



\*\*\*\*\* LAND INFORMATION MEMORANDUM \*\*\*\*\*

LAND INFORMATION MEMORANDUM No:47460  
Local Gvrnmnt Official Information & Meetings Act 1987

Issued:20Jun22

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APPLICANT : MARIE ALICE THOMASEN  
5A VERNALL STREET  
NAWTON  
HAMILTON

Application received: 03Jun22

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LOCATION OF PROPERTY

Street Address: 10 HOBSON ST, WAIHI 3610  
Property ID: 02547  
Assessment No: 05020/133.01  
Legal: PT SEC 256A WEST WAIHI

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COUNCIL CHARGES

The Council's total charges payable on the uplifting of this application in accordance with the attached details, are: \$0.00

Receipt number: 1931544 Date: 02Jun22 Amount: \$220.00

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1:

|-----|  
| INFORMATION IDENTIFYING SPECIAL FEATURES OR CHARACTERISTICS OF THE LAND |  
|-----|

In relation to the Building Act the land in this area is in Zone B, under section 4 - Durability of NZS 3604:2011. See enclosed map.

The land is within Wind Region A (See figure 5.1 - Wind Regions and Lee Zones) enclosed. For any proposed future building works on site, a site specific assessment will have to be undertaken. Note further details can be found on the BRANZ website ([www.branz.co.nz](http://www.branz.co.nz)).

No other special features or characteristics of the land are known to Council at this time.

2:

Land Information Memorandum: 47460

Page : 1

|-----|  
| DRAINAGE & UTILITIES: PRIVATE AND PUBLIC. STORMWATER AND SEWERAGE DRAINS: |  
|-----|

The land is connected to a reticulated sewerage treatment and disposal system.

Attached is a plan showing the sewer serving the land.

Enclosed is a plan showing the sewer main crossing the land.

Stormwater should be disposed of to on site soakholes.

Enclosed is a plan showing the stormwater main crossing the land.

#### SERVICES PLAN LIMITATIONS \*\*\*\*\*

Please note that the location of all of the services shown on the plan is indicative only. The actual location of services needs to be checked on site.

Council holds no information on the location of fibre optic cables. For information on the location of fibre optic or other telecom cables contact Spark by phoning 0800 B4UDIG (0800 242 344).

3:

|-----|  
| INFORMATION RELATING TO ANY RATES OWING IN RELATION TO THE LAND: |  
|-----|

Information which relates to rates owing in relation to the land is attached.

Please note that Water Rates are not included in the rates information supplied in the rates printout. These are separately invoiced every six months. For more information on when the water meters in your area are read please contact Council on 07 862 8609, or visit our website [www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz)

#### Waikato Regional Council Rates \*\*\*\*\*

This property will also be liable for rates from Waikato Regional Council. Refer to its website for details:  
<http://www.waikatoregion.govt.nz/Council/Rates>

4:

|-----|  
| CONSENTS, CERTIFICATES, NOTICES, ORDERS OR REQUISITIONS AFFECTING THE LAND |  
|-----|

Following are details of Building Permits or Building Consents which have been issued for the land. (The details provided may exclude some permits issued by the previous territorial authorities.)

The absence of records for building permits or consents may mean any of the following;

- \* The building was erected without a permit or consent.
- \* The Council no longer holds a record of the permit (previous bylaws allowed for the record to be discarded after 10 years from the date of issue).
- \* The property was in the ownership of the Crown when the building was constructed and did not therefore require a permit.

WHAT IF I BUY A PROPERTY WHICH HAS AN EXISTING BUILDING WITHOUT ANY BUILDING CONSENT OR PERMIT?

If building work was carried out without a building permit prior to the 1991 Building Act, or without obtaining building consent under the Building Act 2004, then there is no authority under the Act for the Council to retrospectively issue a building consent for the work. This is the legal position, and until there is any amendment to the Building Act 2004, Council cannot retrospectively validate building work carried out without Consent.

For buildings erected prior to commencement of the Building Act 1991, without any building permit or for which Council holds no records, then Council is generally unlikely to take any action against the current owners of that building unless the building is unsafe or insanitary in terms of the Building Act 2004 or the provisions of the Health Act 1956. This assumes that the building complies in all other respects with other statutory requirements.

For post-Building Act 1991 work, for which the Council holds no record, it is likely that the building work was carried out without consent. If so, the property owner and the person who carried out the work may have contravened the Building Act 1991 and enforcement action may be taken at the Council's discretion. If purchasers of properties require a report on a building they should engage a Building Surveyor to inspect the building and provide the report. The Council is happy to put a copy of the report on the property file.

Please note that the Building Bylaws under which Building Permits were issued did not include a requirement for the signing of a certificate of completion of the building work (as is now the case under the Building Act for Building Consents).

In addition the Council's records of Building Permits is not complete, for various reasons, as noted above. Only in a few cases will Council be able to confirm "sign off" of Building Permits. The lack of a record of "sign off" therefore does not imply that the building work was not completed.

Permit No. 2081 Issued - Dwelling  
Permit No. 2794 Issued 29/09/88 - Sewer Connection  
Permit No. H029256 Issued 23/02/90 - Sundeck/Verandah

Consent No. 659 Issued 22/06/93 - Garage (no longer on site)  
CCC No. 834 Issued 28/07/95 for Consent No. 659  
Consent No. 16042 Issued 18/09/01 - Garage/Sleepout  
CCC No. 5723 Issued 12/08/04 for Consent No. 16042 - as a dwelling

CCC = Code Compliance Certificate

WEATHERTIGHT HOMES RESOLUTION SERVICE ACT 2006

\*\*\*\*\*

No information is known to Council relating to this property.

WEATHERTIGHT HOMES DISCLAIMER

\*\*\*\*\*

This information has been provided to the Council by the Chief Executive of the Department of Building and Housing, or the chair of the Weathertight Homes Tribunal, in accordance with section 124 of the Weathertight Homes Resolution Services Act 2006, or in response to an Official Information Act request by Council. The Council is not in a position to verify the correctness of the information and cannot accept any responsibility for its accuracy.

5:

|-----|  
|INFORMATION RELATING TO BUILDING CERTIFIERS CERTIFICATES HELD BY COUNCIL|  
|-----|

No certificates issued by Building Certifiers are held by Council.

6:

|-----|  
|INFORMATION RELATING TO THE USE TO WHICH THE LAND MAY BE PUT AND THE |  
|CONDITIONS ATTACHED TO THAT USE : ZONING: |  
|-----|

The land is zoned RESIDENTIAL in the Hauraki District Plan. Enclosed is a copy of the zone section of the Plan, and the relevant Planning Map.

Please note that Section 6 "Conservation and Heritage", Section 7 "Specific and District Wide Matters," Section 8 "Performance Standards for Development and Subdivision" and Section 9 "Subdivision", also need to be consulted in relation to any proposed activities on the land.

7:

|-----|  
|INFORMATION FROM STATUTORY ORGANISATIONS NOTIFIED TO COUNCIL:|  
|-----|

No information is known to Council.

8:

|-----|  
|NETWORK UTILITIES: |  
|-----|

The Electricity Supply Company has advised that any additions to existing buildings or structures in the vicinity of an electric line must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001.

9:



|-----|  
|INFORMATION ON PUBLIC WORKS KNOWN TO COUNCIL:|  
|-----|

Council has no information on existing or proposed Public Works which affect the land.

10:  
|-----|  
|INFORMATION IN RESPECT TO SWIMMING POOLS: |  
|-----|

Council has no knowledge of a swimming pool/spa pool on this land.

11:  
|-----|  
|WATER: |  
|-----|

This land is connected to the reticulated water supply, the water is metered.

12:  
|-----|  
|COMMENTS OR ADDITIONAL INFORMATION: |  
|-----|

HAURAKI GULF MARINE PARK ACT 2000  
\*\*\*\*\*

The purpose of the Hauraki Gulf Marine Park Act 2000 is to:-  
"(a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:  
(b) establish the Hauraki Gulf Marine Park:  
(c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments:  
(d) recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:  
(e) establish the Hauraki Gulf Forum."

This Act applies to all of the land in the Hauraki District which is within the Drainage Catchment of the Hauraki Gulf (which includes the east coast of the District). The subject land is within the area subject to the Act. See enclosed map.

ROAD RESERVE WORKS - COUNCIL ROADS  
\*\*\*\*\*

Should you be intending to carry out any works within the road reserve e.g construction, upgrading of entrance, trenching for service connections etc, you will need to obtain a Corridor Access approval from the Council before you start work (for Council road).  
Further information regarding this can be obtained by contacting Council's Customer Service Advisors.

PROPOSED WIND FARM  
\*\*\*\*\*

The Council received a resource consent application late 2018, from Kaimai Wind Farm Ltd to establish and operate a 24 turbine wind farm on 771 and 604 Rotokohu Road and 6356 State Highway 26 (on the north western area of the Kaimai Range) south of Paeroa.

The application was publicly notified - with the submission period closing on 31 January 2019. This resulted in 220 submissions to Hauraki District Council (as well as 143 to Waikato Regional Council).

The two Councils will jointly appoint a panel of independent commissioners to conduct a hearing and make a decision.

A copy of the application can be viewed on Council's website ([www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz)).

HAZARDS PORTAL  
\*\*\*\*\*

The Waikato Regional Council holds and administers a "Waikato Regional Hazards Portal on its website, for the Waikato Region.

The tool is available for viewing at the following website:  
<https://waikatoregion.govt.nz/services/regional-services/regional-hazards-and-emergency-management/regional-hazards-portal/>  
and should be read alongside its Disclaimer.

The Hauraki District Council does not hold any information on the design, process, methodology or functionality of the Regional Hazards Portal. The Hauraki District Council makes no representation as to the completeness, accuracy, or otherwise of any information or data provided by the Regional Hazards Portal, or its use.

MINING INFORMATION  
\*\*\*\*\*

The following underground and open cast mines currently operate or have consent for mining within Waihi.

- Martha Open Cast Pit Mine - Land use consent/Provisions of section 5.17 Martha Mineral zone, of the Hauraki District Plan
- Favona Underground Mine (Decline and Mining) - Land use consent - mining currently not taking place
- Trio Underground Mine (Development/Exploration and Mining) - Land use consents
- Correnso Underground Mine - consented. Commenced 2013
- Slevin Underground Project Area (SUPA) mine consented. Commenced 2016.

The following exploration projects currently operate or are consented within Waihi:

- Martha Drill Drive Project

An application was approved in December 2018 for remedial works on the Martha Pit North Wall and an underground mine below the Martha Pit and in a

limited area south of the Pit. A copy of the decision is available on the Council website (<http://www.hauraki-dc.govt.nz/our-district/mining/project-martha/>).

Plans showing the location of these mining/exploration consents and plans showing the location of these mining/exploration consents are attached. In Waihi mining created amenity effects predominantly relating to noise, dust and vibration and these effects are managed through the resource Consent conditions imposed on the mining company, or standards set through the District Plan.

From time to time the Council is notified of applications for exploration and/or mining consents, and new consents may be granted. Some exploration is a permitted activity and does not require resource consent.

Further information including a copy of the expired Mining Licence (now provisions of the District Plan) and Extended Martha Mine Landuse Consent can be found on Council's website (<http://www.hauraki-dc.govt.nz/>).

A proposed variation to the Mining Licence was publicly notified on 15 December 2016. The Mining Licence was varied in accordance with the proposal and has now expired (16.7.2017). Its terms and conditions have been incorporated into the District Plan.

On 17 July 2020 Oceana Gold announced plans for a new gold mining project called Project Quattro. The proposed project consists of:

- Martha Open Pit Phase 5
- Tailings Storage Facility 3
- Gladstone Open Pit
- Northern Rock Stack

On 16 June 2021 Oceana Gold announced two new projects called Martha Open Pit Project and Waihi North Project.

At this point in time no Resource Management Act consents or permissions have been sought from the Hauraki District Council (or from Waikato Regional Council) to establish and operate the Waihi North Project. Further information on the Waihi North Project should be sought from Oceana Gold at [www.waihigold.co.nz](http://www.waihigold.co.nz).

On 21 April 2022 Oceana Gold lodged a Private Plan Change application with Hauraki District Council. This seeks amendments to the District Plan (including the extension of the area zoned Martha Mineral) to make provision for a resource consent application to be made, at a later date, for an extension of the Martha Mine Open Pit (Martha Open Pit Project). The Plan Change application will be publically notified with people then being able to make submissions in support or opposition.

13:  
|-----|  
|CERTIFICATE OF TITLE: |  
|-----|

It is recommended that a copy of the CERTIFICATE OF TITLE be obtained prior to purchasing a property. This may contain additional information, for

example; Covenants, Easements, Consent Notice.

14:

|-----|  
|DISCLAIMER: |  
|-----|

This Land Information Memorandum has been prepared for the purposes of Section 44A of the Local Government Official Information and Meetings Act 1987 and includes all of the information required to be provided pursuant to Section 44A(2) that is known to the Hauraki District Council relevant to the land described. It is based on a search of Council records only and there may be other information relating to the land which is unknown by Council. The Council has not undertaken any inspection of the land or any building on it for the purpose of preparing this Land Information Memorandum. The applicant is solely responsible for ensuring that the land is suitable for a particular purpose.

15:

|-----|  
|DISTRICT PLAN: |  
|-----|

The Hauraki District Plan (2014) was made operative on 26th September 2014.

A copy of the Operative District Plan can be viewed at  
[www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz).

Proposed Plan Change 5:

The Council is processing a private Plan Change application which seeks to rezone the former Paeroa Racecourse from Reserve (Active) to Residential and Reserve (Passive) - to facilitate a mix of residential, commercial and open space activity in accordance with a new Structure Plan for the site. The hearing on the proposal will be held in August 2022. The application documents can be viewed on Council's website - [www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz).

\*\*\*\*\*

Address all correspondence to the Chief Executive.

Enquiries in respect to this document should be made at the Paeroa Office.

