



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

LAND INFORMATION MEMORANDUM No:45829
Local Gvrnmnt Official Information & Meetings Act 1987

Issued:11Feb19

APPLICANT : MATTHEW JAMES ARNOTT & KELLY BROOKE TANTAU
11 STEVENSON PLACE
CAMBRIDGE

Application received: 08Feb19

LOCATION OF PROPERTY

Street Address: 16 FAIRVIEW TCE, PAEROA 3600
Property ID: 07246
Assessment No: 05003/130.00
Legal: LOT 1 DPS 18119

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: 1301669 Date: 08Feb19 Amount: \$350.00

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 - Lee Zone (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).

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

2:

Land Information Memorandum: 45829

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

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

Stormwater from any buildings to be erected on the land shall be disposed of to the street / kerb and channel / open drain / piped drain/retention tanks/approved soakholes, as applicable.

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.

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 qualified builder or designer 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. H97170 Issued 18/04/1977 - Dwelling
PERMIT NO. 697 Issued 05/05/1977 - Plumbing and Drainage for Dwelling
PERMIT NO. G006391 Issued 29/11/1989 - Deck

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.

RESOURCE CONSENTS

Details of Resource Consents (subdivisions/planning) granted for this land follow. (This may exclude those granted by territorial authorities other than the Hauraki District Council.)

SUBDIVISION

Lot 1 DPS 18119 was created by the subdivision of Part Eastern Portion of Hararahi No. 1 Blk, being Pt Land on DP 19081. Copy of subdivision decision attached. No survey plan is held on file.

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 has received a resource consent application 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 has been publicly notified - on 28 November in the Piako Post and Waikato Times, 29 November in the Waihi Leader and 30 November in the Hauraki Herald.

A copy of the application can be viewed on Council's website (www.hauraki-dc.govt.nz). Submissions closed on 31 January 2019.

ZONING

The subject lot is adjacent to land zoned Low Density Residential, and Rural. Please refer to attached Planning Map G4.

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.

Council publicly notified Proposed Plan Change 1 to the Operative District Plan on 1 November 2018. Submissions closed on 30 November 2018. A submission has been received which opposes the entire proposed plan change. As a result, none of the proposed rule changes can be treated as operative. Instead, the existing rules in the Operative District Plan continue to have effect.

The next step in the process is for Council to prepare a Summary of Submissions, and to publicly notify it. Notification will occur in early 2019, and further submissions can be lodged in support or opposition in relation to the points raised in submissions. There are restrictions on who can lodge further submissions - see Schedule 1 Clause 8(1) of the RMA -

<http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241225.html>

Attached is a copy of an information leaflet about the proposed plan change. For further information, see Council's website.

16:
EARTHQUAKE POLICY

Section 131 of the Building Act 2004 required the Hauraki District Council to adopt a policy on Earthquake prone buildings. This policy was adopted in May 2006 and a revised version adopted on 25 August 2010. A copy of the policy has been posted on Council's website (www.hauraki-dc.govt.nz) and can be obtained from any of the Council's offices. The policy affects all existing and new buildings except that it does not apply to buildings used wholly or mainly for residential purposes unless the building a) comprises 2 or more storeys and b) contains 3 or more household units.

Address all correspondence to the Chief Executive.

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

Signed for and on behalf of the Hauraki District Council:



.....
Peter Thom

Group Manager - Planning & Environmental Services

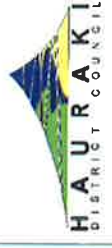
Date: 11 February 2019



Date	7/02/2019
Print	A4 Landscape
Source	HDC GIS
Scale	1:500
Projection	NZGD2000/NZTM2000
Created By	Ingrid Taylor

UTILITIES MAP

16 Fairview Terrace, Paeroa



Hauraki District Council does not guarantee that this map is without flaw or 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-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 & distances captured from survey plans or adjusted survey data.

Map Key

- Water**
- Water Point
 - Hydrant
 - Intake
 - Manhole
 - Supply Booster Pump
 - Treatment Plant
 - Treated Water Reservoirs
 - Valve
 - Water Meter
 - Water Line
 - Pipe
 - Connection
 - Raw Water

- Stormwater**
- Stormwater Point
 - Catchpit
 - Connection
 - Detention
 - Floodgate
 - Inlet
 - Manhole
 - Outfall
 - Pumpstation
 - Stormwater Line
 - Catchpit Lead
 - Connection
 - Culvert
 - Open Drain
 - Overland Flow Pipe
 - Pipe
 - Stormwater Polygon
 - Erosion
 - Pond
 - Soakhole
 - Stormwater Line Disposal

- Land Hazard**
- Contaminated
 - Contaminated
 - Managed
 - Remediated
 - Review Pending
 - Sampled
 - Unverified HAIL
 - Verified HAIL
 - Verified HAIL - Limited Sampling
 - Verified HAIL - No Sampling
 - Contamination Boundary
 - Mineshaft
 - Mine Hazard Line
 - Low Risk
 - Med Risk
 - High Risk
 - Fault Line
 - Peat Area
 - Fill Area
 - Swamp
 - Low Area
 - Kaiaua Hazard
 - Advisory
 - Contamination
 - Fill
 - Subsidence
 - Slippage
 - Erosion
 - Inundation

- Property**
- Building Footprint
 - Assessment
 - Land Parcel
- Core Layers**
- State Highway
 - Park
 - School

Copyright

Hauraki District Council Spatial Data

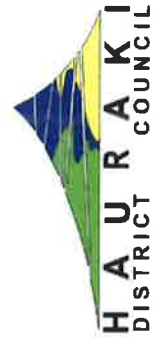
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Land Information NZ Spatial Data

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.

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.

If you intend on working in and around Utility Assets using these maps is NOT ADVISED. Source a Survey Accurate plan/map.





