

## PREC31 – Lakeside Te Kauwhata precinct

*The relevant district-wide chapter provisions apply in addition to this chapter (unless specified otherwise).*

### Purpose

The purpose of the Lake Te Kauwhata precinct is to enable development which provides for growth, achieves a compact urban form and creates a high level of amenity and sense of place.

### Application of rules

For avoidance of doubt the following rules apply to permitted activities within both PREC31 – Lakeside Te Kauwhata precinct and the GRZ – General residential zone as follows:

- (1) The land-use effects standards of the GRZ – General residential zone apply, except:
  - (a) EW-R7 to EWR10 (Earthworks – general) do not apply;
  - (b) SASM-R4 (Earthworks – Sites and areas of significance to Maaori) does not apply;
  - (c) TREE-R1 – TREE-R3 do not apply; and
  - (d) ECO-R4 – ECO-R10 do not apply.
- (2) PREC31-S1 (Noise and vibration – North Island Main Trunk Line (NIMT) in the GRZ – General residential zone) applies;
- (3) All land-use building standards in the GRZ – General residential zone do not apply to PREC31. Instead, these are replaced with PREC31-S2 to PREC31-S14; and

The rules that apply to subdivision within both PREC31 – Lakeside Te Kauwhata precinct and the GRZ – General residential zone are:

- (4) SUB-R11, SUB-R12, SUB-R15, SASM-R5, HH-R9, SUB-R17, SUB-R18, SUB-R25 do not apply, instead SUB-R27 and SUB-R28 apply.

The rules that apply within both PREC31 – Lakeside Te Kauwhata precinct and the GRZ – General rural zone are as follows:

- (5) Rules GRUZ-R1 – GRUZ-R61 in addition to PREC31-R12 – PREC31-R30;

The rules that apply to a permitted activities within both PREC31 – Lakeside Te Kauwhata precinct and the GRUZ – General rural zone are as follows:

- (6) The land-use effects standards which apply to the GRUZ – General rural zone, except EW-R17 – EW-R22 does not apply where earthworks consent has been obtained under Rule PREC31-R27 (Comprehensive Land Development Consent);
- (7) Only the following Land-use building standards apply:
  - (a) GRUZ-S3 – GRUZ-S7 (Height) applies;
  - (b) GRUZ-S8 (Height in relation to boundary) applies;
  - (c) GRUZ-S9 (Building coverage) applies; and
  - (d) GRUZ-S12 - GRUZ-S15 (Building setbacks) applies.

The rules that apply within both PREC31 – Lakeside Te Kauwhata precinct and the LCZ – Local centre zone are as follows:

- (8) Rules LCZ-R1 – LCZ-R16 in addition to PREC31-R31;

The rules that apply to a permitted activities within both PREC31 – Lakeside Te Kauwhata precinct and the GRUZ – General rural zone are as follows:

- (9) The land-use effects standards which apply to the LCZ – Local centre zone, except EW-R28 – EW-R33 does not apply where earthworks consent has been obtained under Rule PREC31-R31 (Comprehensive Land Development Consent);
- (10) The land-use building standards of the LCZ – Local centre zone apply, except
- (a) LCZ-S5 (Height in relation to boundary) does not apply and PREC31-S15 applies instead.
  - (b) LCZ-S6 – LCZ-S7 (Building setbacks) does not apply and PREC31-S17 applies instead.
- (11) SUB-R91 applies in addition to Rules SUB-R84 – SUB-R90 (Subdivision) for subdivision within PREC31 – Lakeside Te Kauwhata precinct and the LCZ – Local centre zone.

## Precincts plans



**Figure 26 – Plan I Lakeside Precinct Plan: Precinct Areas (previously referred to as Lakeside Precinct Plan 16.5.1(3)(a))**



**Figure 27 – Plan 2 Lakeside Precinct Plan: Public Transport, Primary Road Network and Walkways/cycleways (previously referred to as Lakeside Precinct Plan 16.5.1(3)(b))**



**Figure 28 – Plan 3 Lakeside Precinct Plan: Overlays and Open Space (previously referred to as Lakeside Precinct Plan 16.5.1(3)(c))**

## Rules

In addition to the activity-specific standards listed below, permitted activities must also comply with all relevant Land-use effects standards and Land-use building standards in this chapter, as well as the standards in Part 2 / District-wide matters / General district-wide matters (unless specified otherwise).

*Land use – activities in the GRZ – General residential zone*

<b>PREC31-RI</b>	Any activity listed in Rule PREC31-R2 (Residential activity), PREC31-P3 (Retirement village) or PREC31-R4 (Community activity) below in the GRZ – General residential zone	
<b>(1) Activity status: PER</b> <b>Activity specific standards:</b> (a) Secondary Access Control: (i) A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan in Figure 27) must be opened for traffic before the number of residential units including independent living units within a retirement village, in the Lakeside Precinct Plan Area exceeds 400. (ii) For the purpose of this rule, exceedance of 400 residential units shall occur at the time of issue of building consent for a residential unit including an independent living unit within a retirement village.	<b>(2) Activity status where compliance not achieved: DIS</b>	
<b>PREC31-R2</b>	Residential activity in the GRZ – General residential zone	
<b>(1) Activity status: PER</b> <b>Activity specific standards:</b> (a) Complies with Rule PREC31-RI(1)(a)(i) and (ii) (Secondary Access Control).	<b>(2) Activity status where compliance not achieved: DIS</b>	
<b>PREC31-R3</b>	A new retirement village or alterations to an existing retirement village in the GRZ – General residential zone	
<b>(1) Activity status: PER</b> <b>Activity specific standards:</b> (a) Rule PREC31-RI(1)(a)(i) and (ii) (Secondary Access Control); (b) The site or combination of sites where the retirement village is proposed to be located has a minimum net site area of 2ha; (c) The site is either serviced by or within 400m walking distance of an existing or future public transport route, or is within the location shown in the Precinct Plan in Figure 27; (d) The site is connected to public water and wastewater infrastructure; (e) Minimum outdoor living space or balcony area and dimensions:	<b>(2) Activity status where compliance not achieved: DIS</b>	