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Signed for and on behalf of the Hauraki District Council:



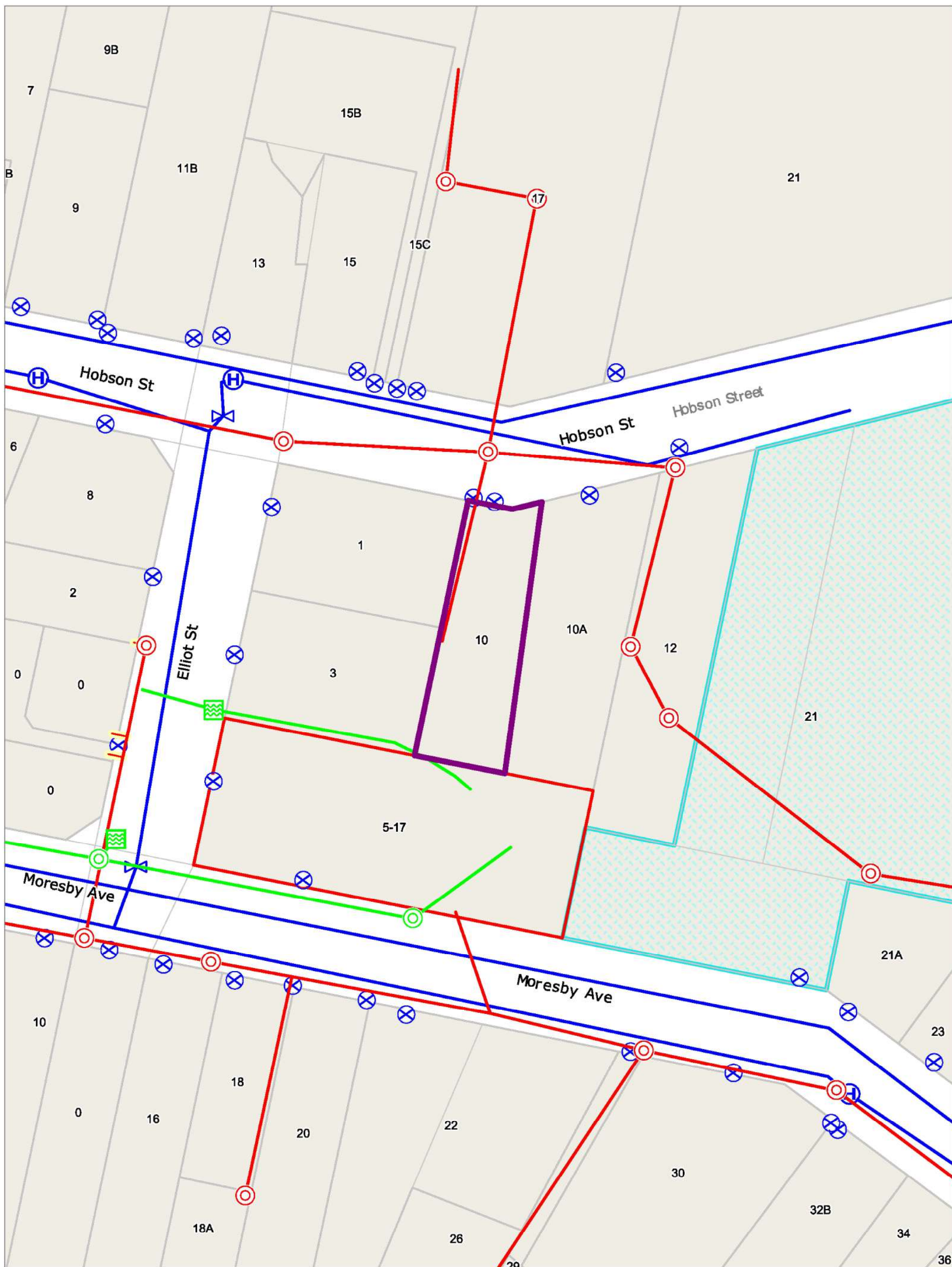
.....  
Peter Thom

Group Manager Community Development

Date: 20/06/2022

Land Information Memorandum: 47460

Page : 8



|            |               |
|------------|---------------|
| Date       | 20/06/2022    |
| Print      | A4 Portrait   |
| Source     | HDC GIS       |
| Scale      | 1:1000        |
| Created By | Linley Davies |

### UTILITIES MAP

### 05020/133.01

### 10 Hobson St, Waihi

Hauraki District Council does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequences which may arise from relying on any information depicted. The Digital Cadastre Layers are produced and maintained by Land Information New Zealand (LINZ) and is a component of the digital cadastral dataset available from LINZ. Accuracy, particularly in non survey-



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**HAURAKI**  
DISTRICT COUNCIL






|  |  |  |
|--|--|--|
|  <p><b>H A U R A K I</b><br/>DISTRICT COUNCIL</p> | <h3>Property Map</h3> <p>The information displayed is schematic only and serves as a guide.<br/>It has been compiled from Digital Mapping Solutions NZ records and is made available in good faith but its accuracy or completeness is not guaranteed.<br/>Cadastral Information has been derived from land Information New Zealand's (LINZ) Core Record System Database (CRS).</p> <p>CROWN COPYRIGHT RESERVED. © Copyright Hauraki District Council.</p> | <div><p><b>NORTH</b></p></div> <p>Scale 1:1400</p> <p>Monday, 20 June 2022</p> <p>Original Sheet Size 210x297mm<br/>A4 Portrait</p> |
|  |  |  |

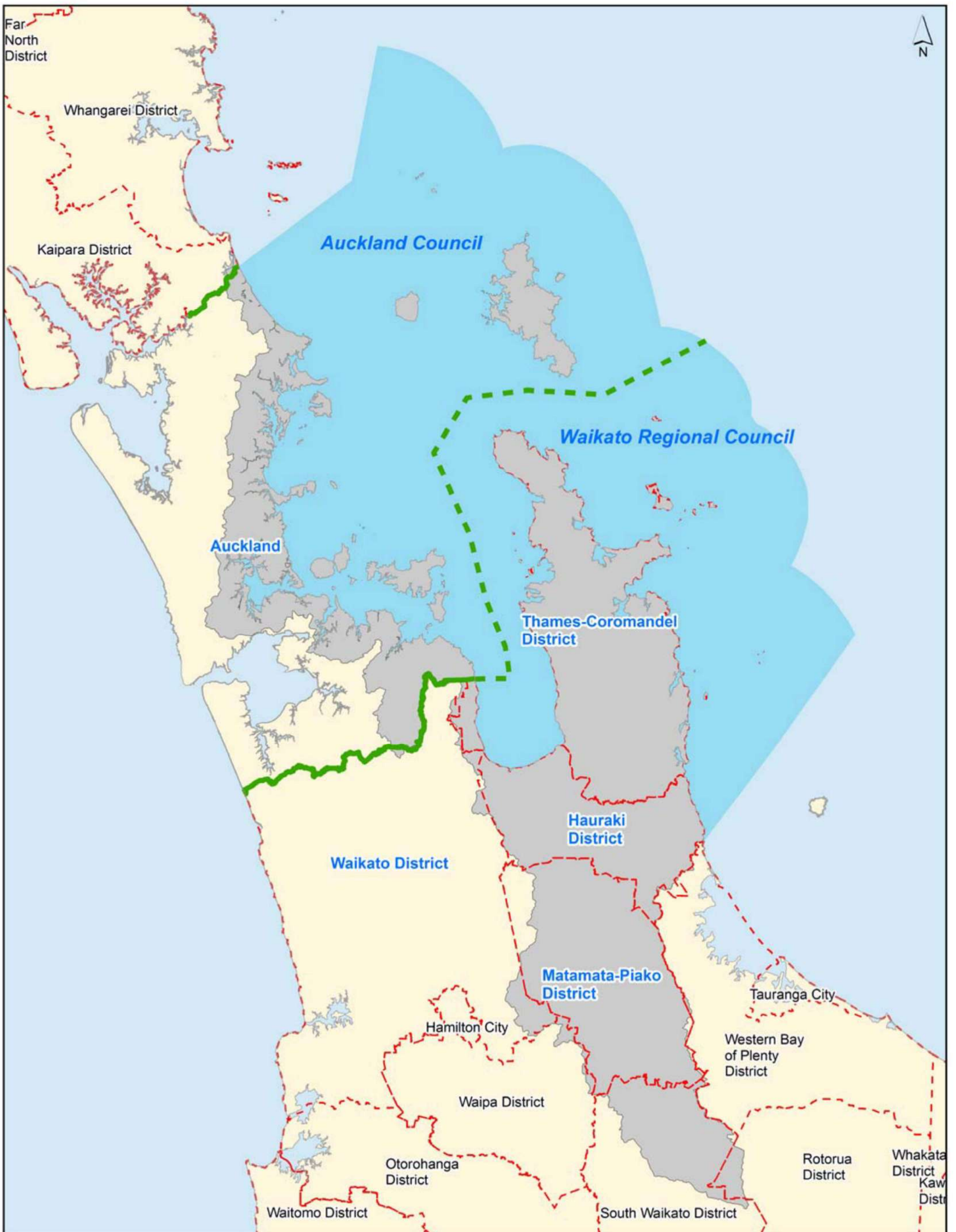


Map Key

|   |  |   |   |
|---|--|---|---|
| <p>Water</p> <ul style="list-style-type: none"><li> Water Point</li><li> Hydrant</li><li> Intake</li><li> Manhole</li><li> Supply Booster Pump</li><li> Treatment Plant</li><li> Treated Water Reservoirs</li><li> Valve</li><li> Water Meter</li><li> Water Line</li><li> Pipe</li><li> Connection</li><li> Raw Water</li></ul> <p>Wastewater</p> <ul style="list-style-type: none"><li> Wastewater Point</li><li> Air Valve</li><li> Connection</li><li> Inspection point</li><li> Manhole</li><li> Pumpstation</li><li> Rodding Eye</li><li> Sewer Valve</li><li> Treatment Plant</li><li> Wastewater Line</li><li> Gravity Main</li><li> Rising Main</li><li> Connection</li><li> Crossing - Carrier</li><li> Crossing - Bridge</li><li> Wastewater Line Disposal</li></ul> | <p>Stormwater</p> <ul style="list-style-type: none"><li> Stormwater Point</li><li> Catchpit</li><li> Connection</li><li> Detention</li><li> Floodgate</li><li> Inlet</li><li> Manhole</li><li> Outfall</li><li> Pumpstation</li><li> Stormwater Line</li><li> Catchpit Lead</li><li> Connection</li><li> Culvert</li><li> Open Drain</li><li> Overland Flow Pipe</li><li> Pipe</li><li> Stormwater Polygon</li><li> Erosion</li><li> Pond</li><li> Soakhole</li><li> Stormwater Line Disposal</li></ul> <p>Land Drainage</p> <ul style="list-style-type: none"><li> Pumpstation</li><li> Floodgate</li><li> Drainage District</li><li> StopBank</li><li> Land Drain</li><li> Water Canal</li><li> Land Drain WRC</li></ul> | <p>Land Hazard</p> <ul style="list-style-type: none"><li> Contamination</li><li> Contaminated</li><li> Managed</li><li> Remediated</li><li> Review Pending</li><li> Sampled</li><li> Unverified HAIL</li><li> Verified HAIL</li><li> Verified HAIL - Limited Sampling</li><li> Verified HAIL - No Sampling</li><li> Contamination Boundary</li><li> Mineshaft</li><li> Mine Hazard Line</li><li> Low Risk</li><li> Med Risk</li><li> High Risk</li><li> Fault Line</li><li> Peat Area</li><li> Fill Area</li><li> Swamp</li><li> Low Area</li><li> Kaiaua Hazard</li><li> Advisory</li><li> Contamination</li><li> Fill</li><li> Subsidence</li><li> Slippage</li><li> Erosion</li><li> Inundation</li></ul> <p>Contours</p> <ul style="list-style-type: none"><li> Rural 5m</li><li> Rural 25m</li><li> LIDAR 0.5m</li></ul> | <p>Property</p> <ul style="list-style-type: none"><li> Building Footprint</li><li> Assessment</li><li> Land Parcel</li></ul> <p>Core Layers</p> <ul style="list-style-type: none"><li> State Highway</li><li> Park</li><li> School</li></ul> <p><b>Copyright</b></p> <p><b>Hauraki District Council Spatial Data</b><br/>Hauraki District Council does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequences which may arise from relying on any information depicted.</p> <p><b>Land Information NZ Spatial Data</b><br/>The Digital Cadastre Parcel Layer is produced and maintained by Land Information New Zealand (LINZ) and is a component of the digital cadastral dataset available from LINZ.</p> <p>Accuracy, particularly in non survey-accurate areas, can be variable. The spatial accuracy of an object is better where the object's position has been determined by using either surveyed bearings and distances captured from survey plans or adjusted survey data.</p> <p>If you intend on working in and around Utility Assets using these maps is NOT ADVISED. Source a Survey Accurate plan/map.</p>  |
|---|--|---|---|







This map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: Auckland 1946.

