	N/C	N/C	N/C	N/C	N/C
*Where a Litter Poultry Farming operation cannot provide 250m separation to site boundaries and 500m separation to a Residential zone and written consent to the potential effects has not been voluntarily offered by an adjacent landowner.	N/C*	N/C	N/C	N/C	N/C	N/C
9.7 Farming.	P	P	N/C	N/C	N/C	N/C
9.8 Establishing new areas of Plantation Forestry.	P	P	N/C	N/C	N/C	N/C
9.9 Harvesting of Plantation Forests.	C	C	N/C	N/C	N/C	C
9.10 Replanting of Plantation Forests	P	P	N/C	N/C	N/C	P - Subject to rule 4.1.2.
9.11 Use of land for effluent disposal of non-human waste from agricultural activities except as otherwise stated on a DCP.	P	N/C	N/C	N/C	N/C	N/C
9.12 Use of land for effluent disposal of non-	C	N/C	N/C	P	N/C	N/C

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			
** Unless otherwise specified (in 4.1 and 4.2 of the table) the activity status in the Industrial zone refers to non-scheduled sites only.*			

Activity	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
human waste from industrial activities except as otherwise stated on a DCP.						
9.13 Stock movement within road reserves. See 8.7 ~~8.1.33~~.						
9.14 Aggregation of rural land (refer to 8.7 for the requirements relating to stock crossings and stock underpasses ~~9.1.2 (viii)~~).	P	P	N/C	N/C	N/C	N/C
9.15 Livestock farming in areas of indigenous vegetation over 1 ha.	D	D	N/C	N/C	N/C	N/C

**Identified Structure Plans include:

- Precinct F, Matamata (refer Planning Maps and Appendix 9.2)

10. Other sections of the District Plan to be considered in conjunction with the Activity Table.		
10.1	Access, Parking and Loading	Section 9: Transportation
10.2	Activities involving the use, storage or production of hazardous substances	Section 5: Performance Standards
10.3	Activities on the surface of water	Section 12: Surface of Water
10.4	Activities on sites having natural environment or heritage values including sites within the Te Aroha character area	Section 10: Natural Environment
10.5	Activities on sites subject to natural hazards	Section 11: Natural Hazards
10.6	Signs	Section 3: Development Controls
10.7	Subdivision	Section 6: Subdivision
10.8	Works and network utility services	Section 8: Works and Network Utilities
10.9	Activity related standards and temporary activities	Section 4: Activity Related Standards
10.10	Development Contributions	Section 7: Development Contributions

Objectives/Policies		
2.4.1	O1	P1
2.4.2	O1	P1
2.4.3	O1	P1
2.4.4	O1, O2	P1, P2
2.4.5	O1	P1
3.1.2.1	O1	P1
3.1.2.2	O1	P1, P2, P3, P4
3.4.2	O6	P5

3 Development controls

Zone-specific development controls are listed in Sections 3.1 to 3.4 below. For additional district-wide development controls see Sections 3.5 to 3.10. See also Section 5.2.9: Noise insulation: Noise sensitive activities – railway lines and state highways and Section 5.2.10: Matamata airport approach path.

3.1 Residential zone

*Except that these provisions may be altered where alternative provisions apply through covenant or consent notice registered on a certificate of title that has been approved by Council through a subdivision consent.

3.1.1 Building envelope

(i) Maximum height 9m

(ii) Height relative to site boundaries

(a) No part of any building shall exceed a height of 2m plus the shortest horizontal distance between that part of the building and the nearest site boundary, provided that this shall not apply to the apex of the gable ends of a roof, being no more than 1m^2 in area. See Appendix 2.

(b) Where there is more than one dwelling on a site (excluding dependent person's dwellings) or a dwelling plus "Other Principal Buildings", they shall be either:

- Designed and built as one building separated by a fire wall; or
- Built sufficient distance apart that no part of a dwelling exceeds a height of 2m plus the shortest horizontal distance between that part of the building and the nearest part of any other principal building on the same site. For the purpose of the foregoing the height shall be measured from the ground level at the midpoint of this shortest horizontal distance. See Appendix 2.

(iii)	**Yards – Residential buildings and accessory buildings**		
		General	Except where within an identified Structure Plan (refer Activity Table 2.2) the following apply:
	Front	5.0m	2.0m
	Side	2.5m	1.5m
	Rear	4.0m	4.0m
	Rear site yards	3.0m	3.0m
	River protection	20.0m	20.0m
	Rural Yard – yard adjoining a rural zoned site	Na	20.0m
	Rural Yard – Structure Plan Precinct F, Matamata – Yard adjoining a rural zoned site inclusive of the Pedestrian walkway (cycleway) adjoining the boundary of the precinct with the Rural Zone.	Na	40.0m

Advice Note: For garages and carports encroaching a front yard, see the General Access Standards in 9.1.2(ix).

Provided that for General:

(a) Side and rear yard dimensions may be relaxed by up to 50% where it can be demonstrated that vehicle access, parking and outdoor storage can be provided elsewhere on-site;

(b) On a corner site one front yard may be reduced to 3.0m;

(c) Accessory buildings may be erected on any rear and/or side yard or any rear site yard so long as the written consent of all property owners contiguous to any building is obtained and rule 3.1.1(ii) (a) is not compromised.

Objectives/Policies		
3.5.2.1	O1, O2	P1, P2, P3, P4, P5

3.1.2 Density

Household density shall not exceed:

(i) One dwelling per 500m² of nett site area for sites greater than 200 metres from a Residential/ Business zone boundary;

(ii) One dwelling per 350m² of nett site area for sites 200 metres or less from a Residential/ Business zone boundary.

(iii) One dwelling per certificate of title in an identified Structure Plan (refer Activity Table 2.2) except where the Comprehensive Residential Development Overlay applies (refer Rule 4.14)

Objectives/Policies		
2.4.1	O1	P2
3.4.2	O6	P5
3.5.2.1	O1, O2	P1, P2, P3, P4, P5
3.5.2.2	O1, O2	P1,P2, P3, P4, P5, P6

3.1.3 Maximum building coverage

(i) Total building coverage of the site shall not exceed 35% of the nett site area.

(ii) Except that in an identified Structure Plan (refer Activity Table 2.2) total building coverage being the total roof cover of the site shall not exceed:

- 35% of the nett site area for sites equal to or less than 1500m²
- 25% of the nett site area for sites greater than 1500m²

Alternative means of compliance

With respect to this rule the maximum building coverage stipulated may be increased to 45% on payment of a Development Contribution for Reserves and Recreational Facilities. See Development Contributions: Section 7. This provision does not apply to an identified Structure Plan (refer Activity Table 2.2).

Objectives/Policies		
2.4.1	O1	P2
3.4.2	O6	P5
3.5.2.1	O1, O2	P1, P2, P3, P4, P5
3.5.2.2	O1, O2	P1, P2, P3, P4, P5, P6

3.1.4 Household recreational space

(i) Every dwelling (excluding dependant person's unit) shall have an area of open space which shall:

(a) Have a minimum area of 80m^2 and minimum width of 3m;

(b) Be capable of containing a circle of 6m in diameter at some location within the area of open space, and located to the north, east or west of the unit;

(c) Be unobstructed by vehicle access, parking and buildings;

(d) The space may include balconies, decks having a minimum area of 10m², with no dimension less than 1.8m and conservatories.

(ii) Alternatively each multi-household unit may provide a living court or balcony with a minimum area of 15m² for each unit and a communal area which shall:

(a) Have a minimum area of 80m² for each dwelling in the development;

(b) Have a readily useable shape that can contribute to the recreational and service needs of the occupants of the development, such as communal swimming pools, tennis courts;

(c) Have adequate provision made for its continued maintenance and management.

Alternative means of compliance

With respect to this rule the minimum dwelling recreation area of 80m^2 may be reduced by up to 50% on payment of a Development Contribution for Reserves and Recreational Facilities. See Development Contributions: Section 7.

Objectives/Policies		
3.5.2.1	O1	P3, P5

3.1.5 Screening

For sites containing two or more residential dwellings

Where any storage or service area adjoins or directly faces residentially zoned land, public road, public reserve, or a second or subsequent dwelling on the same site, such an area shall be screened by either:

(i) A solid wall or screen not less than 1.8m in height; or

(ii) Planting to a minimum height of 1.8m.

Objectives/Policies		
3.5.2.1	O2	P1

3.1.6 Siting of parking facilities

See Section 9: Transportation and the ~~MPDC~~ Development Manual ~~2010~~

Where there are to be two or more household units on a site, if covered carparking does not exist on the site, an area for a single garage or carport plus visitor parking shall be reserved for each unit.

Objectives/Policies		
3.5.2.1	O1, O2	P1, P2, P3, P4, P5

3.1.7 Second and subsequent dwellings

The erection of a second or subsequent dwelling on a site may only proceed upon the issue of a resource consent or a compliance certificate requested under Section 139 of the Resource Management Act, 1991. An application for such a certificate shall show that all buildings, outdoor space, and the provision of services, in accordance with Section 5.9, on the site comply with the provisions of the District Plan as if the site were undergoing a subdivision into freehold title. Any subsequent subdivision shall be in accordance with the certificate of compliance issued.

Where two household units are within one building they are to be separated by the provision of a firewall.

Objectives/Policies		
2.4.2	O1	P1

3.1.8 Development Contributions

A Development Contribution is required to be made in accordance with Section 7.2 (iii) prior to the issue of a building consent for the second or subsequent complying dwelling per lot where a contribution has not been made at the time of the subdivision to create the said lot.

3.1.9 Access, parking, loading and manoeuvring

See Section 9: Transportation and the Development Manual.

Advice Note: See also Sections 3.5 to 3.10 for additional District-wide development controls and Sections 5.2.9 and 5.2.10 for internal noise limits.

Objectives/Policies		
3.9.2	O1, O2	P1, P2

Explanation

Many factors influence the intensity of residential development. This plan uses building coverage and height to manage the residential intensity and hence development density. Building coverage restrictions ensures that the intensity of development is in character with that of surrounding residential areas. It provides opportunities for the establishment and maintenance of trees and landscaping of comparable character to the existing neighbourhood. It ensures there is adequate open space on each site to accommodate parking, access, private recreational areas and reduces the level of impermeable surfaces and enable drainage to occur through ground seepage.

Height controls, and building envelope controls are responsible for the scale of development and are based on the existing scale of development. Buildings which are out of scale with their surroundings can overshadow and visually dominate other buildings, private property and the streetscape. By controlling height the amenity values (including sunlight, daylight, and privacy) of adjacent properties and household units on the same site are protected. A maximum height control also minimises the intrusion of buildings into the landscape.

Front yards are required to provide physical separation between the road and residential activities in order to maintain residential amenities and traffic and pedestrian safety and by providing opportunities for landscaping. Side and rear yards are required in order to maintain corridors of open space between buildings and to maintain visual and aural privacy. A river protection yard has been imposed to protect the natural character of the river environment.

The private recreational area rules are intended to ensure that each unit has a pleasant area of open space (either outdoor or indoor with external access and outlook) of appropriate area and dimensions to meet the needs of its occupants (or future occupants) for such activities such as passive recreation, children's play, gardening, outdoor entertaining/BBQ areas and general relaxation.

The Alternative Means of Compliance provisions provide for flexibility in the provision of outdoor recreation space and building coverage subject to measures being taken to ensure that residential amenity is maintained. Similarly applicants may, through the resource consent process, apply for reduction in the density provisions. Such an application must demonstrate that residential amenity issues that may be compromised by increased intensity of development are avoided, remedied or mitigated.

If the minimum area considered necessary for a residential activity is to be reduced either by resource consent, increased site coverage or reduced useable outdoor recreation space, greater demand is likely to be placed on public facilities and a contribution towards upgrading these facilities to meet the demand is assessed accordingly. Other matters may also be considered in the resource consent process.

The screening control is designed to preserve the visual amenity of residential activities and of the neighbourhood. The siting of parking facilities is to ensure that the maximum convenience to its users and to minimise disturbance to adjacent units sharing the site.

Provision is made to ensure sufficient area is set aside for future garage requirements. This is particularly important given the limitation on-site coverage.

The erection of a second dwelling on a site is often a pre-cursor to subdivision of the site. This rule is to alert the developers to the requirements of subdivision which may be different from the requirements of a Building Consent and to avoid the situation where a subdivision application may be declined because an existing development as defined by new lot boundaries does not comply with the rules of the District Plan.

3.2 Rural and Rural-Residential zones

3.2.1 Building envelope

(i) Maximum height 10m

~~Matamata Airport Height Restrictions see 9.3.2.~~

(ii) Height relative to site boundary

No part of any building shall exceed a height of 3m plus the shortest horizontal distance between that part of the building and the nearest site boundary.

(iii) Yards

~~Front yards on state highways for residential or habitable buildings.....50m~~

Front yards ~~on other roads~~.....25m

Side yard and rear yards.....10m

River protection yard.....20m

Front yards, side yards and rear yards in an identified Structure Plan.....10m

(refer Activity Table 2.2)

Rural Yard – yard adjoining a rural zoned site in an identified Structure Plan 20m

(refer Activity Table 2.2)

Rural Yard – Structure Plan Precinct F, Matamata –yard adjoining a rural 40m

zoned site inclusive of the pedestrian walkway (cycleway) adjoining the

boundary of the Precinct with the Rural Zone

Provided that:

(A) Accessory buildings may be erected on any rear and/or side yard but not the river protection yard so long as the written consent of any affected property owner(s) is obtained and rule 3.2.1 (i) is not compromised;

(B) Any accessory building to be developed in conjunction with an existing dwelling shall be permitted in a front yard provided that it shall be erected behind the front line of the dwelling.

Advice note: Alternative yard provisions are able to be considered through the restricted activity consent process.

Objectives/Policies		
3.5.2.1	O2	P1, P3, P5

3.2.2 Maximum building coverage

(i) Total building coverage for accessory buildings on lots less than 4000m² shall not exceed 10% of the net site area.

(ii) Except that in an identified Structure Plan (refer Activity Table 2.2) total building coverage of the site shall not exceed:

- 15% of the nett site area

Objectives/Policies		
2.4.1	O1	P2
3.4.2	O6	P5
3.3.2.1	O1	P2
3.5.2.1	O2	P1, P3, P5

3.2.3 Development Contributions

A Development Contribution is required to be made in accordance with Section 7.2 (iii) prior to the issue of a building consent for the second or subsequent complying dwelling per lot where a contribution has not been made at the time of the subdivision to create the said lot.

3.2.4 Access, parking, loading and manoeuvring

See Section 9: Transportation and the Development Manual.

Advice Note: See also Sections 3.5 to 3.10 for additional District-wide development controls and Sections 5.2.9 and 5.2.10 for internal noise limits.

Objectives/Policies		
3.9.2	O1, O2	P1, P2

Explanation

These controls are designed to protect the amenity values of adjoining properties and of the rural character of the neighbourhood. ~~The larger front yards requirement to state highways is to avoid or mitigate the noise effects of the higher traffic volumes.~~ Visual amenity in the rural area is characterised by the dominance of the natural environment over buildings or other structures. There is an expectation of open space and separation of buildings in rural areas. The river protection requirements ensure buildings that may have a detrimental impact on the river environment are well set back.

Maximum coverage for small sites is designed to maintain the scale of development in the Rural zone and to provide sufficient area for waste water disposal on-site.

3.3 Industrial zone and any site identified as a scheduled site with a Development Concept Plan

3.3.1 Development Concept Plan (scheduled sites)

A development concept plan (DCP) has been prepared for each of the scheduled sites and is attached to the District Plan as Schedule 5. This Schedule forms part of the District Plan and may be changed or varied only as a result of a change or variation to the District Plan.

(i) The DCP includes plan(s) and drawing(s) which show:

- The extent of the site;
- Proposed development on the site;
- Building envelopes;

- Car parking, access, loading and manoeuvring areas;
- Effluent disposal areas;
- Landscaping on the site;
- Noise emission control boundary.

(ii) The DCP includes site restrictions and requirements as outlined in Schedule 5.

(iii) The rules, general development controls and performance standards of Section 3, and the relevant rules and development controls applicable to the zone in which the scheduled site is located apply, subject to the specific rules and controls on the DCPs taking precedence.

(iv) Activities specified within the DCP requiring a resource consent may be subject to conditions to avoid, remedy or mitigate adverse effects identified with reference to the rules and assessment criteria of the plan.

(v) Any activity shall be located in general accordance with the Development Concept Plan. Any activity not provided for as a permitted, controlled, or discretionary activity or not located in general accordance with the plan shown on the Development Concept Plan shall be a non-complying activity.

Objectives/Policies		
2.4.2	O1	P1
3.5.2.1	O1, O2	P2, P3, P5
3.5.2.2	O1	P1
3.5.2.3	O1, O2, O3, O4, O5, O6	P1, P2, P3, P4, P5
3.5.2.4	O1, O2	P1, P2, P4, P5
3.8.2	O1, O2, O3, O4, O5, O6, O7	P1, P2, P3, P4, P5, P7, P9, P13

3.3.2 Building envelope (scheduled sites)

(Limits to apply unless otherwise specified on the DCP).

(i) Maximum height 20m

(ii) Yards adjoining any road or non-Industrial zone 80m

(iii) All other yards 10m

(iv) Height relative to boundary

Height (h) shall not exceed one quarter the distance (d) to the closest boundary adjoining (h = d/4) for boundaries adjoining any non-Industrial zone.

3.3.3 Building envelope (non-scheduled sites)

(i) Maximum height 12m

(ii) Front yards 5m

(iii) Yards adjoining any non-Industrial zone 10m

Objectives/Policies		
3.5.2.1	O1, O2	P1, P2, P3, P4

3.3.4 Design and appearance of buildings (scheduled and non-scheduled sites)

All new buildings or structures shall be designed to minimise adverse visual impact on adjacent properties and on the road frontage in particular. No reflective material or unpainted surfaces should be used which could cause glare.

Objectives/Policies		
3.5.2.2	O1	P1
3.1.2.1	O1	P1

3.3.5 Landscaping (scheduled and non-scheduled sites)

Except as otherwise provided on a DCP

(i) A minimum of 50% of the front yard requirement shall be landscaped, planted and maintained for the full length of the boundary (excluding vehicle entrances). Landscaping shall be required and designed to either screen or enhance the appearance of the on-site industrial activities when viewed from any public space adjoining or non-Industrial zone opposite or facing.

(ii) The minimum dimension of any required landscaping area shall be half the width of the yard in which it is located or 10 metres whichever is the lesser.

(iii) Landscaping shall be undertaken and maintained in accordance with a Landscape Plan and planting programme submitted to and approved by Council prior to development commencing.

(iv) These landscaping provisions do not apply to the Development Concept Plans for Part Okauia 1 Block being Part DP7148, Okauia 4B Block, Lot DPS 24315 Block IV and VIII Tapapa SD as identified in Schedule 5 but will be considered in terms of Section 1.4.1 and 1.4.12.

(v) These landscaping provisions do not apply to the Development Concept Plan for Part Section 126, Block II Tapapa East Survey District (CT SA5B/22) as identified in Schedule 5 but will be considered in terms of Section 1.4.1 and 1.4.12.

Objectives/Policies		
3.5.2.1	O1	P1
3.5.2.2	O1	P1

3.3.6 Maximum coverage (non-scheduled sites)

Maximum coverage on any site shall be determined by the need to comply with the building envelope, landscaping, access, parking, and loading requirements or a Development Concept Plan.

Objectives/Policies		
3.5.2.1	O1, O2	P2, P3, P4
3.8.2	O1, O2	P1, P2

3.3.7 Access, parking, loading and manoeuvring (scheduled and non-scheduled sites)

See Section 9: Transportation and the Development Manual.

All internal roading and parking areas shall be formed with an all weather surface designed to minimise dust and noise nuisance.

Objectives/Policies		
3.5.2.3	O1, O2, O4	P1, P2, P3, P4

3.3.8 Derelict buildings (scheduled and non-scheduled sites)

If required by Council any buildings and/or structures left unused and in disrepair or derelict shall be removed or repaired within 2 years of the notice being served.

Objectives/Policies		
2.4.2	O1	P1
3.5.2.1	O1	

3.3.9 Development Contributions (scheduled and non-scheduled sites)

Prior to the issue of a building consent where the development has an impact on the provision of services, contributions shall be based on the actual costs incurred to avoid, remedy or mitigate the impact of the development in accordance with Section 7.

Advice Note: See also Sections 3.5 to 3.10 for additional District-wide development controls

Objectives/Policies		
3.9.2	O1	P1

Explanation

The character of the existing development in the District is generally low density. Either rural or low to medium density urban form predominates.

Modern industrial processes impose a high density environment and while it is not sustainable to impose coverage rules that require larger site areas to support new industry it is necessary to mitigate the effects of such activities through requirements for separation to non-industrial activities, landscaping and carparking.

The scheduled industrial sites have been specifically identified. In most cases they are substantially developed as the result of various resource consents and Plan Changes. The result of these processes has been the presentation of a concept plan for the development of the sites and an outline of the actions (conditions of consent) that are required to avoid, remedy or mitigate adverse effects on the environment. It is intended to use the plans that have been developed to prestate the environmental bottom line for these sites. Where development concept plans do not provide for an activity as a permitted, controlled or discretionary activity, or where an activity is not located generally in accordance with the plan then a change to the District Plan will be required. In most foreseeable cases this would be a notified application.

The building envelope is intended to provide a transition in the built environment from the predominantly low rise development in non-Industrial zones to the bulk of the dominant buildings in the industrial landscape. This will improve the public perception of the general amenity in the industrial built environment and reduce the perception of encroachment that large buildings may impose on less developed adjoining sites.

Landscaping improves the visual amenity and appearance of an industrial area as it is seen from a public or non-industrial place.

It is in many cases impractical to screen the industrial activity completely and the emphasis in landscaping should be on improving and enhancing the appearance of the industrial environment in accordance with ~~Objective 4.4.1 O1~~ Policy P6 in Section 3.5.2 Amenity - Nuisance effects.

3.4 Business zone

3.4.1 Building envelope

(i) Maximum height 12m

(ii) Yards

Front yard

5m except in the specified shopping areas where no front yard is required. The 5m front yard may be reduced to 2m through a non-notified restricted discretionary activity with consideration of the height, design of the building and provision of landscaping, whereby the encroachment within the 5m front yard shall not exceed 4m in height. Appendix 5 provides a design guideline for these reductions.

- Side and rear yards adjoining a Residential zone.....5m

(iii) Height (h) relative to site boundaries adjoining a residential, rural or Rural-Residential zone shall not exceed 2m plus the horizontal distance (d) to the nearest Residential zone boundary .....(h) = 2 + d metres

Objectives/Policies		
3.5.2.1	O1, O2	P2, P4, P5

3.4.2 Maximum coverage

Maximum coverage on any site shall be determined by the need to comply with the building envelope, landscaping/screening, access, parking and loading requirements.

Objectives/Policies		
3.5.2.1	O1, O2	P2, P4, P5

3.4.3 Landscaping/screening

(i) All sites shall be screened from any residential or rural site adjoining by the provision of continuous landscaping or screen fencing to a minimum height of 2.0 metres.

(ii) Where any building is set back from the front boundary by 2.0 metres or more a minimum of half of the set back distance shall be landscaped in a manner compatible with the urban environment and maintained in a manner that will enhance the visual appearance of the building.

(iii) All waste materials, rubbish or other unsightly material stored outside shall be screened from public view.

Advice note: This control is not a means to comply with other performance standards in this Plan. All performance standards relating to visual and noise intrusion must be met irrespective of the effectiveness of the landscaping or screening provided as a control mechanism.

Objectives/Policies		
3.5.2.1	O1	P1
3.5.2.2	O1	P1

3.4.4 Access, parking, loading and manoeuvring

See Section 9: Transportation and the ~~MPDC~~ Development Manual ~~2010~~.

3.4.5 Special character areas

10 days notice in writing shall be given to the Council of any proposed work, redecoration, repair or alteration in the Te Aroha Character Area, to determine whether the proposed work is minor or not. See Section 10: Natural Environment and Heritage.

Objectives/Policies		
3.1.2.1	O1	P1
3.1.2.3	O1	P1, P2, P3

3.4.6 Shop frontage

(i) Verandahs shall be provided at the time of development or redevelopment of all sites within the areas defined on the Planning Maps as "Shopping Frontage."

(ii) Verandas shall be constructed in accordance with the provisions and requirements of the ~~MPDC~~ Development Manual ~~2010~~.

(iii) This rule does not apply to service stations.

Objectives/Policies		
3.5.2.2	O1, O2	P1, P2, P3, P4, P5

3.4.7 Development Contributions

Prior to the issue of a building consent where the development has an impact on the provision of services, contributions shall be based on the actual costs incurred to avoid, remedy or mitigate the impact of the development in accordance with Section 7.

Advice Note: See also Sections 3.5 to 3.10 for additional District-wide development controls.

Objectives/Policies		
3.9.2	O1	P1

Explanation

The Business zone incorporates a number of different activities that may vary in their effect on adjoining non-business activities. These effects are generally controlled by the performance standards listed in Section 5 but they may also be visually intrusive even at times when they are not in operation.

The landscaping/screening requirements are intended as a means of reducing the visual intrusion and enhancing the appearance of buildings in the Business zone when viewed from residential and Rural zones adjoining or facing.

The front yard requirement is intended to provide flexibility while encouraging businesses to "fit in" with the overall urban environment. In particular businesses are encouraged to complement and enhance the "garden" character of Matamata.

Significant issues for the District relate to the preservation of the special character of Te Aroha as a Victorian/Edwardian heritage site and of Matamata as a garden heritage urban area. The special character areas identify particular areas that should be retained and enhanced in these areas through the implementation of the associated rules.

3.5 Activities adjacent to the National Grid (all District Plan zones)

3.5.1 National Grid Yard – Activity Status

(i) Permitted Activities

1. Under the National Grid Conductors (wires):

(a) On all sites within any part of the National Grid Yard any buildings and structures must:

(i) If they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or

(ii) Be a fence; or

(iii) Be network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid; or

(iv) Be an uninhabitable farm building or structure for farming activities but not a intensive farming building, milking/dairy shed (excluding ancillary structures), or commercial greenhouse; or

(v) Be any public sign required by law or provided by any statutory body in accordance with its powers under any law.

(b) All buildings or structures permitted by a) must comply with at least one of the following conditions:

(i) A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or

(ii) Demonstrate that safe electrical clearance distances required by NZECP34 are maintained under all National Grid line operating conditions.

2. Around National Grid support structures

Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

(a) Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid.

(b) Fence less than 2.5m in height and more than 5m from the nearest support structure.

(ba) A fence located within 5m of a support structure where Transpower has given written approval in accordance with Clause 2.3.3 of NZECP34.

(c) Artificial crop protection structure or crop support structure between 8m and 12m from a single pole support structure that:

(i) Meets the requirements of the NZECP34 for separation distances from the conductor;

(ii) Is not more than 2.5m high;

(iii) Is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and

(iv) Allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.

(d) Artificial crop protection structure or crop support structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34 to be located within 12m of a tower or 8m of a pole support structure.

3. Earthworks, subject to compliance with the following:

(a) That they be no deeper than 300mm within 12m of any National Grid support structure foundation;

(b) Not create an unstable batter that will affect a National Grid support structure; and

(c) Not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34.

Provided that the following are exempt from point (3a) above;

- Earthworks undertaken by a Network Utility Operator.
- Earthworks undertaken as part of agricultural, horticultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.
- Vertical holes not exceeding 500mm in diameter beyond 1.5m from the outer edge of a pole support structure or stay wire.

Advice Note: Vegetation to be planted within the National Grid corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Advice Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities in relation to the lines. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.

(ii) Restricted Discretionary Activities

(1) Within the National Grid Yard any earthworks not permitted by 3.5.1(i) 3(a).

(iii) Non-Complying Activities

(1) Within the National Grid Yard

(a) Any building or addition to a building for a sensitive activity.

(b) Any change of use to a sensitive activity or the establishment of a new sensitive activity.

(c) Intensive farm building, dairy/milking sheds (excluding associated ancillary structures), or commercial greenhouses.

(d) Any earthworks not permitted by 3.5.1(i) sub-clause 3(b) or (c)

(e) Any building or structure that does not comply with 3.5.1 (i)

For the site located between Bolton Road and Morrinsville – Walton Road legally described as Lot 1 DPS 18429 the following exemptions to rule 3.5.1 shall apply;

3.5.2 National Grid Yard – Activity Status Lot 1 DPS 18429

Note: This rural applies to the site legally described as Lot 1 DPS 18429,

(i) Permitted Activities

Any building less than 2.5m high and 10m in area is permitted.

(ii) Discretionary Activities

Any building or structure not permitted by Rule 3.5.1 shall be a discretionary activity.

Advice Notice: Vegetation to be planted within the National Grid corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Advice Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities in relation to the lines. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.

Advice Note: The underlying zone rules apply, unless specifically modified by Rules 3.5.1 and 3.5.2.

3.5.3 National Grid Yard – Matters of discretion

The Council has restricted its discretion to the following matters, and may impose conditions relating to these matters if consent is granted:

(a) The ability for operating, upgrading, maintenance and inspection of lines, including ensuring access;

(b) Compliance with NZECP34

(c) The risk to the structural integrity of the National Grid.

(d) The extent to which the adverse effects from the line, and of the new activity on the line can be avoided, remedied, or mitigated;

(e) The risk of electrical hazards affecting public or individual safety, and the risk of property damage

(f) Any technical advice provided by the line owner/operator.

3.6 Development adjacent to sub-transmission lines (all District Plan zones)

(i) Permitted activities

New buildings or additions to existing buildings within 20m of the centreline of a sub-transmission line (identified on the Planning Maps) that have demonstrated compliance with NZECP 34 are a permitted activity.

(ii) Non-complying activities

New buildings or additions to existing buildings within 20m of the centreline of a sub-transmission line (identified on the Planning Maps) that have not demonstrated compliance with NZECP 34 are a non-complying activity.

Advice Note: Works in close proximity to all electric lines can be dangerous. Compliance with NZCEP 34 is mandatory for buildings, earthworks and mobile plant within close proximity to all electric lines.

Advice Note: Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss works, including tree planting, near electrical lines, especially within 20m of those lines, the line operator should be contacted.

Objectives/Policies		
2.4.6	O1	P1, P2, P6
2.4.7	O2, O3	P5
3.7.2.1	O1	P2, P5

3.7 Approach and restart sight triangles at railway level crossings (all District Plan zones)

(i) Permitted activities

Any buildings, structures, walls, fences or vegetation not causing an obstruction to lines of sight of oncoming railway traffic erected within the obstruction free zone (see Development Manual) at railway level crossings are a permitted activity.

(ii) Restricted-discretionary activities

Any buildings, structures, walls, fences or vegetation causing an obstruction to lines of sight of oncoming railway traffic erected within the obstruction free zone (see Development Manual) at railway level crossings are a restricted-discretionary activity.

(iii) Matters of discretion

The Council has restricted its discretion to the following matters, and may impose conditions relating to these matters if consent is granted:

(a) The extent to which the nature, location, scale, and height of any obstruction will impede visibility along the railway line;

(b) The extent to which the obstruction will adversely affect the safety of vehicles using the crossing and the safety and efficiency of the railway network and the road network in the immediate vicinity having regard to the geometry and orientation of the crossing and the speed and volume of traffic on the road and on the railway line;

(c) Methods to avoid, remedy, or mitigate adverse effects on the efficiency of the railway and road networks;

(d) Methods to avoid, remedy, or mitigate adverse effects on the safety of vehicles using the crossing and the safety of the railway network;

(e) Cumulative effects on the railway and road networks;

(f) Any technical advice provided by the railway operator or the roading authority.

(iv) Non-notification

Applications utilising Rule 3.7(ii) that do not simultaneously trigger any other consent requirements, shall not be publicly notified and shall not be served on any party other than the railway operator (KiwiRail) and the road controlling authority (the New Zealand Transport Agency and/or Council).

Advice Note: It is recommended that the rail operator (KiwiRail) and the road controlling authority (NZ Transport Agency and/or Council) be consulted for any proposed buildings, structures, walls, fences, or vegetation within the obstruction free zone.

Objectives/Policies		
2.4.6	O1	P1, P2, P6
2.4.7	O2, O3	P5
3.8.2	O1, O2	P1, P3, P6

3.8 Activities (other than flood control works – see Section 8.8) adjacent to the WRC's flood control assets as shown on the Planning Maps

The following provisions apply to activities (other than flood control works – see Section 8.8) adjacent to the WRC's flood control assets as shown on the Planning Maps:

- Within 20m of the landward toe of a stopbank (See diagram below);
- On a stopbank;

- Within a 20m radius of a pump station or floodgate.

(i) Permitted activities

The following shall be permitted activities:

(a) Existing stock-proof fences;

(b) Grazing of animals;

(c) Any farming activity other than the grazing of animals, authorised by WRC;

(d) The erection of any new fences authorised by WRC;

(e) The construction of any road or race for the passage of stock or vehicles authorised by WRC;

(f) The erection of any shelter, building or construction authorised by WRC;

(g) The excavation or the digging of any drain authorised by WRC;

(h) A network utility authorised by WRC.

(ii) Restricted-discretionary activities

Any activity that is not permitted shall be a restricted-discretionary activity.

(iii) Matters of discretion

Council has restricted its discretion to the following matters, and may impose conditions relating to these matters if consent is granted:

(a) The extent to which the activity will affect the integrity of the flood control works;

(b) The extent to which the activity will impede maintenance access;

(c) Methods to avoid, remedy, or mitigate adverse effects on the integrity of the flood control works;

(d) Methods to avoid, remedy, or mitigate adverse effects on maintenance access;

(iv) Non-notification

Applications utilising Rule 3.8(ii) that do not simultaneously trigger other consent requirements shall not be publicly notified and shall not be served on any party other than Council and WRC.

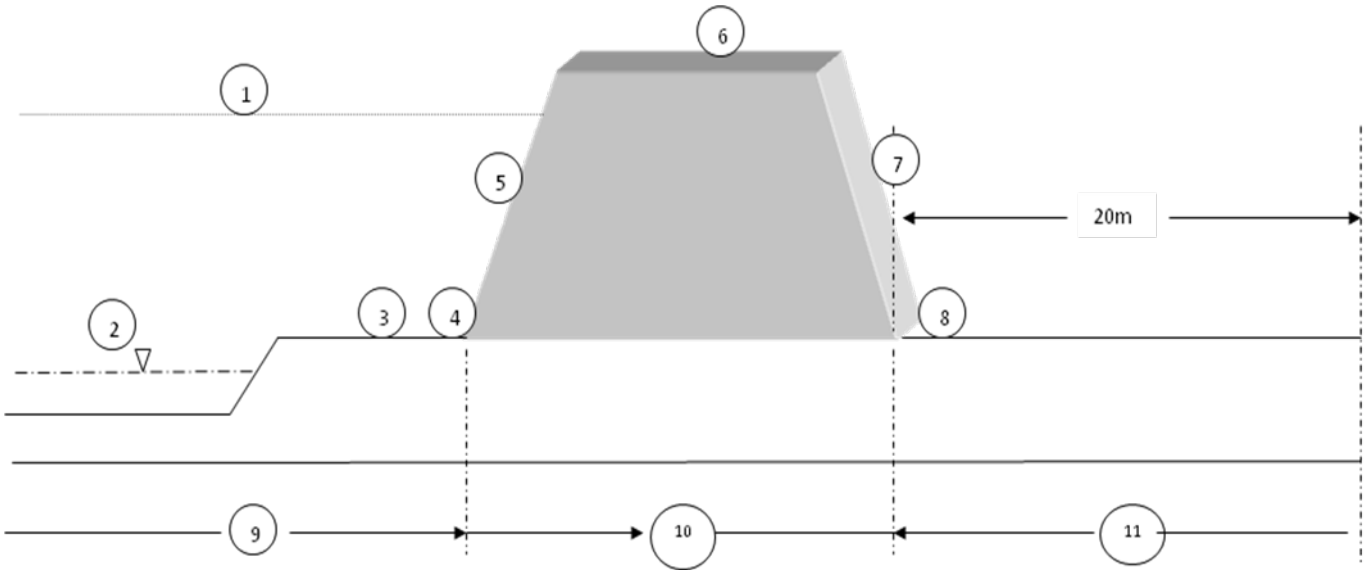
Advice Note: The purpose of Rule 3.8 is to ensure maintenance access to, and protect the integrity of, essential flood protection works so as to avoid, remedy, or mitigate flood risks.

Objectives/Policies		
2.4.7	O2	P5

STOPBANK DIAGRAM

Legend

1. Design flood level (DFL)
2. Low water channel
3. Flood Channel
4. Riverside stopbank toe
5. Riverside batter
6. Stopbank crest level
7. Landside batter
8. Landward stopbank toe
9. Riverside land
10. Stopbank
11. Land within 20m of the landward toe of a stopbank



3.9 ~~3.5~~ Signage – all zones

The control over signs exercised in this Plan is in addition to, and not in substitution, for the issuing of permits and control by the bylaws. Where there is an inconsistency between a bylaw and this rule, the rule shall prevail.

For the avoidance of doubt signage shall include all symbols, artwork and structures including balloons, blimps, banners and flags designed to attract the attention of the public and/or advertise the goods, services or activities on the site. Freestanding signage shall include any structure including balloons, blimps, banners and flags separate from and not supported by any building on the site.

Where roading, parking, information or warning signs are provided as part of the traffic management functions, the design, installation and location of the signage shall be in accordance with the ~~MPDC~~ Development Manual ~~2010~~.

3.9.1 ~~3.5.1~~ Permitted activities

	Zone	Type of sign permitted	Total site signage
1.	Any zone	Official signs	No maximum
2.	Any zone	Public utility, public information signs, and protected areas and reserve identification signs	3.0m^2
3.	Any zone	A sign giving name and related information concerning places of assembly, education or accommodation facilities, community facility and marae complex.	2.0m^2 20% of the sign area may include acknowledgment of a sponsor.
4.	Any zone	Temporary signs for sale of land/buildings and auction.	1.5m^2
5.	Any zone	Temporary signs for tradesman's/ consultants construction sites.	3.0m^2
6.	Residential zone	A sign stating name, profession, occupation or trade or property name.	0.3m^2
7.	Rural and Rural-Residential zone	A sign stating name, profession, occupation or trade or property name.	1.5m^2
8.	Business and Industrial zones	Signs related to permitted activities established on the site for the advertisement or identification of the established permitted activities.	1.0m^2 per metre of site frontage in the case of signs attached to or forming part of the principal building to its walls or canopies. In addition, free standing signs are permitted where the surface area viewed from any one direction does not exceed the following: - For each site frontage less than or equal to 24.0m: 6.0m^2 - For each site frontage greater than 24.0 metres: 0.25m^2 for every metre of site frontage up to a maximum of 16m^2. Notwithstanding the above: One planned arrangement of free-standing signs where more than one rear site shares a common accessway, maximum area of sign shall be: 12.0m^2.
9.	Any zone	Signs whose sole purpose is to direct traffic within a site.	No maximum
10.	Any zone	Temporary signs for local and general elections PROVIDED THAT: - They are erected no sooner than two	3.0m^2

	Zone	Type of sign permitted	Total site signage
		months prior to polling day and removed no later than the close of the day before polling day. - They are not located in a public place, on public buildings or any road reserve. - Consent of property owner is obtained. - Their form and letter height is consistent with the specifications set in Sections 3, 5, 6, 7 and 8 of the Electoral (Advertisements of a Specified Kind) Regulations 2005 for a sign that is visible from any road (includes both state highways and local roads).	
11	Neighbourhood Node (refer to relevant Structure Plan in Appendix 9).	Signs related to permitted activities established on the site for the advertisement or identification of the established permitted activities	1.0m² per metre of site frontage in the case of signs attached to or forming part of the principal building to its walls or canopies.

Objectives/Policies		
3.5.2.4	O1, O2	P1, P2, P3, P4, P5

3.9.2 ~~3.5.2~~ General controls relating to signs

(i) Notwithstanding that a particular sign is a permitted sign under this rule, Council will require modification or relocation of the sign if the proposed sign will detrimentally affect traffic safety and control by:

(a) Obstructing driver's vision; or

(b) Causing confusion or distraction for driver's; or

(c) Creating a situation hazardous to the safe movement or direction of traffic.

(ii) The Council will require the removal of any sign which is offensive, poorly made, painted, or maintained, or is in any other way a detraction from the amenities of the neighbourhood or obtrusively visible from any residential, deferred urban, future Residential or Rural zones.

(iii) (a) All signs are to be located on the site to which they relate;

(b) Through the restricted discretionary activity consent process, signs may not be located on a property to which they do not relate but over which the owner of the property to which the signs relate, has access rights or shared use formalised by legal agreement, lease, easement or similar means.

Objectives/Policies		
3.5.2.4	O1, O2	P1, P2, P3, P4, P5

3.9.3 ~~3.5.3~~ Controlled activities

Controlled activity application required. Approval with consent of Council as to design, appearance, size, construction and siting.

	Zone	Type of sign permitted	Total site signage
1.	Any zone	Temporary signs advertising forthcoming gala, fete, reunion, national sporting or community events provided that: - Signs for a reunion may be erected no	3.0m² (minimum size 2.0m²)

		sooner than six months prior to the event and removed no later than seven days after the event. All other signs are to be erected no sooner than six weeks prior to the event and removed no later than three days after the event. - Consent of property owner is obtained. - Not more than four signs for each event are to be erected.	
2.	On local roads but not state highways	One directional sign relating to a tourism attraction or community facility provided that the sign shall only be permitted between the site and the closest major intersection.	No maximum, however the sign shall be constructed to comply with Transit New Zealand's "Manual of Traffic Signs and Markings".

Objectives/Policies		
3.5.2.4	O1, O2	P1, P2, P3, P4, P5

3.9.4 ~~3.5.4~~ Non-Complying Activities

(i) No sign shall be permitted which is:

(ii) Animated by means of flashing, blinking, or travelling lights; reflective material; or other means not providing constant illumination.

(iii) No sign shall be intensely lit so as to constitute a nuisance or hazard, as deemed by Council, to vehicular traffic, pedestrians, train drivers or adjacent uses.

(iv) Obscuring or detracting from any scheduled natural environment resource or important visual aspects of the District within the Te Aroha Character Area or the Kaitiaki (Conservation) zone.

(v) Attached to or forming part of the principal building, or its walls or canopy which protrude more than 100mm beyond the outline of the building. Veranda signs fixed in accordance with the ~~MPDC~~ Development Manual ~~2010~~ accepted.

3.9.5 ~~3.5.5~~ Sign letter heights

The size of letters on signs shall comply with the following minimum height standards in relation to speed limits:

50 km/hr 75mm

60 km/hr 85mm

70 km/hr 100mm

80 km/hr 125mm

100 km/hr 175mm

Explanation

One of the significant issues for the District is the maintenance of visual amenity. The effects of signage is recognised as potentially adversely affecting the visual amenity of the District and limitations are defined in these rules to establish a minimal adverse effect in accordance with the Objectives and Policies stated in Section 3.5.2.

The effect on traffic safety is also taken into account in particular by requiring the consent of the New Zealand Transport Agency where there is an impact on the state highway network and it is anticipated that the number of accidents on arterial roads that may be attributed to advertising or signage distractions will be reduced.

3.10 ~~3.6~~ Structure Plans

All development identified within Structure Plan areas shall be undertaken generally in accordance with the relevant structure plan and the Schedule of Works within Appendix 9 of the District Plan.

Where land is located within a Structure Plan as identified in the District Planning maps, the requirements of the Structure Plan in relation to infrastructure and conceptual layout will prevail over other relevant provisions of the District Plan should there be a conflict.

Objectives/Policies		
2.4.1	O1	P2

Explanation

Structure plans have been developed in some areas and identify key services for the area included. The structure plans have been developed and assessed by Council in relation to provisions of the District Plan. Any departures from general plan standards are to ensure high quality environmental outcomes are achieved.

4 Activity related performance standards

4.1 Plantation and conservation forestry

4.1.1 Development plan

Prior to the establishment of plantation and conservation forestry blocks a Development Plan of the land area involved showing the location of all access roads, firebreaks and harvest areas that relate to natural features or topographical boundaries shall be lodged with Council for information. The Applicant shall have regard to the New Zealand Forest Code of Practice (Second Edition) 1993.

Objectives/Policies		
3.3.2.1	O1	P1, P2, P3, P4
3.3.2.1	O2	P1
3.2.2.2	O1	P1

4.1.2 Replanting of plantation forestry within the Kaitiaki zone

Replanting of plantation forest within the Kaitiaki (Conservation) zone is permitted subject to the following standards:

(i) Land subject to harvest shall be replanted in plantation forest or native species within one year, or otherwise left to regenerate to native species, if this can be achieved without causing significant adverse effects.

(ii) All existing overland flow paths, debris flow paths and stormwater detention areas shall remain functional to avoid, remedy or mitigate natural hazards. Persons replanting any area shall notify Council of any new mechanisms used to manage the risks of exacerbating natural hazards.

(iii) Where areas are to be replanted it shall not increase the risk of land instability and the effects of peak stormwater flows.

(iv) All remnant areas of native vegetation that are practical to retain shall not be cleared or over-planted with plantation forestry crops.

(v) No replanting shall be undertaken within 10 metres of a natural perennially flowing stream.

(vi) Where practical areas that are to be replanted should be contour planted, that is the rows of trees should follow the contours, not run up and down the slope.

Non-compliance with the above standards will require a restricted discretionary resource consent application to be made where the above matters will be considered and where Council may grant or refuse the consent and impose conditions of consent.

Objectives/Policies		
3.9.2.1	O1, O2	P1, P2

Explanation

Whilst it is recognised that production forestry is a legitimate rural activity, the effects of maintaining and harvesting the forest are likely to have significant off-site impacts. A Development Plan of the forest is required by Council for information purposes to enable the public to see what such impacts may be. The most significant impact is likely to be on the District's roads and a roading contribution may be required to ensure that the roading network is not adversely affected by this additional impact.

4.2 Forestry and wood lot setbacks

Planting and replanting of plantation forestry or any wood lot of more than 2 hectares shall not be located within 10 metres from the boundary of all sites held under a separate certificate of title and owned by a person or organisation other than the person who or organisation which is undertaking the planting provided that where the adjoining landowner has provided written consent to Council a waiver of the above shall be permitted for the growth cycle of the trees in question.

In a growth cycle no vegetation shall be allowed to grow to a position which will shade any existing dwelling unit, located on a site in a separate certificate of title and owned by a person or organisation other than the person who or organisation which is undertaking the planting, between the hours of 9.30am and 3.00pm on the shortest day of the year.

This Rule does not apply to the replanting of existing lawfully established plantation forestry and wood lots.

4.3 Home occupations

4.3.1 Ancillary Character

(i) The activity must be ancillary to the use of the site for residential or rural use and occupy no more than 10% of the site or 150m^2 whichever is the lesser.

(ii) The activity is carried out either wholly within the dwelling or within an accessory building erected or modified for the purpose and constructed to the satisfaction of Council.

Objectives/Policies		
3.5.2.1	O1, O2	P1, P2, P3

4.3.2 Retailing

(i) Retailing of goods from the site shall be permitted in accordance with the access provisions in Section 9, ~~Transportation subject to the provision of a minimum of four carparks on the site adjacent to the retail area~~.

(ii) Retailing of goods from the site shall not be permitted from those sites in the Rural or Rural-Residential zone having frontage to a state highway.

(iii) Any area set aside for retail (inside or outside) shall not exceed 20m^2.

Objectives/Policies		
3.5.2.1	O1, O2	P1, P2, P3
3.8.2	O1, O2, O3, O4, O5	P1, P2, P3, P4, P7, P16

4.3.3 Parking and Loading

In addition to the parking requirements in Section 9 relating to the site's residential use, additional on-site parking and loading facilities in accordance with the standards in Section 9 shall be provided. The parking and loading required shall relate to the type of home occupation being carried out on the site.

4.3.4 ~~4.3.3~~ Signage

See ~~Rule 3.5~~ Section 3.9.

Objectives/Policies		
3.5.2.4	O1, O2	P1, P2, P3, P5

Explanation

Council is limiting the scale and nature of home occupations to ensure that the character of the rural and residential areas is maintained and enhanced as expressed in the Objective for Amenity Values. Council acknowledges the contribution that home occupations make to the social and economic sectors of the community but has implemented controls to protect the amenity values of the District from the potential adverse affects and to preserve productive rural land for primary production.

Council's principle concern with roadside stalls is to ensure that the adverse effects of traffic and parking both on-site and on the public road are adequately avoided, remedied or mitigated.

Council is ensuring that there are ongoing opportunities for agriculturalists to sell their produce from the property.

4.4 Marae, whare nui and housing developments

4.4.1 Development

(i) The development shall be on allotments on or adjoining a Marae.

(ii) The development shall not exceed a maximum of 25 dwelling units.

(iii) The development shall not exceed a density of one dwelling per 2,000 m^2 of nett site area in the area covered by the application.

Objectives/Policies		
3.3.2.1	O2	P1, P2, P3
3.5.2.1	O2	P1, P3, P5

Explanation

Council has, with the agreement of the iwi, implemented the above provisions.

In consultation with the Iwi these provisions are intended to facilitate the relationship of Maori with their ancestral lands. Council is not attempting to specifically provide the opportunity for villages for other communal groups. Council is also not providing the opportunity for retailing and rural industries on ancestral lands. Council considers it necessary to preserve rural land for rural production and to ensure such activities are treated similarly throughout the District regardless of land ownership.

4.5 Goat and deer farming

4.5.1 Goat farming

Goat farming within 1 kilometre of the Kaitiaki (Conservation) zone that covers the Kaimai-Mamaku Ranges shall be a permitted activity subject to the following:

(i) All goats shall be marked and identified;

(ii) That all fencing at the boundary and along streams, which drain from the Kaitiaki zone, shall meet the following minimum standards:

(a) Developed on a bulldozed line;

(b) 8 wires (kept tight at all times):

- Minimum high tensile 2.5mm diameter galvanised steel;
- Bottom wire should be placed 80mm above ground level and above that, wires placed at following intervals – 100, 100, 100, 110, 120, 135, 150 and 165mm. The top wire should be approximately 50mm below the top of the post;

(c) No internal stays;

(d) Posts to be at the following spaces:

- Less than 30 degrees ground slope 5m;
- 30 degrees to less than 45 degrees 4m;
- 45 degrees or more 3m.

(e) Battens to be at one metre intervals

4.5.2 Deer farming

The farming of deer within one kilometre of the Kaitiaki (Conservation) zone that covers the Kaimai-Mamaku Ranges is a restricted discretionary activity, which shall be considered in terms of the following criteria:

(i) Whether red deer are still widespread ferals in the Kaitiaki zone, and not subject to control under the Wild Animal Control Act or Regional Pest Management Strategy.

(ii) That all fencing at the boundary and along streams, which drain from the Kaitiaki zone, shall meet the standard required under the Deer Farming Regulations.

Objectives/Policies		
3.1.2.2	O1	P1, P2, P3, P4

Explanation

Council wishes to avoid the potential for adverse effects on the significant natural environments as identified by the Kaitiaki (Conservation) zoning.

4.6 Buildings not requiring building consent

With regard to any detached building or structure not requiring a Building Consent under the Third Schedule of the Building Act, such buildings shall:

(i) Be sited at least 1.0 metres from any boundary;

(ii) Not be sited between the front boundary and any residential building; and

(iii) Be limited to one such building per Certificate of Title.

Objectives/Policies		
2.4.2	O1	P1

Explanation

The District Plan rules are intended to reduce the incidence of incompatible activities.

4.7 Dependent person's dwelling

Dependent Person's dwellings shall:

(i) Be limited to a maximum gross floor area of 50m^2;

(ii) Be relocatable buildings to be removed from the site when the need no longer exists. A restrictive covenant to this effect shall be registered on the Certificate of Title of the subject property prior to building work commencing;

(iii) Not be required to comply with the requirements of this plan relating to household recreation space or car parking, but shall comply in all other respects;

(iv) Be located in such a way that does not compromise the compliance of the principal dwelling with all requirements of this plan.

Objectives/Policies		
3.5.2.1	O1	P1

Explanation

This rule is intended to provide the opportunity for additional accommodation when it is desired so long as the amenities of the neighbourhood are not impaired.

4.8 Aerial topdressing/spraying

4.8.1 Activity status

Aerial topdressing/spraying within 500m of a rural and Residential zone boundary and the Kopuatai Peat Dome shall be a Non-Complying activity.

Objectives/Policies		
3.5.2.3	O1, O2, O3, O5	P1, P4

Explanation

Council wishes to avoid the potential for nuisance and other adverse effects on the residential environment as a result of aerial topdressing/spraying activity. Such nuisance or effects may include noise and spray or fertiliser drift.

This does not limit the legitimate use of rural land for farming as alternative means of topdressing/spraying may still be used, for example applying "Growsafe Code of Practice" methods.

4.9 Mining, quarrying and mineral processing

4.9.1 Vibration and blasting

(i) The measurement of blast noise (air blast) and ground vibration for blasting shall be carried out in accordance with Appendix J of Part 2 of Australian Standard AS 2187.82 - 1993.

(ii) The noise created by the use of explosives measured in accordance with Section 5.2 shall not exceed a peak overall sound pressure of 128dB.

(iii) All blasting shall be restricted to between 0900 and 1500 hrs Monday to Saturday except where necessary because of safety reasons.

(iv) Blasting shall be confined to two occasions per day except where necessary for safety reasons.

(v) When blasting, the limit of particle velocity (peak particle velocity) measured on any foundation of an adjacent occupied building not connected with the site, or suitable location adjacent to the building, shall not exceed 25mm/sec for commercial buildings or 10mm/sec for dwellings and buildings of similar design.

(vi) Every blast shall be recorded with particular attention to details of charge weight and delay practice. Monitoring using reliable and appropriate methods representative of all blasts, at varying distances and various sites of different sensitivity shall be carried out to ensure the limits set out in clause (v) above are not exceeded. Blast records and monitoring results shall be made available to the Council on request.

4.9.2 "Prospecting" and "exploration"

"Prospecting" and "Exploration" are a permitted activity in the Rural zone, and "prospecting" is a permitted activity in the Kaitiaki zone provided that:

(i) Earthworks in the Rural zone shall not exceed 1000m³;

(ii) Rehabilitation complies with Rule 5.1.2;

(iii) There shall be no use of explosives;

(iv) The use of weight dropping devices complies with the vibration limits in Rule 4.9.1 (v);

(v) Prospecting shall be carried out as a “minimum impact activity” as defined in the Crown Minerals Act 1991;

(vi) In the Kaitiaki zone there shall be no removal of clay, sand, gravel, rock, or mineral substance for geological or geochemical sampling and no disturbance of land or vegetation for geophysical surveying.

Failure to comply with any of subsections (i) to (vi) above or with any of the provisions of Part B of this plan, including controls, performance standards shall render:

Prospecting: Discretionary in the Rural zone

Non-Complying in the Kaitiaki zone

Exploration: Discretionary in the Rural zone

Prohibited in the Kaitiaki zone

Advice note: See also Section 5: Performance Standards - All Activities, for further general rules related to Mining, Quarrying and Mineral Processing.

Objectives/Policies		
3.5.2.3	O1, O2	P1, P2, P4

Explanation

It is considered that the type of vibration associated with blasting is likely to present different types of effects than that related to continuous activity.

4.10 Service stations

Service stations are permitted within the industrial and Business zones provided that they are situated at least 100 metres from the nearest Residential zone, otherwise they shall be dealt with as discretionary activities.

Objectives/Policies		
3.5.2.3	O1, O2	P1, P2, P3

Explanation

Council considers that if the development of a service station is situated at least 100 metres from a residential use or community facility, effects can be appropriately mitigated so as not to cause any adverse impacts on those uses.

4.11 Temporary activities

4.11.1 Permitted activities

(a) Temporary offices, storage sheds, storage yards, builder's workshops, ablution facilities and other similar buildings and activities incidental to a building or construction project, for the duration of that project specific to the issued building consent;

(b) Temporary ablution and storage sheds on sites pending the erection of a dwelling, for a period not exceeding two years;

(c) Carnivals, trade fairs, bazaars, air pageants, conventions and public meetings and concerts in industrial and commercial zones, except where the activity is adjacent or opposite a rural, or Residential zone, or is accessed from a state highway, and farm sales in Rural zones provided there are only two in each calendar year;

(d) Portable sawmilling of trees grown on the subject property in the Rural zone.

(e) Sale of goods by Hawkers under Council Bylaws from temporary, mobile premises on District roads;

(f) Temporary military training activities, where:

  (i) The written consent of the landowner and affected landowners has been obtained;

  (ii) The activity is limited to a period not exceeding 31 days within a calendar year;

  (iii) No permanent structures are constructed;

  (iv) No earthworks (permanent or mechanical) are carried out unless provided for in this Plan;

  (v) Flying activity is in compliance with civil aviation regulations or in agreement with the local controlling authority.

Advice note: District roads do not include state highways and Hawkers should contact ~~Transit~~ the New Zealand Transport Agency if they wish to establish on state highways.

Objectives/Policies		
2.4.2	O1	P1

4.11.2 Controlled activities

Temporary military training activities not provided for as a Permitted activity.

4.11.3 Discretionary activities

(i) Buildings for hobby pursuits such as the construction of a boat, caravan or other structure within the Residential zone.

4.11.4 Rules related to temporary activities

(i) All activities shall comply with Sections 5: Performance Standards, 8: Works and Network Utilities, 9: Transportation, 10: Natural Environment and Heritage, and 12: Surface of Water.

Objectives/Policies		
2.4.2	O1	P1

Explanation

Activities of short duration and irregular occurrence are permitted subject to compliance with the performance standards of the District Plan (Section 5).

4.12 Cleanfill

In addition to the general assessment criteria for discretionary and non-complying activity resource consent applications, the following shall apply to resource consent applications for cleanfill activities:

(i) Management plan.

The management plan shall include:

(a) A plan of the property showing the area to be filled;

(b) The approximate quantity of material to be deposited, the type of material, the timing and progress of the operation, its operating times and the landfill's completion date;

(c) A description of soil type, permeability, effect on groundwater levels and effects on adjacent land / soil structures;

(d) An investigation into the stability of the underlying land and its ability to remain stable under increased loadings in all conditions;

(e) Proposals to ensure the prevention of mass movement of the filled material itself. This will include details on benching, method of compaction, etc;

(f) Proposals for rehabilitation of the surface of the fill to prevent surface erosion such as sheet, rill and gully erosion. This will include details on topsoiling and grassing, etc;

(g) Details of traffic generation, size of trucks, movements per day, position of access points, possible effect on public roads, and location of adjacent dwellings. Council will take account of the expected volume of, and routes to be used by, traffic to and from the landfill site, and the impact of this traffic on the areas through which it would regularly travel;

(h) Proposals to deal with noise, dust, smoke and other detractions from the amenities of the area;

(i) Proposals to ensure security of the site to prevent public dumping;

(j) Drainage proposals. How gullies would be drained in order to prevent excessive saturation of the fill;

(k) Proposals for control of silt which discharge from bare earth areas during operations. Such proposals may include installation of a silt pond, in which specification of the pond's dimensions would need to be provided; and

(l) Comment on the quality of material to be deposited. If leachate was discharged from the fill, how it would be contained.

Advice note: For the formulation of a management plan the Council may request input from a Registered Engineer experienced in geotechnical matters.

Objectives/Policies		
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2	P1, P2, P3

4.13 Neighbourhood Node – Mixed Use

4.13.1 General Rules – Neighbourhood Node

(i) These requirements apply where a Neighbourhood Node is identified on a Structure Plan (refer Appendix 9).

(ii) The location of a Neighbourhood Node in a Structure Plan is indicative and not exact (refer (iii). below), unless specified as such by the Structure Plan.

(iii) The exact location of a Neighbourhood Node identified on a Structure Plan will be confirmed upon the identification of a lot or lots for that purpose on an approved subdivision scheme plan (refer 1.4.21).

(iv) Upon approval of a lot or lots for a Neighbourhood Node, the rules of Section 5 Performance Standards – All Zones shall apply as though the land was zoned Business, except as modified below.

4.13.2 Permitted Activities – Neighbourhood Node

(i) Retailing activities no greater than 150m^2 gross floor area for each tenancy.

(ii) Medical facilities.

(iii) Offices no greater than 100m^2 gross floor area for each tenancy.

(iv) Café, Restaurant, Takeaway, Bar.

(v) Accommodation facilities.

(vi) Education facilities.

(vii) Community facilities.

(viii) Dwellings in conjunction with any of the above activities.

4.13.3 Restricted Discretionary Activities – Neighbourhood Node

(i) Buildings and development in a Neighbourhood Node complying with Rules 4.13.5

(ii) Dwellings located at ground level or preceding the construction of a Neighbourhood Node on a site identified for such a node on an approved subdivision scheme plan.

4.13.4 Discretionary Activities – Neighbourhood Node

(i) Activities not permitted in 4.13.2 above.

(ii) Activities, buildings and developments not complying with the development standards in 4.13.5.

4.13.5 Development Standards – Neighbourhood Node

All activities and buildings in a Neighbourhood Node shall comply with the standards set out below. Where relevant, these standards replace those in Section 3.

(i) Maximum Height

Maximum of 3 stories.

(ii) Interface with Residential sites

Rule 3.1.1.(ii) applies to external boundaries of the site.

Rule 3.1.1.(iii) applies to external boundaries of the site, except that no front yard shall apply.

(iii) Transportation

Section 9 applies, except that formed on-street parks directly adjoining the site can be included as part of the car parking requirements of this rule.

(iv) Precinct F, Matamata

On Lot 100 DP 380025 in the area known as 'Millie Khan Green':

- Buildings, development and associated car parking and loading areas for a Neighbourhood Node shall not exceed a total development area of 2500m^2; and
- Retail activities shall not exceed a total gross floor area of 300m^2.
- A dwelling is limited to being an ancillary activity associated with an accommodation facility for the use by the facility's owner/manager.
- For the purpose of complying with Rule 4.13.1 (i), the location of the Neighbourhood Node is limited to within the 'structure plan area' identified on the Precinct F Structure Plan (Appendix 9.2).

On Lot 3 DP 14362 and Lot 2 DP 380025

- Buildings, development and associated car parking and loading areas for a Neighbourhood Node shall not exceed a combined total development area of 5000m^2 (excluding sites used for home occupations and accommodation facilities); and
- Retail activities shall not exceed a total gross floor area of 600m^2.

Objectives/Policies		
2.4.1	O1	P2
2.4.4	O2	P2
3.3.2	O1	P3
3.4.2	O5, O6	P4, P5
3.5.2.1	O1, O2	P1, P2, P3, P4, P5
3.5.2.2	O1, O2	P1, P3, P5
3.5.2.3	O1, O2	P1, P2
3.5.2.4	O2	P1

4.14 Comprehensive Residential Developments

4.14.1 General Rules – Comprehensive Residential Developments

These requirements apply where a Comprehensive Residential Development Overlay is identified on a Structure Plan (refer Appendix 9)

4.14.2 Permitted Activities – Comprehensive Residential Developments

On the completion of construction of a Comprehensive Residential Development, accessory buildings no greater than a combined gross floor area of 10m^2 may be constructed as a permitted activity with each dwelling where complying with the standards of Rules 4.14.5 and 4.6.

Explanation:

The purpose of this provision is to provide for the construction of small scale accessory building (garden sheds and the like) that assist in providing for the wellbeing of residents.

4.14.3 Restricted Discretionary Activities – Comprehensive Residential Developments

Comprehensive Residential Development complying with the standards of Rule 4.14.1 and 4.14.5.

4.14.4 Discretionary Activities – Comprehensive Residential Developments

Comprehensive Residential Development not complying with the development standards in 4.14.5.