<ul style="list-style-type: none"> <li>(i) Apartment – 10m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m;</li> <li>(ii) Studio unit or 1 bedroom unit – 12.5m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or</li> <li>(iii) 2 or more bedroomed unit – 15m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m;</li> <li>(f) Minimum service court is either:             <ul style="list-style-type: none"> <li>(i) Apartment – Communal outdoor space (ie no individual service courts required); or</li> <li>(ii) All other units – 10m<sup>2</sup> for each unit;</li> </ul> </li> <li>(g) Building height, measured from the natural ground level immediately below the structure does not exceed 8m, except for 15% of the total site building coverage, where buildings may be up to 10m high;</li> <li>(h) The following land use – effects rule for the GRZ – General residential zone do not apply:             <ul style="list-style-type: none"> <li>(i) Rules SIGN-R1, SIGN-R5 – SIGN-R7 (Signs);</li> <li>(i) The following rules do not apply:                 <ul style="list-style-type: none"> <li>(i) Rule PREC3I-S2 (Residential unit);</li> <li>(ii) Rule PREC3I-S3 (Building height);</li> <li>(iii) Rules PREC3I-S10 or PREC3I-S11 (Outdoor living space);</li> </ul> </li> <li>(j) The following EIT – Energy, infrastructure and transport rules does not apply:                 <ul style="list-style-type: none"> <li>(i) Rule TRAN-R4 (Traffic generation).</li> </ul> </li> </ul> </li> </ul>	
<b>PREC3I-R4</b>	Home business in the GRZ – General residential zone
<p><b>(1) Activity status: PER</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) It is wholly contained within a building;             <ul style="list-style-type: none"> <li>(i) The storage of materials or machinery associated with the home business are wholly contained within a building;</li> <li>(ii) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(iii) Unloading and loading of vehicles or the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day;</li> <li>(iv) Machinery may be operated between 7:30am and 9pm on any day.</li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>PREC3I-R5</b>	Home stay in the GRZ – General residential zone
<p><b>(1) Activity status: PER</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 4 temporary residents;</li> <li>(b) It is wholly contained within a building;</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<p>(c) The storage of materials or machinery associated with the home occupation are wholly contained within a building;</p> <p>(d) No more than two people who are not permanent residents of the site are employed at any one time.</p>	
<b>PREC31-R6</b>	Community activity in the GRZ – General residential zone
<p><b>(1) Activity status: PER</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Complies with Rule PREC31-RI(1)(a)(i) and (ii) Secondary Access Control;</p> <p>(b) The gross floor area does not exceed 2,000m<sup>2</sup> within the whole of the Te Kauwhata Lakeside Precinct Plan Area.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>PREC31-R7</b>	Neighbourhood Park in the GRZ – General residential zone <b>{000043}</b>
<p><b>(1) Activity status: PER</b></p> <p><b>Activity specific standards:</b></p> <p>Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>PREC31-R8</b>	Grazing and pastoral farming in the GRZ – General residential zone
<p><b>(1) Activity status: PER</b></p> <p><b>Activity specific standards:</b></p> <p>(a) The site must be more than 5ha.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>PREC31-R9</b>	Neighbourhood centre in the GRZ – General residential zone
<p><b>(1) Activity status: PER</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Must be within an area identified in a Council approved Structure Plan or Master Plan.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>PREC31-R10</b>	Comprehensive land development consent (CLDC) in the GRZ – General residential zone
<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) A comprehensive land development consent (CLDC) that meets all of the following standards:</p> <p>(i) is in accordance with the Te Kauwhata Lakeside Precinct Plan in Figure 26, the roading network, walkways and cycleways shown on the Precinct Plan in Figure 27; and the open space shown on Precinct Plan in Figure 28 as set out in the precinct parameters below; and</p> <p>(ii) A CLDC is in accordance with the Lakeside Precinct Plans identified above if:</p> <p>(1) Primary roads are within 50m of the location shown on the Precinct Plan in Figure 27;</p> <p>(2) The bus route is either on the alignment shown on the Precinct Plan in Figure 27 or a continuous alignment that achieves the same circulation;</p>	<p><b>(2) Activity status: DIS</b></p> <p><b>Where:</b></p> <p>(a) A CLDC that does not comply with Rule PREC31-R10(1) and meets all of the following standards and standards PREC31-R10(1)(b) and (c) relating to secondary access and infrastructure:</p> <p>(i) Primary roads are within 50m-100m of the location shown on the Precinct Plan in Figure 27;</p> <p>(ii) Bus route is either on the alignment shown on the Precinct Plan in Figure 27 or a continuous alignment that achieves the same circulation;</p> <p>(iii) The external boundary of the high density area within the GRZ – General residential zone is within 10m-20m of the location shown on the Precinct Plan in Figure 26;</p> <p>(iv) Indicative walkways/cycle ways are within 100m-200m of the location</p>