Date: 12 December 2011

## Hauraki Gulf Marine Park Catchment and TLA boundaries

0 5 10 20 30 40 50 Kilometers

- Regional Sea Boundary
- Regional Boundary
- Hauraki Gulf Marine Park
- Hauraki Gulf Marine Park Catchment
- Waikato District Forum Member Council



**Auckland Council**  
Te Kaitiaki o Tāmaki Makaurau



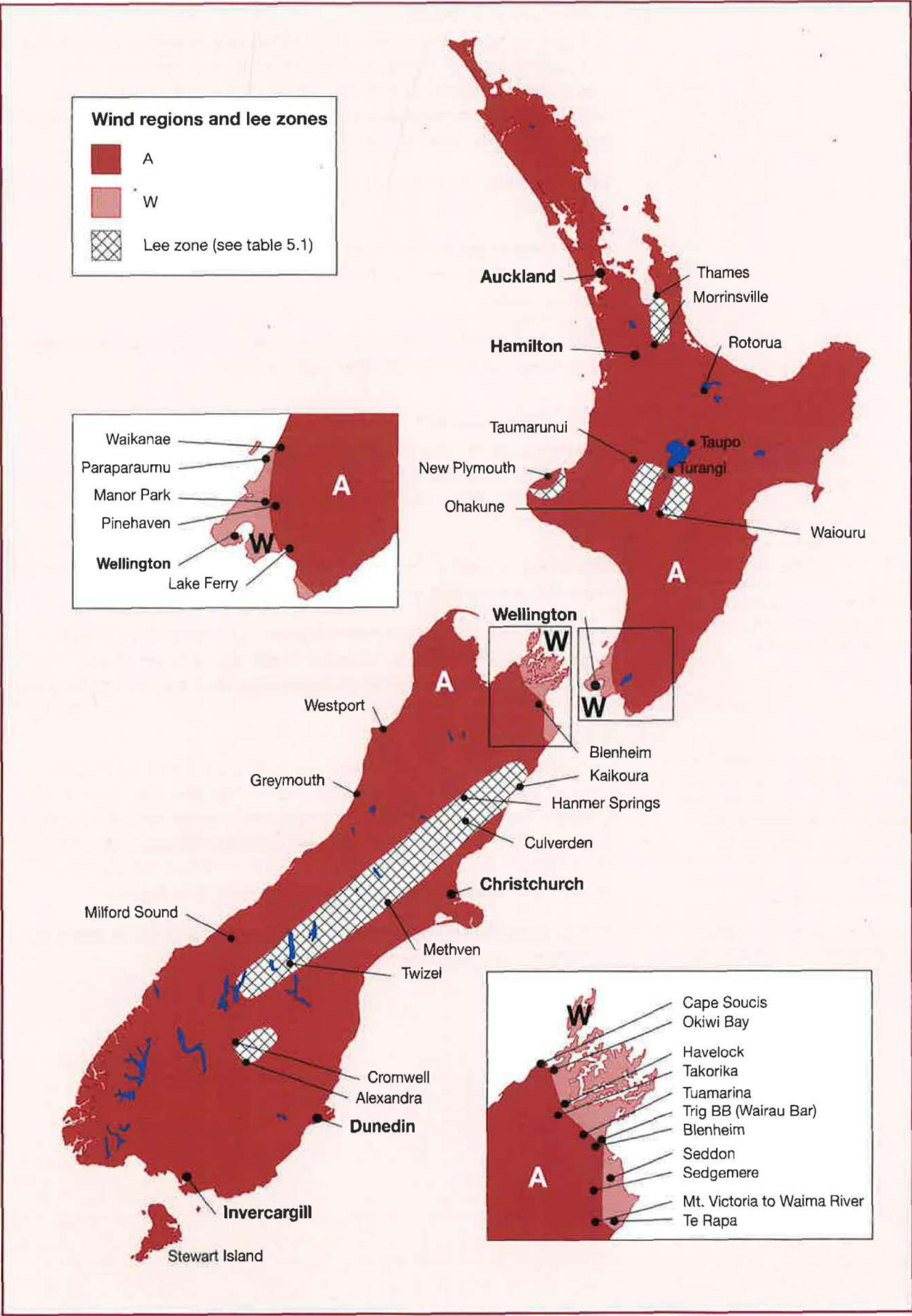


Figure 5.1 – Wind regions and lee zones (see 5.2.2)

# LIM Report Search Results

[LIM Search]

## SITUATION DETAILS

20/06/2022

|                         |                             |
|-------------------------|-----------------------------|
| <b>Valuation Number</b> | 05020/133.01                |
| <b>Legal Text</b>       | PSC 256A TWN Town of Waihi  |
| <b>CT Reference</b>     | 7B/891                      |
| <b>Address</b>          | 10 Hobson Street Waihi 3610 |

## VALUATION INFORMATION

|                      |              |
|----------------------|--------------|
| <b>Area (Ha)</b>     | 0.0951       |
| <b>Capital Value</b> | \$345,000.00 |
| <b>Land Value</b>    | \$150,000.00 |

## RATES INFORMATION FOR 2021/2022

| Description                   | Rateable Value | Rates             |
|-------------------------------|----------------|-------------------|
| General Rates                 | 345000         | \$356.18          |
| Refuse - District Collection  | 2              | \$87.98           |
| Roading Rates                 | 345000         | \$303.43          |
| Uniform Annual General Charge | 1              | \$660.51          |
| Waihi Community Facilities    | 1              | \$349.07          |
| Waihi Urban Stormwater        | 345000         | \$91.69           |
| Wastewater 1- 2 Pans          | 2              | \$1,326.20        |
| <b>Total Rates Levied</b>     |                | <b>\$3,175.06</b> |

Please Note:

Rates shown are for the 2021/2022 year.

15% GST is included.

Environment Waikato Regional Rates are invoiced separately.

## BALANCE/ARREARS INFORMATION

|                              |        |
|------------------------------|--------|
| <b>Current Rates Balance</b> | \$0.00 |
| <b>Arrears/Overdue</b>       | \$0.00 |
| <b>Rates Due Now</b>         | \$0.00 |

**Disclaimer**

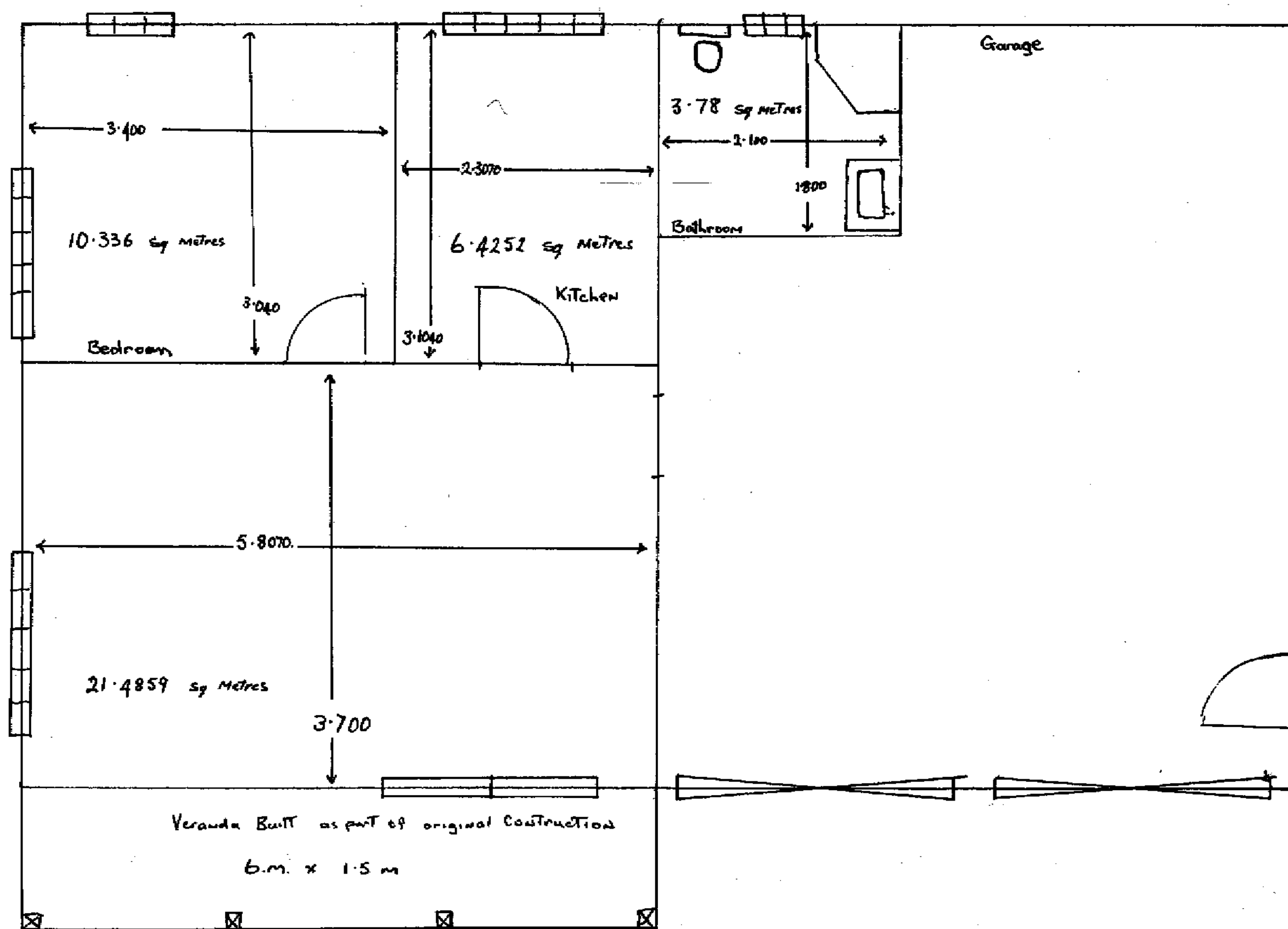
This information is provided as at the date noted at the top right, it should not be used for property settlement purposes and contact should be made with Council if such a figure is required.

For more information please contact:

**Hauraki District Council**  
**William Street**  
**PO Box 17**  
**PAEROA**

Phone **07 862 8609**  
 - **0800 734 834** (from within the district)  
 Fax **07 862 8607**  
 Email **rates@hauraki-dc.govt.nz**





Floor Plan of Flat and Garage as Built

420271 Total living space

Robin Pender  
10 Hobson Street  
Waikato

Property I.D. 02547

PT Sec 256A West Waikato

RECEIVED

11 JUN 2004

HAIKAKI DISTRICT COUNCIL  
WAIKATO OFFICE

File No. 025020/132.01...

Document No. 194797

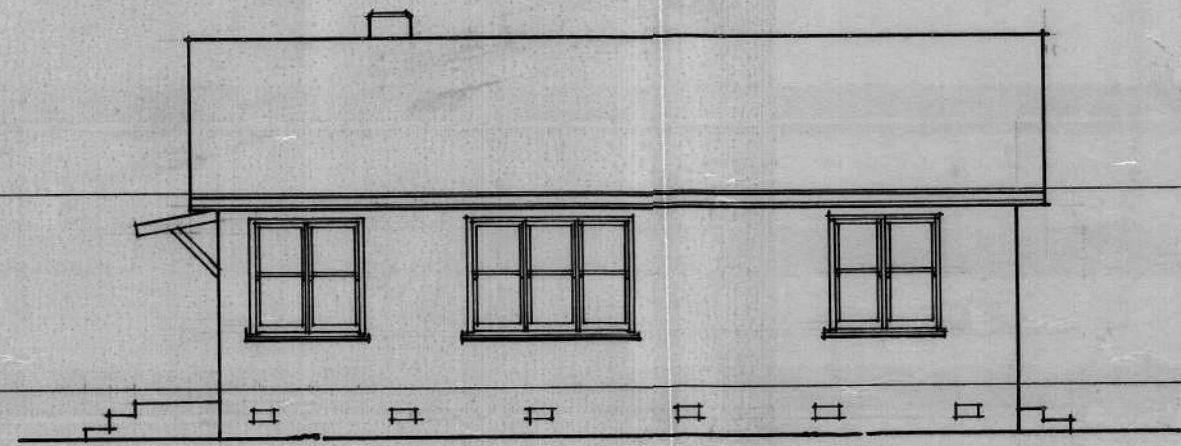
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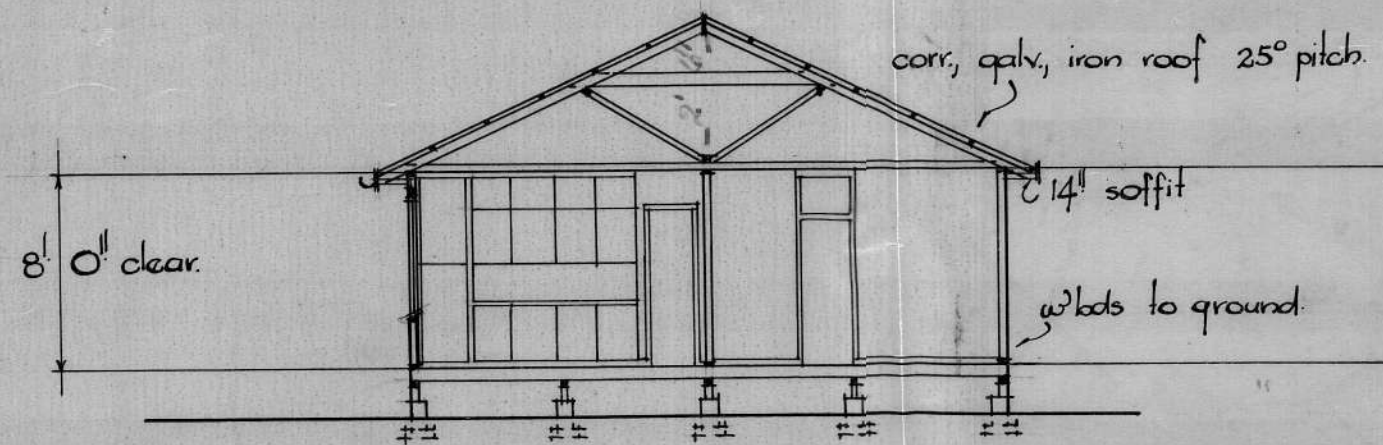
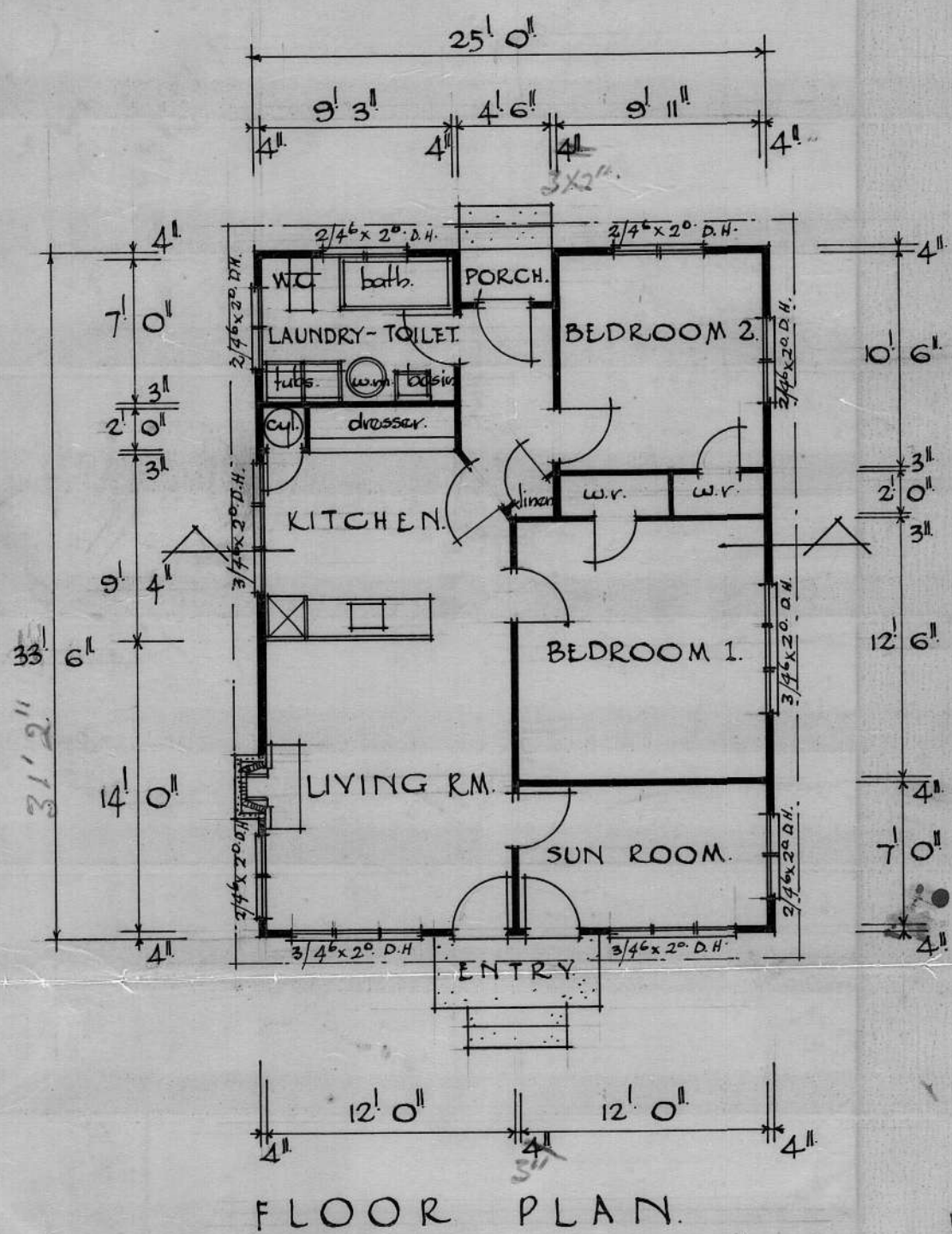
PROPOSED RESIDENCE AT ELLIOT ST, WAIHI FOR A. GRIMSHAW ESQ



FRONT ELEVATION



SIDE ELEVATION.