4.14.5 Development Standards – Comprehensive Residential Developments

Comprehensive Residential Developments shall comply with the standards set out below. Where relevant, these standards replace those in Section 3.

(i) Maximum Height

Maximum of 3 storeys

(ii) Height relative to site boundaries

Rule 3.1.1.(ii) applies to external boundaries of the site.

(iii) Yards

Rule 3.1.1.(iii) applies to external boundaries of the site, except that no front yard shall apply.

Rule 9.1.~~21(iv)(b)~~(ix) Garages and Carports applies to the front yards of the site.

(iv) Density

Comprehensive Residential developments	1 dwelling per 400m^2 of nett site area
Retirement Village	1 dwelling per 250m^2 of nett site area

(v) Maximum Building Coverage

Comprehensive Residential Development this rule applies to the parent site upon which the development is proposed. However this shall not apply to individual units in the development where accessory buildings no greater than a combined gross floor area of 10m^2 may be constructed as a permitted activity with each dwelling upon the completion of the Comprehensive Residential Development.

(vi) Minimum Permeable Area

A minimum of 30% of nett area shall be retained in a permeable surface. For Comprehensive Residential Development this rule applies to the parent site upon which the development is proposed.

(vii) Household Recreational Space

Each dwelling shall be provided with an open space which:

- Is not less than 60m^2 in area.
- Contains no dimension less than 5 metres.
- Is conveniently accessible from the main living areas.
- At least 60% of the area of the open space must be located to the north, east or west of the dwelling.
- Shall be located clear of all parking and manoeuvring space.

(viii) Minimum nett site area

The minimum nett site area for a Comprehensive Housing Development is 4000m^2.

Advice Note: See also District-wide development controls (Sections 3.5 to 3.9).

Objectives/Policies		
2.4.1	O1	P1, P2
3.3.2	O1	P3
3.4.2	O5, O6	P4, P5
3.5.2.1	O1, O2	P1, P2, P3, P4, P5
3.5.2.2	O1, O2	P1, P2, P3, P4, P5, P6
3.5.2.3	O1, O2	P1, P2
3.5.2.4	O1, O2	P1, P2, P3, P4, P5

5 Performance standards – all activities

5.1 Conservation

5.1.1 Riparian planting and retirement

(i) Any resource consent granted in respect of land contiguous to a riverbank may require the establishment and maintenance of conservation planting or the retirement of land for regeneration of indigenous vegetation up to a maximum of 20 metres along all rivers to avoid, remedy or mitigate any adverse effects from the land use practices for which consent has been granted.

For the purposes of this rule river means all natural perennial flowing streams and modified watercourses; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

(ii) With the exception of Scheduled Item 213 of Schedule 3, the establishment of such areas may be subject to a covenant or consent notice or other such legal instrument as may be considered appropriate in the circumstances to ensure the long term protection of the waterway as well as the maintenance of the planted area as a protective environment. Such an instrument shall include provisions for fencing, and where stock are present, stock proof fencing, maintaining the waterway, clearing noxious weeds, maintaining and replacing the trees as required and shall define the extent of planting.

(iii) Consultation with ~~Environment~~ the Waikato Regional Council, where it has responsibilities for operation and maintenance for soil conservation, river control or drainage assets, be undertaken concerning access and conservation provisions.

Objectives/Policies		
3.1.2.2	O1	P1, P2, P3, P4
3.3.2.1	O1	P1, P3

5.1.2 Rehabilitation

(i) All activities involving extraction, excavation, drilling, tunnelling or other disturbance or deposition of land shall, where practicable, restore the land and structures to a stable land form with a soil structure and fertility that is capable of supporting vegetation similar to that found in local habitats.

Provided that these provisions do not apply to road construction, farm tracks (including farm or forestry access tracks) or excavation for a building platform of less than 1000 m3 in volume.

Restoration includes loosening of the soil to prevent over-compaction and slipping surfaces and to aid root penetration. In particular:

(a) Topsoil stripped from the working area shall, where practicable, be retained for future restoration of the land;

(b) All excavations, heaps, dumps, spoil, tailings or other materials shall be restored in a manner that will enable reinstatement of a natural vegetated landscape, similar to that found locally;

(c) Rehabilitated lands shall be planted within the first growing season following restoration of the soil profile.

Site rehabilitation associated with mining and quarrying shall include the management of tailings to avoid discharges, and the removal of all machinery, buildings, equipment and solid waste. See Section 1.4.13.

(ii) Where vegetation clearing and/or burning is undertaken the land shall be rehabilitated and replanted in a way that avoids any potential for adverse effects from soil erosion and water sedimentation.

(iii) All rehabilitation and replanting that is required in standards (i) and (ii) above shall be certified as being completed in accordance with the provisions of these rules by a suitably qualified or experienced person.

(iv) To ensure that appropriate restoration is undertaken, Council may apply bonds or financial charges to an equivalent value.

Objectives/Policies		
3.2.2.4	O1	P1
3.3.2.1	O1	P1, P2, P3

5.1.3 Cleanfill

(i) Cleanfill shall be rehabilitated to a state similar in land, form and visual appearance to that found locally.

(ii) Such sites shall not be located within 20m of a significant natural environment or heritage feature identified in Schedules 1, 2 or 3, or features that meet the evaluation criteria listed in Appendix 1.

Advice note: See also the Waikato Regional Plan that relates to Soil Disturbance, Roading and Tracking, Vegetation Clearance, and Cleanfilling and Disposal. For rules and performance standards related to noise, dust and other matters refer to Sections 5.2, 5.5 and other sections where relevant.

Objectives/Policies		
3.1.2.1	O1	P1
3.1.2.2	O1	P2, P3, P4
3.2.2.4	O1	P1

Explanation

Riparian planting for water and soil conservation, recreational, aesthetic or scientific management purposes may be required as a condition of a Resource Consent for consents granted on sites contiguous to a river. The planting shall be provided adjacent to the bank of the river and maintained and fenced by the consent holder where required for stock management and where practicable shall ensure that:

- Stock are excluded;
- The flow of water is not impeded;
- Provision is made for access to clear and maintain the waterway.

The protection of the river system's water quality involves, improving and enhancing the catchment areas surrounding the rivers, restoring any artificial disturbance to the land to reduce siltation and sedimentation of the system and controls on depositing waste material to the land to avoid contamination from other sources.

5.2 Noise

5.2.1 General noise

(i) Where any dwelling in a Business zone is to be constructed within 10m of any road boundary an acoustic design report, prepared by a suitably qualified acoustic engineer, confirming that the specific design of the dwelling will provide a noise level (24 hours Leq) that will not exceed 45dBA and the maximum noise level (Lmax) that

will not exceed 78dBA in all habitable rooms with all opening windows closed shall be obtained within twelve months of the commencement of construction.

(ii) For any new activity in any zone Council may require the submission of an acoustic design report from a suitably qualified Acoustic Engineer confirming that the anticipated noise levels will be in accordance with the requirements for the zone (or Development Concept Plan with respect to Scheduled Industrial Sites).

(iii) For any noise with special audible characteristics as defined by NZS6802:1991 the L10 noise level standards shall be reduced in accordance with the standard.

(iv) Construction noise from the site shall meet the limits recommended in Table 1 of NZS6803P:1984. The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work and shall be measured in accordance with NZS6803P:1984. Adjustments provided in Clause 6.1 of NZS6803P:1984 shall apply, and references in the Tables of NZS6803P:1984 to "NZS6802" shall read as references to Clause 4.2.2 of NZS6802:1991.

(v) The noise levels shall be measured and assessed in accordance with the requirements of NZS6801:1991 Measurement of Sound and NZS6802:1991 Assessment of Environmental Sound.

Objectives/Policies		
3.5.2.3	O1, O2, O6	P1, P2

Explanation

Traffic noise for residential uses with increasing flows and night time movements can become a nuisance. The aim is to minimise the traffic noise received at any new dwelling so noise will not be a long term problem. Similarly construction noise and noise with special characteristics can become a nuisance when expectations as to the length or nature of the noise are exceeded. The design standards are consistent with international design guidelines and the aims of the Resource Management Act.

5.2.2 Residential zone

(i) Home occupations.

The noise level (L10) as measured within the boundary of an adjacent residentially zoned site shall not exceed the following:

Monday to Friday	8.00am to 6.00pm	45dBA
At all other times including Saturdays, Sundays and Public Holidays		35dBA

(ii) Discretionary activities and education facilities up to a maximum of 10 pupils.

The noise level (L10) as measured within the boundary of an adjacent residentially zoned site shall not exceed the following:

Monday to Friday	8.00am to 6.00pm	50dBA
At all other times including Saturdays, Sundays and Public Holidays		40dBA

(iii) Residential activities

The requirements of Section 16 of the Resource Management Act states that at all times the best practicable option must be taken to reduce the noise. In terms of the Resource Management Act any noise must be kept to a reasonable level.

Objectives/Policies		
3.5.2.3	O1, O2, O3	P1, P3

Explanation

Any non-residential activity should not compromise the noise environment. For this reason low noise levels have been set to reflect the fact that no significant noise intrusion is acceptable. It should be noted that a level of 35dBA (L10) prohibits almost any type of industrial noise in the area. The aim of this control is to provide for quiet home occupations, not noisy ones.

Some activities in residential areas are noisy yet are still considered acceptable, such as the lawn mower (at a reasonable hour of the day). However, an air conditioning unit operating at a much lower level can cause annoyance for a neighbour.

5.2.3 Business zone

(i) The noise level (L10) as measured within the boundary of any land zoned residential, or the notional boundary of any rural dwelling, or within the boundary of any site within the "~~Specified~~ Shopping Frontage ~~Areas~~", shall not exceed the following:

Monday to Saturday	7.00am to 10.00pm	50dBA
At all other times including Sundays and Public Holidays		40dBA
10.00pm to 7.00am. The Lmax shall not exceed 65dBA.		

(ii) The noise level (L10) as measured within the boundary of any adjacent property in the Business zone (excluding those sites within the "~~Specified~~ Shopping Frontage ~~Areas~~"), shall not exceed the following:

Monday to Saturday	7.00am to 10.00pm	55dBA
At all other times including Sundays and Public Holidays		45dBA

(iii) The noise level (L10) as measured within the boundary of any adjacent Industrial zone shall not exceed 60dBA.

Objectives/Policies		
3.5.2.3	O1, O2	P1, P2

Explanation

Differing noise standards have been set for the "~~Specified~~ Shopping Frontage ~~Areas~~" to protect their character and amenity values. Noisy activities can have a detrimental effect on the well being of a person in their place of residence or at work. Limiting the noise will ensure that a reasonable level of amenity is maintained in residential areas in particular.

The Lmax value at night time is to minimise any sleep disturbance for the residential community.

5.2.4 Industrial zone

Non-scheduled sites

(a) The noise level (L10) as measured within the boundary of any land zoned residential, or the notional boundary of any rural dwelling shall not exceed the following:

Monday to Saturday	7.00am to 10.00pm	55dBA
At all other times including Sundays and Public Holidays		40dBA
10.00pm to 7.00am. The Lmax shall not exceed 65dBA.		

(b) The noise level (L10) as measured within the boundary of any adjacent Industrial zone shall not exceed 65dBA.

5.2.5 Scheduled sites (see Schedule 5)

(i) Unless otherwise specified for a scheduled site and shown on the Development Concept Plan, the noise levels and noise control periods relating to scheduled sites shall be as follows:

(a) The noise level (L10) as measured within the boundary of any land zoned residential, the notional boundary of the rural dwelling, where shown on the DCP, or the noise emission control boundary shall not exceed the following:

Monday to Saturday	7.00am to 10.00pm	50dBA
At all other times including Sundays and Public Holidays		40dBA
10.00pm to 7.00am. The Lmax shall not exceed 65dBA.		

(b) The noise level (L10) as measured within the boundary of any adjacent Industrial zone shall not exceed 65dBA.

(ii) That any variation or change to existing development concept plans and new scheduled sites shall develop a noise control boundary and noise controls by reference to rule 1.4.2(i).

Objectives/Policies		
3.5.2.3	O1, O2	P1, P2, P3

Explanation

Noisy activities can have a detrimental effect on the well being of a person. Limiting the noise will ensure that a reasonable level of amenity is maintained in residential areas. The requirements of scheduled sites will provide a reasonable level of acoustic protection for residents' use and ensure undisturbed sleep for people for the open window situation.

The inter zone controls for the Industrial zone is to allow normal office work to be undertaken without undue interference from the neighbours.

The Lmax value at night time is to minimise any sleep disturbance for the residential community.

5.2.6 Rural and Rural-Residential zones

(i) The noise level (L10) as measured within any residentially zoned boundary or within the notional boundary of any rural dwelling shall not exceed the following:

	7.00am to 8.00pm	50dBA
	8.00pm to 7.00am	40dBA

(ii) Exclusions

Seasonal or temporarily intermittent noise resulting from agriculture and forestry activities (e.g. crop spraying, agriculture or forestry harvesting, frost control, etc) consistent with the predominant character of the Rural zone, are permitted **provided that**:

(a) The activity is conducted in accordance with good management practice; and

(b) Machinery is operated in accordance with manufacturers' specifications.

This exclusion does not include rural operations such as the distribution of industrial factory by-products.

The noise levels set by this Rule do not apply within the Quarry Noise Control Boundary shown in Appendix 8. The noise levels set by this Rule will apply to Rural zoned land outside that boundary.

Objectives/Policies		
3.5.2.3	O1, O2, O3, O4	P1, P2, P4

5.2.7 Airport noise

(i) The noise of aircraft using the airport shall not exceed the air noise boundary (Ldn 65) or the outer control boundary (Ldn 55) as shown on planning map.

~~(ii) The following will apply for any noise sensitive use between the air noise and outer control boundary:~~

~~For any noise sensitive use within the air noise boundaries the following will apply immediately:~~

~~(a) Any new residential, school or other noise sensitive use will be subject to a requirement to incorporate appropriate acoustic insulation in the structure to ensure an internal noise environment of 45dBA (Ldn) with the windows closed;~~

~~(b) Alterations or additions to existing residences or other noise sensitive use should be fitted with appropriate acoustic insulation to ensure an internal noise environment of 45dBA (Ldn) with the windows closed.~~

~~(iii) Prior to issuing a building permit for a noise sensitive use a design report is required to show that conditions (ii) (a) and (b) above will be complied with.~~

~~(iv)~~(ii) The maintenance of aircraft, including engine testing, shall comply with the following conditions:

The noise level (L10) as measured within the notional boundary of any rural dwelling shall not exceed the following limits:

Monday to Saturday	7.00am to 10.00pm	55dBA
At all other times including Sundays and Public Holidays		45dBA

Objectives/Policies		
3.5.2.3	O1, O2, O6	P1, P4

Explanation

The airfield represents a significant existing use in the rural area. It is appropriate that the rules contain measures that while placing the onus on airfield operators to maintain the existing noise environment and provide for the foreseeable future, also places an onus on new noise sensitive activities in the vicinity to provide for their own protection.

Ldn (the day/night level) is defined as the time average sound level in decibels over a 24 hour period (from midnight to midnight) with the addition of 10dBA to night time levels during the period from midnight to 0700 hours and from 2200 hours to midnight to take account of the increase annoyance caused by noise at night.

5.2.8 Noise standards for works and network utilities

(i) See Section 8 for additional noise standards applicable to works and network utilities. Where there is conflict between the noise standards in 5.2.1–5.2.7 above and Section 8, the standards in Section 8 shall apply.

5.2.9 Noise insulation: Noise sensitive activities – railway lines and state highways

(i) Performance Standards

(a) New (including relocated) buildings to be used for a noise sensitive activity located:

(i) Within 40m of a railway line included in the definition of “regionally significant infrastructure”;

(ii) Within 80m of a state highway with a posted speed limit above 70km/h; or

(iii) Within 40m of a state highway with a posted speed limit of 70km/h or less;

Shall be designed, insulated, constructed, or screened by suitable barriers and maintained to ensure that noise received within any new bedroom,

habitable space, or other space containing a noise sensitive activity, will not exceed the limits below:

Space	Internal noise limit	
	Road traffic noise	Railway noise
Inside bedrooms	40 dB LAeq(24h)	35 dBA LAeq (1 hour)
Inside other habitable rooms	40 dB LAeq(24h)	40 dBA LAeq (1 hour)
Inside other spaces containing a noise sensitive activity	No greater than the recommended maximum design guidelines in AS/NZS 2107-2000: Acoustics – recommended design sound level and reverberation times for building interiors	

(b) The distances referred to above are measured from the:

- Edge of a railway track;
- Edge of the nearest traffic lane of the state highway;
- Face of the closest external wall of a new building.

(c) If windows are required to be closed to achieve the noise limits above, the building shall be designed and constructed to provide an alternative means of ventilation in accordance with Clause G4 of the New Zealand Building Code.

(d) An acoustic design report prepared by an appropriately qualified practitioner confirming compliance with the limits above must be submitted to Council as part of any resource or building consent application.

Advice Note: Compliance with Clause G4 will not guarantee thermal comfort. Owners should consider the installation of additional ventilation equipment such as a heat pump.

(ii) Permitted activities

(a) A new (including relocated) building to be used for a noise sensitive activity that has demonstrated compliance with the performance standards in 5.2.9(i) above is a permitted activity.

(b) A new (including relocated) building, not to be used for a noise sensitive activity is a permitted activity and is not required to demonstrate compliance with the performance standards in 5.2.9(i) above.

(iii) Restricted-discretionary activities

A new (including relocated) building, to be used for a noise sensitive activity not meeting the performance standards in 5.2.9(i) above is a restricted-discretionary activity

(iv) Matters of discretion

Council has restricted its discretion to the following matters and may impose conditions relating to these matters if consent is granted:

(a) The effects of noise from the state highway and/or railway network on the activity to be constructed/relocated;

(b) The reverse-sensitivity effects of the activity to be constructed/relocated on the operation of the state highway and/or rail network and the ability and suitability of mitigation measures to enable the continued and uninterrupted operation of the state highway and/or railway network;

(c) The degree of noise attenuation achieved by the noise sensitive activity;

(d) Technical advice provided by the railway operator (KiwiRail) and/or the NZ Transport Agency.

(v) Non-notification

Applications utilising Rule 5.2.9(iii) that do not simultaneously trigger other consent requirements, shall not be publicly notified and shall not be served on any party other than the railway operator (KiwiRail) and/or the NZ Transport Agency.

Objectives/Policies		
2.4.6	O1	P1, P2
2.4.7	O2, O3	P5
3.8.2	O2, O3	P9

5.2.10 Matamata airport approach path

(i) Performance Standards

(a) New buildings or additions to existing buildings to be used for a noise sensitive activity shall not be located within the air noise boundary (65dBA Ldn) as shown on the Planning Maps.

(b) New buildings or additions to existing buildings to be used for a noise sensitive activity located in the area of land between the air noise boundary and the outer control boundary (65dBA–55dBA Ldn contours) as shown on the Planning Maps shall be designed, insulated, and constructed to ensure a satisfactory internal noise environment in accordance with "NZS 6805:1992 – Airport Noise Management and Land Use Planning".

(ii) Permitted activities

(a) New buildings or additions to existing buildings to be used for a noise sensitive activity located in the area of land between the air noise boundary and the outer control boundary (65dBA–55dBA Ldn contours) as shown on the Planning Maps that have demonstrated compliance with the performance standard in 5.2.10(i)(b) above are a permitted activity.

(b) New buildings or additions to existing buildings to be used for a noise sensitive activity located outside the outer noise control boundary (55dBA Ldn contour) as shown on the Planning Maps are a permitted activity.

(iii) Restricted-discretionary activities

New buildings or additions to existing buildings to be used for a noise sensitive activity located in the area of land between the air noise boundary and the outer control boundary (65dBA–55dBA Ldn contours) as shown on the Planning Maps that have not demonstrated compliance with the performance standard in 5.2.10(i)(b) above are a restricted-discretionary activity.

(iv) Matters of discretion

Council has restricted its discretion to the following matters and may impose conditions relating to these matters if consent is granted:

(a) The effects of noise from the airport on the activity to be constructed;

(b) The reserve-sensitivity effects of the activity to be constructed on the continued operation of the airport;

(a) The extent to which the adverse effects can be mitigated;

(b) Any technical advice provided by the airport authority.

(v) Non-notification

Applications utilising Rule 5.2.10(iii) that do not simultaneously trigger other consent requirements, shall not be publicly notified and shall not be served on any party other than the airport authority (Council).

(vi) Non-complying activities

New buildings or additions to existing buildings to be used for a noise sensitive activity located within the air noise boundary (65dBA Ldn) as shown on the Planning Maps are a non-complying activity.

5.3 Vibration

(i) Industrial and business activities

Advice note: This Section does not include vibration created as a result of blasting. See Section 4.9.1 for rules related to blasting.

Vibration from industrial and business activity shall not exceed the following average levels:

(a) At or within the boundary of any site zoned Residential, or within 20m of any dwelling in the Rural or Rural-Residential zones:

Time	Average weighted vibration level (Wb or Wd)
Monday to Saturday: 7.00am to 6.00pm (0700 to 1800)	45 mm/s^2
At all other times	15 mm/s^2

(b) At or within the boundary of any adjacent site zoned Business or Industrial:

Time	Average weighted vibration level (Wb or Wd)
At all times	60 mm/s^2

The weighted vibration levels Wb and Wd shall be measured according to BS6841:1987. The average vibration shall be measured over a time period not less than 60 seconds and not longer than 30 minutes. The vibration shall be measured at any point where it is likely to affect the comfort or amenity of persons occupying an adjacent site.

Objectives/Policies		
3.5.2.3	O1, O2, O3, O4	P1, P2, P3, P4

(ii) Buildings adjacent to railway lines and state highways

Advice Note: Vibration from the operation of state highways and railway lines may cause adverse effects on adjacent buildings and occupants. Vibration is site specific and owners/developers are advised to undertake a vibration assessment to determine whether it will be an issue for their particular development.

Explanation

Vibration that is generated by business and industrial activities can cause discomfort or annoyance when it is transmitted to adjacent sites. Vibration produces complex sensations the location and character of which vary according to the vibration frequency, direction of vibration and other factors.

The vibration limits were chosen after consideration of the guidelines in the British Standard 6841:1987 and the Draft ISO Standard Dis 2634/2:(1987). The night time limit for residential areas and rural dwellings is set at just above the threshold of perception as it was considered necessary to provide a high degree of protection against sleep disturbances. During the day a limit of 3 times the threshold was chosen as a reasonable balance between residential amenity and the need for business activities to be able to generate a reasonable level of vibration.

5.4 Lighting and glare

(i) At no time between 7.00am and 10.00pm shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at the boundary of any non-Industrial zoned site adjoining.

(ii) At no time between the hours of 10.00pm and 7.00am shall any outdoor lighting be used in a manner that causes:

(a) An added illuminance in excess of 10 lux measured horizontally or vertically at any window of an adjoining building within a non-Industrial zone.

(b) An added illuminance in excess of 20 lux measured horizontally or vertically at any point along any non-Industrial zone boundary.

(iii) Where measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations of a similar nature which are not affected by such outdoor lighting.

(iv) The outdoor lighting on any site adjoining any non-Industrial zoned site shall be so selected, located, aimed, adjusted and screened as to ensure that glare resulting from the lighting does not cause a significant level of discomfort to any occupants of the non-industrial site.

Objectives/Policies		
3.5.2.3	O1, O2, O3, O4	P1, P2, P3, P4

Explanation

This control is an interim control until a national standard for the environmental effects of outdoor lighting is adopted. It is based on past practice and assessment techniques previously accepted by Planning Tribunals. The control takes the time of day into account so that activities extending their operating hours do not detrimentally affect adjoining non-industrial activities.

5.5 Air emissions

The discharge of any contaminants into the air shall comply with the Air Quality section of the Regional Policy Statement and relevant sections of the Regional Air Plan, when drafted, the requirements of the Resource Management Act 1991 and the provisions of the Health Act 1956 relating to the control of nuisances.

5.5.1 Odour

The management of activities shall ensure that there is no odour nuisance at or beyond the boundary of the property.

For the purpose of this rule an odour nuisance is defined as one that can be detected and determined to be a nuisance by three observers who are neutral to the issue, able to apply the frequency, intensity, duration and offensiveness to their observations and who are able to report these accurately; or an appropriately experienced Council or Regional Council Officer after having considered objectives, policies and guidelines of assessment as provided in the relevant sections of a Regional Air Plan or consideration of the provisions in Section 17 and Part XII of the RMA.

5.5.2 Dust

Activities shall operate so as to ensure that dust generation is minimised. These activities shall be undertaken in a manner so as to avoid any adverse effects associated with dust and particulate emissions beyond the boundary of the site of emission

As a guide, activities that result in a deposition rate beyond the boundary of the subject property of 4 grams or less per m^2 per 30 day period may be considered to be at an acceptable level in terms of mitigating dust nuisance.

The reason that this is a guide in the Waikato Regional Plan for modelling to assess whether effects are objectionable, and is also a guide on the District Plan as opposed to a standard, is that what is acceptable will vary depending on the receiving environment and the background levels of deposited particulate matter already present.

In other instances (i.e., where site characteristics differ) higher levels of deposition may be acceptable without resulting in objectionable effects or lower levels may be appropriate where for example background levels are low. Levels shall be determined on a site by site basis.

Deposition monitoring shall be undertaken in accordance with draft ISO Standard 4222.2.

Objectives/Policies		
3.5.2.3	O1, O2, O3, O4	P1, P2, P3, P4

Explanation

While responsibility for issuing air discharge permits and monitoring control of air emissions rests with the Regional Council, the District Council is concerned with health issues arising under Section 29 of the Health Act 1956 and amenity values under the Resource Management Act 1991.

Compliance with the above rules is considered necessary to mitigate the nuisance effects of activities. Odour is a very subjective amenity value and the degree of tolerance often varies considerably between different people exposed to the odour. Flexibility is therefore required in terms of mitigation and in general the onus is on the operator to mitigate effects rather than specifying complex standards which may not be appropriate or sufficiently flexible or may result in expensive or unnecessary mitigation costs.

Dust nuisance generally arises from either the use of outside areas that are not finished in an appropriate surface as required by Rule ~~9.1.2(v)~~ 9.1.5(ii), or from inappropriate operating practices. The onus is on the operators to ensure that the activity does not result in a dust nuisance. The 4 grams per square metre per 30 days can only be used as a guide for assessment purposes rather than a means for assessing whether an activity is causing an adverse effect. This is because this method cannot distinguish between contributions from various sources or reflect peak emission episodes.

5.6 Management and disposal of wastes

5.6.1 General

(i) All activities shall provide solid waste storage areas which shall be visually screened when viewed from any adjoining site or public place.

(ii) No unauthorised dumping of solid waste materials shall be permitted.

5.6.2 Effluent disposal systems

Any effluent disposal system (including disposal onto land by way of spray irrigation) associated with the disposal of non-human waste except those areas shown on a DCP shall comply with the following:

(i) Yards

10 metres from a road boundary;

300 metres from a school, marae, hall or public reserve only from spraying which is associated with or from intensive farming or an industrial use;

300 metres from a Residential zone only from spraying which is associated with or from intensive farming or an industrial use;

150 metres from dwellings;

Provided that the required yards shall be reduced in respect of any school, marae, hall, public reserve or other facility where all persons owning and occupying those facilities give written consent to a specific reduced yard.

(ii) Access

See 9.1.2 (~~ix~~vi).

(iii) No spraying shall occur from a public road or place.

Objectives/Policies		
3.3.2	O1	P2
3.5.2.3	O1, O2, O3, O4	P1, P2, P3, P4

Explanation

The unauthorised dumping of solid waste adversely affects the visual amenity of the area and the health and safety of residents and workers in the vicinity. It is essential that the disposal of such wastes be controlled to mitigate the potential adverse effects of dumping of solid waste.

5.7 Use and storage of hazardous substances

5.7.1 Hazardous facilities management

(i) The Hazardous Facility Screening Procedures (HFSP), shall be used to identify the appropriate level of scrutiny to process an application for a proposed hazardous facility.

(ii) Where appropriate, site management systems and emergency plans shall be prepared and operated. Any activity operator using, producing or storing Hazardous Substances shall, prior to the commencement of the activity, consult with the District Council to determine whether a site management or emergency plan is required.

(iii) The HFSP will be used as a screening tool to assist in making decisions on:

(a) Whether a proposed hazardous facility is permitted, subject to defined minimum conditions; or

(b) Whether it requires a consent and additional, merit-based assessment of risks.

Advice note: The HFSP shall be applied to all proposed new facilities using or storing hazardous substances.

Objectives/Policies		
3.3.2.2	O1	P1, P2

5.7.2 Consent status matrix

(i) Permitted activities

Any hazardous facility with an effects ratio equal to or below the effects ratio specified for the zone in which it proposes to locate, as indicated in the Consent Status Matrix below.

(ii) Discretionary activities

Any hazardous facility with an effects ratio above the effects ratio specified for the zone in which it proposes to locate, as indicated in the Consent Status Matrix below.

(iii) If any hazardous facility or sub-facility is located within 20 metres of a sensitive water resource such as a stream, a lake or a water bore, all permissible hazardous substances quantities need to be multiplied by a factor of 0.3.

(iv) The following quantities of hazardous substances are permitted within the zones as listed in association with the typical activities listed.

For other substances and activities the consent status matrix should be applied using the hazardous facilities screening procedures. Council staff can assist you in the use of the procedure.

As is stated in 5.7.2 (ii) above, the use of quantities above those stated will require discretionary resource consent. The multiple use or storage of substances shall be deemed to be a restricted discretionary activity unless otherwise complying with 5.7.3 (i) and 5.7.2 (iv) the rural separate sub-facilities column.

Permitted activity quantities by zone				
	Substance	Unit measure	Rural	For rural separate sub-facilities (more than 30m apart*)
Typical farming activities	Diesel/Oil	litres	2000	22,500
	Petrol/Flammable Liquids	litres	500	7,500
	Detergents/sanitisers/ bleaches	litres	500	2,250
	Animal remedies	litres/kg	400	2,250
	Pesticides	litres/kg	120	225
**Note: If major hazardous substances groups on farms are stored on separate sub-facilities more than 30 metres away from each other, this increases the permissible maximum quantities to those shown in the right hand column.*				

Typical business activities	**Engineers and metal workers**	**Unit measure**	**Industrial (not sch)**	**Business**
	Oxygen	m3	70	15
	Acetylene	m3	70	15
	Propane/LPG	kg	135	30
	Flammable Liquids	litres	1160	230
	Corrosives	litres	320	60
	Transport businesses	**Unit measure**	**Industrial (not sch)**	**Business**
	Oxygen	m3	130	20
	Acetylene	m3	130	20
	Oil	litres	2440	490
	Flammable Liquids	litres	825	165
	Auto mechanic businesses	**Unit measure**	**Industrial (not sch)**	**Business**
	Oxygen	m3	40	10
	Acetylene	m3	40	10
	Oil	litres	4980	1000
	Flammable Liquids	litres	700	140
	Car care products	litres	230	50
	Silicone	litres	230	50
	Dry cleaners	**Unit measure**	**Industrial (not sch)**	**Business**
	Perchloro-ethylene	litres	1900	380
	Bleaches	litres/kg	355	70
	Soaps/ spotting agents	litres/kg	765	150
	Hydro-fluoric acid	litres	20	3
	Ammonia Solution (<35%)	litres	70	10

Typical business activities	Engineers and metal workers	Unit measure	Industrial (not sch)	Business
	Furniture manufacturers and the like	**Unit measure**	**Industrial (not sch)**	**Business**
	Paints/lacquers	litres	810	160
	Solvents/thinners	litres	370	70
	Glues/adhesives	litres	400	80
	Resin/filler	litres	280	60
	Linseed Oil	litres	30	10
	Panel beaters and spray painters	**Unit measure**	**Industrial (not sch)**	**Business**
	Oxygen	m3	20	4
	Acetylene	m3	20	4
	Flammable Liquids	litres	1340	270
	Body Filler, Bog	litres	35	10
	Paint stripper	litres	15	3
	Rust proofer	litres	20	4
	Printers	**Unit measure**	**Industrial (not sch)**	**Business**
	Printing Inks	litres	750	150
	Flammable Liquids	litres	1000	200
	Photographic solutions	litres	100	20
	Tyre retreading businesses	**Unit measure**	**Industrial (not sch)**	**Business**
	Flammable liquids	litres	1125	225
	Glue/vulcanising cement	litres	470	90
	Black tyre paint	litres	275	55
	Car rental businesses	**Unit measure**	**Industrial (not sch)**	**Business**
	Detergents	litres	230	50
	Car care products	litres	1150	230
	Oil (Hydraulic/lubricating)	litres	300	60
	Flammable liquids	litres	110	20

(v) Consent Status Matrix

Zone	Effects ratio for permitted activities	Effects ratio for discretionary activities
Industrial (scheduled sites)	≤1	>1
Industrial (non scheduled sites)	≤0.5	>0.5
Business	≤0.1	>0.1
Rural	≤0.75	>0.75
Residential	≤0.02	>0.02
Kaitiaki (Conservation)	0	>0

Objectives/Policies		
3.3.2.2	O1	P1, P2

5.7.3 Exemptions from the HFSP

The following activities shall be exempted from compliance with the HFSP and the conditions in 5.7.4, but shall comply with the remainder of this plan:

(i) Existing facilities will not be subject to the HFSP unless they significantly expand or alter their operations. A significant alteration occurs when the effects of the use are not the same or similar in character, intensity or scale as previously, as defined in Sections 10, 10A and 20A of the Resource Management Act. In circumstances where the expansion or alteration results in an increase in storage capacity, or the use of hazardous substances, of 20% or more, or there is a change in the type of process carried out on the site, the operator shall apply for and receive a Certificate of Compliance pursuant to Section 139 RMA prior to undertaking the alteration or expansion.

(ii) The retail sale of petrol, up to a storage of 100,000 litres of petrol in underground storage tanks and up to 50,000 litres of diesel, provided that the "Code of Practice for the Design, Installation and Operation of Underground Petroleum Systems", published by the Department of Labour - OSH, is used.

(iii) Retail LPG outlets, with storage of up to 6 tonnes (single vessel storage) of LPG. Council shall have regard to the "Australian Standard (AS 1596-1989) for LP Gas Storage and Handling - Siting of LP Gas Automotive Retail Outlets".

(iv) The use, including the manufacture for use, of explosives (UN Class 1.1) in quarries (or in mineral extraction) provided that regard is had to the provisions of the Health and Safety in Employment Act 1992 and the Explosives Act 1957 (or any substituted legislation) and all relevant regulations and Codes of Practice.

(v) Liquid milk storage provided that any spillage is prevented from entering a water course or body or from seeping into an underground water supply.

(vi) Other Activities:

(a) Trade waste sewer and waste treatment or disposal facilities;

(b) Storage or use of hazardous consumer products for private domestic purposes;

(c) Retail outlets but not wholesaling for the domestic usage sale of hazardous substances (e.g. supermarkets, hardware shops, pharmacies);

(d) Facilities using genetically modified or new organisms;

(e) Developments that are or may be hazardous but do not involve hazardous substances (e.g. mineral extraction, high voltage transmission lines, radio masts, electrical substations);

(f) Gas and oil pipelines;

(g) Fuel in motor vehicles, boats and small engines such as weedeaters, lawnmowers, chainsaws etc;

(h) Storage and use of hazardous substances in association with any temporary military training activity provided that all such hazardous substances and any contaminants that may result from the use of those substances are removed from the site at the completion of the military training exercise.

Objectives/Policies		
3.3.2.2	O1	P1, P2

5.7.4 Minimum conditions for hazardous facilities

The following minimum conditions address the discharge of liquids and solids and shall apply to all hazardous facilities.

(a) Site design

1. Any part of a hazardous facility site where hazardous substances are used for their intended function shall be designed, constructed and managed in a manner that prevents:

   (i) Any effects of the intended use from occurring outside of the intended target area;

   (ii) The entry or discharge of the hazardous substance into the stormwater drainage system;

   (iii) The entry or discharge of the hazardous substance into the sewerage system unless permitted by the sewerage utility operator.

2. Any part of a hazardous facility site where hazardous substances are used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled shall be designed, constructed and managed in a manner that prevents:

   (i) The contamination of any land and/or water (including groundwater and potable water supplies) in the event of a spill or other unintentional release of hazardous substances;

   (ii) The entry or discharge of the hazardous substance into the stormwater drainage system in the event of a spill or other unintentional release;

   (iii) The entry or discharge of the hazardous substance into Council's sewerage system in the event of a spill or other unintentional release.

3. The hazardous facility site shall be designed, constructed and managed in a manner that any stormwater originating on or collected on the site that has become contaminated:

   (i) Does not contaminate any land and/or water (including groundwater and potable water supplies) by acting as a transport medium for hazardous substances unless permitted by a resource consent;

   (ii) Does not enter or discharge into the stormwater drainage system;

   (iii) Does not enter or discharge into the sewerage system unless permitted by the sewerage utility operator.

Adherence to the following design guidelines is deemed to comply with this condition:

3.1 Spill containment system

The parts of the hazardous facility site described in parts ~~A.~~(a)2 and ~~A.~~(a)3 above shall be serviced by a spill containment system that is:

(i) Constructed from impervious materials resistant to the hazardous substances used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled on the site;

(ii) Able to contain the maximum volume of the largest tank used, or where drums or other containers are used, able to contain half of the maximum volume of substances stored or otherwise in accordance with the requirements of the Toxic Substances Regulations 1983 (regulation 17A (3)) relating to connected bulk containers where relevant;

(iii) Able to prevent any spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated, from entering the stormwater drainage system;

(iv) Able to prevent any spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated, from discharging into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.

3.2 Stormwater drainage

All stormwater grates on the site shall be clearly and appropriately labelled to ensure no hazardous substances enter stormwater systems.

3.3 Washdown areas

Any part of the hazardous facility site where vehicles, equipment or containers that are or may have become contaminated with hazardous substances are washed shall be designed, constructed and managed to prevent the effluent from the washdown area from:

(i) Entry or discharge into the stormwater drainage system;

(ii) Entry or discharge into the sewerage system unless permitted by the sewerage utility operator;

(iii) Discharge into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.

(b) Underground storage tanks

Underground tanks for the storage of petroleum products shall be designed, constructed and managed to prevent leakage and spills.

Council shall have regard to the Code of Practice for "Design, Installation and Operation of Underground Petroleum Systems" (Department of Labour - Occupational Safety and Health) is deemed to be one method of complying with this condition.

(c) Signage

Any hazardous facility shall be adequately signposted to indicate the nature of the substances stored, used or otherwise handled. Adherence to the following methods will be deemed to be compliance with this rule:

(i) The Code of Practice for “Warning Signs for Premises Storing Hazardous Substances” of the New Zealand Chemical Industry Council, or any other Code of Practice approved by the New Zealand Fire Service;

(ii) Regulations under the Hazardous Substances and New Organisms Act 1996 including the transitional Dangerous Goods Regulations and any relevant subsequent regulations.

Adherence to the Code of Practice for "Warning Signs for Premises Storing Hazardous Substances" of the New Zealand Chemical Industry Council, or any other Code of Practice approved by the New Zealand Fire Service is deemed to be one method of complying with this condition.

(d) Waste management

1. Any process waste or waste containing hazardous substances shall be managed to prevent:
   (i) The waste entering or discharging into the stormwater drainage system;
   (ii) The waste entering or discharging into the sewerage system unless permitted by the sewerage utility operator;
   (iii) The waste discharging into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.
2. The storage of any process waste or waste containing hazardous substance shall ~~at all times comply with the provisions of Appendix 4~~ consider the provisions in Part B Section 1.4.18.
3. The storage of any waste containing hazardous substance shall be in a manner that prevents:
   (i) The exposure of flammable substances to ignition sources;
   (ii) The corrosion or other alteration of the containers used for the storage of the waste;
   (iii) The unintentional release of the waste.
4. Any hazardous facility generating waste containing hazardous substances shall dispose of these wastes to appropriately permitted facilities, or be serviced by a reputable waste disposal contractor.

Objectives/Policies		
3.3.2.2	O1	P1, P2

Explanation

Council has adopted an approach to managing hazardous facilities that focuses on assessing potential adverse effects of three kinds:

- Effects caused by fire and/or explosion;
- Effects on human health;
- Environmental effects.

Possible adverse effects of hazardous substances can be predicted by the hazard of the substance and the anticipated consequences of its release. Adverse effects include:

- Contamination of water, soil and air;
- Short and long term damage to ecosystems;
- Accumulation of persistent substances in the bodies of humans and animals, resulting in chronic and/or long term damage to their health;
- Acute damage to human health through exposure to substances affecting skin, mucous membranes, respiratory and digestive systems;
- Damage to the environment from fire or explosion events;
- Damage to human health and property from fire or explosion events.

In order to assess the hazard posed by various substances and the risk they present, Council has adopted the Hazardous Facility Screening Procedure for use in assessing hazardous activities or facilities.

5.8 Regular stock movement within a road – see Section 8.7: Stock movements and stock crossings

~~5.8.1 Regular stock movement within an unformed road~~

~~All regular stock movement within an unformed road is identified as a permitted activity subject to access not being impeded for others by the occupier.~~

~~5.8.2 Regular stock movement within a formed road~~

~~Access~~

~~Stock underpass (es) so as to ensure access is not impared shall be installed by the applicant beneath existing accessways to property not owned by the applicant unless approval not to do so has been granted by the adjacent landowner and occupier.~~

~~Where stock underpasses are required to be installed, they are subject to design approval and shall meet the following:~~

~~(a) Maximum height .....2200mm~~

~~(b) Maximum width .....3000mm~~

~~(c) Maximum area of the internal cross-section.....6.6m2~~

~~(d) Effluent disposal as required by the Waikato Regional Plan.~~

~~5.8.3 Security~~

~~(i) Frontage rights~~

~~The rights of owners of land fronting a road must be maintained and Council shall put in place a right related to the needs, or use of, an adjoining farm through a Profit a Prendre or similar agreement.~~

~~(ii) Relationship agreement~~

~~Appropriate security for recording the relationship between the Council and the consent holder for appropriate use of the road will be required. This includes a deed of grant such as a Profit a Prendre, and covenants under Sections 108 and 109 of the Resource Management Act. The security agreement will record terms and conditions of the private use of the Council road.~~

5.9 Infrastructure and servicing

5.9.1 Performance standards

Any subdivision or development shall provide compliance with the following infrastructure and servicing performance standards.

This section shall not apply to existing or future on-site, self-serviced stormwater, wastewater, water supply, electricity or telecommunications infrastructure on Development Concept Plan sites insofar as this section refers to the ~~Matamata-Piako District Council~~ Development Manual ~~2010~~. ~~The performance outcomes in Section 5.9.2 are required to be met in relation to infrastructure and servicing.~~

(i) Stormwater

T~~hat t~~he subdivision and development of land shall be carried out so as to provide for effective stormwater management, in compliance with the ~~MPDC~~ Development Manual ~~2010 to achieve the performance outcomes set out in Section 5.9.2~~.

(ii) Wastewater

Where available within a reticulated area, every allotment or household unit shall be provided with a connection to the Council's wastewater reticulation system, in compliance with the ~~MPDC~~ Development Manual ~~2010 to achieve the performance outcomes set out in Section 5.9.2~~. ~~Refer also to Section 1.2.2(iii).~~

(iii) Water supply

Where available within a reticulated area every allotment or household unit shall be provided with a connection to the Council's water reticulation system, in compliance with the ~~MPDC~~ Development Manual ~~2010 to achieve the performance outcomes set out in Section 5.9.2~~.

(iv) ~~Roading, access and street amenity~~ Transportation

The performance standards for transportation set out in Section 9 Transportation must be met. In addition:

(a) ~~That i~~In any subdivision every ~~allotment~~ Certificate of Title shall have access to a formed, legal road in compliance with the ~~MPDC~~ Development Manual~~ to achieve the performance outcomes set out in Section 5.9.2~~.

(b) Where a new road is created~~;~~, street lighting, streetscape planting, and any street furniture shall be designed and provided in compliance with the ~~MPDC~~ Development Manual ~~to achieve the performance outcomes set out in Section 5.9.2~~.

(v) Other reticulation

T~~hat t~~elecommunication and electricity reticulation shall be provided at the time of subdivision and in accordance with the requirements of the relevant network utility operator in compliance with the ~~MPDC~~ Development Manual ~~2010 to achieve the performance outcomes set out in Section 5.9.2~~. Refer also to Section 8: Works and Network Utilities.

Advice note: These standards shall also apply to assets to be vested with Council and the re-development/upgrade of assets vested with Council.

Advice Note: Works in close proximity to all electric lines can be dangerous. Compliance with the NZECP 34 is mandatory for buildings, earthworks and mobile plant within close proximity to all electric lines.

Advice Note: Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss works, including tree planting, near electrical lines, especially within 20m of those lines, contact the line operator.

5.9.2 ~~Performance outcomes~~ Non-Compliance with performance standards

~~The following are the performance outcomes required in relation to infrastructure and servicing. These matters shall be considered in regards to any application for subdivision~~

~~and/or development and evidence of compliance with these required outcomes shall be provided to Council.~~

(i) Stormwater

Provision for stormwater disposal that fails to meet the performance standards in Section 5.9.1 above shall be considered a restricted-discretionary activity. Council has restricted its discretion to the matters outlined in Section 5.9.3(i). If consent is granted Council may impose conditions to avoid, remedy, or mitigate adverse effects relating to any of these matters.

(ii) Wastewater

Provision for wastewater disposal that fails to meet the performance standards in Section 5.9.1 above shall be considered a restricted-discretionary activity. Council has restricted its discretion to the matters outlined in Section 5.9.3(ii). If consent is granted Council may impose conditions to avoid, remedy, or mitigate adverse effects relating to any of these matters.

(iii) Water supply

Provision for water supply that fails to meet the performance standards in Section 5.9.1 above shall be considered a restricted-discretionary activity. The Council has restricted its discretion to the matters outlined in Section 5.9.3(iii). If consent is granted Council may impose conditions to avoid, remedy, or mitigate adverse effects relating to any of these matters.

The following water supplies are not subject to the provisions in Rule 5.9.2(iii):

- The potable water supply owned and operated by Fonterra Co-operative Group Ltd that serves part of the Waitoa Village; and:
- The potable water supply owned and operated by the Waihou Water Supply Association which serves part of the Waihou Township.

(iv) Transportation

Section 9: Transportation sets out the activity status and assessment criteria for transportation activities that fail to meet the performance standards.

Section 5.9.1 applies, in addition to Section 9. An activity that fails to meet the performance standards in Section~~s~~ 5.9.1 shall be considered a restricted-discretionary activity. Council has restricted its discretion to the matters outlined in Section 5.9.3(iv). If consent is granted Council may impose conditions to avoid, remedy, or mitigate adverse effects relating to any of these matters.

(v) Other Reticulation

Provision of telecommunication and/or electricity that fails to meet the performance standards in Section~~s~~ 5.9.1 above shall be considered a restricted-discretionary activity. Council has restricted its discretion to the matters outlined in Section 5.9.3(v).

5.9.3 Matters of discretion

(i) Stormwater

The design, construction and operation of the stormwater systems should be such as to satisfy the following:

(a) Be adequate to meet the maximum potential demand on site arising from the development and use of the land as permitted under the District Plan

and taking into account the actual and potential landuses up-gradient of the site.

(b) In the first instance be managed and disposed of on-site. Only where on-site disposal is unable to be achieved will Council consider new connections to public drainage, where available.

(c) The design capacity of any piped stormwater facilities should be sufficient to accommodate the surface water flows resulting from a 10-year storm event in the case of Residential, Industrial and Business zones, and to avoid flood damage to the existing or potential principal buildings on the site, resulting from a 100-year storm event.

(d) Overland flow paths must be able to cater for a minimum of a 1 in 100 year return period storm. Flood paths within the subject site must be protected by an easement registered against the titles affected throughout their length.

Where flood paths are not feasible, the piped system must cater for a minimum of a 1 in 100 year return period storm.

Where disposal is to ground soakage with no flood path, the soakage must cater for a 1 in 100 year return period storm.

(e) Secondary flows exiting the subject site following development must not exceed pre-development overland flows.

(f) Stormwater proposals must take into account the requirements of the Council's current stormwater discharge consents from the ~~Regional Council~~ WRC. All proposals must be consistent with the conditions of this consent including requirements for low impact design principles, stormwater management devices and best practicable options as set out in the consent.

(g) Stormwater works should be provided in a manner which avoids excessive modification of natural drainage systems and minimises any detriment to the environment particularly through potential contamination of natural water.

(h) The integrity of the stormwater system should be maintained and its safe and efficient operation facilitated, while ensuring an adequate level of safety to the public and those operating and maintaining the facilities.

(i) Any detriment to the enjoyment and development of individual allotments arising from the provision and operation of the stormwater system needs to be minimised.

(j) The known or predicted effects of climate change on a proposal, based on best available scientific knowledge, shall be taken into account.

(k) In terms of operation and maintenance, the stormwater system shall be in line with community expectations regarding anticipated performance.

(l) The lifecycle and maintenance costs meet community expectations.

(m) Any disposal or treatment areas located off-site, other than to Council owned systems, shall be protected by easements as appropriate.

(n) Council may require a detailed stormwater plan to ensure that there are no adverse stormwater effects off-site.

(o) Any necessary consents shall be obtained from the WRC.

(ii) Wastewater

(a) The design, configuration and construction of any wastewater works should be such as to satisfy the following:

(~~a~~ i) Be adequate to meet the maximum potential demand on site arising from the development and use of the land as permitted under the District Plan.

(~~b~~ ii) Minimise any risk to the environment and to public health particularly through potential contamination of natural water and the ground.

(~~c~~ iii) Maintain the integrity of the wastewater collection and disposal system and facilitate its safe and efficient operation.

(~~d~~ iv) Minimise any detriment to the enjoyment and development of individual allotments.

(~~e~~ v) Provide an adequate level of safety to the public and those operating and maintaining the facilities.

(~~f~~ vi) Should provide for easy operation and maintenance in line with community expectations.

(~~g~~ vii) The lifecycle and maintenance costs meet community expectations.

(b) For on-site effluent treatment and disposal:

(i) Where a lot or development lies within Council's reticulated area, it shall be served by a connection to Council's reticulated system. If this is not practicable, then treatment and disposal shall be contained within the property boundaries, subject to the necessary consents being obtained.

(ii) Any disposal or treatment areas located off-site, other than to Council owned systems, shall be protected by easements as appropriate.

(iii) Any necessary consents shall be obtained from WRC.

(iv) Where stock are associated with the activity, all trucks shall be fitted with effluent holding tanks and waste storage and disposal facilities shall be provided.

Advice note: The use of a conventional septic tank is not a permitted activity under the Waikato Regional Plan, on sites less than 2,500m²

(iii) Water supply

The design, construction and operation of any water system should be such as to satisfy the following:

(a) All sites shall be able to be provided with a reliable supply of water ~~Be~~ adequate to meet the maximum potential demand arising on site from the development, and from the use of the land as permitted under the District Plan.

(b) The design capacity of any water system should be adequate to meet the demand arising from the development and use of the land as permitted in accordance with this District Plan and to provide sufficient water for fire fighting purposes.

(c) Should provide for easy operation and maintenance in line with community expectations.

(d) The lifecycle and maintenance costs meet community expectations.

~~The potable water supplyowned and operated by Fonterra Co-operative Group Ltd that serves part of the Waitoa Village is not subject to this provision.~~

(iv) Transportation

(a) The width, alignment, structure and formation of any access leg, private way or road should be corresponding to the road's hierarchy and sufficient to accommodate the volume and type of traffic likely to use it in a safe and efficient manner.

(b) Provision should be made for footpaths/berms sufficient to satisfactorily accommodate reticulated network utility services, street lighting, pedestrian traffic (including vulnerable road users), cyclists and amenity landscaping including street trees.

(c) Appropriate measures should be taken to avoid, remedy or mitigate impacts on the environment arising from the operation of the road.

(d) The costs of cleaning and maintenance are kept to a minimum and that there is consistency with the rest of the roading network so as to minimise overall maintenance costs.

(e) The type, location, quality and quantity of streetscape planting or street furniture is appropriate for the function of the road within which it is located.

(v) Other Reticulation

~~(a) In urban locations, such reticulation should be placed underground within the road berms.~~

~~(b) Electricity should be installed in accordance with the relevant Acts.~~

~~(c) Whether a particular network utility service can be provided to the land being subdivided.~~

~~(d) Landline telephone and electricity connections shall be provided to the boundary of any new lot.~~

(a) Telecommunication

(i) Whether the cost of providing reticulated services is prohibitive;

(ii) Whether there are any other unique site circumstances that justify reticulated services not being provided;

(iii) Whether alternative options for telecommunication exist, such as wireless services.

(b) Electricity

(i) The nature and extent of exceptional circumstances for not requiring reticulated electricity connections;

(ii) Whether the site is supplied by small or community-scale renewable electricity.

Where consent is granted not to require reticulated telecommunication and/or electricity connections, consent notices may be registered on the relevant certificates of title to ensure potential purchasers are made aware of the lack of reticulated services

Advice note: Home owners and developers are encouraged to use energy conservation measures, energy efficient technologies, and energy efficient building design.

5.9.4 Integrating land use with infrastructure – larger scale activities

Subdivision or development generating more than an average of 250 car equivalent movements per day within any one week shall be considered a restricted-discretionary activity. Council has restricted its discretion to the matters outlined in Section 5.9.4(i). If consent is granted Council may impose conditions to avoid, remedy, or mitigate adverse effects relating to any of these matters.

For the purposes of this rule, a car equivalent movement is defined as follows:

1 car to and from the site = 2 car equivalent movements

1 truck to and from the site = 6 car equivalent movements

1 truck and a trailer to and from the site = 10 car equivalent movements

A single residential dwelling is deemed to generate 8 car equivalent movements per day.

(i) Matters of discretion

Rezoning, subdivision, new development, and expansion of existing development must be planned to ensure:

(a) That the function, operation, maintenance, upgrading, and development of regionally significant infrastructure networks are not compromised;

(b) That development does not result in land uses that adversely affect the effective and efficient operation of regionally significant infrastructure;

(c) That development does not result in adverse effects on significant transport corridors as defined in the RPS, for instance by avoiding ribbon development and avoiding as far as practicable additional access points and exacerbation of community severance;

(d) That the national, regional and local benefits of renewable energy generation are recognised, and that locations identified as potential future renewable energy generation sites are not compromised;

(e) That there is sufficient capacity in the infrastructure networks to cope with the additional demand, or that the existing networks can be increased cost effectively. In the case of stormwater, the adequacy of the network will be assessed taking into account the requirement for on-site soakage or detention/disposal and provision for secondary flow-paths and ability to set minimum floor levels as set out in the Development Manual;

(f) That there is sufficient capacity in the road network or that the capacity of the road network can be increased cost effectively;

(g) That the development will be connected by existing and/or new roads identified in the roading hierarchy as appropriate for serving the type and volume of traffic that will be generated;

(h) That the development will lead to the investment in existing infrastructure networks being used efficiently;

(i) That the development has taken into account the correlation between land use and infrastructure, and that land use and infrastructure are integrated;

(j) That the development will not result in unintended consequences or unplanned effects on the functioning of infrastructure networks;

(k) That the development will promote the efficient use of energy, for instance through compact urban form, well-connected roads, provision for pedestrian paths and cycle ways, use of energy saving technologies, waste reuse, and optimal sun orientation of sites and buildings.

Advice Notes:

Council recommends evidence of consultation with the NZ Transport Agency where applications have the potential to affect the integration of land use with the state highway network.

Where use, development, or subdivision gives rise to a requirement to upgrade infrastructure networks, Council may require that a financial contribution commensurate with the costs associated with the impact of the development on the infrastructure networks be made.

~~Advice note~~: In respect of design, life cycle, maintenance costs and community expectations, the preferred approach within the ~~MPDC~~ Development Manual ~~2010~~ provides direction in terms of the anticipated costs and expectations.

For additional resource consent requirements relating to transportation, see Section 9.

Objectives/Policies		
3.4.2.1	O1	P1
3.7.2.1	O1	P2, P3
2.4.6	O1	P1, P2, P3, P4, P5
2.4.7	O1, O2, O3	P5, P7
2.4.8	O1	P1, P4
3.7.2.1	O1, O2	P2, P3, P4, P5, P6
3.8.2	O1, O2	P1, P2, P3, P4, P7, P9, P11, P12, P14, P21

6 Subdivision

6.1 Activities

6.1.1 Activity Table

KEY			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for. See Rule 2.1.~~35~~35. In respect of any subdivision in the Rural zone not provided for, the matters of discretion within Section 6.4 shall be used as a guide when considering non-complying subdivision activities.

Type of subdivision	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
1. Minimum Lot size 350m² (within 200m of Residential/ Business zone boundary).	N/C	N/C	C	N/C	N/C	N/C
2 (a) Minimum Lot size 500m². • Greater than 200m from a Residential/ Business zone boundary. • Within Business zones. • Within non-scheduled industrial sites. • Provided that within the "Shopping Frontage" character areas there shall be no minimum lot size.	N/C	N/C	C	C	C	N/C
2 (b) Subdivision of scheduled sites.	N/C	N/C		D		
2 (c) Subdivision within Structure Plan Areas						
• Subdivision within ~~an identified~~ the Precinct F Structure Plan Area** complying with the average and minimum lot size specified in Rule 6.1.3.			RD			
• Subdivision within the Banks Road Structure Plan Area** complying with the average and minimum lot size specified in Rule 6.1.3.			C			
3. High quality soils						
3(a) Rural lot. Minimum lot size 40ha.	C					N/C
3(b) Small Rural Lot. One Small Rural Lot per title in existence at 4 December 2013 or per title created after 4 December 2013 where an entitlement to apply for subdivision of a Small Rural Lot as a controlled activity has been recorded in a consent notice registered against that title under Rule 1.1.1(ix) with a proposed lot size between 8ha and 40ha and subject to a balance lot area of 20ha or more.	C					N/C
3(c) One rural lifestyle lot per title in existence at November 1996 or per title created as a result of a Small Rural lot subdivision after November 1996 where an entitlement to apply for subdivision of a Rural Lifestyle Lot as a restricted discretionary activity has been recorded in a consent notice registered against that title under Rule 1.1.1(ix) with a proposed lot size of between 2500m² and 10,000m² and subject to a	RD					N/C

KEY			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for. See Rule 2.1.~~35~~35. In respect of any subdivision in the Rural zone not provided for, the matters of discretion within Section 6.4 shall be used as a guide when considering non-complying subdivision activities.

Type of subdivision	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
balance area of 40ha or more.						
4. General quality soils						
4(a) Rural lot. Minimum lot size 20ha.	C					N/C
4(b) Small Rural Lot. One Small Rural Lot per title in existence at 4 December 2013 or per title created after 4 December 2013 where an entitlement to apply for subdivision of a Small Rural Lot as a controlled activity has been recorded in a consent notice registered against that title under Rule 1.1.1(ix) with a proposed lot size between 8ha and 20ha and subject to a balance lot area of 20ha or more.	C					N/C
4(c) One rural lifestyle lot per title in existence at 4 December 2013 or per title created as a result of a Small Rural lot subdivision after 4 December 2013 where an entitlement to apply for subdivision of a Rural Lifestyle Lot as a restricted discretionary activity has been recorded in a consent notice registered against that title under Rule 1.1.1(ix) with a proposed lot size between 5000m^2 and 2ha and subject to a balance area of 8ha or more.	RD					N/C
5(a) Rural-Residential. Minimum area of 2500m^2 with a minimum average of 10,000m^2.	N/C	D	N/C	N/C	N/C	N/C
5(b) Subdivision within an identified Structure Plan Area** complying with the minimum lot size specified in Rule 6.1.3		RD				
6. Rural lot with a complying dwelling site:						
• Within 500 metres of an existing intensive farm as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within 250 metres of an existing litter poultry farm as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within 300 metres of existing Council effluent treatment plants at Morrinsville, Matamata, Te Aroha, Waihou as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within 300 metres of the existing Fonterra – (Waitoa) wastewater plant as at 1 September 2003.	RD	RD	RD	N/C	N/C	N/C
• Within the Reverse Sensitivity Areas for the Motumaoho Quarry as shown in Appendix 8 as at 13 May 2005. Measurement of the separation of Intensive Farming/Litter Poultry Farming is to be from the perimeter of the existing sheds/facilities exclusive of spray irrigation areas. See Rule 1.4.28 for Assessment Criteria.	RD	RD	RD	N/C	N/C	N/C

KEY			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for. See Rule 2.1.~~35~~. In respect of any subdivision in the Rural zone not provided for, the matters of discretion within Section 6.4 shall be used as a guide when considering non-complying subdivision activities.

Type of subdivision	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
7. Boundary Adjustment.	C	C	C	C	C	C
8. Bonus Protection Lot.	D	D	D	D	D	D
9. Boundary Relocation Lot.	D	N/C	N/C	N/C	N/C	N/C
10. Works and Network Utilities.	C	C	C	C	C	C
11. Subdivision with one or more new vacant developable lots: • Within a National Grid Subdivision Corridor; • Within 20m either side of the centreline of a sub-transmission line.	RD	RD	RD	RD	RD	RD
12. Subdivision with one or more new vacant developable lots adjoining: • Any state highway, or • A railway line included in the definition of "regionally significant infrastructure"	See 6.1.3(xi)	See 6.1.3(xi)	See 6.1.3(xi)	See 6.1.3(xi)	See 6.1.3(xi)	See 6.1.3(xi)
Note: Subdivision of land within areas identified as Natural Hazards on the Planning Maps. See Section 11.						

**~~Identified~~ Structure Plans include:

- Precinct F, Matamata (refer Planning Maps and Appendix 9.2)
- Banks Road, Matamata (Refer to Planning Maps and Appendix 9.1)

Advice Note: All subdivisions are subject to the provisions in Section 9: Transportation and the performance standards and outcomes in Section 5.9: Infrastructure and Servicing.

Objectives/Policies		
3.4.2.1	O1, O2, O3, O6	P1, P2, P3, P5

6.1.2 Applicant's representative

Applications for subdivision consent shall be prepared by a registered surveyor or other qualified person and shall be drawn to scale with appropriate key and supporting documentation as specified in General Provisions: Information Requirements, Section 1.

Applications for subdivision consent (i.e. the plans and report) shall be submitted to the Council for consent before any work involving disturbance of the land surface or excavation of the land surface (other than work necessary to prepare the application) is undertaken.

Should any variations be proposed that are not in accordance with the ~~MPDC~~ Development Manual ~~2010~~ being the preferred means of compliance a "Specification Variation Request" should be provided to Council for evaluation and confirmation. The process is outlined within the Development Manual. This is a variation to the specification within the ~~MPDC~~ Development Manual ~~2010~~, rather than a variation under the provisions of the Resource Management Act 1991. However, where the District Plan requires a standard referred to in the Development Manual to be met, a resource consent is requires to depart from the standard.

Objectives/Policies		
3.4.2.1	O1, O2, O3	P1, P2, P3

6.1.3 Description of subdivision types

(i) Residential, Business and Industrial (non-scheduled) lot

(a) General performance standards

For subdivisions utilising Rule 6.1.1.1, Rule 6.1.1.2(a), and Rule 6.1.1.2(c) the following general performance standards shall apply;

(i) The general provisions outlined in Section 1, Section 5 and Section 9;

(ii) The relevant provisions outlined in Sections 6.2.1–6.2.9.