<p>(3) The external boundary of the high density area within the GRZ – General residential zone is within 10m of the location shown on the Precinct Plan in Figure 26;</p> <p>(4) Indicative walkways/cycle ways are within 100m of the location shown on the Precinct Plan in Figure 27 provided connections are retained between the Lakeside Walkway and the residential development;</p> <p>(5) Lakeside Walkway is within 30m of the location shown on the Precinct Plan in Figure 28;</p> <p>(6) Retirement village boundaries are within 50m of the location shown on the Precinct Plan in Figure 26;</p> <p>(7) Indicative areas of open space are within 200m of the location shown on the Precinct Plan in Figure 28;</p> <p>(b) A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan in Figure 27 must be opened for traffic before the number of residential allotments in the Lakeside Precinct Plan Area exceeds 400 provided that:</p> <p>(i) Each independent living unit in a retirement village shall count as one allotment;</p> <p>(ii) For the purpose of this rule, exceedance of 400 residential allotments shall occur at the time of issue of 224C certificate under the Resource Management Act, and exceedance of independent living unit shall occur at the time of issue of building consent for that unit.</p> <p>(c) The following infrastructure requirements are met:</p> <p>(i) Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements; and</p> <p>(ii) Any wastewater disposal into Lake Waikare shall be from a new membrane bioreactor treatment plant (or plant of equal or better functionality), provided that wastewater disposal from up to 400 residential allotments may be connected to the existing Te Kauwhata wastewater treatment plant on a temporary basis until a long-term wastewater disposal system is</p>	<p>shown on the Precinct Plan in Figure 28 provided connections are retained between the Lakeside Walkway and the residential development;</p> <p>(v) Lakeside Walkway is within 10m-20m of the location shown on the Precinct Plan in Figure 28;</p> <p>(vi) Retirement village boundaries are within 50m-100m of the location shown on the Precinct Plan in Figure 26;</p> <p>(vii) Indicative areas of open space are within 200-400m of the location shown on the Precinct Plan in Figure 28.</p> <p>(viii) The matters over which Council reserves discretion shall be used for assessing discretionary activity applications under this rule.</p> <p><b>(3) Activity status: NC</b>  <b>Where:</b></p> <p>(a) A CLDC that does not meet the requirements of Rule PREC31-R10(1)(b) and (c) relating to Secondary Road Access Control and/or the Infrastructure Requirements,</p> <p><b>(4) Activity status: NC</b>  <b>Where:</b></p> <p>(a) A CLDC that does not meet any of the parameters for a discretionary activity outlined in Rule PREC31-R10(2)(a)(i) to (vii) is a non-complying activity.</p>
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<p>implemented. Where a retirement village is included as part of the first 400 residential allotments, then each independent living unit shall count as one allotment; and</p> <p>(iii) Every allotment other than a utility allotment, access allotment or open space allotment, must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (i) above; and</p> <p>(iv) Every allotment other than a utility allotment, access allotment or open space allotment, must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with the EIT – Energy, infrastructure and transport section; and</p> <p>(v) Prior to the issue of any building consent for a residential unit or retirement village, the infrastructure requirements detailed in (c)(i)(iii) above shall be implemented and operational.</p> <p>(d) A CLDC can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages, provided that an individual stage must be 5ha or more.</p> <p>(e) Applications for approval of a CLDC as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p>(f) CLDC approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Consistency with the Te Kauwhata Lakeside Precinct Plans in Figure 26, Figure 27 and in Figure 28;</p> <p>(b) Managing the effects of wastewater and stormwater;</p> <p>(c) Rooding network (including the Te Kauwhata Road level crossing safety) and compliance with a Council approved rooding standard;</p>	<p style="text-align: center; opacity: 0.5; font-size: 48px; transform: rotate(-30deg);">Version</p>
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<ul style="list-style-type: none"> <li>(d) Protection, restoration or enhancement of ecological features;</li> <li>(e) Provision and location of existing and future utilities and connections;</li> <li>(f) Location of roads and their connections;</li> <li>(g) Provision for public access to Lake Waikare;</li> <li>(h) Provision of open space, including linkages between residential areas, open space and Lake Waikare;</li> <li>(i) Effects of natural hazards (including flooding), geotechnical and land contamination;</li> <li>(j) Provision of the historic lwi overlay area shown on the Precinct Plan in Figure 27.</li> </ul>	
<b>PREC3I-R11</b>	Any activity that is not listed as a permitted, restricted discretionary or discretionary activity
<b>(1) Activity status: NC</b>	