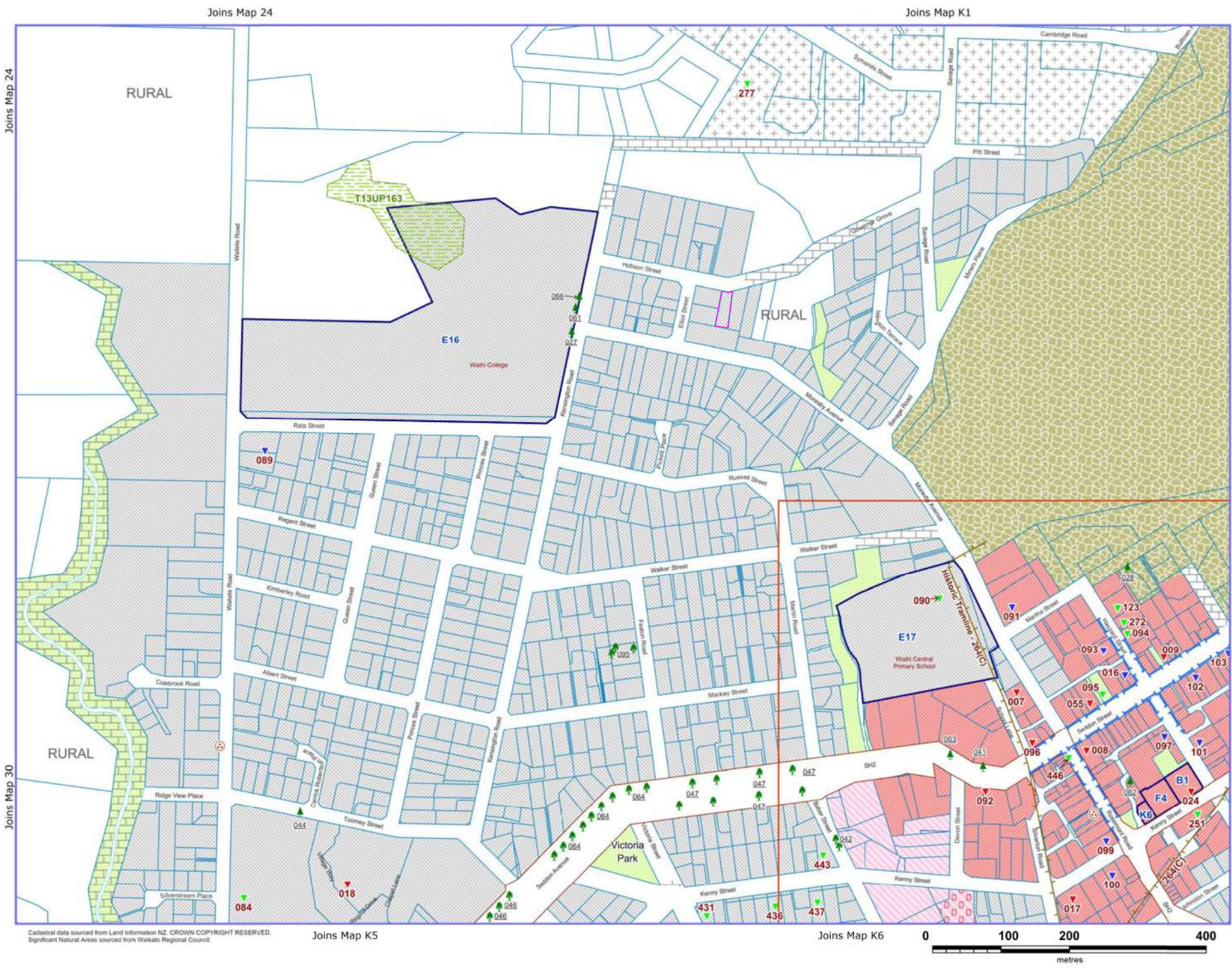
S E C T I O N A - A .

Concrete Blocks 6x4 on Corners  
Bearers 4x3 H. Pinner  
Floor Joists 6x2 "  
Bottom Plate 4x2  
Stud 4x2 8' Spacing 18"  
Rafters 4x2 2" Canters Pinner 6/12  
1/8"  
Purlins 3x2 Pinner 6/12  
Sheathing Wafer Board.

S c a | e

Prepared for Otorohanga Housing, builders  
by H. G. Dalton & Co, Ltd. Auck. N<sup>o</sup> 11,520.





HAURAKI  
DISTRICT PLAN

□ = subject property

16 November 2020  
Incorporating  
Plan Change 4



NOTE: For full list of notations  
and description of information  
shown on maps please refer  
to separate Map Legend

WAIHI

MAP NO

**K3**





PLANNING ZONES  
(Section 5)

|  |   |
|--|---|
|  | Rural (Section 5.1)<br>refer to duplicate Planning Map for Outstanding Natural Landscape and District Amenity Landscape area overlays |
|  | Conservation (Indigenous Forest) (Section 5.2)  |
|  | Conservation (Wetland) (Section 5.3)  |
|  | Coastal (Section 5.4)   |
|  | Karangahake Gorge (Section 5.5)   |
|  | Residential (Section 5.7)   |
|  | Low Density Residential (Section 5.8)   |
|  | Marae Development (Section 5.9)   |
|  | Township (Section 5.10)   |
|  | Town Centre (Section 5.11)  |
|  | Industrial (Section 5.12)   |
|  | Paeroa Flood Ponding (Section 5.13)   |
|  | Reserve (Active) (Section 5.15)   |
|  | Reserve (Passive) (Section 5.16)  |
|  | Martha Mineral (Section 5.17)   |
|  | Golden Cross Mineral (Section 5.18)   |

SIGNIFICANT FEATURES

|  |                |  |
|--|----------------|--|
|  | multiple trees | Significant Tree (Section 6.4)   |
|  | single trees   |  |
|  |                | Outstanding Natural Feature (Section 6.3)                                |
|  |                | Outstanding Natural Feature (Area) (Section 6.3)                         |
|  |                | Heritage Feature Category A (Section 6.1)                                |
|  |                | Heritage Feature Category B (Section 6.1)                                |
|  |                | Heritage Item Category C (Section 6.1)                                   |
|  |                | Heritage Area (Section 6.1)  |
|  |                | Heritage Line Item (Section 6.1)   |
|  |                | Area of Significance to Maori (Section 6.1)                              |
|  |                | Area of Significance to Maori (Section 6.1)                              |
|  |                | Significant Natural Area (Section 6.2.6)                                 |
|  |                | Significant Natural Area (where over Conservation Zones) (Section 6.2.6) |
|  |                | Significant Natural Area (Section 6.2.5.1(3) Table 1)                    |

NOTE: re Transmission Lines

While only High Voltage Transmission and Sub-Transmission Lines are identified on the Planning Maps, works in close proximity to any electric line can be dangerous. Compliance with the New Zealand Code of Practice 34:2001 is mandatory for buildings, earthworks and mobile plants within close proximity to all electric lines. Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss proposed works, including tree planting, within close proximity to electric lines, contact the line operator.

OTHER NOTATIONS

|  |   |
|--|---|
|  | Rural Zone District Amenity Landscape Area (Section 5.1)      |
|  | Rural Zone Outstanding Natural Landscape Area (Section 5.1)   |
|  | Area Subject to Inundation (Paeroa) (Sections 5.1, 5.7, 5.12) |
|  | Amenity Protection Area (Section 5.12)                        |
|  | Pedestrian Frontage (Section 5.11)                            |
|  | Proposed Esplanade (Section 7.3)                              |
|  | Designation (Section 7.5)                                     |

Designating Authority Codes

- A - Minister of Corrections
- B - Minister of Justice
- C - Hauraki District Council
- D - Meteorological Service of NZ Ltd
- E - Minister of Education
- F - Minister of Police
- G - Minister of Railways
- H - Minister of Transport
- J - PowerCo Limited
- K - Chorus NZ Limited
- L - Transpower NZ Ltd
- M - Waikato Regional Council
- N - Telecom NZ Limited

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|--|---|
|  | Floodways (Section 8.2.1)                                     |
|  | Spillways (Section 8.2.1)                                     |
|  | Piako Flood Ponding Area (Sections 5.1 and 8.2.2)             |
|  | Whiritoa - Toe of Frontal Dune (1995/96) (Section 8.2.3)      |
|  | Whiritoa - Primary Development Setback Line (Section 8.2.3)   |
|  | Whiritoa - Secondary Development Setback Line (Section 8.2.3) |
|  | High Voltage Transmission Line (Section 8.2A)                 |

OTHER NOTATIONS

|  |                                     |
|--|-------------------------------------|
|  | Structure Plan Area (Section 8.6.3) |
|--|-------------------------------------|

Structure Plans

- 8.6.4 Turua (Residential)
- 8.6.5 Ngatea North (Residential)
- 8.6.6 Ngatea South (Residential)
- 8.6.7 Kerepehi North Industrial
- 8.6.8 Kerepehi South Industrial
- 8.6.9 Kerepehi Residential
- 8.6.10 Paeroa North (Residential)
- 8.6.11 Opukeko, Paeroa (Industrial)
- 8.6.12 Waikino (Low Density Residential)
- 8.6.13 Waihi East (Residential)

|  |   |
|--|---|
|  | Quarries: Quarry Resource Area (Section 9.4.1.2)  |
|  | Quarry Reverse Sensitivity Area (Section 9.4.1.2) |

INFORMATION ONLY

|  |   |
|--|---|
|  | Archaeological Site                             |
| Archaeological site locations shown may be inaccurate in some cases as the updated data (Archaeological Upgrade Project) is not yet available. |   |
|  | Coastal Marine Area (CMA) (Landward Boundary)   |
|  | State Highway                                   |
|  | Sub Transmission Line                           |
|  | Water Supply Catchments                         |
|  | Unformed Road                                   |
|  | Extent of Future Urban Development (Turua only) |

## 5.7 RESIDENTIAL ZONE

### 5.7.1 ZONE PURPOSE

- (1) The Residential Zone covers those areas of the District that have previously been zoned for residential purposes with some minor expansion in some settlements where the land has been demonstrated to be suitable for residential purposes to meet the foreseeable future demand.
- (2) The Residential Zone enables a variety of residential activities and some compatible non residential activities to establish in a manner that ensures that the amenity and character of the residential areas is protected.
- (3) The settlements of Waikino, Mackaytown and Karangahake have a servicing constraint (no reticulated sewage treatment and disposal). As such, the performance and subdivision standards for these settlements have been set at a level that enables servicing on site and recognises a lower density of development that characterises these settlements.
- (4) The boundaries of the residential areas in part reflect the physical constraints, historical factors and financial ability to service these areas. Physical boundaries and natural hazards have defined the residential areas (eg flooding, hills, Ohinemuri River in Paeroa; Waitete Stream, Ohinemuri River and mining areas in Waihi; Piako River in Ngatea). The policies of protecting land of high productive capability for food production purposes has also constrained not only residential but all urban development.
- (5) The residential areas of the District are characterised by low density, low rise housing development and are generally low noise environments with low volumes of through traffic. Poor house design and siting can lead to a loss of sunlight, daylight and privacy. More intensive development is provided for where the layout is well planned to minimise these adverse effects, and where infrastructure and other urban amenities are available.
- (6) Residential growth areas have been identified in Paeroa and Waihi and in some of the smaller settlements. Structure planning exercises have been undertaken for the majority of these growth areas to ensure a well planned and integrated approach to transport networks, infrastructure and zoning and to avoid adverse impacts upon identified areas of landscape, biodiversity, heritage and cultural value.

### 5.7.2 OBJECTIVES AND POLICIES

#### (1) OBJECTIVE 1

To provide for residential development that maintains and enhances neighbourhood amenities and qualities consistent with the aspirations of the individual communities within those areas.

#### (a) Policies

Objective 1 will be achieved by implementation of the following policies:



- (i) Require activities in residential areas to be sited, designed and operated in such a way that avoids, remedies or mitigates adverse noise, privacy and traffic effects on health, safety and amenity values.
- (ii) Provide for residential development where servicing constraints do not exist and ensure any required infrastructure upgrades are borne by the development.
- (iii) Provide for higher density residential development (comprehensive residential developments) where these can be accommodated in a manner that promotes good urban design and does not detract from the character of the locality.
- (iv) Provide services to a standard that can meet the demands of the intensity of development.
- (v) Provide flexibility for the development and operation of a range of non-residential activities which are not incompatible in scale, intensity and character with the residential area in which they are located.