Date	7/02/2019
Print	A4 Landscape
Source	HDC GIS
Scale	1:500
Projection	NZGD2000/NZTM2000
Created By	Ingrid Taylor






UTILITIES MAP 16 Fairview Terrace, Paeroa

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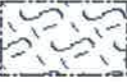







PLANNING ZONES
(Section 5)

-  Rural (Section 5.1)
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
-  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.






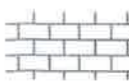

OTHER NOTATIONS

-  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
-  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)

Joins Map G2



HAURAKI DISTRICT PLAN

26 September 2014

subject property



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

PAEROA

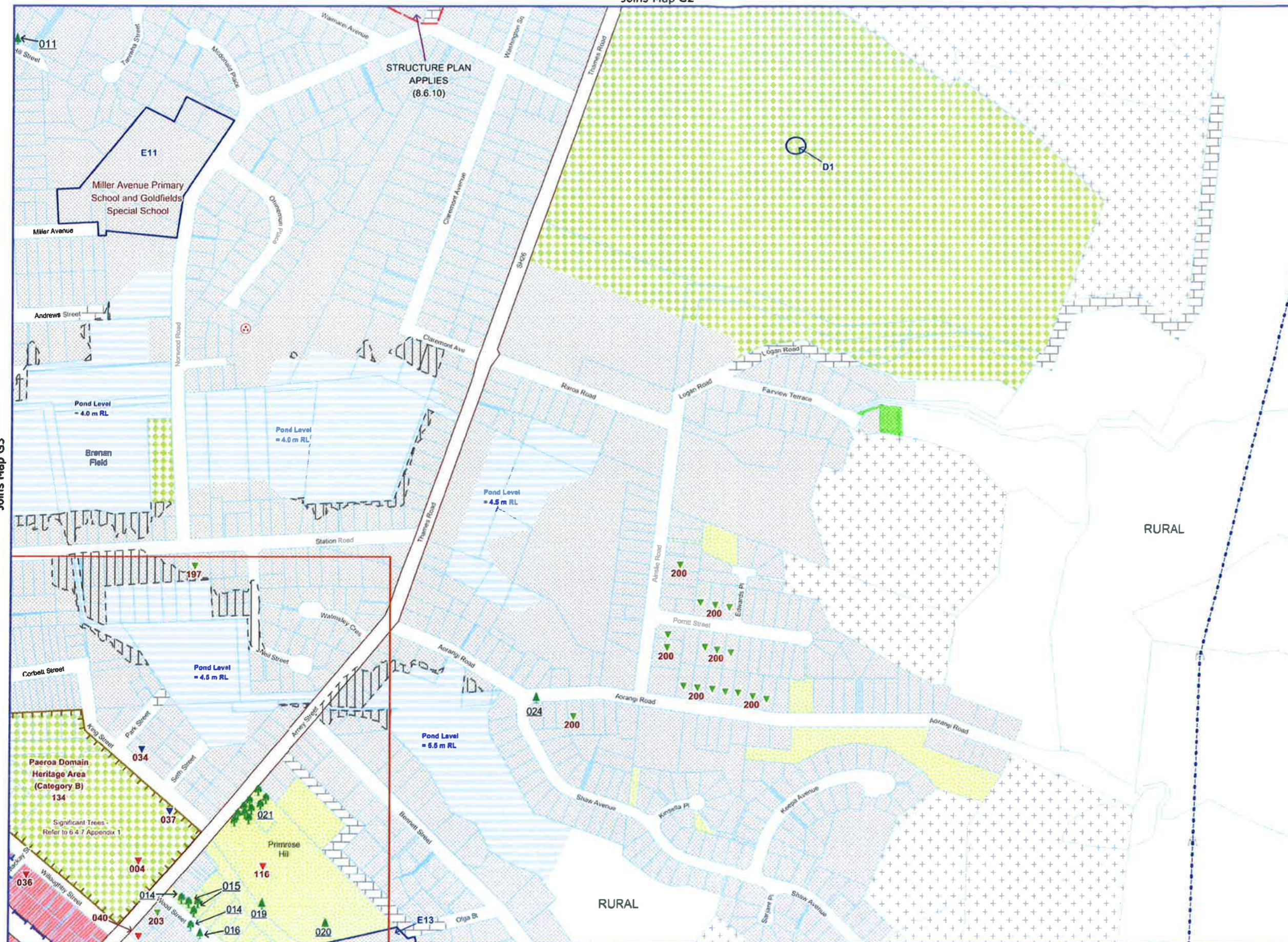
MAP NO

G4

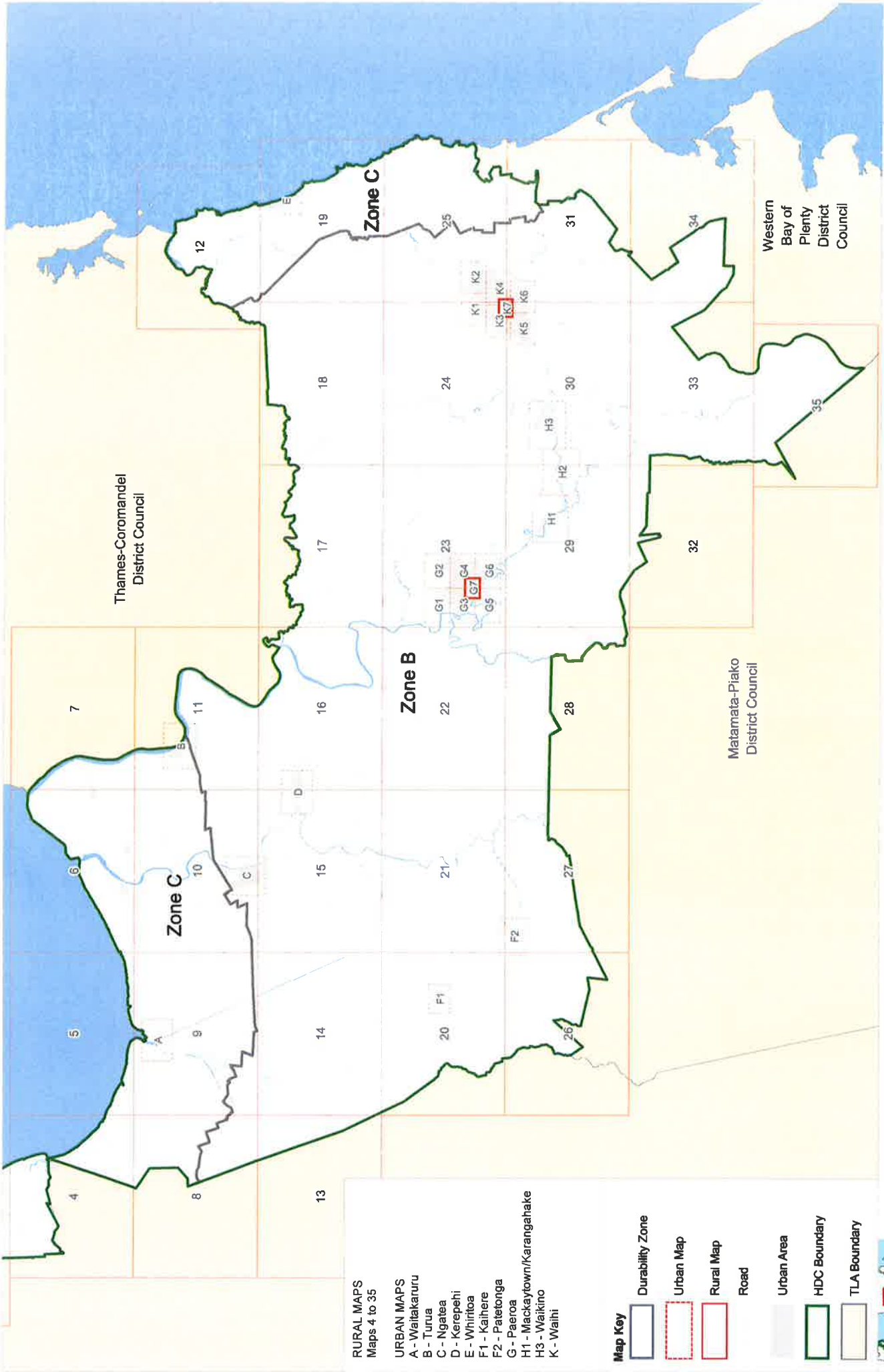
Joins Map G3

Joins Map G23

Joins Map G6



Cadastral data sourced from Land Information NZ. CROWN COPYRIGHT RESERVED
Significant Natural Areas sourced from Waikato Regional Council



RURAL MAPS
Maps 4 to 35

- URBAN MAPS
 A - Waitakaruru
 B - Turua
 C - Ngatea
 D - Kerepehi
 E - Whiritoa
 F1 - Kaihere
 F2 - Pateronga
 G - Paeroa
 H1 - Mackaytown/Karangahake
 H3 - Waikino
 K - Waihi

- Map Key**
- Durability Zone
 - Urban Map
 - Rural Map
 - Road
 - Urban Area
 - HDC Boundary
 - TLA Boundary

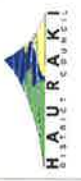


Hauraki District Durability Zones

File Location: M:\Maps\Policy and Planning\Planning Zones\Durability Zones wor

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Date : 04/05/2016
 Print Size : A4 Landscape
 Projection : NZTM
 Map By : GIS
 Source : HDC
 Scale : 1 to 260 000