Land use – effects

<b>PREC3I-S1</b>	Noise and vibration – North Island Main Trunk Line (NIMT) in the GRZ – General residential zone <b>{000042, 000087}</b>									
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Construction or alteration of a building must comply with the following standards: <ul style="list-style-type: none"> <li>(i) a non-habitable accessory building or attached non-habitable garage and is set back at least 5m from any boundary which adjoins the NIMT, or</li> <li>(ii) a building other than that specified in (a) above and is set back at least 10m from any boundary which adjoins the NIMT and.</li> <li>(iii) If located within 100m of the centreline of the nearest rail track within the NIMT and is designed and constructed to ensure that the following internal design noise limits shall not be exceeded with all external doors and windows closed.</li> </ul> </li> </ul>	<p><b>(2) Activity status: RDIS</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) Construction or alteration of a building that does not comply with Rule PREC3I-S1(1).</li> <li>(b) Any restricted discretionary activity will be limited notified to the operator of the rail network (currently KiwiRail).</li> </ul> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(c) reverse sensitivity issues related to NIMT;</li> <li>(d) Noise-sensitive activities within 100m of a rail track: <ul style="list-style-type: none"> <li>(i) The degree of noise attenuation achieved at the noise-sensitive activity;</li> <li>(ii) The effects of reverse sensitivity on the operation of the rail network, and the ability and suitability of mitigation measures to enable the continued and uninterrupted operation of the rail network;</li> <li>(iii) A reverse sensitivity covenant.</li> </ul> </li> <li>(e) Vibration sensitive activities within 40m of a rail track: <ul style="list-style-type: none"> <li>(i) The size, nature and location of the building on the site;</li> </ul> </li> </ul>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Receiving Environment</th> <th style="text-align: left;">LAeq, 1 hour</th> </tr> </thead> <tbody> <tr> <td>Residential – bedrooms</td> <td>35 dB</td> </tr> <tr> <td>Residential – other habitable spaces</td> <td>40 dB</td> </tr> <tr> <td>Teaching spaces</td> <td>40 dB</td> </tr> <tr> <td colspan="2">All other sensitive activity building spaces to comply with satisfactory sound levels Care Spaces AS/NZS 2107:2000 (nearest specified equivalent) e.g. Hospital and Dementia, Commercial Spaces</td> </tr> </tbody> </table>		Receiving Environment	LAeq, 1 hour	Residential – bedrooms	35 dB	Residential – other habitable spaces	40 dB	Teaching spaces	40 dB	All other sensitive activity building spaces to comply with satisfactory sound levels Care Spaces AS/NZS 2107:2000 (nearest specified equivalent) e.g. Hospital and Dementia, Commercial Spaces
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<p>(iv) For the purpose of this rule, the noise levels generated by rail operations on the NIMT shall be as determined by a qualified acoustic specialist, using methods consistent with New Zealand Standards, within five years prior to the date of the design certificate referred to at the end of this clause b)</p> <p>(v) This rule only applies to habitable rooms, teaching spaces and sensitive activity building spaces identified in the table above where those habitable rooms or spaces fall within or partly within the specified 100m distance.</p> <p>(vi) Where it is necessary to have windows closed to achieve the internal acoustic noise limits, an alternative ventilation system shall be provided.</p> <p>(vii) The ventilation system installed shall comply with the following:</p> <ol style="list-style-type: none"> <li>(1) Consist of an air conditioning unit(s) provided that the noise level generated by the unit(s) must not exceed 40dB LAeq(30s) in the largest habitable room (excluding bedrooms) and 35dB LAeq(30s) in all other habitable rooms, when measured 1 metre away from any grille or diffuser; or</li> <li>(2) A system capable of providing at least 15 air changes per hour (ACH) in the largest habitable room (excluding bedrooms) and at least 5 air changes per hour (ACH) in all other habitable rooms;</li> <li>(3) The noise level generated by the system must not exceed 40dB LAeq(30s) in the largest habitable room (excluding bedrooms) and 35dB LAeq(30s) in all other habitable rooms, when measured 1 metre away from any grille or diffuser;</li> <li>(4) The internal air pressure must be no more than 10 Pa above ambient air pressure due to the mechanical ventilation;</li> <li>(5) Where a high air flow rate setting is provided, the system shall be controllable by the occupants to be able to alter the ventilation rate with</li> </ol>	<ol style="list-style-type: none"> <li>(ii) Special topographical, building features or ground conditions which will mitigate vibration impacts;</li> <li>(iii) Any characteristics of the proposed use which make compliance with the standard unnecessary;</li> <li>(iv) A reverse sensitivity covenant.</li> </ol>
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<p>at least three equal progressive stages up to the high setting.</p> <p>(viii) Compliance with this rule shall be demonstrated by providing the Council with a design report and a design certificate prepared by an experienced and qualified acoustic specialist, at the time of building consent application; and</p> <p>(ix) If located within 40m of the centreline of the nearest rail track within the NIMT and is designed and constructed to ensure the following levels of vibration from trains shall not be exceeded based on the procedures specified in the Norwegian Standard NS 8176E: 2nd edition September 2005 Vibration and Shock Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings.</p> <table border="1" style="width: 100%; margin: 10px 0;"> <thead> <tr> <th style="text-align: left;">Receiving Environment</th> <th style="text-align: left;">Maximum weighted velocity, <math>V_{w95}</math></th> </tr> </thead> <tbody> <tr> <td>Sensitive activities/buildings</td> <td>0.3mm/s</td> </tr> </tbody> </table> <p>or</p> <p>(x) if located within 20m of the centre line of the nearest rail track within the NIMT is designed and constructed to ensure that the level of vibration from trains shall not exceed the criteria set out in the British Standard BS 7385-2:1993.</p> <p>(xi) Compliance with clauses (d) and (e) shall be demonstrated by providing the Council with a design report and a design certificate prepared by an experienced and qualified vibration specialist, at the time of building consent application. Vibration generated by rail operations on the NIMT shall be as determined by a qualified vibration specialist, using methods consistent with New Zealand standards, within five years prior to the date of the design certificate.</p>	Receiving Environment	Maximum weighted velocity, $V_{w95}$	Sensitive activities/buildings	0.3mm/s	
Receiving Environment	Maximum weighted velocity, $V_{w95}$				
Sensitive activities/buildings	0.3mm/s				