**(b) Reasons**

- (i) Residential areas are places where people seek to carry out home and leisure activities free from the detrimental effects of noise, fumes, dust and other adverse effects that can be associated with work, business, recreation and other activities.
- (ii) There are negative effects associated with living in higher densities. These effects can be reduced and/or avoided by building within the limits of specified performance standards and adopting good urban design principles.
- (iii) The use of resources, including land and services, can be reduced by higher density living and the containment of residential activities.
- (iv) The wellbeing of the community can be improved by providing for the type of residential environment people want.

**(2) OBJECTIVE 2**

To develop residential areas free from the effects of hazards.

**(a) Policies**

Objective 2 will be achieved by implementation of the following policies:

- (i) Identify hazards such as flooding, filled areas and mine shafts on the District Plan maps and/or Council's Land Information Memoranda and other information systems.
- (ii) Limit the development of land for residential purposes within areas subject to inundation adjacent to the area zoned for flood ponding purposes in Paeroa.
- (iii) In areas known to be subject to flooding establish building floor levels to avoid risk to human life and mitigate risk to dwellings and communal buildings.
- (iv) Avoid intensive residential development and subdivision in areas known to be subject to flooding.

- (v) Place constraints on development in areas of coastal erosion hazard potential at Whiritoa.

**(b) Reasons**

- (i) Most hazards are of such a nature that no intervention or identification is required within the District Plan. Rather, many hazards are of a "site specific" nature, and can be properly addressed through other mechanisms such as the Project Information Memorandum and Land Information Memorandum systems, and the provisions of the Building Act.
- (ii) Flooding is a recognised natural hazard that is appropriate to include in the District Plan as it is of a general nature applying to identified areas.
- (iii) The effects of coastal erosion at Whiritoa would increase if inappropriate development occurred on or near the foredune area.

**(3) OBJECTIVE 3**

To avoid, remedy or mitigate any adverse effect of residential and non-residential developments on the environment and character of the locality.

**(a) Policies**

Objective 3 will be achieved by implementation of the following policies:

- (i) Ensure development and subdivision is designed and located to:
  - (1) integrate well with the immediate locality;
  - (2) contribute positively to the streetscape;
  - (3) provide occupants of dwellings with a reasonable outlook, access to sufficient open space and reasonable aural and visual privacy.
- (ii) Ensure development and subdivision can be effectively serviced by local infrastructure or in a manner which can protect the health and safety of residents and does not have a detrimental effect on the environment.
- (iii) Ensure development and subdivision can safely cater for on-site traffic, parking and servicing needs and has safe and practical vehicular access to a public road.

**(b) Reasons**

- (i) The Resource Management Act 1991 promotes the management (by various means) of the effects of activities on the environment. The manner in which residential activities are allowed to develop must be in accordance with that emphasis.
- (ii) A limited range of non-residential activities can operate without detriment to the residential environment, as long as their effects are maintained within specific limits. The ability of activities to remain within these limits needs to be monitored, as does the appropriateness of the limits themselves.

- (iii) Community expectations for environmental quality are continually changing (usually to require greater residential amenity), and the performance standards reflect that community expectation.

### 5.7.3 ENVIRONMENTAL RESULTS

- (1) The primary expected environmental result of this zone is to maintain, develop and enhance a resource and an environment to meet the social and economic needs of the existing and future communities.
- (2) To meet the changing residential needs of the community in terms of increased density, the range of residential accommodation types and the high standard of residential amenity desired by the community.
- (3) The establishment of non-residential activities that complement the surrounding residential area and enhance, where appropriate, the amenity and character of the neighbourhood.
- (4) The development of anticipated future residential growth areas, co-ordinated with Council's infrastructure planning and asset management programme, which integrate with established communities.

### 5.7.4 ACTIVITY STATUS

Activities and their *accessory uses* and *buildings* (unless otherwise stated) are *Permitted*, *Controlled*, *Restricted Discretionary*, *Discretionary*, *Non Complying* or *Prohibited* according to the Activity Status Table below:

#### 5.7.4.1 PERMITTED ACTIVITIES

Those activities listed below are a *Permitted Activity* unless otherwise specified and subject to compliance with the:

- *Zone Development Standards* specified in Rule 5.7.5;
- *Activity Specific Standards* specified in Rule 5.7.6;
- *Conservation and Heritage* provisions in Section 6.0
- *Specific and District Wide* provisions in Section 7.0; and
- *District Wide Performance Standards* in Section 8.0.

|           |  |
|-----------|--|
| <b>P1</b> | <i>RESIDENTIAL ACTIVITIES (ONE DWELLING PER CERTIFICATE OF TITLE) (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))</i> |
| <b>P2</b> | <i>HOME OCCUPATIONS (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(1) AND (5))</i>                                      |
| <b>P3</b> | <i>HOMESTAY</i>  |
| <b>P4</b> | <i>PASSIVE RECREATION (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))</i>   |
| <b>P5</b> | <i>PROSPECTING</i>   |
| <b>P6</b> | <i>DRAINAGE WORKS</i>  |

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| <b>P7</b>  | <i>EXPLORATION</i> NOT INVOLVING MORE THAN 20 M <sup>3</sup> OF EXCAVATION PER ALLOTMENT IN ANY ONE YEAR (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))   |
| <b>P8</b>  | <i>TEMPORARY USES AND BUILDINGS</i> (INCLUDING <i>TEMPORARY MILITARY TRAINING</i> ) (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))  |
| <b>P9</b>  | DEMOLITION AND REMOVAL OF <i>BUILDINGS</i>  |
| <b>P10</b> | ONE STORAGE <i>BUILDING</i> PER <i>SITE</i> THAT DOES NOT CONTAIN A <i>DWELLING</i> PROVIDED THE <i>BUILDING</i> DOES NOT EXCEED A GROSS FLOOR AREA OF 50M <sup>2</sup> AND IS USED SOLELY BY THE OWNER OF THE PROPERTY FOR PERSONAL STORAGE INCLUDING HOUSEHOLD ITEMS, VEHICLES, BOATS, MACHINERY, AND/OR TOOLS. |
| <b>P11</b> | <i>ACCESSORY BUILDINGS</i> ASSOCIATED WITH A <i>MINOR DWELLING UNIT</i> (REFER TO DEFINITION OF <i>MINOR DWELLING UNIT</i> ).   |

#### 5.7.4.2 CONTROLLED ACTIVITIES

Those activities listed below are a *Controlled Activity* unless otherwise specified and subject to compliance with the:

- *Zone Development Standards* specified in Rule 5.7.5;
- Activity Specific Standards specified in Rule 5.7.6;
- Conservation and Heritage provisions in Section 6.0
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

*Conditions* may be imposed in relation to the matters over which control has been reserved, as specified below.

|   |  |
|---|--|
| <b>C1</b>   | <i>EDUCATION AND TRAINING FACILITIES AND OFFICES</i> (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(2) & (5))   |
| <b>C2</b>   | <i>COMMUNITY HOUSING AND VISITOR ACCOMMODATION</i> (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(3) & (5))   |
| <b>C3</b>   | <i>COMPREHENSIVE RESIDENTIAL DEVELOPMENT</i> IN WAIHI AND PAEROA ONLY (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(4) & (5))  |
| <b>C4</b>   | <i>EXPLORATION</i> INVOLVING MORE THAN 20M <sup>3</sup> AND NO MORE THAN 50M <sup>3</sup> OF EXCAVATION PER ALLOTMENT IN ANY ONE YEAR (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))       |
| <b>C5</b>   | IN WAIHI, PAEROA AND WHIRITOA: TWO OR MORE <i>DWELLINGS</i> PER <i>CERTIFICATE OF TITLE</i> (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(5) & (6))  |
| <b>Matters over which Council has reserved control For C1, C2 &amp; C3 are:</b> |  |
| <b>(1)</b>  | <b>Design and appearance of buildings</b>  |
| <b>(a)</b>  | <i>Buildings</i> should be of a residential scale and appearance, to reflect a residential not a commercial façade.  |
| <b>(2)</b>  | <b>Site Layout</b>   |
| <b>(a)</b>  | <i>Buildings</i> , utility areas and activities should be arranged in order that visual and aural privacy is maintained for <i>dwellings</i> on the same and adjoining <i>allotments</i> . |
| <b>(b)</b>  | For <i>Education and Training Facilities</i> , <i>Community Housing</i> and <i>Visitor Accommodation</i> , outdoor living areas should be separated from the main living                   |



|   |   |
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|   | <p>areas on adjoining <i>residential properties</i> unless suitably screened to minimise noise levels.</p> <p>(c) For <i>Comprehensive Residential Developments</i>, <i>buildings</i> should not be grouped in one part of the <i>site</i>, to avoid dominance of <i>buildings</i> and expanses of carparking in another part of the <i>site</i>.</p> <p>(d) For <i>Comprehensive Residential Developments</i>, any communal facilities (eg. recreation and leisure and communal dining facilities) should be centrally located on the <i>site</i> or buffered from adjoining <i>residential property</i> boundaries by residential <i>buildings</i>.</p>   |
| (3)   | <p><b>Location and design of vehicle access</b></p> <p>(a) Access from the <i>road</i> to the property boundary should be located as far as practicable from the boundary of an adjoining <i>residential property</i> in order to reduce the effects (noise, fumes) of vehicle movements.</p> <p>(b) Internal accesses and on-site carparking should be located as far from adjoining <i>residential property</i> boundaries as is practicable and buffered by either <i>buildings</i>, <i>landscaping</i> or screening.</p> <p>(c) For <i>Comprehensive Residential Developments</i>, the internal circulation for pedestrians and vehicles should be integrated and designed to provide for the safety of residents and visitors.</p> |
| (4)   | <p><b>Landscape design</b></p> <p>(a) <i>Landscaping</i> should be carried out in a manner that reinforces the residential character of the area, and screens any service areas.</p> <p>(b) Parking and vehicle access areas should be screened from adjoining <i>residential properties</i> by landscape planting, where alternative screening is not provided or appropriate, to provide a physical barrier to reduce or remove the effects of glare from headlights, exhaust fumes, noise and dust.</p>  |
| (5)   | <p><b>Carparking</b></p> <p>(a) Carparking on-site should be visually obvious from the street to drivers. <i>Landscaping</i> and <i>signs</i> can assist in defining the access point and the parking area.</p> <p>(b) Carparking should be designed so vehicles can manoeuvre on-site and are not required to reverse onto the <i>road</i>.</p> <p>(c) Adequate on-site parking should be provided to accommodate the demands of occupiers and visitors, particularly where the <i>site</i> adjoins or has access to an <i>arterial road</i>.</p>  |
| <p><b>Matters over which Council has reserved control For C4 are:</b></p> |   |
| (1)   | <p><b>Location and Duration</b></p> <p>(a) The location of the <i>exploration</i> activities to ensure the stability of adjacent land/<i>buildings</i> and <i>network utility</i> infrastructure is protected.</p> <p>(b) The duration of the <i>exploration</i> activities to minimise disturbance on adjacent residential <i>amenities</i>.</p>   |
| (2)   | <p><b>Management and rehabilitation</b></p> <p>(a) The adequacy of management and rehabilitation plans to ensure the long term appearance and stability of any disturbed/excavated area including surplus earth disposal areas (including the possible use of performance bonds or other</p>  |

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|   | mechanisms) aimed to return the disturbed area to the same or similar state as existed prior to the <i>exploration</i> activity.   |
| <b>(b)</b>  | The extent to which existing <i>indigenous</i> or other vegetation which contributes to visual <i>amenity</i> and/or biodiversity values is retained, the reasons why clearance is proposed and the ability to rehabilitate the area to similar values.  |
| <b>(c)</b>  | Whether earthworks and/or tracks associated with the activity have been located or minimised to reduce any adverse visual impact.  |
| <b>Matters over which <i>Council</i> has reserved control for C5 are:</b> |  |
| <b>(1)</b>  | <b>Adequacy of information</b>   |
| <b>(a)</b>  | The adequacy of information including a dimensioned scheme plan and engineering design plan to show that the location of the <i>dwellings</i> , design and servicing of the proposed development, and future subdivision boundaries can meet the relevant Zone Development Standards (refer to 5.7.5(1)), Activity Specific Standards (refer to 5.7.6(5) & 5.7.6(6)), Subdivision Standards (refer to 9.4.3.1(1)), and District Wide Performance Standards for Development and Subdivision (refer to Section 8) as if the <i>certificate of title</i> is to undergo subdivision in future. |
| <b>(2)</b>  | <b>Methods to ensure compliance with the District Wide Performance Standards for Development and Subdivision</b>   |
| <b>(a)</b>  | Refer to Section 8.  |
| <b>(3)</b>  | <b>Controlled activity assessments matters for all residential zones</b>   |
| <b>(a)</b>  | Refer to 9.4.3.3(1).   |
| <b>(4)</b>  | <b>Controlled activity assessment matters</b>  |
| <b>(a)</b>  | Refer to 9.5.  |
| <b>(5)</b>  | <b>Urban design principles</b>   |
| <b>(a)</b>  | Refer to 9.1.3(2)(a)(ii).  |

### 5.7.4.3 RESTRICTED DISCRETIONARY ACTIVITIES

Those activities listed below are a *Restricted Discretionary Activity* subject to compliance with the:

- Conservation and Heritage provisions in Section 6.0;
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

The matters over which the *Council* has restricted its discretion are specified for each *Restricted Discretionary Activity* listed below.

|            |   |
|------------|---|
| <b>RD1</b> | ANY PERMITTED OR CONTROLLED ACTIVITY THAT DOES NOT MEET THE ZONE DEVELOPMENT STANDARDS IN RULE 5.7.5 FOR A PERMITTED OR CONTROLLED ACTIVITY AND DOES NOT EXCEED THE ZONE DEVELOPMENT STANDARDS IN RULE 5.7.5 FOR A RESTRICTED DISCRETIONARY ACTIVITY  |
|            | <b>Matters over which <i>Council</i> has restricted its discretion are:</b>   |
|            | The <i>Council</i> will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the <i>Zone Development Standards</i> in Rule 5.7.5 for which compliance is not met and the following relevant assessment criteria: |