(b) Controlled activity standards

For subdivisions utilising Rule 6.1.1.1, Rule 6.1.1.2(a), and Rule 6.1.1.2(c) – Banks Rd Structure Plan Area, the following standards shall apply as a controlled Road activity:

~~(a)~~(i) Minimum area of 500m^2~~,~~ "exclusive use area" provided that in any subdivision containing five or more lots one half of all lots shall have an area greater than 650m^2 and a quarter of all lots shall have an area greater than 800m^2. See also Banks Road, Matamata – Development Structure Plan for average lot size;

~~(b)~~(ii) Minimum area of 350m^2 "exclusive use area" in a Residential zone within 200m of a Residential/Business zone boundary.

(c) Restricted-discretionary activity standards

~~Or where within an identified Structure Plan Area (refer Activity Table 6.1.1) the following minimum and average lot sizes apply:~~

For subdivisions utilising Rule 6.1.1.2(c) – Precinct F Structure Plan Area, the following standards shall apply as a restricted-discretionary activity:

(i) Density Area B

Minimum area of 1,200m^2 "exclusive use area" with a minimum average of 1,500m^2.

(ii) Density Area C

Minimum area of 800m^2 "exclusive use area" with a minimum average of 1,000m^2.

~~(d)~~(iii) Haig Road

A maximum of 10 additional lots may access Haig Road (Precinct F, Matamata) as from 1st December 2009.

(iv) Neighbourhood node

See rule 4.13.5(iv) for maximum lot size.

(v) Comprehensive residential developments

See Rule 4.14.5 for minimum nett site area and maximum density.

(d) Matters of control (subdivision under Rule 6.1.1.1, Rule 6.1.1.2(a), and Rule 6.1.1.2(c) – Banks Road Structure Plan Area)

Council has reserved control over the matters in Sections 1, 5, 6.2.1 to 6.2.9 and 9.

(e) Matters to which discretion is restricted (subdivision under Rule 6.1.1.2(c) – Precinct F Structure Plan Area)

Council has reserved control over the matters in Sections 1, 5, 6.2.1 to 6.2.9 and 9.

(f) Non-compliance

(i) Subdivision utilising Rule 6.1.1.1, Rule 6.1.1.2(a), and Rule 6.1.1.2(c) – Banks Road Structure Plan Area that complies with the controlled activity standards in (b) above, but fails to comply with the general performance standards in (a) above shall be considered a discretionary activity.

(ii) Subdivisions utilising Rule 6.1.1.2(c) – Precinct F Structure Plan Area that complies with the restricted-discretionary standards in (c) above, but fails to comply with the general performance standards in (a) above shall be considered a discretionary activity.

(iii) Subdivision utilising Rule 6.1.1.1, Rule 6.1.1.2(a), and Rule 6.1.1.2(c) – Banks Road Structure Plan Area that fails to comply with the controlled activity standards in (b) above shall be considered a non-complying activity.

(iv) Subdivisions utilising Rule 6.1.1.2(c) – Precinct F Structure Plan Area that fails to comply with the restricted-discretionary standards in (c) above shall be considered a non-complying activity.

For a discretionary activity, the matters of discretion contained within Sections 1, 5, 9, and 6.2.1 to 6.2.9 shall apply. For a non-complying activity the matters of discretion within Sections 1, 5, 9 and 6.2.1 to 6.2.9 shall be used as a guide.

(ii) Rural lot (controlled activity)

(a) General performance standards

For subdivisions utilising the Rural Lot rule (Rule 6.1.1.3(a) or 6.1.1.4(a)), the matters contained in Section 6.2.10 and Section 9 shall apply.

(b) General quality soils – additional performance standard

For subdivisions utilising the general quality soils lot rule (Rule 6.1.1.4(a)) the following standard shall apply as a controlled activity:

(i) The parent lot shall contain no more than 25% high quality soils and site specific soil classification assessment from a suitably qualified person may be required to determine the amount of high quality soils on the site at a scale of 1:5,000.

(c) Matters of control

The matters of control within Section 6.3 shall apply.

(d) Non-compliance

Any subdivision proposed which does not comply with (a) above shall be considered a discretionary activity. Any subdivision proposed which does not comply with (b) above shall be considered a non-complying activity. For a discretionary activity, the matters of discretion contained within Section 6.4 and Section 9 shall apply. For a non-complying activity the matters of discretion within Section 6.4 and Section 9 shall be used as a guide.

(iii) Small Rural Lots (controlled activity)

(a) General performance standards

(i) For subdivisions utilising Small Rural Lots (Rule 6.1.1.3(b) or 6.1.1.4(b)), the matters contained in Section 6.2.10 and Section 9 shall apply.

(ii) Only one Small Rural Lot shall be subdivided per qualifying title under this rule.

(iii) The balance lot shall contain a minimum area of 20ha.

(iv) The Small Rural Lot shall contain a minimum area of 8ha.

(b) General quality soils – additional performance standard

For subdivisions utilising the general quality soils rule (Rule 6.1.1.4(b)) the following standard shall apply:

(i) The parent lot shall contain no more than 25% high quality soils (by area) and a site specific soil classification assessment from a suitably qualified person will be required to determine the amount of high quality soils on the site at a scale of 1:5,000.

(c) Matters of control

The matters of control within Section 6.3 shall apply.

(d) Non-compliance

Any subdivision proposal which does not comply with (a) or (b) above and is not provided for by another subdivision rule shall be a non-complying activity. The matters of discretion within Section 6.4 shall be used as a guide for considering non-complying activities.

(iv) Rural lifestyle lots (restricted discretionary activity)

(a) General performance standards

(i) For subdivisions utilising the rural lifestyle lot rule (Rule 6.1.1.3(c) or 6.1.1.4(c)), the matters contained in Section 6.2.10 and Section 9 shall apply.

~~(ii) Access shall not be directly on to a state highway.~~

(b) General quality soils – additional performance standard

For subdivisions utilising the general quality soils rule (Rule 6.1.1.4(c)) the following standard shall apply:

(i) The parent lot shall contain no more than 25% high quality soils and a site specific soil classification assessment from a suitably qualified person may be required to determine the amount of high quality soils on the site at a scale of 1:5,000.

(c) Matters of discretion

The matters of discretion within Section 6.4 and Section 9 shall apply.

(d) Non-compliance

Any subdivision proposed which does not comply with (a) or (b) above shall be considered a non-complying activity. The matters of discretion within Section 6.4 and Section 9 shall be used as a guide for considering non-complying activities.

(v) Rural-residential zone

(a) General performance standards

For subdivisions utilising Rule 6.1.1.5(a) or 6.1.1.5(b) the following general performance standards shall apply:

(i) The general provisions outlined in Section 1, Section 5, and Section 9.

(ii) The relevant provisions outlined Section 6.2.1 – 6.2.9.

(b) Additional performance standard

(i) For subdivisions utilising Rule 6.1.1.5(a) the following additional standard shall apply:

Minimum area of 2,500m² with a minimum average of 10,000m². ~~Or where within a Structure Plan Area and identified as Density Area A (refer Activity Table 6.1.1) a minimum area of 2,500m² "exclusive use area".~~ Access to all lots created from the one title is to be from a new road or, if none is provided for, then from one entranceway off an existing road. ~~No new access is to be created off any state highway.~~

(i) For subdivisions utilising Rule 6.1.1.5(b) the following additional standard shall apply:

~~Or w~~Where within a Structure Plan Area and identified as Density Area A (refer Activity Table 6.1.1) a minimum area of 2,500m² "exclusive use area". Access to all lots created from the one title is to be from a new road or, if none is provided for, then from one entranceway off an existing road.

(c) Matters of discretion

For subdivisions utilising Rule 6.1.1.5(a) the matters of discretion within Sections 1, 5, 9 and 6.2.1 to 6.2.9 shall apply.

For subdivisions utilising Rule 6.1.1.5(b) Council has restricted its discretion to the matters in Sections 1, 5, 9 and 6.2.1 to 6.2.9.

(d) Non-compliance

Any subdivision proposed which does not comply with (a) or (b) above shall be considered a non-complying activity. For a non-complying activity the matters within Sections 1, 5, 9 and 6.2.1 to 6.2.9 shall be used as a guide.

(vi) Boundary adjustment

(a) Performance standards

For subdivisions utilising the boundary adjustment rule (Rule 6.1.1.6) the following standards shall apply:

(i) The adjustment of boundaries between any existing allotments which will result in no additional lots being created and leave each of the allotments involved with substantially unchanged frontages and areas. A threshold of ten percent shall generally apply to the respective lot areas.

(ii) No additional potential for a dwelling as a permitted activity and no additional subdivision potential is created, beyond what was already provided for prior to the application for a boundary adjustment.

(iii) A variation to an existing cross lease plan that is required to show new building(s) and/or building line extension(s) provided that any new building(s) and/or extension(s) have obtained a building consent; and

(iv) The matters contained in Section 6.2.10 and Section 9.

(b) Matters of control

In the Rural zone – the matters of control within Section 6.3 and Section 9 shall apply.

In all other zones – Sections 6.2.1 to 6.2.9 and Sections 1 and 9 shall apply.

(c) Non-compliance

Any subdivision proposed which does not comply with (a) above shall be considered a discretionary activity. In the Rural zone the ~~The~~ matters of discretion within Section 6.4 shall apply. In all other zones Sections 1, 6.2.1 to 6.2.9, and 9 shall apply.

(vii) Works and network utilities (controlled activity)

In any zone the minimum size ~~and frontage standards~~ for subdivision shall not apply where a subdivision is required for the purposes of a network utility or public work.

(a) General performance standards

For subdivisions utilising the works and network utilities rule (Rule 6.1.1.10) the following performance standard shall apply:

The subdivision must be required for the purpose of a work or network utility as defined in Section 15.

(b) Matters of control

Council retains control over the following matters and may impose conditions relating to these matters:

(i) The need for the proposed lot to have legal and/or physical access;

(ii) The adequacy of the vehicle crossing serving the proposed lot and the need to create additional access;

(iii) The adequacy of infrastructure serving the proposed lot and the need to provide additional infrastructure;

(iv) The extent to which any subsequent use that is likely to be made of the proposed lot is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source;

(v) The effects of the subdivision on the legal and/or physical access to the balance lot and the need to provide additional access and/or create right of way easements to protect the access;

(vi) The effects of the subdivision on infrastructure serving the balance lot and the need to provide additional infrastructure and/or create easements to protect the infrastructure;

(c) Notification

A subdivision for a work or network utility utilising this rule shall not be subject to public or limited notification.

(viii) Bonus protection lot

(a) Performance standards

For subdivisions utilising the bonus protection lot rule (Rule 6.1.1.8~~7~~) the following standards shall apply:

(i) Where an identified significant feature registered in the Plan or any other feature proven to be of natural, historical, ecological or cultural significance is to be legally and physically protected in perpetuity, one residential lot may be created from the parent lot where the area to be protected is 1 to 15 hectares in area **provided that:**

One further house site may be permitted where the area to be protected is greater than 15 hectares provided however in both cases the whole of the bush, feature or area worthy of protection on the property must be protected and no area of bush or other feature can be left out or divided for the purposes of obtaining additional lots;

The residential lot created is to have a maximum area of 5,000 m² and a minimum area of 2500 m² exclusive of the area/feature to be protected.

(ii) Other "features of significance" shall require certification from an appropriately qualified person that the feature is of such value that it is in the public interest for the feature to be protected in perpetuity. The feature/area must be fully described and its intrinsic value ranked alongside other similar features.

(iii) The house lot must be on the property which contains the area to be protected but it may be distant from the area to be protected and the area to be protected may remain within the balance lot rather than be within the residential lot.

(iv) The legal protection of the area/feature shall be achieved by way of a condition of the subdivision consent which requires a legal instrument to be registered on the title of the newly created lot. An agreement regarding an encumbrance or covenant must be entered into before the issue of the Section 224 Certificate under the Act.

(v) The physical protection of the feature shall be achieved by the erection and maintenance of fencing to a stock proof standard. The area must be kept free of livestock and as far as is practicable pests, plants and animals subject of a Regional Pest Management Strategy, and domestic and feral cats and, if flightless or ground nesting native birds are present, free of dogs. All protected features shall be identified by signs and plaques in an appropriate position. The covenant or encumbrance shall include enforcement and penalty provisions.

(vi) The matters contained in Section 6.2.10 below and Section 9.

(b) Matters of discretion

The matters of discretion within Section 6.4 and Section 9 shall apply.

(c) Non-compliance

Any subdivision proposed which does not comply with (a) above shall be considered a non-complying activity. The matters of discretion within Section 6.4 and Section 9 shall be used as a guide for considering non-complying activities.

(ix) Boundary relocation lot

(a) Performance standards

For subdivisions utilising the boundary relocation lot rule (Rule 6.1.1.~~89~~) the following standards shall apply:

(i) The relocation of the common boundary between two existing directly adjoining Certificates of Title (excluding Certificates of Title created by stopped road or railway severances);

(ii) No additional potential for development shall be created for the new lots that did not exist prior to the application for boundary relocation;

(iii) The resultant lot size of one title has a maximum area of one hectare and a minimum area of 2,500m²;

Advice Note: A larger minimum nett site area may be required to satisfy the requirements of the Waikato Regional Council for the disposal of stormwater and wastewater.

(iv) The before and after number of Certificates of Title containing in excess of 40ha shall be at least the same;

(v) The matters contained in Section 6.2.10 below and Section 9.

(b) Matters of discretion

The matters of discretion within Section 6.4 and Section 9 shall apply.

(c) Non-compliance

Any subdivision proposed which does not comply with (a) above shall be considered a non-complying activity. The matters of discretion within Section 6.4 and Section 9 shall be used as a guide for considering non-complying activities.

(x) Subdivision within a National Grid Subdivision Corridor or within a 20m wide corridor either side of the centreline of a sub-transmission line.

(a) Performance standards

For subdivisions utilising Rule 6.1.1.11 the following performance standards shall apply:

(i) Subdivision within a National Grid Subdivision Corridor must nominate within each new vacant developable lot a designated building envelope (footprint and height) that is outside the National Grid Yard and complies with NZECP 34.

(ii) Subdivision within 20m either side of the centreline of a sub-transmission line must nominate within each new vacant developable lot a designated building envelope (footprint and height) that complies with NZECP 34.

(b) Matters to which discretion is restricted

For applications utilising Rule 6.1.1.11, the Council has restricted its discretion to the following matters and if consent is granted, may impose conditions relating to these matters:

(i) The extent to which the subdivision design avoids, remedies or mitigates conflicts with existing National Grid and sub-transmission lines, for example through the location and design of roads, reserves and landscaping under the route of the line;

(ii) The ability for maintenance and inspection of National Grid and sub-transmission lines including ensuring access;

(iii) The extent to which the design and development will minimise risk, injury or property damage from such lines;

(iv) The extent to which potential adverse effects from, and on, the line, including risks, reverse-sensitivity, and visual effects, are mitigated, for example through the location of building platforms;

(v) The ability to provide a complying building platform;

(vi) Compliance with NZECP 34;

(vii) Technical advice provided by the affected line owner/operator.

(c) Non-compliance

Any subdivision proposed which does not comply with (a) above shall be considered a non-complying activity. The matters listed in (b) above shall be used as a guide for considering non-complying activities.

(xi) Subdivision with one or more new vacant developable lots adjoining any state highway, or railway line included in the definition of "regionally significant infrastructure".

(a) Performance standards

(i) Subdivision must nominate within each new vacant developable lot a designated building envelope including balconies and decks that is setback a minimum distance of:

- 10m from the boundary of a state highway where the speed limit is 70km/h or less; or:
- 20m from the boundary of a state highway where the speed limit is more than 70km/h; and:
- 10m from the boundary of the railway corridor.

(b) Non-compliance

Any subdivision proposed which does not comply with (a) above shall be considered a non-complying activity.

Objectives/Policies		
2.4.1	O1	P1, P2
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2, O3	P1, P2, P3
3.4.2.1	O1	P1, P2, P3, P4, P5
3.4.2.1	O2, O3, O4, O5, O6	P6, P7, P8, P9, P5
3.5.2.2	O1, O2, O3	P1, P5, P7, P8, P9
3.8.2	O1. O2	P1, P2, P3, P4, P9,P12, P14, P15, P17, P19
3.8.2	O8	P9, P10, P11
2.4.6	O1	P1, P2, P3, P4, P5
2.4.7	O2	P5,
3.7.2.1	O2	P2, P5, P6

Explanation

The minimum Lot size has been defined to retain the open character of the residential and business areas of the District.

It should be noted that for scheduled sites only there is no provision for subdivision to avoid fragmentation and sale of the significant Industrial areas and their associate buffers to other operators.

Council has adopted the rural subdivision minima to protect the high quality soils of the District as expressed in Objective 3.3.2.1 O2, O3 and corresponding Policy 3.3.2.1 P1, P2, P3 concerning Sustainable Activities. High quality soils shall be protected from inappropriate fragmentation and only limited opportunity for rural lifestyle lots shall be provided in the Rural zone. The boundary relocation lot provision may also provide for rural lifestyle lots and the creation of larger rural productive lots. Council shall monitor the use of such lands over the term of this District Plan.

6.2 Performance standards

The following performance standards shall apply along with those general provisions outlined in Section 1 and Section 5.

6.2.1 New Zealand Urban Design Protocol and Crime Prevention through Environmental Design

(i) This performance standard applies only to subdivisions within the Residential zone, Rural-Residential zone, Industrial zone and Business zone, and to retirement villages.

(ii) Each application for subdivision shall demonstrate that good quality urban design outcomes will be achieved. Good urban design qualities are taken from the New Zealand Urban Design Protocol and National Guidelines for Crime Prevention through Environmental Design in New Zealand and for the purpose of this performance standard are defined as:

Context: Seeing buildings, places and spaces as part of whole towns by analysing each project in relation to its setting and ensuring that each development fits in with and enhances its surroundings.

Each subdivision should take into account:

- Existing local landmarks and focal points.
- Walking distance to a range of services and amenities.
- Convenient access to public parks, open space and community facilities.

Character: Reflecting, enhancing and protecting the distinctive character, significant cultural and visual landscape features, historic heritage and cultural identity of the urban environment.

When assessing an application against this quality, consideration shall be given, but not limited to, Part A Sections 3.1.2.3 (O1, P1–5) and 3.5.2.2 (O2, P2–3).

In particular the layout should contribute to the local identity of urban areas by:

- Responding to existing site characteristics.
- Responding to the surrounding environment.
- Protecting and enhancing built, cultural and visual landscape features, landforms and significant views.

Connections: Enhancing transportation networks and the links between the different transport modes (pedestrian, cycleway, street, etc.) to

ensure safe and easy movement for people and the integration of the subdivision with surrounding neighbourhoods through these networks. See Section 6.2.1(iii)(e).

Custodianship: Ensuring that the design is environmentally and economically sustainable and that publicly accessible open spaces are well overlooked, safe and accessible.

Collaboration: Takes an approach to the design that acknowledges the contribution of different disciplines and perspectives, communicating and sharing knowledge for the integration of landuse, structures and networks.

CPTED: Crime Prevention through Environmental Design.

In particular this includes:

- Good visibility, sightlines and casual surveillance (overlooking) of public or publicly accessible spaces.
- Safe routes and connections.
- A clear and logical layout.

Each application shall include a statement/evaluation demonstrating how these matters have been considered in preparing the proposal. Compliance with these provisions shall be met by all proposed subdivisions identified in 6.2.1(i) and where available shall comply with an operative structure plan.

(iii) To meet the outcomes of 6.2.1(ii) above, a subdivision should, where appropriate, comply with the following urban design criteria.

(a) The subdivision shall be integrated with the existing urban context.

(b) The layout and pattern of development traditionally representative of the existing urban area shall be continued.

(c) The design shall be highly connected with and between neighbourhoods for cycle, pedestrian and vehicle transport modes as appropriate to the scale of the subdivision.

(d) Safe pedestrian and cycle routes should be generally integrated within the road reserve and other public open space.

(e) Where appropriate and unless otherwise determined by an operative structure plan, all subdivision shall provide road and/or pedestrian connections between the land being subdivided, existing roads, adjoining properties, and balance lots in accordance with the ~~MPDC~~ Development Manual ~~2010~~, including the minimum sight distances.

Any connections that are required above shall be vested as road and designed and constructed within 1m of the boundary.

Advice Note: The appropriateness of requiring the road connections shall be determined with reference to Objective O~~8~~ 2 and Policy P~~9~~ 8 in Part A, Section 3.8.~~3~~2: Transportation.

(f) The subdivision design shall retain key visual linkages within and between neighbourhoods.

(g) The subdivision shall be representative of street, block and lot layouts and landscape elements that build on and integrate with the existing local residential character.

(h) Public open space should be prominent and accessible, with good road frontage, within the local area.

(i) There shall be a predominance of lots fronting the street.

(j) Rear lot access areas should contain area available for landscaping.

(k) Existing vegetation which contributes to the overall amenity and character of the site and neighbourhood shall where possible be retained or consideration to mitigation is required.

(l) Where there are more than five lots a variety of lot sizes should be provided.

(m) Orientation of lots should maximise solar access.

(n) The design and lot layout should be designed to achieve casual surveillance of public open space.

(iv) Council has prepared Urban Design Guidelines advice to assist applicants in preparing subdivision consent applications. Where compliance with the above provisions is not clearly demonstrated the Council may seek an independent peer review by a suitably experienced professional in the urban design field. Any such peer review shall be at the applicant's expense.

(v) Performance standard 6.2.1 does not apply to the Precinct F Matamata Structure Plan (refer Planning Maps and Appendix 9.2) where resource consent is required as a restricted discretionary activity and applications are assessed against the matters outlined in Section 1.4.21.

Objectives/Policies		
3.4.2	O4	P5

6.2.2 ~~Roading and access~~ Infrastructure (including roading)

Compliance with the infrastructure and servicing standards within Sections 5.9 and the transportation standards in Section 9.

~~(i) Road widening~~

~~Where part of the land being subdivided is required for road widening or for other street purposes or for other works, the subdivision shall be designed as though such land had been dedicated prior to the time of subdivision.~~

~~(ii) Access to be provided~~

~~(a) Every owner or occupier shall provide vehicular access to their property for parking and/or loading from a formed legal road or over land by mutual right of way or service lane.~~

~~(b) Any vehicular access / road that is new or an activity which results in a change in the character, intensity or scale of use of an existing crossing, which is unable to comply with the minimum sight distances and separation distances within the MPDC Development Manual 2010 shall be a discretionary activity.~~

~~(c) Any road, private way or access leg that is new or an activity that has resulted in the changed character, intensity or scale of use and unable to comply with the following table, shall be a discretionary activity.~~

~~(d) Rules 6.2.2(ii) (b) and (c) do not apply as performance standards to the Precinct F Matamata Structure Plan (refer Planning Maps and Appendix 9.2). Instead the matters in Rules 6.2.2(ii) (b) and (c) will be considered as matters of discretion (refer Section 1.4.21) in the assessment of restricted discretionary activity resource consent applications.~~

Private

Access type	Number of household units served	Minimum reserve width (m)
Residential, Business and Industrial zones		
Access leg	1	3.5 m access leg
Private way	2–3	4
	4–6	6
Rural-Residential zone		
Access leg	1	12
Private way	2–3	12
	4–6	12
Rural zone		
Access leg	1	9
Private way	2–3	9
	4–6	12

Advice note: Consideration will be given to reducing the access width in the Rural-Residential zone to a minimum of 6 m as a discretionary activity.

Public

Road type	Number of household units served	Minimum reserve width (m)
Residential, Business and Industrial zones		
Service lane		10
Local road (cul-de-sac)	7–25	18
Local road	>25	20
Collector road		20
Arterial road		20
Rural and Rural-Residential zones		
Local road	<25	20
Collector road	25–125	20
Arterial road	N/A	20

The minimum width, design and construction of any access shall be in accordance with the MPDC Development Manual 2010.

(iii) Any new road, access lot or private way shall be designed, constructed and located in accordance with the MPDC Development Manual 2010.

Objectives/Policies		
3.4.2.1	O1	P1
3.8.2	O1	P1
3.8.2	O8	P9

6.2.3 Development Contributions

See Development Contributions: Section 7.

The owner shall contribute to the provision of services, reserves and recreation facilities identified as being necessary to serve the anticipated demand resulting from the subdivision of the land.

The developers shall provide any other services required at their own expense.

Objectives/Policies		
3.4.2.1	O1, O2	P1, P2
3.8.2	O4	P9 12
3.9.2.1	O1, O2	

6.2.4 Esplanades

(i) Esplanade reserves

Where subdivision occurs, creating lots less than 4 hectares or greater than 4 hectares along rivers specified in (d) below, Council shall require esplanade reserves of 20m in width. However in some circumstances it may be appropriate either to increase or decrease the width of the reserve or to establish an esplanade strip as an alternative.

(a) An esplanade reserve may be reduced below 20m in the following circumstances:

- Where an existing structure is located within the 20m reserve and an appropriately smaller esplanade reserve can be vested;
- Where a natural hazard protection area is operative on land that would otherwise be an esplanade reserve;
- Where the topography limits the effectiveness of the reserve.

(b) An esplanade reserve of a greater width than 20m may be taken in the following circumstances:

- Where the area has significant conservation and heritage values which require protection greater than a 20m reserve can provide;
- Where the topography requires it to be more effective.

(c) An esplanade reserve may be waived in the following circumstances:

- Where the land is identified on a Queen Elizabeth II National Trust Protective Covenant, Reserves Act Covenant, Conservation Act Covenant or other Covenant that is in perpetuity;
- Where by reason of public safety and/or security an esplanade reserve would be inappropriate and security cannot be assured by some other means. For example, where there are defence lands, existing public road, sensitive machinery, irrigation works or activities.

(d) Where subdivision occurs creating lots 4 hectares or more in size, Esplanade Reserves shall be taken along the following rivers:

- Waihou, Waitoa, Piako, Waitakaruru, Waiomou, Rapurapu, Topehaehae and from land immediately adjoining the Kopuatai Peat Dome;
- The width of the reserve shall be 20m unless any of the above circumstances (a, b or c) apply.

(ii) Esplanade strips

(a) An esplanade strip may be established instead of an esplanade reserve in the following circumstances:

- Where significant erosion is known to occur.

(b) Where an esplanade strip is considered to be more appropriate than an esplanade reserve, the width of that esplanade strip shall be:

- A minimum of 20m where erosion is a known problem;
- A minimum of 5m where the esplanade strip is established solely for access purposes.

The situations relating to a reduction or increase in width of esplanade reserves shall relate to the physical conditions of the site.

(iii) Access strips

(a) An access strip may be established instead of an esplanade reserve or an esplanade strip in the following circumstances:

- Where for reasons of public security or public safety restrictions, access is required;
- Where existing development means that an esplanade reserve or esplanade strip cannot practically be established;
- Where roads are available for the purpose.

Objectives/Policies		
3.4.2.1	O2	P2
3.7.2.~~3~~ 2	O1	

6.2.5 Protection and preservation of existing drainage channels

All subdivisions shall be planned, designed and constructed so as to:

(i) Protect and preserve existing natural or open drainage channels;

(ii) Ensure all drainage systems do not cause erosion or flooding outside the subdivision to any greater extent that would occur in the absence of subdivision and improvements;

(iii) Avoid flooding of land;

(iv) Leave all drainage channels in as natural a condition as possible, enhance fish habitats and water quality with riparian planting where appropriate;

(v) Provide for crossing of water courses whose bed has an average width of 3 metres or more by spanning so that natural stream beds will not be altered thereby causing adverse environmental damage.

See also Section 8: Works and Network Utilities and Section 11: Natural Hazards.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.7.2.1	O1	P2, P~~4~~ 3

6.2.6 Earthworks

See Performance Standards: Section 5 and the requirements of the ~~MPDC~~ Development Manual ~~2010~~.

6.2.7 Natural hazards

See Natural Hazards: Section 11.

6.2.8 Conservation

See Performance Standards: Section 5.

6.2.9 Vesting of beds of rivers

The bed of any river over 3 metres in width included in a subdivision consent shall be vested in the Crown.

Explanation

Council has implemented the contributions rules to enable the costs associated with new growth to be borne by the new consumers over the ongoing years. In devising the rules, Council has ensured that the calculations fairly and reasonably apply the fees that can be directly attributable to the new population. The District wide apportionate of reserves contributions is based on the understanding that the entire community has the opportunity to benefit from such facilities on a District wide basis. The urban and rural communities are being treated similarly on the grounds that they have similar reserve and recreational needs.

The engineering services fees are charged on a site basis because it is clear who benefits from the services.

Contributions are taken principally at the time of subdivision to enable Council to receive funds in advance of development to assist in the earlier provision of services for the new population.

All fees are based on Council works programmes for the ten year Review period. The detail of the calculations can be found in Council's 1995 discussion documents on the matter. In the event that a works programme or the contributions accounts are reviewed and refinements are necessary a change to the District Plan shall be promoted. To ensure the costs are relative to the rate of inflation the actual contribution values are to be reviewed in the light of the Cost Construction Index as part of the Annual Plan process.

6.2.10 Rural zone

Should there be a conflict between these specific performance standards and the general provisions of Section 1, this section shall prevail.

(i) Roading access

Compliance with the infrastructure and servicing standards within Section 5.9 and the transportation standards in Section 9.

~~(a) Road widening~~

~~Where part of the land being subdivided is required for road widening or for other works, the subdivision shall be designed as though such land had been dedicated prior to the time of subdivision.~~

~~(b) Vehicular access to every property from a formed legal road or over land by mutual right of way shall be provided.~~

~~(c) Any vehicular access / road that is new or an activity which results in a change in the character, intensity or scale of use of an existing crossing, which are unable to comply with the minimum sight distances and separation distances within the MPDC Development Manual 2010 shall be a discretionary activity.~~

~~(d) Any road, private way or access leg that is new or an activity that has resulted in the changed character, intensity or scale of use and unable to comply with the following table, shall be a discretionary activity.~~

~~Private~~

~~Access type~~	~~Number of household units served~~	~~Minimum reserve width (m)~~
~~Access leg~~	~~1~~	~~9~~
~~Private way~~	~~2-3~~	~~9~~
	~~4-6~~	~~12~~

~~Public~~

~~Road type~~	~~Number of household units served~~	~~Minimum reserve width (m)~~
~~Local road~~	~~<25~~	~~20~~
~~Collector road~~	~~25-125~~	~~20~~
~~Arterial road~~	~~N/A~~	~~20~~

~~(e) The minimum width, design and construction of any access shall be in accordance with the MPDC Development Manual 2010.~~

~~(f) Any new road, access lot or private way shall be designed, constructed and located in accordance with the MPDC Development Manual 2010.~~

~~(g) Compliance with the infrastructure and servicing standards within Section 5.9.1(iv).~~

Objectives/Policies		
3.4.2.1	O1	P1
3.8.2	O~~1~~ 2	P1, P2, P3
3.8.2	O8	P10, P11

(ii) Water Supply

~~(a) All sites shall be able to be provided with a reliable supply of water sufficient to meet the needs of any proposed development of the site. The requirements of the MPDC Development Manual 2010 shall be deemed compliance.~~

~~(b)~~ Compliance with the infrastructure and servicing standards within Section 5.9~~.1(iii)~~.

Objectives/Policies		
3.4.2.1	O1	P1
3.7.2.1	O1	P2, P3, P6

(iii) Sewage disposal

~~(a) Where each lot or development lies within Council's reticulated area, they shall be served by a connection to the Council reticulation system. If this is not practicable, then treatment and disposal shall be contained within the property boundaries, subject to the necessary consents being obtained.~~

~~(b) Any disposal or treatment areas located off-site, other than to MPDC owned systems, shall be protected by easements as appropriate.~~

~~(c)~~ Compliance with the infrastructure and servicing standards within Section 5.9~~.1(ii)~~.

~~Advice note: The use of a conventional septic tank is not permitted on sites less than 2500m².~~

Objectives/Policies		
3.4.2.1	O1	P1
3.7.2.1	O1	P2, P3, P6

(iv) Stormwater reticulation

~~(a) Council may require a detailed stormwater plan to ensure that there are no adverse stormwater effects off-site. Any necessary consents shall be obtained from the Waikato Regional Council.~~

~~(b)~~ Compliance with the infrastructure and servicing standards within Section 5.9~~.1(i)~~.

Objectives/Policies		
3.4.2.1	O1	P1
3.7.2.1	O1	P2, P3, P6

(v) Other Reticulation

(a) Compliance with the infrastructure and servicing standards within Section 5.9~~.1(v)~~.

Objectives/Policies		
3.4.2.1	O1	P1
3.7.2.1	O1	P2, P3, P6

(vi) Development Suitability

(a) Building site

Each lot must contain a rectangular area of land for building purposes measuring no less than 10 metres on one side and 15 metres on the other that is free of impediments to buildings such as: drainage lines, building line restrictions, easements, bulk and location requirements, protected registered significant features or other items or topographical impediments.

(b) Council will require a report, including certification from an appropriately qualified person(s), stating that the land is suitable for the activities anticipated in the zone, or the development proposed, and/or the conditions under which development will be appropriate including:

(i) Each building area as described in (a) above is free from flooding or inundation, erosion, subsidence and thermal ground;

(ii) Slope stability, foundations of structures, major earthworks including access tracks and roads;

(iii) Ground water table levels;

(iv) Earthquake faultlines or other seismic hazard;

(v) For contaminated sites, a report on the extent and likely effect of the contamination on the proposed activity, including any off-site effects that may occur as a result of disturbance or development of the site;

(vi) The matters within the ~~MPDC~~ Development Manual ~~2010~~.

The report shall set out the facts relating to the investigation together with test results and other data on which recommendations are based.

(c) Council may refuse to approve a subdivision consent or in approving the proposal, impose appropriate conditions to avoid high probabilities of accelerated erosion, land slip, flooding or subsidence, or increased adverse effects resulting from contaminants on the site.

(d) Where a site lies outside of the hazard areas but may be subject to any:

- Natural hazard;
- Slope stability issues; or
- Ground conditions not suitable for the foundations of buildings, services or other works;

Any persons proposing to use, develop (including bulk earthworks) or subdivide the site will require a site evaluation from a suitably qualified engineer or other person confirming that the site can be safely developed without adverse effects either on or off the site for a permitted activity including necessary access and servicing requirements.

(e) See also Section 11: Natural Hazards.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2

3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1
3.5.2.2	O1, O3	P1, P5, P7, P8, P9

(vii) Protection of scheduled significant items

Council shall require the legal protection in perpetuity of any scheduled significant item or feature with the exception of Scheduled Item 213 of Schedule 3, as a condition of subdivision consent. Scheduled significant items are listed in Schedules 1, 2 and 3.

(a) Council shall require that legal boundaries are located in a position that does not impair or destroy the integrity of the scheduled significant item;

(b) Suitably qualified persons shall, be engaged, if necessary, to determine the boundaries or significance of such items;

(c) Any such required protective measures shall be taken into account when addressing the Development Contribution for reserves that would otherwise apply. See Section 7: Development Contributions.

(viii) Protection of other items

Council may require, as a condition of subdivision consent, the legal protection in perpetuity of a significant feature that is found to exist on the property for the purpose of protecting the feature. A feature may include an area or item of significant indigenous, ecological, landscape or heritage value to the community.

Provided that this rule shall not apply to Scheduled Item 213 of Schedule 3 and where approval has otherwise been given for use of archaeological sites from the Historic Places Trust. Evaluation shall be undertaken in accordance with the criteria in Appendix 1. The feature/area must be fully described and intrinsic value ranked alongside other similar features. Any protective measures shall be taken into account when assessing the financial contribution for reserves that would otherwise apply. See Development Contributions: Section 7.

Council may require that legal boundaries are located in a position that does not impair or destroy the integrity of the significant feature found to exist on the property.

(ix) Protection of riparian areas

See Performance Standards: Section 5.1.1.

Objectives/Policies		
3.1.2.2	O1	P1, P2, P3, P4
3.3.2.1	O1	P1, P3

(x) Existing buildings to comply

All subdivision consent applications shall demonstrate that existing and proposed buildings comply with the provisions of the District Plan once the new lots have been created.

If an existing building is unable to comply with the provisions of the District Plan with respect to yard setbacks from external, un-changed boundaries a land use consent will not be required in respect of this non-compliance.

(xi) Development Contributions

(a) As a condition of consent for any subdivision consent Council may require the payment of a Development Contribution to avoid, remedy or mitigate any adverse off-site effects generated by the subdivision. See Section 7: Development Contributions.

(b) The owner shall contribute to the provision of services, reserves and recreation facilities identified as being necessary to serve the anticipated demand resulting from the subdivision of the land.

(c) The developers shall provide any other services required at their own expense.

(d) See Development Contributions: Section 7 and Local Government Act requirements.

Objectives/Policies		
3.4.2.1	O1, O2	P1, P6
3.8.2	O7	P11
3.9.2.1	O1, O2	

(xii) Esplanades

(a) Esplanade reserves

Where subdivision occurs, creating lots less than 4 hectares or greater than 4 hectares along rivers specified in (iv) below, Council shall require esplanade reserves of 20 m in width. However in some circumstances it may be appropriate either to increase or decrease the width of the reserve or to establish an esplanade strip as an alternative.

(i) An esplanade reserve may be reduced below 20 m in the following circumstances:

- Where an existing structure is located within the 20 m reserve and an appropriately smaller esplanade reserve can be vested;
- Where a natural hazard protection area is operative on land that would otherwise be an esplanade reserve;
- Where the topography limits the effectiveness of the reserve.

(ii) An esplanade reserve of a greater width than 20 m may be taken in the following circumstances:

- Where the area has significant conservation and heritage values which require protection greater than a 20 m reserve can provide;
- Where the topography requires it to be more effective.

(iii) An esplanade reserve may be waived in the following circumstances:

- Where the land is identified on a Queen Elizabeth II National Trust Protective Covenant, Reserves Act Covenant, Conservation Act Covenant or other Covenant that is in perpetuity;
- Where by reason of public safety and/or security an esplanade reserve would be inappropriate and security cannot be assured by some other means. For example, where there are defence lands, existing public road, sensitive machinery, irrigation works or activities.

(iv) Where subdivision occurs creating lots 4 hectares or more in size, Esplanade Reserves shall be taken along the following rivers:

- Waihou, Waitoa, Piako, Waitakaruru, Waiomou, Rapurapu, Topehaehae and from land immediately adjoining the Kopuatai Peat Dome;
- The width of the reserve shall be 20 m unless any of the above circumstances (i), (ii) or (iii) apply.

(b) Esplanade strips

(i) An esplanade strip may be established instead of an esplanade reserve in the following circumstances:

- Where significant erosion is known to occur.

(ii) Where an esplanade strip is considered to be more appropriate than an esplanade reserve, the width of that esplanade strip shall be:

- A minimum of 20 m where erosion is a known problem;
- A minimum of 5 m where the esplanade strip is established solely for access purposes.

The situations relating to a reduction or increase in width of esplanade reserves shall relate to the physical conditions of the site.

(c) Access strips

(i) An access strip may be established instead of an esplanade reserve or an esplanade strip in the following circumstances:

- Where for reasons of public security or public safety restrictions, access is required;
- Where existing development means that an esplanade reserve or esplanade strip cannot practically be established;
- Where roads are available for the purpose.

Objectives/Policies		
3.4.2.1	O2	P6
3.7.2.~~3~~ 2	O1	

(xiii) Protection and preservation of existing drainage channels

All subdivisions shall be planned, designed and constructed so as to:

(a) Protect and preserve existing natural or open drainage channels;

(b) Ensure all drainage systems do not cause erosion or flooding outside the subdivision to any greater extent that would occur in the absence of subdivision and improvements;

(c) Avoid flooding of land;

(d) Leave all drainage channels in as natural a condition as possible, enhance fish habitats and water quality with riparian planting where appropriate;

(e) Provide for crossing of water courses whose bed has an average width of 3 m or more by spanning so that natural stream beds will not be altered thereby causing adverse environmental damage.

See also Section 8: Works and Network Utilities and Section 11: Natural Hazards.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.7.2.1	O1	P2, ~~P4~~ 3

(xiv) Earthworks

See Performance Standards: Section 5 and the requirements of the ~~MPDC~~ Development Manual ~~2010~~.

(xv) Natural hazards

See Natural Hazards: Section 11.

(xvi) Conservation

See Performance Standards: Section 5

(xvii) Vesting of bed rivers

The bed of any river over 3 metres in width included in a subdivision consent shall be vested in the Crown.

Objectives/Policies		
3.4.2.1	O2	P6
3.7.2.~~3~~ 2	O1	

6.3 Matters of control

6.3.1 Subdivision in the Rural zone

(i) Site suitability / subdivision layout

(a) New lots should be of a scale and shape to enable a building platform for a future dwelling and development and the intended use of the lots in an appropriate and suitable location. This shall include:

- Topography of the parent lot;
- Avoidance or mitigation of natural hazards;
- Adequate road frontage is provided;
- The protection of natural/significant features;
- The location of existing natural and physical features of the site and the immediate surrounds;
- Geotechnical suitability of the identified building platforms;
- The extent of earthworks required to provide a suitable building platform and access to the building platform;
- Ability for on-site disposal of stormwater and wastewater.

(ii) Rural amenity and character

(a) The potential location of future development and the effect on the surrounding environment and rural character.

(b) The extent of existing vegetation which is to be retained.

(iii) Reverse sensitivity

(a) The avoidance, or mitigation, of conflicts between activities and the potential reverse sensitivity effects on existing lawfully established activities.

(iv) Transportation

(a) Safety and efficiency of the vehicle access and function of transportation network.

(b) Should any roading, access or infrastructure service be required, particular regard shall be had to any necessary easements that may be required for public infrastructure or stormwater disposal.

(v) Servicing

(a) Whether sites can be adequately managed for on-site stormwater (while managing cumulative effects on a catchment wide basis), wastewater, water supply, telecommunications and electricity supply.

(b) Whether the subdivision is in general accordance with the ~~MPDC~~ Development Manual.

Objectives/Policies		
2.4.1	O1	P1
2.4.2	O1, O3	P1, P3
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2
3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2, O3	P1, P2, P3
3.4.2	O1	P1, P2, P3, P4, P5
3.4.2	O2, O3, O4,	P6, P7
3.5.2.1	O2	P1, P3
3.5.2.2	O1, O3	P7, P8, P9
3.5.2.3	O4	P5, P6
3.8.2	O1, O2 ~~O7, O8~~ O3, O6	P1, P2, P3 ~~10~~, P11

6.4 Matters of discretion

6.4.1 Subdivision in the Rural zone

(i) Site suitability / subdivision layout

(a) New lots should be of a scale and shape to enable a building platform for future dwellings and development and the intended use of the lots in an appropriate and suitable location. This shall include:

- Dimensions, shape, area, and topography of the parent lot;
- Avoidance or mitigation of natural hazards;
- Adequate road frontage and connectivity are provided;
- The location of existing natural and physical features of the site and the immediate surrounds;
- Geotechnical suitability of the identified building platforms;

- The extent of earthworks required to provide a suitable building platform and access to the building platform;
- Ability for on-site disposal of stormwater and wastewater;
- Minimisation of the loss of high quality soils;
- The protection of natural, heritage and significant features.

(ii) Productive capability

(a) The effects on the productive capability of the soil resource.

(b) The degree to which the soil resource, in the potential area of development, has already been compromised.

(iii) Rural amenity and character

(a) Effect on the rural environment, including character, amenity and visual effects.

(b) The potential location of future development and the effect on the surrounding environment.

(c) The extent of existing vegetation which is to be retained.

(d) A variety of lot sizes is provided in accordance with the rural provisions. The clustering of lots will only be considered in specific circumstances where it can be demonstrated that a more appropriate form of rural amenity and design is achieved, cumulative effects are avoided and appropriate mitigation is provided.

(iv) Visual

(a) The visual effects of a subdivision will be assessed in terms of the likely effect on:

- The surrounding environment and general landscape character (including ridgelines and view planes) with particular consideration of public roads, public reserves, identified significant features, Residential zones, dwellings in Rural zones, or marae in the vicinity of the proposed facility;
- Design elements in relation to the locality, with reference to the existing landscape character of the locality and amenity values;
- The mitigating effects of any proposed landscaping.

(b) In making an assessment of visual impact for a subdivision consent potential building platforms shall be identified and regard shall be had to the following and conditions may be imposed in respect of these matters:

- The scale of a potential building;
- Height, cross sectional area, colour and texture of possible buildings on the building platforms identified;
- Distance of structures to site boundaries, the degree of compatibility with surrounding properties;
- Site location in terms of the general locality, topography, geographical features, adjoining land use, i.e. landscape character, rural houses;
- Proposed planting, fencing and other landscaping treatments.

(c) In assessing any proposed landscaping regard shall be had to:

- Whether existing landscape features are integrated into the new subdivision layout;

- Whether the layout and design are of a high standard, and provide a visual environment that is interesting and in scale with the proposed subdivision and possible future development;
- Size and type of trees to be planted at the time of planting and at maturity having considered:
    - The character of the site;
    - The character of adjacent properties;
    - Potential shadowing in winter of adjacent properties or reserves;
    - Underground and overground services;
    - Suitability of the species to the location;
    - Suitability of the maintenance plan and watering programme to the species.
- The timing of implementation of the landscape plan and the maintenance of approved planting;
- Whether the type and the location of planting promotes public safety;
- Whether the Landscape Plan is certified by an appropriately qualified person as consisting of hardy plants suited to the location and capable of achieving the appropriate screening or enhancement purposes desired in the circumstances;
- The Preliminary Visual and Landscape Study, October 1992 (Volume I);
- Whether any landscaping or screening adversely affects the safe and efficient operation and function of the transportation networks.

(v) Reverse sensitivity

(a) The avoidance of conflicts between activities and potential reverse sensitivity effects on lawfully established activities.

(b) Where conflict or reverse sensitivity effects cannot be avoided, the effectiveness and appropriateness of mitigation measures to protect lawfully established activities.

(vi) Transportation, traffic and access

(a) Whether the subdivision addresses, and where necessary mitigates, the extent and nature of effects from additional traffic on the road network.

(b) Whether any reverse sensitivity effects can arise from the subdivision taking into account the criteria in Rule 6.4.1(v).

(b) The safety and efficiency of vehicle access and the roading network.

(c) Should any roading, access or infrastructure service be required, particular regard shall be had to any necessary easements that may be required for public infrastructure or stormwater disposal.

(d) The following matters:

- Traffic volumes, traffic mix relative to the existing and future traffic patterns, speed environment, access, parking and loading on-site;
- Construction traffic volumes, traffic mix, hours of operation;
- The operational requirements of the activity (e.g. wherever more than one access facilitates the safe and efficient movement of vehicles to and from the site);

- The extent to which potential adverse effects of the activity on traffic safety and efficiency will be avoided, remedied or mitigated by implementing traffic management measures such as:
    - Flush medians or solid medians;
    - Deceleration and acceleration lanes on state highways;
    - The careful design and location of access points on to roads, particularly state highways;
- The effects of the activity having regard to the LTSA Guidelines for Service Stations (to the extent that these are relevant to other high traffic generating uses);
- The effects, including cumulative effects on the safe and efficient function of the transportation networks.

(vii) Servicing

(a) Whether sites can be adequately managed for on-site stormwater (while managing cumulative effects on a catchment wide basis), wastewater, water supply and utilities.

(b) Whether the subdivision is in general accordance with the ~~MPDC~~ Development Manual.

(c) The effects on the public services the Council is responsible for in the locality or district and that the residents or occupants of the subdivided or developed area would make use of, generate a need for, or have an impact on (and for which "development contributions" may be required to offset adverse effects).

(d) Whether subdivision provides appropriate infrastructure in a coordinated manner, ensuring that development and the provision of infrastructure keep pace with each other.

(e) Whether the subdivision is consistent with any approved discharge consent, and/or relevant regional technical publication. Further, that appropriate measures are proposed to avoid, remedy or mitigate the effects of stormwater discharges onto the subdivision site and from the subdivision site onto any other lot.

(f) The proposal shall be designed and maintained in a manner which prevents as far as practicable, pollution or contamination of ground or water or Council's stormwater system. Techniques such as bunding, impermeable layers under bunds and interceptors may be required. The extent of measures required will be determined after consideration of the Building Code and the sensitivity of the receiving environment to discharges.

(viii) Soil quality

The following criteria shall only apply to subdivisions under rule 6.1.1.3(a) and 6.1.1.3(b) and 6.1.1.3(c) (in addition to the above criteria):

(a) The amount of earthworks of high quality soils for access, building platforms, building curtilage and associated services shall be minimised.

(b) Continuous areas of high quality soils are maintained.

(c) That the high quality soils on the site are not degraded, compromised or lost as a result of the proposal.

(d) That the productive potential of a site in terms of reliance on soils shall be at least retained.

(ix) Bonus protection lots

Council shall assess the significance of the area being protected, in particular the following:

(a) With regard to native bush. See Appendix 1 for Evaluation Criteria for Significant Natural Features:

- That the area of bush is at least 1 hectare in size;
- Consists of a coherent well-developed canopy of native species;
- Contains at least 25% of mature native trees;
- Consists of a representative range of type native species;
- Represents a significant or prominent landscape feature.

(b) With regard to areas of biological or scientific significance. See Appendix 1 for Evaluation Criteria for Significant Natural Features.

- The habitat of rare and endangered species;
- An area of recognised wildlife significance;
- A significant or uncommon geological feature;
- A freshwater wetland;
- An uncommon indigenous vegetation community.

(c) With regard to historic features or sites. See Appendix 1 for Evaluation Criteria for Buildings and Objects.

- The degree of risk which the historic feature or site is subject to and the benefit that will be realised by the granting of subdivision consent;
- Alternative protection methods;
- Ongoing responsibility and costs to the community in not protecting/protecting the heritage feature or site.

(d) The extent to which the subdivision affects the usability of the balance lot for rural activities.

(e) The location and appropriateness of the protection lot, in particular the effect that a dwelling will have on the protected feature

Objectives/Policies		
2.4.1	O1	P1
2.4.2	O1, O3	P1, P3
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2
3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1
3.3.2.1	O1	P1, P2, P3
3.3.2.1	O2, O3	P1, P2, P3
3.4.2	O1	P1, P2, P3, P4, P5
3.4.2	O2, O3, O4,	P6, P7
3.5.2.1	O2	P1, P3
3.5.2.2	O1, O3	P7, P8, P9
3.5.2.3	O4	P5, P6
3.8.2	O1, ~~O7, O8~~ O3, O6	P1, P2, P~~10~~ 3, P11
2.4.7	O1, O2, O3	P5, P7

7 Development Contributions

7.1 General

(i) All works and services required by this District Plan to be provided (as part of any activity in any zone) on or within the site and for the purpose of that development or subdivision shall be funded entirely as a cost to the development or subdivision.

(ii) All works (as defined in Section 108 (9) (c) of the Act) required for the purposes of a development or subdivision, and/or required to ensure compliance with any standard, rule or other authority shall be funded as a cost to the development or subdivision consistent with the contribution in accordance with these provisions. Such contributions shall be fair and reasonable reflecting the proportional effect on the environment and the benefits received.

(iii) Contributions will usually be accepted in the form of money, particularly where it is more appropriate for Council to carry out the work. For example, where the upgrade of a sewage treatment plant is required.

(iv) Council shall not undertake any significant works that are in excess of what is identified within its Long Term Financial Strategy (LTFS) as provided for in the Annual Plan but may commit to works of a lesser amount. In the event that works are completed in advance with the approval of Council such works shall be listed in the Annual Plan and the capital costs reimbursed when the Annual Plan and budget is approved.

(v) Where Council has accepted a financial contribution it shall be obliged to carry out that work at the appropriate time to ensure the works are provided or enabled concurrently with the activity to which the contribution is related.

(vi) A register of the following information (as a minimum) shall be recorded and be available as public information:

(a) The amount;

(b) Who paid and on what date;

(c) The service to which the contribution relates;

(d) In the case of refunds, who is the recipient;

(e) In the case of credits, to whom or what land the credit is applicable;

(f) Where, when and how the contribution is to be expended.

(vii) In setting financial contributions (as defined in section 108~~)~~ (9) of the Act) as conditions of resource consent the Council shall, with reference to the above mentioned register, consider the amount, adequacy and relevance of any previous financial contributions made by the applicant for resource consent.

(viii) A private development agreement may be entered into with a developer, whereby the services required to be put in place due to the development being undertaken have not been allocated within the development contributions policy. This agreement is in lieu of the development contributions within the Long-Term Council Community Plan so as to ensure that an appropriate level of service is provided for infrastructure and or services. The agreement must clearly state:

- The rationale for the agreement
- The details of the agreement
- The basis of any cost sharing
- How and when the associated infrastructure will be provided; and

- Which lot(s) the agreement refers to.

Objectives/Policies		
3.9.2.1	O1, O2	P1, P2

7.2 Development Contributions as a condition of resource consents

(i) The circumstances in which a contribution may be required as a condition of a resource consent are:

(a) At the time of subdivision where additional lots for which separate certificates of title are intended to be issued and the titles will qualify for the construction of a building.

(b) Prior to the issue of a building consent for the second or subsequent complying dwelling per lot where a contribution has not been made at the time of the subdivision to create the said lot.

(c) Prior to the issue of a building consent for industrial and commercial buildings that have been granted resource consent(s) where the development would have an impact on the provision of roading and engineering services. Such contributions will not include that for reserves unless it is for the purposes of avoiding, remedying or mitigating adverse effects. Contributions to roading and engineering services will be sought to avoid, remedy or mitigate the impact of the development.

(d) To avoid, remedy or mitigate any adverse effects on the natural and physical resources and the amenities of the locality including where the activity will have an adverse effect on roads or other infrastructure. In assessing the extent of any adverse traffic effect on roads or infrastructure, Council may take into account an impact assessment undertaken by an independent consultant.

(e) To enable on-site parking to be provided at another location in the vicinity.

In the case of (c) and (d) above, where relevant the following costs (or proportionate costs) may be charged:

- The full actual cost of providing a new formed road to the subdivision or site;
- The costs, or proportionate costs, of upgrading roads and access to avoid, remedy or mitigate adverse effects of the subdivision, development or building in terms of the respective roads existing design life taking no account of improvements to standards. If improvements include resolution of existing problems, then the costs will be apportioned to reflect this. Such contributions shall have a direct nexus between the environmental effect and the Development Contribution levied;
- The full actual cost of crossings between allotments, sites or buildings and a public road;
- In the circumstances of significant impact on roads, the cost of improving the geometrics of a road to maintain its safety and efficiency.

(ii) The payment of a contribution shall not be required for:

(a) The first dwelling on a site;

(b) Additions or alterations to dwellings;

(c) A dwelling replacing one previously on the site;

(d) An approved boundary adjustment;

(e) An approved subdivision creating a certificate of title solely for a 'network utility';

(f) On building consents for industrial and commercial buildings (i.e., non-residential) where there is no impact on the roading or engineering services infrastructure;

(g) Where a contribution was made in respect of a residential development of two or more dwellings on one allotment (without subdivision) and the allotment is subsequently subdivided to create separate allotments for those dwellings, no further contribution is payable for these allotments;

(h) Where land is set aside and protected in perpetuity for heritage reasons.

(iii) The amount of contribution shall be the sum of:

(a) Reserves in accordance with Schedule 6

Council shall require land to the same value as a contribution as determined in Section 7.2 (ii) where such land is in private ownership and is identified on the planning maps as proposed reserve or where land is contiguous with an existing reserve and there is good reason to increase the size of the reserve.

(b) Engineering Services

The cost of works identified in the township locality in which the development is located shall be assessed in accordance with Schedule 6.

(c) Earthworks

The full actual cost of earthworks necessary including all subsoil drainage, silt and run-off control, surface drainage and related works on-site to ensure there are no adverse effects off-site.

(d) Carparking

The full actual cost in cash of the provision of land, the formation and marking out of spaces and where necessary the landscaping and screening of parking areas.

For the avoidance of doubt any non-residential development shall not pay a contribution to reserves but may contribute to the reserves account to avoid, remedy or mitigate adverse effects.

(iv) The contributions set out in Schedule 6 are base rates related to construction costs as at August 1995. The values shall be reviewed annually at 1 July to take into account cost increases as specified in the Cost Construction Index. The reviewed rates shall be published annually in the Annual Plan.

Objectives/Policies		
3.9.2.1	O1, O2	P1, P2

7.3 Payment of Development Contributions

(i) Payment of a Development Contribution shall be made either:

(a) Prior to the issue of a Certificate under Section 224 of the Resource Management Act 1991; or

(b) Prior to the issue of a building consent; or

(c) At the time otherwise specified as a condition of a resource consent with appropriate certainty and financial arrangements.

Where contributions are in the form of land the land shall be shown to be vested on the survey plan for approval under Section 223 of the Act.

(ii) As an alternative to the payment of a contribution the Council may require the provision of works and services to at least an equivalent value provided that the objectives and policies of the District Plan are not compromised. Council may accept the provision of land in accordance with the Council's Reserve Strategy as payment or part payment of the required reserve contribution. Such a contribution must be to an equivalent value to that required by this Plan.

(iii) The value of any contribution shall be determined at the time a resource consent or other consent is granted by Council. Where payment or vesting is delayed for a year or more, it shall be adjusted annually on the anniversary of the consent in accordance with the provisions of this District Plan.

(iv) Where an activity does not proceed and the consent lapses or is cancelled, the financial contribution shall be refunded in accordance with Section 110 of the Resource Management Act 1991, upon application by the person who paid the contribution.

(v) GST is payable on all contributions.

(vi) Any spare capacity for future demand, which is built into the work or service completed by the developer/subdivider at the Council's request shall be paid for by Council. Payment for such works or services shall be by either works, services, money or a combination of these. Such arrangements shall be negotiated and agreed by both parties prior to certification of compliance with conditions of subdivision consent pursuant to Section 224 of the Act, or any other such compliance certification required by Council.

(vii) Contributions in excess of that required will be recorded as a credit that runs with the land. Such a credit will only be in respect of the service for which the contribution was paid and only in respect of subdivision/development of specified land which is in the immediate vicinity.

Objectives/Policies		
3.9.2.1	O1, O2	P1, P2

Explanation

Council has implemented the contributions rules to enable the costs associated with new growth to be borne by the new consumers over the ongoing years. In devising the rules, Council has ensured that the calculations fairly and reasonably apply the fees that can be directly attributable to the new population. The District wide apportionate of reserves contributions is based on the understanding that the entire community has the opportunity to benefit from such facilities on a District wide basis. The urban and rural communities are being treated similarly on the grounds that they have similar reserve and recreational needs.

The engineering services fees are charged on a site basis because it is clear who benefits from the services.

Contributions are taken principally at the time of subdivision to enable Council to receive funds in advance of development to assist in the earlier provision of services for the new population.

All fees are based on Council works programmes for the ten year review period. The detail of the calculations can be found in Council's 1995 discussion documents on the matter. In the event that a works programme or the contributions accounts are reviewed and refinements are necessary a change to the District Plan shall be promoted. To ensure the costs are relative to the rate of inflation the actual contribution values are to be reviewed in the light of the Cost Construction Index as part of the Annual Plan process.

8 Works and network utilities

~~8.1 Activity Table~~

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
~~1. Electrical lines for conveying electricity at a voltage up to and including 110kV with a design capacity up to and including 100 MVA per circuit, telecommunication lines and aerials up to 1 metre high including their support poles:~~ ~~• New overhead lines and extension in length of overhead lines. Provided that:~~	~~D~~	~~D~~	~~C~~	~~C~~	~~P~~	~~D~~		
~~— Within the road reserve of formed roads in the Residential, Business and Industrial zones such facilities shall be discretionary;~~							~~D~~	
~~— Within the road reserve of formed roads in the Rural zone such facilities shall be permitted~~							~~P~~	
~~• New underground lines and extension in length of underground lines.~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~• Upgrading.~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~2. Underground telecommunication lines and cables (new lines; extension in length of lines; upgrading by increasing capacity of cable).~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~3. Temporary overhead electrical and telecommunication lines to construction sites or short term recreational~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
~~venues subject to Council being formally notified of the route, voltage/type of telecommunications link and date by which it will be removed.~~								
~~4. Overhead electrical lines including support pylons and structures (new lines; extension in length of lines) for conveying electricity at voltage in excess of 110kV and telecommunication lines forming part of the same facility.~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	
~~5. Upgrading of existing overhead electrical lines for conveying electricity in excess of 110kV.~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~6. Card Phone and Coin Phone Boxes.~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~7. Single transformers and associated switching gear conveying electricity at a voltage up to and including 11 kV not exceeding a gross floor area of 4m2 and a height of 2 metres.~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~8. Transformers, substations and switching stations (new, upgrading and additions thereof) conveying electricity at a voltage up to and including 66kV and ancillary buildings not exceeding 30m^2 gross floor area.~~	~~D~~	~~D~~	~~P~~	~~P~~	~~D~~	~~N/C~~	~~N/C~~	
~~9. Substations and Switching Stations (new, upgrading and additions thereof) conveying electricity at a voltage including and in excess of 110kV with a design~~	~~N/C~~	~~D~~	~~P~~	~~P~~	~~D~~	~~N/C~~	~~N/C~~	

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
~~capacity up to and including 100 MVA per circuit and ancillary buildings not exceeding 50m² gross floor area.~~								
~~10. Electrical Depots for maintenance, upgrading, alteration, construction or security of lines or pylons provided they are situated within a substation property.~~	~~N/C~~	~~N/C~~	~~D~~	~~P~~	~~D~~	~~N/C~~	~~N/C~~	
~~11. Radio, telecommunication and Council depots and workshops.~~	~~N/C~~	~~N/C~~	~~D~~	~~P~~	~~N/C~~	~~N/C~~	~~N/C~~	
~~12. Telephone exchanges.~~	~~N/C~~	~~D~~	~~P~~	~~P~~	~~P~~	~~N/C~~	~~N/C~~	
~~13. Radio and telecommunication masts up to and including 20 metres in height together with associated:~~ ~~• Antennas and dishes not exceeding 5 metres in diameter.~~ ~~• Aerials not exceeding 6 metres in height and 75mm in diameter.~~ ~~• Weather radar~~ ~~• Guy wires~~ ~~• Lightning rods~~ ~~• Wooden or steel support poles~~ ~~• Provided that the total height of the mast and associated equipment shall have a maximum height of 26 metres. The mast shall have a maximum diameter of 1350mm.~~ • ~~Small buildings not exceeding 30m²of gross floor area.~~	~~D~~	~~D~~	~~P~~	~~P~~	~~P~~	~~D~~	~~D~~	
~~14. Radio and telecommunication~~	~~D~~	~~D~~	~~P~~	~~P~~	~~P~~	~~D~~	~~D~~	

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
~~aerials up to 4 metres in length satellite and microwave dishes and antenna not exceeding 5 metres in diameter attached to any building or structure.~~								
~~15. Radio and telecommunication masts and microwave towers over 20m in height together with associated satellite and microwave dishes and antennas not exceeding 5m in diameter, aerials, guy wires, wooden and steel poles and buildings greater than 30m²gross floor area.~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	
~~16. Radio and telecommunication ancillary equipment shelters up to 3m in height and 4m² gross floor area.~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~17. One telecommunication aerial not exceeding 1200mm in height mounted to comply with Section 3 and one satellite receiving dish up to 1200mm diameter mounted to comply with Section 3.~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~18. Underground pipelines conveying water, stormwater, wastewater and associated pumpstations (with above ground dimensions less than 50m²gross floor area) and gas distribution pipelines at a pressure not exceeding 2,000 kilopascals including aerial crossings of~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
~~bridges, structures or streams and ancillary equipment including regulator stations but not compressor stations.~~								
~~19. Underground gas distribution pipelines at a pressure that does exceed 2,000 kilopascals including aerial crossings of bridges, structures or streams and ancillary equipment including compressor compounds with compressor houses.~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	
~~20. Trig Station/Beacons.~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~N/C~~	
~~21. Water and irrigation races, open drains, channels and necessary incidental equipment and water quality monitoring devices.~~	~~N/C~~	~~P~~	~~P~~	~~P~~	~~P~~	~~D~~	~~P~~	
~~22. Meteorological enclosures and buildings not exceeding 30m²gross floor area; automatic weather stations and single anemometer masts provided that the anemometer mast does not exceed a height of 10 metres; voluntary observer sites; associated microwave links.~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~N/C~~	~~N/C~~	
~~23. Meteorological buildings greater than 30m²gross floor area.~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~D~~	~~N/C~~	~~N/C~~	
~~24. One windmill per property provided that the total height of the pole and span of the blade complies with the restrictions for the zone.~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~P~~	~~N/C~~	~~N/C~~	
~~25. Windmills, wind power generators.~~	~~D~~	~~N/C~~	~~N/C~~	~~D~~	~~D~~	~~N/C~~	~~N/C~~	
~~26. Biogas produced by anaerobic fermentation of waste not exceeding~~	~~N/C~~	~~N/C~~	~~P~~	~~P~~	~~P~~	~~N/C~~	~~N/C~~	

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
~~4m³per day.~~								
~~27. Geothermal, natural gas, biomass and coal fired generators of electricity or co-generation plants.~~	~~N/C~~	~~N/C~~	~~N/C~~	~~D~~	~~N/C~~	~~N/C~~	~~N/C~~	
~~28. Flood control dams, gates, stopbanks and necessary incidental equipment.~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~D~~	~~N/C~~	
~~29. Hydro-electric power stations including dams and tail races etc.~~	~~N/C~~	~~N/C~~	~~N/C~~	~~N/C~~	~~D~~	~~D~~	~~N/C~~	
~~30. Operation and maintenance of existing public roads and state highways.~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~31. New public roads (exclusive of subdivision), service lanes and carparks and closure thereof.~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~D~~	~~N/C~~	~~N/C~~	
~~32. New public roads as part of a subdivision.~~	~~N/C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~N/C~~	~~N/C~~	
~~33 (a) Regular stock movement within the berm of a formed road.~~							~~D~~	
~~33 (b) Regular stock movement along the road carriageway of a formed road.~~							~~N/C~~	
~~33 (c) Regular stock movement across *the road carriageway (including the adjacent proportion of berm) of a formed road. Also see 2.2.9.13.~~							~~P - Subject to Council's stock movement bylaw~~	
~~33 (d) Regular stock movement within an unformed road.~~								~~P~~
~~34. New state highways, grade separation structures and flyovers.~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~D~~	~~N/C~~	~~D~~	
~~35. New railway network and ancillary equipment.~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~D~~	~~N/C~~	~~N/C~~	
~~36. Solid Waste Management and disposal sites including~~	~~N/C~~	~~N/C~~	~~N/C~~	~~N/C~~	~~D~~	~~N/C~~	~~N/C~~	

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity

All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
~~the disposal of hazardous substances (private and public) and composting.~~								
~~37. Recycling operations.~~	~~N/C~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~N/C~~	~~N/C~~	
~~38. Helipads~~	~~N/C~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~N/C~~	~~N/C~~	
~~39. Water Reservoirs~~	~~N/C~~	~~D~~	~~D~~	~~P~~	~~D~~	~~D~~	~~N/C~~	
~~40. Water supply catchments, water treatment plants.~~	~~D~~	~~N/C~~	~~N/C~~	~~P~~	~~P~~	~~D~~	~~N/C~~	
~~41. Sewage and wastewater treatment plants (exclusive of septic tanks) treated waste disposal sites, including composting, stormwater treatment device.~~	~~N/C~~	~~D~~	~~D~~	~~D~~	~~D~~	~~N/C~~	~~N/C~~	
~~42. All network utilities in existence at November 1996 and their operation and maintenance.~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	
~~43. Nautical aids and beacons subject to the approval of the Maritime Safety Authority and/or the WRC.~~	~~D~~	~~P~~	~~P~~	~~P~~	~~P~~	~~D~~	~~N/C~~	

~~*Advice notes:*~~

~~*(i) Formed roads in all locations are able to accommodate certain utilities as specified above.*~~

~~*(ii) Council has received designations which are listed in Schedule 4.*~~

~~*(iii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.*~~

~~Objectives/Policies~~		
~~2.4.1~~	~~O1~~	~~P1~~
~~2.4.2~~	~~O1~~	~~P1~~
~~2.4.3~~	~~O1~~	~~P1~~
~~2.4.4~~	~~O1~~	~~P1~~
~~2.4.5~~	~~O1~~	~~P1~~
~~3.1.2.2~~	~~O1~~	~~P1, P2, P3, P4~~
~~3.7.2.1~~	~~O1~~	~~P1, P2~~
~~3.7.2.4~~	~~O1~~	~~P1~~

~~**Explanation**~~

~~Works and Network Utilities are essential to maintain the environmental quality and quality of life considered acceptable within the District.~~

~~The main method of achieving this is by listing specific works and network utility activities and the status that is appropriate to the zones in which they are proposed.~~

~~Criteria for assessing discretionary activities are listed in Section 1, General Provisions.~~

8.1 Telecommunication

8.1.1 Activity table

The table below sets out the activity status for telecommunication infrastructure.