*Land use – building*

<b>PREC31-S2</b>	Residential unit in the GRZ – General residential zone
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<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) One residential unit within a site.</p>	<p><b>(2) Activity status: RDIS</b>  <b>Where:</b>                  (a) Construction of more than one residential unit on land contained in a certificate of title must comply with all of the following standards:                  (i) Semi-detached or terrace houses meet the following density requirements:                  (1) Medium Density Precinct one residential unit per 300m<sup>2</sup>;                  (2) Higher Density Precinct one residential unit per 225m<sup>2</sup>; or                  (3) Part of a retirement village.</p> <p><b>Council's discretion is restricted to the following matters:</b>                  (b) Design and location of buildings;                  (c) Amenity values of the locality;                  (d) Privacy on other sites;                  (a) Matters referred to in Appendix B (Engineering Standards);                  (b) Consistency with the Te Kauwhata Lakeside Precinct Plan in Figure 26, Figure 27, and Figure 28.</p>
<p><b>PREC3I-S3</b>   Height in the GRZ – General residential zone</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) The maximum height of any building or structure, measured from the natural ground level immediately below the structure must not exceed 8.0m.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>The Council's discretion shall be restricted to the following:</b>                  (a) design and location of building;                  (b) building dominance effects;                  (c) admission of daylight and sunlight to the site and other sites;                  (d) privacy on other site amenity values of the locality.</p>
<p><b>PREC3I-S4</b>   Building coverage in the GRZ – General residential zone</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) The total building coverage on a site must not exceed 40% in the Medium Density precinct identified on the Te Kauwhata Lakeside Precinct Plan in Figure 26.                  (b) PREC3I-S4(1)(a) does not apply:                  (i) To a structure that is not a building; or                  (ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>PREC3I-S5</b>   Building coverage in the GRZ – General residential zone</p>	

<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The total building coverage on a site must not exceed 65% in the higher density precinct identified on the Te Kauwhata Lakeside Precinct Plan in Figure 26.</p> <p>(b) PREC31-S5(1)(a) does not apply:</p> <p>(i) To a structure that is not a building; or</p> <p>(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>PREC31-S6</b> Building coverage in the GRZ – General residential zone</p>	
<p><b>(1) Activity status: RDIS</b></p> <p><b>Where:</b></p> <p>(a) Total building coverage on a site that does not exceed the maximum building coverage control by more than an additional 10%.</p> <p><b>Council's discretion shall be restricted to the following matters:</b></p> <p>(b) design and location of building;</p> <p>(c) effect of the scale of the building on adjoining sites and the streetscape.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>PREC31-S7</b> Height in relation to boundary in the GRZ – General residential zone</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Any building or structure within the Medium Density Precinct identified on the Te Kauwhata Lakeside Precinct Plan in Figure 26 shall not protrude through a height control plane rising at an angle of 45° commencing at an elevation of 2.5m above ground level at every point of the site boundary, except that this standard does not apply to party walls located along site boundaries.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Height of building;</p> <p>(b) Design and location of building;</p> <p>(c) Admission of daylight and sunlight to the site and other sites;</p> <p>(d) Privacy on other sites;</p> <p>(e) Amenity values of the locality.</p>
<p><b>PREC31-S8</b> Height in relation to boundary in the GRZ – General residential zone</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Any building or structure within the High Density Precinct identified on the Te Kauwhata Lakeside Precinct Plan in Figure 26 shall not protrude through a height control plane rising at an angle of 45° commencing at an elevation of 3.5m above ground level at every point of the site boundary within 20m of a street frontage, and 2.5m above ground level at every point on the site boundary greater than 20m from the street frontage; except that this standard does not apply to party walls located along site boundaries.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Height of building;</p> <p>(b) Design and location of building;</p> <p>(c) Admission of daylight and sunlight to the site and other sites;</p> <p>(d) Privacy on other sites;</p> <p>(e) Amenity values of the locality.</p>