- (1) Height and Daylighting**
- (a)** The extent that topographical and *site* conditions (including easements) restrict the area or shape of the *site* that is suitable and available for building.
  - (b)** The desirability of maintaining consistency in design and appearance with existing *buildings* on the *site*.
  - (c)** The need to preserve existing trees, vegetation or important physical characteristics of the *site*.
  - (d)** Whether the boundary to which the standard relates is a common boundary with an area of permanent open space, the use of which will not be detrimentally affected by any increased shading or loss of visual *amenity*.
  - (e)** Whether the property adjoining the *site* is sufficiently higher and therefore the adjoining property will not be detrimentally affected.
  - (f)** Where the standard(s) is/are not met due to penetration by a dormer window, gable or similar roof feature, whether that will have a minor effect on the *amenities* of the neighbouring site.
  - (g)** The extent to which it is necessary to minimise the physical disturbance to the landscape and the landforms.
  - (h)** The degree to which *amenity* value and privacy of adjoining properties is affected by matters such as shading and loss of daylight.
  - (i)** The extent to which the *building* visually intrudes on any significant ridgeline or skyline or significant landscape, and what measures are proposed to reduce the visual effects of that intrusion.
  - (j)** Whether the *building* will detract from any view or vista which contributes to the aesthetic coherence of a locality, and if it does, what measures can and will be taken to reduce the detraction to an acceptable level or remove it completely.
  - (k)** Where the Residential Zone land is within the coastal *environment*, whether the *building* will complement the coastal location in terms of scale.
- (2) Yards**
- (a)** The extent that topographical and *site* conditions restrict the area or shape of the *site* that is available and suitable for building.
  - (b)** The degree to which the functioning of the *site* and/or the activity can be improved by not meeting the standard.
  - (c)** Whether there is a need to preserve existing trees, vegetation or important physical characteristics of the *site*.
  - (d)** The extent to which the provision of daylight and sunlight into the neighbouring properties and the visual and aural privacy of neighbouring sites will be affected.
  - (e)** The extent to which the safe and efficient functioning of the street or *road* will be significantly compromised.
  - (f)** Whether the detrimental effects of building in the *yard* can be reduced or avoided.
  - (g)** Whether the *yard* functions (including separation, *landscaping* and service provision) will be provided on the *site* by other means, or are they unnecessary.

- (3) **Site coverage**
- (a) The ability of the existing on-site disposal methods to cope with additional stormwater and/or disposal of septic tank effluent.
  - (b) Whether there are known stormwater/sewage disposal problems in the area.
  - (c) The degree to which negative effects, in terms of changing the character or visual *amenity* of the area, can be mitigated or removed through the use of such techniques as *landscaping*, building design, exterior finish, set back from boundaries or reduced *height*.
  - (d) The extent to which open space within the *site* and/or in the near vicinity can reduce the impact of the *building(s)* in terms of character or visual *amenity*.
- (4) **Outdoor service area**
- (a) The extent to which the functions of the *outdoor service area* can be adequately provided by other means (eg. storage area provided within a garage or carport to be built with the *dwelling*, or other *building* on the *site*).
  - (b) Whether there are suitable communal service facilities provided which are readily accessible to and useable by the activity on the *site*.
- (5) **Privacy and Separation**
- (a) Whether the purpose of the separation, privacy and screening standards can be met to the same or similar level by some other method.
  - (b) Whether there are existing developments on the same or adjoining *allotments* such that it would make compliance with the standards impracticable.
  - (c) Where the existing situation fails to meet these standards, whether the proposed *development* will increase the degree to which the residential *amenities* are already detrimentally affected.
- (6) **Traffic Noise Sensitivity**
- (a) The location of the dwelling in relation to the formed carriageway of the *state highway*,
  - (b) The location of the bedrooms and main living room within the dwelling in relation to the formed carriageway of the *state highway*,
  - (c) The extent and location of the main glazing to bedrooms and living areas,
  - (d) The mitigation methods proposed – building materials, construction method and the internal noise level that will be achieved,
  - (e) The outcomes of any consultation with the New Zealand Transport Agency, and  
Whether they are likely to avoid or mitigate potential adverse traffic noise effects or potential reverse sensitivity effects on the *state highway* (to apply to (a) – (e) above).
  - (f) Whether there are other design features that will provide the required ventilation without the need for ventilating windows or a *ventilation system*.
  - (g) Whether the *ventilation system* proposed will provide a comfortable living environment as well as the required level of ventilation.
- (7) **Outdoor Living Area**



|            |   |
|------------|---|
|            | <p>(a) Whether there is communal outdoor space provided, which is accessible to each activity on site, and provides a similar level of amenity.</p> <p>(b) Whether there is adjoining open space (e.g. park, reserve) that is 'usable' by each activity on the <i>site</i>, thereby reducing the need to provide the living area on-site.</p> <p>(c) The extent to which the living area can be provided in a manner that may not meet the standards, but still provides a usable area to meet the purpose of the living area and a similar level of amenity.</p>   |
| <b>RD2</b> | <p><b>ANY PERMITTED ACTIVITY OR CONTROLLED ACTIVITY THAT DOES NOT MEET THE ACTIVITY SPECIFIC STANDARD 5.7.6(5) IN THE AREA IDENTIFIED ON THE PLANNING MAPS AS "SUBJECT TO INUNDATION"</b></p> <p><b>Matters over which Council has restricted its discretion are:</b></p> <p>(1) <b>Design of buildings</b></p> <p>(a) Whether the <i>building</i> or extension to the <i>building</i> and associated access is designed in such a manner that the <i>building</i> and access to the <i>building</i> will be free from inundation.</p> <p>(b) Whether the <i>building</i> or extension to the <i>building</i> and access to it will have any consequential flooding effects on the remainder of the <i>site</i> and other sites also subject to potential inundation.</p> <p>(2) <b>Earthworks/Impermeable covering</b></p> <p>(a) Whether the excavation or placement of fill is carried out in a manner that ensures erosion of the exposed ground and/or fill face during inundation will be minor and not cumulatively affect the functioning of the Flood Ponding Zone.</p> <p>(b) Whether the extension of the impermeable covering (building and/or hard surfaces) and access will have any consequential inundation effects on the remainder of the site and other <i>sites</i> also subject to potential inundation and any other adjacent sites.</p> <p>(c) Whether any fill material will leach into the water and create a pollution hazard (particularly where vegetation is removed).</p> <p>(3) <b>Planting</b></p> <p>(a) Whether any proposed planting contributes to the control of stormwater runoff, erosion control and the flood ponding purpose of the adjoining Flood Ponding Zone.</p> <p>(b) Whether the planting will inhibit the ability of the Flood Ponding Zone to achieve that purpose and/or have a consequential adverse effect on other sites also subject to potential inundation. For example vegetation should not impede the free flow of water during the flood ponding/inundation process (both filling and emptying).</p> |
| <b>RD3</b> | <p><b>IN WAIHI, PAEROA AND WHIRITOA: ONE MINOR DWELLING UNIT ACCESSORY TO A DWELLING OR APPROVED ADDITIONAL DWELLING (REFER TO 5.7.4.2 C5 AND ACTIVITY SPECIFIC STANDARD 5.7.6(7))</b></p> <p><b>Matters over which Council has restricted its discretion are:</b></p> <p>(1) Landscape, visual and amenity effects.</p>  |

- |      |  |
|------|--|
| (2)  | Effects on the privacy of neighbouring properties and dwellings.   |
| (3)  | Potential nuisance effects on neighbouring properties and dwellings.   |
| (4)  | Adequacy of provision for domestic effluent disposal, potable water supply, and stormwater drainage.   |
| (5)  | Adequacy of outdoor recreation space.  |
| (6)  | Access, parking and manoeuvring.   |
| (7)  | Traffic effects.   |
| (8)  | Location of the <i>minor dwelling unit</i> and orientation to enable daylight penetration for both the <i>minor dwelling unit</i> and associated <i>dwelling</i> . |
| (9)  | The location and use of <i>buildings</i> and <i>structures</i> including garaging and decks to be used in association with the <i>minor dwelling unit</i> .        |
| (10) | Methods to ensure compliance with Activity Specific Standard 5.7.6(7).   |

#### 5.7.4.4 DISCRETIONARY ACTIVITIES

Those activities listed below are a *Discretionary Activity* and shall be assessed against the relevant criteria in Rule 5.7.7.

Note: The Conservation and Heritage provisions in Section 6.0 and the Specific and District Wide provisions in Section 7.0 also apply and may alter the *Discretionary Activity* status for the activities specified below or require additional resource consents.

|           |   |
|-----------|---|
| <b>D1</b> | ANY <i>PERMITTED</i> OR <i>CONTROLLED</i> ACTIVITY THAT DOES NOT MEET THE ZONE DEVELOPMENT STANDARDS IN RULE 5.7.5 FOR A <i>RESTRICTED DISCRETIONARY ACTIVITY</i>                                   |
| <b>D2</b> | ANY <i>PERMITTED</i> OR <i>CONTROLLED</i> ACTIVITY THAT DOES NOT MEET THE ACTIVITY SPECIFIC STANDARDS IN RULE 5.7.6 AND IS NOT OTHERWISE PROVIDED FOR AS A <i>RESTRICTED DISCRETIONARY ACTIVITY</i> |
| <b>D3</b> | COMMUNITY FACILITIES  |
| <b>D4</b> | UNDERGROUND MINING  |
| <b>D5</b> | DAIRY   |
| <b>D6</b> | EXPLORATION NOT PROVIDED FOR AS A <i>PERMITTED</i> OR <i>CONTROLLED</i> ACTIVITY  |
| <b>D7</b> | IN WAIHI, PAEROA AND WHIRITOA: A <i>MINOR DWELLING UNIT</i> THAT DOES NOT MEET THE ACTIVITY SPECIFIC STANDARDS IN RULE 5.7.6(7)   |
| <b>D8</b> | EXCEPT IN WAIHI, PAEROA AND WHIRITOA – 2 OR MORE <i>DWELLINGS</i> PER CERTIFICATE OF TITLE  |

#### 5.7.4.5 NON COMPLYING ACTIVITIES

Those activities listed below are a *Non Complying Activity*.

|            |  |
|------------|--|
| <b>NC1</b> | ANY ACTIVITY NOT PROVIDED AS A <i>PERMITTED</i> , <i>CONTROLLED</i> , <i>RESTRICTED DISCRETIONARY</i> , <i>DISCRETIONARY</i> OR <i>PROHIBITED</i> ACTIVITY |
|------------|--|

### 5.7.4.6 PROHIBITED ACTIVITIES

Those activities listed below are a *Prohibited Activity*.

|                    |
|--------------------|
| PR1 SURFACE MINING |
|--------------------|

### 5.7.5 ZONE DEVELOPMENT STANDARDS

- (1) The following relevant *Zone Development Standards* shall be met by all *Permitted* and *Controlled Activities* unless otherwise stated.
- (2) For *Controlled Activities*, where *Council* has reserved control over specified matters in Rule 5.7.4.2, and for *Restricted Discretionary Activities* in Rule 5.7.4.3, where *Council* has restricted its discretion to specific matters, more restrictive development standards than those specified in the table below, may be imposed as *conditions* of consent.
- (3) The following relevant *Zone Development Standards* shall be used as a guide in assessing any *Discretionary* and *Non Complying Activities*.

| Development Standard *  | Parameter   |   | Environmental Result   |
|---|---|---|--|
|   | Permitted and Controlled  | Restricted Discretionary  |  |
| Maximum Height  | 8.0 metres  | 9.0 metres  | To ensure that the <i>height of buildings</i> is compatible with the activities permitted in the <i>zone</i> as well as the landscape, <i>amenity</i> and character of both the <i>zone</i> that the <i>building</i> is located in and any adjoining <i>zone</i> . |
| Daylight Control<br>(refer to definition for explanatory diagram) | No <i>building</i> shall project above 2.0 metres in <i>height</i> at any <i>site</i> boundary and not project above a 45° plane into the <i>site</i> up to the maximum <i>height</i> . | No restriction  | To ensure no <i>building</i> unreasonably overshadows any neighbouring property, thereby restricting daylight and ventilation between <i>buildings</i> .   |
| Minimum Yards   | <i>Front Yard:</i> <ul style="list-style-type: none"> <li>▪ 4.5 metres (except for Ngatea)</li> <li>▪ 7.5 metres (Ngatea only)</li> </ul>   | <i>Front Yard:</i> <ul style="list-style-type: none"> <li>▪ 4.5 metres (except for Ngatea)</li> <li>▪ 7.5 metres (Ngatea only)</li> </ul> | To allow flexibility in <i>site</i> layout while still maintaining the <i>amenities</i> of the <i>site</i> and adjoining sites.  |

| Development Standard *    | Parameter   |   | Environmental Result  |
|---------------------------|---|---|---|
|                           | Permitted and Controlled  | Restricted Discretionary  |   |
|                           | <i>Other Yards: 1.5 metres.</i>   | <i>Other Yards: Nil</i>   | To provide an open streetscape that allows for planting and ensures the traffic function of the <i>road</i> is not compromised.   |
| Maximum Site Coverage     | 35% (excluding a <i>Comprehensive Residential Development</i> )<br>45% for a <i>Comprehensive Residential Development</i>   | 40% (excluding a <i>Comprehensive Residential Development</i> )<br>50% for a <i>Comprehensive Residential Development</i> | To limit the scale and intensity of building development to a level appropriate to the character and <i>amenity</i> of the area.<br><br>In areas not served by reticulated stormwater and sewage disposal systems, an adequate area for on-site stormwater and effluent disposal is maintained to avoid adverse effects on adjacent properties and the <i>environment</i> . |
| Traffic Noise Sensitivity | (a) All new <i>habitable room(s)</i> where located within 40 metres of the formed carriageway (excluding State Highway 2 service roads at Waihi) of a <i>state highway</i> (except for the Residential Zones at Waikino, Mackaytown/ Karangahake, and Whiritoa, where all new <i>habitable room(s)</i> located within 80 metres of the formed carriageway of a <i>state highway</i> ) shall meet an internal road-traffic design sound level of $40\text{dBL}_{Aeq(24\text{hr})}$ with ventilating windows open.<br><br>(b) An acoustic design report from a suitably qualified and experienced acoustics expert shall be provided to the <i>Council</i> demonstrating compliance with (a) above at the time of building consent application. | No restriction  | To allow flexibility of site layout while protecting the <i>amenity</i> of sensitive uses where located in proximity to high speed environment and/or high traffic volume <i>state highways</i> , from potential adverse traffic noise effects.   |

| Development Standard * | Parameter   |                          | Environmental Result |
|------------------------|---|--------------------------|----------------------|
|                        | Permitted and Controlled  | Restricted Discretionary |                      |
|                        | <p>(c) Where the requirements of (a) above can only be met with windows and doors closed a <i>ventilation system</i> shall be installed for the <i>habitable room(s)</i>.</p> <p>(d) The requirements of (a) above shall not apply where:</p> <p>(i) the nearest façade of the new <i>habitable room(s)</i> is between 20 and 40 metres from the formed carriageway of the <i>state highway</i> (except for the Residential Zones at Waikino, Mackaytown/ Karangahake, and Whiritoa, where the nearest façade of the new <i>habitable room(s)</i> is between 50 and 80 metres from the formed carriageway of the <i>state highway</i>) and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to the new <i>habitable room(s)</i> to any part of the formed carriageway of the <i>state highway</i> (where that part of the <i>state highway</i> is within 40 metres (or 80 metres for the Residential Zones at Waikino, Mackaytown/ Karangahake, and Whiritoa) of the façade of the new <i>habitable room(s)</i>); or</p> <p>(ii) it can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustics expert that the road traffic noise level from the <i>state highway</i> is less than <math>55dBL_{Aeq(24hr)}</math> on all facades</p> |                          |                      |