In addition to the provisions in the table, the following national environmental standard applies to telecommunication facilities:

The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 (NES-TF) provide for:

(i) The planning and operation of a telecommunication facility (such as a mobile phone transmitter) that generates radiofrequency fields, as a permitted activity, provided it demonstrates compliance with the New Zealand Standard on Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300 GHz (NZS 2772.1: 1999);

(ii) The installation of telecommunication equipment cabinets in the road reserve, as a permitted activity, subject to specified limitations on their size and location;

(iii) Noise from telecommunication equipment cabinets located in the road reserve, as a permitted activity, subject to specified noise limits;

(iv) The installation or replacement of antennas and associated utility structures in the road reserve, as a permitted activity, subject to specified limitations on height and size.

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	N/A	Not applicable
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	**Zones**							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
1. Underground telecommunication lines.	P	P	P	P	P	P	P	P
2. Overhead connections from buildings and structures and sites to telecommunication lines, where the existing distribution network is overhead.	P	P	P	P	P	P	P	P
3. Temporary overhead telecommunication lines to construction sites or short term recreational venues subject to Council being formally notified of the route, and date by which it will be	P	P	P	P	P	P	P	P

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	N/A	Not applicable
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
removed.								
4. Extension, addition, and upgrading of overhead telecommunication lines and associated utility structures where: • the existing line network is above ground; and: • there is no increase in the number of utility structures that support the overhead lines; and: • the increase in the height of the utility structures that support the overhead lines is no more than 1m.	P	P	P	P	P	P	P	P
5. Co-location of telecommunication lines onto existing electricity infrastructure.	P	P	P	P	P	P	P	P
6. Radiofrequency fields complying with Regulation 4(3)–4(5) of the NES-TF	P	P	P	P	P	P	P	P
7. Extension, addition, and upgrading of overhead telecommunication lines and associated utility structures where: • the existing line network is above ground and: • there is an increase in the number of utility structures that support the overhead lines; and/or: • there is an increase of more than 1m in the height of the utility structures that support the overhead lines.	D	D	D	D	P	D	Same activity status as in the adjacent zone.	Same activity status as in the adjacent zone.

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	N/A	Not applicable
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
8. New overhead telecommunication lines and associated utility structures where the existing line network is underground.	D	D	D	D	P	D	Same activity status as in the adjacent zone.	Same activity status as in the adjacent zone.
9. Telecommunication cabinets, antennas, and utility structures that do not meet the permitted standards in Regulations 7–9 of the NES-TF.	N/A	N/A	N/A	N/A	N/A	N/A	RD	N/A
10. Telecommunication kiosks/payphones.	P	P	P	P	P	P	P	P
11.1 Minor telecommunication buildings and structures and associated equipment outside of the reserve of a formed road not exceeding a "footprint" of 1.4m^2 and a height of 1.8m.	P	P	P	P	P	P	N/A	P
11.2 Telecommunication buildings and structures and associated equipment outside of the reserve of a formed road.	D	D	P	P	P	D	N/A	D
12. Installation and operation of additional equipment within existing telecommunication buildings and structures.	P	P	P	P	P	P	P	P
13.1. A maximum of three antennae attached to any building or structure where the face of each antenna does not exceed 1.2m^2, or 1.2m in diameter for dish antennae. (Excludes private television antennae and satellite dishes – see 8.9.1.2.)	P	P	P	P	P	P	D	D
13.2 More than three antennae attached to any building or structure where the face of each	D	D	P	P	P	D	D	D

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	N/A	Not applicable

All activities not listed in the Activity Table are deemed to be discretionary.

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
antenna does not exceed 1.2m², or 1.2m in diameter for dish antennae. (Excludes private television antennae and satellite dishes – see 8.9.1.2.)								
14. Radio and telecommunication masts with a maximum diameter of 1.5m and a maximum height of 25m metres and associated: • Antennae and dishes fitting within a cylindrical shape not exceeding: • 5m in diameter when measured along the centreline of the mast; and: • A vertical dimension not exceeding a height of 25m above ground level; • Weather radar; • Guy wires; • Lightning rods; • Wooden or steel support poles; • Small buildings/ cabinets not exceeding 10m² of gross floor area.	D	D	P	P	P	D	D	D
15. Radiofrequency fields not complying with Regulation 4(3)–4(5) of the NES-TF.	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C

Advice notes:

~~(i) Formed roads in all locations are able to accommodate certain utilities as specified above.~~

~~(ii)~~ (i) Council has received designations which are listed in Schedule 4.

~~(iii)~~ (ii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.

8.1.2 Performance standards

The following performance standards shall apply to telecommunication facilities:

(i) Radiofrequency

Radiofrequency fields generated must demonstrate compliance with the New Zealand Standard on Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300 GHz (NZS 2772.1: 1999) – see NES-TF Regulation 4(3), 4(4), and 4(5).

(ii) Noise – activities not located within the reserve of a formed road

Noise as measured within the boundary of any land zoned Residential or the notional boundary or any rural dwelling must not exceed—

(a) 50 dB LAeq (5 min) between 7 am and 10 pm;

(b) 40 dB LAeq (5 min) between 10 pm and the following 7 am;

(c) 65 dB LAFmax between 10 pm and the following 7 am.

The noise must be measured in accordance with NZS 6801: 2008 Acoustics – Measurement of environmental sound, the measurement must be adjusted in accordance with NZS 6801: 2008 Acoustics – Measurement of environmental sound to a free field incident sound level, and the adjusted measurement must be assessed in accordance with NZS 6802: 2008 Acoustics – Environmental noise.

Advice Note: For activities located within the reserve of a formed road see NES-TF.

(iii) Additional performance standards applicable to activities permitted under Table 8.1.1.11.2; 8.1.1.12; 8.1.1.13.1 and 8.1.1.13.2.

(a) Development controls

(i) The District-wide development controls in Sections 3.5–3.9 must be met;

(ii) The development controls (see Section 3) of the relevant zone within which the building or structure is located, must be met; except that:

(iii) Antennas attached to buildings and structures shall not exceed the height of the building or structure to which it is attached, plus 3.5m (irrespective of the maximum height for the zone) and the zone landscaping controls shall not apply to this activity.

(iv) Additional performance standards applicable to activities permitted under Table 8.1.1.14

(a) Yard and height-to-boundary controls: The yard and height-to-boundary controls (see Section 3) of the relevant Zone within which the mast is located must be met; except where the written approvals of the neighbouring owners and occupiers where the yard and/or height-to-boundary encroachment occurs, have been provided.

(b) The development controls in Sections 3.5–3.9 must be met.

(v) Exclusion of minor buildings and structures from the District-wide development controls:

(a) Minor telecommunication buildings and structures and associated equipment outside of the reserve of a formed road not exceeding a "footprint" of 1.4m² and a height of 1.8m, permitted under Rule 8.1.1.11.1

above, are **not** subject to the District-wide development controls in Section 3 of this Plan.

8.1.3 Permitted activities

The following shall be permitted activities:

- An activity described as “permitted” in Table 8.1.1 meeting the performance standards in 8.1.2 above.

8.1.4 Restricted-discretionary activities

The following shall be restricted-discretionary activities:

- An activity described as “restricted-discretionary” in Table 8.1.1;
- An activity described as “permitted” in Table 8.1.1 that does not meet any one or more of the performance standards in 8.1.2 above.

Matters to which discretion is restricted:

- Refer to Rule 8.1.7(i) below.

8.1.5 Discretionary activities

The following shall be discretionary activities:

- Any activity described as “discretionary” in Table 8.1.1;
- Any telecommunication activity that is not specifically provided for as permitted, restricted-discretionary, or non-complying in Table 8.1.1;
- Any telecommunication activity that “triggers” a consent requirement under Sections 10, 11, or 12 of the District Plan.

Discretionary assessment criteria:

- Refer to Rule 8.1.7(ii) below.

8.1.6 Non-complying activities

The following shall be non-complying activities:

- Any activity described as “non-complying” in Table 8.1.1.

8.1.7 Matters of discretion/assessment criteria

(i) In respect of applications under Rule 8.1.4 Council’s discretion is restricted to the matters (as relevant) listed in Rule 8.10.

(ii) In respect of applications under Rule 8.1.5 the Council shall have regard to the assessment criteria (as relevant) listed in Rule 8.10.

(iii) In respect of applications under Rule 8.1.6 the assessment criteria (as relevant) listed in Rule 8.10 shall serve as a guide.

Objectives/Policies		
2.4.7	O1, O2	P1, P2, P3, P4
3.7.2.1	O1	P1, P3, P4

8.2 Electricity transmission and distribution activities

8.2.1 Activity table

The table below sets out the activity status for electricity transmission and distribution facilities.

In addition to the provisions in the table, the following national environmental standard applies to electricity transmission activities:

- The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NES-ET) apply to the operation, maintenance, upgrading, relocation or removal of transmission lines that were operated or able to be operated, on or prior to 14 January 2010. Any rules of the Matamata-Piako District Plan do not apply to these activities.

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	**Zones**							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
1. Underground electrical cables and ancillary electrical equipment	P	P	P	P	P	P	P	P
2. Overhead connections from buildings, structures, or sites to electrical lines where the existing distribution network is overhead.	P	P	P	P	P	P	P	P
3. Temporary overhead electrical lines to construction sites or short term recreational venues subject to Council being formally notified of the route, and date by which it will be removed.	P	P	P	P	P	P	P	P
4. Minor upgrading of electrical lines.	P	P	P	P	P	P	P	P
5. Overhead electrical lines up to and including 110kV and associated support structures.	D	D	RD	RD	P	D	Same activity status as in the adjacent zone.	Same activity status as in the adjacent zone.
6. High voltage electrical transmission lines greater than 110kV including support structures.	D	D	D	D	D	D	D	D
7. Pole mounted transformers and	D	P	P	P	P	P	P	P

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
switching gear.								
8. Single transformers and associated switching gear and ancillary electrical equipment conveying electricity at a voltage of up to and including 11kV not exceeding a gross floor area of 4m² and a height of 2m.	D	P	P	P	P	P	P	P
9. New and extensions to existing transformers, substations, and switching stations conveying electricity at a voltage up to and including 66kV and ancillary buildings (not otherwise provided for in Activity Table 8.2.1).	D	D	P	P	P	D	The same activity status as the adjoining zone. If there are more than one adjoining zone, the most restrictive activity status shall apply	The same activity status as the adjoining zone. If there are more than one adjoining zone, the most restrictive activity status shall apply
10. New and extensions to existing substations and switching stations conveying electricity at a voltage including and in excess of 110kV and ancillary buildings.	N/C	D	D	P	D	D	D	D
11. Electrical depots for maintenance, upgrading, alteration, construction, or security of lines or pylons provided they are situated within a substation property.	RD	RD	P	P	RD	RD	RD	RD
12. Electricity transmission and distribution activities that emit electromagnetic field emissions not complying with ICNIRP guidelines as recognised by the NZ Ministry of Health.	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
Advice notes: *(i)* *Formed roads in all locations are able to accommodate certain utilities as specified above.* *(ii)* *Council has received designations which are listed in Schedule 4* *(iii)* *Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administery agency.*								

8.2.2 Performance standards

The following performance standards shall apply to electricity transmission and distribution activities:

(i) Minor upgrading – Rule 8.2.1.4

Minor upgrading of electrical lines is a permitted activity when undertaken in accordance with the definition of "minor upgrading" in Section 15 of the District Plan.

Advice Note: For activities involving the operation, maintenance, upgrading, relocation or removal of transmission lines, including 110kV lines being part of the National Grid, that were operated or able to be operated, on or prior to 14 January 2010 – see the NES-ET.

(ii) Development controls

Buildings and structures (excluding electrical line support structures and single transformers and associated switching gear not exceeding a gross floor area of $4m^2$ and a height of 2m and pole mounted transformers and switching gear) must comply with the following:

(a) The development controls for the relevant zone within which the facility is located. The Rural zone development controls shall apply to sites in the Kaitiaki (Conservation) zone.

(b) The district-wide development controls in Sections 3.5–3.9.

(iii) Noise

Noise from substations as measured at the closest neighbouring dwelling must not exceed:

(a) LAeq (15 min) 55dB Monday to Saturday 7am–10pm and Sunday and Public Holidays 9am–6pm.

(b) LAeq (15 min) 45dB and LAFmax 75dB at all other times.

(c) Noise levels must be measured in accordance with New Zealand Standard on the Measurement of Environmental Sound (NZS 6801: 2008) and assessed in accordance with New Zealand Standard Acoustics – Environmental Noise (NZS 6802: 2008), except:

- The measurement of noise must not be subject to any tonal adjustment; and:
- The noise level must be measured at 1m from the façade of the closest residential building, or 1m from the closest permitted building platform where the zoning of a vacant site permits a dwelling.

(iv) Electromagnetic field emissions

Electromagnetic field emissions from electricity transmission and distribution activities must comply with the ICNIRP guidelines as recognised by the NZ Ministry of Health.

Advice Note: For the current version of the ICNIRP guidelines see "Guidelines for Limiting Exposure to Time-Varying Electric and Magnetic Fields (1Hz–100kHz). Health Physics 99(6):818–836; 2010.

8.2.3 Permitted activities

The following shall be permitted activities:

- An activity described as "permitted" in Table 8.2.1 meeting the performance standards in 8.2.2 above.

8.2.4 Restricted-discretionary activities

The following shall be restricted-discretionary activities:

- An activity described as "permitted" in Table 8.2.1 that does not meet one or more of the performance standards in 8.2.2 above.
- An activity described as "restricted-discretionary" in Table 8.2.1 above.

Matters to which discretion is restricted:

- Refer to Rule 8.2.7(i) below.

8.2.5 Discretionary activities

The following shall be discretionary activities:

- Any activity described as "discretionary" in Table 8.2.1;
- Any electricity transmission or distribution activity that is not specifically provided for as permitted, restricted-discretionary, or non-complying in Table 8.2.1; and:
- Any electricity transmission or distribution activity that "triggers" a consent requirement under Sections 10, 11, or 12 of the District Plan.

Discretionary assessment criteria:

- Refer to Rule 8.2.7(ii) below.

8.2.6 Non-complying activities

The following shall be non-complying activities:

- Any activity described as "non-complying" in Table 8.2.1.

8.2.7 Matters of discretion/assessment criteria

(i) In respect of applications under Rule 8.2.4 Council's discretion is restricted to the matters (as relevant) listed in Rule 8.10.

(ii) In respect of applications under Rule 8.2.5 the Council shall have regard to the assessment criteria (as relevant) listed in Rule 8.10.

(iii) In respect of applications under Rule 8.2.6 the assessment criteria (as relevant) listed in Rule 8.10 shall serve as a guide.

Objectives/Policies		
2.4.7	O1, O2	P1, P2, P3, P4
3.7.2.1	O1	P1, P3, P4

8.3 Renewable energy generation activities

8.3.1 Activity table

The table below sets out the activity status for renewable energy generation activities.

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	**Zones**							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
1. Small-scale renewable energy generation.	P	P	P	P	P	P	D	D
2. Community-scale renewable energy generation.	RD	RD	P	P	P	RD	D	D
3. Large-scale wind farms.	D	N/C	RD	RD	RD	N/C	N/C	N/C
4. Research and exploratory-scale investigations for renewable electricity generation activities.	RD	RD	RD	RD	P	RD	D	D
5. Other renewable energy generating facilities.	N/C	N/C	D	D	D	N/C	D	D

Advice notes:

~~(i) Formed roads in all locations are able to accommodate certain utilities as specified above.~~

~~(ii)~~ (i) Council has received designations which are listed in Schedule 4.

~~(iii)~~ (ii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.

8.3.2 Performance standards

The following performance standards shall apply to renewable energy generation activities:

(i) Wind research and exploration

(a) Meteorological masts for wind research and exploration must not exceed 90m in height.

(b) All meteorological masts, associated guy wires and ground anchors must be within the boundary of the site on which the facility is located.

(c) The yard requirements and the height-to-boundary rules for the zone within which the site is located must be met. The Rural zone height-to-boundary and yard requirements shall apply in the Kaitiaki (Conservation) zone.

(d) The district-wide development controls in Sections 3.5–3.9 must be met.

(ii) Small-scale roof-mounted wind turbines

Roof-mounted wind turbines for small-scale renewable electricity generation must:

(a) Meet the development controls for the zone within which the site is located. The Rural zone development controls shall apply to the Kaitiaki (Conservation) zone.

(b) Meet the district-wide development controls in Sections 3.5–3.9;

(c) Have a rotor diameter of no more than 2.5m;

(d) Be limited to one per dwelling within the Residential and Rural-Residential zones, and one per building in all other zones.

(iii) Small-scale free-standing wind turbines

(a) Free-standing wind turbines for small-scale renewable electricity generation must comply with the following table:

Zone	Maximum height	Maximum rotor diameter
Residential Rural-Residential Kaitikai (Conservation)	10m	2.5m
Industrial Business	12m	3m
Rural	15m	5m

(b) Free-standing wind turbines for small-scale renewable electricity generation must:

(i) Meet the yard and height-to-boundary requirements for the zone within which the site is located. The Rural zone's yard and height-to-boundary controls shall apply to the Kaitiaki (Conservation) zone.

(ii) Meet the district-wide development controls in Sections 3.5–3.9;

(iii) Be limited to one per site in all zones.

(iv) Community-scale wind turbine towers

Wind turbine towers, either freestanding tubular, lattice or tubular mast supported by guy wires, for a community-scale distributed renewable electricity generation facility, must not exceed 20m in height and must:

(a) Meet the yard and height-to-boundary requirements for the zone within which the site is located. The Rural zone's yard and height-to-boundary controls shall apply to the Kaitiaki (Conservation) zone.

(b) Meet the district-wide development controls in Sections 3.5–3.9;

(c) Be limited to one per site in all zones.

(v) Noise

Noise associated with the operation of small or community scale wind turbines must comply with the noise standards for the zone within which the facility is located, except that:

(a) In the Residential zone, the noise standards for discretionary activities (Rule 5.2.2(ii)) shall apply to the operation of small- or community-scale wind turbines;

(b) In the Kaitiaki (Conservation) zone the noise standards for the Rural zone (Rule 5.2.6(i)) shall apply to the operation of small- or community-scale wind turbines.

Advice Note: Noise associated with the operation of a large-scale wind farm must comply with the New Zealand Standard on Acoustics – Wind Farm Noise (NZS 6808: 2010).

8.3.3 Permitted activities

The following shall be permitted activities:

- An activity described as "permitted" in Table 8.3.1 meeting the performance standards in 8.3.2 above.

8.3.4 Restricted-discretionary activities

The following shall be restricted-discretionary activities:

- An activity described as "permitted" in Table 8.3.1 that does not meet one or more of the performance standards in 8.3.2 above;
- An activity described as "restricted-discretionary" in Table 8.3.1.

Matters to which discretion is restricted:

- Refer to Rule 8.3.7(i) below.

8.3.5 Discretionary activities

The following shall be discretionary activities:

- Any activity described as "discretionary" in Table 8.3.1;
- Any energy generation activity that is not specifically provided for as permitted, restricted-discretionary, or non-complying in Table 8.3.1;
- Any energy generation activity that "triggers" a consent requirement under Sections 10, 11, or 12 of the District Plan.

Discretionary assessment criteria:

- Refer to Rule 8.3.7(ii) below.

8.3.6 Non-complying activities

The following shall be non-complying activities:

- Any activity described as "non-complying" in Table 8.3.1.

Assessment criteria:

- Refer to Rule 8.3.7(ii) below.

8.3.7 Matters of discretion/ assessment criteria

(i) In respect of applications under Rule 8.3.4 Council's discretion is restricted to:

(a) Consideration of the national significance of renewable energy generation activities (including their contribution to the national renewable electricity generation target), and the national, regional, and local benefits of these activities;

(b) The matters (as relevant) listed in Rule 8.10.

(ii) In respect of applications under Rules 8.3.5 and 8.3.6 the Council shall have regard to the following criteria:

(a) The national significance of renewable energy generation activities (including their contribution to the national renewable electricity generation target), and the national, regional, and local benefits of these activities;

(b) The matters (as relevant) listed in Rule 8.10.

Objectives/Policies		
2.4.7	O1, O2	P1, P2, P3, P4
2.4.8	O1	P1. P2, P3
3.7.2.1	O1	P1, P3, P4

8.4 Liquid fuels and gas transmission and distribution

8.4.1 Activity table

The table below sets out the activity status for liquid fuels and gas transmission and distribution.

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	**Zones**							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
1. Connections from buildings, structures and sites to gas reticulation, including fittings, meters and protective surrounds.	P	P	P	P	P	P	P	P
2. Underground gas distribution pipelines at a gauge pressure not exceeding 2,000kPa	P	P	P	P	P	P	P	P

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Formed Roads	Unformed Roads
including ancillary underground equipment and fittings, and aerial crossings of bridges, structures, and streams.								
3. Underground gas distribution regulator stations.	P	P	P	P	P	P	P	P
4. Underground gas and petroleum product transmission pipelines at a gauge pressure exceeding 2,000kPa.	D	D	D	D	D	D	D	D
5. Above ground gas distribution regulator stations.	RD	RD	P	P	P	D	RD	RD
6. Above ground gas and petroleum product transmission regulator or pump stations.	D	D	D	D	D	D	D	D

Advice notes:
(i) Formed roads in all locations are able to accommodate certain utilities as specified above.
(ii) Council has received designations which are listed in Schedule 4.
(iii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.

8.4.2 Permitted activities

The following shall be permitted activities:

- An activity described as “permitted” in Table 8.4.1.

8.4.3 Restricted-discretionary activities

The following shall be restricted-discretionary activities:

- An activity described as “restricted-discretionary” in Table 8.4.1.

Matters to which discretion is restricted:

- Refer to Rule 8.4.5(i) below.

8.4.4 Discretionary activities

The following shall be discretionary activities:

- Any activity described as “discretionary” in Table 8.4.1;

- Any liquid fuels and gas transmission and distribution activity that is not specifically provided for as permitted or restricted-discretionary in Table 8.4.1;
- Any liquid fuels and gas transmission and distribution activity that "triggers" a consent requirement under Sections 10, 11, or 12 of the District Plan.

Discretionary assessment criteria

- Refer to Rule 8.4.5(ii) below.

8.4.5 Matters of discretion/discretionary assessment criteria

(i) In respect of applications under Rule 8.4.3 Council's discretion is restricted to the matters (as relevant) listed in Rule 8.10.

(ii) In respect of applications under Rule 8.4.4 Council shall have regard to the assessment criteria (as relevant) listed in Rule 8.10.

Objectives/Policies		
2.4.7	O1, O2	P1, P2, P3, P4
3.7.2.1	O1	P1, P3, P4

8.5 Water, wastewater and stormwater

8.5.1 Activity table

- The table below sets out the activity status for water, wastewater, and stormwater structures:
- The provisions of a Development Concept Plan take precedence over any parallel provisions in the table below:

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	**Zones**							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
1. Water, wastewater, and stormwater connections to public networks.	P	P	P	P	P	P	P	P
2. Ventilation, drop shafts and manholes.	P	P	P	P	P	P	P	P
3. Underground pipelines and fittings for the conveyance of water, wastewater, and stormwater.	P	P	P	P	P	P	P	P
4. Above ground pipelines and fittings for the	P	P	P	P	P	P	P	P

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
conveyance of water, wastewater and stormwater, attached to existing bridges or structures.								
5. Above ground pipelines and fittings for the conveyance of water, wastewater, and stormwater, not attached to existing bridges or structures.	RD	RD	RD	RD	RD	RD	RD	RD
6. Wastewater pump stations.	P	P	P	P	P	P	P	P
7. Water storage tanks.	RD	P	P	P	P	P	P	P
8. Water reservoirs.	RD	RD	RD	P	P	RD	D	D
9. Water treatment plants.	D	RD	D	P	P	RD	D	D
10.1 Stormwater detention ponds and similar facilities to reduce stormwater runoff volume, flow, and contaminant loads prior to discharge, excluding: • rain gardens • infiltration trenches • wetlands • domestic-scale on-site stormwater management and disposal systems.	RD	RD	RD	RD	P	RD	RD	RD
10.2 Stormwater detention by means of: • Rain gardens; • Infiltration trenches; • Wetlands; • All stormwater detention facilities and ponds on sites subject to a DCP.	P	P	P	P	P	P	P	P
11. Domestic-scale on-site stormwater management and disposal systems. (See Waikato Regional Plan for consent requirements).	P	P	P	P	P	P	P	P
12. Secondary flow paths.	RD	RD	RD	RD	RD	RD	RD	RD
13. Water and irrigation	RD	P	P	P	P	P	P	P

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
races, open drains, and channels (not being secondary flow paths).								
14. Wastewater treatment plants (exclusive of domestic-scale on-site wastewater disposal systems).	D	D	D	RD	RD	D	D	D
15. Domestic-scale on-site wastewater disposal systems. (See Waikato Regional Plan for consent requirements.)	P	P	P	P	P	P	D	D
16. Erosion protection, culverts, measuring devices (flow structures) and water quality monitoring devices.	RD	P	P	P	P	P	P	P

Advice notes:

(i) Formed roads in all locations are able to accommodate certain utilities as specified above.

(ii) Council has received designations which are listed in Schedule 4.

(iii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.

8.5.2 Performance standards

The following performance standards shall apply to water, wastewater, and stormwater activities:

(i) The standards in the Development Manual;

(ii) The following structures must meet the development controls for the zone within which they are located:

(a) Water storage tanks;

(b) Water reservoirs;

(c) Water treatment plants;

(d) Wastewater treatment plants.

The Rural zone development controls shall apply in the Kaitiaki (Conservation) zone.

8.5.3 Permitted activities

The following shall be permitted activities:

- An activity described as “permitted” in Table 8.5.1 meeting the performance standards in 8.5.2 above.

8.5.4 Restricted-discretionary activities

The following shall be restricted-discretionary activities:

(i) An activity described as “permitted” in Table 8.5.1 that does not meet one or more of the performance standards in 8.5.2 above.

(ii) An activity described as “restricted-discretionary” in Table 8.5.1.

Matters to which discretion is restricted:

- Refer to Rule 8.5.6(i) below.

8.5.5 Discretionary activities

The following shall be discretionary activities:

- Any activity described as “discretionary” in Table 8.5.1;
- Any water, wastewater, or stormwater structure that is not specifically provided for as permitted or restricted-discretionary in Table 8.5.1 above;
- Any water, wastewater, or stormwater structure that “triggers” a consent requirement under Sections 10, 11, or 12 of the District Plan.

Discretionary assessment criteria:

- Refer to Rule 8.5.6(ii) below.

8.5.6 Matters of discretion/discretionary assessment criteria

(i) In respect of applications under Rule 8.5.4 Council’s discretion is restricted to the matters (as relevant) listed in Rule 8.10

(ii) In respect of applications under Rule 8.5.5 the Council shall have regard to the assessment criteria (as relevant) listed in Rule 8.10.

Objectives/Policies		
2.4.6	O1	P5
3.7.2.1	O1	P1, P3, P4, P8, P9

8.6 Transportation network

8.6.1 Activity table

The table below sets out the activity status for the transportation network.

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	N/A	Not Applicable

All activities not listed in the Activity Table are deemed to be discretionary.

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
1. Operation, maintenance, and safety works relating to existing public roads and state highways. (See advice notes below.)	N/A	N/A	N/A	N/A	N/A	N/A	P	N/A
2.1 New public roads, and public car parks, not part of a subdivision.	D	D	D	D	D	D	D	D
2.2 New cycleways and walkways not part of a subdivision or included in a Reserve Management Plan.	D	P	P	P	P	D	P	P
2.3 New cycleways and walkways not part of a subdivision, but included in Reserve Management Plan.	D	P	P	P	P	P	P	P
3. New public roads, service lanes, cycleways, walkways, and public car parks, as part of a subdivision.	See Rule 9.1.2(v) – Roads, private ways and access legs within a new subdivision							
4. New state highways.	D	D	D	D	D	D	D	D
5. New railway network and ancillary equipment (outside of Designation 88).	D	D	D	D	D	D	D	D

Advice notes:

~~*(i) Formed roads in all locations are able to accommodate certain utilities as specified above.*~~

~~(ii)~~(i) Council has received designations which are listed in Schedule 4.

~~(iii)~~(ii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.

(iii) In addition to any District Plan requirements, Council authorises works in the road reserve, outside of the District Plan. Works in the road reserve should be undertaken in accordance with Council's Infrastructure Code of Practice, any applicable Corridor Access Permit and the National Code of Practice for Utility Operators' Access to Transport Corridors. Please contact Council's Roading Officer directly to discuss any works in the

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	N/A	Not Applicable
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
road reserve.								

8.6.2 Permitted activities

The following shall be permitted activities:

- An activity described as "permitted" in Table 8.6.1.

8.6.3 Discretionary activities

(i) The following shall be discretionary activities:

- Any activity described as "discretionary" in Table 8.6.1;
- Any transportation activity that is not specifically provided for as permitted in Table 8.6.1 above;
- Any transportation activity that "triggers" a consent requirement under Sections 10, 11, or 12 of the District Plan.

(ii) Discretionary assessment criteria:

In respect of applications under Rule 8.6.3 Council shall have regard to the assessment criteria listed in (a) to (f) below.

(a) General performance standards: The performance standards in Section 9;

(b) Integrating land-use with infrastructure: The matters of discretion in relation to integrating land-use with infrastructure in 5.9.4(i);

(c) Roading design and formation: The design and formation standards in Part 3 and Part 7 of the Development Manual;

(d) Roading: The matters of discretion in 5.9.3(iv);

(e) Urban design and CPTED principles: The Urban Design and CPTED performance standards in 6.2.1;

(f) Through traffic: The potential for unrelated through traffic on local roads to adversely affect the amenity of the locality.

Advice Note: Stopping of existing formed roads and paper roads is controlled through other legal processes, outside of the District Plan. Where existing formed roads or paper roads with access to the District's rivers are proposed to be stopped, the Council will first give consideration as to whether alternative public access is available.

Objectives/Policies		
2.4.6	O1	P1, P2, P3, P4, P5
2.4.7	O1, O2	P1, P2, P3, P4, P5
3.7.2.1	O1	P1, P3
3.8.2	O2, O3, O5, O6, O8	P2, P3, P4, P5, P13, P14, P15, P21, P22, P23

8.7 Stock movements and stock crossings

8.7.1 Activity table

The table below sets out the activity status for stock movement and crossings:

	Key			
P	Permitted activity		C	Controlled activity
D	Discretionary activity		RD	Restricted Discretionary activity
N/C	Non Complying activity		N/A	Not Applicable
•	• *All activities not listed in the Activity Table are deemed to be discretionary.*			

Activity	Rural, Kaitiaki (Conservation) and Rural-Residential Zones
1. Regular stock movement within an unformed road, excluding a state highway.	P
2.1. Construction and use of a stock underpass, excluding under a state highway or an intersection with a state highway.	P
2.2. Encroachment of wing walls and retaining structures associated with the construction and use of a stock underpass into the front yard of the site on which the underpass is located.	P
3. Crossing stock over a railway reserve.	P
4. Crossing stock over the carriageway of a formed road where Appendix 4 does not require an underpass to be provided, excluding a state highway or an	P

	Key			
P	Permitted activity		C	Controlled activity
D	Discretionary activity		RD	Restricted Discretionary activity
N/C	Non Complying activity		N/A	Not Applicable
•	• *All activities not listed in the Activity Table are deemed to be discretionary.*			

Activity	Rural, Kaitiaki (Conservation) and Rural-Residential Zones
intersection with a state highway.	
5. Crossing stock over the carriageway of a formed road where Appendix 4 requires an underpass to be provided, excluding a state highway or an intersection with a state highway.	D
6. Regular stock movement along the berm of a formed road, including a state highway.	D
7. Regular stock movement along the carriageway of a formed road, including a state highway.	N/C
8. Regular stock movement within an unformed state highway.	D
9. Construction and use of a stock underpass under a state highway or an intersection with a state highway.	D
10. Crossing stock over the carriageway of a state highway or an intersection with a state highway.	D
	Advice notes: *(i) Formed roads in all locations are able to accommodate certain utilities as specified above.* *(ii) Council has received designations which are listed in Schedule 4.* *(iii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.*

8.7.2 Performance standards

The following performance standards shall apply to stock movements and stock crossings:

(i) Regular stock movement within an unformed road, excluding an unformed state highway.

(a) Regular stock movement within an unformed road must not impede access to the unformed road by other users.

(ii) Construction and use of a stock underpass, excluding under a state highway shall;

(a) Be designed and constructed in accordance with the Development Manual; and

(b) The design criteria in the table below:

Maximum height	2,200mm
Maximum width	3,000mm
Maximum area of the internal cross-section	6.6m^2
Effluent disposal	Must meet the permitted activity standards in the Waikato Regional Plan or must be disposed in accordance with a resource consent approved by the Waikato Regional Council

(c) Obtain a licence to occupy the road reserve; or, in the case of a railway crossing, the rail operator has provided written approval; and

(d)(i) Ensure that the wing walls and retaining structures associated with the construction of the underpass are no less than 10m from the side boundaries of any property that is not in the same ownership as the property on which the underpass is located; or where:

(d)(ii) The wing walls and retaining structures associated with the construction of the underpass are less than 10m from the side boundaries of a property that is not in the same ownership as the property on which the underpass is located, the written approvals of the adjoining property owners and occupiers have been obtained.

(iii) Crossing stock over a railway line or railway reserve

(a) Crossing stock over a railway line or railway reserve must have the written approval of the rail operator.

(iv) Crossing stock over a road carriageway where an underpass is not required, excluding stock crossings over state highways

(a) Crossing stock over the carriageway of a formed road in instances where Appendix 4 does not require an underpass, must meet the following performance standards:

(i) A mat must be placed over the road carriageway and the crossing must be operated in accordance with Clause 3.23.2 of the Development Manual;

Advice Note: The crossing must be operated in a manner that complies with Clause 4: "Stock Movement on Roads" of Council's Land Transport Bylaw 2008.

8.7.3 Permitted activities

The following shall be permitted activities:

- An activity described as “permitted” in Table 8.7.1 meeting the performance standards in 8.7.2 above.

8.7.4 Discretionary activities

The following shall be discretionary activities:

- Any activity described as “permitted” in Table 8.7.1 that fails to meet one or more of the performance standards in 8.7.2 above;
- Any activity described as “discretionary” in Table 8.7.1;
- Any stock crossing or stock movement activity that is not specifically provided for in Table 8.7.1 above;
- Any stock crossing or stock movement activity that “triggers” a consent requirement under Sections 10, 11, or 12 of the District Plan.

8.7.5 Non-complying activities

The following shall be non-complying activities:

- An activity described as “non-complying” in Table 8.7.1.

8.7.6 Matters of discretion/assessment criteria

In respect of applications under Rule 8.7.4 Council shall have regard to the assessment criteria (as relevant) listed below.

In respect of applications under Rule 8.7.5 the assessment criteria (as relevant) listed below shall serve as a guide.

(i) Road safety and maintenance

All stock races will be considered in terms of a road safety audit carried out by Council to ensure that the road network can continue to operate efficiently, effectively, and safely. The audit will consider the following matters:

- Whether the location of the crossing poses a danger to road users, such as crossings over a state highway, bridge, or road intersection;
- The movement of stock during the hours of darkness;
- Stock race maintenance such as fencing, clearing of noxious weeds, effluent disposal, and potential damage to private property;
- Adverse effects on the roading network and on utilities located in the road reserve;
- Adverse effects on road maintenance.

(ii) Access to adjacent properties

The extent to which regular stock movement will adversely affect access to adjacent properties, including the need for an underpass to be installed beneath existing accessways to property in different ownership unless written approval has been obtained from the adjacent owners and occupiers whose accessways are affected.

(iii) The need for an underpass

Whether circumstances warrant that an underpass be required to ensure traffic safety, the free movement of vehicles and stock, and unimpeded access to adjacent properties.

(iv) Fencing

Whether the fencing is located a safe distance from the road carriageway and the standard of fencing is adequate to ensure road safety. A three-wire electric fence or similar will generally be required.

(v) Drainage

Whether the stock race is designed in a manner that will ensure that the roadside drainage and any other drainage systems in the road reserve are not adversely affected.

(vi) Future public works

Whether the proposal will hinder any future public work within the road reserve, as a result of regular movement within the grass verge. Consent to use the road reserve may be revoked to enable Council to use the road reserve for other purposes, such as shape correction, or other road safety works.

(vii) Frontage rights

The rights of owners of land fronting a road must be maintained and Council shall consider whether to put in place a right related to the needs, or use of, adjoining farms located within the stock movement route, through a profit à prendre or similar agreement.

(viii) Relationship agreement

Appropriate security for recording the relationship between Council and the consent holder for appropriate use of a road for movement of stock may be required. This may include a deed of grant such as a profit à prendre, and covenants under Sections 108 and 109 of the Resource Management Act 1991. The security agreement will record the terms and conditions of the private use of Council road.

(ix) Railway network

The frequency of stock crossings, potential adverse safety and efficiency effects, availability of alternative stock routes that do not cross the railway reserve, and methods to avoid, remedy, or mitigate adverse effects on the railway network.

(x) State highway network

Adverse effects on the safety, efficiency, and integrity of the state highway network. Compliance with NZ Transport Agency's standards and guidelines and technical advice provided by the NZ Transport Agency.

(xi) Cumulative effects

Cumulative effects on the road and/or railway networks.

(xii) Review

Consents for stock movements within the berm of a road reserve will generally be granted for a fixed term, or be subject to review so as to ensure that future access to adjacent properties is not unduly compromised.

(xiii) Amenity effects

Where underpasses fail to meet the side yard standards in Rule 8.7.2(ii)(d) above, Council shall consider the amenity effects on the adjacent property owners and occupiers.

Advice Note: The Land Transport Bylaw 2008 also applies to the movement of stock within the road reserve.

Advice Note: A building consent must be obtained prior to commencement of construction of all stock underpasses.

Objectives/Policies		
2.4.6	O1	P1, P2, P3
2.4.7	O1, O2	P1, P4, P5
3.7.2.1	O1	P2, P5
3.8.2	O1, O2, O6	P1, P3, P4, P7, P9

8.8 Flood control works

8.8.1 Activity table

The table below sets out the activity status relating to the WRC's flood control and erosion protection assets in the Waihou Valley/ Piako River Flood Protection Schemes:

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	**Zones**							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
1. Flood control, maintenance, unscheduled, and storm response works undertaken by or on behalf of the Waikato Regional Council on the drainage, flood control, and erosion protection assets in the Waihou Valley/Piako River Flood Protection Schemes.	P	P	P	P	P	P	P	P
2. New capital works relating to Waikato Regional Council's drainage, flood control, and erosion protection assets in the Waihou Valley/Piako River Flood	D	D	D	D	D	D	D	D

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
Protection Schemes, including flood control dams, flood gates, stopbanks, channels, and culverting of waterways.								

Advice notes:

(i) Formed roads in all locations are able to accommodate certain utilities as specified above.

(ii) Council has received designations which are listed in Schedule 4.

(iii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.

8.8.2 Performance standards

The following performance standards shall apply to publicly owned flood control works

(i) "Best practice"

The activity must be undertaken in accordance with best practice as set out in the document "Best Practice Guidelines – Vegetation Management and In-stream Works", Waikato Regional Council Technical Report 2007/41.

(ii) Exclusion areas

The activity must not be undertaken in the followings areas:

- Within the banks of Natural State Streams identified in the Waikato Regional Plan;
- Within the Conservation Estate.

The activity must not affect:

- A feature identified in Schedule 1: Heritage sites and/or the New Zealand Archaeological Association register;
- A feature identified in Schedule 2: Heritage – waahi tapu;
- A feature identified in Schedule 3: Outstanding or significant natural features and trees and other protected items;
- A natural feature, tree or stand of trees, building, object, geological feature or waahi tapu that is "significant" when the criteria in Appendix 1: Evaluation criteria for scheduled natural environment and heritage resources and protection of other items, are applied.

(iii) Annual works programme

(a) The activity must be:

(i) Included in a current annual works programme prepared in accordance with (b), (c) and (d) below; or:

(ii) The activity must be an unscheduled work or a storm response work required to be carried out as a matter of urgency and a change to the annual works programme describing the additional activity must be given in writing, prior to the activity being carried out, to:

- Council and Waikato Regional Council; and
- The East Coast Bay of Plenty Conservancy and the Waikato Conservancy of the Department of Conservation where the activity is to occur in an area deemed to be of ecological significance, or contain species in the NZ Threat Classification System list 2008 and subsequent updates.

(b) Prior to 31 October each year Council shall be provided with an Annual Works Programme containing the following details concerning the activities to be carried out during the proceeding 12 months:

(i) A description of the nature of the works and receiving environment;

(ii) Scale of the works;

(iii) Location and timing of the works;

(iv) Location of sites to be used for temporary stockpiles of gravel and river sediment (see 8.8.2(iv) below);

(v) Identification of any known archaeological sites, waahi tapu, heritage sites, listed trees, significant natural features/areas, and significant ecological areas and threatened species which may be potentially affected by the proposed works;

(vi) Identification of designated sites adjacent to waterways (where the designation is for purposes other than soil conservation and river control works or similar);

(vii) Comments from parties consulted and how issues raised by those parties have been addressed;

(viii) An outline of any measures proposed to avoid, remedy or mitigate the adverse effects of the proposed activities;

(ix) Works supervisors' names and how they can be contacted.

Advice Note: Where no work is anticipated during any subsequent calendar year, Council shall be advised accordingly and no Annual Works Programme shall be required for that year.

(c) The Proposed Annual Works Programme shall be circulated to the following parties (unless otherwise agreed in writing with a party), prior to the Annual Works Programme being provided to Council as required under (b) above:

- Waikato Regional Council;
- Matamata-Piako District Council;
- Department of Conservation (Waikato Conservancy) and Department of Conservation (East Coast Bay of Plenty Conservancy);
- Auckland/Waikato Fish and Game Council;
- New Zealand Transport Agency;

- New Zealand Historic Places Trust;
- Transpower;
- Raukawa;
- Ngati Haua;
- Ngati Hinerangi;
- Ngati Rahuiri Tumutumu;
- Ngati Whanaunga Inc.;
- Ngati Maru Rununga Iwi Authority;
- Te Rununga A Iwi O Ngati Tamatera;
- Hauraki Maori Trust Board;
- Te Runanga O Ngati Puu;
- Te Kupenga O Ngati Hako.

The parties shall be provided at least one month's notice to comment on the Proposed Annual Works Programme. Consideration must then be given to modifying the proposed works in relation to any concerns raised by parties. Thereafter the Annual Works Programme shall be finalised and forwarded to Council in accordance with (b) above.

(iv) Stockpiling of gravel and river sediment

(a) Stockpiling of gravel and river sediment must not exceed 5,000m³ per 500m of river bank and must not remain at the site for more than 12 months.

(b) Stockpiles must not be located on a site identified in Schedule 4: Designations unless the written approval of the requiring authority has been obtained.

(v) Activities within a road reserve

Where an activity is undertaken within a road reserve a traffic management plan must be prepared and submitted to Council as Road Controlling Authority or the New Zealand Transport Agency (where the work is within a state highway) for approval prior to the activity being undertaken. The activity shall then be undertaken in accordance with the approved traffic management plan.

(vi) Noise limits

The activity must comply with the noise standards that apply to the zone within which the activity is undertaken, except:

(a) In the Residential zone, the noise limits in 5.2.2(ii) shall apply;

(b) In the Kaitiaki (Conservation) zone the Rural zone noise limits in 5.2.6(i) shall apply.

Advice Note: "Emergency Works" undertaken in accordance with Section 330 of the Resource Management Act 1991 in response to a sudden event causing or likely to cause loss of life, injury, or serious damage to property are a permitted activity.

8.8.3 Permitted activities

The following shall be permitted activities:

- An activity described as “permitted” in Table 8.8.1 meeting the performance standards in 8.8.2 above.

8.8.4 Discretionary activities

The following shall be discretionary activities:

- An activity described as “permitted” in Table 8.8.1 that does not comply with one or more of the performance standards in 8.8.2 above;
- Any activity described as “discretionary” in Table 8.8.1;
- Any activity relating to Waikato Regional Council’s drainage, flood control, and erosion protection assets in the Waihou Valley/Piako River Flood Protection Schemes that is not specifically provided for in Table 8.8.1.

8.8.5 Discretionary assessment criteria

In respect of applications under Rule 8.8.4 Council shall have regard to the assessment criteria (as relevant) listed in Rule 8.10.

Objectives/Policies		
2.4.7	O1, O2	P1, P2, P3, P4
3.7.2.1	O1	P3

8.9 Miscellaneous works and network utilities

8.9.1 Activity table

The table below sets out the activity status for miscellaneous works and network utilities:

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	**Zones**							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
1. Diesel or petrol electricity generators used for the emergency back-up of any work or network utility.	P	P	P	P	P	P	P	P
2. Private (for residential	P	P	P	P	P	D	D	D

Key			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity		
All activities not listed in the Activity Table are deemed to be discretionary.			

Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
and recreational purposes) radio and telecommunication antennas (being no greater than 2m² in area) and aerials (being no greater than 80mm in diameter).								
3. Trig Station/Beacons.	P	P	P	P	P	P	P	P
4. Air quality and meteorological monitoring structures and devices.	D	P	P	P	P	P	P	P
5. Nautical aids and beacons subject to the approval of Maritime NZ and/or the Waikato Regional Council.	P	P	P	P	P	P	D	D
6. Helipads	D	D	D	D	D	D	D	D
7. Recycling operations.	N/C	N/C	D	D	D	N/C	N/C	N/C
8. Solid Waste management and disposal sites and composting.	N/C	N/C	N/C	N/C	D	N/C	N/C	N/C
9. Solid waste management and disposal sites involving the disposal of hazardous substances.	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C

Advice notes:
(i) Formed roads in all locations are able to accommodate certain utilities as specified above.
(ii) Council has received designations which are listed in Schedule 4.
(iii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administering agency.

8.9.2 Performance standards

The following performance standards shall apply to miscellaneous works and network utilities:

(i) Development controls

(a) The development controls that apply to the zone within which the activity is undertaken (see Section 3) shall apply. In the Kaitiaki (Conservation) zone, the Rural zone development controls shall apply.

(b) The district-wide development controls in Sections 3.5–3.7 and 3.9 shall apply.

(ii) Noise limits

The noise standards that apply to the zone within which the activity is undertaken shall apply, except:

(a) In the Residential zone, the noise limits in Section 5.2.2(ii) shall apply;

(b) In the Kaitiaki (Conservation) zone the Rural zone noise limits in Section 5.2.6(i) shall apply.

8.9.3 Permitted activities

The following shall be permitted activities:

- An activity described as “permitted” in Table 8.9.1 meeting the performance standards in 8.9.2 above.

8.9.4 Restricted-discretionary activities

The following shall be restricted-discretionary activities:

- An activity described as “permitted” in Table 8.9.1 that does not meet any one or more of the performance standards in 8.9.2 above.

Matters to which discretion is restricted:

- Refer to Rule 8.9.7(i) below.

8.9.5 Discretionary activities

The following shall be discretionary activities:

- Any activity described as “discretionary” in Table 8.9.1;
- Any activity that is not specifically provided for in Table 8.9.1;
- Any activity that “triggers” a consent requirement under Sections 10, 11, or 12 of the District Plan.

Discretionary assessment criteria:

- Refer to Rule 8.9.7 (ii) below.

8.9.6 Non-complying activities

The following shall be non-complying activities:

- Any activity described as “non-complying” in Table 8.9.1;

Assessment criteria:

- Refer to Rule 8.9.7(iii) below.

8.9.7 Matters of discretion/discretionary assessment criteria

(i) In respect of applications under Rule 8.9.4 Council’s discretion is restricted to the matters (as relevant) listed in Rule 8.10.

(ii) In respect of applications under Rule 8.9.5 Council shall have regard to the assessment criteria (as relevant) listed in Rule 8.10.

(iii) In respect of applications under Rule 8.9.6 Council shall use the assessment criteria (as relevant) listed in Rule 8.10 as a guide.

8.10 Matters of discretion/discretionary assessment criteria/guidance for non-complying activities applicable to Sections 8.1–8.5, and 8.8–8.9.

The matters to which Council has restricted its discretion/ discretionary assessment criteria/ guidance for non-complying assessment applicable to the activities referred to in Sections 8.1–8.5, and 8.8–8.9 are as follows:

(i) Visual effects

The extent to which, when adding infrastructure, cumulative adverse visual effects on the existing character of an area, can be avoided, remedied or mitigated.

(ii) Design, scale and height

The extent to which the design, scale and height of the proposed infrastructure will internalise or mitigate the adverse effects, as far as practicable.

(iii) Technical and operational constraints of the infrastructure

The extent to which the technical and operational requirements of the proposed infrastructure restrict the location, height and size.

(iv) Health and safety

The extent to which the proposed infrastructure will affect the health and safety of people and communities, excluding any effect permitted by a National Environmental Standard (e.g. radiofrequency fields).

(v) The positive effects derived from the infrastructure and network

Whether the infrastructure or upgrade proposed will benefit and contribute to the social and economic development, and wellbeing of businesses, people and communities.

(vi) Landscaping

Whether landscaping mitigates the visual impact on the surrounding natural and built environments by screening infrastructure.

(vii) Potential to constrain future planned development

The extent to which the infrastructure proposed has the likelihood of conflicting with foreseeable activities in the area.

(viii) Noise

Whether the amenity values of the surrounding land uses will be adversely affected by noise emissions from the proposed infrastructure and the extent or impact of such effects.

(ix) The integrity of the infrastructure and network

Whether the infrastructure proposed will improve the resilience and security of the network.

(x) The functional need of infrastructure to be located in the proposed location

Whether the proposed location of infrastructure will meet the functional requirements of the infrastructure.

(xi) Vegetation removal

Whether vegetation removal is required for the construction of the infrastructure and the extent of any proposed removal.

(xii) Electrical interference

The extent to which the location of the infrastructure proposed creates electrical interference with existing infrastructure in the area.

(xiii) Function and amenity of the streetscape

Whether new infrastructure in a road will detract from the visual amenity values of the streetscape or compromise the function of public amenities.

(xiv) Separation from existing dwellings

Whether there is an adequate separation distance between the proposed infrastructure and existing dwellings so that building dominance is minimised and adverse amenity effects are avoided or mitigated.

(xv) Number of antennae

The extent of the adverse effects on the visual amenity values of an area from exceeding the number of antennae permitted.

(xvi) Social and heritage effects

The extent of adverse effects on the District's heritage resources including waahi tapu.

(xvii) Natural hazard risk

Whether the risks associated with flooding, land instability, and subsidence of peat soils can be avoided, remedied, or mitigated.

(xviii) Surface of water

The functional need for the activity or structure to locate on or over the surface of a river. The impact on the landscape quality and amenity of the river. Adverse effects on floodplain management.

(xix) Ecological impacts

The extent to which the following adverse effects on ecological areas will be avoided, remedied or mitigated:

- Removal or modification of significant indigenous vegetation or habitats
- Discharges to air and water
- Risks associated with the storage of hazardous substances
- Impact on areas or values of significance to mana whenua.

(xx) Reserves Management Plan

The provisions of a Reserves Management Plan, where the infrastructure is located on a Public Reserve.

(xxi) Infrastructure located in the Kaitiaki (Conservation) zone

The nature and extent of the proposed work and the degree to which it may disturb natural landforms, landscapes, features and vegetation, or create soil instability, or lead to adverse effects on natural habitats, watercourses and wetlands.

(xxii) Measures required to avoid, remedy or mitigate adverse effects

Whether any measures are proposed to avoid, remedy or mitigate the adverse effects including adverse effects on the safety, efficiency and effectiveness of the road network.

~~**8.2 Development controls**~~

~~The following development controls apply, rather than Sections 3.1 to 3.4 to the activities listed below:~~

~~(i) Landscape planting to a minimum depth of 3 metres shall be developed and maintained around the perimeter of any of the above activities. Landscape planting shall be assessed in accordance with Section 1.4.1 (iv).~~

~~(ii) All yards ..... Minimum 3m~~

- ~~Electrical substations and switching stations above and including 66kv;~~
- ~~Electrical, radio, telecommunication and Council depots or workshops;~~
- ~~Telephone exchanges;~~
- ~~Radio, Meteorological or Telecommunication buildings greater than 30m2 gross floor area;~~
- ~~Gas compressor stations valve and take off stations, sales gates and regulator stations, but excluding standard regulator stations with a maximum floor area of 3 m2 and maximum height of 2m;~~
- ~~Windmills, wind power generators;~~
- ~~Community solid waste management sites, sewage treatment plants;~~
- ~~Water reservoirs, hydro electric power stations, geothermal natural gas biomass and coal-fired generators of electricity facilities.~~

~~Objectives/Policies~~		
~~3.5.2.1~~	~~O1, O2~~	~~P1, P2, P3, P4~~

Advice Note: The ongoing operation, maintenance, replacement, or repair of existing lawfully established works and network utilities where the effects of that utility remain the same or similar in character, intensity and scale are permitted under Section 10 of the RMA (existing use rights).

Advice Note: In addition to any District Plan requirements, Council authorises works in the road reserve, outside of the District Plan. Works in the road reserve should be undertaken in accordance with Council's Infrastructure Code of Practice, any applicable Corridor Access Permit and the National Code of Practice for Utility Operators' Access to Transport Corridors. Please contact Council's Roading Officer directly to discuss any works in the road reserve.

~~**8.3 Performance standards**~~

~~See Section 5: Performance Standards.~~

8.11 ~~8.4~~ Subdivision

See Section 6: Subdivision.

In any zone the minimum standard for subdivision shall not apply in the case of land required for Works and Network Utilities.

An esplanade reserve is required in accordance with Section 6, Subdivision, unless there are proven technical reasons to forego the requirements.

8.5 Activity related standards

8.5.1 Construction

In Kaitiaki (Conservation) zones or in the vicinity of Identified Significant Features as shown on the planning maps, the placement of underground powerlines or telecommunication lines in significant landscape areas shall be a permitted activity. No trees or shrubs are to be removed and there shall be full reinstatement of the ground and vegetation immediately after the utility is installed to a state compatible with the original and surrounding vegetation except where the activities are provided for on a Development Concept Plan. See Schedule 5.

Objectives/Policies		
3.1.2.1	O1	P1
3.1.2.2	O1	P2, P3, P4
3.7.2.1	O1	P1, P2

Explanation

Particular regard must be given to construction within especially sensitive areas such as the Kaitiaki (Conservation) zone or Identified Significant Features. While underground power and telecommunication lines are provided for as a permitted activity it is essential that the impact of their construction is minimised immediately.

8.5.2 Protection of publicly owned flood control and drainage assets

(i) Permitted activities

(a) Stock-proof fences;

(b) Farming of grazing animals.

(ii) Discretionary activities

(a) Separation for Maintenance

The following activities shall have discretionary activity status within 20 metres (horizontal line) of a public drain (measured from the lip of the drain) or the landward toe of a stopbank, or on a stopbank, or on the berm between a stopbank and a river or drain, or within a 20 metres radius of a pump station.

- The growing or allowing to grow of any shrub, hedge or tree or part thereof;
- The digging of any drain or excavation that will interfere with access of WRC workers, contractors and machines;
- The erection of any shelter fence, building or construction;
- The construction of any road or race for the passage of stock or vehicles.

(b) Stopbanks.

The excavation or the digging of any drain within 20 metres of any stopbank.

Advice note: See also Sections 7, 9, 10, 11 and 12.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.7.2.1	O1	P2, P4

Explanation

Protection of flood control and drainage works is of particular importance to the District.
The activities allowed in the vicinity of these works are listed separately to emphasise the importance of the works.
Discussions are continuing with the Regional Council to ensure a co-coordinated approach is maintained.

Objectives/Policies		
2.4.6	O1	P1, P2
2.4.7	O1, O2	P1, P2, P3
2.4.8	O1	P1, P2, P3
3.7.2.1	O1	P1, P3, P7
3.8.2	O1, O2, O3, O5	P1, P2, P3, P4, P7, P14

9 Transportation

9.1 Roading

9.1.1 ~~Access~~ Roading hierarchy

~~(i) Roading hierarchy:~~

~~(a) When considering the following performance standards, these roads shall be considered as state highways and arterial roads.~~

(i) The roading hierarchy below shall apply to roads in the District:

(a) ~~State highways~~ Significant roads

Road name
State Highway 24
State Highway 26
State Highway 27
State Highway 28
State Highway 29
State Highway 1
Tahuna-Ohinewai Road
Paeroa-Tahuna Road
Morrinsville-Tahuna Road

~~Within Morrinsville~~

~~Marshall Street~~

~~Allen Street~~

~~Waverley Avenue~~

(b) Arterial roads

~~Tahuna – Ohinewai Road~~

~~Morrinsville – Tahuna Road~~

~~Tauhei Road~~

~~Paeroa-Tahuna Road East and West~~

~~Awaiti Road~~

~~No. 1 Road~~

~~Ngutumanga Road~~

~~Tautiti Road~~

~~Bowler Road~~

~~Piako Road~~

~~Kuranui Road~~

~~Morrinsville – Walton Road, Walton Road~~

~~Kereone Road – Ngarua Road~~

~~Stanley Road North~~

~~Stanley Road South~~

~~Alexandra Road~~

~~Wardville Road from State Highway 27 to Alexandra Road~~

~~Tower Road from Broadway to bridge on Okauia Springs Road~~

~~Te Poi Road~~

~~Hinuera Road from State Highway 27 to Hopkins Road~~

~~Hopkins Road~~

Road name	Start	End
Alexandra Road	Mace Road	Wardville Road
Avenue Road North	State Highway 26	Snell Street
Awaiti Road	Paeroa-Tahuna-Road	District boundary
Burwood Road	State Highway 27	State Highway 24
Cameron Road	Morrinsville-Tahuna Road	Tauhei Road
Coronation Road	Studholme Street	Seales Road
Hinuera Road	State Highway 27	Hopkins Road
Hopkins Road	Hinuera Road	State Highway 29
Kereone Road	Morrinsville-Walton Road	State Highway 27
Kuranui Road	State Highway 26	Morrinsville-Walton Road
Morrinsville-Walton Road	Kuranui Road	Landsdowne Road
Okauia-Springs Road	Tower Road	Old Te Aroha Road
Peria Road	State Highway 27	Eastern boundary to Sec 82 SET MATAMATA
Piako Road	State Highway 26	Valentine Road (district boundary)
Rawhiti Avenue	Tower Road	Waharoa Road East
Seales Road	State Highway 26 (Thames St)	Coronation Road
Snell Street	Studholme Street	Avenue Road North
Stanley Avenue	State Highway 26 (Kenrick St)	Te Kawana Road
Stanley Road South	State Highway 26	Mace Road
Studholme Street	Kuranui Road	Speed restriction
Tauhei Road	Cameron Road	Valentine Road (district boundary)
Te Poi Road	State Highway 29	State Highway 24
Te Poi South Road	State highway 29	State Highway 28
Thames Street	State Highway 26 (Marshall St)	State Highway 26 (Waverley Street)
Tower Road	State Highway 24	Okauia Springs Road
Waharoa Road East	State Highway 24	Western boundary to Lot 2 DP327441
Wardville Road	State Highway 27	Alexandra Road
Whitaker Street	Kenrick Street	Princess Street

(c) Collector roads

Road name	Start	End
Armadale Road	Manawaru Road	Te Aroha-Gordon Road
Baker Street	Alexandra Road	Manawaru Road
Bell Road	Chepmell Road	Starkey Road
Bolton Road	Kereone Road	Kiwitahi-Railway Road
Bowler Road (Te Aroha)	Strange Road	Ngutumanga Road
Campbell Road	Walton Road	Kereone Road
Diagonal Road	State Highway 27	Alexandra Road
Farmer Road	State Highway 26	Wood Road
First Avenue North	State Highway 26	Campbell Street
Gunn Road	Peria Road	Scherers Road
Hangawera Road	Morrinsville-Tahuna Road	Matuku Road
Haumia Road	Mangateparu Loop Road	Horrell Road
Horrell Road	Murray Road	State Highway 27
Hutchinson Road	Settlement Road	Kiwitahi Railway Road
Kiwitahi Railway Road	Morrinsville-Walton Road	Hutchinson Road
Landsdowne Road	Gunn Road	Morrinsville-Walton Road
Manawaru Road	Alexandra Road	Wardville Road

Road name	Start	End
Matuku Road	Piako Road	Tauhei Road
Ngarua Road	State Highway 26	State Highway 27
Ngutumanga Road	Campbell Street	Mellon Road
Number 1 Road	State Highway 26	Paeroa-Tahuna Road
Old Te Aroha Road	State Highway24	Armadale Road
Peria Road	Eastern boundary to Sec 82 SET MATAMATA	Gunn Road
Pioneer Road	Tahuna-Ohinewai Road	State Highway 27
Scottsman's Valley Road	Starkey Road	District boundary
Seddon Road	State Highway 26	Waihekau Road
Stanley Road North	Te Kawana Road	Strange Road
Starkey Road	Tahuroa Road	Bell Road
Station Road (Matamata)	Western boundary to Lot 1 DPS 67548	Matai Road
Tautiti Road	Mellon Road	Paeroa-Tahuna Road
Te Aroha-Gordon Road	Western boundary to PSc14D Blk IX SD AROHA	Amradale Road
Tower Road	Okauia Springs Road	Wardville Road
Waharoa Road East	Western boundary to Lot 2 DP 327441	Pohlen Road
Waihekau Road	Seddon Road	Ngarua Road
Walton Road	State Highway 27	Landsdowne Road
Wardville Road	Alexandra Road	Manawaru Road
Wood Road	State Highway 26	Farmer Road

(d) Local roads

All roads not listed in (a), (b), or (c) above (except for service lanes) are local roads.