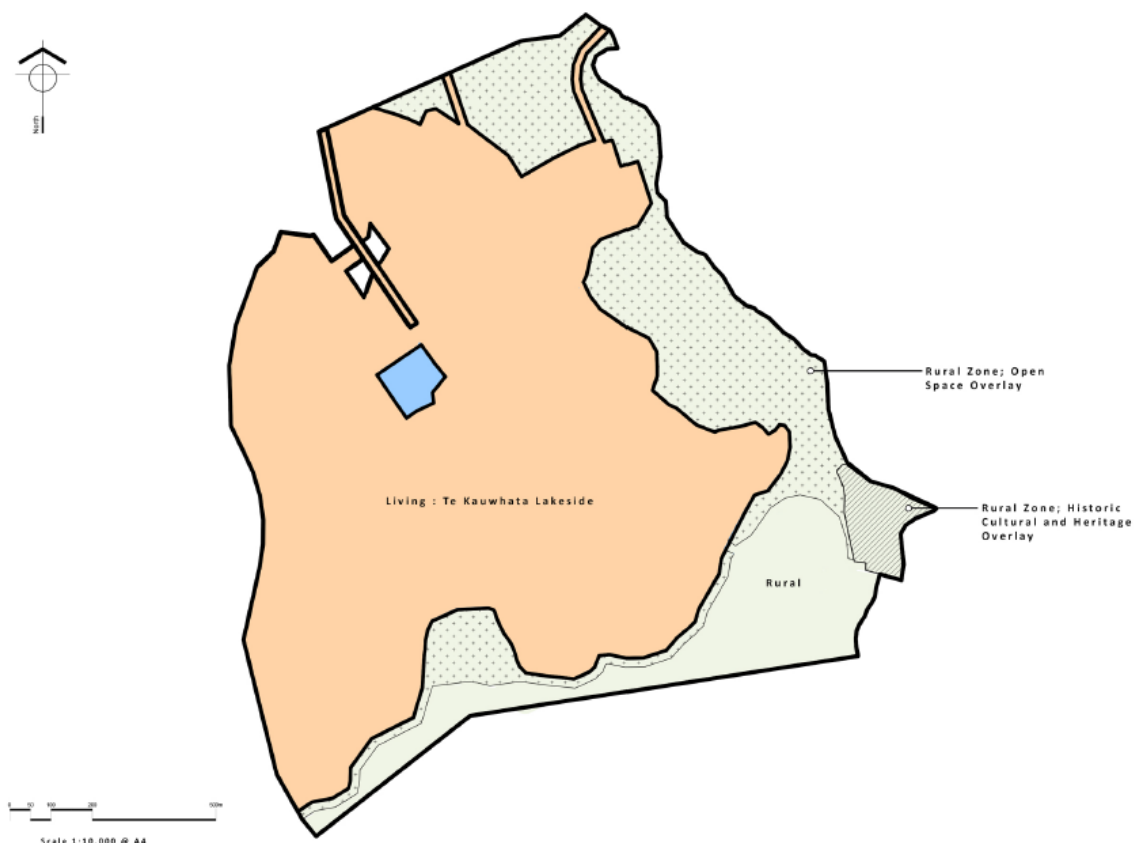
<b>PREC31-S9</b>	Non-residential building in the GRZ – General residential zone	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) A non-residential building provided that the gross floor area does not exceed 300m <sup>2</sup> .	<b>(2) Activity status where compliance not achieved: DIS</b>	
<b>PREC31-S10</b>	Outdoor living space in the GRZ – General residential zone	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) An outdoor living space must be provided for each residential unit in the Medium Density Precinct as shown on Te Kauwhata Lakeside Precinct Plan in Figure 26 which meets all of the following standards: (i) The outdoor living space is readily accessible from a living area of the residential unit; and either (ii) On the ground floor the outdoor living space has a minimum area of 60m <sup>2</sup> capable of containing a circle of 6m diameter, and has a minimum width of 2.5m; or (iii) If the residential unit does not have a habitable room on the ground floor, a balcony is provided that meets the following: (1) has an area of 10m <sup>2</sup> with a diameter of at least 2.0m for 1 bedroom residential unit; or (2) has an area of 15m <sup>2</sup> with a minimum diameter 2.4m for 2 or more bedroom residential unit.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion shall be restricted to the following matters:</b> (a) Outdoor amenity; (b) Functionality of balcony space; (c) Integration of balconies within building design; (d) Privacy and overlooking.	
<b>PREC31-S11</b>	Outdoor living space in the GRZ – General residential zone	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) A outdoor living space must be provided for each residential unit in the High Density Precinct as shown on Te Kauwhata Lakeside Precinct Plan in Figure 26 which meets either the following standards: (i) It complies with the outdoor living space rules for the medium density precinct, except that the ground floor outdoor living space must have a minimum area of 50m <sup>2</sup> ; or (ii) Communal open space is provided and: (b) The communal open space is accessible from all residential units subject to this provision, and (i) each residential unit has a legal right to use and enjoy the communal open space, and	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion shall be restricted to the following matters:</b> (a) Outdoor amenity; (b) Functionality of balcony space; (c) Integration of balconies within building design; (d) Privacy and overlooking.	

<p>(ii) an on-site private open space is provided where either:</p> <p>(1) on the ground floor the outdoor living space has a minimum area of 30m<sup>2</sup> capable of containing a circle of 4m diameter, and has a minimum width of 2.5m; or</p> <p>(2) if the residential unit does not have a habitable room on the ground floor, a balcony is provided containing at least 10m<sup>2</sup> and a circle with a diameter of at least 2.0m.</p>	
<p><b>PREC31-S12</b> Building setbacks – All boundaries in the GRZ – General residential zone <b>{000048}</b></p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) A building must be set back a minimum of:</p> <p>(i) 3m from the road boundary;</p> <p>(ii) 1m from the side boundary excluding duplexes or terrace houses;</p> <p>(iii) 1.5m from the rear boundary.</p> <p>(b) PREC31-S12(1) does not apply to a structure which is not a building.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion shall be restricted to the following matters:</b></p> <p>(a) Amenity of neighbouring properties including shadowing, building dominance and privacy;</p> <p>(b) Streetscape quality;</p> <p>(c) Road network safety and efficiency.</p>
<p><b>PREC31-S13</b> Fences in the GRZ – General residential zone</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) Fences and walls between the applicable building setbacks under PREC31-S12 on a site and any road and road reserve boundaries must comply with all of the following standards:</p> <p>(i) Be no higher than 1.2m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(1) Visually permeable for the full 1.8m height of the fence; or</p> <p>(2) solid up to 1.2m and visually permeable between 1.2m and 1.8m.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion shall be restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Height;</p> <p>(c) Effects on amenity; and</p> <p>(d) Visibility of public space.</p>
<p><b>PREC31-S14</b> Overlooking of public spaces in the GRZ – General residential zone</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <p>(a) Any residential unit or independent living unit within a retirement village located on a site which fronts a street or public open space must comply with all of the following standards:</p> <p>(i) at least one habitable room with glazing overlooks the street or public open space, and</p> <p>(ii) the area of glazing shall be a minimum of 25% of that part of the wall area of the</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion shall be restricted to the following matters:</b></p> <p>(a) Visibility of public open space;</p> <p>(b) Public safety.</p>

habitable room which faces the street or public open space.	
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Appeals Version