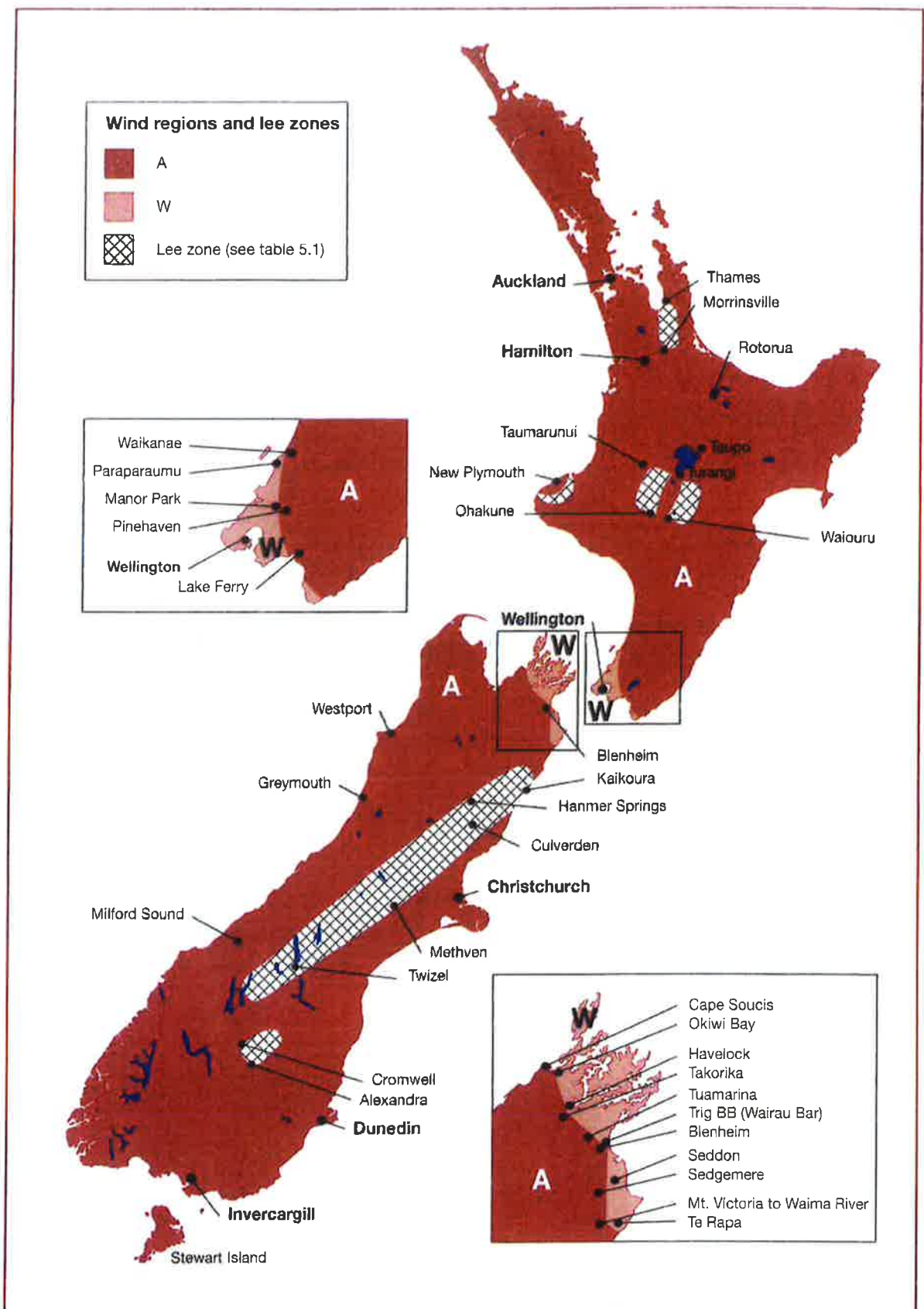
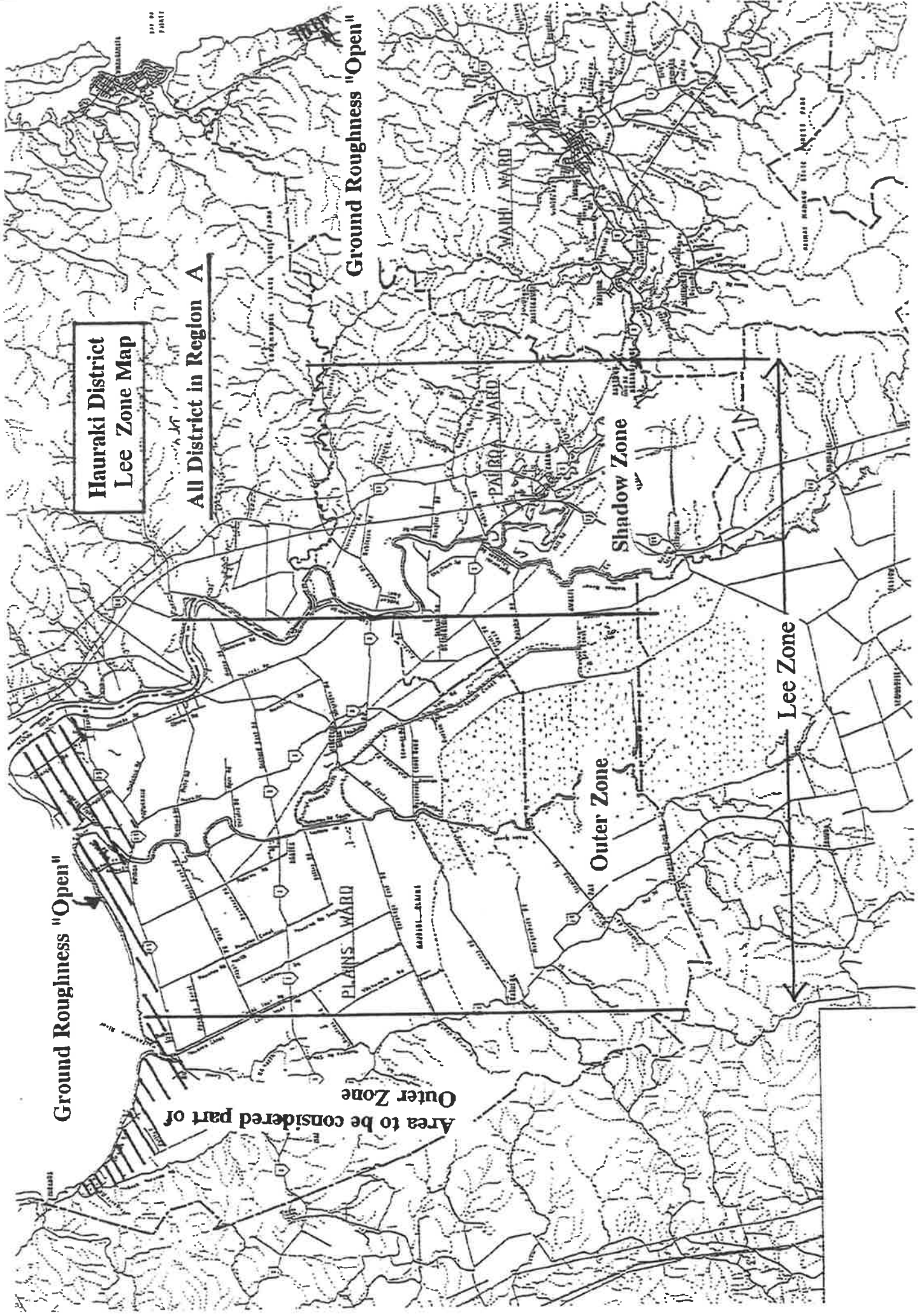


Figure 5.1 – Wind regions and lee zones (see 5.2.2)



**Hauraki District
Lee Zone Map**

All District in Region A

Ground Roughness "Open"

Ground Roughness "Open"