Advice Note:

Significant roads are roads that are a significant element in the national and/or regional economy.

Arterial roads are roads that are a significant element in the local economy.

Collector roads are roads that are preferred between or within areas of population or activities.

Local roads are roads where the primary function is property access.

9.1.2 Access

(i) Activity status

The table below determines the activity status of vehicle crossings onto the different road classes.

(ii) Activity table – vehicle crossings

P Permitted Activity D Discretionary Activity N/C Non Complying Activity	C Controlled Activity RD Restricted Discretionary Activity PRHB Prohibited Activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for	
Performance Criteria	Activity status
1. Significant roads	
1.1 An existing vehicle crossing that does not change in character, scale, or intensity of use.	P
1.2(i) An existing vehicle crossing that changes in character, scale, or intensity of use meeting the performance standards in 9.1.2(iii)(a)(i)–(v), located on a road where the posted speed is 50km/h or less.	P
1.2(ii) An existing vehicle crossing that changes in character, scale, or intensity of use meeting the performance standards in 9.1.2(iii)(a)(i)–(v), located on a road where the posted speed is in excess of 50km/h.	RD
1.3(i) A new vehicle crossing that complies with the performance standards in 9.1.2(iii)(a)(i)–(v), located on a road where the posted speed is 50km/h or less.	P
1.3(ii) A new vehicle crossing that complies with the performance standards in 9.1.2(iii)(a)(i)–(v), located on a road where the posted speed is in excess of 50km/h.	RD
1.4 An existing vehicle crossing that changes in character, scale, or intensity of use or a new vehicle crossing: • Meeting the performance standards in 9.1.2(iii)(a)(i)–(iv); and: • There is no location anywhere along the site's frontage where the performance standards in 9.1.2(iii)(a)(v) can be met; and: • The vehicle crossing is not associated with a new subdivision.	RD
1.5 Any vehicle crossing on to significant roads that is not permitted or restricted-discretionary under 1.1–1.4 above	D
2. Arterial roads	
2.1 An existing vehicle crossing that does not change in character, scale, or intensity of use.	P
2.2 An existing vehicle crossing that changes in character, scale, or intensity of use, meeting the performance standards in 9.1.2(iii)(a)(i)–(v).	P
2.3 An existing vehicle crossing that changes in character, scale, or intensity of use not meeting the separation distances in 9.1.2(iii)(a)(v) provided that: • The crossing is utilised for a new activity that requires the same or lesser standard of entranceway than the current use; and: • The current formation is greater or equal to the vehicle crossing required for the new activity, and: • The crossing will serve an activity that is otherwise a permitted activity under the District Plan; and: • The sight distance standard in 9.1.2(iii)(a)(v) can be met.	P
2.4 A new vehicle crossing that complies with the performance standards in 9.1.2(iii)(a)(i)–(v).	P
2.5 An existing vehicle crossing that changes in character, scale or intensity of use or a new vehicle crossing where: • The performance standards in 9.1.2(iii)(a)(i)–(v) are met except that the separation distance between vehicle crossings cannot be met; and: • The vehicle crossing is not related to a new subdivision; and: • The vehicle crossing is the only vehicle crossing serving the property; and: • The vehicle crossing is located so as to maximise the separation between	P

vehicle crossings or is combined with an adjoining vehicle crossing into one crossing place.	
2.6 An existing vehicle crossing that changes in character, scale or intensity of use or a new vehicle crossing where: • The performance standards in 9.1.2(iii)(a)(i)–(v) are met except that the separation distance from an intersection cannot be met; and: • The vehicle crossing is not related to a new subdivision; and: • The vehicle crossing is the only vehicle crossing serving the property; and: • The vehicle crossing is located on the furthest property boundary so as to maximise the separation distance from the intersection.	P
2.7 An existing vehicle crossing that changes in character, scale, or intensity of use or a new vehicle crossing where: • The vehicle crossing is not related to with a new subdivision; and: • The vehicle crossing is the only vehicle crossing serving the site; and: • The performance standards in 9.1.2(iii)(a)(i)–(iv) can be met; and: • There is no location anywhere along the site's frontage that can comply with the minimum sight distances and/or separation distances contained within the Development Manual; and the activity is not a permitted activity under 2.1–2.6.	C
2.8 Any vehicle crossing on to arterial roads that is not permitted under 2.1–2.6, or controlled under 2.7.	D
3. Collector and local roads	
3.1 An existing vehicle crossing that does not change in character, scale, or intensity of use.	P
3.2 An existing vehicle crossing that changes in character, scale, or intensity of use, meeting the performance standards in 9.1.2(iv)(a)(i)–(iv).	P
3.3 An existing vehicle crossing that changes in character, scale, or intensity of use not meeting the performance standards in 9.1.2(iv)(a)(iii) provided that: • The crossing is utilised for a new activity that requires the same or lesser standard of entranceway than the current use; and: • The current formation is greater or equal to the vehicle crossing required for the new activity; and: • The crossing will serve an activity that is otherwise a permitted activity under the District Plan.	P
3.4 A new vehicle crossing that complies with the performance standards in 9.1.2(iv)(a)(i)–(iv).	P
3.5 An existing vehicle crossing that changes in character, scale or intensity of use or a new vehicle crossing where: • The performance standards in 9.1.2(iv)(a)(i)–(iii) are met except that the separation distance from an intersection cannot be met; and: • The vehicle crossing is not associated with a new subdivision; and: • The vehicle crossing is the only vehicle crossing serving the property; and: • The vehicle crossing is located on the furthest property boundary so as to maximise the separation distance from the intersection.	P
3.6 An existing vehicle crossing that changes in character, scale, or intensity of use or new vehicle crossing where: • The vehicle crossing is not associated with a new subdivision; and: • The vehicle crossing is the only vehicle crossing serving the site; and: • The performance standards in 9.1.2(iv)(a)(i) and 9.1.1(iv)(a)(ii) can be met; and: • There is no location anywhere along the site's frontage that can comply with the minimum sight distances and/or separation distances to intersections contained within the Development Manual; and the activity is not a permitted activity under 3.1–3.5.	C

3.7 Any vehicle crossing on to Collector or Local Roads that is not permitted under 3.1–3.5; or controlled under 3.6	RD

Advice Note: References in the District Plan and in the table above to "changes in character, scale, or intensity" means an increase in the number of vehicle movements, and/or an increase in peak vehicle movements, and/or an increase in the number of heavy vehicles.

(iii) Access to ~~state highways~~ significant roads and arterial roads

(a) Performance standards

The following performance standards shall apply to vehicle crossings onto significant roads and arterial roads:

~~(a) No crossing place on to a state highway or arterial road shall be permitted to serve any proposed new activity unless the following criteria are met:~~

(i) No reasonably practicable alternative legal access is available to another road;

(ii) The vehicle crossing shall be ~~located~~, designed, formed and constructed:

- in accordance with the ~~MPDC~~ Development Manual ~~2010~~ standards for District Roads or such standards as agreed with Council; or:
- if accessing a state highway network in speed environments of 70km/h and over, to the standard required by the NZ Transport Agency as specified in the Development Manual, or such standards as agreed with the NZ Transport Agency.

(iii) There shall be ~~are~~ less than an average of 100 car equivalent movements per day ~~daily~~ within any one week using the vehicle crossing, where a car equivalent movement is defined as follows:

1 car to and from the site = 2 car equivalent movements

1 truck to and from the site = 6 car equivalent movements

1 truck and a trailer to & from the site = 10 car equivalent movements

Provided that a single residential dwelling is deemed to generate 8 car equivalent movements;

(iv) All parking and manoeuvring required by the activity shall be provided on site;

(v) The vehicle crossing shall ~~Any vehicular access which is new or changed in character, intensity or scale of use and unable to~~ comply with the minimum sight distances and separation distances contained within the ~~MPDC~~ Development Manual ~~2010 shall be a discretionary activity~~.

Advice Note: Separation distance between vehicle crossings is measured taking into account vehicle crossings on both sides of the road.

Advice Note: For seasonal rural activities, see Rule 9.1.2(vi) below.

(b) Permitted activities

The following vehicle crossings onto significant roads and arterial roads shall be a permitted activity:

- A vehicle crossing onto a significant road or arterial road described as "permitted" in the table above.

(c) Controlled activities

The following vehicle crossings onto arterial roads shall be a controlled activity:

- A vehicle crossing onto an arterial road described as “controlled” in the table above.

(i) Matters of control

Council has retained control over the following matters:

- The location of the crossing so as to optimise sight distances;
- Traffic warning signage;
- Vegetation clearance and/or relocation of fences and other obstructions necessary to improve sightlines;
- Redesign of culverts and drains to improve traffic safety;
- Specific design of entranceways;
- Localised road widening;
- Covenants or consent notices requiring sightlines to be kept clear of obstructions.
- The matters addressed in, and recommendations of an ITA if required (See Rule 9.1.6).

(ii) Matters in respect of which conditions can be imposed

Council may impose conditions in respect of the matters above, over which control is retained.

(iii) Notification

Unless other consent requirements are triggered simultaneously, applications for resource consent under this rule shall not be subject to public notification. The only affected parties shall be:

- Council as road controlling authority, and the NZ Transport Agency where the access affects the state highway network.

(d) Restricted-discretionary activities

The following vehicle crossings onto significant roads shall be restricted-discretionary activities:

- A vehicle crossing onto a significant road described as “restricted-discretionary” in the table above.

(i) Matters of discretion

For applications utilising this rule, Council has restricted its discretion to the matters listed below.

- Traffic volumes and traffic mix relative to existing and future traffic patterns;
- Speed environment;
- The number of vehicle crossings serving the site;
- Minimising side friction by limiting the number of vehicle crossings serving the same site and/or requiring vehicle crossings to be combined at a single crossing place;

- Effects on the function, safety, and efficiency of the transport network;
- The integration of land use with transport;
- The matters addressed in, and recommendations of an ITA if required (See Rule 9.1.6);
- Methods to avoid, remedy, or mitigate adverse effects on the safety and efficiency of the transport network, including traffic management measures such as:
  - Traffic warning signage;
  - Vegetation clearance and/or relocation of fences or other obstructions necessary to improve sightlines;
  - Re-design of culverts and drains to improve traffic safety;
  - Covenants or consent notices requiring sightlines to be kept clear of obstructions;
  - Road widening and/or upgrading;
  - Flush medians or solid medians;
  - Deceleration and acceleration lanes; and:
  - Site specific entranceway design;
- The potential for, and adverse effects of driver distraction; and:
- Technical advice provided by the NZ Transport Agency and/or Council as road controlling authority.

(ii) Matters in respect of which conditions can be imposed

Council may impose conditions in respect of the matters above, to which discretion is restricted.

(iii) Notification

Unless other consent requirements are triggered simultaneously, applications for resource consent under this rule shall not be subject to public notification. The only affected parties shall be:

- The NZ Transport Agency where the vehicle crossing is onto a state highway and the posted speed at the site's frontage is more than 70km/h;
- The NZ Transport Agency, and Council as road controlling authority, where the vehicle crossing is onto a state highway and the posted speed at the site's frontage is 70km/h or less.
- Council as road controlling authority where the crossing is onto a district road.

(e) Discretionary activities

The following vehicle crossings onto significant roads and arterial roads shall be discretionary activities:

- A vehicle crossing onto a significant road or arterial road described as "discretionary" in the table above.

(i) Assessment criteria

Council shall have regard to the following assessment criteria when considering an application for a discretionary resource consent under this rule:

- Traffic volumes and traffic mix relative to existing and future traffic patterns;
- Speed environment;
- Sight distances;
- Vehicle crossing separation;
- Availability of alternative vehicle crossing locations with enhanced sight distances and/or better vehicle crossing separation or separation to intersections;
- The number of vehicle crossings serving the site;
- Minimising side friction by limiting the number of vehicle crossings serving the same site and/or requiring vehicle crossings to be combined at a single crossing place;
- Effects on the function, safety, and efficiency of the transport network;
- The integration of land use with transport;
- The matters addressed in, and recommendations of an ITA if required (see Rule 9.1.6);
- Hours of use relative to existing and future neighbourhood amenity;
- Methods to avoid, remedy, or mitigate adverse effects on the safety and efficiency of the transport network, including traffic management measures such as:
  - Traffic warning signage;
  - Vegetation clearance and/or relocation of fences or other obstructions necessary to improve sightlines;
  - Re-design of culverts and drains to improve traffic safety;
  - Covenants or consent notices requiring sightlines to be kept clear of obstructions;
  - Road widening and/or upgrading;
  - Flush medians or solid medians;
  - Deceleration and acceleration lanes;
  - Site specific entranceway design;
- The potential for, and adverse effects of driver distraction;
- The effects of traffic anticipated to use the vehicle crossing on the “whole-of-life” cost and level of service of the road network;
- Cumulative effects on the transport network;
- In respect of vehicle access onto state highways or onto arterial roads where the access affects the safety and efficiency of the state highway network, any technical advice provided by the NZ Transport Agency and/or Council as road controlling authority;

- In respect of vehicle access onto district roads, any technical advice provided by Council as road controlling authority.

Advice Note: Should access be required from a state highway which is a Limited Access Road (LAR) for the purposes of subdivision or use of land, a notice pursuant to Section 93 of the Government Roading Powers Act 1989 is required from the New Zealand Transport Agency in order to provide legal and physical access from the state highway.

~~(b) All properties with legal access to a state highway or arterial road shall provide all parking and manoeuvring on-site.~~

~~(iii)~~(iv) Access to ~~other~~ collector and local roads

(a) Performance standards

The following performance standards shall apply to vehicle crossings onto collector and local roads:

(i) The vehicle crossing shall be designed, formed, and constructed in accordance with the Development Manual;

(ii) There shall be less than an average of 250 car equivalent movements per day within any one week using the vehicle crossing, where a car equivalent movement is defined as follows:

1 car to and from the site = 2 car equivalent movements

1 truck to and from the site = 6 car equivalent movements

1 truck and a trailer to & from the site = 10 car equivalent movements

Provided that a single residential dwelling is deemed to generate 8 car equivalent movements per day;

(iii) The vehicle crossing shall comply with the minimum sight distances, and separation distances to intersections, contained within the Development Manual;

(iv) A second or subsequent vehicle crossing serving the same site shall meet the vehicle crossing separation standards in the Development Manual.

Advice Note: Separation distances between vehicle crossings are measured taking into account vehicle crossings on both sides of the road.

Advice Note: For seasonal rural activities, see Rule 9.1.2(vi) below.

(b) Permitted activities

The following vehicle crossings onto collector roads and local roads shall be permitted activities:

- A vehicle crossing onto a collector road or local road described as “permitted” in the table above.

(c) Controlled activities

The following vehicle crossings onto collector roads and local roads shall be controlled activities:

- A vehicle crossing onto a collector road or local road described as “controlled” in the table above.

(i) Matters of control

- Council has retained control over the following matters:
- Traffic warning signage;
- Vegetation clearance and/or relocation of fences and other obstructions necessary to improve sightlines;
- Redesign of culverts and drains to improve traffic safety;
- Specific design of entranceways;
- Localised road widening;
- Covenants or consent notices requiring sightlines to be kept clear of obstructions.
- The matters addressed in, and recommendations of an ITA if required (See Rule 9.1.6).

(ii) Matters in respect of which conditions can be imposed

Council may impose conditions in respect of the matters above, over which control is retained.

(iii) Notification

Unless other consent requirements are triggered simultaneously, applications for resource consent under this Rule shall not be subject to public notification. The only affected party shall be Council as road controlling authority and the NZ Transport Agency where the access affects the state highway network.

(d) Restricted-discretionary activities

The following vehicle crossings onto collector roads and local roads shall be restricted-discretionary activities:

- A vehicle crossing onto a collector road or local road described as “restricted-discretionary” in the table above.

(i) Matters to which discretion is restricted

Council’s discretion is restricted to the following matters when considering an application for resource consent under this rule:

- Traffic volumes and traffic mix relative to existing and future traffic patterns;
- Speed environment;
- Sight distances;
- Vehicle crossing separation;
- Availability of alternative vehicle crossing locations with enhanced sight distances and/or better vehicle crossing separation or separation to intersections;
- The number of vehicle crossings serving the site;
- Minimising side friction by limiting the number of vehicle crossings serving the same site and/or requiring vehicle crossings to be combined at a single crossing place;
- Effects on the function, safety, and efficiency of the transport network;
- The integration of land use with transport;

- The matters addressed in, and recommendations of an ITA if required (See Rule 9.1.6);
- Hours of use relative to existing and future neighbourhood amenity;
- Methods to avoid, remedy, or mitigate adverse effects on the safety and efficiency of the transport network, including traffic management measures such as:
  - Traffic warning signage;
  - Vegetation clearance and/or relocation of fences or other obstructions necessary to improve sightlines;
  - Re-design of culverts and drains to improve traffic safety;
  - Covenants or consent notices requiring sightlines to be kept clear of obstructions;
  - Road widening and/or upgrading;
  - Flush medians or solid medians;
  - Deceleration and acceleration lanes; and:
  - Site specific entranceway design;
- Adverse effects on the safe and efficient function of the state highway network,
- The effects of traffic anticipated to use the vehicle crossing on the 'whole-of-life' cost and level of service of the road network;
- Cumulative effects on the transport network;
- Technical advice provided by Council as road controlling authority and/or the NZ Transport Agency where the access affects the state highway network.

(ii) Matters in respect of which conditions can be imposed

Where consent is granted, Council may impose conditions to avoid, remedy, or mitigate adverse effects on the transport network including effects on the "whole of life" cost and level of service of the road network.

(v) Roads, private ways and access legs within a new subdivision

(a) Performance standards

The following performance standards shall apply:

(i) Any road, or private way/access leg that is new or changed in character, intensity or scale of use shall comply with the standards in Table 3.1 of the Development Manual.

(ii) Any road, or private way/access leg that is new or changed in character, intensity or scale of use shall be designed, constructed and located in accordance with the Development Manual.

(b) Permitted activities

Any road, or private way/access leg that is new or changed in character, intensity or scale of use that meets the performance standards in Rule 9.1.2 (v)(a) above, is a permitted activity.

(c) Restricted-discretionary activities

Any road, or private way/access leg that is new or changed in character, intensity or scale of use that is not permitted under Rule 9.1.2(v)(b) shall be a restricted-discretionary activity.

(i) Matters to which discretion is restricted

Council's discretion is restricted to the following matters when considering an application for resource consent under this rule:

- Road hierarchy;
- Traffic volumes and traffic mix relative to existing and future traffic patterns;
- Speed environment;
- Sight distances;
- Effects on the function, safety, and efficiency of the transport network;
- The integration of land use with transport;
- The matters addressed in, and recommendations of an ITA if required (See Rule 9.1.6);
- Methods to avoid, remedy, or mitigate adverse effects on the safety and efficiency of the transport network;
- Effects on the "whole-of-life" cost and level of service of the road network;
- Cumulative effects on the transport network;
- Technical advice provided by Council as road controlling authority.

(ii) Matters in respect of which conditions can be imposed

Where consent is granted, Council may impose conditions to avoid, remedy, or mitigate adverse effects on the transport network including effects on the "whole of life" cost and level of service of the road network.

(vi) Access for seasonal rural activities (all roads)

(a) Performance standards

The following performance standards shall apply to a vehicle crossing used for the purposes of short-term seasonal rural activities such as cropping, harvesting, weed control, application of organic and inorganic fertiliser, and other intermittent farming practices:

(i) Access to, and egress from the site shall take place only from a vehicle crossing that has been formed and constructed in accordance with a suitable design being Figure DG 307, or Diagrams C, D, or E as contained within the Development Manual; and:

(ii) Vehicles must not track loose material onto the carriageway of the road which may cause a hazard to road users. Any material that may deposit on the road must as soon as practicable be swept or washed clear of the carriageway.

(b) Permitted activities

A vehicle crossing used for short-term seasonal rural activities that fails to meet the performance standards in Rules 9.1.2(iii)(a)(i), (iii), and (v) or 9.1.2(iv)(a)(ii), (iii), and (iv) is a permitted activity, provided the performance standards above are met and the access is not from a state highway.

(c) Controlled activities

Any vehicle crossing used for short-term seasonal rural activities that is not permitted under Rule 9.1.2(vi)(b) or restricted-discretionary under Rule 9.1.2(vi)(d) shall be a controlled activity.

(i) Matters of control

Council has retained control over the following matters:

- Temporary traffic warning signage;
- Vegetation clearance and/or relocation of fences and other obstructions necessary to improve sightlines;
- Limits on the location, number, and separation of temporary vehicle crossings.
- Specific design of temporary vehicle crossings;
- Methods to avoid, remedy, or mitigate the tracking of loose material onto the road carriageway; and:
- Compliance with the terms of a Management Plan approved by Council, designed to avoid, remedy, or mitigate the adverse effects of the associated seasonal traffic on the safety and efficiency of the road network.

(ii) Matters in respect of which conditions can be imposed

Council may impose conditions in respect of the matters above, over which control is retained.

(iii) Notification

Unless other consent requirements are triggered simultaneously, applications for resource consent under this rule shall not be subject to public notification. The only affected parties shall be:

- The New Zealand Transport Agency and/or Council as road controlling authority.

(d) Restricted-discretionary activities

Any vehicle crossing onto a state highway used for short-term seasonal rural activities shall be a restricted-discretionary activity.

(i) Matters to which discretion is restricted

Council has restricted its discretion to the following matters:

- Adverse effects on the safe and efficient function of the state highway network;
- Cumulative effects on the state highway network;
- Temporary traffic warning signage;
- Vegetation clearance and/or relocation of fences and other obstructions necessary to improve sightlines;

- Limits on the location, number, and separation of temporary vehicle crossings;
- Specific design of temporary vehicle crossings;
- Methods to avoid, remedy, or mitigate the tracking of loose material onto the road carriageway;
- Compliance with the terms of a Management Plan approved by Council, designed to avoid, remedy, or mitigate the adverse effects of the associated seasonal traffic on the safety and efficiency of the road network.
- Technical advice provided by the NZ Transport Agency.

(ii) Matters in respect of which conditions can be imposed

Where consent is granted Council may impose conditions in respect of the matters above, to which discretion is restricted.

(iii) Notification

Unless other consent requirements are triggered simultaneously, applications for resource consent under this rule shall not be subject to public notification. The only affected parties shall be:

- The New Zealand Transport Agency.

(vii) Access to properties with frontage to "Shopping Frontage"

(a) Performance standard

Within the specified "Shopping Frontage", no new vehicle crossing or existing vehicle crossing that changes in character, intensity, or scale of use shall be permitted to the property from the street over the "Shopping Frontage" boundary of the property.

(b) Restricted-discretionary activity

A new vehicle crossing or existing vehicle crossing that changes in character, intensity, or scale of use to a site, across the "Shopping Frontage" shall be a restricted-discretionary activity.

(i) Matters to which discretion is restricted

Council's discretion is restricted to the following matters when considering an application for resource consent under this rule:

- Whether access can be gained to the site through an alternative route that does not cross the "Shopping Frontage".
- The intensity of development on the site – i.e. whether the Floor Area Ratio (FAR) exceeds 1;
- Effects on pedestrian safety and amenity having regard to the particular location and the nature of the activity;
- Effects on the function, safety, and efficiency of the transport network including the adequacy of off-site parking and loading facilities to service the intended development;
- Effects on the character of the street and the streetscape;
- The matters addressed in, and recommendations of an ITA if required (see Rule 9.1.6);

- Technical advice provided by Council as road controlling authority and/or the NZ Transport Agency where the access affects the state highway network.

(ii) Matters in respect of which conditions can be imposed

Where consent is granted, Council may impose conditions to require a net increase in the supply of parking spaces, and measures to avoid, remedy, or mitigate adverse effects on the function, safety, and efficiency of the transport network, pedestrian safety, and the character of the street.

(viii) General access standards (all roads)

~~Any vehicular access which is new or will result in a change in character, intensity or scale of use shall:~~

~~(a) Be located in accordance with the minimum sight distances and separation distances contained within the MPDC Development Manual 2010. An activity that does not comply with this provision shall be a restricted discretionary activity, with Council's discretion restricted to the following matters:~~

~~Traffic safety;~~

~~Visibility requirements;~~

~~Vehicle movements per day past the entranceway;~~

~~Speed limits;~~

~~Width of road;~~

~~Culvert and drains; and~~

~~Type of road.~~

(a) Performance standards

The following general performance standards shall apply to vehicle access and road works:

(i) Every owner or occupier shall provide vehicular access to their property for parking and/or loading from a formed legal road or over land by mutual right of way or service lane.

(ii) ~~(b)~~The primary access to a lot shall be designed and constructed in accordance with the relevant standards being DG307, DG308, or Diagrams C, D, or E in the ~~MPDC~~ Development Manual ~~2010.~~ or alternatively to such standards as agreed with the relevant road controlling authority. The design and construction of any secondary access shall be based on the anticipated use of the access and shall comply with an appropriate entranceway standard as contained within the ~~MPDC~~ Development Manual ~~2010~~ (see Rule 9.1.2 (ii)–(vii)). For the purpose of this rule "secondary access" includes ~~farm~~ accesses used occasionally, but excludes accesses used by heavy vehicles and the main working access to a property/lot, which are considered primary accesses.

~~(c) Where a building consent is issued for a new building on any site that does not already have a satisfactory entrance, the owner will be required to construct an entrance in accordance with the minimum sight distances and separation distances contained within the MPDC Development Manual 2010.~~

~~(d)~~(iii) Where ~~Council may require the~~ upgrading of existing roads/construction of new roads is ~~necessary~~ required to serve any controlled, restricted-discretionary, discretionary or non-complying activities, Council shall:

- Determine the appropriate roading standards;
- Having regard to:
  - The road classification (hierarchy);
  - Current and future traffic volumes; and:
  - The intended function of the relevant road.

(iv) Where any part of land being subdivided is required for road widening or for other street purposes or for other works, the subdivision shall be designed as though such land had been dedicated prior to the time of subdivision.

~~(e)~~(v) All work on crossings within the road boundaries shall be in accordance with the ~~MPDC~~ Development Manual ~~2010~~ (unless otherwise consented) and shall be undertaken at the expense of the owner.

~~(f)~~(vi) In respect of the urban environment, subdividers shall ~~normally~~ be required to provide only those crossings where the location is fixed at the time of subdivision, such as private access ways, ~~and~~ rights of way, and where lots have less than 5m road frontage. In all other cases, the crossings shall be constructed at the time of building ~~consent~~ in accordance with the ~~MPDC~~ Development Manual ~~2010~~.

(b) Discretionary activities

Where the performance standards above are not met, the proposal shall be a discretionary activity.

(i) Assessment criteria

Council shall have regard to the following assessment criteria when considering an application for a discretionary resource consent under this rule.

- Traffic volumes and traffic mix relative to existing and future traffic patterns;
- Speed environment;
- Sight distances;
- Vehicle crossing separation;
- The number of vehicle crossings serving the site;
- Effects on the function, safety, and efficiency of the transport network;
- Methods to avoid, remedy, or mitigate adverse effects on the safety and efficiency of the transport network;
- The effects of traffic on the “whole-of-life” cost and level of service of the road network;
- Cumulative effects on the transport network;
- The matters addressed in, and recommendations of an ITA if required (see Rule 9.1.6);

- In respect of state highways or arterial roads where the safety and efficiency of the state highway network can be affected, technical advice provided by the the NZ Transport Agency and/or Council as road controlling authority;
- In respect of district roads, technical advice provided by Council as road controlling authority.

~~(g) Within the "Specified Shopping Areas", no vehicular access shall be permitted to the property from the street over the front boundary of the property.~~

~~(h) Where there is only a single location available on a lot in terms of legal road frontage which is unable to comply with the minimum sight distances and separation distance contained within the MPDC Development Manual 2010, a controlled activity resource consent shall be required. The matters of control are restricted to the following matters;~~

~~Vegetation clearance;~~

~~Culverts and drains; and~~

~~Design and construction of entranceways.~~

~~(iv)~~(ix) Garages and carports within 5m of a site's front boundary

(a) Performance standards

Where garages or carports are located within 5m of a site's front boundary, provision must be made for on-site manoeuvring, so that vehicles are able to enter and exit the site in a forwards direction.

~~(a) All garages and carports shall be set back 5 metres from the front/road boundary.~~

~~(b) All garages and carports in the Residential Zone within an identified Structure Plan (refer Activity Table 2.2) shall be set back 6 metres from the front/road boundary.~~

(b) Permitted activities

Garages and carports within 5m of a site's front boundary that meet the performance standards above and the development controls in Part B, Section 3, are permitted activities.

(c) Restricted-discretionary activities

Garages and carports within 5m of a site's front boundary that meet the development controls in Part B, Section 3, but fail to meet the performance standards above (including corner sites) are restricted-discretionary activities.

(i) Matters to which discretion is restricted

Council's discretion is restricted to the following matters when considering an application for resource consent under this rule:

- Effects on the function, safety, and efficiency of the transport network;
- Effects on pedestrian safety;
- Methods to avoid, remedy, or mitigate adverse effects on the function, safety and efficiency of the transport network;
- Methods to avoid, remedy, or mitigate adverse effects on pedestrian safety; and:

- Technical advice provided by the NZ Transport Agency and/or the Council as road controlling authorities;

(ii) Matters in respect of which conditions can be imposed

Where consent is granted, Council may impose conditions to avoid, remedy, or mitigate adverse effects on the function, safety, and efficiency of the transport network, and pedestrian safety.

~~(v)~~(x) Pedestrian, mobility, and cycle transport ~~access~~

Provision shall be made for pedestrian, mobility, and cycle transport in accordance with table 3.1 and Sections 3.10, 3.11 and 3.20 ~~of All pedestrian access shall be in accordance with~~ the ~~MPDC~~ Development Manual ~~2010~~.

~~Objectives/Policies~~		
~~3.8.2~~	~~O1, O2, O4, O5~~	~~P1~~

9.1.3 ~~9.1.2~~ On-site ~~parking and~~ loading

~~(i) Loading space dimensions~~

(i) Shopping frontage

(a) Development or change of use on sites with at least one frontage onto the "Shopping Frontage" (as shown on the Planning Maps) shall not be required to provide on-site loading facilities, provided that the Floor Area Ratio (FAR) of the development on the site does not exceed a factor of 1.

(b) Alternative means of compliance

As an alternative means of compliance, sites with frontage to "Shopping Frontage" where the FAR exceeds a factor of 1 can pay a financial contribution in lieu of providing on-site loading facilities.

Where cash-in-lieu of on-site loading is provided as an alternative means of compliance, the value of the financial contribution shall be equal to the square metre value of land nearby multiplied by the area in square metres required for loading and manoeuvring of the appropriate delivery vehicle as set out in (ii) below, plus the formation cost of the required loading facility.

Advice Note: Where a cash contribution in lieu of on-site loading has been provided, Section 108(2)(a) of the Resource Management Act 1991 requires Council to "deal with the money in reasonable accordance with the purposes for which the money was received".

(ii) Outside shopping frontage or within shopping frontage where the Floor Area Ratio (FAR) exceeds 1

Where:

- a site with frontage onto "Shopping Frontage" exceeds a FAR of 1; or:
- a site does not have frontage to "Shopping Frontage":
- new development or change of use shall provide dedicated on-site loading facilities to accommodate:
  - A courier van meeting the "Type MB- Forward Control Passenger Vehicle" standard as defined in Table A of the New Zealand Transport Agency's vehicle classification; or:
  - Where heavy vehicles (excluding articulated vehicles or trucks and trailers) service the site more frequently than monthly, on-site loading

facilities shall be provided to comply with the 90 percentile design two-axle truck swept path and minimum loading space dimensions; or:

- Where articulated vehicles or trucks and trailers service the site more frequently than monthly, on-site loading facilities shall be provided in accordance with “Road and Traffic Guidelines: RTS 18 – New Zealand On-road Tracking Curves for Heavy Motor Vehicles”.

(iii) Non-compliance with loading requirement – restricted-discretionary activity

(a) Non-compliance with the loading requirements in 9.1.3(ii) above shall require resource consent as a restricted-discretionary activity.

(b) Information requirements

Applications shall be accompanied by the following information prepared by an appropriately qualified and experienced person:

(i) An assessment of effects covering the matters to which discretion is restricted (see below);

(ii) A specific Loading Management Plan that shall show how conflict (safety, efficiency, and parking) with pedestrian and vehicular traffic is to be avoided, remedied, or mitigated.

(c) Matters to which discretion is restricted

Council shall restrict its discretion to:

(i) The frequency, type, and timing of delivery vehicles;

(ii) The road network in the vicinity, geometry and road width;

(iii) The availability of alternative on-street and/or off-street loading spaces in the vicinity of the site;

(iv) Where several activities are established on any site, or on several sites in any area, whether joint off-street loading areas for their common use can be provided;

(v) Road hierarchy including the function of the road network serving the site;

(vi) Traffic safety issues and impact on traffic safety;

(vii) Impact on traffic efficiency;

(viii) Impact on adjoining land users;

(ix) Impact on street parking;

(x) Impact on pedestrian movement and safety;

(xi) Whether conflict (safety, efficiency, and parking) with pedestrian and vehicular traffic and adjoining land users can be avoided, remedied, or mitigated by means of the implementation of a site and activity specific Loading Management Plan;

(xii) The contents of a site and activity specific Loading Management Plan;

(xiii) Methods to ensure that the provisions of the Loading Management Plan are adhered to;

(xiv) Provision for review of the Loading Management Plan;

(xv) Procedure in the event that the use of the site changes or the gross floor area of the building is increased.

(xvi) The matters addressed in, and recommendations of an ITA if required (see Rule 9.1.6).

(d) Matters in respect of which conditions can be imposed

Where consent is granted, Council may impose conditions regarding the terms of the Loading Management Plan relating to the matters (listed above) to which discretion is restricted including restrictions on the timing, frequency, and type of delivery vehicles.

Advice Note: Where it can be shown that, subject to compliance with a Loading Management Plan, loading can take place with minor adverse effects on the safety and efficiency of the transport network and road users, the requirement to provide on-site loading facilities may be waived through a non-notified resource consent application. For applications with minor effects, the only affected parties shall be:

- ***The New Zealand Transport Agency where the site has access from a state highway and the posted speed limit at the site's frontage is more than 70km/h;***
- ***The New Zealand Transport Agency and Council as road controlling authority where the site has access from a state highway and the posted speed limit at the site's frontage is 70km/h or less.***
- ***Council as road controlling authority where the site has access from a district road.***

~~Activities requiring loading facilities or servicing from heavy vehicles shall comply with the 90 percentile design two axled truck swept path and minimum loading space dimensions or a greater dimension of design where articulated vehicles or trucks and trailers are anticipated.~~

9.1.4 On-site parking

~~(ii) On-site parking and loading~~

(i) Shopping frontage

(a) Development or change of use on sites with at least one frontage onto "Shopping Frontage" (as shown on the Planning Maps) shall not be required to provide on-site parking facilities, provided that the Floor Area Ratio (FAR) of the development on the site shall not exceed a factor of 1.

(b) For sites with frontage to "Shopping Frontage" the parking requirements in (ii) below shall apply only to the portion of the development that exceeds a FAR of 1.

(c) Alternative means of compliance

As an alternative means of compliance, sites with frontage to "Shopping Frontage" that exceeds a FAR of 1, can pay a financial contribution for any shortfall in the provision of on-site parking.

Where cash-in-lieu of on-site parking is provided as an alternative means of compliance, the value of the financial contribution shall be equal to the value of land nearby (being 25m² per carpark) and the formation cost of the required car parks.

Advice Note: Where a cash contribution in lieu of on-site parking has been provided, Council shall deal with the money in reasonable accordance with the purposes for which the money was received.

(ii) Outside shopping frontage or within shopping frontage where the Floor Area Ratio (FAR) exceeds 1

Where:

- A site with frontage onto "Shopping Frontage" exceeds a FAR of 1; or:
- A site does not have frontage to "Shopping Frontage":

Every person who proposes to erect, re-erect, construct or substantially reconstruct, alter or add to a building on a site or who changes the use of any land or building, shall provide suitable areas for the parking of vehicles ~~and loading~~ as required below:

Activity	Parking spaces required
Accommodation facilities including:	
Dwellings (being one household unit)	2 spaces per dwelling *Note: One may be "stacked" where it does not interfere with shared access*
Iwi housing and marae subject to an Iwi Housing and Marae Development Plan	In accordance with the Development Plan; refer to relevant activities for guidance.
Home ~~O~~occupations involving retailing where the total area set aside for retail sales, storage and display exceeds 10m^2	4 spaces (to be located adjacent to the retail area)
Home occupations ~~No~~ not involving retailing or where retailing does not exceed 10m^2	1 space per ~~2~~ two persons employed, in addition to the requirements for the principal dwelling
Visitor accommodation including motels	1 space per unit/room plus 1 space per two staff members
Camping grounds/caravan parks	1 per unit, campsite, or caravan
Hostels, boarding houses	1 space for every three persons designed to be accommodated plus 1 space per two staff members
Nursing and convalescent homes	Visitor parking at a ratio of 1 space per ten beds, plus 1 space per two employees, plus 1 space per ambulance
~~Boarding houses, Hostels, Hotel Accommodation~~	~~1 space to every three persons designed to be accommodated plus 1 space per 2 staff members.~~
~~Motel, Lodges, Camping Grounds, Caravan Parks~~	~~1 space per unit place plus 1 per two staff members.~~
Places of assembly including:	
Restaurants/licensed premises	1 space per 10m^2
Theatres, halls, community centres, churches, funeral directors	1 space per five persons the facility is designed to accommodate
Buildings serving recreation reserves and indoor recreation buildings, including gymnasiums	1 space per 25m^2
~~Clubrooms, Restaurants, Cafes, Churches and Mortuary Chapels, Funeral Directors.~~	~~1 space for ten persons the facility is designed to cater for, or 1 space per 10m^2 Gross Floor Area. (Participants and spectators are to be catered for).~~
~~Halls, Theatres, Libraries, Gymnasiums and other Places of Assembly~~. Recreational and community activities with no buildings including playing fields and outdoor courts	1 space per ten persons the facility is designed to accommodate
Education facilities including:	
Childcare centres	1 space for every four children, plus 2 spaces for every three full-time staff equivalents
Schools	1 space per full-time equivalent staff member, plus 1 space per ten students accommodated in Years 11 to 13, plus 1 drop-off space per twenty students, plus 1 bus space per 200 students (excluding Year 11 – 13 students).
~~Pre-schools, Kindergartens, Childcare Centres, Primary and Intermediate Schools, Educational Institutions with less than 50 pupils.~~	~~2 spaces for every 3 permanent fulltime staff member plus 2 spaces for visitors.~~ ~~1 loading space for buses and vans.~~
~~Secondary Schools, and Educational Institutions with 50 or more pupils.~~	~~2 spaces for every 3 permanent fulltime staff member plus 2 spaces for visitors plus provision for pupil's vehicles assessed by a discretionary use application.~~ ~~1 loading space per 50 pupils for buses and vans.~~
Business activities including:	
Health care services (doctors/dentists)	3 spaces per consultant
Hospitals/hospices	1.5 spaces per bed

Activity	Parking spaces required
Administrative, commercial and professional offices (excluding home occupations)	1 space per 40 m² gross floor area
Supermarkets	1 space per 20m² gross floor area
Banks	1 space per 40m² gross floor area
Retail/shops under 5,000m² gross floor area	1 space per 40m² gross floor area
Retail/shops over 5,000m² gross floor area	1 space per 30m² gross floor area
Nurseries/ plant centres	1 space per 100m² site area
Other outdoor retailing	1 space per 100m² Gross Floor Area
Service stations	1 space per 35m² gross floor area of the convenience store, plus 4 spaces per lubrication/ servicing repair bay, plus 2 spaces per three staff members, plus 1 space per air hose or vacuum cleaner, plus 3 spaces per carwash
Premises for assembly or repair of motor vehicles	4 spaces per lubrication/servicing repair bay, plus 2 spaces per three staff members
Veterinary clinics	3 spaces per consultation room
~~Retail shops (including drive-in retail facilities and banks). Administrative, Commercial and Professional Offices not in a residential building.~~	~~1 space for 40m² of gross floor area.~~
Motor vehicle and agricultural implement sales yards	1 space per 150m2 of display area
~~Medical Centres, Hospitals, Hospices~~	~~4 spaces per professional person plus 1 space per 2 staff.~~
~~Service Stations and premises for Assembly, Repair of Motor Vehicles.~~	~~1 space for every service bay plus one on-site parking area for service tankers.~~
Depots, light industry, industry, commercial stockyards, sale yards, and holding paddocks	1 space per 100m² gross floor area
Warehouse and storage facilities (indoor or outdoor), Auction rooms.	1 space per 150~~100~~m² gross floor area so used
Commercial services, hire centres, dry cleaning depots, repair service, tradesman's workshops	1 space per 40m² of gross floor area
~~Industrial Users.~~	~~1 space per 50m² of gross floor area.~~
Works and network utilities	All permanent employee parking and loading requirements to be on-site
Fire stations/emergency service facilities	1 space per on-duty staff person, plus sufficient space for all emergency vehicles that use the site
Establishments for the boarding or breeding of domestic pets	1 space per non-resident employee plus 2 for the activity

(iii) Non-compliance with parking requirement – restricted-discretionary activity

(a) Non-compliance with the parking requirements in 9.1.4(ii) above shall require resource consent as a restricted-discretionary activity.

(b) Information requirements

Applications shall be accompanied by an assessment of effects covering the matters to which discretion is restricted, prepared by an appropriately qualified and experienced person.

(c) Matters to which discretion is restricted

Council shall restrict its discretion to:

(i) The actual car parking generation of the specific activity compared to the required parking ratio in 9.1.4(ii) above;

(ii) Whether there is the potential for joint provision of parking for common use by different activities on the same site or within the same area;

(iii) Whether the parking demand for activities peaks during different times of the day;

(iv) The availability of on-street parking in the immediate vicinity of the site as established through a representative parking survey;

(v) The potential for increasing the supply of on-street parking through redesign of the carriageway;

(vi) The ability to use additional land (subject to an easement, lease or other legal instrument) in the immediate vicinity of the site, for parking;

(vii) The ability to use public parking in the vicinity of the site, subject to payment of cash-in-lieu of on-site parking;

(viii) The potential for parking to "spill over" onto the adjoining road network taking into account the road hierarchy and the function of the adjacent road network;

(ix) Traffic safety issues and impact on traffic safety;

(x) Impact on traffic efficiency;

(xi) Impact on adjoining land users;

(xii) Impact on street parking;

(xiii) Impact on pedestrian movement and safety;

(xiv) The contents of a site and activity specific Parking Management Plan;

(xv) The ability to review the Management Plan;

(xvi) Procedure in the event that the use of the site changes or the gross floor area of the building is increased or legal rights to use additional land for parking is extinguished.

(xvii) The matters addressed in, and recommendations of an ITA if required (see Rule 9.1.6).

(d) Matters in respect of which conditions can be imposed

Where consent is granted, Council may impose conditions regarding:

(i) Restrictions on the hours of operation of an activity on the site;

(ii) Payment of a financial contribution in lieu of on-site parking;

(iii) Payment of the actual cost associated with reconstruction of the road and carriageway required to increase the supply of on-street parking;

(iv) Proof that the site has legal use of additional land used for parking;

(v) Registration of an easement or other legal instrument to tie additional land used for parking, to the site;

(vi) The terms of a Parking Management Plan;

(vii) Review clause to enable the adequacy of parking to be reconsidered over time or upon the expiry of rights to use additional land.

(viii) The matters addressed in, and recommendations of an ITA if required (see Rule 9.1.6).

Advice Note: Where cash-in-lieu of on-site parking is accepted, the value of the financial contribution shall be equal to the value of land nearby (being 25m² per carpark) and the formation cost of the required car parks. Where a cash contribution in lieu of on-site parking has been accepted, Section 108(2)(a) of the Resource Management Act 1991 requires the Council to "deal with the money in reasonable accordance with the purposes for which the money was received".

9.1.5 General parking, loading and formation standards

~~(iii) Exclusion of land for service lane or road~~

~~All parking and loading spaces and manoeuvring areas shall be provided on-site exclusive of land required for service lane or road.~~

~~(iv)~~(i) Location of parking and loading areas

(a) The provision for parking and loading in respect of any site shall not be on:

- Part of any manoeuvring area or access lane, or road;
- Any screening required by this Plan;
- Any solid waste storage area required by this Plan.

(b) ~~Provided that i~~In the Business and Industrial zones manoeuvring may be on service lanes.

(c) Parking and loading spaces are to be either visible from the public road or clearly signposted at the road frontage.

~~(v)~~(ii) ~~Formation of a~~Access, parking and loading areas

All shared private accessways, rights of way, access lots, common area for access, ~~private access to a rear lot~~, parking and loading areas shall be designed, formed and surfaced in accordance with the ~~MPDC~~ Development Manual ~~2010~~.

~~(vi)~~(iii) Stacked parking

Council shall accept stacked parking only in the case of dwellings provided that the stacking area is exclusive of all those matters listed in ~~(v)~~(i) above.

~~(vii)~~(iv) Reverse manoeuvring

(a) When three or more parking spaces or any loading space ~~or spaces~~ are required by this Plan to be provided on a site, sufficient space shall be provided on-site so that no reverse manoeuvring on to or from a road is needed.

(b) ~~Provided that t~~This requirement shall not apply where vehicular access to any such parking or loading space or spaces is obtained from a service lane.

(c) Parking and loading spaces must be able to be entered in a forward direction requiring no more than a three-point turn. The manoeuvring space provided shall take into account the type of vehicle anticipated. Loading and manoeuvring areas must be kept clear of obstructions.

(v) Non-compliance with general parking, loading and formation standards – discretionary activity

(a) Non-compliance with the general parking, loading and formation standards in (i)–(iv) above shall require resource consent as a discretionary activity.

(b) Assessment criteria

Council shall have regard to the following assessment criteria when considering an application for a discretionary resource consent under this Rule.

(i) Traffic volumes and traffic mix relative to existing and future traffic patterns;

(ii) Speed environment;

(iii) Sight distances;

(iv) Effects on the function, safety, and efficiency of the transport network;

(v) Effects on pedestrian safety;

(vi) Cumulative effects on the transport network;

(vii) Technical advice provided by the New Zealand Transport Agency and/or Council as road controlling authority.

(viii) The matters addressed in, and recommendations of an ITA if required (see Rule 9.1.6).

~~(viii) Stock crossings~~

~~The requirement for a stock crossing shall be in accordance with Appendix 4 of the District Plan.~~

~~The construction of the stock underpasses is a permitted activity if it complies with the requirements of the MPDC Development Manual 2010.~~

~~If a stock underpass is required by Appendix 4 of the District Plan and is not to be constructed, or does not meet the requirements of the MPDC Development Manual 2010, a discretionary activity resource consent shall be required.~~

~~If a stock underpass is not required by Appendix 4 of the District Plan, a mat shall be placed over the road crossing in accordance with the requirements of the MPDC Development Manual 2010. Should these requirements not be met, a discretionary activity resource consent shall be required.~~

~~**Advice Note: The Land Transport Bylaw 2008 also applies to the movement of stock within the road reserve.**~~

~~(ix) Access to rural properties.~~

~~Any vehicles disposing of rural or industrial waste onto a property, and any rural activity subject to a resource consent, shall gain access to that property over a complying vehicle entranceway located, designed and constructed in accordance with the MPDC Development Manual 2010.~~

~~Provided that in assessing what vehicle entranceway is required, Council may require a lesser standard whereby no adverse effects are generated by the activity having a regard to the following:~~

- ~~Traffic safety;~~
- ~~Visibility requirements;~~
- ~~Vehicle movements per day past the entranceway;~~
- ~~Speed limits;~~
- ~~Locality of other entranceways;~~
- ~~Width of road;~~
- ~~Culverts and drains;~~
- ~~Type of road;~~
- ~~Effects of the activity on access.~~

~~(x) Service lanes~~

~~All new activities shall provide Council with land for a service lane at the rear or at the side of the site as required in accordance with the planning maps. The service~~

~~lane widths and dimensions required from each site shall be in accordance with dimensions set down on the planning maps, or when not detailed, in accordance with the MPDC Development Manual 2010.~~

~~(xi) Signs~~

~~Signs shall be designed, erected and located in accordance with the MPDC Development Manual 2010 and Section 3: Development Controls.~~

9.1.6 Integrated Transport Assessments

Where an application for resource consent is required under any of the rules in this section (Section 9), the provisions below:

- Determine whether an ITA is required to be supplied with the application;
- Determine who can prepare a Broad ITA;
- Provide guidance on conversion of vehicles per day into other units of measure; and:
- Determine the scope of matters to be addressed by the ITA:

Advice Note: Rule 9.1.6 does not "trigger" a requirement for resource consent. Rather, the Rule determines the requirements for an ITA as part of the information to be supplied, when applying for a resource consent under any of the provisions of Section 9 of the District Plan.

(i) Trip generation triggers

A Simple or Broad Integrated Transport Assessment (ITA) shall be prepared for activities in accordance with the following trigger thresholds:

ITA Requirements for resource consent applications under Rules 9.1.2. – 9.1.5

Activity status of application for resource consent under Rules 9.1.2 – 9.1.5	Trip Generation of Activity (vpd = total vehicles per day) Annual Average Daily Traffic
	• Vpd thresholds are set in car equivalents. For the purpose of these thresholds
	  • 1 car to and from the site = 2 car equivalent movements
	  • 1 truck to and from the site = 6 car equivalent movements
	  • 1 truck and trailer to and from the site = 10 car equivalent movements					

	Collector and Local Roads			Significant Roads and Arterial Roads (including State Highways)		
	LOW <100 vpd	MEDIUM 100 – 249 vpd	HIGH ≥250 vpd	LOW <100 vpd	MEDIUM 100 – 249 vpd	HIGH ≥250 vpd
Controlled, restricted-discretionary, discretionary, and non-complying	-	Simple ITA required	Broad ITA required	-	Simple-ITA required	Broad ITA required

Advice Notes:

Total vehicle movements include all light vehicle and heavy vehicle movements. One vehicle entering and leaving the site equals two vehicle movements.

The following table (Rule 9.1.6 (iii)) contains a guide for converting vehicles per day into other units of measure. This can be used for screening proposals to identify whether an ITA is required or not.

For any temporary event that could affect normal road conditions, in addition to the provisions of the Matamata-Piako District Plan, a Traffic Management Plan may be required by the relevant road controlling authority.

(ii) Exceptions

The provisions Rule 9.1.6 shall not apply to:

(a) Events and temporary activities where a Traffic Management Plan is required, and has been approved by the raod controlling authority; or

(b) Home occupations; or

(c) Show homes; or

(d) Farming activities; or

(e) Seasonal rural activities (refer Rule 9.1.2 (vi)).

(iii) Guide for converting vehicles per day into other units of measurement.

The Table below contains guidance for converting total vehicle movements per day into other units of measurement. This can be used for screening proposals so as to identify whether an ITA is likely to be required or not.

In circumstances not covered by the provisions of this table, the applicant will need to provide specific vehicle trip generation information regarding the proposed activity:

Activity	Threshold/unit equivalent to Trip Generation of Activity (vpd = car equivalent vehicles per day) Annual Average Daily Traffic			
	<100 vpd	100 – 249 vpd	250 – 1499 vpd	>1499 vpd
a) Agritourism, Eco-Tourism and Nature Tourism Activities, and Tourism facilities	Up to 100m² GFA	101 - 250m² GFA	251 – 1,500m² GFA	More than 1,500m² GFA
b) Cafes, restaurants, clubrooms and licensed premises exclusive of accommodation	Up to 100m² GFA	101 - 250m² GFA	251 – 1,500m² GFA	More than 1,500m² GFA
c) Camping grounds and Caravan Parks	Up to 5,000m² site area	5,001 – 12,500m² site area	12,501 – 75,000m² site area	More than 75,000m² site area
d) Childcare and Preschool Facilities	Up to 30 children	31-75 children	76-450 children	More than 450 children
e) Compact housing, multi unit, and papakainga	Up to 20 residential units	21-50 residential units	51-300 residential units	More than 300 residential units
f) Dairy manufacturing sites(existing) and Dairy Factories (new)	Up to 1,500m² GFA	1,501–3,750m² GFA	3,751–22,500m² GFA	More than 22,500m² GFA
g) Dwellings	Up to 12 dwellings	13 - 31 dwellings	32 – 187 dwellings	More than 187 dwellings
h) Farming Activities	ITA not required			
i) Healthcare Facilities and Veterinary Clinics	Up to 100m² GFA	101-250m² GFA	251-1,500m² GFA	More than 1,500m² GFA
j) Home Occupations	ITA not required			
k) Hospitals, Rest Homes and Special Care Facilities	Up to 15 beds	16-38 beds	39-240 beds	More than 240 beds

l) Industrial activities (including warehouse, lock up storage units, contractors and storage yards) (excluding transport depots)	Up to 1,500m² GFA	1,501–3,750m² GFA	3,751–22,500m² GFA	More than 22,500m² GFA
m) Intensive Farming, Pack houses and Rural based Industry	Up to 1,500m² GFA	1,501–3,750m² GFA	3,751–22,500m² GFA	More than 22,500m² GFA
n) Laboratories, research establishments and rural research facilities	Up to 500m² GFA	501-1,250m² GFA	1,251-7,500m² GFA	More than 7,500m² GFA
o) Nurseries and garden centres	Up to 65m²	66-175m² GFA	176-1,500m² GFA	More than 1,500m² GFA
p) Offices	Up to 500m² GFA	501-1,250m² GFA	1,251-7,500m² GFA	More than 7,500m² GFA
q) Outdoor recreational and community areas including sports reserves, playing fields, courts and tracks	Up to 2 courts/fields	3-5 courts/fields	6-30 courts/fields	More than 30 courts/fields
r) Places of assembly and Marae	Up to 1,000m² GFA	1,001-2,500m² GFA	2,501-15,000m² GFA	More than 15,000m² GFA
s) Primary and Secondary Schools	All proposals require a Broad ITA			
t) Prisons and Residential centres	Up to 10 residents	11-25 residents	26-150 residents	More than 150 residents
u) Retail activities (including but not limited to general stores or dairies, shops, takeaway food outlets and banks)	Up to 100m² GFA	101-250m² GFA	251-1,500m² GFA	More than 1,500m² GFA
v) Retail – Building Improvement Centres and Large Format Retail (including but not limited to wholesale commercial enterprises open to the public, furniture, hardware & electrical appliance stores or stores selling a combination of these goods, any retail or wholesale outlet with GFA greater than 300m²)	-	-	300-1,500m² GFA	More than 1,500m² GFA
w) Retail activities – Outdoor (including car, caravan and boat sales)	Up to 1,000m² GFA	1,001-2,500m² GFA	2,501-15,000m² GFA	More than 15,000m² GFA
x) Retail activities – Supermarkets Only	Up to 50m² GFA	51-125m² GFA	126 - 750m² GFA	More than 750m² GFA
y) Retirement villages	Up to 1,200m² GFA	1,201-3,000m² GFA	3,001-18,500m² GFA	More than 18,500m² GFA
z) Services Stations and Takeaway food outlets with drive through facilities	All proposals require a Broad ITA			
aa) Show homes	ITA not required			

bb) Tertiary education institutions including aviation education training, work skills training centres and outdoor education centres	Up to 500m² GFA	501-1,250m² GFA	1,251-7,500m² GFA	More than 7,500m² GFA
cc) Trade Suppliers and Hire facilities	Up to 1,500m² GFA	1,501-3,750m² GFA	3,751-22,500m² GFA	More than 22,500m² GFA
dd) Transport Depots	All proposals require a Broad ITA			
ee) Visitor accommodation	Up to 10 units	11-25 units	26-150 units	More than 150 units

(iv) Suitably qualified practitioners

Broad ITAs shall be completed by suitably qualified practitioners and should follow the approach and guidelines of NZTA Research Report 422: Integrated Transport Assessment Guidelines, November 2010.

(v) Scope of matters to be addressed

(a) Simple ITA checklist

Simple ITA Information requirements		
Item	Item description	Details to be included
1	Background	Description of proposed activity, purpose and intended use of ITA
2	Existing land data	Description of location, site layout, existing use, adjacent and surrounding land use
3	Existing transport data	Description of access arrangements, onsite car parking, surrounding road network (including hierarchy, traffic volumes and crash analysis). Comment on public transport, walking and cycling networks.
4	Committed environmental changes	Consideration of other developments and land use in the immediate vicinity
5	Existing travel characteristics	Trip generation of existing use
6	Proposal details	Description of the proposal (site layout, operational hours, vehicle access, on site car parking, internal; vehicle circulation, end of journey facilities)
7	Predicted travel data	Trip generation of proposal. Consideration of other modes
8	Appraisal of transportation effects	Assessment of safety, efficiency and environmental effects
9	Avoiding or mitigating actions	Details of any mitigating measures and revised effects
10	Compliance with policy and other frameworks	Matamata-Piako District Plan objectives, policies and rules.
11	Discussion and conclusions	Assessment of effects and conclusion of effects
12	Recommendations	Proposed Conditions (if any)

(b) Broad ITA checklist

Broad ITA Information requirements		
Item	Item description	Details to be included
1	Background	Description of proposed activity, purpose and intended use of ITA, outline of any previous discussions with the Council
2	Existing land data	Description of location, site layout, existing use and consents (if any), adjacent and surrounding land use

3	Existing transport data	1. Description of existing access and service arrangements, onsite car parking 2. Description of surrounding road network (including hierarchy, traffic volumes, crash analysis, congestion and intersections) 3. Description of public transport modes, walking and cycling networks
4	Committed environmental changes	Consideration of other developments and land use and transport improvements (including public transport, walking and cycling)
5	Existing travel characteristics	Existing trip generation, modal split, assignment of trips to the network
6	Proposal details	1. Description of the proposal (site layout, operational hours, vehicle access, on site car parking, and drop off, internal vehicle circulation, end of journey facilities, travel demand management) 2. Construction management 3. Any staging, triggers and thresholds for activities and mitigation measures
7	Predicted travel data	Trip generation of proposal, modal split, trip assignment to the network, trip distribution and trip type proportions. Future traffic volumes and trip generation. Consideration of appropriate assessment year (e.g. 10 year forecast for collector and local roads: 30 year forecast for arterials.)
8	Appraisal of transportation effects	Assessment of safety, efficiency, environmental, accessibility, integration and economic effects. Sensitivity testing
9	Avoiding or mitigating actions	Details of any mitigating measure and revised effects, including measures to encourage other modes. Travel planning and travel demand management measures and sensitivity testing mitigations
10	Compliance with policy and other frameworks	Matamata-Piako District Plan objectives, policies and rules. Other relevant local, regional and national strategies
11	Discussion and conclusions	Assessment of effects and conclusion of effects. Confirmation of the suitability of the location of the proposal
12	Recommendations	Proposed Conditions (if any)

Advice Notes:

For further guidance refer to Appendix A of New Zealand Transport Agency Research Report No.422, "Integrated Transport Assessment Guidelines", Abley at al, November 2010.

Details listed in bold font are required for large developments with significant transport impacts and may not be applicable for smaller developments.

For additional resource consent requirements relating to intergration of land use with infrastructure (larger scale activities) see Section 5.9.4.

~~Objectives/Policies~~		
~~3.8.2~~	~~O2, O3, O4, O5~~	~~P2~~

Explanation

The provision of access, parking and loading areas has a significant impact on both the amenity of the adjacent area and the safety and efficiency of the roading network adjoining the site. The proposed rules are intended to ensure that the location, formation and use of these areas do not compromise the enjoyment and use of adjacent properties and facilities.

9.2 Railways

~~9.2.1 Sight lines at railway crossings~~

~~Where a railway and road intersect on the same level the sightlines shall be maintained in accordance with the requirements of the MPDC Development Manual 2010. Where sight lines are included as a legal encumbrance on a land title and written approval has been given by the requiring authority, then they shall override the District Plan requirements.~~

9.2.1 Separation between site access and railway level crossings

(i) Permitted activities

The following shall be permitted activities:

(a) An existing site access which is separated by less than 30m from a railway level crossing and retains its existing character, scale or intensity of use;

(b) A new vehicle crossing separated by 30m or more from a railway level crossing.

Advice Note: Site accesses (Vehicle crossings) must also meet the access standards in Section 9.1.2, or a consent as set out in Section 9.1.2 will be required.

(ii) Restricted-discretionary activities

The following shall be restricted-discretionary activities:

(a) Any new site access with less than 30m separation to a railway level crossing;

(b) Any site access with less than 30m separation from a railway level crossing that changes in character, scale, or intensity of use.

Advice Note: Vehicle crossings must also meet the access standards in Section 9.1.2, or an additional consent as set out in Section 9.1.2 will be required.

(iii) Matters to which discretion is restricted

Council's discretion is restricted to the following matters:

- Whether vehicles can safely and efficiently enter and exit a site without resulting in the queuing of vehicles blocking the railway corridor.