16 November 2020

| Development Standard *   | Parameter  |   | Environmental Result  |
|--|--|---|---|
|  | Permitted and Controlled   | Restricted Discretionary  |   |
|  | <p>of the new <i>habitable room(s)</i>;<br/>or</p> <p>(iii) the <i>habitable rooms</i> are added to or altered within a <i>dwelling</i> existing at 26 September 2014.</p>   |   |   |
| Density<br>(Comprehensive Residential Development)             | A minimum net site area per dwelling of 350m <sup>2</sup> .  | A minimum net site area per dwelling of 350m <sup>2</sup> .   | To maintain the residential character and an appropriate level of <i>amenity</i> .  |
| <i>Outdoor Living Area</i><br>(Dwellings and Community Houses) | <p>Minimum Area:<br/>60m<sup>2</sup> plus 10m<sup>2</sup> for each additional bedroom over 2.</p> <p>Minimum Dimension:<br/>3 metres in all directions</p> <p>Minimum Shape:<br/>Can contain a 6.0 metre diameter circle.</p>  | <p>Minimum Area:<br/>60m<sup>2</sup> plus 10m<sup>2</sup> for each additional bedroom over 2.</p> <p>Minimum Dimension:<br/>3 metres in all directions.</p> <p>Minimum Shape:<br/>Can contain a 6 metre diameter circle</p> | To protect residential <i>amenities</i> such as privacy, quietness and outdoor space.   |
| <i>Outdoor Service Area</i><br>(Dwelling)                      | <p>Minimum Area:<br/>20m<sup>2</sup></p> <p>Minimum Dimension:<br/>3.0 metres</p> <p>Except that, for <i>Community Housing</i> and <i>Visitor Accommodation</i>, where a fully equipped laundry facility (both washing and drying machines are provided) the minimum required <i>outdoor service area</i> can be reduced to 10m<sup>2</sup> and minimum dimension reduced to 2 metres.</p> | Nil   | To provide a separate area suitable for general storage, clothes drying and rubbish bin storage, in order that areas for outdoor living, parking or access do not get used for this purpose, thereby detracting from the function and <i>amenity</i> of the zone. |
| <i>Privacy and Separation</i>                                  | <p>(a) For <i>buildings</i> on the same <i>allotment</i>:</p> <p>(i) <i>No part of a dwelling/household unit /minor dwelling unit and any other building shall protrude through a plane rising at an</i></p>   | Nil   | To protect existing and future residential <i>amenities</i> , particularly where two storey living and <i>comprehensive residential development</i> has the potential to  |

| Development Standard * | Parameter   |                          | Environmental Result  |
|------------------------|---|--------------------------|---|
|                        | Permitted and Controlled  | Restricted Discretionary |   |
|                        | <p><i>angle of 45° commencing at an elevation of 2 metres at a line midway between the dwelling/household unit/minor dwelling unit and the other building unless the other building is accessory to the dwelling/household unit/minor dwelling unit.</i></p> <p><b>(ii)</b> <i>No wall of a dwelling/household unit/minor dwelling unit shall be sited closer than 3.0m to the wall of another building (including another dwelling/household unit/minor dwelling unit), unless it is accessory to the dwelling/household unit/minor dwelling unit.</i></p> <p><b>(iii)</b> <i>Where the buildings are attached by adjoining or common walls, the above separation setbacks are not required between those buildings.</i></p> <p><b>(b)</b> <i>All dwellings/household units/minor dwelling units on the same allotment shall be arranged so that:</i></p> <p><b>(i)</b> <i>a sight line drawn from any point on the main glazing of the living room in one dwelling/minor dwelling unit does not penetrate the main glazing of the living room of any other dwelling/household unit/minor dwelling unit unless:</i></p> <p><b>(1)</b> <i>such glazing is at least 6m apart; or</i></p> <p><b>(2)</b> <i>the angle between the two planes of that glazing is &gt;120°</i></p> |                          | <p>detrimentally affect environmental qualities such as privacy, quietness and space.</p> |

| Development Standard * | Parameter  |                          | Environmental Result |
|------------------------|--|--------------------------|----------------------|
|                        | Permitted and Controlled   | Restricted Discretionary |                      |
|                        | <p>(3) where the living rooms of both <i>dwelling/household units/minor dwelling units</i> are at ground floor level screening is provided in the form of close boarded or similar fences, or planting of not less than 1.8 metres in height.</p> <p>(ii) <i>No windows of all habitable rooms (apart from the main glazing of the living room) in one dwelling/household unit/minor dwelling unit shall face towards the window of any habitable room in any other dwelling/household unit/minor dwelling unit unless:</i></p> <p>(1) the separation is at least 6 metres; or</p> <p>(2) the window sill is at least 1.7 metres above either finished ground or upper floor level; or</p> <p>(3) the angle between the two planes of the glazing is &gt;120°; or</p> <p>(4) where the <i>habitable rooms</i> are at ground floor level screening is provided in the form of close boarded or similar fences, or planting of not less than 1.8 metres in height.</p> <p>(c) A balcony or window of a <i>habitable room</i> of a <i>dwelling/household unit/minor dwelling unit</i> at above ground floor level shall be set back at least 6 metres from any boundary (excluding the road boundary or adjoining <i>internal</i></p> |                          |                      |



| Development Standard * | Parameter  |                          | Environmental Result |
|------------------------|--|--------------------------|----------------------|
|                        | Permitted and Controlled   | Restricted Discretionary |                      |
|                        | <p>access or vehicle access strip of 3 metres width or more) unless:</p> <p>(i) windows are at an angle of 60° or greater to the boundary; or</p> <p>(ii) the window sill is at least 1.7 metres above finished upper floor level; or</p> <p>(iii) opaque or obscure glazing is provided; or</p> <p>(iv) the side of the balcony facing the adjoining boundary is enclosed with non see through materials.</p> |                          |                      |

\*These Zone Development Standards shall not apply to “Temporary Uses and Buildings” covered by clause (b) of the definition in Section 4 for “Temporary Uses and Buildings” and to “Prospecting” and “Exploration”.

## 5.7.6 ACTIVITY SPECIFIC STANDARDS

### (1) HOME OCCUPATIONS

- (a) At least one person, including the principal operator of the *home occupation*, shall reside on the *site*.
- (b) A *home occupation* involving the care, tuition and/or accommodation of no more than five persons at any one time (in addition to the owner(s)/operator(s)) may be undertaken provided the activity and accommodation is principally undertaken within the *dwelling*.
- (c) Except for (b) above, all other *home occupations* shall be carried out wholly within the *dwelling* or an *accessory building* erected or modified for the purpose, provided that the *gross floor area* of the *dwelling* or *accessory building* used for the *home occupation* including any area used for retail sales shall not exceed 30% of the total *gross floor area* of *buildings* on the *site*.
- (d) Not more than one person from outside the household residing on the *site* shall be employed in the *home occupation*.
- (e) There shall be no exterior display, external storage of materials or other indication of the *home occupation* or variation from the residential character of the property.

- (f) The *home occupation* shall be operated so as not to attract pedestrian or vehicular traffic between the hours of 10.00pm and 7.00am the following day.
- (g) The *home occupation* may not use equipment which creates electrical interference with television and radio sets on neighbouring properties.
- (h) Only goods directly produced or assembled by the *home occupation* may be sold or offered for sale from the *site* on which the *home occupation* is conducted— in accordance with the rules for *produce stalls* in 8.4.1.3.  
(Note: Assembled means putting together pre-fabricated parts to make a product)
- (i) *Home occupations* shall not include a business or trade that involves panel beating, spray painting, mechanical repairs to vehicles and machinery, engineering work, animal boarding or bee keeping.

## (2) EDUCATION AND TRAINING FACILITIES AND OFFICES

- (a) The maximum *gross floor area* occupied by the activity shall not exceed 150m<sup>2</sup> per *site*.
- (b) The activity shall be operated so as not to attract pedestrian or vehicular traffic between the hours of 7.00pm and 7.00am the following day.
- (c) No exterior indication of the activity, including the display or storage of materials, shall be visible from the street, except for permitted *signage* and parking.
- (d) For *education and training facilities* there shall be no more than 10 students or children receiving tuition or being cared for on the *site* at any one time.
- (e) The activity shall be designed to ensure that the maximum occupancy of fulltime equivalent staff on the *site* is four.
- (f) *Education and training facilities* shall not have their vehicular access to or from a no-exit road.
- (g) *Education and training facilities* shall not include courses involving practice in panel beating, spray painting of vehicles or engineering.

## (3) COMMUNITY HOUSING AND VISITOR ACCOMMODATION

- (a) The total *gross floor area* of the *building(s)* used for the activity (excluding *accessory buildings* not used for accommodation purposes) shall not exceed 250m<sup>2</sup> per *site*.
- (b) No more than ten persons (including live in staff) shall be accommodated on the *site*.

## (4) COMPREHENSIVE RESIDENTIAL DEVELOPMENT

- (a) The minimum *net site area* shall be 2000m<sup>2</sup>.
- (b) Includes an area capable of containing a 35 metre by 35 metre square excluding any required *yard setbacks*.
- (c) No vehicular access to or from a no- exit road or state highway.

- (5) **LAND SUBJECT TO INUNDATION AS IDENTIFIED ON THE PLANNING MAPS**
- (a) No more than 45% of the area within the *site* that is *subject to inundation* as identified on the planning maps shall be covered by *buildings* and/or covered in an impermeable surface or vegetation (other than grass or similar), or otherwise made unavailable to inundation (eg. by bunding or solid fencing), or be subject to *exploration*, excavation and filling.
- (6) **WAIHI, PAEROA AND WHIRITOA: CONTROLLED ACTIVITY STANDARDS FOR TWO OR MORE DWELLINGS PER CERTIFICATE OF TITLE (REFER TO 5.7.4.2 C5)**
- (a) Each *dwelling* must meet the Activity Specific Standard 5.7.6(5), Subdivision Standards (refer to 9.4.3.1(1)), and District Wide Performance Standards for Development and Subdivision (refer to Section 8) as if the *certificate of title* is to undergo subdivision in future.
- (7) **WAIHI, PAEROA AND WHIRITOA: RESTRICTED DISCRETIONARY ACTIVITY STANDARDS FOR MINOR DWELLING UNITS (REFER TO 5.7.4.3 RD3)**
- (a) A *minor dwelling unit* must be located on a *site* with a *net site area* of no less than:
- (i) 650m<sup>2</sup> per associated *dwelling* if the *site* has a connection to the Council's reticulated sewer network; or
- (ii) 2,500m<sup>2</sup> per associated *dwelling* if the *site* is not connected to the Council's reticulated sewer network.
- (b) A *minor dwelling unit* located on a *site* that is *subject to inundation* as identified on the planning maps must not result in a breach of Activity Specific Standard 5.7.6(5).
- (c) **Bulk and Location**
- (i) A *minor dwelling unit* must be located to comply with the following Zone Development Standards for *Permitted* and *Controlled Activities* (refer to 5.7.5):
- (1) Maximum *height*;
- (2) *Daylight control*;
- (3) Minimum *Yards*;
- (4) Maximum *site coverage*;
- (5) Traffic noise sensitivity and;
- (6) Privacy and separation.
- (ii) A *minor dwelling unit* must share the same vehicle entrance and driveway access as the associated *dwelling* on the same *site*.
- (d) **Outdoor Living Area**

A *minor dwelling unit* must have an *outdoor living area* with a minimum area of 30m<sup>2</sup>, able to contain a rectangle with dimensions no less than 3m by 4m, and having a minimum dimension in all directions of 1.5m.

**(e) Domestic wastewater treatment and disposal**

- (i) A *minor dwelling unit* that is not connected to the reticulated sewerage system must show details of the design and lay-out of the proposed on-site domestic effluent system including evidence that the system either complies with the *permitted activity* standards of the Waikato Regional Plan or the terms of a site specific discharge consent.

## 5.7.7 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES

When assessing any application for a *Discretionary Activity*, Council shall have regard to the relevant *development standards*, activity specific standards, environmental results and assessment criteria for *Permitted*, *Controlled* and *Restricted Discretionary Activities* in Rules 5.7.4 to 5.7.6, and the relevant General and Activity Specific assessment criteria below, and any other matters it considers appropriate.

### 5.7.7.1 GENERAL ASSESSMENT CRITERIA

- (1) Whether traffic movements resulting from the activity will have any significant impact on the safe and efficient operation of any public *road*. Pertinent matters for consideration in this regard are:
- (a) the carrying capacity, standard and status in the roading hierarchy of the *road* concerned;
  - (b) the ability of the *site* to accommodate the activity requirements for on-site parking, loading and *manoeuvring areas*;
  - (c) the means by which any likely adverse traffic effects can be avoided, remedied or mitigated;
  - (d) the access, parking and loading standards for *Permitted Activities* that shall be used as a guideline in assessing applications for *Discretionary Activities*;
  - (e) the comments of New Zealand Transport Agency on the possible adverse effects on the safe and efficient operation of the *state highway* network, where access is from or in the vicinity of a *state highway*.
- (2) The degree to which the activity will cause demands for the uneconomic or premature upgrading or extension of public services, including roading, which are not in the interests of the District or locality.
- (3) Whether *buildings* are sufficiently set back from the boundaries of neighbouring properties to avoid causing a nuisance by way of overshadowing, obstruction of views, noise, glare and loss of privacy.