Area to be considered part of
Outer Zone

Shadow Zone

Outer Zone

Lee Zone

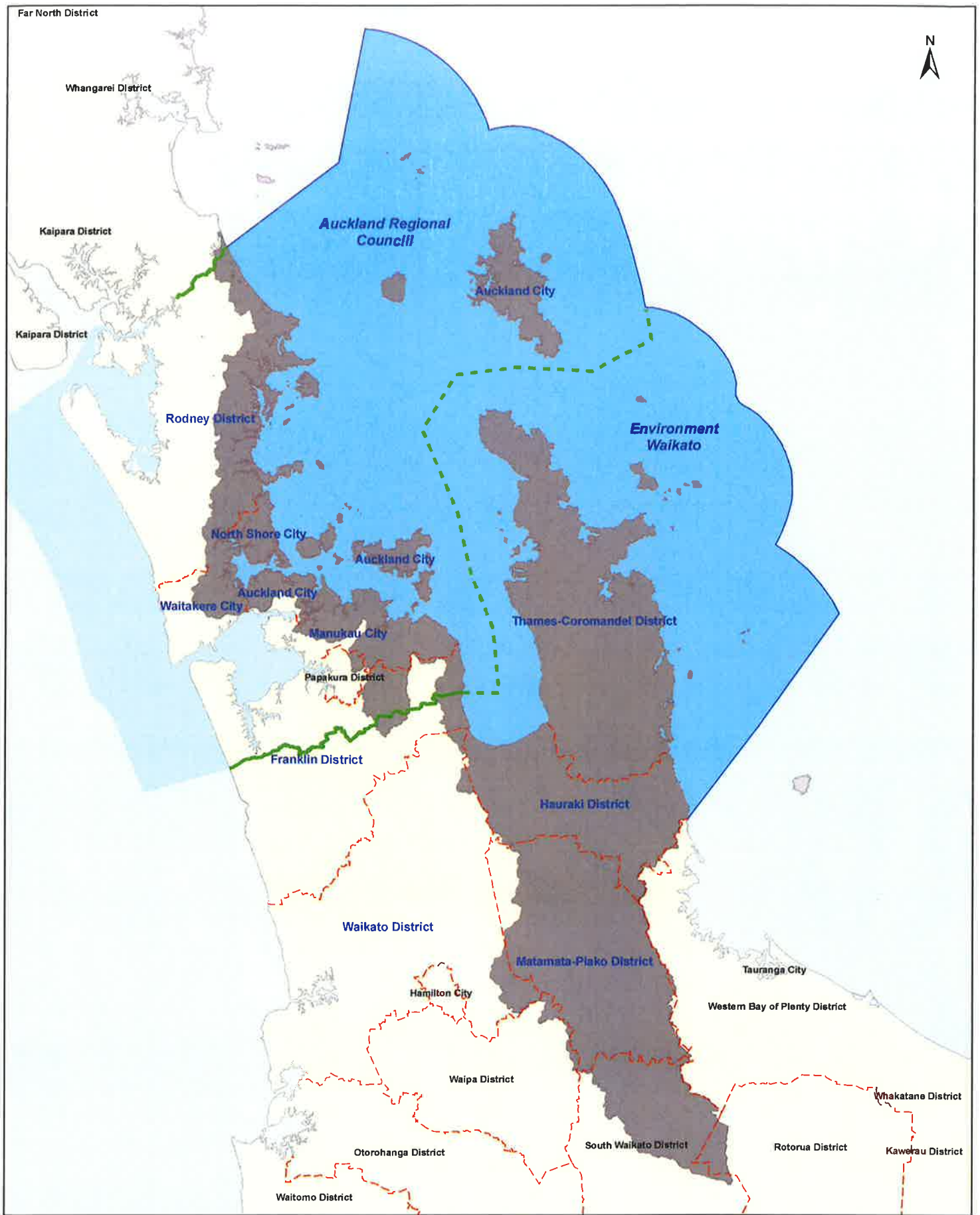
Outer Zone

PLAINS WARD

PAEROA WARD

WAHAI WARD

SHADOW ZONE



Legend

- Region Sea Boundary
- Region Boundary
- - - TLA Boundary
- Hauraki Gulf Catchment
- Hauraki Gulf Marine Park
- Waikato District** Forum member councils

Hauraki Gulf Marine Park

Catchment and TLA boundaries

Map Produced by GIS
Information Services
Auckland Regional Council



LIM Report Search Results

[LIM Search]

SITUATION DETAILS		08/02/2019
Valuation Number	05003/130.00	
Legal Text	LOT 1 DPS 18119	
CT Reference	16C/1147	
Address	16 Fairview Terrace Paeroa	
<hr/>		
VALUATION INFORMATION		
Area (Ha)	0.1478	
Capital Value	\$230,000.00	
Land Value	\$105,000.00	
<hr/>		
RATES INFORMATION FOR 2018/2019		
Description	Rateable Value	Rates
General Rates	230000	\$246.73
Paeroa Community Facilities	1	\$359.51
Paeroa Urban Stormwater	230000	\$150.92
Refuse - District Collection	1	\$32.77
Roading Rates	230000	\$191.50
Uniform Annual General Charge	1	\$618.68
Wastewater 1- 2 Pans	1	\$642.85
	Total Rates Levied	\$2,242.96
 <i>Please Note:</i> Rates shown are for the 2018/2019 year. 15% GST is included. Environment Waikato Regional Rates are invoiced separately.		
<hr/>		
BALANCE/ARREARS INFORMATION		
Current Rates Balance	\$491.48	
Arrears/Overdue	\$0.00	
Rates Due Now	\$0.00	
<hr/>		
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	Phone	07 862 8609
William Street	-	0800 734 834 (from within the district)
PO Box 17	Fax	07 862 8607
PAEROA	Email	rates@hauraki-dc.govt.nz

MWP:dr

M.W. Parker

RESOLUTION

SCHEME PLAN O.C.C. 69

"That in accordance with Sections 22 and 23 of the Counties Amendment Act 1964 the Ohinemuri County Council approves the scheme plan of the subdivision of Part E portion of Hararahi No. 1 Block Block XIII Ohinemuri Survey District owned by Fairview Land Co. (Paeroa) Limited subject to the following conditions:

- (1) That the reciprocal rights-of-way in favour of Lots 1 and 2 as shown on the plan be granted or reserved
- (2) That \$133 is paid as reserve contribution by the time of submission of the relative survey plan for approval by the Council

AND FURTHER that the scheme plan be sealed with the Common Seal of the Chairman, Councillors and Inhabitants of the County of Ohinemuri and signed by the County Clerk."