(iv) Matters in respect of which conditions can be imposed

Where consent is granted, Council may impose conditions, drafted in consultation with KiwiRail, to avoid, remedy, or mitigate adverse effects on the rail network, and on the safety of vehicles using the site access.

(v) Notification

Unless other consent requirements are triggered simultaneously, applications for resource consent under this Rule shall not be subject to public notification. The only affected parties shall be:

- The rail operator; and:
- The New Zealand Transport Agency and/or Council as road controlling authority.

Advice Note: The separation distance between a site access and railway level crossing shall be measured from the closest rail, to the edge of the formation of the vehicle crossing.

9.2.2 Private railway crossings

Advice Note: Private railway crossings are subject to KiwiRail's approval through the current "deed of grant" process.

Objectives/Policies		
2.4.6	O1	P1, P2, P3, P4
2.4.7	O1, O2, O3	P1, P4, P5
3.8.2	O1, O2, O3, O4, O5, O6, O7, O8	P1, P2, P3, P4, P5, P6, P7, P12, P13, P14, P15, P16, P17, P18

9.3 Airports

9.3.1 Matamata airport approach path

A noise sensitive use (including places of assembly and residential activities) will not be permitted within the air noise boundary (65dBA Ldn) as shown on the Planning Maps. For the area of land between the air noise boundary and the outer control boundary (65dBA - 55dBA Ldn contours) noise sensitive uses will not be permitted unless acoustic insulation to the building ensures a satisfactory internal noise environment in accordance with the NZS 6805:1992 "Airport Noise Management and Land Use Planning". Outside the outer control boundary there may be unrestricted development as there is no noise issue that needs to be considered.

9.3.2 Matamata airport height restrictions

No building structure, mast, tree or other object of growth shall penetrate the height limitations within the Matamata Airport Protection Area as shown on Planning Maps Number 11, 12, 14 and 31 and/or as defined in Appendix 6. Where there is conflict between these height control limits, the lowest restriction shall prevail.

Objectives/Policies		
3.8.2	O5	P7

10 Natural environment and heritage

10.1 Activities involving scheduled items and natural resources

Activities involving scheduled natural environment resources shall comply with the following:

(i) 10 days notice in writing shall be given to the Council of any proposed work, redecoration, repair or alteration to any scheduled work, or any work in the Te Aroha Character Conservation Area, to determine the environmental effects of the proposed work.

Objectives/Policies		
3.1.2.1	O1	P1
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6

10.2 Activity Table

KEY			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			

Activity	**All zones**
1. Buildings And Objects In Schedule 1 and Buildings and Objects Within The Te Aroha Character Area	
(a) Character Any minor redecoration, repair and/or insignificant alteration to a scheduled item, building or object which is carried out in a manner and design and with similar materials and appearance to those originally used which does not detract from those features for which the item has been scheduled.	P
(b) All activities affecting the appearance of any building or object in Schedule 1 and in the Te Aroha Character Area not considered to be minor including: • Any alteration, modification or demolition to non-scheduled buildings constructed earlier than 1914. • Construction of any new building.	D
Advice note: See definitions for interpretation of "minor". Refer also to "Project Te Aroha" and supporting documentation in Clause 1.8 (Part A).	
2. Scheduled Trees Or Any Trees Within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest.	
(a) Minor trimming, pruning or maintenance of any tree listed in Schedule 3 undertaken by hand operated clippers (of a 20mm maximum blade length) in accordance with accepted arboricultural practice.	P
(b) The removal of dead, damaged or diseased limbs of any tree listed in Schedule 3 undertaken by an aborist on the Council list of qualified aborists.	P
(c) The removal of any tree listed in Schedule 3 that is dead, dying or terminally damaged by disease or natural causes. To trigger this rule a report undertaken by an aborist on the council list of qualified aborists confirming that the scheduled tree is dead, dying or terminally damaged has to be lodged with and accepted by council prior to removal of the tree.	P
(d) Any trimming, pruning or maintenance of a scheduled tree (including roots) specified in Schedule 3 not otherwise permitted.	D
(e) Any works or activity which is proposed within the dripline of any scheduled tree or which may impact on the root system of the tree.	D
(f) Removal of any scheduled tree (excluding those that meet the provisions of 2c)	N/C

3. General Tree Protection Provisions	
(a) Any major trimming, (that which cannot be done by hand operated clippers) pruning, maintenance or removal of any indigenous vegetation within 20m of river or stream.	D
4. Identified Sites in Schedules 1 (Heritage Buildings and Objects), 2 (Waahi Tapu) and 3 (Outstanding or Significant Natural Features and Trees and Other Protected Items) except Scheduled Buildings and the understorey and regrowth of vegetation in a plantation forest.	
(a) Modification of any natural landform	D
(b) Any building or structure of any kind, including any fence boundary wall or retaining wall except in the Kaitiaki (Conservation) zone.	D
(c) Maimais in wetlands unless defined as not being permitted in a management plan of the wetland.	P
(d) Excavation, damage or alteration, reconstruction, or destruction to any scheduled resource.	N/C
(e) Wildlife management activities carried out by the Department of Conservation and Fish & Game Council.	P
5. Unscheduled Significant Natural Features	
Damage, alteration or destruction of any significant indigenous vegetation or habitat or indigenous fauna meeting any one of the criteria of Appendix 1, Clause 5 (i) or (xi).	D

Objectives/Policies		
3.1.2.1	O1	P1
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6

Explanation: Section 13, Other Methods.

While some outstanding and significant natural features have been identified in Schedule 3, it is important when contemplating activities that may affect other natural features, that the criteria of Appendix 1 Section 5, are used to evaluate their significance, and thus determine whether that activity has permitted status or whether it is one that may require a resource consent. Council has agreed that by July 2003 it will initiate a study to identify any other significant natural features within the District that fit within the criteria so that this rule does not become a costly exercise to members of the community with the objective of completing the exercise by July 2005.

Council recognises that many landowners are already aware and voluntarily protect indigenous vegetation and wetlands for their own sake and as habitats of indigenous fauna. Council encourages such protection through incentives provided in this plan as follows:

- Subdivision rights where certain significant features are to be protected by landowners. See bonus protection lots Section 6, Subdivision.
- Provision of professional assistance from Council staff, liaison with other agencies and a willingness to consider supporting specialist outside advice where appropriate.
- Identification of the role of Council's Strategic and Annual Plans for advice to property owners, education, financial assistance and other incentives. This may include in the future rate relief, waiver of development levies or transferable development rights. See Section 13: Other methods.
- Limited land purchase for esplanade reserves and access. See Section 13: Other Methods.
- Promotion of, and provision for assistance in the preparation of Landcare Plans which provide for eligibility for Council grants for fencing and planting. See Section 13: Other Methods.

10.3 Conservation plans

Any resource application on a Category 1 building which in the opinion of the Council involves significant work or alteration shall include a Conservation Plan as a part of the application. A Conservation plan must include:

(i) A statement of the significance of the heritage item.

(ii) The physical, conservation action and care necessary for retaining or revealing the heritage significance - this may include maintenance, reconstruction or restoration.

(iii) Particular activities which may be compatible with the protection of the heritage item and those which may need to be constrained.

(iv) Policies to enable the cultural significance of a place to be retained in its future use and development.

Objectives/Policies		
3.1.2.1	O1	P1
3.1.2.2	O1	P1, P2, P3, P4
3.1.2.3	O1	P1, P2, P3, P4, P5, P6

Explanation

These scheduled natural resources are considered significant (through complying with the evaluation criteria in Appendix 1) to Matamata-Piako and worthy of protection in the public interest. Resources included in the schedules are considered to be community assets and which would be valued ahead of most land development proposals which might endanger them or compromise their form or condition. Additional features may be added to the schedule by the Plan Change procedure including compliance with Appendix 1.

Heritage resources can be easily devalued or compromised by development or change, hence the need for rigorous controls over the redevelopment of these resources. The degree of protection afforded to heritage places should be adjusted to take account of the relative heritage value of the feature concerned. Categorising heritage significance into registration classes allows greater scope for adaptation and redevelopment of less significant items. It can also establish priority for the allocation of conservation resources.

Scheduled trees are recognised as community assets and are afforded the greatest level of protection. Any alteration to the Schedule must be by way of a plan change. The general tree protection category recognises the considerable amenity afforded by trees on roads and reserves and hence the provision for their protection. ~~The height and girth criteria ensure that protection is afforded to mature trees which make a significant contribution to the landscape and amenity of the District.~~ Trees located in the vicinity of rivers and streams contribute to water and soil conservation and can assist in minimising damage from natural hazards such as floods, erosion and siltation.

To avoid unnecessary delay in maintaining any scheduled items provision is made for minor or insignificant works as permitted activities.

Provisions for scheduled resources take precedent over the more general Te Aroha Character Area provisions. By controlling non-scheduled buildings in the conservation area it is expected that over time the particular character of Victorian Te Aroha will be retained and enhanced. Activities which do not adversely affect this character will be permitted in this area, as will new buildings and additions complimentary and in keeping with the character of the Te Aroha Character Area.

The Kaitiaki (Conservation) zone is applied to significant natural landscapes and habitats where the geographical spread of areas or features is sufficient to justify zoning rather than individual schedule of areas. This zone applies to areas to protect or enhance their natural, intrinsic, or other recognised values of an area. It covers the Kaimai Ranges, Western Ranges, Peat Dome, riparian areas and Kahikatea floodplain forest remnants over 4000m^2 in area. The Kaitiaki zone in the Kaimai Ranges includes all that land held in public reserve, areas identified by previous Hauraki Catchment Commission reports as being subject to soil conservation and generally all land down to the bush line at the base of the ranges. Pastoral country is generally excluded. Provisions are designed to achieve the conservation emphasis of the zone and any development or activities are restricted to ensure adverse effects on the environment are minimised. Mineral or peat processing is prohibited in this zone as such activities can be located in less environmentally sensitive areas, and their adverse effects can be more appropriately mitigated. Protection Forestry is permitted subject to Council conditions concerning rehabilitation, replanting within one year and soil conservation matters. The Forestry Code of Practice will be used by Council as a guide to the implementation of the controlled category criteria. Pastoral farming that exists as at November 1996 may continue with existing use rights. The clearance of further bush for farming use within the Kaitiaki zone is not to be allowed. Buildings are discretionary within the Kaitiaki zone to ensure an appropriate location relative to the visual impact, the impact on ecology and fire fighting facilities.

The Council will undertake a review, 5 years after the plan has become operative, of the environment along the Waihou, Waitoa and Piako rivers in terms of land use, the Kaitiaki (Conservation) zone and the categorisation of activities and methods used within the Kaitiaki (Conservation) zone in conjunction with affected landowners, interest groups and other members of the public who may have an interest.

11 Natural hazards

11.1 General

Within the areas identified as "Natural Hazards Areas" the following rules shall apply, in addition to the rules for the zone. Where the rules outlined in Section 11 and the rules for the particular zone are inconsistent, the rules of Section 11 shall have precedence.

Objectives/Policies		
2.4.2	O1	P1

11.2 Activity Table

KEY			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			

Activity	**All zones**
All Natural Hazard Areas	
1. Any use, development or subdivision of land within areas identified as Natural Hazard Areas on the planning maps with the exception of ~~upgrading of~~ above and below ground electrical lines listed in 8.2.1.1 to 8.2.1.7. ~~as 8.1.1 and 8.1.5. Where the intended upgrading meets the definition provided in the District Plan, such a work shall be permitted.~~	D
Flooding, Retention Ponds and Spillways	
1. Any use, development or subdivision of land which blocks, impedes or diverts any natural gully system or overland flow path.	D
2. Any use, development or subdivision of land in the water supply catchments above Te Aroha township as defined on the planning maps.	PRHB
3. Any use, development or subdivision of land within the Waihou River floodway, land at the head of debris fans, or land within the flood channels of tributary streams with the exception of ~~upgrading of~~ above and below ground electrical lines listed as 8.2.1.1 to 8.2.1.7 ~~8.1.1 and 8.1.5~~. ~~Where the intended upgrading meets the definition provided in the District Plan, such a work shall be permitted.~~	D
Fire Hazard Buffer	
1. Erection of habitable buildings within an area which is identified on the planning maps as a "High Fire Risk Bush & Fire Hazard Buffer".	C

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1

Explanation

For areas with known or suspected hazards, the most effective control technique available involves the retention of Council discretion in order to avoid or mitigate hazards. Areas subject to natural hazards can be readily mapped to permit ease of reference, facilitating greater public awareness of natural hazards.

Council has already begun programmes to identify areas in the District which are subject to land instability. The land instability notation has been based on soils information and geotechnical and flooding reports for the Te Aroha township area. In order to impose controls on land subject to slippage without being unduly onerous on land not at risk, it is important that this work be continued. The use of GIS as a mapping tool will speed this identification work. Where land is identified as unstable, it is important from a public safety viewpoint to require appropriate studies and impose appropriate controls. It is the intention of the Plan that general controls on buildings will be applied through the Building Act 1991 and in addition controls on all structures and built forms within identified hazard areas will be applied using the discretionary activity status afforded by the Plan.

Large areas of impermeable surface (pavement, roofing, buildings) generate significantly more stormwater runoff than original permeable ground surfaces such as soil covered by pasture or bush. Increased runoff can boost flood loads in rivers and streams and lead to scour or erosion intensifying downstream hazard.

It is, therefore, appropriate to require technical evaluations of the impact of increased stormwater flow from larger developments such as industrial or commercial buildings, carparks or loading yards and to require increased stormwater loads to be managed or mitigated to avoid downstream effects. This will be particularly important in low lying areas already subject to flood hazard. A range of mitigation options will need to be evaluated on a case by case basis in accordance with the ~~MPDC~~ Development Manual ~~2010~~. In general, net stormwater discharge from a site should remain largely unchanged after development takes place. This will ensure that no additional hazard is created.

The forested areas of the Kaimai Ranges and western foothills represent both a valuable resource and a potential fire threat to the residents of Matamata-Piako. The fire hazard line has been drawn around those areas which are identified as "high risk areas" within the Council's rural fire plan. The line has been drawn a standard distance of 200m from the area to be protected. The rules and methods included in this plan are intended to protect the forest resource from accidental fires caused by nearby dwellings and to provide a safety factor for homes and public buildings near forest areas should a fire occur. The methods also enable the controlling of access to high risk areas during dry periods, acknowledging that a possible cause of forest fires is uncontrolled access to these areas during these periods.

The Building Act 1991 contains a range of provisions appropriate for seismic hazard and wind hazard management in the District. To avoid confusion it is considered that the best approach with regard to an essentially undefined seismic hazard is to use the provisions of the Building Act 1991, in the interim until more accurate risk assessment data is available.

Wind zones based on accepted national standards provide the simplest technique for defining the relative degree of hazard for different geographical areas of the District. The wind hazard management and mitigation provisions of the Building Act 1991 will be relied on.

11.3 Site suitability

Where a site lies outside the hazard areas but may be subject to any:

- Natural hazard;
- Slope stability issues; or
- Ground conditions not suitable for the foundations of buildings, services or other works

Any persons proposing to use, develop (including bulk earthworks) or subdivide the site will require a site evaluation from a suitably qualified engineer or other person confirming that the site can be safely developed without adverse effects either on or off the site for a permitted activity including necessary access and servicing requirements.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.2.2.2	O1	P1
3.2.2.3	O1	P1, P2
3.2.2.4	O1	P1, P2
3.2.2.5	O1	P1

Explanation

Larger areas of the District which are prone to risk from natural hazards have been mapped on the planning maps. However there are some sites in the District which will have escaped attention in the development of the plans which will be unsuitable for development or which will require protection measures. Council will retain the discretion to require site investigations to confirm suitability of the site where it has reasonable grounds to believe the site may be prone to natural hazards disturbance.

11.4 Flooding

11.4.1 Design floor levels

In ponding areas within the Waihou River flood plains, at least 80% of the area of the property shall have ground levels 200mm above the design flood level and the building floor levels must be 500mm above the design flood level, i.e. 300mm above ground level. Design flood levels are usually based on the risk factor of 1% annual return period flood event.

11.4.2 Design standards for buildings subject to overland flow paths

Buildings subject to overland flow from tributary streams shall meet the following standards:

(i) Exterior walls should be waterproofed;

(ii) Large openings to the building should be located away from flowpaths;

(iii) Minimum floor levels of habitable rooms shall be 500mm above general ground level or above stopbank crest levels or road formation levels.

11.4.3 Stormwater flows

Where activities involve the development of large impermeable surfaces including buildings, structures and paved surfaces (exceeding a combined site coverage of 1,000m^2), Council will require technical evaluations of the existing and anticipated stormwater flows and the necessity or otherwise of retention ponds or other stormwater control and/or mitigation devices.

11.4.4 Stormwater design

Detailed stormwater design shall be in accordance with the ~~MPDC~~ Development Manual ~~2010~~.

11.5 Geotechnical structural area

The instability areas shown on the planning maps generally have the following characteristics:

- Land inventory map class VI and above;
- Land inventory map slopes E, F, G (>20°);
- Land inventory map erosion severity 2 and above (moderate and above) including active stream bank erosion;
- Tongues of slump debris.

In the above where use, development or subdivision is proposed a geotechnical assessment may be required in accordance the requirements of the ~~MPDC~~ Development Manual ~~2010~~.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4

Explanation

The District contains a number of areas which are identified as susceptible to flooding. The flood hazard line was sourced from the Transitional District Plan which identifies the Waihou Valley Scheme and the Piako River Scheme. Additional information was sought from the ~~Environment~~ Waikato Regional Council to further define flood lines. The Beca Carter Hollings & Ferner flood and land instability report for Te Aroha (1988) was also used. Other small pockets have been shown where it is known the land floods on a regular basis. Flooding can be a threat to the lives of people and can cause damage to property. In areas where flooding is known to occur it is not always necessary to prohibit buildings and structures if they are designed so that the adverse effects of flooding are avoided. The primary means of avoiding adverse effects is to construct floor levels above the known flood levels on the property in question.

Overland flow paths of tributary streams can carry significant volumes of water during times of heavy rain and flooding. Buildings and structures located in these flow paths can be significantly damaged during times of heavy flow. The measures above are measures which can be taken to minimise potential damage to the building in the flowpath.

12 Surface of water

12.1 General

Activities on the surface of water shall comply with the following:

(i) All permitted activities in Activity Table 12.2 shall comply with the Development Controls (Section 3), Activity Related Standards (Section 4) and Performance Standards (Section 5) of the Plan;

(ii) Motorised vessels are not to exceed speeds of five knots (9 kph) within five metres of a riverbank for all tributaries of the Waihou River;

(iii) All discretionary activities in Activity Table 12.2 will be assessed in accordance with Section 1, General Provisions;

(iv) Any work shall be undertaken in a manner which avoids remedies or mitigates deposition of construction material on the surface of the water.

Objectives/Policies		
3.6.2	O1	P1, P2, P3

Advice note: Resource consents for activities which involve the bed of a river may also require a resource consent from the Waikato Regional Council.

12.2 Activity Table

KEY			
P	Permitted activity	C	Controlled activity
D	Discretionary activity	RD	Restricted Discretionary activity
N/C	Non Complying activity	PRHB	Prohibited activity
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for.			

Activity	**All zones**
1. Navigation and passage of non-commercial recreational vessels.	P
2. Navigation and passage of commercial recreational vessels.	D
3. Maimai.	P
4. Erection, or placement of new structures, addition, alteration or replacement of existing authorised structures on or over the surface of water with the exception of overhead electricity infrastructure. ~~upgrading of electrical lines listed as 8.1.1 and 8.1.5. Where the intended upgrading meets the definition provided in the District Plan, such a work shall be permitted.~~	D

Objectives/Policies		
3.6.2	O1	P1, P2, P3

Explanation

The rules minimise restrictions on private recreational activities, as the waterways currently have an important role as a recreational resource. The sensitive nature of the water environment has lead to rules which seek to minimise the adverse effects on the natural character and landscape values of the river environment.

13 Other methods

13.1 Statutory provisions

In undertaking any activity, regard shall be had to the provisions and requirements of statutes regulation or Policy Statements other than the Resource Management Act as they affect the avoidance, remediation or mitigation of any adverse effects on the environment.

Such statutes include, but are not necessarily limited to:

- Local Government Act;
- Reserves Act;
- Historic Places Act;
- Conservation Act;
- Building Act;
- Building Code;
- Official Meetings and Information Act;
- Land Information Memorandum;
- National Policy Statements;
- Treaty of Waitangi;
- Hazardous Substances and New Organisms Bill/Act;
- Health Act;
- Electricity Act.

13.2 Regional Council

In undertaking any activity, regard shall be had to the provisions and requirements of any Policy Statements and Regional Plans prepared by the Regional Council relating to but not necessarily limited to:

- Earthworks;
- Water and soil conservation;
- Discharge of contaminants;
- Water permits;
- Damming, flooding or otherwise altering any natural catchment;
- Removal of vegetation;
- Hazardous facility management;
- Structures on, under or over the beds or rivers.

13.3 District Council

13.3.1 ~~Strategic plan~~ Long-Term Plan (LTP)

~~The Council is to establish a strategic plan to provide strategies to meet the needs of the District in the foreseeable future. Strategic policies are listed throughout the Issues, Objectives and Policies section as a means of meeting the demands of future development.~~

~~The strategic policies will be taken into account when assessing any resource consent application in the District.~~

The Council is required to produce and update the LTP every three years. The LTP outlines Council's plans, objectives, and activities for the next ten years, providing a long-term focus for decision making.

13.3.2 Annual Plan

Council's Annual Plan prioritises and budgets Council's annual business. It is a method of ensuring that public input to matters such as infrastructure development is carried out in an orderly manner providing services where they are required in the immediate future.

The Annual Plan is publicly consulted before being adopted by Council and can respond quickly to changes in public need as development progresses.

The Annual Plan may include, but is not necessarily limited to:

- Prioritising and funding infrastructure development;
- Prioritising and funding reserve development;
- Providing for the protection, maintenance and enhancement of scheduled significant features, trees and landscapes;
- Providing for the maintenance of special character areas and promotion of Mainstreet programmes;
- Providing for ongoing consultation with the Tangata Whenua;
- Providing for education programmes which promote the sustainable use of resources including heritage and natural environment resources;
- Providing professional advice to property owners on tree matters;
- Providing financial assistance and other incentives to encourage the voluntary protection of wetlands and wetland margins;
- Liaising with DOC, Fish & Game, Council and WRC with a view towards the identification of appropriate wildlife corridors;
- Providing financial assistance for resource consent applications as notified in terms of section 150 of the Local Government Act 2002.

13.3.3 Building Code

The Building Code contains requirements for the maintenance and provision of on-site amenity and shall be complied with by every structure erected within the District.

13.3.4 Land Information Memorandum

Council shall encourage all prospective Land purchasers to apply for a Land Information Memorandum (LIM) with respect to Land within the District.

The LIM shall contain all information Council may hold with regard to the property and may include advice on;

- Building Consents issued;
- Resource Consents issued;
- The presence of any significant features;
- The presence of any natural hazards;
- The presence of any hazardous substances;
- Any noise emission control boundary situated on the property.

13.3.5 ~~MPDC~~ Development Manual ~~2010~~

The ~~MPDC~~ Development Manual ~~2010~~ within Appendix 3 of the District Plan contains the design requirements for all developments and/or subdivisions within the District. This provides the preferred means of compliance with the ~~performance outcomes~~ provisions sought within the District Plan.

13.3.6 Infrastructure Code of Practice

The MPDC Infrastructure Code of Practice provides the technical specifications and quality systems that apply to all assets to be vested with MPDC.

13.3.7 National Urban Design Protocol

Council is a signatory to the National Urban Design Protocol and may develop guidelines for use by the community. The performance standards within Section 6.2.1 of the District Plan provide the requirements of MPDC in respect of the New Zealand Urban Design Protocol.

The Council has prepared Urban Design Guidelines to assist in the interpretation and application of these requirements.

13.3.8 Land purchase

(i) Where subdivision does not occur Council may be pro-active in obtaining either esplanade reserves or access strips in the following circumstances and as budgetary opportunities allow:

- Where a potentially continuous stretch of the esplanade reserves network is not continuous due to a small number of isolated areas not included in the network by some other means;
- Where access to an important recreation or conservation area is warranted;
- Where subdivision of an area appears complete and, unless access is negotiated, a continuous esplanade reserves network would not be available.

(ii) Council recognises the community desire to have the area defined as Kaitiaki zone within the Kaimai Ranges returned to its natural native afforested state for landscape values. In recognition of this Council may acquire by agreement land in this zone for this purpose in accordance with section 86 of the Resource Management Act.

13.3.9 Bylaws and environmental health enforcement

Council's Bylaws and Environmental Health officers will ensure that the provisions of the Bylaws and the Health Act are enforced to achieve the environmental results anticipated in this plan and to avoid nuisance being created in the District.

13.3.10 Landcare plans

Where development is undertaken in accordance with a Landcare Plan adopted for the property and recorded on the title, the property may be eligible to apply for Council grants to complete conservation planting and protective fencing of such areas. Council may fund this through the Annual Plan.

13.3.11 Hazardous substances

Council will assist with the identification and promotion of suitable industrial standards and Codes of Practice to avoid, remedy or mitigate environmental effects and risks associated with hazardous substances and facilities.

Council will assist with the development of guidelines to assist operators of hazardous facilities in achieving compliance with relevant management requirements.

- Council will promote the use of the "Cleaner Production Guidelines" produced by the Ministry for the Environment;
- Council will work with the ~~Environment~~ Waikato Regional Council and other relevant agencies to develop a framework for managing high risk contaminated sites.

13.3.12 Property protocol plans

Council will facilitate the development of property protocol plans in conjunction with landowners, lessees or contractors to ensure the effective and appropriate use of spray equipment and identification of weeds and pests on rural properties.

13.3.13 Solid waste disposal

Council will encourage the disposal of all waste to conform with its solid waste minimisation strategy.

13.4 Department of Conservation

Significant areas of the District lie within the Conservation Estate. The Council will liaise with the Department of Conservation in the utilisation of this resource to achieve the best possible outcome.

Methods of doing this may include, but are not necessarily limited to:

- Reserves management plans;
- Conservation plans.

A Management Plan for the Kopuatai Peat Dome should be developed as it is considered that 20m is insufficient to protect the natural values of it. The plan is to be prepared in conjunction with the Regional Council, the Department of Conservation and shall recognise sustainable management practice of land around the Dome and the effects on it.

13.5 New Zealand Historic Places Trust

Council will liaise with the New Zealand Historic Places Trust with regard to any activity being undertaken on a site that includes or may include a significant heritage site.

13.6 Tangata Whenua

Council will liaise with the tangata whenua with regard to any activity being undertaken on a site that includes or may include features of cultural significance.

Methods of doing this may include, but are not necessarily limited to:

- Iwi housing and Marae development plans;
- Landcare accords.

13.7 Special interest groups

Council will liaise with Special Interest Groups that have established Codes of Practice that relate to carrying out specific activities to avoid duplication of resources and requirements.

Specific examples include, but are not necessarily limited to:

- New Zealand Pork Industry Board Code of Practice 1993;
- New Zealand Fire Service Code of Practice;
- New Zealand Forest Code of Practice;
- Principles for Commercial Plantation Forest Management in NZ (1995);
- Poultry Industry Association - Poultry Industry Agreed Standards, and Code of Practice 1995;
- Design, Installation and Operation of Underground Petroleum Systems;
- Code of Practice for Agrichemical Users NZS8049 1995.

14 Monitoring

The following methods shall be used to monitor the performance of the District Plan and to assess whether the anticipated environmental results are being achieved. A monitoring report will be provided annually by 1 July.

1. A register of public complaints including an assessment of response, resolution and follow-up procedures.
2. An annual assessment of resource consents, approved including compliance with consent conditions, development controls, performance standards, and where applicable, activity related standards and Management or Concept Plan conditions.
3. An annual assessment and review of all subdivisions including type and frequency, compliance with consent conditions and appropriateness of consent conditions and reasons to achieve the anticipated environmental results.
4. An annual review of Development Contributions received relative to works undertaken to enable Council to assess and review the level of contribution appropriate.
5. Random surveys on public perceptions in relation to adverse effects from new development.
6. Annual surveys of significant issues, for example, noise.
7. Annual reports on building permits approved in the District, by zone, including non-compliance with development control rules.
8. Annual report on enforcement measures taken.
9. Annual statements from operators on the location of hazardous substances to enable a hazardous substances map to be compiled.
10. Annual report on known failures, accidental spills and dumpings of hazardous substances.
11. Annual review of the performance of special interest groups' codes of practice in achieving the anticipated environmental results.
12. Annual survey of "existing use" activities to determine when the activity no longer complies with the provisions of Section 10 of the Act.
13. Annual report on the number of home occupations established as permitted activities.
14. Annual report on the number of small businesses and other activities established out of zone.
15. Monitoring the effectiveness of continuing partnership and consultation with Iwi groups under the Charter of Understanding between the tangata whenua of the District and the Council.
16. Annual report on the compliance of signs, particularly along the state highway and regional arterial road network, with the development controls of the District Plan.
17. A schedule of protective covenants on significant features including a list of properties to which they relate shall be maintained and regularly updated.
18. Regular tree resource surveys to monitor and provide updated guidance on the value and importance of particular tree resources to the District.
19. Monitoring of land use change.

15 Definitions

Note: Should any definition in the District Plan conflict with a definition in the ~~MPDC~~ Development Manual ~~2010~~, the definition in the District Plan shall prevail.

"Access leg" is legally part of an individual property, solely for the use of that property, providing legal road frontage. It is not shared and generally used to access rear properties.

"Access lot" means a lot which is jointly owned and provides legal access to more than one lot.

"Accessory building" is one which is incidental to any permitted activity.

"Building accessory" shall have a corresponding meaning.

"Accessway" means any passage way, laid out or constructed by the authority of the council or the Minister of Works and Development (or, on or after the 1st day of April 1988, the Minister of Lands) for the purposes of providing the public with a convenient route for pedestrians from any road, service lane, or reserve to another, or to any public place or to any railway station, or from one public place to another public place, or from one part of any road, service lane, or reserve to another part of that same road, service lane, or reserve.

"Accommodation facilities" means any form of residential accommodation which does not comply with the definition of dwelling or dependent persons dwelling and includes boarding houses, hotels, hostels, motels, camping grounds, retirement villages and rest homes for the rehabilitation and care of any group.

"Act" means the Resource Management Act 1991 and Amendments.

"Advertising sign" means any name, figure, character, outline, display, notice, placard, delineation, poster, handbill, advertising device or appliance or any other thing of a similar nature intended to attract attention for the purpose of directing, identifying, informing or advertising, and includes all parts, portions, units and materials composing the same, together with the frame, background or structure and support or anchorage thereof, and shall also include any of the foregoing things when displayed on a stationary vehicle, but shall exclude official signs and advertising matter placed on or within a shop display window.

"Aerial" or "Antenna" means the part of a radiocommunication, broadcasting or telecommunication facility used or intended for transmission or reception and the aerial mounting or mountings but not any mast or supporting structure.

"Air noise boundary" is the survey precise boundary of an area which, and only in which, the daily average night-weighted sound exposure from aircraft, over any three month period, is permitted to exceed 65Ldn. Within this area strict land use controls are required and all noise operations must be so controlled that the daily average sound exposure at or anywhere outside the air noise boundary does not exceed 65Ldn.

"Airport protection area" means that land within the District identified on Planning Maps number 11, 12, 14 and 31 and Appendix 6.

"Artificial crop protection structure" means structures with material used to protect crops and/or enhance growth (excluding greenhouses).

"Berm" means the area between the road boundary and the road carriageway of a formed road.

"Building" shall have the same meaning as that defined in Section 3 of the Building Act 1991 and means any building or structure or part of a building or structure requiring a Building Consent as defined by that Act. For the avoidance of doubt, in addition to its ordinary and usual meaning, the term "building" shall include the following:

(i) Any retaining wall or breastwork exceeding 1.5m in height;

(ii) Any fence or wall exceeding 2.0m in height;

(iii) Any pool or tank more than 1.0m in height above ground level or immediately below, (including a detention tank, swimming pool, spa pool, swirl pool, plunge pool and hot tub);

(iv) Any vehicle, caravan or structure whether movable or immovable used as a place of permanent residence or business or for assembly or storage purposes;

(v) Any mast, pole or radio or television aerial which exceeds 7m in height above the point of attachment or its base support;

(vi) Any permanent tent or marquee or air supported canopy;

(vii) Any part of a deck, or terrace, platform or bridge which is more than 1m above ground level; but does not include any fence or wall.

The Third Schedule of the Building Act 1991 defines Exempt Buildings and Building Work. For the avoidance of doubt, excluded from the definition of "Building" shall be any detached building or structure 10m^2 or less in area which does not exceed one storey, and does not contain sleeping accommodation or sanitary facilities for the storage of potable water located closer than its own height to any legal boundary or any residential accommodation. For requirements regarding buildings not requiring building consent see Section 4.6.

"Built environment" means buildings, physical infrastructure and other structures in urban as well as rural areas, and their relationships to natural resource, land-use and people.

"Cleanfill activities" means the depositing of more than 1000m^3 of any non-biodegradable material such as rocks, soil and clay excluding combustible materials and hazardous substances but does not include earthworks associated with an approved plan of subdivision or development and on site farm contouring. See also the Waikato Regional Plan that relates to Soil Disturbance, Roading and Tracking, Vegetation Clearance, Riparian Vegetation Clearance and Cleanfilling and Disposal.

"Commercial services" means servicing and repair activities including dry cleaning, laundries, shoe repair, locksmiths, domestic and garden appliance repair and the like but does not include motor vehicle servicing and repair.

"Commercial stockyards, saleyards or holding paddocks" means land or buildings used for the viewing or selling of farm animals. This excludes stock holding pens on farms.

"Community facility" means any facility owned or used by the community for recreation, sport, cultural or community purposes, on a non-commercial or non-profit making basis. It includes halls, churches, may include theatres libraries, museums and galleries but does not include public utilities and services, racecourses, amusement and wildlife parks, showgrounds and accommodation facilities.

"Community infrastructure services" mean the essential infrastructure that supports the functioning of the local community. These services can comprise public, Council, quasi-public and/or privately owned infrastructure and include:

(i) Local roads;

(ii) Water treatment, storage and reticulation;

(iii) Sewerage reticulation and treatment;

(iv) Stormwater reticulation, management, and disposal;

(v) Collection and disposal of solid waste;

(vi) Electricity and telecommunication distribution lines and connections.

“Community-scale energy generation” means systems or equipment that meet one of the following:

(i) Generate electricity from renewable sources for an immediate community, or connection into a distributed energy network;

(ii) Convert energy resources directly into energy services for the immediate community, without the intermediate need for electricity, such as hot water or space heating.

"Comprehensive Residential Development" is a comprehensively-planned residential development located within an identified overlay area that provides for higher density forms of housing through a land use resource consent process. It includes retirement villages.

“Connectivity” in terms of planning for subdivision means the provision of a roading system, which ensures adequate connections to ~~adjoinng~~adjoining land, local facilities and surrounding neighbourhoods through interconnectivity of the local road network in a way that addresses the needs of pedestrians and cyclists.

"Conservation forestry” means the planting and management of vegetation for water and soil conservation, but excludes plantation forestry and the planting or harvesting of vegetation for commercial gain.

“Contaminant” shall have the same meaning as in the Resource Management Act.

“Council” means the Matamata-Piako District Council.

“Crop support structures” are open structures on which plants are grown.

"Dependent persons dwelling" means a dwelling accessory to the principal dwelling on the site for the use of persons physically or emotionally dependant on the residents of the principal dwelling.

"Depots" means Transport, Tradespersons or Contractors Depots and includes land and buildings which are used for the receipt, delivery and transit, and storage of goods (including the holding of live animals during transportation) and machinery (including mail sorting distribution centres and equipment hire centres) and as a terminal for passenger transport services and may include the care, housing or parking of commercial vehicles in association with the operation.

“Development Manual” means the Matamata-Piako District Development Manual 2010.

"Dwelling" means a self contained residential unit designed for or occupied exclusively by one household and includes apartments, semi-detached and detached houses, home units, town houses, boarding houses and community homes accommodating fewer than six people at any one time and similar forms of residential development. A dwelling may also include attached self-contained suites when occupied by a member of the same family, and garages part of the same building which are primarily for storage of the occupants’ vehicles, tools and the like.

"Education facilities" means land and/or buildings used to provide regular instruction or training and include pre-schools, schools, tertiary education institutions, works skills training centres, outdoor education centres and sports training establishments.

"Effluent aerosols" means particles of effluent that are small enough to become airborne and carry significant distances.

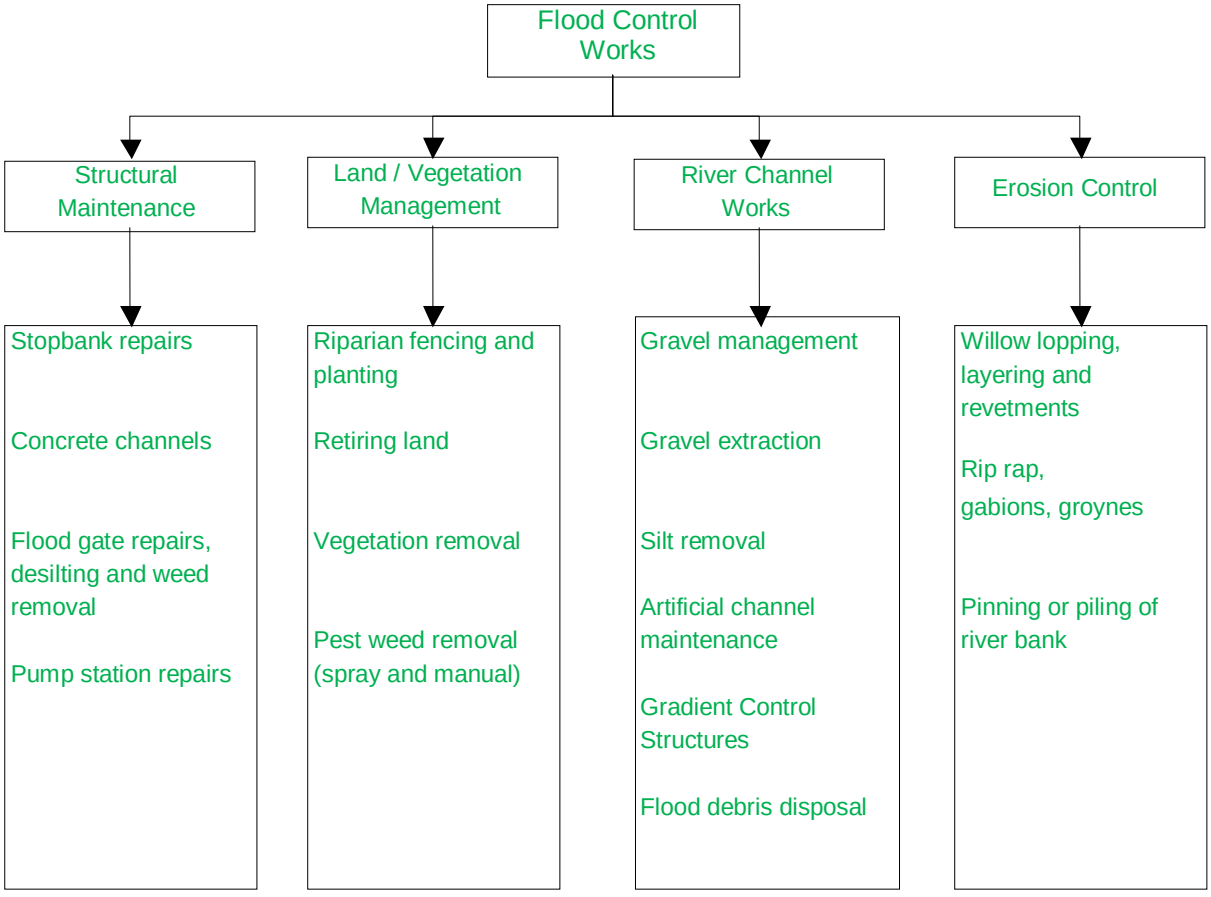
~~**"Electric line"** means an electric line as defined in the electricity regulations 1993. References to the undergrounding of electric lines also in this plan include wires but do not include electricity distribution substations and apparatus for connection of supply to individual customers.~~

"Exclusive use area" means that part of a site which must be set aside for the exclusive use of the occupants of the house to which it relates but does not include additional areas of land set aside on another site via easements.

Such areas shall be unencumbered by any right-of-way and/or common area which the occupants of the house are or will be required to share the use of or vest in any other party or the public; easements for water supply and drainage excepted.

"Farming" means and includes breeding of animals, agriculture, horticulture, floriculture, beekeeping, aquaculture and the keeping of not more than 25 poultry and/or 10 pigs, ancillary activities including a topdressing airstrip, dams and irrigation races for on-site water supply and ancillary processing of rural products.

"Flood control works" mean any of the works listed in the figure below, as described in the document "Best Practice Guidelines – Vegetation Management and In-stream Works", Waikato Regional Council Technical Report 2007/41.



- **"Flood control maintenance works"** mean the restoration and maintenance of existing structures and stream cross-sections to approved channel capacity as defined in the Waikato Regional Council Long-Term Plan and/or the Waihou/Piako Zone Plan, and can include any of the works shown in the figure above.
- **"Flood control storm response works"** mean works not reflected within the Annual Works Programme (see Rule 8.8.2(iii)) but required as a result of storm damage, provided the remedial work is carried out within a period of up to four weeks following a storm event. Storm response works can include any of the works shown in the figure above.
- **"Flood control unprogrammed works"** mean works not reflected within the Annual Works Programme (see Rule 8.8.2(iii)) but required as a result of an unforeseen event (e.g. a tree fall) following circulation of the Annual Works Programme, and can include any of the works shown in the figure above.

"Floor Area Ratio" means the factor calculated by dividing the gross floor area of a building in m^2, by the total area of the site in m^2. For instance, a building with a gross floor area of $100m^2$ located on a site with an area of $100m^2$, has a Floor Area Ratio of 1.

"Flow path" – see "overland flow path".

"General quality soils" means land not classified as "high quality soils" as defined in this Plan.

"Government work" means a work or an intended work that is to be constructed, undertaken, established, managed, operated, or maintained by or under the control of the Crown or any Minister of the Crown for any public purpose; and includes land held or to be acquired for the purposes of the Conservation Act 1987 or any of the Acts specified in Schedule 1 of that Act (except the common marine and coastal area), even where the purpose of holding or acquiring the land is to ensure that it remains in an undeveloped state.

"Gross floor area" means the sum of the floor areas of a building measured to the outside of the exterior walls or structural frame of the building, but may exclude any basement, roof space or other floor area allocated to car parking, loading docks and machinery or plant space.

"Habitable room" means any room in a dwelling apart from those used solely for the purposes of an entrance, passageway, toilet, bathroom, laundry, garage or storeroom.

"Hazardous substances" means the same meaning as in Section 344 of the Resource Management Act 1991 and shall also include any substances:

(a) With one or more of the following intrinsic properties:

- An explosive nature;
- An oxidising nature;
- A corrosive nature ;
- Flammability;
- Acute and chronic toxicity;
- Ecotoxicity with or without bioaccumulation.

(b) Which in contact with air or water (other than air and water where the temperature or pressure has been artificially increased or decreased) generates a substance with any or more of the properties specified in paragraph (a) of this definition.

"Hazardous facility" means any activity involving hazardous substances and their sites where hazardous substances are used, stored, handled or disposed of, and any installations or vehicles parked on site that contain hazardous substances. A hazardous facility does not include:

- The incidental use and storage of hazardous substances in minimal domestic quantities;
- Fuel in motor vehicles, boats and small engines;
- Retail outlets for the domestic scale usage of hazardous substances (i.e., supermarkets, hardware shops, pharmacies, home garden centres);
- Gas and oil pipelines;
- Trade waste sewers.

"Hazardous sub-facility" means any activity involving hazardous substances, including vehicles for their transport and the land or building on or within which hazardous substances are used, stored, handled and disposed of, where that activity is more than 30 metres from

any other activity involving the use, storage, handling or disposal of hazardous substances within that same site.

"Height" in relation to a building means the greater of:

(a) The vertical distance between the highest part of the building and mean ground level; or

(b) The vertical distance between the ground level at any point and the highest part of the building immediately above that point. For the purpose of this definition:

"Ground level" means the finished level of an approved subdivision.

"Mean ground level" means the average ground level at the external foundations of the proposed building.

"Highest part of the building" means the highest part of the building structure and parapets, but no account is to be taken of lift, ornamental and water towers, chimneys, machine rooms, turrets or other such projection, provided such projections:

(i) Do not exceed a height of 3m above the maximum height permitted in the relevant zone;

(ii) Do not exceed a floor area equal to 10% of the area of the roof to the storey immediately below such projections.

“High quality soils” means land classified as Class I, II and/or III of the New Zealand Land Inventory Worksheets.

"Home occupation" means an occupation, craft, light industry, profession or similar activity that is conducted in conjunction with a household unit for commercial gain and shall include the sale of goods grown, prepared or manufactured on the site from the site or the dismantling and assembling of machinery on the site from the site.

Provided that:

"Home Occupation" does not include "Kennels/Catteries" or beekeeping;

“Home Occupation” may include farmstay accommodation for up to 6 people at any one time;

"Home occupation retail area" means a retail outlet for the sale of produce or goods grown, prepared or manufactured on-site, or of machinery from the site dismantled or assembled on the site.

“ICNIRP” means the International Commission on Non-Ionizing Radiation Protection.

“Integrated Transport Assessment” (ITA) means a comprehensive review of all the potential transport impacts of a development proposal in accordance with such detail as corresponds with the scale and significance of the effects that the activity may have on the transport network.

"Intensive farming" means mushroom farming, intensive livestock farming including pig farming of more than 10 weaned pigs, rabbit farms, animal feed lots and other activities (whether free range or indoors) which have or require:

(i) No dependency whatsoever on the qualities of the soils naturally occurring on the site; or

(ii) Buildings for the uninterrupted housing and growth of livestock or fungi.

Note: This excludes greenhouses and other buildings used for the growth of vegetative matter.

"Industry" means any industrial activity which involves the manufacture, fabrication, or processing of materials, bulk storage and warehousing, and which are not located on the

street front of a specified “Shopping Frontage” excluding activities involving the extraction, processing or packaging of:

(i) Meat;

(ii) Milk;

(iii) Poultry;

(iv) Fish;

(v) Seafood;

(vi) Animal by products;

(vii) Beverages;

(viii) Produce;

(ix) Pulped Paper.

“Infrastructure” has the same meaning as “network utility”.

"Landcare plan" means a management plan for a farm that is implemented by the land owner/manager. The plan may include, but is not limited to, the sustainable management of stocking rates, fertiliser/pesticides, offal holes/dumps, spraying and buffer zones, trees and riparian planting. Such plans will take into account the requirements of the Waikato Regional Council and the Ministry of Agriculture and Fisheries.

“Large-scale wind farm” means buildings, structures, access tracks and turbines used to generate electricity from wind and convey the electricity to an associated substation in order to supply the wholesale electricity market.

"Light industry" means manufacturing, preparation, service, repair or storage of goods or produce for sale, service or rent which does not use heavy machinery, does not require an air discharge consent, is carried out indoors apart from parking, essential ~~manoeuvring~~manoeuvring and outdoor storage and is unlikely to give rise to adverse off-site effects. Light industry includes activities such as clothing or footwear manufacturing, printing, light engineering, car repairs, trademan’s depots, and shall be of a small scale and shall not be located on the street front of a ~~specified~~ “Shopping Frontage”.

“Line owner” means the entity that owns the electricity or liquid fuel line.

“Line operator” means the entity that the line owner has authorised to operate the electricity or liquid fuel line.

“Litter poultry farming” means intensive poultry (fowls, ducks, geese, turkeys, or similar domesticated birds) farming which;

- Has or requires no dependency on the quality of the soils naturally occurring on the site; and
- Has buildings for the housing or growth of poultry.

“Local work” means a work constructed or intended to be constructed by or under the control of a local authority, or for the time being under the control of a local authority.

"Lot" shall have the same meaning as "allotment" in Section 218 of the Act and shall include lots that relate to land parcel type allotments (not building type allotments), and include:

(a) Fee simple parcels;

(b) Land leases of the type requiring subdivision consent, to parts of fee simple parcels;

(c) Covenant areas for cross lease allotments;

(d) Land accessory units and "polygonal units"; and

(e) Any land attached to or part of licences within the meaning of Part V11A Land Transfer Act 1952.

For the avoidance of doubt any new lot created shall comply with the minimum standards set down in Section 6, Subdivision, except where such land comprises:

(i) Public Reserve;

(ii) Road Reserve or road severances;

(iii) Land which is to be compulsorily amalgamated with adjoining land.

"Medical facilities" means professional facilities for medical, dental or scientific activities and includes medical centres, community health services, paramedical centres, consulting rooms and diagnostic and other laboratories, hospitals, and hospices.

"Mineral prospecting and exploration" shall have the same meaning as "prospecting" and "exploration" in section 2 of the Resource Management Act 1991 and section 2 of the Crown Minerals Act 1991.

"Mining and quarrying" means the extraction of materials from the earth and includes the removal of overburden and the erection, use and maintenance of plant, machinery and buildings and other works connected with such operations but does not include any of the foregoing where the material is for use on the same site, for example, the use of material mined or quarried on a farm for the establishment or maintenance of tracks on the farm.

"Minor" means, in relation to Table 10.2, the repair of materials by patching, piecing-in, splicing and consolidating existing materials and including minor replacement of minor components such as individual bricks, cut-stone, timber section, tiles, and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than existing.

"Minor upgrading", for the purposes of Section 8.2 – Electricity Transmission and Distribution Activities, means the modification of electricity and telecommunication lines, utilising the existing support structures or structures of a similar scale and character, and includes:

(i) The addition of circuits and conductors;

(ii) The reconductoring of the line with higher capacity conductors;

(iii) The resagging of conductors;

(iv) The bonding of conductors;

(v) The addition of longer or more efficient insulators;

(vi) The addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods;

(vii) The addition of electrical fittings;

(viii) The replacement of support structures within the existing alignment of the electricity line;

(ix) The replacement of existing cross arms with cross arms of an alternative design;

(x) An increase in support structure height required to comply with NZECP 34.

"Minor upgrading" shall not include an increase in the voltage of the line over 33kV unless the line has been constructed to operate at the higher voltage but has been operating at a reduced voltage.

~~**"MPDC Development Manual 2010"** means the Matamata-Piako District Council Development Manual 2010.~~

“National Grid” means the network that transmits high-voltage electricity in New Zealand and is owned and operated by Transpower New Zealand Limited.

“National Grid Yard” (shown in red in the diagram below) means:

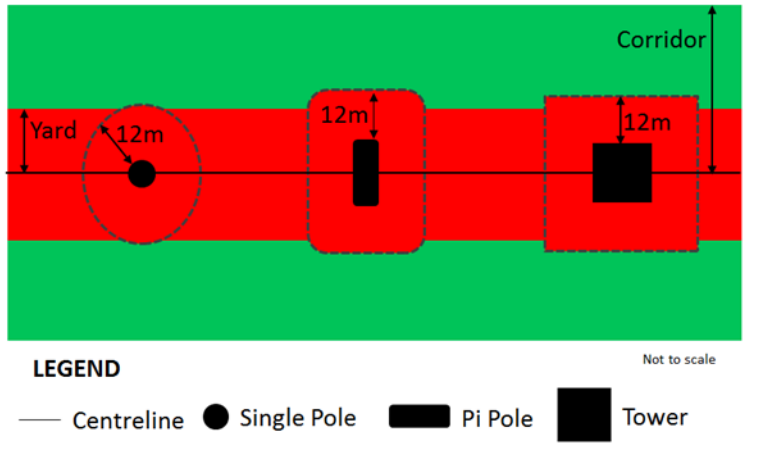
- The area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- The area located 12 metres either side of the centreline of any overhead National Grid line;

“National Grid Subdivision Corridor” (shown in the diagram below) means:

The area measured either side of the centreline of an above ground National Grid line as follows:

- 16m from the 110kV lines on pi poles
- 32m from 110kV lines on towers

Note: The National Grid Subdivision Corridor and National Grid Yard do not apply to underground cables or any National Grid lines (or sections of line) that are designated.



“Natural hazard” shall have the same meaning as in the Resource Management Act.

“Natural native forest” means an area of native forest which was naturally established as native forest but can include native forest which has been enhanced with native timber species.

"Neighbourhood Node" is a single or small grouping of retail and commercial activities premises (generally comprising a cluster of between 2 and 8 premises) that service the day-to-day needs of the local community. These premises should be focused on activities providing a convenience function.

“NES-ET” means the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

“NES-TF” means the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008.

"Nett site area" means the difference in area between the total area of a site and the area of any access strip to the site or over the site to any adjoining site.

~~**"Network utilities"** means and includes electrical lines, water, sewerage and stormwater reticulation, street lighting, radio, telecommunications and gas lines and networks for the measurement, collection and distribution of meteorological information.~~

“Network utility” means any activity or structure relating to:

(i) Distribution or transmission by pipeline of natural or manufactured gas, petroleum, or geothermal energy;

(ii) Telecommunication or radiocommunication;

(iii) Transformation, transmission, or distribution of electricity;

(iv) The holding, transmission and distribution of water for supply;

(v) Flood protection systems;

(vi) Stormwater drainage or sewerage reticulation systems;

(vii) Construction, operation, and maintenance of structures for transport on land by cycleways, rail, roads, walkways, or any other means;

(viii) Beacons and natural hazard emergency warning devices;

(ix) Meteorological services;

(x) Construction, operation and maintenance of power-generation schemes;

(xi) A project or work described as a “network utility operation” by regulations made under the Resource Management Act 1991;

(xii) Any approach control service within the meaning of the Civil Aviation Act 1990;

(xiii) The Matamata Airfield.

And includes the operation and maintenance of the network utility service.

“New lot” means the resultant lot from a subdivision. A subdivision, including a boundary adjustment, will result in at least two new lots.

"Noise emission control boundary" means a line drawn about a scheduled industrial site on a Development Concept Plan. Such a line is the measurement point for noise emissions from the industrial activities.

“Noise sensitive activity” – see “sensitive activity”.

"Non farm buildings" means buildings used for residential purposes and accessory buildings incidental to the residential activity.

"Notional boundary" means, with regard to the measurement of noise, the legal boundary of the property on which any rural dwelling is located or a line 20m from the dwelling whichever point is closer to the dwelling.

“NPS-ET” means the National Policy Statement on Electricity Transmission, 2008.

“NPS-REG” means the National Policy Statement for Renewable Electricity Generation, 2011.

“NZECP 34” means the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663.

“~~NZTA~~ NZ Transport Agency” means the New Zealand Transport Agency.

"Offices" means professional administrative and commercial offices and includes real estate offices, travel agents, banking offices and postal services.

"Official sign" means all regulatory traffic and official signs approved by a road controlling authority or provided for under any legislation which are erected on a legal road or motorway.

~~**"Overland flow paths"** means those within the defined flood hazard areas.~~

“Overland flow path” means the route along which stormwater flows. A subset of overland flow paths is called “secondary flow path”. These routes carry water which cannot flow through the primary storm water system (usually piped) because the water flow has exceeded the capacity of that network.

“Parent lot” means the Certificate of Title which is the subject of the subdivision.

"Place of assembly" means land or buildings for the purposes of the congregation of people for deliberation, entertainment, cultural, recreation or similar purposes and includes, but is not necessarily limited to, churches, halls, community facilities, funeral chapels including crematorium on the same site, clubrooms, taverns, restaurants, art galleries, theatres, sports fields, and tourist facilities.

"Plantation forest" means land planted and managed for commercial wood production, the preparation of land for planting and the extraction of timber but does not include the milling or processing of timber. Plantation Forestry has a corresponding meaning. For the avoidance of doubt this definition includes that land already planted on Lot 1 DPS 53795, & Lot 1 DPS 57167, Lots 1 & 2 DPS 30665, Lot 1 DPS 56244.

“Pre-development” means the state of a site before any works, permitted or as part of a resource consent, have been undertaken.

~~**“Private railway crossing”** means a level crossing of a private vehicular driveway over a railway line.~~

“Private way” can include a right of way or an access lot and means any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally; and includes any such way or passage. This term is used interdependently with the term ‘private access’ used in Table 3.1 of the ~~MPDC~~ Development Manual ~~2010~~.

“Public drain” means a passage or channel on or over the ground for the reception and discharge of stormwater whether continuously or intermittently flowing, constructed, established, managed, operated, or maintained by any local authority.

"Public reserves" means all reserves held under the Reserves Act 1977, wildlife refuges, sanctuaries under the Wildlife Act 1953 and marginal strips, steward strip areas, conservation parks, ecological areas, sanctuary areas under the Conservation Act 1981 and National Parks under the National Parks Act 1980.

“Public work” and **“work”** mean—

(i) Every Government work or local work that the Crown or any local authority is authorised to construct, undertake, establish, manage, operate, or maintain, and every use of land for any Government work or local work which the Crown or any local authority is authorised by statute to construct, undertake, establish, manage, operate, or maintain; and include anything required directly or indirectly for any such Government work or local work or use.

(ii) Every Government work or local work constructed, undertaken, established, managed, operated, or maintained by any education authority within the meaning of the Education Act 1964 and every use of land for any Government work or local work which such education authority constructs, undertakes, establishes, manages, operates, or maintains, and include anything required directly or indirectly for any such Government work or local work or use.

(iii) Any Government work or local work that is, or is required, for any university within the meaning of the Education Act 1989.

“Rail Operator” means the entity responsible for operating the national rail network (currently KiwiRail).

“Railway level crossing” means a level crossing of a public or private road, access, or footpath over a railway line.

“Regional Council” means the Waikato Regional Council.

“Regionally significant infrastructure” means:

(i) Pipelines for the distribution or transmission of natural or manufactured gas or petroleum;

(ii) Infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001;

(iii) Radio apparatus as defined in section 2(1) of the Radio Communications Act 1989;

(iv) The National Grid, and a network as defined in the Electricity Industry Act 2010;

(v) Infrastructure for the generation and/or conveyance of electricity that is fed into the National Grid or a network (as defined in the Electricity Industry Act 2010);

(vi) Significant transport corridors as defined in Map 6.1 of the Waikato Regional Policy Statement, Decisions Version, November 2012;

(vii) Lifeline utilities, as defined in the Civil Defence and Emergency Management Act 2002, and their associated essential infrastructure and services;

(viii) Flood and drainage infrastructure managed by Waikato Regional Council.

“Regular stock movement” means the movement of dairy herds which occur more than two times per month.

“Retailing” means any activity on land and/or within a building or part of a building whereby goods and services are sold, exposed or offered for sale to the public, but does not include the sale of fuel for motor vehicles, restaurants, warehouses, or the storage, distribution or assembly of goods.

"Retirement Village" is a residential complex providing accommodation to residents who are at least 55 years or older.

“Reverse sensitivity” means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by a proposed or more recent activity which is sensitive to the adverse environmental effects being generated by the pre-existing activity.

“Right of way” is the right to pass over property owned by another, or provides the right to another party, to provide access. Is usually based upon an easement.

“RLTS” means the Waikato Regional Land Transport Strategy 2011–2041.

“RMA” means the Resource Management Act 1991.

“RPS” means the Proposed Waikato Regional Policy Statement.

“Road” shall have the same meaning as defined in the Resource Management Act and “Limited Access Road” shall have the same meaning as in the Local Government Act.

“Road carriageway” is that land within the road boundary that has been developed for the passage of vehicles.

“Rural based industry” means primary industry or rural service businesses which require a rural location and includes mining, quarrying and processing, rural contractor depots, and packhouses and coolstores with a floor area greater than 150m².

“Rural character” includes the following elements:

(a) A predominance of natural features over human made features;

(b) High ratio of open space relative to built environment;

(c) Significant areas of vegetation in pasture, crops, forestry and/or indigenous vegetation;

(d) A rural working production environment;

(e) Presence of farmed animals;

(f) Noises, smells and effects associated with the use of rural land for a wide range of agricultural, horticultural and forestry purposes;

(g) Low population densities relative to urban areas;

(h) Existence of some narrow and/or unsealed roads;

(i) General lack of urban infrastructure;

(j) At a district wide level, infrequently occurring rural based industry.

"Rural production activities" means permitted activities that involve the production (but not the processing) of primary products.

"Rural-residential lot" means for the purposes of applying development controls and servicing a rural activity and/or lot.

"Secondary flow path" – see "overland flow path".

"Sensitive activity" means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity, and in the context of state highways, the National Grid and railway lines includes any dwelling, papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres.

"Service station" means any site used for the retail sale of fuel and lubricating oils for motor vehicles and includes the sale of kerosene, diesel fuel, petrol, CNG, LPG, tyres, batteries and other accessories normally associated with motor vehicles and the sale of convenience goods and may include car washing facilities, premises solely or principally for the repair and servicing of vehicles provided that the repairs undertaken on the premises shall be confined to the repair of motors, motor vehicles and domestic garden equipment and shall exclude panelbeating, spray painting and heavy engineering such as engine reboring and crankshaft grinding.

"Significant transport infrastructure" means the portions of the significant road and rail corridors located within the District as shown on Map 6.1 (6B) of the RPS.

"Site" means one or several lots or part of a lot clearly related to a particular development, application, proposal, or use. A site comprising more than one Lot shall be held in such a way that separate Lots or part of a Lot cannot be disposed of separately.

See Appendix 2, Figure 1 for definitions of front, rear, corner and through sites.

"Small-scale energy generation" means systems or equipment that:

- Generate electricity from renewable sources to meet on-site energy requirements; and/or
- Convert energy resources directly into on-site energy services, such as hot water or space heating, without the intermediate need for electricity.

"Small-scale energy generation" includes:

- Roof-top wind turbines with a maximum blade diameter of 2.5m;
- Solar hot water heating systems;
- Photovoltaic systems;

- Heat pumps (air, water and ground sources).

"Small-scale energy generation" excludes hydro-generation.

"Storage and warehousing" means land or buildings for the purpose of storing materials and includes recycling depots, but excludes retailing.

"Storey" is that part of a building from the upper surface of any floor to the upper surface of the floor above, measured from finished floor level. The topmost storey shall be from the upper surface of the topmost floor to be upper surface of the ceiling joists above, or where no ceiling exists to the upper surface of the roof cladding.

For the purposes of calculating the height of a building, where this is fixed by the number of storeys:

- The maximum height of a storey shall be 4 metres;
- Basements below ground level are excluded;
- An attic, or any space between ceiling joists and a roof shall be counted as a storey when the distance from the upper surface of the ceiling joists, or floor, to the mean height of the upper surface of the roof, is 3 metres or more and the attic has an area greater than $5m^2$.

"Subdivision" has the same meaning as that found in Section 218 of the Resource Management Act 1991, and includes cross leases, unit titles and company leases in accordance with that definition.

"Sub-transmission line" means any power line carrying a voltage of 33,000V and above, which does not form part of the National Grid.

"Supermarket" means a retail shop primarily selling a wide range of bulk fresh produce, meat and other foodstuffs and a wide range of packaged food and non-food items as one enterprise in premises not smaller than $500m^2$ of trading floorspace.

"State highway" means a road, whether or not constructed or vested in the Crown, that is declared to be a state highway under section 11 of the National Roads Act 1953, section 60 of the Government Roading Powers Act 1989 (formerly known as the Transit New Zealand Act 1989), or under section 103; and includes –

(a) All land along or contiguous with its route that is the road; and

(b) Any part of an intersection that is within the route of the state highway.

"Telecommunication line" has the same meaning as that for "line" within the Telecommunications Act 2001".