**Figure 29 – Lakeside Open Space and Lakeside Cultural and Heritage Overlay**

Land use – activities in the GRUZ – General rural zone

<b>PREC31-R12</b>	Pastoral farming in the GRUZ – General rural zone {000043}	
(1) Activity status: <b>PER</b> Activity-specific standards: (a) Is excluded from Lake Waikare and the natural waterway shown on Figure 29.	(2) Activity status where compliance not achieved: <b>DIS</b>	
<b>PREC31-R13</b>	Produce stall in the GRUZ – General rural zone	
(1) Activity status: <b>PER</b> Activity-specific standards: Nil	(2) Activity status where compliance not achieved: <b>n/a</b>	
<b>PREC31-R14</b>	Equestrian centre in the GRUZ – General rural zone	
(1) Activity status: <b>PER</b> Activity-specific standards: Nil	(2) Activity status where compliance not achieved: <b>n/a</b>	
<b>PREC31-R15</b>	Horse training centre in the GRUZ – General rural zone	
(1) Activity status: <b>PER</b> Activity-specific standards: Nil	(2) Activity status where compliance not achieved: <b>n/a</b>	
<b>PREC31-R16</b>	Walkways and cycleways in the GRUZ – General rural zone	
(1) Activity status: <b>PER</b> Activity-specific standards: Nil	(2) Activity status where compliance not achieved: <b>n/a</b>	
<b>PREC31-R17</b>	Informal recreation in the GRUZ – General rural zone	

(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>PREC31-R18</b>	Active recreation in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>PREC31-R19</b>	Information signage in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>PREC31-R20</b>	Public art in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>PREC31-R21</b>	Planting and landscaping in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>PREC31-R22</b>	Gardens, landscaping and planting including communal areas in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>PREC31-R23</b>	Shelters in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) Not exceeding 4m in height; and (b) 50m <sup>2</sup> gross roof area.	(2) <b>Activity status where compliance not achieved: DIS</b>
<b>PREC31-R24</b>	Information kiosk in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) Provided it is located within the cultural and heritage overlay shown on Figure 29.	(2) <b>Activity status where compliance not achieved: DIS</b>
<b>PREC31-R25</b>	Structures providing information on culture, history or environment of the Lake Waikare and Te Kauwhata area in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) Provided it is located within the cultural and heritage overlay shown on Figure 29.	(2) <b>Activity status where compliance not achieved: DIS</b>
<b>PREC31-R26</b>	Memorials recognising the culture and history of the Lake Waikare and Te Kauwhata area in the GRUZ – General rural zone
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) Provided it is located within the cultural and heritage overlay shown on Figure 29.	(2) <b>Activity status where compliance not achieved: DIS</b>
<b>PREC31-R27</b>	A Comprehensive Land Development Consent in the GRUZ – General rural zone

<b>(1) Activity status: RDIS</b>	<b>(2) Activity status where compliance not achieved: DIS</b>
<p><b>Activity-specific standards:</b></p> <p>(a) A Comprehensive Land Development Consent that meets all of the following standards:</p> <p>(i) Is in accordance with the:</p> <ol style="list-style-type: none"> <li>(1) The Te Kauwhata Lakeside Precinct Plan in Figure 26;</li> <li>(2) The roading network, walkways and cycle ways shown on Precinct Plan in Figure 27; and</li> <li>(3) The open space shown on Precinct Plan in Figure 28 as set out in the precinct parameters below; and</li> </ol> <p>(ii) A Comprehensive Land Development Consent is in accordance with the Lakeside Precinct Plans identified below if:</p> <ol style="list-style-type: none"> <li>(1) Primary roads are within 50m of the location shown on Precinct Plan in Figure 27; and</li> <li>(2) Bus route is either on the alignment shown on Precinct Plan in Figure 27 or a continuous alignment that achieves the same circulation; and</li> <li>(3) Subject to E below, the indicative walkways/cycle ways are within 100m of the location shown on Precinct Plan in Figure 27 provided that connections are retained between the Lakeside Walkway and the residential development; and</li> <li>(4) Subject to E below, the Lakeside Walkway is within 30m of the location shown on Precinct Plan in Figure 27; and</li> <li>(5) Any walkway/cycle way or the Lakeside Walkway that needs to be aligned so as to avoid an area of infested alligator weed as identified within in alligator weed management plan may be relocated from the alignment shown in Figure 27 to the extent necessary to avoid the infested area.</li> </ol> <p>(iii) A Comprehensive Land Development Consent can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages beyond the LCZ – Local centre zone and GRZ – General residential zone, provided that an individual stage is 5ha or more.</p> <p>(iv) Applications for approval of a Comprehensive Land Development Consent</p>	