I HEREBY CERTIFY that the above is a true and correct copy of a resolution passed by the Ohinemuri County Council on Wednesday, 14 February 1973.

27/2/1973

M. W. PARKER
COUNTY CLERK

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.

P1	<i>RESIDENTIAL ACTIVITIES</i> (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))
P2	<i>HOME OCCUPATIONS</i> (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(1) AND (5))
P3	<i>HOMESTAY</i>
P4	<i>PASSIVE RECREATION</i> (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))
P5	<i>PROSPECTING</i>
P6	<i>DRAINAGE WORKS</i>
P7	<i>EXPLORATION NOT INVOLVING MORE THAN 20 M³ OF EXCAVATION PER ALLOTMENT IN ANY ONE YEAR</i> (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))
P8	<i>TEMPORARY USES AND BUILDINGS</i> (INCLUDING <i>TEMPORARY MILITARY TRAINING</i>) (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))
P9	<i>DEMOLITION AND REMOVAL OF BUILDINGS</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.

C1	<i>EDUCATION AND TRAINING FACILITIES AND OFFICES</i> (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(2) & (5))
C2	<i>COMMUNITY HOUSING AND VISITOR ACCOMMODATION</i> (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(3) & (5))
C3	<i>COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN WAIHI AND PAEROA ONLY</i> (REFER TO ACTIVITY SPECIFIC STANDARDS 5.7.6(4) & (5))
C4	<i>EXPLORATION INVOLVING MORE THAN 20M³ AND NO MORE THAN 50M³ OF EXCAVATION PER ALLOTMENT IN ANY ONE YEAR</i> (REFER TO ACTIVITY SPECIFIC STANDARD 5.7.6(5))
<p>Matters over which Council has reserved control For C1, C2 & C3 are:</p> <p>(1) Design and appearance of buildings</p> <p style="padding-left: 20px;">(a) <i>Buildings</i> should be of a residential scale and appearance, to reflect a residential not a commercial façade.</p> <p>(2) Site Layout</p> <p style="padding-left: 20px;">(a) <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>.</p> <p style="padding-left: 20px;">(b) For <i>Education and Training Facilities, Community Housing and Visitor Accommodation, outdoor living areas</i> should be separated from the main living areas on adjoining <i>residential properties</i> unless suitably screened to minimise noise levels.</p> <p style="padding-left: 20px;">(c) For <i>Comprehensive Residential Developments, 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 style="padding-left: 20px;">(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> <p>(3) Location and design of vehicle access</p> <p style="padding-left: 20px;">(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 style="padding-left: 20px;">(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, landscaping</i> or screening.</p> <p style="padding-left: 20px;">(c) For <i>Comprehensive Residential Developments</i>, the internal circulation for</p>	

	pedestrians and vehicles should be integrated and designed to provide for the safety of residents and visitors.
(4)	Landscape design
(a)	<i>Landscaping</i> should be carried out in a manner that reinforces the residential character of the area, and screens any service areas.
(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.
(5)	Carparking
(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.
(b)	Carparking should be designed so vehicles can manoeuvre on-site and are not required to reverse onto the <i>road</i> .
(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> .
Matters over which Council has reserved control For C4 are:	
(1)	Location and Duration
(a)	The location of the <i>exploration</i> activities to ensure the stability of adjacent land/buildings and <i>network utility</i> infrastructure is protected.
(b)	The duration of the <i>exploration</i> activities to minimise disturbance on adjacent residential <i>amenities</i> .
(2)	Management and rehabilitation
(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 mechanisms) aimed to return the disturbed area to the same or similar state as existed prior to the <i>exploration</i> activity.
(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.
(c)	Whether earthworks and/or tracks associated with the activity have been located or minimised to reduce any adverse visual impact.

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.

RD1 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

Matters over which Council has restricted its discretion are:

The Council will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the *Zone Development Standards* 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

<p>sites will be affected.</p> <p>(e) The extent to which the safe and efficient functioning of the street or road will be significantly compromised.</p> <p>(f) Whether the detrimental effects of building in the <i>yard</i> can be reduced or avoided.</p> <p>(g) Whether the <i>yard</i> functions (including separation, <i>landscaping</i> and service provision) will be provided on the <i>site</i> by other means, or are they unnecessary.</p> <p>(3) Site coverage</p> <p>(a) The ability of the existing on-site disposal methods to cope with additional stormwater and/or disposal of septic tank effluent.</p> <p>(b) Whether there are known stormwater/sewage disposal problems in the area.</p> <p>(c) The degree to which negative effects, in terms of changing the character or visual <i>amenity</i> of the area, can be mitigated or removed through the use of such techniques as <i>landscaping</i>, building design, exterior finish, set back from boundaries or reduced <i>height</i>.</p> <p>(d) The extent to which open space within the <i>site</i> and/or in the near vicinity can reduce the impact of the <i>building(s)</i> in terms of character or visual <i>amenity</i>.</p> <p>(4) Outdoor service area</p> <p>(a) The extent to which the functions of the <i>outdoor service area</i> can be adequately provided by other means (eg. storage area provided within a garage or carport to be built with the <i>dwelling</i>, or other <i>building</i> on the <i>site</i>).</p> <p>(b) Whether there are suitable communal service facilities provided which are readily accessible to and useable by the activity on the <i>site</i>.</p> <p>(5) Privacy and Separation</p> <p>(a) Whether the purpose of the separation, privacy and screening standards can be met to the same or similar level by some other method.</p> <p>(b) Whether there are existing developments on the same or adjoining <i>allotments</i> such that it would make compliance with the standards impracticable.</p> <p>(c) Where the existing situation fails to meet these standards, whether the proposed <i>development</i> will increase the degree to which the residential <i>amenities</i> are already detrimentally affected.</p>	<p>RD2 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"</p> <p>Matters over which Council has restricted its discretion are:</p> <p>(1) Design of buildings</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>
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(2)	Earthworks/impermeable covering
(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.
(b)	Whether the extension of the impermeable covering (<i>building</i> and/or hard surfaces) and access will have any consequential inundation effects on the remainder of the <i>site</i> and other sites also subject to potential inundation and any other adjacent sites.
(c)	Whether any fill material will leach into the water and create a pollution hazard (particularly where vegetation is removed).
(3)	Planting
(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.
(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).