~~**"Upgrading"** means for the purposes of Section 8 - electrical lines, that there may be an increase in the carrying capacity of, or security of, the line - provided that existing support structures or structures of a similar scale and character are used. Note: the upgrading permitted does not include a change in voltage to the lines such as 110kV to 220kV unless the existing support structures have already been built to cater for the higher voltage. This definition is intended to enable reconductoring (replacing existing conductors or wires), adding an additional circuit (adding a second set (3) of conductors), and adding earthwires (adding to the top of a structure and placing a wire between pylons to intercept lightning strike).~~

"Utility structure" means a power pole, street light pole, traffic light pole, or similar structure used to support utility cables or installations.

"Vehicle crossing" means vehicle access from a public or private road, to public or private land or right of way.

“Vulnerable road user” means pedestrians, cyclists and motorcyclists at greater risk than others being involved in a crash, or more susceptible to serious injury. It includes older people, impaired people, children and mobility-impaired pedestrians.

"Waahi tapu" means a place sacred to Maori in the traditional, spiritual, religious, ritual or mythological sense.

“Works and network utilities” means infrastructure and the works associated with the provision, maintenance, upgrading, development and operation of infrastructure.

"Yard" means a part of a site which is required by this Plan to be unoccupied and unobstructed by buildings from the ground upwards, except as otherwise provided by this Plan and including signs, eaves of any building and any patio, veranda, service station canopies in front yards, gutter or downpipe may project over any yard by not more than 0.6m. For diagrams illustrating yards see Appendix 2.

- **"Front yard"** means a yard between the road and a line parallel thereto and extending across the full width of the site;
- **"Rear yard"** means a yard between the rear boundary of the site and a line parallel thereto extending across the full width of the site and passing through the nearest point of the principal to the rear boundary.

Provided that in the event of there being a triangular site, the site shall have side yards.

A yard in respect of a rear site means a continuous yard bounded by all boundaries of the site exclusive of the entrance strip.

- **"Side yard"** means a yard between a side boundary of the site and a line parallel there to extending from the front yard (or the front boundary of the site if there is no front yard) to the rear yard (or if there is no rear yard, the rear boundary of the site) or if there are two or more front yards extending from yard to yard.

“WRC” means the Waikato Regional Council.

Schedule 1: Heritage sites

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Object/place	HPT registration	Map no	Legal description
1	Cranswick House	14 Cranswick Crescent Matamata	Dwelling	II	34	Lot 1 & 2 DPS 15842
2	Rawhiti Rest Home	15 Gordon Terrace Matamata	Dwelling	II	32	Lot 1 DPS 51286 Part Lot 7 DPS 20292
3	Bank of New Zealand	Arawa Street Matamata	Bank Building	II	32	Part Lot 2 DP 14560 and Section 4 Block VI Matamata township
4	Cleavedale	Hinuera Road West Matamata	Dwelling	II	34	Part Lot 1 DPS 5900
5	Former Methodist Church	Firth Tower Museum Tower Road Matamata	Church	II	40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
6	Firth Tower Homestead	Firth Tower Museum Tower Road Matamata	Dwelling	II	40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
7	Firth Tower	Firth Tower Museum Tower Road Matamata	Tower Building	I	40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
8	Former Gordon (Armadale) School Building	Firth Tower Museum Tower Road Matamata	School Building	II	40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
9	Jail Building	Firth Tower Museum Tower Road Matamata	Jail Building	II	40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
10	Former Okoroire Post Office	Firth Tower Museum Tower Road Matamata	Post Office Building	II	40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
11	Settlers Cottage	Firth Tower Museum Tower Road Matamata	Dwelling		40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
12	M E Linyard Property	Wyborn Road Mangaiti	Open Space Covenant		6	Part Section 161 Block IX Aroha SD
15	School Building	16 Starkey Road Taharoa	Taharoa Shelter Shed		10	Section 13 Block X Maungakawa SD
16	McDonald Cottage	53A Lorne Street	Dwelling		28	Lot 49 DP 2461

Schedule 1: Heritage sites

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Object/place	HPT registration	Map no	Legal description
		Morrinsville				
17	Former Waitoa School Building	Waitoa School Grounds Waitoa	School House		24	Lot 2 DPS 316755
19	Thames Valley Electric Power Board Building (1921)	50 Firth Street Matamata	Power New Zealand Building		32	Sections 6 and 7 Block II Matamata township
20	World War I Cenotaph (1926)	Tainui Street Matamata	Monument		32	Road Reserve
21	Matamata College "A" Block	Firth Street Matamata	College		34	All DP 15182 Lots 9 and 10 DP 34755 Lot 12 DPS 5650
22	Former Plunket and Rest Rooms	Hetana Street Matamata	Citizen's Advice Bureau		32	Railway Land
23	Former Borough Council Office	Corner Tainui and Tui Streets Matamata	Matamata-Piako District Council Area Office		32	Sections 18, 19 and 20 and Part Section 15 Block VII Matamata township
24	Nottingham Castle Hotel	Corner Studholme and Thames Streets Morrinsville	Hotel	I	28	Lot 14 and 15 DP 180
25	World War I Memorial	Kenrick Street Te Aroha	Monument	II	22a	Road Reserve
26	Hazelwood Private Hotel (former Boarding House)	11 Boundary Street Te Aroha	Dwelling	II	22a	Section 2 block XXVIA Town of Te Aroha
27	Hinemoa House (former Boarding House)	Church Street Te Aroha	Dwelling	II	22a	Sections 3, 5 and Part Section 6 block VII Town of Te Aroha
28	Former Magistrates Court House	49 Rewi Street Te Aroha	Community Arts Centre	II	22a	Section 7 Block XVI Town of Te Aroha
29	St Mark's Church (Anglican)	Corner Kenrick and Church Streets Te Aroha	Church	II	22a	Part Lot 1 DPS 41318
30	St Mark's Church Organ	Corner Kenrick and Church Streets Te Aroha	Church Organ		22a	Part Lot 1 DPS 41318
31	St David's Co-operating Parish (Presbyterian and Methodist)	Corner Burgess and Church Streets Te Aroha	Church	II	22a	Lot 2 DPS 64826
32	Fire Station	Kenrick Street Te Aroha	Fire Station		22a	Section 10 Block LIII Town of Te Aroha
33	Former Thames Valley Drainage	Rewi Street	Surveyor's Office		22a	Part Block XVI town of Te Aroha

Schedule 1: Heritage sites

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Object/place	HPT registration	Map no	Legal description
	Board Office	Te Aroha				
34	Former ANZ Bank Building	174 Whitaker Street Te Aroha	Cafe		22a	Sections 11 and 6 block XI Town of Te Aroha
35	Former Maternity Hospital "Strathearn"	7 Boundary Street Te Aroha	Dwelling		22a	Section 3A block XXVIA Town of Te Aroha
36	Kenwyn Home (Former Maternity Hospital)	56 Kenrick Street Te Aroha	Kenwyn Home for the Elderly		21	Lots 15, 16, 17 and 18 DP 9205
37	Miss Cochrane's Miner's Residence	33 Rewi Street Te Aroha	Dwelling		22a	Section 5 Block IV Town of Te Aroha
38	Te Aroha Club	Centennial Avenue Te Aroha	Chartered Club		20	Lots 3 and 9 DP 34185
39	Former Burn's Residence	271 Whitaker Street Te Aroha	Dwelling		22a	Section 148 and Part Section 147 Block LIII Town of Te Aroha
40	Former Doctor's Surgery and Stables	Honi Street Te Aroha	Plumber's Depot		22a	Lot 2 DPS 30155 Section II Block XIX Town of Te Aroha
41	Grand Tavern	Corner Whitaker and Rolleston Streets Te Aroha	Tavern	I	22a	Sections 7, 8 9 and 10 Block I Town of Te Aroha
42	Mokena Restaurant and Bar	Church Street Te Aroha	Restaurant and Bar	II	22a	Sections 3, 5 and Part Section 6 block VIII Town of Te Aroha
43	St Joseph's Church (Catholic)	Corner Burgess and Whitaker Streets Te Aroha	Church	II	22a	Part Section 83 and 84 block LIII Town of Te Aroha
44	Former Te Aroha Borough Council Chambers	Rewi Street Te Aroha	Library	II	22a	Sections 1 and 2 Block XVI Town of Te Aroha
45	Baptist Church (Formerly Methodist Church)	Centennial Avenue Te Aroha	Church	II	20	Lot 8 DPS 6640
46	Former Post and Telegraph Office	Whitaker Street Te Aroha	Residence	II	22a	Section 17 Block 1 Town of Te Aroha
47	Gardener's Cottage	Hot Springs Domain Te Aroha	Department of Conservation Visitor's Centre	II	22a	Section 16 Block IX Aroha SD
48	No. 2 Bath House	Hot Springs Domain Te Aroha	Pool	II	22a	Section 16 block IX Aroha SD
49	Gazebo over No.15 Spring	Hot Springs Domain	Mineral Water Spring and	II	22a	Section 16 block IX Aroha SD

Schedule 1: Heritage sites

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Object/place	HPT registration	Map no	Legal description
		Te Aroha	Shelter			
50	Band Rotunda	Hot Springs Domain Te Aroha		II	22a	Section 16 Block IX Aroha SD
51	Tourist Department Office Building	Hot Springs Domain Te Aroha	Doctor's Surgery	II	22a	Section 16 Block IX Aroha SD
52	Maori/No 7 Bath House	Hot Springs Domain Te Aroha	Bath House	II	22a	Section 16 Block IX Aroha SD
53	Cadman Building (Bath House)	Hot Springs Domain Te Aroha	Museum	II	22a	Section 16 Block IX Aroha SD
54	Tea Kiosk	Hot Springs Domain Te Aroha	Domain House Restaurant	II	22a	Section 16 block IX Aroha SD
55	Te Aroha Domain Gates	Hot Springs Domain Te Aroha	Entranceway		22a	Section 16 Block IX Aroha SD
56	Mokena Geyser	Hot Springs Domain Te Aroha	Hot Soda Water Geyser		22a	Section 16 Block IX Aroha SD
57	Meteorological Station	Hot Springs Domain Te Aroha	Meteorological Station		22a	Section 16 Block IX Aroha SD
58	World War II Memorial and Clock Tower	Kenrick Street Te Aroha	Memorial and Clock Tower		22a	Road Reserve
59	William Herries Statue	Herries Park Rewi Street Te Aroha	Monument		22a	Part Section 167, Section 147 Block IX Aroha SD
60	Ex Thames Valley Electric Power Board Administration Building	Corner Lipsey Street and Lawrence Avenue Te Aroha	Vacant		22a	Lot 1 DPS 69095
61	Power Pylon	Tower Road Turanga-O-Moana	Power Pylon Historic Reserve	II	12	Lot 1 DPS 57281
62	Hinuera Church (Interdenominational)	Main Road Hinuera	Church	II	42	Lot 1 DP 12027
63	Former Creamery	Main Road Walton		II	39	Lots 2, 3 and Part 4 DP 13565
64	Head Teacher's School House (1892)	Mowbray Road Waharoa	Waharoa Playcentre Exterior Only		31	Road Reserve Block X Waharoa Township

Schedule 1: Heritage sites

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Object/place	HPT registration	Map no	Legal description
65	Gospel Fellowship Church	Raungaiti Marae Waharoa	Church		11	Matamata North GI Block XIII Wairere SD
66	Piarere School (Technical Institute)	State Highway 29 Piarere			16	Section 156 block XVI Cambridge SD
67		46 Seddon Street Waharoa	Dwelling		31	Section 12 block XIV Waharoa Township
68	Stanley Landing	Tower Road Turanga-O-Moana	River Landing Site		12	Lot 1 DPS 57281
69	Scotsman's Cap	West of State Highway 29 Piarere North of Hinuera Quarry	Peculiar rock formation forming natural shelter said to have been stopped at by Colenso during one of the first documented traverses of the area.		17	Lot 2 DPS 36745
70	Kauhanganui Maori Parliament Building	Rukumoana Marae Morrinsville-Kiwitahi Road Rukumoana	Marae Building	I	30	Te Au O Waikato 7E1 Block X Maungakawa SD
71	Maori King Monument	Rukuroana Marae Morrinsville-Kiwitahi Road Rukumoana	Monument	I	30	Te Au O Waikato 7E2B No. 2A block X Maungakawa SD
72	Annandale	State Highway 26 Morrinsville	Dwelling	I	7	Lot 2 DPS 5141
73	Semi-Detached Dairy Workers' Houses	Esk Street Waitoa	Dwelling (x3) Exterior Only	II	24	Lot 4, 5 and 6 DP 5555
74	Russell's Garage	Main Road Waihou	Garage and Service Station	II	23	Lot 2 DP 60, Lots 2A and 219 DP 112
75	Ex Anglican Church (St Marks Te Aroha)	Second Avenue Waihou	Church	II	23	Lots 158 and 159 DP 60
76	Waihou Emporium Building	Main Road Waihou	Shop	II	23	Lot 2 DPS 30209
77	Quinlan House (R & E Dickin)	Taihoa South Road Matamata	Dwelling		14	Lot 1 DPS 12990 and Lot 1 DPS 43471
78	Oakleigh (KM Ackroyd)	Hinuera Road East Matamata	Dwelling		34	Lot 1 DPS 14720

Schedule 1: Heritage sites

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Object/place	HPT registration	Map no	Legal description
79	Johnston House (G Johnston)	Corner Peria Road and Morgan Road Matamata	Dwelling		14	Section 150 Block 1 Tapapa SD
80	Former Morrinsville Borough Council Office	Canada Street Morrinsville	Council Cafe and Bar		29	LOT 9 DP 13193
81	Various Buildings excluding NZ Post Properties' Building at November 1996.	Whitaker Street Te Aroha (between Burgess Street and Rolleston Street)	Facades of commercial buildings		20	Various
82	Wairongomai Valley Mines	Wairongomai Valley	Battery, tramway, water race, tailings site, stone crusher, portal, prospecting trench, open stop, etc.		6	Kaimai Mamaku Forest Park, Block XI Katikati SD, Part Section 79, Sections 63 and 68 Block XII Aroha SD
83	Historical House	3 Centennial Avenue Te Aroha	Dwelling	II	20, 22a	Sec 150 Blk LIII Te Aroha Township
84	Morrin Estate	171 Scott Road Morrinsville	Morrin Estate Manager's Dwelling and Blacksmith Building Site and its remains		29, 30	Lots 1, 2 and 3 DPS 8659 and Lot 1 DP 35252
85	Cenotaph	Tainui Street Matamata	Cenotaph, World War II Shrine		32	Pt Sec 15 Blk VII Matamata
86	Price House	7 Price Terrace Matamata	Dwelling		33	Lot 40 DPS 1238
87	Te Aroha Skin Processors Limited (Former Dairy Company Factory)	Stanley Road South Te Aroha	Façade of building as identified on DCP		6 Also see DCP in Schedule 5	Lot 8 DPS 33821 Block XI Aroha SD
88	Te Aroha Power House	Hamilton Street Te Aroha	Power House Remains		20	Part Section 30A Block IX Aroha SD

Schedule 2: Heritage – waahi tapu

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Description	Map no	Legal description
1	Maukoro	Adjoining Piako River State Highway 27 Tahuna	Maori Reservation – Urupa	2	Part B1 B2 and B1C 2B4 Block II Waitoa SD
2	Waiora Marae	Waiti Road Hoe-O-Tainui	Maori Reservation – Marae	1	Hoe-O-Tainui North 2B1A1 and 2B3B1A, Block VIII Hapuakohe SD and Block V Waitoa SD
3		Ohinewai-Tahuna Road Hoe-O-Tainui	Urupa	4	Hoe-O-Tainui North Block 4A 2A1 Block XII Hapuakohe SD
4		Ohinewai-Tahuna Road Hoe-O-Tainui	Urupa	4	Hoe-O-Tainui North Block 5A North 2F, Block XII Hapuakohe SD
5		Hill Road Mangaiti	Urupa	3	Section 2B2C Block V Aroha SD
6		State Highway 26 Waitoki	Urupa	3	Te Paeroa 1B2C Block VIII Waitoa SD
7	Paeahi Marae	State Highway 26 Waitoki	Maori Reservation	2	Te Paeroa 1B2B Block VIII Waitoa SD
8	Ngati Rahiri Tumutumu Marae	Tui Pa Road Te Aroha	Maori Reservation	19	Sections 31C4A and 31D3A Block IX Aroha SD
9		Tui Pa Road Te Aroha	Cemetery Reserve	19	Section 31E Block IX Aroha SD
10		Old Te Aroha Road Okauia	Urupa	15	Lot 1 DP 22344 Part Okauia 3A2 Blk VIII Tapapa SD
11	Te Omeka Marae	Tauranga Road Te Poi	Marae	18	Okauia 2E2B1A and Okauia 2F2B1B Block VIII Tapapa SD
12	Te Ukaipo Marae	State Highway 29 Te Poi	Marae	18	Whaiti Kuranui 6A1B3A Block XII Tapapa SD
13		State Highway 29 Te Poi	Maori Reserve – Urupa	18	Okauia 2D4 Block XII Tapapa SD
14	Renga Renga Marae	Papatangi Road Te Poi	Meeting House	18	Part Lot 3 DPS 31245 (Whaiti Kuranui Pt 6C2C West C Block XII Tapapa SD)
15	Ngati Motai	Papatangi Road Te Poi	Maori Reservation	18	Whaiti Kuranui 5C3B Block XII Tapapa SD
16	Maungatapu Downs	Kereone Road Kereone	Pa Site	11	Lot 2 DPS 68858 (Part Mangatapu 2B2 Block VII Maungakawa SD)

Schedule 2: Heritage – waahi tapu

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Description	Map no	Legal description
17	Kerridge Farm	Tower Road Okauia	Pa Site	14	Lot 2 DPS 65128 (Section 35 Block XIV Wairere SD)
18		Old Te Aroha Road Gordon	Maori Reservation – Urupa	12	Waiharakeke East Block 4B1 Block XI Wairere SD
19		Rukumoana Road Rukumoana	Maori Reservation	30	Te Au O Waikato 7H13B Block X Maungakawa SD
20	Rukumoana Marae	Morrinsville-Walton Road Rukumoana	Maori Reservation	30	Te Au O Waikato 7E2B2A Block X Maungakawa SD
21	Kauhanganui (Parliament House Site)	Morrinsville-Walton Road Rukumoana	Maori Reservation	30	Te Au O Waikato 7E1 Block X Maungakawa SD
22	Te Koohi	Morrinsville-Ngarua Road Morrinsville	Urupa	29	Te Au O Waikato A6 Block VI Maungakawa SD
23	Kai-ata-Mata Marae	Morrinsville-Ngarua Road Morrinsville	Maori Reservation	29	Te Au O Waikato A5C2B2G1 Block VI Maungakawa SD
24		Morrinsville-Ngarua Road Morrinsville	Maori Reservation	29	Te Au O Waikato A12 Block VI Maungakawa SD
25	Ngarua	Douglas Road Okauia	Urupa	36	Part Okauia 4E2F Block IV Tapapa SD
26	Te Ohaki Marae	Douglas Road Okauia	Meeting House	36	Okauia 4E2E1A Block IV Tapapa SD
27	Hinerangi Tawhaki Marae	Douglas Road Okauia	Marae	36	Okauia 4E2E2B2A Block IV Tapapa SD
28		Douglas Road Okauia	Maori Reservation	36	Okauia 4E2E2A Block IV Tapapa SD
29	Tama Pango Marae	Douglas Road Okauia	Maori Reservation	36	Part Okauia 4E2B2B and Part Okauia 4E2B1 Block IV Tapapa SD
30	Panetunawhenua	Douglas Road Okauia	Urupa	36	Part Okauia 4E Block IV Tapapa SD
31	Tangata Marae	Douglas Road Okauia	Maori Reservation	36	Okauia 4A1 Block IV Tapapa SD
32		Douglas Road Okauia	Maori Reservation	36	Lot 1 DPS 14491
33	Okauia Pa	Douglas Road	Historic Maori Village Site	36	Okauia 4E2A2B Block IV Tapapa SD

Schedule 2: Heritage – waahi tapu

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Description	Map no	Legal description
		Okauia			
34	Raungaiti Marae	State Highway 27 Kutia	Marae	11	Matamata North G1 Block XIII Wairere SD
35		Off Jagger Road Kutia	Urupa	11	Matamata North A3 Block IX Wairere SD
36	Matamata Pa Site	Dunlop Road Waitoa River	Te Waharoa Pa	11	Part Lot 14 DP 850
37		Waterworks Road Kiwitahi	Urupa	13	Kiwtahi 2F Block III Cambridge SD
38		State Highway 29/Totman Road Intersection Pairere	Urupa	17	Lot 4 DP 15231
39		Dunlop Road Waharoa	Urupa and Cemetery	11	Areas C, D, E and F shown on SO 58560
40		South of Mangapapa Stream East of Morgan Road Richmond Downs	Pa Site	14	Lot 1 DPS 23368
41		East of Morgan Road Richmond Downs	Pa Site	14	Lot 1 DPS 23368
42		West of Morgan Road Richmond Downs East of Mangapapa Stream	Pa Site	14	Lot 1 DPS 13412
43	Tamihana Village Pa Site	North of Peria Road/Matai Road Intersection Peria	Pa Site	14	Section 150 Puketutu Block, Block I Tapapa SD
44		North of Peria Road/Matai Road Intersection Peria	Pa Site	14	Section 150, Puketutu Block, Block I Tapapa SD
45		West of Matai Road East of Trig Station 6621 Matamata	Pa Site	14	Section 146, Matamata Settlement Block I Tapapa SD
46		North of Tui Road East of Golf Course Te Aroha	Pa/Pits	20	Lot 1 DPS 21443

Schedule 2: Heritage – waahi tapu

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Description	Map no	Legal description
47		East of Shaftesbury Road South of Princess Street Te Aroha (Near Haehaenga Stream)	Pa Site	6	Part Section 14H Block IX Aroha SD
48	Te Aea	Waihou River North of Mace Road Te Aroha	Pa Site	6	Section 103 (SO 45013) Block XII Aroha SD
49		Waihou River Right bank west of Wairakau/ Shaftesbury Road intersection Wairakau	Pa Site	9	Part Section 18S Wairakau Settlement Block XII Aroha SD
50		North of McNichol Stream Wairakau	Pa Site	6	Section 6 Wairakau Settlement Block XII Aroha SD
51		Waipupu Road Wairakau North of Hank Road	Pa Site	9	West Part 18 Block III Wairere SD
52		Eastern end of unformed portion of Magill Road Wairakau	Pa Site	9	Part Section 3 Block VII Wairere SD
53		South of McLaren Stream East of Shaftesbury Gordon Road Wairakau	Pa Site	9	Part Section 5 Block VII Wairere SD
54		North of Waiharakeke East Stream East Shaftesbury-Gordon Road Wairakau	Pa Site	9	Part Section 7 Block VII Wairere SD
55		Topehaehae Stream North of Chepmell Road Kiwitahi	Pa Sites	10	Lot 1 DP 35398
56		Puketutu Trig Station South of Morrinsville Walton Road Walton	Pa Site	11	Part Lot 2 DP 19617
57		North of Chepmell Road	Pa Site	10	Lot 4 DP 35398 Pakarau Block

Schedule 2: Heritage – waahi tapu

See Appendix 1 for evaluation criteria

Site ref	Name	Location	Description	Map no	Legal description
		Kiwitahi			
58		East of Waterworks Road Kiwitahi	Pa Site	11	Lot 2 DPS 1731
59		North of Foughey Stream Gordon	Pa Site	9	Section 16 Block VII Wairere SD
60		West of the end of Kirk Road East of Piakoiti Road Walton	Pa Site	11	Lot 2 DPS 21082
61		East of the junction of Piakonui, Piakoiti and Henry Watson Roads Richmond Downs	Pa Site	13	Lot 3 DP 14276
62	Tamihana Monument	Firth Tower Museum Tower Road Matamata	Monument	40	Lot 1 DPS 19768 and Lot 1 DPS 40537 (Historic Reserve)
63		Waiti Road Hoe-O-Tainui	Pa Site	1	Section 12 Block V Hapuakohe SD
64		Waiti Road Hoe-O-Tainui	Pa Site	1	Section 8 Block V Hapuakohe SD
65		Mangawara Road Hoe-O-Tainui	Pa Site	1	Waitawa O Urumoto Block, Block VIII Hapuakohe SD
66		Waihou River Left bank near confluence with Waitoki Stream	Shell Midden	2	Lot 1 DPS 8571
67		Eastport Road Elstow Waitoa River right bank	Pa Site	5	DP 10638
68	Te Ranaparaihe	Adjoining Piako River East of Bolton Road Morrinsville	Urupa	7	4C 2BC Te-O-Waikato Maungatapu Block VI Maungakawa SD
69		North of Magill Stream South of Thompsons Track	Pa Sites	9	Part Section 6 Block III Wairere SD
70		South of Magill Stream West of Thompsons Track	Pa Sites	9	Part Section 6 Block III Wairere SD

Schedule 2: Heritage – waahi tapu					
See Appendix 1 for evaluation criteria					
Site ref	**Name**	**Location**	**Description**	**Map no**	**Legal description**
71		East of Waihou River Okauia	Pa Site	36	Lot 1 DP 13277
72		East of Waihou River Okauia	Pa Site	36	Lot 2 DP 13277
73		Near Trig Station No 2 West of State Highway 29 and Taotaoroa intersection	Pa Site	17	Lot 2 DPS 13343
74		Dunlop Road Waitoa River	Monument	11	
75		State Highway 26 Te Aroha	Urupa	6	Part Section 5A2 Block V Aroha SD
76		State Highway 26 Te Aroha	Pa Site	6	Part Lot 1 DP 36599
77		Mt Te Aroha	Maori Historic Sacred Mountain	6, 20, 22	Various
78		Matai Road Matamata	Pa Site	14	Lot 3 DPS 92176

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
1	Aitken Homestead Maungakawa Road Kereone	Gingko, Sweet Chestnut, Macrocarpa, Radiata Pine, Silver Birch, Eucalyptus, Phoenix Palm, Oaks, Silver Fir, Liquidamber and Redwoods	8	Part Lot 2 DP 13021
2	Near Aitken Homestead Maungakawa Road Kereone	Cork Oak	8	Lot 1 DPS 24698
3	Both banks Waitoa River west of Ngarua Memorial Hall State Highway 27 Ngarua	Lowland Bush	8	Pakarau Pa Block A2 and Part SW 6 Block VIII Maungakawa SD
4	North of Walton Road at junction with State Highway 27	Kahikatea Lowland Forest	11	Section 23 block VIII, Wairere SD
5	State Highway 27/Wairere Road	Stand of Kahikatea	11	Part Section 1 & Matamata North, Part 2B1 A2 and 3A block VIII, Wairere SD and Part Lot 2 DPS 12032
6	Walton School Walton	Red Oaks	39	Part DP 915A and All DPS 3403, DP 8523, DP 14538
7	Walton Village Walton	Copper Beech	11	Part Lot 2 DP 27651
7/1	Walton Village Walton	Kauri	39	Part Lot 2 DP 27651
8	Walton Village Walton	Sycamore	11	Part Lot 1 DP 7329
9	Wardville School Wardville	Tanekaha, Japanese Cedar, Sycamore, Holly, Totara (3), Liquid Amber, Memorial Ginkgo, Kauri	12	Part Lot 9 DP 2838, and Part Lot 9 DP 4223
10	Walker/Mills Streets Waharoa	Kahikatea Bush	31	Part Lots 1 and 2 DP 13299, Part 9A DP 850 Lots 1 and 2 DPS 26844, Section 77 block XIII Wairere SD and Lot 2 LTS 39444
11	Banks of Waitoa River North of Landsdowne Road Waharoa	Kahikatea Bush	31	Part Lot 58 DP 4455 Part Lot 20 DPS 4399 Part Lot 18 DP 850 Part Lot 19 DP 850
12	Banks of Waitoa River South of Landsdowne Road Waharoa	Kahikatea Stand	31	Lot 1 DPS 3701, Lot 1 DP 3347

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
13	North of Dunlop Road Cemetery Waharoa	Sycamore	11	Section 1, SO 7632 and Part Lot 14 DP 850 (SO 58560)
14	East of Martyn Road Wardville	Kahikatea Remnant forest	11	Lot 2 DP 16072
15	South of Jagger Road Waharoa	Kahikatea Forest - Totara, Rimu with Kahikatea	11	Part Matamata North A1 and D1 blocks, Lot 7 DP 8106 and Lot 8 DP 8994
16	Near junction Alexandra/Wardville Roads Wardville	Kahikatea	12	Part Lot 1 DP 16072
18	Kopuatai Peat Dome/Waitoa Canal Right Bank	Raised Peat Dome, Stand of Kahikatea	2	Part Section 6 Block II Waitoa SD
19	Piako River off State Highway 27 Tahuna	Kahikatea Bush	2	Part Sections C and D Block VI Waitoa SD
20	Right Bank Piako River Western end of unformed part of North Road Tahuna	Lowland forest	2	Lot 1 DPS 15106
21	Right bank Piako River No.8 Road extension, Tahuna	Lowland forest	2	Section 1 Block VI Waitoa SD
23	Mangawara Road Hoe-O-Tainui	Mostly Kahikatea, with Rimu and Rewarewa	1	Block 6B2C1, Hoe-O-Tainui North Block
24	Mangawara Road Hoe-O-Tainui	Mostly Kahikatea, with Rimu, and Rewarewa		Mangawara Road Reserve (Legal Road) adjoining Section 11S block IV Haupuakohe SD
25	Hoe-O-Tainui School Hoe-O-Tainui	Totara, Rimu, Tanekaha, Kowhai, Oak (2)	4	Part Section 6 block XII, Hapuakohe SD
26	Quine Road Tahuna	Native Bush	4	Lot 1 DPS 57396 and Section 13 block IX Waitoa SD
27	Left Bank Piako River North of Paeroa-Tahuna Road Tahuna	Totara with Kahikatea	5	Crown Land Reserved From Sale and Part Section 30 Block V Waitoa SD
28	Right bank of Piako River north of Paeroa-Tahuna Road Tahuna	Lowland Podocarp Forest	5	Part Section 19 Block V Waitoa Survey District and unformed road and Section 3 Block V Waitoa SD
29	Right bank Piako River north of Whakahoro Road	Lowland Podocarp Forest. Mainly Totara	5	Public road, Sections 20, 16 18 and Part 15 block X, Waitoa SD
30	Kopuatai Peat Dome	Peat Dome	2	DP 25664 Section 1 Part Sections 5, 6, 7, 27, 29, Blocks II, III, IV, VII Waitoa SD

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
31/1	Springdale School Springdale	Weeping Elm	5	Part Section 12S, Ballachraggon Settlement, block XI Waitoa SD
31/2	Springdale School Springdale	Elm, Rimu (2), Totara (2)	5	Part Section 12S, Ballachraggon Settlement, Block XI Waitoa SD
33	No.4 Road Springdale	English Oaks	5	Section 30A, Ballachraggon Settlement, Block XI, Waitoa SD
34A	Intersection No.4 Road State Highway 27 Te Puninga	Totara	5	Lot 1 DP 16209
34	Intersection No. 4 Road State Highway 27 Te Puninga	Oak	5	Lt 1 DP 16209
35	Waihou River, Off Endowment Road Esltow	Kahikatea	2	Part Sections 6 and 7, Block IV, Waitoa SD
36	Waihou River Waitoki	Kahikatea, Kanuka, Cabbage Tree	2	Block 3 Ngahuoneone, block IV, Waitoa SD
37	Matamata-Piako District Council Metal Dump, Mellon Road Elstow	Native Bush	5	Part 13 Block XII Waitoa SD
38	Junction Thomas/Bailey Road Waihou	Totara, Kahikatea	5	Part Section 31, Block XVI Waitoa SD
39	Waitoa River, Thomas Road Waihou	Totaras, Kowhai, Lowland Forest	5	Lot 1 DP 2483, Part Section 32 block XVI Waitoa SD and Road Reserve
41	No 2 Road Waihou	English Oak	5	Lot 30 DP 4443; Lot 29 DP 4443
42	Elstow School Grounds Elstow	Totara	5	DP 13560, Lot 2 DP 32996
44/1 44/2 44/3	Eastport Road Elstow	Oaks	5 5 5	Part Lot 1 DPS 41533
45	Eastport Road Elstow	Evergreen Magnolia	5	Lot 12A DP 4443
46/1	Eastport Road Elstow	Totara (5), Kowhai (5)	5	Lot 1 DP 23645
47	Scanlen Homestead	Elm, Fan Palm, Phoenix Palms, Copper Beech, Red Oak,	5	Lot 1 DPS 23374

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
	Strange Road Elstow	English Oaks, Tulip, London Plane, Japanese Maple, Beech, Melia, Pin Oak, Totara, Rimu (2), Kowhai, Ginkgo, Cabbage, Box Elder, Poplar, Pear Pawlonia, Magnolia, Holly		
48	Streamside, Wright Road Romani Stream Waitoki	Totara, Kanuka, Tanekaha, Mamaku, Mahoe	3	Part Lot 1 DP 576
49	Pukeroa Station Near homestead/woolshed Rawhiti Road Mangaiti	Pepper Tree, Totara, Karaka, Silver Birch, Sweet Gum, Palms, Nikau, Melia, Idesia, Deodar Cedar	3	Lot 5 DP 7035
50	Strange Road Te Aroha	Tulip Tree, Oaks	6	Part Lot 1 DP 33429
51	Tauhei School Tauhei	Golden Totara	7	Part Lots 2 and 3 DP 8138
52	Tauhei Hall Tauhei	Matai and Totara	7	Part Lot 1 DP 10385
53	Wairongomai Loop Road Te Aroha	Rimu	6	Part Section 1 block XII Aroha SD
54	Haumia Road Piako River Bridge Mangateparu	Totara Bush	5	Lot 1 DPS 56117, Section 66S, Mangateparu Settlement and Lot 1 DP 19448
55	Horrell Road Right bank of Piako River Morrinsville	Mixed Bush	7	Part of Ngakuri a ruru block, Block II Maungakawa SD
56	Horrell Road Morrinsville	Mixed Lowland Bush	7	Part of Ngakuri a ruru block, Block II Maungakawa SD
57	Horrell Road Morrinsville	Totara	7	Lot 4 DP 13350
58	Te Puninga School Te Puninga	Tulip Tree	5	DP 11816
59	Gordon Avenue Te Aroha	Oak	21	Lot 1 DPS 59588 Block IX Te Aroha SD
60	State Highway 26 Tatuanui	Oak	25	05308/001.14 New Zealand Rail

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
62	Driveway off Horrell Road Morrinsville	Avenue of mixed trees to and around Homestead	7	Part Lots 1 and 2 DPS 4131
63	Junction of State Highway 26 and Thomas Road Waihou	Oak	5	Lot 2 DPS 5953
64	Waitoa River, No 1 Road Waitoa	Lowland Kahikatea Forest	24	DP 4444
65	Off Ngarua Road Right bank Waitoa River Waitoa	Lowland Podocarp forest	8	Section 2 Block IV Maungakawa SD
66	Waihou School Grounds Waihou	Noble Fir, English Oak (17), Totara, Kowhai (3), Douglas Fir (7), Lawson Cypress (5)	23	Section 9 Block XVI, Waitoa SD
67/1/A 67/1/C 67/1/D 67/2	School. Front and Near Swimming Pool Motumaoho School Motumaoho	Silver Birch, Oaks, Golden Cedar	7 10 10 10	DP 7238
67/3/A	Road Reserve near Motumaoho School Motumaoho	Deodar Cedar (2), Douglas Fir, Flowering Ash, European Beech, Twisted Willow (4), Black Walnut (2), Idesia (2), Japanese Cedar, Linden	10	Road Reserve
68	North end of Studholme Street Morrinsville	London Plane, Oak	26	Lot 2 and Part Lots 3 and 4 DP 24498
69	End of Eynon Road Morrinsville	Oak	29	Lot 1 DPS 61200
70	North Side of State Highway 26 Western Entrance Morrinsville	Totara	7	Part Lot 2 DPS 21721
71	Left and Right Banks Waitakaruru Stream, Near Motor Camp Morrinsville	Linear Stand of Totara Bush	28	Lot 1 and 2 DP 29273, Part Lot 1 DP 2460, Part Lot 2 DP 14105, Lot 2 DPS 468 and Part Lot 28 DP 2456
71	Left and right banks Piako River Morrinsville	Linear Stand of Totara Bush.	28	Part Lot 1 DP 14105
72	Along the banks of the Waitakaruru Stream Morrinsville	Totara, Kanuka, Macrocarpa, Kowhai	28	Various - Lot 3 DPS 43044, Part Lot 1 DP 7261
73	Between Murray Road/State Highway 26 Morrinsville	Mainly European Oaks	7	Sections 4 and 5, Block II Maungakawa SD

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
74	Maungakawa Road Ngarua	Totara	8	Part Lot 1 DPS 16286
75	Kereone School Hutchinson Road Kereone	Pepper Tree, Lawson, Cypress, Oak, Liquidamber, Douglas Fir, Native Trees at the entrance	11	All DP 21403
76	Baker Road Manawaru	Oak	8	Part Section 3 Block VI, Wairere SD
77	Waghorn Road Hungahunga	Cedars, Ginkgo, Red Oak, Copper Beech, Tanekaha, Silver Beech, Cryptomeria, 'Elegans', Macrocarpa, Wanut, Ash, Tarata, Golden Catalpa	9	
77/1	Driveway, Waghorn Road Hungahunga	Cedars, Ginkgo, Red Oak, Copper Beech, Tanekaha, Silver Beech, Cryptomeria. 'Elegans', Macrocarpa, Walnut, Ash, Tarata, Golden Catalpa	9	
79	Alexandra Road Hungahunga	Pink Horse Chestnut	11	Part Lot 2A DP 3723
80	Wardville Road Wardville	Red Oak	12	Lot 2 DPS 45995
81	Tahuroa Road Tahuroa	Robinia, Blue Gum, Oak, Pine, European Beech, Sweet Chestnut	10	Lot 1 DPS 35119 Block X Maungakawa SD
82	Chepmell road, Near School Kiwitahi	Limes/Lindens	10	Part Te Au-O-Waikato 2B2 block XV Maungakawa SD
83	Kiwitahi Station Road Kiwitahi	Gingko, Redwood, Sweet Chestnuts, Pines, Tulip Trees, Small patch of native bush in garden, Road Oak, Liquid Amber, blue Cypress, Red Oak	11	Lot 1 DP 49714
87, 87A	Waharoa Primary School Waharoa	Tulip Tree, Elm	31	Sections 1-14 and Sections 64 and 65, Block X Waharoa Township
88	Bowling Club, Mowbray Road Waharoa	Limes/Lindens	31	Part Section 26, Waharoa Township
89	Waterworks Road Kiwitahi	Native Bush, Eucalypts, Redwoods, Pines and Black Walnuts	13	Section 2D and 2E Kiwitahi Block ML 8878, and Section 73S Te Miro Settlement, Block III Cambridge SD
90	Piakonui Road Richmond Downs	Kauri, Pohutukawa, Micaella, Titoki, Phoenix Palm, Twisted Willow, Albizia, Flowering Gum, Flowering Cherry, Redwood, Puriri and many others	13	Part Section 4 Block IV Cambridge SD
95	Firth Tower Reserve Tower Road	Oaks, Redwood, Cabbage Tree, Japanese Plum Yew	40	Lot 1 DPS 19768, Lot 1 DPS 40537

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
	Matamata			
96	Tower Road Matamata	Oak	14	Part Section 248 Matamata Settlement, and Section 247 Matamata Settlement
97	Off Buckland road Buckland	Native Bush	16	Lot 1 DPS 27787, Part 3, on Deed C37 being Part Hinuera No. 2 Block VIII Cambridge SD
98	Mathieson Road Buckland	Native Bush	16	Part 43B Deed C37 being Part Hinuera No. 2 Block VIII Cambridge SD
99	Buckland Road BUCKLAND	Sitka Spruce, Lagonaria, Twisted Willow, Catalpa, Japanese Cedar, Silver Birch, Poplar Vars, Gleditsia, Ash, Jacaranda, Sycamore, Pin Oak and others	13	Part 135 Part 136 DP 22189
100	Buckland Road Buckland	Golden Totara, Norfolk Island Pine (80 years), Rimu (80 years), Tanekaha, Silky Oak, Pinaster Pine, Totara, Kauri, Magnolia, Kawaka, Huge Sweet Chestnut, Oak, Elm, Plane, Walnut and others	16	Lot 2 DP 30676
101	East of Puketutu/Buckland Roads Hinuera	Sycamore	17	Section 185, Block B and IX Tapapa SD
102	Totman Road West of State Highway 29 Piarere	Kahikatea Bush	17	Part Lot 2 DP 15231
104	Taotaoroa Road Piarere	Pin Oaks	17	Part Lot 1 DP 35663
105	Blandford Park State Highway 27 Matamata	Blue Cedar, Macrocarpa, Tasmanian Blackwood, Claret Ash, Linden, Red Oak, Poplar Vars, Willow, Silver Birch	14	All DP 21734
106	State Highway 29 Hinuera	Tasmanian Blackwood	17	Part Lot 1 DP 7128
107	State Highway 29 Hinuera	English Oak, Blue Gums	17	Part Lot 1 DP 7128
108 108/A	Taihoa South Road Matamata	English Oak	17 14	Lots 1 and 2 DP 24515, Lot 1 DP 14047; Lot 1 DPS 12990; Lot 1 DPS 43471
109	State Highway 29 East from junction with State Highway 27 Te Poi	Black Locust/Acacia/Robinia, Chestnuts	17	Part Lot 2 DP 17672
111	Rapurapu Road Te Poi	Poplar/Cotton Wood	18	Lot 1 DPS 17684 and Sections 78 and 79 block XII Tapapa SD

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
112	Totara Springs Taihoa North Road Matamata	Bush on gully edge - in quite good condition. Many exotics mixed in. Pin Oaks, Magnolias, Gum Trees, Poplars, Blue Cedars	14	Lot 1 DPS 34763 Part Section 1A Mangawhero Settlement, SO 13998
113	State Highway 29 Piarere	London Plane	16	Section 156 Block XVI Tapapa SD
115	32 Studholme Street Morrinsville	Evergreen Magnolia	28	Lot 4 DP 33165
116	39 - 41 Lorne Street Morrinsville	Miro, Tanekaha, Karaka, Kahikatea, Kauri, Cabbage Tree	28	Part Lot 43 DP 13335
117	Near Railway, Allen Street Morrinsville	Totara	28	Part Lot 194 DP 2461
120	22 George Street Morrinsville	Totara	27	Lot 1 DPS 2345
120	22 George Street Morrinsville	Oak	27	Lot 1 DPS 2345
121	72 Coronation Road Morrinsville	Cedar	27	Lot 48 and Part Lot 46 DP 7150
125	Thomas Park, Moorhouse Street Morrinsville	Liquidamber, London Plane, Totara	28	Lots 9 and 10 DP 1721
126 126	Baptist Church 54-58 Moorhouse Street Morrinsville	Totara, Magnolia	28 28	Lots 1 and 2 DP 19690
128	Moorhouse Street/Allen Street Morrinsville	Phoenix Palm	29	Part 5 Portion Lot 107, DP 180
134	6 Sain Crescent Morrinsville	Tulip Tree	26	Lot 34 DPS 11211
136	61 Coronation Road Morrinsville	Oak	27	Lot 1 DPS 2244
138	Corner Elm Street River View Road Morrinsville	Oak	27	Lot 1 DPS 59997
139 Mo	462 Thames Street Morrinsville	Oak	27	Lot 1 DPS 67835
146	11 Page Street Morrinsville	Rimu	26	Lot 1 DP 28345

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
155	David Street Morrinsville	Pin Oak, Cedar, Dawn Redwood, Red Oak, Idesia, Ash, Claret Ash, Liquidamber, Sheoke, Italian Cypress, Golden Totara, Tarata, Tanekaha, Kahikatea, Rimu, Kowhai	26	Lots 1, 2, 5, 6 DPS 1161 and others
156	39 Coronation Road Morrinsville	Sweet Chestnut	26	West Part Lot 30 DP 7150
157	40 Coronation Road Morrinsville	Oak	26	Part Lot 21 DP 7151
158	Corner Bank and North Streets Morrinsville	Oak	26	Lot 3 DP 13122
160	St John Headquarters Rewi Street/Burgess Street Te Aroha	Giant Redwood	22a	Lot 1 DPS 61248
166/1	Grounds of Waitoa School State Highway 26 Waitoa	English Oaks (2), Red Oak, Silver Fir	24	Lot 2 DPS 316755
170	136 Burwood Road Matamata	English Walnut	34	Lot 2 DP 13321 Block VI Tapapa SD
171	104-106 Burwood Road Matamata	English Oaks	34	Lot 13 DPS 17200
173	52 Burwood Road Matamata	Cooper Beech and Judas Tree	34	All DP 29622
177	Matamata College, Firth Street Matamata	Planes, Oaks, Palms, Tulip Tree and others	34	All DP 15182 Lots 9, 10 DP 15616 Lot 2 DP 34755 Lot 12 DPS 5650 - School
178	54 Smith Street Matamata	Tulip Tree	32	Lot 2 DP 27301 Block II Tapapa SD
182	Rawhiti Rest Home 15 Gordon Terrace Matamata	Japanese Cedar, Oak	32	Lot 1 DPS 51286 Part Lot 7 DPS 20292 - Rawhiti Rest Home
183 Ma	2 Burwood Road Matamata	Bullbay Tulip Tree, Copper Beech	33	Lot 2 DP 31194
184 Ma	Matamata Primary School Broadway Matamata	Totara, Plane, Oak, Chestnuts, etc.	32	Blocks IX, X and XXI Matamata Township
185	Bedford Park Football Cricket Grounds, Tainui Street	London Plane	34	DP 23641 Lot 1 DPS 2560

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
	Matamata			
186	Railway Land, Hetana Street Beautification Reserve Matamata	Oak, Larch, Chestnut, and Ash	32	Lots 1 and 2 being a subdivision of Part Turanga-O-Maona Block (railway land)
187	1 Totara Avenue Matamata	Scarlet Oak	35	Lot 28 DPS 7004
188	9 Cranswick Crescent Matamata	Copper Beech	34	Lots 27, 28 DP 34573
191	139 Firth Street Matamata	Hiba (Thujopsis Dolobrata)	34	Lot 32 Part Lot 31 DPS 42
192	Elizabeth Street Matamata	Chamaecyparis Pisifera	34	
193	Te Aroha Club Centennial Avenue Te Aroha	Lebanon Cedar	20	Lots 3, 9 DP 34185
194	540 Peria Road Matamata	Tulip Tree, Chestnut, Kauri, Japanese Cedar, Camellia	14	Section 150 Block I Tapapa SD
195	498 Peria Road Matamata	Karaka (2)	14	Part Lot 2 DPS 7858 Block I Tapapa SD
196	438 Peria Road Matamata	Kahikatea, Titoki, Tawa, and others	14	Lots 23, 26 DP 1297 Block I Tapapa SD
197	Matamata Domain Meura Street Matamata	Oaks (2) in memory of soldiers	32	PT BLK XII Matamata TNSP
200	434 Waharoa Road East Waharoa	Stand of Native Bush (Kahikatea)	31	Lot 1 DPS 69701 (being a subdivision of Part Lot 12 DP 850)
201	Factory Road Waharoa	Oak Trees	31	Lot 19 being subdivision of Waharoa Dairy Company property
203	1263 Piakonui Road Richmond Downs	Stand of Native Bush	13	Lot 2 being a subdivision of Lot 4 DP 14276 and Lot 16 DP 17891
204	112 Stanley Road South Te Aroha	Stand of Native Bush (Totara), Redwoods	22	Sections 3, 7A, 7C and Part 7B, Block XI, Aroha SD
205	Wakahongi Road State Highway 27 Tatuanui	White Spruce	8	Lot 2 DPS 70451

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
206	54 Stirling Street Te Aroha	Oak trees	19	Part Lot 9 DP 9294
207	Te Aroha Racecourse Stanley Road Te Aroha	Phoenix Palm Trees	21	All DP 12926, All DP 20218, All DP 27549, Lot 1 DP 33370, Lots 2 and 3 DP 37114 and Sections 115 and 119, block XI Aroha SD
208	Tirotira Peaks Mangawhara Road Hoe O Tainui	Remnants of Kauri Forest	1	Maukoro 1B1, Block VIII, Hapuakohe SD
209	Campbell Road Walton	Open Space Covenant protecting flora and fauna	11	Part Lot 4 DP 7329
211	State Highway 29 Piarere	Ongatiti Ignimbrite Bluffs (Hinuera Stone)	16, 17	Lot 2 DPS 36745, Sections 181, 182 and 183 Blk XIII Tapapa SD; Lot 4 and Part Lot 5 DPS 4861; Lots 2 and 3 DPS 4861; Lot 1 DPS 2507 and Lot 1 DPS 53527; Part Lots 1 and 2 DP 24661; Part Section 30 Matamata Settlement, Block XVI Cambridge SD; Part Section 127 Matamata Settlement, Block XIII Tapapa SD; Part Section 126 Matamata Settlement, Block XIII Tapapa SD
212	171 Scott Road Morrinsville	Oaks, Cottonwood and stands of Totara	29, 30	Lots 1, 2, 3 DPS 8659 and Lot 1 DP 35252
213	Natural Native Forest on all that land zoned Kaitiaki (Conservation) excluding understorey and regrowth of vegetation in a plantation forest. • Along the Kaimai Ranges including Mt Te Aroha. • Over the Kopuatai Peat Dome. • In the Te Tapui Scenic Reserve. • In the Hapuakohe Ecological Area. • In the Maungapiko Scenic Reserve.	Various exotic and indigenous flora and fauna	• 3, 6, 9, 12, 15, 18 • 2 • 13, 14 • 1 • 1	Various
215	2994 State Highway 26 Morrinsville	Common Beech	• 7, 27	DP 23519 Blks II VI Maungakawa SD
216	628 Hinuera Road Hinuera	Totara, Rimu, other natives	• 42	Lot 11 DP 7128
217	4 North Street Morrinsville	Liquidambar	26, 27	Lot 1 DP 16524

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
219	32 David Street Morrinsville	Tulip Tree	26	Lot 10 DPS 7450
220	303 Thames Street Morrinsville	Macrocarpa (2)	27	Lot 2 DPS 12975
221	349 Thames Street Morrinsville	Red Oak (4)	27	Part 2 Motumaoho, Part DP 26237
222	Morrinsville College Alexandra Avenue Morrinsville	Copper Beech	27	Part 2 Motumaoho, Part Lot 1 DP 32457
223	Morrinsville College Alexandra Avenue Morrinsville	Cedar	27	Part 2 Motumaoho, Part Lot 1 DP 32457
224	Morrinsville College Alexandra Avenue Morrinsville	Ash (13), Liquidambar (4), Ginkgo, Tulip Tree (2), Evergreen Oak, Beech (2), Pin Oak, Plane, Elm, (Along North Street boundary)	27	Part 2 Motumaoho, Part Lot 1 DP 32457
225	Morrinsville College Alexandra Avenue Morrinsville	English Oak (5), (Fronting Alexandra Avenue)	27	Part 2 Motumaoho, Part Lot 1 DP 32457
226	Morrinsville College Alexandra Avenue Morrinsville	London Plane (6), (On central sports field)	27	Part 2 Motumaoho, Part Lot 1 DP 32457
227	Morrinsville College Alexandra Avenue Morrinsville	English Oak (2), Totara, Camphor Laurel, (Staff Vehicle Entrance)	27	Part 2 Motumaoho, Part Lot 1 DP 32457
228	Morrinsville Intermediate Elizabeth Avenue Morrinsville	Tulip Tree, Cedar (2), Swamp Cypress. Cedars front Coronation Road, Tulip and Cypress (On sports field)	27	Part Lot 7 DP 7445
229	Matamata-Piako District Council Canada Street Morrinsville	English Oak	29	Lot 1 DP 8452
230	Rhoda Read Hospital 222 Studholme Street Morrinsville	Ginkgo (3), Cedar (2), Melia, Kauri, Pin Oak (3), Ash (2), Liquidambar, Redwood (2)	26	Lot 1 DPS 524
231	201 Station Road Matamata	11 Poplar Hybrid (two individual specimens and two groups of 4 and 5 trees respectively	14	Lot 2 DP 21055

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
232	173 Station Road Matamata	2 Willow, Oak, 3 Poplar Hybrid	14	Lot 2 DP 377005
233	143 Station Road Matamata	Liquid Amber, 14 Silver Birch, group of 7 trees including Plane, Oak and Willow	14	Lot 1 DP 14362
234	127 Station Road Matamata	Oak	34	Lot 1 DP 65481
235	64 Station Road Matamata	6 London Plane, 2 Poplar	14 and 34	Lot 2 DP 373715
236	16 Jellicoe Road Matamata	Willow, 3 Pin Oak	34	Lot 16 DP 4476
237	14 Beatty Road Matamata	Group of Oak, Cedar, Elm, Willow, Loguart, Nikau, hedge of Willows	34	Lot 2 DP 62506
238	217a Firth Street / Hinuera Road Matamata	Willow	34	Lot 1 DP 2354
239	St Josephs Church Victoria Avenue Morrinsville	Weeping Wych Elm	27	Part Lot 17 DP 15095
240	St Josephs Primary School Linden Street Morrinsville	English Oak (9), 7 front Victoria Avenue, (2 on edge of sports field)	27	Part Lot 17 DP 15095
241	2 College Street Matamata	Copper Beech	34	Lot 13 DPS 132
242	2 Tower Road Matamata	English Oak	33	Lot 26 DP 14540
243	6 Hohaia Street Matamata	Cypress	32	Section 2 Block XI Matamata TNSP
244	10 York Place Matamata	English Elm	34	Lot 20 DPS 7582
245	15 Waharoa Road East Matamata	Beech, Rimu, Fir	32	Lot 5 DP 20193
246	Matamata Country Lodge 18 Elizabeth Street Matamata	Horse Chestnut	32	Lot 2 DPS 78614
247	Matamata Country Lodge 18 Elizabeth Street	Walnut	32	Lot 2 DPS 78614

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
	Matamata			
248	26 Western Street Matamata	Copper Beech	32	Lot 1 DPS 54540
249	35 Elizabeth Street Matamata	Tulip Tree	32	Lot 81 DP 13191
250	40 Tamihana Street Matamata	Beech	34	Lot 1 DPS 12681
251	63 Station Road Matamata	Redwood	34	Lot 9 DPS 4107
252	Matamata College Firth Street Matamata	Kauri, (at Bradley Gymnasium)	34	Part Section 79 Block II Tapapa SD
253	Matamata College Firth Street Matamata	Kauri, (at Nga Kuri a Wharei)	34	Part Section 79 Block II Tapapa SD
254	Matamata College Firth Street Matamata	Native Beech, (front garden, Firth Street(	34	Part Section 79 Block II Tapapa SD
255	Matamata College Firth Street Matamata	English Oak (4), (3 on boundary with Firth Primary, 1 near Matamata Intermediate buildings)	34	Lot 2 DP 34755
256	Matamata College Firth Street Matamata	Pin Oak, (main entrance)	34	Part Section 79 Block II Tapapa SD
257	Matamata College Firth Street Matamata	Plane, (Firth Street in front of library)	34	Part Section 79 Block II Tapapa SD
258	Matamata College Firth Street Matamata	Swamp Cypress, (Firth Street Boundary North)	34	Part Section 79 Block II Tapapa SD
259	Farmers Building Tainui Street Matamata	English Oak	32	Part Section 9 Block VII Matamata TNSP

Schedule 3: Outstanding or significant natural features and trees and other protected items

See Appendix 1 for evaluation criteria

Reg no	Location	Common names	Map no	Legal description
260	Firth Primary School Station Road Matamata	Plane (3), (Boundary with Matamata College)	34	Part Lot 3 DP 15176
261	Caltex Garage Farmers Road/Firth Street Matamata	Cedar	32, 34	Lot 2 DPS 71392
262	Matamata Intermediate School Smith Street Matamata	Ginkgo, (by tennis courts)	34	Part Lot 3 DP 15176
263	Matamata Intermediate School Smith Street Matamata	English Oak (2), Plane (9), (on boundary with Matamata College)	34	Part Lot 3 DP 15176
264	St David's Presbyterian Church 78 Seddon Street Waharoa	Cedar	31	Lot 7 DP 850
265	11 First Avenue Waihou	Italian Cypress	23	Lot 102 DP 60
266	5 Koromiko Street Te Aroha	English Oak	22a	Part Lot 2 DPS 41318
267	16 Rata Street Te Aroha	Northern Rata	22a	Section 37 Block LIII TN OF Te Aroha
268	38 Ritchie Street Te Aroha	English Oak	21	Lot 3 DPS 64676
269	12A Hikutaia Street Te Aroha	English Oak	19	Lot 1 DP 344456
270	Te Aroha College Stanley Avenue Te Aroha	Kauri, (Norman Blakey Native Reserve)	19	Lot 1 DP 5177
271	Te Aroha College Stanley Avenue Te Aroha	Lime, (near grounds mans shed on sports field)	19	Lot 1 DP 5177
272	Te Aroha College Stanley Avenue Te Aroha	Walnut, (in courtyard)	19	Lot 2 DP 5177

Schedule 4: Designations

Designation no	Underlying zone	Authority	Location	Purpose	Map no	Legal description
1	Rural/Kaitiaki (Conservation)	Waikato Regional Council	Various	Water and Soil Conservation	Various	Various
2	Residential and Rural	Waikato Regional Council	Terminus Street Te Aroha	Depot	21, 22a	Sections 7, 8 14, Lot 2 DPS 53551 Block L Te Aroha SD
3	Kaitiaki (Conservation)	Matamata-Piako District Council	Mill Road Te Aroha	Water Supply	6	Sections 62, 71, 72, 75 and 76, block XII, Aroha SD
4	Rural	Matamata-Piako District Council	Tills Road Te Aroha	Water Supply	12	Part Lot 10, DP 3216 and Part Section 2, Block XV Wairere SD
5	Rural	Matamata-Piako District Council	Waterworks Road Kiwitahi	Water Supply	13	Lot 1 DP 21110, Kiwitahi No. 2C Sections 1 and 2 Blocks, and Sections 11, 12 and 23, block III, Cambridge SD
6	Industrial	Matamata-Piako District Council	Te Poi Road Te Poi	Water Supply	41	Lot 2 DPS 54381
7	Rural	Matamata-Piako District Council	State Highway 29 Hinuera	Water Supply	42	Lot 2 DPS 50204
8	Residential	Matamata-Piako District Council	Hedley Street Waharoa	Water Supply	31	Lot 1 DPS 40496 and Section 10, block VIII, Waharoa Township
9	Kaitiaki (Conservation)	Matamata-Piako District Council	Puriri Street Te Aroha	Water Supply and Pipeline	20, 22a	Lot 3, DPS 41317 and Part Sections 17C, 122, 156, 157 and Part 169, Block IX Aroha SD
10	Kaitiaki (Conservation)	Matamata-Piako District Council	Tui Road across top of Gilchrist and Miro Streets to reservoir Te Aroha	Water Supply Catchment and Pipeline	6, 20	Sections 30, 117, Part No. 1, Part NO. 2A, Part 2B Pipeline Block IX, Aroha SD
11	Residential	Matamata-Piako District Council	Tawari Street Matamata	Water Supply	32	Lot 1 DPS 22802
12	Rural	Matamata-Piako District Council	Morrinsville-Tahuna Road Tahuna	Water Supply	37	Part Lot 8 DPS 2235
13	Rural	Matamata-Piako District Council	Mount Misery Morrinsville	Water Supply Reservoir	28	All DP 29363
14	Rural	Matamata-Piako District Council	Scott Road Morrinsville	Water Supply Pump	28	Part Lot 2 DP 12851
15	Rural	Matamata-Piako District Council	Off Tauranga Road Matamata	Sewage Treatment and Buffer	14	Part Lot 2 DP 12857 Part Section 167 and 168 Matamata Settlement Blk III Tapapa SD
16	Rural	Matamata-Piako District Council	Barker Road	Sewage Treatment	23	Section 14; block XVI, Waitoa SD (Buffer area

Schedule 4: Designations						
Designation no	**Underlying zone**	**Authority**	**Location**	**Purpose**	**Map no**	**Legal description**
			Waihou	and Buffer		to be added)
17	Rural	Matamata-Piako District Council	Tui Road Te Aroha	Sewage Treatment and Buffer	19, 6	Part Sections 25, 26 and 27B1, Block IX, Aroha SD (Buffer area to be added)
18	Rural	Matamata-Piako District Council	Roache Road Morrinsville	Sewage Treatment and Buffer, subject to conservation measures in Appendix 7.	27, 29, 7	Parts Maungatapu B4C block, Block VI and VIII, Maungakawa SD (Buffer area to be added)
19	Rural	Matamata-Piako District Council	Hamilton Road Morrinsville	Sewage Pump	28	Lot 1 DPS 66878
20	Residential	Matamata-Piako District Council	Allen Street Morrinsville	Sewage Treatment Plant and Sewerline	27	Lot 3 DPS 22015
21	Rural	Matamata-Piako District Council	State Highway 26 Waihou	Refuse Transfer Station	23	Lot 4 DPS 69483
22	Rural	Matamata-Piako District Council	Tauranga Road Matamata	Former Landfill and Refuse Transfer Station and Works Depot (limited area)	14	Part Lot 2 DP 18838
23	Rural	Matamata-Piako District Council	Roache Road Morrinsville	Landfill	29	Part Maungatapu D3C Block, Block VI, Maungakawa SD
24	Rural	Matamata-Piako District Council	Old Hill Road Tahuna	Cemetery	2	Section 21A, Block V Waitoa SD
25	Residential	Matamata-Piako District Council	Thames Street Morrinsville	Cemetery	27	DP 1038
26	Residential	Matamata-Piako District Council	Seales Road Morrinsville	Cemetery	27	Part 21 DP 23869, Part 22 DP 2465
27	Rural	Matamata-Piako District Council	Stanley Road South Te Aroha	Cemetery	22	Section 8A Block XI Aroha SD
29	Rural	Matamata-Piako District Council	Peria Road Matamata	Cemetery	14	Lot 1 DPS 13600 and Section 112A and 175 Matamata Settlement, Tapapa SD
30	Rural	Matamata-Piako District Council	Peria Road Matamata	Proposed Cemetery	14	Part Lot 1 DPS 58021 and Part Section 174, being lot 2 of LT 304507 Block II, Tapapa SD
31	Rural	Matamata-Piako District Council	Dunlop Road Waharoa	Cemetery	11	Parts SO Plan 58560
32	Business	Matamata-Piako District Council	Rewi Street	Depot	22a	Sections 1 and 2, Block XVI, Te Aroha