<p>as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p>(v) LDC approval does not constitute authorization by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p> <p><b>Council's discretion is restricted to the following:</b></p> <ul style="list-style-type: none"> <li>(a) Consistency with the Te Kauwhata Lakeside Precinct Plans in Figure 26, Figure 27 and Figure 28;</li> <li>(b) Managing the effects of wastewater and stormwater;</li> <li>(c) Roading network and compliance with a Council-approved roading standard;</li> <li>(d) Provision and location of existing and future utilities and connections;</li> <li>(e) Location of roads and their connections;</li> <li>(f) Protection, restoration or enhancement of ecological features;</li> <li>(g) Provision of open space, including linkages between residential areas, open space and Lake Waikare;</li> <li>(h) Effects of natural hazards (including flooding), geotechnical suitability and land contamination; and</li> <li>(i) Provision of the historic iwi overlay area shown on Precinct Plan in Figure 28.</li> </ul>	
<b>PREC31-R28</b>	An educational facility in the GRUZ – General rural zone
<p><b>(I) Activity status: DIS</b></p> <p><b>Activity-specific standards:</b> Nil</p>	
<b>PREC31-R29</b>	Construction of a building located on an indicative road
<p><b>(I) Activity status: NC</b></p>	
<b>PREC31-R30</b>	Any activity that is not listed as permitted, restricted discretionary, discretionary or non-complying
<p><b>(I) Activity status: NC</b></p>	

Land use – activities in the LCZ – Local centre zone

PREC31-R31	Comprehensive land development consent in the LCZ – Local centre zone
<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) A comprehensive land development consent that meets all of the following standards:</p> <p>(i) is in accordance with Te Kauwhata Lakeside Precinct Plan in Figure 26, the roading network, walkways and cycleways shown on Precinct Plan in Figure 27; and the open space shown on Precinct Plan in Figure 28 as set out in the precinct parameters below; and</p> <p>(b) A comprehensive land development consent is in accordance with the Lakeside Precinct Plans identified above if:</p> <p>(i) Primary roads are within 50m of the location shown on Precinct Plan in Figure 27; and</p> <p>(ii) Bus route is either on the alignment shown on Precinct Plan in Figure 27 or a continuous alignment that achieves the same circulation; and</p> <p>(iii) Indicative areas of open space are within 200m of the location shown on Precinct Plan in Figure 27.</p> <p>(c) The following infrastructure requirements are met:</p> <p>(i) Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements; and</p> <p>(ii) Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (i) above; and</p> <p>(iii) Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal, either through a reticulated network or in accordance with the EIT – Energy, infrastructure, and transport section.</p> <p>(d) A comprehensive land development can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or</p>	<p><b>(2) Activity status: DIS</b></p> <p>(a) A CLDC that does not comply with Rule PREC31-R31(1) and meets all of the following standards:</p> <p>(i) Primary roads are within 50m-100m of the location shown on Precinct Plan in Figure 27; and</p> <p>(ii) Bus route is either on the alignment shown on Precinct Plan in Figure 27 or a continuous alignment that achieves the same circulation; and</p> <p>(iii) Indicative areas of open space are within 200-400m of the location shown on Precinct Plan in Figure 28.</p> <p><b>(3) Activity Status: NC</b></p> <p><b>Where:</b></p> <p>(a) A CLDC that does not meet the requirements of Rule PREC31-R31(1)(c) relating to Infrastructure requirements.</p> <p><b>(4) Activity status: NC</b></p> <p><b>Where:</b></p> <p>(a) A CLDC that does not meet the standards for a discretionary activity outlined in Rule PREC31-R31(2)</p>

<p>stages beyond the LCZ – Local centre zone, provided that an individual stage is 5ha or more.</p> <p>(e) Applications for approval of a comprehensive land development as a restricted discretionary activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p>(f) LDC approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p> <p><b>Council's discretion is reserved over:</b></p> <p>(g) Consistency with the Te Kauwhata Lakeside Precinct Plans in in Figure 26, in Figure 27 and in Figure 28;</p> <p>(h) Managing the effects of wastewater and stormwater;</p> <p>(i) Roothing network and compliance with a Council- approved rooding standard;</p> <p>(j) Provision and location of existing and future utilities and connections;</p> <p>(k) Location of roads and their connections;</p> <p>(l) Provision of open space, including linkages between residential areas, open space and Lake Waikare;</p> <p>(m) Effects of natural hazards (including flooding), geotechnical suitability and land contamination.</p>	
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*Land use – buildings in the LCZ – Local centre zone*

<b>PREC31-S15</b>	Height in relation to boundary in the LCZ – Local centre zone
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) Any building or structure shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3.5m above ground level at every point of the site boundary where it adjoins a GRZ – General residential zone.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is limited to the following matters:</b></p> <p>(a) Height of building;</p> <p>(b) Design and location of the building;</p> <p>(c) Level of shading on an adjoining site;</p> <p>(d) Privacy on other site;</p> <p>(e) Amenity values of the locality.</p>
<b>PREC31-S16</b>	Gross floor area in the LCZ – Local centre zone
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is limited to the following matters:</b></p>

<p>(a) Construction or alteration of a building provided that the total gross floor area of all buildings in the zone does not exceed 4000m<sup>2</sup>.</p>	<p>(a) Height of building;                  (b) Design and location of the building;                  (c) Admission of daylight and sunlight to the site and other sites;                  (d) Privacy on other sites;                  (e) Amenity values of the locality.</p>
<p><b>PREC31-S17</b>   Building setbacks in the LCZ – Local centre zone <b>{000048}</b></p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Construction or alteration of a building that complies with the following standard:                  (i) The building is set back at least 10m from the centre line of an indicative or legal road.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is limited to the following matters:</b>                  (a) Streetscape and amenity;                  (b) Traffic capacity of the road network.</p>