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.

D1	ANY PERMITTED OR CONTROLLED ACTIVITY THAT DOES NOT MEET THE ZONE DEVELOPMENT STANDARDS IN RULE 5.7.5 FOR A RESTRICTED DISCRETIONARY ACTIVITY
D2	ANY PERMITTED OR CONTROLLED ACTIVITY THAT DOES NOT MEET THE ACTIVITY SPECIFIC STANDARDS IN RULE 5.7.6 AND IS NOT OTHERWISE PROVIDED FOR AS A RESTRICTED DISCRETIONARY ACTIVITY
D3	COMMUNITY FACILITIES
D4	UNDERGROUND MINING
D5	DAIRY
D6	EXPLORATION NOT PROVIDED FOR AS A PERMITTED OR CONTROLLED ACTIVITY

5.7.4.5 NON COMPLYING ACTIVITIES

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

NC1	ANY ACTIVITY NOT PROVIDED AS A PERMITTED, CONTROLLED, RESTRICTED DISCRETIONARY, DISCRETIONARY OR PROHIBITED ACTIVITY
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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> .
<i>Daylight Control</i> (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"> ▪ 4.5 metres (except for Ngatea) ▪ 7.5 metres (Ngatea only) 	<i>Front Yard</i> : <ul style="list-style-type: none"> ▪ 4.5 metres (except for Ngatea) ▪ 7.5 metres (Ngatea only) 	To allow flexibility in <i>site</i> layout while still maintaining the <i>amenities</i> of the <i>site</i> and adjoining sites.
	<i>Other Yards</i> : 1.5 metres, except for rear lots there shall be at least two <i>yards</i> of 4.5 metres.	<i>Other Yards</i> : Nil	To provide an open streetscape that allows for planting and ensures the traffic function of the <i>road</i> is not

Development Standard *	Parameter		Environmental Result
	Permitted and Controlled	Restricted Discretionary	
			compromised.
Maximum Site Coverage	35% (excluding a <i>Comprehensive Residential Development</i>) 45% for a <i>Comprehensive Residential Development</i>	40% (excluding a <i>Comprehensive Residential Development</i>) 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. 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	<p>(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 $40dB_{Leq(24hr)}$ with ventilating windows open.</p> <p>(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.</p> <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</p>	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>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 $55dBL_{Aeq(24hr)}$ on all facades of the new <i>habitable room(s)</i>; 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	One <i>dwelling</i> per <i>certificate of title</i> , or a minimum <i>net site area</i> per <i>dwelling</i> of $350m^2$ for <i>Comprehensive Residential Development</i> .	One <i>dwelling</i> per <i>certificate of title</i> , or a minimum <i>net site area</i> per <i>dwelling</i> of $350m^2$ for <i>Comprehensive Residential Development</i> .	To maintain the residential character and an appropriate level of <i>amenity</i> .
Outdoor Living Area	<p>Minimum Area: $60m^2$ plus $10m^2$ for each additional bedroom over 2.</p> <p>Minimum Dimension: Can contain an 8.0 metre diameter circle.</p>	<p>Minimum Area: $60m^2$ plus $10m^2$ for each additional bedroom over 2.</p> <p>Minimum Dimension: Can contain an 8.0 metre diameter circle.</p>	To protect residential <i>amenities</i> such as privacy, quietness and outdoor space.
Outdoor Service Area	<p>Minimum Area: $20m^2$</p>	Nil	To provide a separate area suitable for

Development Standard *	Parameter		Environmental Result
	Permitted and Controlled	Restricted Discretionary	
	<p>Minimum Dimension: 3.0 metres</p> <p>Except that, for <i>Community Housing and 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 10m² and minimum dimension reduced to 2 metres.</p>		<p>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.</p>
<p><i>Privacy and Separation</i></p>	<p>(a) For <i>buildings</i> on the same <i>allotment</i>:</p> <p>(i) No part of a <i>dwelling/household unit</i> and any other <i>building</i> shall protrude through a plane rising at an angle of 45° commencing at an elevation of 2 metres at a line midway between the <i>dwelling/household unit</i> and the other <i>building</i>.</p> <p>(ii) No wall of a <i>dwelling/household unit</i> shall be sited closer than 3.0m to the wall of another <i>building</i> (including another <i>dwelling/household unit</i>), unless it is accessory to the <i>dwelling/household unit</i>.</p> <p>(iii) Where the <i>buildings</i> are attached by adjoining or common walls, the above separation setbacks are not required between those <i>buildings</i>.</p> <p>(b) All <i>dwellings/household units</i> on the same <i>allotment</i> shall be arranged so that:</p> <p>(i) a sight line drawn from any point on the main glazing of the living room in one <i>dwelling</i> does not penetrate the main glazing of the living room of any other <i>dwelling/household unit</i> unless:</p> <p>(1) such glazing is at least 6m apart; or</p> <p>(2) the angle between the two planes of that glazing is >120°</p> <p>(3) where the living rooms of both <i>dwellings/household 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</p>	<p>Nil</p>	<p>To protect existing and future residential <i>amenities</i>, particularly where two storey living and <i>comprehensive residential development</i> has the potential to detrimentally affect environmental qualities such as privacy, quietness and space.</p>

Development Standard *	Parameter		Environmental Result
	Permitted and Controlled	Restricted Discretionary	
	<p>metres in <i>height</i>..</p> <p>(ii) No windows of all <i>habitable rooms</i> (apart from the main glazing of the living room) in one <i>dwelling/household unit</i> shall face towards the window of any <i>habitable room</i> in any other <i>dwelling/household unit</i> unless:</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 $>120^{\circ}$; 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 <i>height</i>.</p> <p>(c) A balcony or window of a <i>habitable room</i> of a <i>dwelling/household unit</i> at above ground floor level shall be set back at least 6 metres from any boundary (excluding the <i>road</i> boundary or adjoining <i>internal access</i> or <i>vehicle access strip</i> 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.
(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 150m² 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 250m² 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 2000m².
 - (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.