- (4) The degree to which the location of *buildings* is such as to retain clear visibility along urban *roads* and to provide space for vehicle access and loading on the *site* clear of the *road*.
- (5) The extent to which the development's design maintains or enhances the anticipated scale, character and *amenity* of the residential neighbourhood.
- (6) The extent and quality of any proposed *landscaping* and/or retention of existing vegetation on the *site* and the effectiveness of planting in enhancing the streetscape of the area.
- (7) The location of carparking on-site in relation to *residential activities* (both on and off-site) and the extent of adverse effects on the visual and aural privacy of these *residential activities*.
- (8) The extent of potential reduction in the availability of on-street parking for residents, occupants or visitors to the *site* or neighbourhood.
- (9) Whether any *signs* proposed detract from the *amenities* of the area.
- (10) The extent to which the activity is self-contained, with regard to stormwater drainage, effluent disposal and water supply within the boundaries of the *site* on which the activity is located (except where reticulated services are provided).
- (11) Whether the nature of the activity has the potential to create nuisance and health and safety effects, such as noise, vibration and dust, which cannot effectively or practically be controlled by mitigation measures.
- (12) Whether the hours of operation are appropriate having regard to those persons likely to be affected by the activity.
- (13) Whether the activity and any *building* and *structures* are of a scale and intensity which is in keeping with the character, *amenity* and ambience values of the existing urban *environment*.

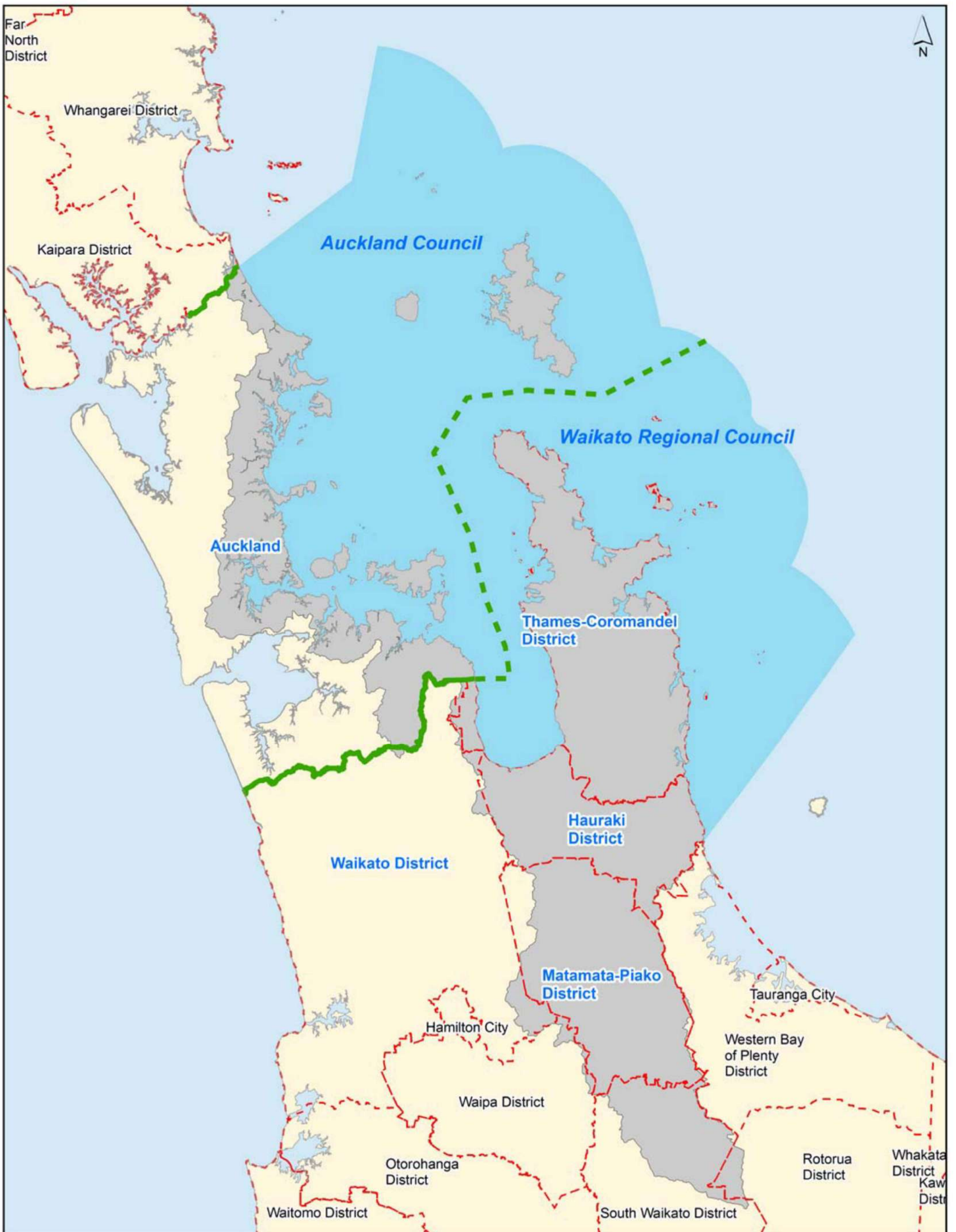
#### 5.7.7.2 UNDERGROUND MINING AND EXPLORATION

- (1) Whether public safety is adequately provided for and adverse effects of vibration in the ground can be adequately mitigated.
- (2) Whether acceptable plans for the rehabilitation of all disturbed areas have been provided, including implementation programmes.

#### 5.7.7.3 ACTIVITIES/DEVELOPMENT WITHIN WHIRITOA

- (1) Whether the activity and any *buildings* and *structures* are of a scale, intensity and character to protect coastal natural character, maintain the *amenities* of the existing built *environment*, and recognise the potential for coastal erosion.





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Date: 12 December 2011

## Hauraki Gulf Marine Park Catchment and TLA boundaries

0 5 10 20 30 40 50 Kilometers

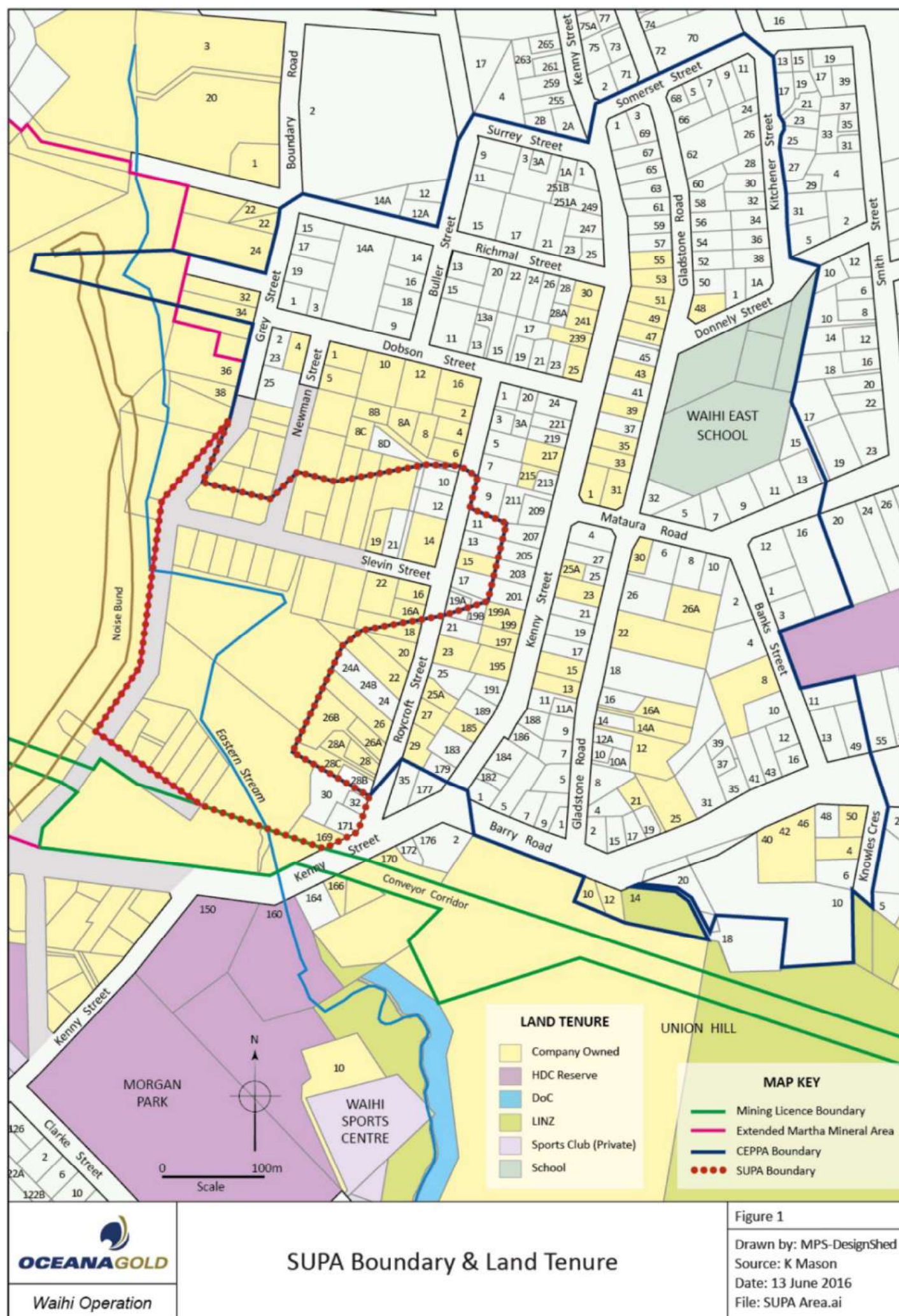
- Regional Sea Boundary
- Regional Boundary
- Hauraki Gulf Marine Park
- Hauraki Gulf Marine Park Catchment
- Waikato District Forum Member Council



**Auckland Council**  
Te Kaitiaki o Tāmaki Makaurau



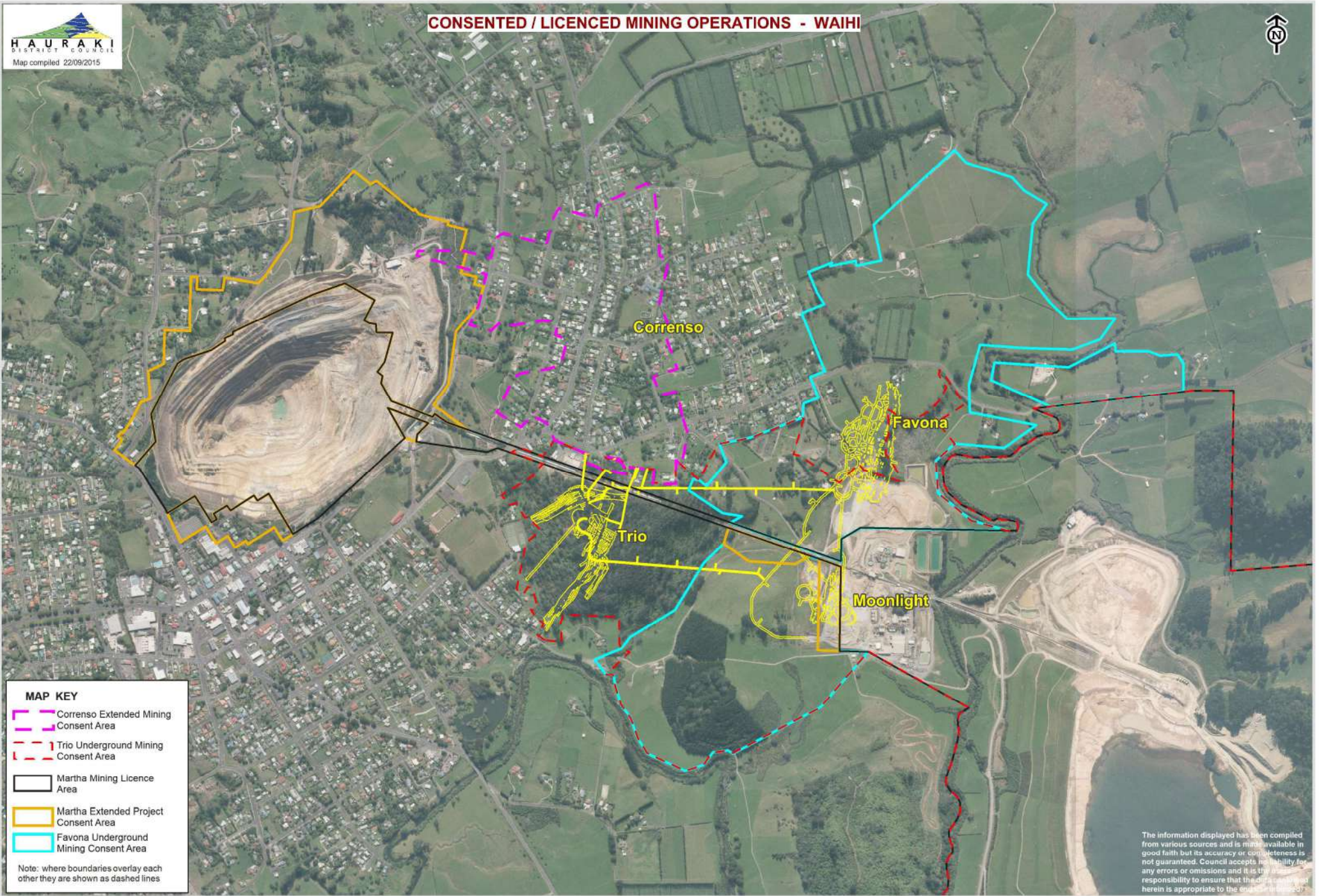
Figure 1: Slevin Underground Project Area (SUPA) and Correnso Extensions Potential Project Area (CEPPA)







# CONSENTED / LICENCED MINING OPERATIONS - WAIHI



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