Schedule 4: Designations						
Designation no	**Underlying zone**	**Authority**	**Location**	**Purpose**	**Map no**	**Legal description**
			Te Aroha			
34	Residential	Matamata-Piako District Council	Anzac Avenue Morrinsville	Depot	28	Part Lot 1 DP 35635 and Part Lot 1 DP 36590
36	Residential	Matamata-Piako District Council	Along Piako River from south of golf course to Studholme Street Morrinsville	Proposed Reserve	29, 27	Various
37	Residential	Matamata-Piako District Council	River View Road Morrinsville	Proposed Reserve	27	Lot 21 DP 15222
38	Residential	Matamata-Piako District Council	Avenue Road between railway and recreation ground Morrinsville	Proposed Reserve	28	Part 30580 Lease 48265, Lot 13 LO 30811 at Morrinsville Station and 30579 LO 34734/1
42	Rural	Matamata-Piako District Council	Stanley Road South Kenrick Street Te Aroha	Proposed Reserve	21, 22	Part Section 128, block IX, Te Aroha SD
43	Residential	Matamata-Piako District Council	Between Industrial and Residential zone Mangawhero Road Matamata	Proposed Reserve	33, 35	Part Lot 1 DPS 21070 and Part Lot 1 DPS 803
44	Business	Matamata-Piako District Council	Hetana Street Matamata	Proposed Reserve	32	30652 - Plantation LO 34733/1 Part Turanga-O-Moana Block
45	Business	Matamata-Piako District Council	Hetana Street Matamata	Proposed Reserve	32	30653 - Plantation LO 34733/1 Part Turanga-O-Moana Block
46	Business	Matamata-Piako District Council	Hetana Street Matamata	Proposed Reserve	34	30668 - Beautification LO 34733/2 Part Turanga-O-Moana Block
47	Business	Matamata-Piako District Council	Firth Street Matamata	Proposed Reserve	32, 34	Part Section 80A, Block II, Tapapa SD
48	Business	Matamata-Piako District Council	Corner Hetana and Tainui Streets Matamata	Proposed Reserve	32	Part Section 6, Block XIII, Matamata town
49	Business	Matamata-Piako District Council	Gouk Street Matamata	Carpark	32	Lot 2 DPS 30030
50	Business	Matamata-Piako District Council	Tainui Street Matamata	Carpark	32	Lot 1 DPS 8612 and Part Section 16 Matamata Town

Schedule 4: Designations

Designation no	Underlying zone	Authority	Location	Purpose	Map no	Legal description
51	Business	Matamata-Piako District Council	Studholme Street Morrinsville	Carpark and Proposed Carpark	28	Lot 4 DPS 70377, South Part Lot 79 DP 2461
52	Business	Matamata-Piako District Council	Between Avenue Road and Marshall Avenue Morrinsville	Proposed Road	28	Part Lot 2 DPS 57457, Part Lot 2 DPS 23405, Lot 1 DP 23405, Part Lot 2 DPS 71651, Part Lots 6 and 8 DP 4697, Part Sections 195 and 196 DP 2461 and Part Motumaoho No. 2 Block, Block VI, Maungakawa SD
54	Rural	Matamata-Piako District Council	Kuranui Road through to Roache Road and State Highway 26 Morrinsville	Proposed Bypass (15 year period)	7, 27, 28, 29	Various
60	Business	Matamata-Piako District Council	Extension of Ema Street Te Aroha	Proposed road	22a	Part Lots 1 and 2 DPS 70843, Part Lot 1 DP 9290 and Part Paeroa-Te Aroha railway SO 736513
65	Residential	Matamata-Piako District Council	Upper Boundary Street between Koromiko and Kotuku Streets Te Aroha	Proposed Road	22a	Part Sections 15, 16 and 182, Block LIII, Town of Te Aroha
69	Rural	Matamata-Piako District Council	State Highway 27 through to Mangawhero Road Matamata	Proposed Bypass as shown on Planning Maps. Also proposed buffer solely between Tower Road and Mangawhero Road, where the designation is greater than 20 metres in width (15 year period). The width of the portion of the designation on Lots 2 DPS 16163, Lot 1 DPS 80441 and Lot 200 DP 414828 is variable to allow eventual road alignment appropriate	33, 35	

Schedule 4: Designations

Designation no	Underlying zone	Authority	Location	Purpose	Map no	Legal description
				to the design speed.		
72	Business	Matamata-Piako District Council	Corner Canada and Thames Streets Morrinsville	Community Purposes	29	Part Lots 1 DP 8254 and Lot 1 and 2 DP 8254
73	Rural	Matamata-Piako District Council	Corner State Highway 27 and Jagger Road Waharoa	Aerodrome and Ancillary Services	11	Part Lot 1 DP 29064, Matamata North E and F blocks, Part 1A, Section 72 and Part Section 71, Block XII, Wairere SD
75	Business	Matamata-Piako District Council	Between Kenrick Street and Lawrence Avenue Te Aroha	Proposed Service Lane	22a	Part DP 18681, Part Lots 1 and 3 DPS 15895 and Part Sections 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 Block XII, Te Aroha Township
77	Business	Matamata-Piako District Council	Off Kenrick Street running at rear of site fronting both Whitaker Street and Church Street with access way to Church Street Te Aroha	Proposed Service Lane	22a	Lot 2 DPS 1476, Part Lots 1 and 2 LTS 33767, Part Sections 3, 4, 11, 12, 12A, Part 13, Part North West 15, Part 15 and 16, Block VI, Te Aroha Town
77A	Rural	Matamata-Piako District Council	From State Highway 27 through to Industrial land owned by JD Wallace	Proposed Road (10 year period)	8	Part Lot 1 DP 6569, Blocks III and IV, Maungakawa SD
78	Residential	Powerco Limited	Allen Street Morrinsville	Electricity Supply Purposes	29	Lot 1 DPS 74303
79	Business	Powerco Limited	Browne Street Matamata	Electricity Supply Purposes	32	Part Lot 5 DP 18689 Tapapa SD
80	Residential	Powerco Limited	Tower Road Matamata	Electricity Supply Purposes	33	Lot 2 DPS 62192
83	Business	Powerco Limited	Rewi Street Te Aroha	Depot	22a	Lot 1 DPS 62676
84	Rural	Powerco Limited	Roache Road Morrinsville	Electricity Supply Purposes	7	Part Lot 3 DP 5141
85	Rural	Powerco Limited	Walton Road Walton	Electricity Supply Purposes	11	Lot 1 DPS 11919
86	Rural	Powerco Limited	Tahuna Road Tahuna	Electricity Supply Purposes	37	Lot 1 DPS 15935
87	Rural	Powerco Limited	Farmer Road Waitoa	Electricity Supply Purposes	8	Lot 1 DPS 60462

Schedule 4: Designations

Designation no	Underlying zone	Authority	Location	Purpose	Map no	Legal description
88	Business if adjoining a Business zone, otherwise Rural	Toll NZ Consolidated Ltd (Toll Rail)	East Coast main trunk railway line, Kinleith Branch railway line, Thames Branch railway line, Hamilton-Tauranga and south	Railway – Also see Designation 167	Various	Various
89	Rural	Transit New Zealand	State Highway 1, 24, 26, 27, 28 and 29	State Highways in accordance with Transit NZ Act 1989	Various	
90	Rural	Trans Power New Zealand Limited	Mikkelsen Road Waihou	Electricity Substation	6, 23	Part Lots 33 and 34 DP 113 and Part Section 92, Block XI, Aroha SD
91	Rural	Chorus New Zealand Limited	Tautiti Road Elstow	Telecommunications and Radio Communications Purposes	5	Part Lot 1 DP 10007 Block XII Waitoa SD
92	Rural	Chorus New Zealand Limited	Puketutu Road Hinuera	Telecommunications and Radio Communications Purposes	17	Part Lot 1 of Section 97 Matamata Estate Block IX Tapapa SD
93	Rural	Chorus New Zealand Limited	Tahuna Ohinewai Road Tahuna	Telecommunications and Radio Communications Purposes	4	Part Lot 1 DP 9653 Block XII Hapuakohe SD
94	Rural	Chorus New Zealand Limited	Morrinsville-Kiwitahi Road Kiwitahi	Telecommunications and Radio Communications Purposes	10	Part Waiuku No. 2 Block Maungakawa SD
95	Rural	Chorus New Zealand Limited	Settlement Road Ngarua	Telecommunications and Radio Communications Purposes	8	Section 1S Pakarua Settlement Block VII Maungakawa SD
96	Rural	Chorus New Zealand Limited	Corner Manawaru and Shaftesbury Road Manawaru	Telecommunications and Radio Communications Purposes	38	Part Section 9 Block II Wairere SD
97	Rural	Chorus New Zealand Limited	No. 4 Road	Telecommunications	5	Part Lot 77A DP 4522 Block XV Waitoa SD

Schedule 4: Designations						
Designation no	**Underlying zone**	**Authority**	**Location**	**Purpose**	**Map no**	**Legal description**
			Springdale	and Radio Communications Purposes		
98	Rural	Chorus New Zealand Limited	Morrinsville - Tahuna road Tahuna	Telecommunications and Radio Communications Purposes	37	Part Lot 2 DP 26380 Block V Waitoa SD
99	Rural	Chorus New Zealand Limited	Taupiri-Mangateparu Road Tauhei	Telecommunications and Radio Communications Purposes	7	Part Lot 2 DPS 8138 Block IV Komakorau SD
100	Business	Chorus New Zealand Limited	Rewi Street Te Aroha	Telecommunications and Radio Communications Purposes	22a	Sections 14 and 15 Block I Town of Te Aroha
101	Rural	Chorus New Zealand Limited	Te Poi Road Te Poi	Telecommunications and Radio Communications Purposes	41	Part Lot 3 DP 11543 Block XI Tapapa SD
102	Rural	Chorus New Zealand Limited	State Highway 26 Waitoa	Telecommunications and Radio Communications Purposes	24	Section 2 SO 57277 Block IV Maungakawa SD
103	Rural	Chorus New Zealand Limited	Walton Road Walton	Telephone Exchange	39	Lot 2 DPS 82370.
104	Rural	Chorus New Zealand Limited	Wardville Road Wardville	Telecommunications and Radio Communications Purposes	12	Part Lot 1 DP 33331 Block IX Wairere SD
105	Business	Chorus New Zealand Limited	Corner Arawa and Tui Streets Matamata	Telecommunications and Radio Communications Purposes	32	Lot 1 DPS 76020 and Lot 2 DPS 76020
106	Business	Chorus New Zealand Limited	Corner Lorne and Thames Streets Morrinsville	Telecommunications and Radio Communications	28	Lot 4 DP 28887 Part Lot 50 DP 2461 and Part Motumaoho No 2 Block VI Mangakawa SD

Schedule 4: Designations

Designation no	Underlying zone	Authority	Location	Purpose	Map no	Legal description
				Purposes		
107	Kaitiaki (Conservation)	Chorus New Zealand Limited	State Highway 29 Kaimai Hill	Telecommunications and Radio Communications Purposes	18	Part Section 126 Block II Tapapa SD
108	Business	New Zealand Police	Tui Street Matamata	Police Station	32	Section 18 & 19 Block VIII Matamata Town
109	Business	New Zealand Police	Rewi Street Te Aroha	Police Station	22a	Part Section 17 block XVI Te Aroha Township
110	Business	New Zealand Police	Moorhouse Street Morrinsville	Police Station	28	Part Section 1 SO 59450
111	Business	Department for Courts	Moorhouse Street Morrinsville	Court house	28	Section 2 SO 59450
112	Business	Transit New Zealand	State Highway 27 Waharoa	Proposed Road (state highway)	31	Part Waharoa Railway Station and Part Section 66 and 68 Block XIII Wairere SD
113	Kaitiaki (Conservation)	Broadcast Communications Limited	Mount Te Aroha	Transmitter Station	6	Part Katikati State Forest NO. 38 Block X Aroha SD
114	Rural	Broadcast Communications Limited	Grattan Road Te Aroha	Repeater Station	21	
116	Rural	Ministry of Education	Tahuna-Ohinewai Road Tahuna	Primary School	37	Section 26, Block V Waitoa SD
117	Rural	Ministry of Education	No. 1 Road Springdale	Primary School	5	South East Part Section 12S Balanchraggan Settlement Block XI Waitoa SD
119	Rural	Ministry of Education	Bowler Road Elstow	Primary School	5	All DP 13560 Block XII Waitoa SD
120	Rural	Ministry of Education	Tauhei-Morrinsville Road Tauhei	Primary School	7	Part Lots 2 and 3 DP 8138, Part Lot 1 DP 10385 Block IV Komakorau SD
122	Rural	Ministry of Education	State Highway 27 Tatuanui	Primary School	25	Part Lot 4 DP 14236 Block III Maungakawa SD
124	Residential	Ministry of Education	Alexandra Avenue Morrinsville	College	27	All DP 26656 and Part DP 32457
125	Residential	Ministry of Education	North Street Morrinsville	College Farm	27	Part DP 15432, Part 3 DPS 1261, Part Lot 7 DP 7445
126	Residential	Ministry of Education	Elizabeth Avenue	Intermediate School	27	Part Lot 7 DP 7445

Schedule 4: Designations						
Designation no	**Underlying zone**	**Authority**	**Location**	**Purpose**	**Map no**	**Legal description**
			Morrinsville			
127	Residential	Ministry of Education	Lincoln Street Morrinsville	Primary School	26	Part Lots 169 , 170 DP 2461, DP 12765, Lots 18 -23 DP 8452, Part Lot 19 DP 17370, Part Closed Street
128	Residential	Ministry of Education	David Street Morrinsville	Primary School	26	Lots 1, 2, 5, 6 DPS 1161, Lot 1 DPS 3124, Part Lot 5 DP 24498 Section 8 Motumaoho No. 2
130	Rural	Ministry of Education	State Highway 26 Waitoa	Primary School	24	Lot 2 DPS 316755 Note: Part removal of Lot 1 of proposed subdivision
131	Rural	Ministry of Education	Manawaru Road Manawaru	Primary School	38	DP 3002 and Part Section 9 Block II Wairere SD
132	Rural	Manawaru Playcentre	Manawaru Road Manawaru	Play Centre	38	Lot 5 DPS 36536
133	Rural	Ministry of Education	State Highway 26 Motumaoho	Primary School	7, 10	Part DP 7238 and Closed Road
134	Rural	Ministry of Education	Morrinsville-Walton Road Kiwitahi	Primary School	10	Lot 1 DPS 267, Pt 6 DP 25089, DP 8099 Block XV Maungakawa SD
135	Rural	Ministry of Education	Station Road Kereone	Primary School	11	DP 21403 Block XI Maungakawa SD
136	Rural	Ministry of Education	Walton Road Walton	Primary School	39	Part DP 915A, DP 8523, DP 14538, DP 3403
137	Residential	Ministry of Education	Stanley Avenue Te Aroha	Primary School	21	Part Section 71, Block IX Aroha SD
138	Residential	Ministry of Education	Whitaker Street Te Aroha	Primary School	20, 22a	Section 131, Closed Road Block IX Aroha SD, Sections 4-6, 7-10, 19-26, 30 and 31 Block LXIII Te Aroha Township
140	Residential	Ministry of Education	Stanley Avenue Te Aroha	College	19	Lots 1 and 2 DP 5177
142	Residential	Ministry of Education	Ward Street Waharoa	Primary School	31	Section 1-14 Block X Waharoa Township Lots 2–5 & 9-12 DP 827 & Closed Road, Sections 64 & 65 Blk XIII Wairere SD
144	Rural	Ministry of Education	State Highway 27 Ngarua	Education Purposes	8	Part Lot 11 DP 14295 & Lot 1 DPS 3050

Schedule 4: Designations

Designation no	Underlying zone	Authority	Location	Purpose	Map no	Legal description
145	Rural	Ministry of Education	Wardville Road Wardville	Primary School	12	DP 4223, Part Lot 9 DP 2838
146	Residential	Ministry of Education	Broadway Matamata	Primary School	32	Blocks IX and X Matamata Township and Closed Road
147	Residential	Ministry of Education	Station Road Matamata	Primary School	34	Part Lot 21 DP 27301 and Part Lot 3 DP 15176 Block II Tapapa SD
148	Residential	Ministry of Education	Smith Street Matamata	Intermediate School	34	Part lot 3 DP 15176, Part Lots 8 and 9 DP 27301 block II Tapapa SD
149	Residential	Ministry of Education	Firth Street Matamata	College	34	DP 15182, Lot 2 DP 34755
152	Rural	Ministry of Education	Stopfords Road Te Poi	Primary School	18	Part Lot 1 DP 11543
153	Rural	Ministry of Education	State Highway 29 Hinuera	Primary School	42	Lot 11 DP 7128, Sections 3 and 6 Block X Tapapa SD
154	Business	Matamata-Piako District Council	State Highway 27 Waharoa	Proposed Reserve	31	Pt Lot 1 DPS 58419 and pt railway land Block XIII Wairere SD
157	Rural	Matamata-Piako District Council	North of Tawari Street Matamata	Stormwater Retention Pond	32, 33	Lot 1 DPS 35822
158	Rural	Matamata-Piako District Council	North of Tawari Street Matamata	Proposed Stormwater Retention Pond	33	Lot 2 DP 11566
159	Rural	Matamata-Piako District Council	Campbell Road Waihou	Proposed Reserve	23	Part of Sections 13, 51 and 57 Block XVI Waitoa SD
161	Rural	Matamata-Piako District Council	Pioneer Road Tahuna	Proposed Wastewater Treatment Plant	2, 37	Part of Section 25, Block V Waitoa SD, Part of Lot 2 DPS 85570
162	Rural / Kaitiaki (Conservation)	Transpower New Zealand Limited	Various	North Island Grid Upgrade Project	4, 7, 10, 28	Various
163	Industrial	Powerco Limited	3 Dunlop Road Waharoa	Operation of an Electricity Substation	31	Lot 3 DP 333824
164	Industrial	Powerco Limited	No. 1 Road, Waitoa	Electricity Supply Purposes	24	Undivided portion of Lot 3 DPS 78060
165	Rural	Transpower New Zealand Limited	Roache Road, Morrinsville	Electricity Supply Purposes	7	Lot 3 DPS 10688, PT Maungatapu B4D2, Maungatapu B4D1 and Maungatapu B4B
166	Rural	Transpower New Zealand Limited	Roache Road, Morrinsville	Electricity Supply Purposes	7	Maungatapu B4D1 and Maungatapu B4B
167	Business if adjoining a	Hauraki District Council	From the HDC/MPDC	Construction,	2, 3, 6,	

Schedule 4: Designations

Designation no	Underlying zone	Authority	Location	Purpose	Map no	Legal description
	Business zone, otherwise Rural		boundary north of the Rawhiti Road / State Highway 26 intersection to the Terminus Street/Thames Branch Railway crossing in Te Aroha	Operation, and maintenance of the Hauraki Rail Trail. Note: See Designations File for Conditions – Also see Designation 88	19, 22a	
168	Rural	Transpower New Zealand Limited	Roach Road, Morrinsville	Construction, operation, maintenance, replacement, renewal and upgrading of a 110 kV switchyard and ancillary facilities	7	Undivided portion of Part Lot 3 DPS 5141 (See Fig 2 of Notice of Requirement dated 28 March 2012, MPDC Ref: 105.2012.10480)
169	Residential	Matamata-Piako District Council	Cynthia Crescent / Kenney Street, Te Aroha	Pedestrian walkway (15 year period)	19	Lot 22 DPS 26220
170	Residential	Matamata-Piako District Council	Boundary Street, Te Aroha	Reserve (15 year period)	22a	Section 16 Block LIII Town of Te Aroha, Section 182 Block LIII Town of Te Aroha and land vested as road.
171	Business	Telecom New Zealand Limited	Corner Arawa and Tui Streets, Matamata	Telecommunications and Radio Communications Purposes (see Designation 105)	32	Lot 1 DPS 76020 and Lot 2 DPS 76020
172	Business	Telecom New Zealand Limited	Corner Lorne Street and Thames Streets, Morrinsville	Telecommunications and Radio Communications Purposes (see Designation 106)	28	Lot 4 DP 28887 Part Lot 50 DP 2461 and Part Motumaoho No 2 Block VI Mangakawa SD
173	Kaitiaki (Conservation)	Telecom New Zealand Limited	State Highway 29, Kaimai Hill	Telecommunications and Radio Communications Purposes (see Designation 107)	18	Part Section 126 Block II Tapapa SD

Schedule 5: Sites subject to a Development Concept Plan

Fonterra Waitoa

Lot 2 DPS 78059 (CT 62A/265), Lot 3 DPS 78060 (CT 62A/267), Lot 4 DPS 78061 (CT 62A/254), Lot 9 DPS 78061 (CT 62A/255), Lot 5 DPS 78059 (CT 62A/266) and Lots 6, 7 and 8 DPS 76060 (CT 62A/268).

Fonterra Morrinsville

Part Lot 1 DPS 52637, Railway Lease L46167.

Tatua Co-operative Dairy Company Limited Tatuanui

Lot 1 DPS 11186, Lot 1 and Part Lot 2 DPS 68, Lot 1 DP 12404 DP 9359, Lots 1 and 2 DPS 33988, Lot 1 DPS 16815, Lot 1 DPS 3109, Part Lot 2 DP 9358, Lot 2 DPS 71013, Block III Maungakawa SD.

Wallace Corporation Limited

(Includes J D Wallace Limited, Wallford Meats, Eureka Skin and Hides)

Lot 4 DP 5006, Lot 1 DPS 47313, Part Lots 2 and 3 DP 29915, Block VI Maungakawa SD.

Inghams Enterprises (New Zealand) Limited

Lots 1 and 2 DPS 25337, Part Section 18 and Section 19 Block IV Maungakawa SD.

De Gussa

Lot 2 DPS 51800, Block VI, Maungakawa SD.

BOP Fertiliser Ltd

Lot 3 DPS 51800, Block VI, Maungakawa SD.

ICHEM Limited

Lot 1 DPS 51800, Block VI, Maungakawa SD.

Te Aroha Skin Processors Limited

Lot 8 DPS 33821, Block XI Aroha SD.

Totara Springs Christian Centre

Part Section 1A Mangawhero Settlement, SO 13998, Lot 1 DPS 34763, Block III Tapapa SD.

New Zealand Mushrooms Limited – Snell Street, Morrinsville

Section 1 SO 55982, Lot 7A DP 2465 and PT Lot 1 DP 16287, all being part of the Motumaoho No. 2 Block.

New Zealand Mushrooms Limited – Taukoro Road, Morrinsville

Lot 1 DP 36969, Block II Maungakawa SD.

IB and JP Diprose – Barton Road, Okauia

Part Okauia 1 Block being Part DP7148, Okauia 4B Block, Lot 1 DPS 24315 Blocks IV and VIII Tapapa SD.

DL and JL Swap

Part Section 126, Block II, Tapapa East Survey District (CT SA5B/22).

Richmonds Limited

Part Section 6 DP 18461 and Lot 1 DPS17578, Part Sections 12, 21, 32, 33, 34, 35, 36 and 37 Block XI, Aroha SD, and Part Section 6 Block XI Aroha SD.

Greenlea Premier Meats Limited Morrinsville

Motumaoho Number 2 block and lots 1 and 2 and part lot 2 DP 17820, Section 1, SO Plan 5384, Lots 3 and 4 DP 20396 and Part Lot 100A DP 2461.

Advice note: See Part C: Planning Maps for the Development Concept Plans.

Schedule 6: Development Contributions

Reserves	District Wide	$769	Per lot or dwelling
Engineering	in respective townships		
Morrinsville			
	Water Treatment Plant		
	Water line, Coronation - Seales		
	Sewage - Treatment Plant - Main, Coronation - Seales	$1,533	
	Finance 10%/5 years on capital	$1,151	
Total		$3,453	Per lot or dwelling
Matamata			
	Water Treatment Plant		
	Sewage - Treatment Plant		
	Sewage and Stormwater Mains	$690	
	Finance 10%/5 years on capital	$729	
Total		$2,188	Per lot or dwelling
Te Aroha			
	Sewage Treatment Plant	$12	
	Finance 10%/5 years on capital	$391	
Total		$1,172	Per lot or dwelling
Rural & Rural-Residential zones (excluding those which contribute to the Engineering Contributions for the Towns above)	Any new lot created within the Rural-Residential zone that has a service provided to it shall pay the total contribution for such service relevant to the town it adjoins		
	Finance 10%/5 years on capital	$385	
Total		$1,154	Per lot or dwelling
Note: For further details of Development Contributions and an explanation see Section 7.			

Appendix 1: Evaluation criteria for scheduled natural environment and heritage resources and protection of other items

The heritage resources listed in Schedules 1, 2 and 3 have been evaluated using the following criteria:

1 Buildings and objects

(a) Criteria

- Of particular significance to Maori for its religious, mythological, spiritual or cultural value;
- Notable or early example of a particular architectural style, designer or period, or material/method of construction or craftsmanship;
- Associated with the life or activities of a person, group, organisation, institution or event that has made a significant contribution to the community, region or nation;
- Historical context;
- Contributes to the continuity or character of a street, group of features or buildings, neighbourhood, precinct or area;
- Forms an important visual landmark;
- Cost of preservation, restoration, maintenance is reasonable. (Buildings to be in reasonable structural condition);
- Potential public use;
- Has significant heritage fabric and retains design qualities that do not adversely affect the heritage qualities;
- Occupies a site with an historical context;
- Whether the feature will increase our understanding of past lifestyles, zoology, botany or past geological or volcanic activity.

(b) Groups

All buildings and objects listed in Schedule 1 are classified into two groups according to their degree of importance and suitability for protection. The following distinctions can be made between the two groups:

Heritage features in Category 1 are distinguished from those in Category 2 by their higher quality in terms of the outstanding significance well beyond their immediate environment. It is of prime importance that Category 1 buildings are protected as they are considered irreplaceable. Generally unless otherwise stated in the schedule, a Category 1 classification implies the protection of a whole heritage property including the interior, exterior and surrounding grounds. Category 2 includes buildings, objects and places of historic or cultural, architectural, aesthetic beauty or scientific significance or value. It generally applies to the exterior of an item only, unless other specified.

2 Notable trees and stands of trees

Notable Trees and stands of trees scheduled in the plan have been assessed using the following criteria:

(a) Landscape/amenity value

- Any tree or group of trees that have a significant landmark value due to its location;

- Any tree or group of trees which have significant contribution to the visual amenity of the immediate environment.

(b) Historic/cultural value

- Any tree or group of trees associated with or commemorating an historic event;
- Any tree or group of trees associated with or planted by an historic or notable figure;
- Any tree of spiritual or cultural value to tangata whenua.

(c) Ecological/scientific value

- Any tree or trees particularly outstanding for its/their species in relation to its/their age, size and form, canopy spread;
- Any significant tree or trees or species rare or under-represented or which contribute viability, diversity or resilience in the ecological District, or region or nationally;
- Any significant tree or trees of unusual genetic or morphological form.

3 Geological features

Geological features scheduled in the Plan have been assessed using the following criteria:

(a) Scientific/educational importance

- The site or feature contains important scientific information which provides insight into past geological, volcanic or geomorphological activity;
- The site or feature provides scientific reference material for comparative identification;
- The site is vulnerable to destruction or modification;
- The feature is the best representative example in Matamata Piako area of the different landforms, geological features and soil sites that together document the history and evolution of the District.

(b) Visual appeal

- The site or feature either on an individual basis or collectively makes a considerable contribution to the character of the immediate area or the District;
- The site or feature forms a visual landmark within the District.

4 Waahi tapu

- The site is known to be of particular significance to tangata whenau for its religious, mythological, spiritual significance.

5 Significant natural features

Significant natural features in the District are assessed using eleven criteria:

(i) Representativeness – examples of the characteristic communities within relevant land systems in ecological Districts;

(ii) Diversity and pattern – the diversity of ecological and physical features, and the patterns that exist within the area under consideration;

(iii) Rarity and special features – communities or species rare or comprising special features;

(iv) Naturalness – most mainland ecosystems are modified but the degree of naturalness is an important consideration;

(v) Ecological viability –the inherent viability of the area to maintain itself in the long term;

(vi) Size and shape – large areas with compact shape are preferable to small areas; often there is no choice though as only small remnants may remain;

(vii) Buffering and surrounding landscape – buffering is the degree of protection provided by the surrounding landscape;

(viii) Fragility and threat – the actual or potential threats that an area may be exposed to and the vulnerability of an area to threats or other influences;

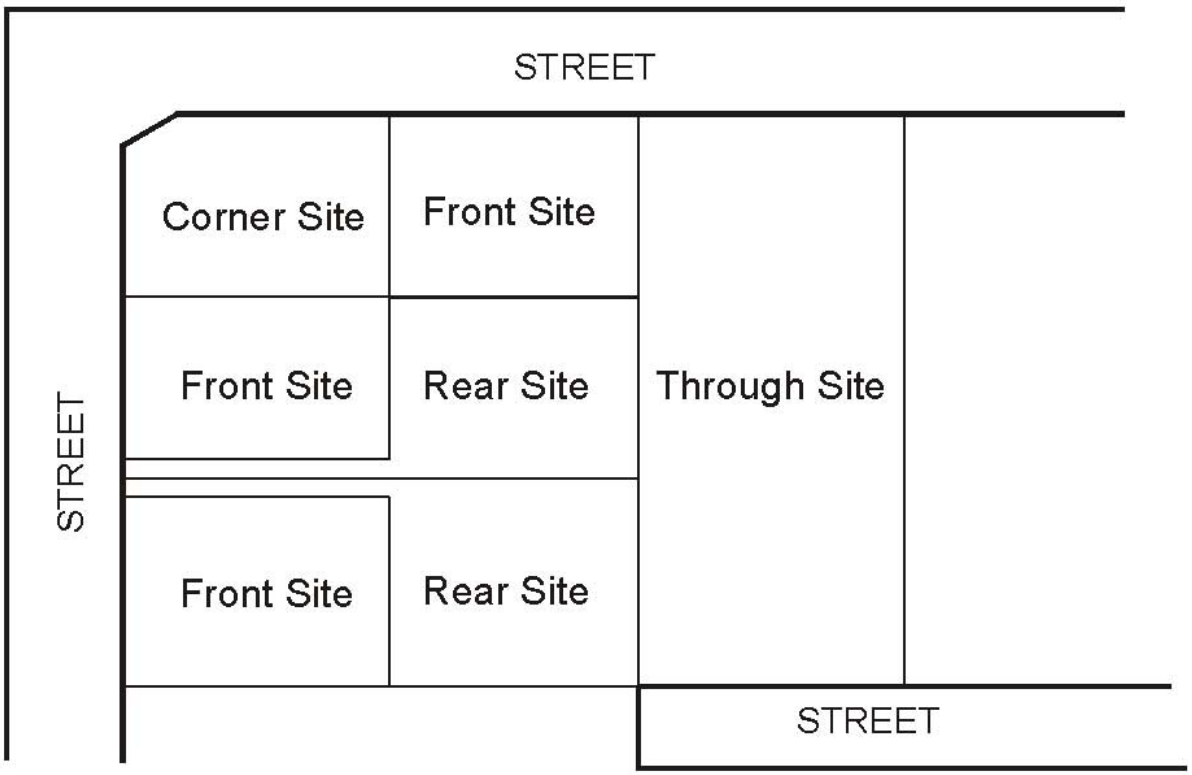
(ix) Fauna values – the fauna known to be present, or recorded during the survey;

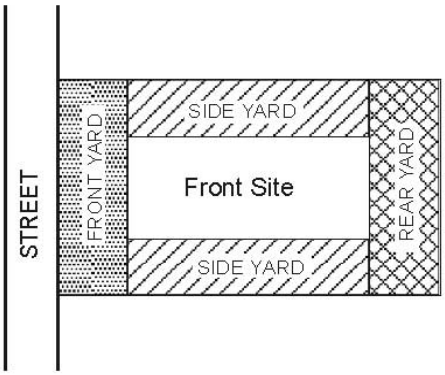
(x) Management (protection) requirements;

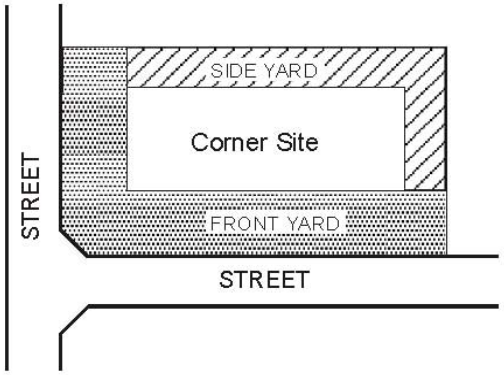
(xi) Any one or more of the "Criteria for Determining Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna" as identified in the Regional Policy Statement.

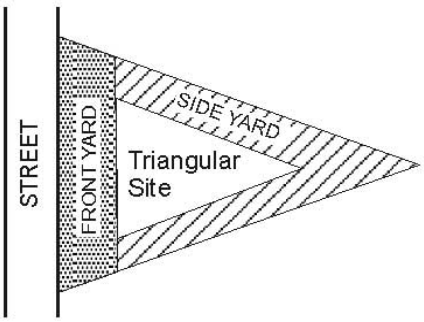
Appendix 2: Identification of yards and daylighting requirements

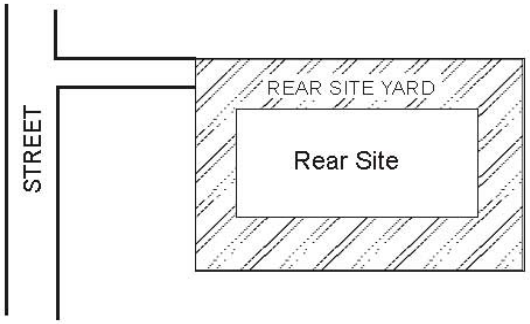
Yard definitions: Figure 1



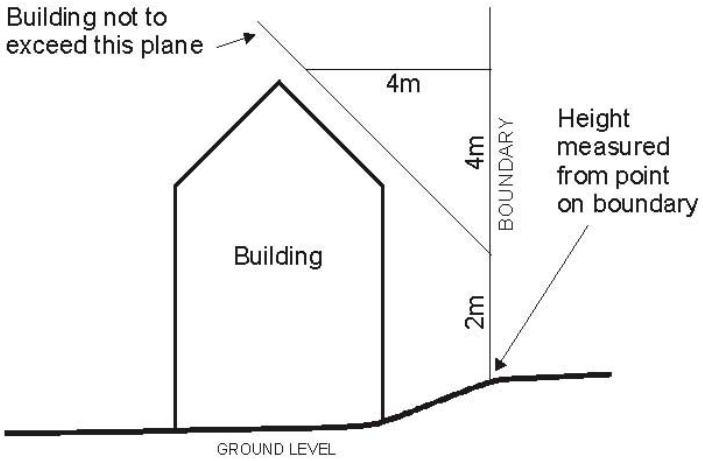




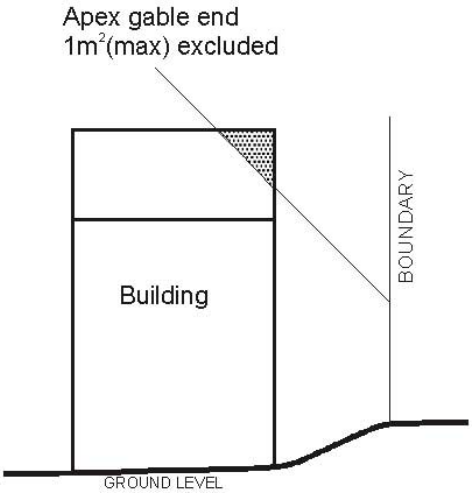


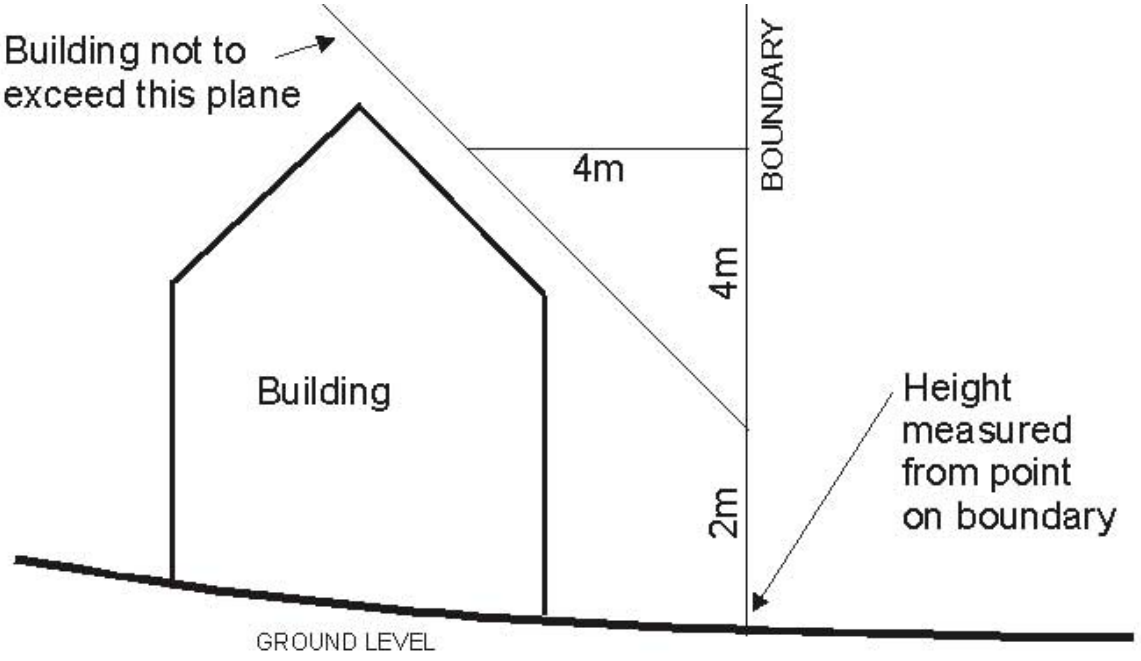


Building height control In relation to boundary: Figure 2



RIDGELINE PARALLEL TO SIDE BOUNDARY





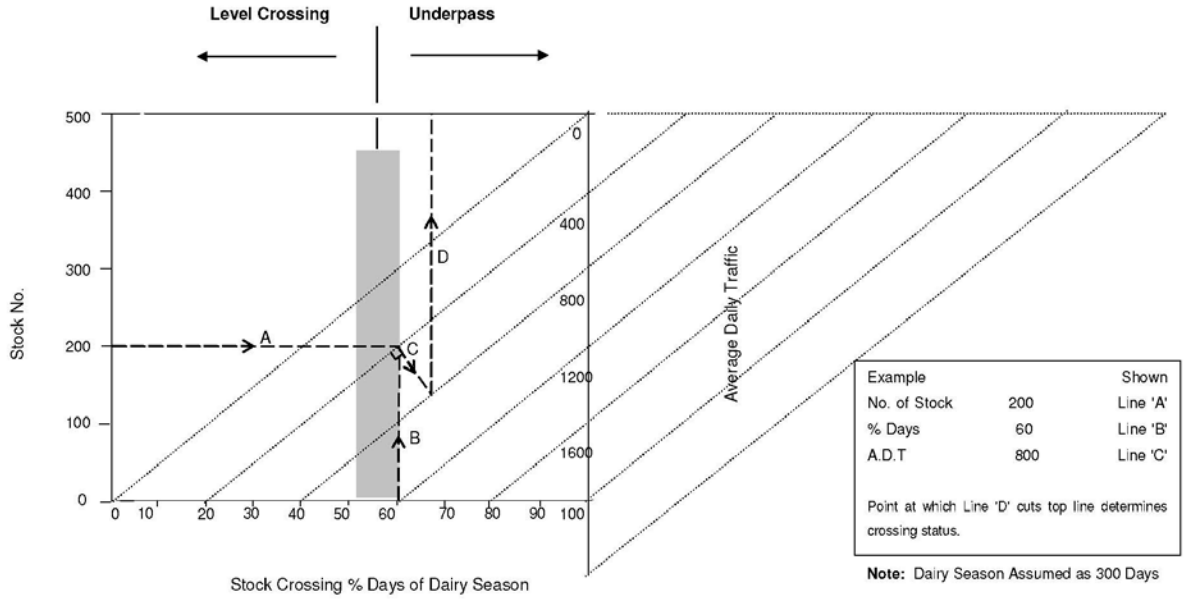
HEIGHT

Appendix 3: Matamata-Piako District Council Development Manual 2010

See separate volume

Appendix 4: Stock underpasses

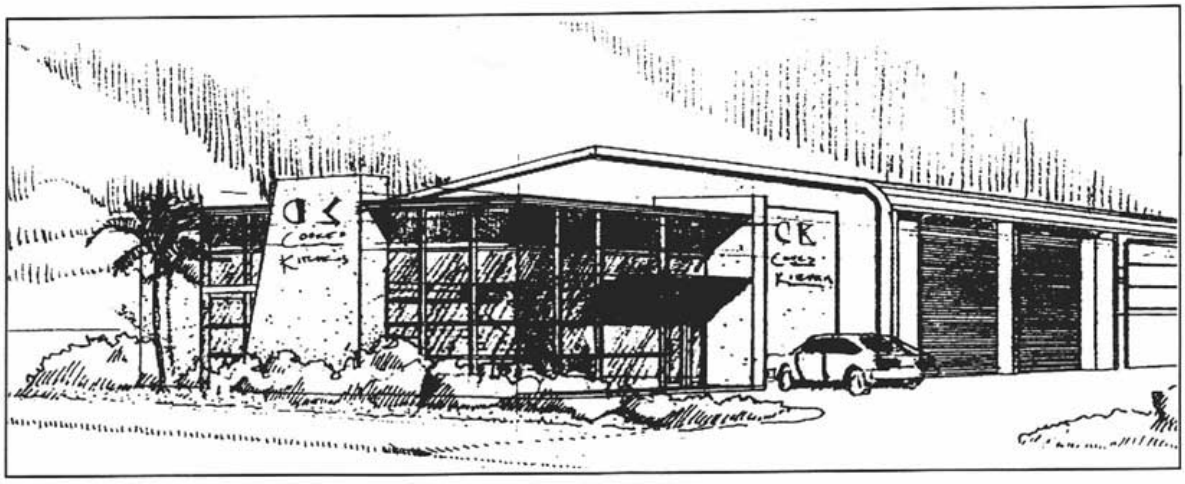
Stock movement graph

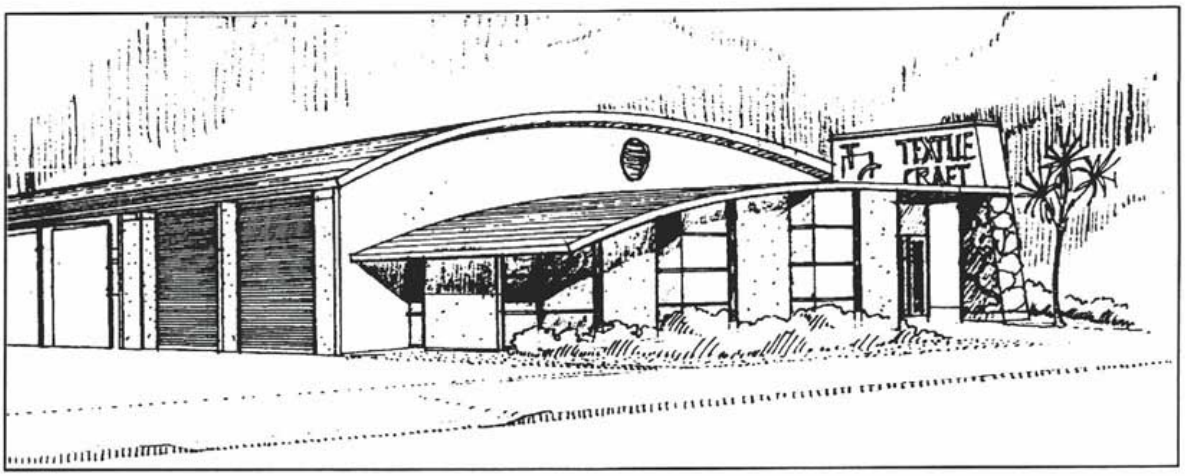


Appendix 5: Business zone design criteria for yard reductions

Acceptable design guidelines for front yard reductions in the Business zone:

Figure 1

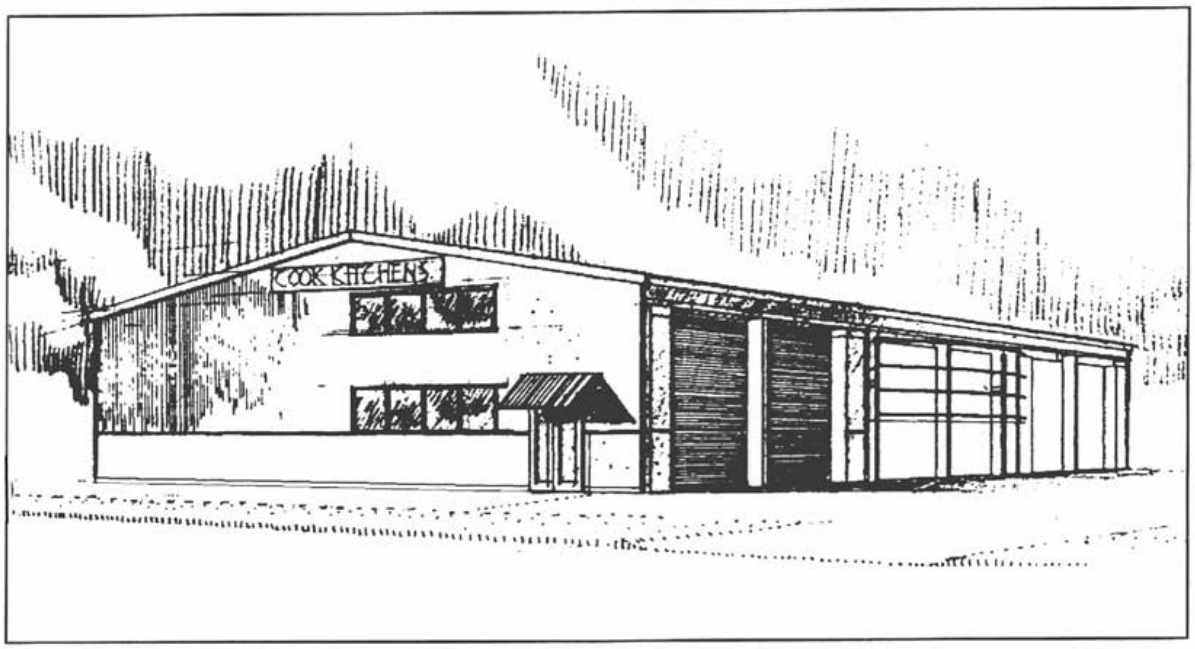




Council requires variation in the architectural detailing of the facade of the building.

Unacceptable design guideline for front yard reductions in the Business zone:

Figure 2



Appendix 6: Matamata airport protection – definition and terms

See also Part C: Planning Maps.

1. Main runway strip:

The Main Runway Strip is 1137 m long by 137 m wide. The coordinates and elevations of the four corners of the Main Runway Strip, in terms of the Geodetic Datum 1949 - Mt. Eden Circuit and the Moturiki Datum are as follows:

mN	mE	Elevation
604532.98	385749.90	47.20
604417.58	385676.06	47.20
603804.84	386633.76	49.20
603920.24	386707.60	49.20

2. Subsidiary runway strip:

The Subsidiary Runway Strip is 896 m long and 91 m wide. The coordinates and elevations of the corners of the Subsidiary Runway Strip, in terms of Geodetic Datum 1949 - Mt. Eden Circuit and the Moturiki Datum are as follows:

mN	mE	Elevation
604548.63	385672.95	47.20
604628.51	385629.37	47.20
605057.63	386415.93	46.70
604977.74	386459.51	46.70

3. Horizontal surface:

The Horizontal Surface is located in a horizontal plane above the Runway Strips with an elevation of 92 m Moturiki Datum having its outer limit at a locus of 4000 m measured from the periphery of the Strips defined above.

4. Conical surface:

The Conical Surface slopes upwards and outwards from the periphery of the Horizontal Surface at a gradient of 1 vertical to 20 horizontal (1 in 20) to an elevation of 197 m above Moturiki Datum.

5. Approach surfaces:

There is an Approach Surface at both ends of the Runway Strips. Each Approach Surface rises upwards and outwards from the ends of the Strips at a gradient of 1 vertical to 30 horizontal (1 in 30) rising to intersect the horizontal surface. Each side of the Approach Surface diverges from the extended line of each edge of the Strip at a rate of 10% of the distance from the end of the Strip.

6. Transitional side surfaces:

The Transitional Side Surfaces rise upwards and outwards from the sides of both the Main and the Subsidiary Runway Strips and the edges of each Approach Surface at a gradient of 1 vertical to 5 horizontal (1 in 5) to intercept the Horizontal Surface.

Appendix 7: Morrinsville sewage treatment plant designation

Designation number 18

Conservation measures for Totara Gully Stream

1. Purpose of conservation measures

The purpose of the conservation measures is to provide a Code of Practice for works to accommodate designated activities, carried out on land within or adjoining the Kaitiaki (Conservation) zone. In particular, the protection measures relate to works carried out to accommodate the discharge of treated wastewater to the Totara Gully Stream.

The Code of Practice is intended to regulate the manner in which works in the Totara Gully Stream are carried out, to provide a guaranteed level of protection for the special ecological features which are protected by the Kaitiaki (Conservation) zoning.

2. Code of practice to be observed

The Code of Practice forming part of this document shall be observed and complied with in all respects, when works are carried out in the Protected Area described in the Schedule here ("The Protected Area"), for the purpose of facilitating or accommodating activities under the designation. This includes works to accommodate the discharge of treated wastewater to the Totara Gully Stream.

3. Consultation with property owner and Queen Elizabeth II Trust

Whenever the body having responsibility for the designated work intends to carry out any works in the Protected Area, reasonable notice of the proposal shall be given in writing to the owners and occupiers of the land on which the works are to be carried out, and to the Queen Elizabeth II Trust, explaining the nature and timing of the proposed works, and the methods by which the Code of Practice will be complied with.

The submissions and requests of the property owners, occupiers and Queen Elizabeth II Trust shall be considered before a final decision is made regarding implementation of the proposed works.

Schedule

Description of Totara Gully Stream locality ("the Protected Area")

All those parts of the land designated for the Morrinsville Sewage Treatment Plant and Buffer (Designation Number 18), which are shown on the District Planning Maps as zoned "Kaitiaki (Conservation)" or as adjoining land zoned "Kaitiaki (Conservation)", at the time of the District Plan becoming operative.

Code of practice for works in the protected area

1. Materials stockpiles

Materials stockpiles shall be kept to an absolute minimum practical area and shall be established and kept in Council land outside of the Protected Area. All stockpile areas shall be approved by the Council's Engineer prior to establishment. Stockpiles shall be constructed so as to prevent run-off due to rainfall.

Excavated material which cannot be used for backfilling shall be removed from site, to dump, on a daily basis.

2. Plant standing

Plant shall be parked at night, weekends and holidays on Council land outside of the Protected Area. Plant and equipment taken onto the Protected Area shall be restricted to that required for works being carried out in the Protected Area. No fuel or lubricants shall be stored or transferred on the Protected Area.

3. Rubbish

The person carrying out the works ("the Operator") shall provide, and regularly empty, rubbish drums at the site. The Operator shall ensure, on a daily basis that no rubbish is left lying around the property.

4. Photographs

A video or photographs covering the entire area of the work site shall be taken by the Operator prior to commencing work on site. These shall serve as a record of the existing condition of the site prior to work commencing.

5. Stock management

To facilitate stock management, the Operator shall provide an accurate programme detailing the period during which work will be carried out. If it is not possible to exclude stock from the paddock while works are being carried out, the Operator will, if requested, erect a single wire temporary electric fence around the construction area and shall ensure that all stock are kept out of the stream and its banks.

6. Silt management

Construction activities in the stream for installation of the culverts and gabion structures will generate a silt loading on the stream. Coffer dams or silt traps shall be not used in the stream to control this. Straw or hay bales shall be placed in the stream downstream of, and as close as practically possible to the structure without causing nuisance flooding. The purpose of the bales will be to filter as much silt as possible from the water before allowing it to pass further downstream and into the Piako River.

7. Protection of Totara Grove

The Protected Area contains a grove of mixed age totara trees known as Totara Grove. Particular care shall be taken to protect all totara trees within that grove. During any period of work in the Protected Area, the Totara Grove and a margin of five metres from the outer row of tree trunks shall be taped off as an exclusion zone into which construction operations shall not go, except via access corridors to the stream by a route chosen to provide greatest protection for the trees.

Trucks and heavy plant will not be permitted at all within the Totara Grove.

8. Fence management

Whenever possible, fences shall be lowered at strainer posts, rather than being cut, in order to gain access to the stream or banks. If that is not practically possible in any case, cut fences shall be rolled back only sufficiently to provide safe access to the stream. Uncut sections shall be maintained sufficiently strained to exclude animals. All fences shall be reinstated and restrained to original condition immediately following the completion of each section of work.

9. Gabion Weirs

It is preferable for excavation work for Gabion Weirs to be carried out by hand. However, an excavator of up to a maximum of 2 tonnes weight may be employed, e.g. Hitachi PC 0.5 or PC 10 (1.2 and 2.0 tonnes respectively).

Excavated material unsuitable for or not required for use as backfill shall be removed to dump. This may be via a skip winched from the top of the gully or a small ATV dumper such as the Komatsu HD20 8 wheeler.

Rocks should be taken into the gully via a metal chute of corrugated iron or ½ x 200l steel drums. Rocks are to be hand placed in the baskets.

The required access points shall be inspected by the Engineer's Representative and Operator's Job Manager prior to access being required. The extent of access shall be agreed, with the landowner, together with agreement on which vegetation cannot avoid damage. That which is likely to be damaged shall be marked in orange "day glow" paint. It does not follow that all vegetation marked may be damaged or destroyed. Reasonable care must still be taken to minimise damage.

10. Culverts

Excavation for removal of old culverts and construction of the new shall be carried out to the minimum required for safe working and ensuring that suitable materials are incorporated in the final embankments. After construction, the new embankments shall be topsoiled and grassed.

11. Large Kahikatea tree

This tree is situated approximately 5m downstream of the lowest gabion weir on the stream. At this point the stream is essentially at river level and, over significant periods of the year, there is a backwater effect from the river. The tree is situated on the small flood plain immediately above the main channel. The roots of the tree are in the permanently saturated zone in which Kahikateas flourish. Feeding roots are longitudinal on the flood plain while structural roots will be in all aspects.

It is recommended that no special measures will be taken initially to artificially protect the tree. Flows in the stream will be no more than the tree experiences during storm flows. A short length of structural root in the stream aspect may become exposed if there is any stream deepening due to the higher flows but this is not regarded as dangerous to the tree. If a dangerous scour does begin to develop, effluent flow to the stream can be diverted to the maturation pond whilst a permanent solution is put in place.

12. Inundated areas

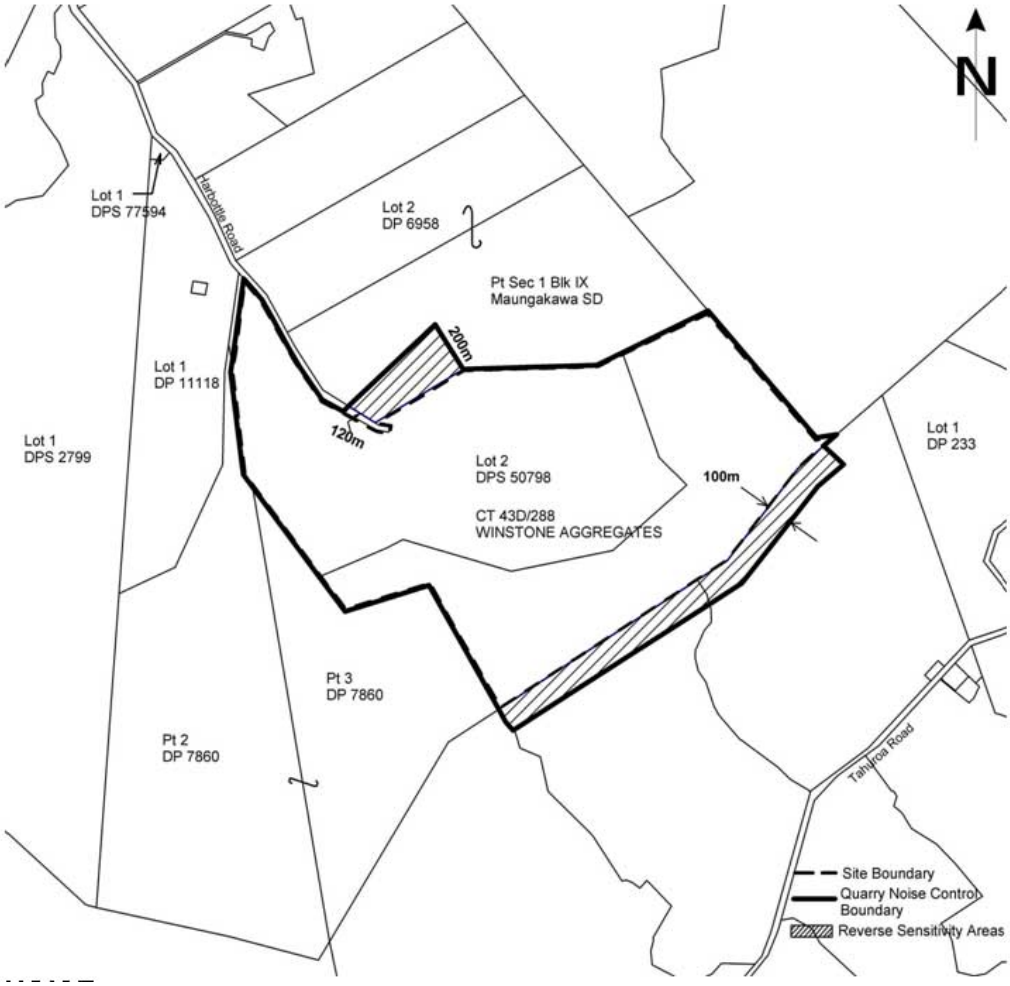
In areas where the water level is to be raised, species which are likely to survive transplanting shall be transplanted out to higher or more appropriate ground. Pongas shall be removed by cutting off all branches except fresh, coiled fronds, the plant can then be dug out of the ground including as much root system as possible and replanted at the desired site, preferably in a similar shade condition and with plenty of trunk support. Ferns shall be moved by scooping them off the ground carefully together with about 200mm of topsoil remaining undisturbed.

They are then placed back down in a prepared recess in the ground in a damp shaded area. Kanukas cannot be moved.

Disturbance to existing plant and animal life in the Protected Area shall be kept to a practical minimum during and as a result of works associated with the designation. Reinstatement and rehabilitation works shall be carried out following any construction works, to minimise the longer term effect on habitat and on the appearance of the Protected Area.

Appendix 8: Motumaoho Quarry – Winstone Aggregates Ltd

Noise control boundary



Noise

The noise level from operational activities (excluding maintenance and construction activity) within or from the use of the Motumaoho Quarry site shall not exceed the following levels when measured at any point beyond the Quarry Noise Control Boundary.

Period	Noise level	
October to March	55 dBA L 10	Monday to Saturday 6.30am to 6.00 pm
April to September	55 dBA L 10	Monday to Saturday 6.30am to 5.00pm
And, provided that a nominated representative of the residents of Harbottle Road has been informed, during additional hours as follows: • Monday to Friday 5.00pm to 6.00pm • At all other times - 45 dBA L 10 • Everyday 10.00pm to 6.30am - 70 dBA Lmax		

The general provisions of rule 5.2.1 shall be taken into account except that the duration of any individual measurement period shall be not less than 30 minutes.

Appendix 9: Schedules of Works

9.1 Banks Road Structure Plan

The table below outlines the schedule of works to be undertaken in conjunction with the Banks Road Structure Plan.

Schedule of Works for the Banks Road Structure Plan

Water

- 200mm diameter water main from south-east corner of Grosvenor drive along future connection road to Banks Road.
- Extend along northern side of Banks Road to Burwood Road intersection.

Wastewater

- Sewer pump station.
- 150mm diameter gravity main (from Banks Road to the pump station).
- 225mm diameter gravity main (Longlands).
- 150mm diameter rising main.

Stormwater

- Stormwater retention/soakage trenches within the identified reserves.
- Future stormwater retention/soakage areas subject to internal roading design.
- Undertake landscaping of the reserve areas.

Roading

- Provide two north-south connections, one ultimately linking through to Mangawhero Road.
- Provide internal west-east link, being for a combination of vehicular and pedestrian use.
- Widening of Banks Road from the Burwood Road intersection to the eastern side of the site.
- Provide kerbing along the northern side of Banks Road from the Burwood Road intersection to the eastern side of the site.
- Provide a footpath within the northern berm of Banks Road from the Burwood Road intersection to the eastern side of the site.
- Increase the road width of Burwood Road opposite Banks Road intersection.

9.2 Matamata Precinct F Structure Plan Area – Explanation

This section provides an explanation of key elements of the Matamata Precinct F Structure Plan (refer Structure Plan Map in Part C Planning Maps). It provides further explanation to Part A Section 3.4.2 Objective 6 and Policy ~~5~~9 and assists in the exercise of those discretions and use of assessment criteria identified in Part B Section 1.4.21.

The **"collector road"** provides a connection between Hinuera Road / Firth Street in the east and Station Road in the west. The collector road is designed to provide connectivity within the Precinct and between Precinct F and other locations in Matamata. The alignment of the road should be in general accordance with the Precinct F Structure Plan, with recognition that its final alignment will be subject to detail design and consideration of site specific factors such as the retention of significant vegetation. The connections to the external road network (illustrated on the Structure Plan) should be achieved, with particular regard given to the limitations associated with vehicular traffic using the State Highway / Hinuera Street intersection. The road should be designed as a tree lined boulevard to provide additional pedestrian amenity and a unique streetscape. Its dimensions and placement of trees and street features should remain generally consistent along its length.

The **"indicative local roads"** provide connections within the Precinct and from the Precinct to the external road network (with key existing road connections identified on the Structure Plan in addition to the connections available from Station Road). The roading layout is based on a continuation of the Matamata grid network of roads and urban blocks. Connectivity is based on multiple road linkages (a dispersal of vehicular traffic) between points so that there are a number of travel routes to choose from. The alignment of roads shown on the Structure Plan is indicative and may change due to factors such as development patterns or retention of significant vegetation. The connections between the existing sites to the external road network should always be achieved to provide an interconnected and permeable local road network. Cul-de-sacs should be avoided as they reduce the permeability of the Precinct.

The pattern of roads should be legible, being easily understandable for the people that use it. Consistent road designs and landscape themes should assist in emphasising the position of each road in the road hierarchy and in the wider area. The roads should provide for pedestrians and cyclists.

The Structure Plan identifies the location of two **"neighbourhood nodes".** One site has been secured through the Eldonwood development with the creation of Millie Khan Green. The other site should be secured at the time of subdivision with land set aside for the development of the Neighbourhood Node.

The Struture Plan identifies the general location of all **"reserves".** The reserves should be contoured, developed and maintained as places for active and passive recreation for the surrounding residential neighbourhood. The Structure Plan proposes that two new reserves be located within the Precinct. These are in addition to Millie Khan Green and the existing reserve at Haig Road. Particular attention should be given to the design of the reserves in terms of their importance as focal points for nearby residents. The design should ensure that the reserve is highly visible from public spaces and generally fronted by roads along two or more of its boundaries.

The **"pedestrian walkway"** (cycleway) adjoining the boundary of the Precinct with the Rural Zone is an important amenity feature for Matamata and the Precinct. It forms a landscape buffer between the residential development within the Precinct and the adjoining Rural Zone, as well as a public pedestrian and cycle link between Hinuera Road / Firth Street and Station Road. Subdivision shall vest a 20 metre width of land as either unformed road reserve of local purpose access reserve and landscape this area with trees and a pedestrian / cycle trail comprising a permeable or semi-permeable surface. Regular connections should be

provided between the local road network and the pedestrian walkway / cycleway to ensure that it connects with the movement network within the Precinct.

Part C: Maps and Plans

See separate volume

Planning Maps

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    - Lower voltage Powerco lines and assets;
    - Additional electrical features that may have been installed since this information was published; or
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Advice Note: Site specific information can be obtained free of charge on the internet at the following URL: http://www.beforeudig.co.nz/

Structure Plans

Also see Part B: Appendix 9

Development Concept Plans

Also see Part B: Schedule 5

Matamata Airport Protection

Also see Part B: Appendix 6