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.

We need to talk about some proposed changes to the rules in the District Plan

The Hauraki District is growing. While it's really encouraging to see so much growth and activity in our towns, it brings some challenges too, such as providing opportunities for affordable housing.

To provide options for this growth, we're proposing some changes to the rules in the District Plan and we want to know what you think. The District Plan affects the way you and your neighbours can use and develop your properties and what rules and requirements apply.

(Note – the proposed changes do not apply to the Kaiaua Coast area that is currently still covered by the Franklin District Plan.)

Overall, the changes we're suggesting aim to make it easier to subdivide land and build new houses. We're proposing to have fewer restrictions on residential development and earthworks, and in some cases we're hoping to make it possible to build additional homes on your property for your parents or extended family to live in if you wish.



The proposed changes in a nutshell

Thinking of subdividing?

Residential subdivision

We're hoping to make subdivision rules more enabling in the Residential Zones of Waihi, Paeroa and Whiritoa, including reducing the minimum section size.

Thinking of building?

Extra houses on one property

In some areas of Waihi, Paeroa and Whiritoa, and in the Rural Zone, we're proposing that you'll be able to apply to build an additional house or minor dwelling on a property, depending on the size of the property.

Earthworks

We're proposing to make the rules around earthworks more enabling in some areas, including Residential Zones. This will allow you to do more earthworks over a larger area without the need for resource consent.

Storage buildings in the Residential Zones

You'll be able to build a storage shed for personal residential use on a vacant residential section.

Unsure what zone your property is in?

Check out the planning maps
www.hauraki-dc.govt.nz/dp-maps



Tell us what *you think?*

We want your feedback on these proposed changes from 1 to 30 November 2018

You can share your thoughts with us by making a submission online at:

www.hauraki-dc.govt.nz/proposed-plan-change-1

You can also download a submission form from Council's website, or collect a form from any of our offices or libraries, and post or email it back to us at:

Hauraki District Council,
PO Box 17, Paeroa 3640;

E info@auraki-dc.govt.nz

If you would like a submission form posted to you, please phone us on 07 862 8609 or freephone 0800 734 834 (within the District).

Have a question?

Please don't hesitate to contact us

E info@auraki-dc.govt.nz,

P 07 862 8609 or freephone 0800 734 834 (within the District) to speak to our duty planner

Want to know more?

More detailed information about these proposed changes and how they might apply to you is available online at www.hauraki-dc.govt.nz/proposed-plan-change-1

Or you can call into one of our offices or libraries to view the information.

Public notice - Proposed Plan Change 1

Hauraki District Council has prepared Proposed Plan Change 1 to the Operative Hauraki District Plan (the Plan Change).

The Plan Change proposes changes to the Operative Hauraki District Plan. The changes are rule changes and predominantly relate to the subdivision and development standards for the urban areas of the District. [Note, the proposed changes do not relate to the Kaiaua Coast area, that is currently still covered by the Franklin District Plan]. The main elements of the proposal are:

- a reduction in the minimum lot area for "infill" subdivision in Waihi, Paeroa, and Whiritoa;
- changes to the subdivision and development standards for the Residential Zones;
- provision for additional dwellings and minor dwelling units (i.e. "granny flats") in some areas;
- changes to the earthworks rules for the urban zones; and;
- provision for temporary residential storage buildings in the Residential Zone.

The Plan Change consists of the following document (with attachments):

Plan Change 1: Rule Plan Change Hauraki District Plan. Section 32 RMA Evaluation Report.

Please note that Appendix A contains the actual proposed text changes (additions and deletions) to the District Plan sections.

The Plan Change may be inspected at the Hauraki District Council offices at 1 William Street, Paeroa; 84 Orchard West Road, Ngatea; 40 Rosemont Road, Waihi or any of the District's libraries in Paeroa, Waihi, Ngatea, Turua, Whiritoa, or Kaiaua, or online at <http://www.hauraki-dc.govt.nz/proposed-plan-change-1>.

Any person may make a submission on the Plan Change. You may do so by sending a written submission addressed to:

The Chief Executive, Hauraki District Council, PO Box 17, Paeroa 3640

Or Email: info@auraki-dc.govt.nz

Or Online: <http://www.hauraki-dc.govt.nz/proposed-plan-change-1>

Or Deliver: to one of the Council offices.

The submission must be in accordance with form 5 (as prescribed by clause 6 of Schedule 1 of the Resource Management Act 1991) and must state whether or not you wish to be heard on your submission. Copies of this form are available from the Hauraki District Council offices, libraries and website.

Submissions close at 4pm on 30 November 2018.

The process for public participation in the consideration of the Plan Change under the Act is as follows:

- after the closing date for submissions, Hauraki District Council must prepare a summary of the submissions and decisions requested by submitters. This summary must be publicly notified;
- there must be an opportunity to make a further submission in support of, or in opposition to, the submissions already made. The following persons may make a further submission:
 - any person representing a relevant aspect of the public interest;
 - any person who has an interest in the Plan Change greater than the general public has; and
 - Hauraki District Council.
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held;
- Hauraki District Council must give its decision on the Plan Change (including its reasons for accepting or rejecting submissions); and
- any person who has made a submission has the right to appeal the decision on the Plan Change to the Environment Court.

L D Cavers

on behalf of Hauraki District Council

1 November 2018