

# **WAIKATO DISTRICT COUNCIL**

## **Hearings of Submissions on the Proposed Waikato District Plan**

### **Report and Decisions of Independent Commissioners**

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#### **Decision Report 28F: Zoning - TaTa Valley**

**17 January 2022**

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#### **Commissioners**

Dr Phil Mitchell (Chair)

Mr Paul Cooney (Deputy Chair)

Mr Dynes Fulton

Ms Jan Sedgwick

Ms Janet Gibb

Mr Weo Maag

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## 1 Introduction

1. Hearing 25 concerned all submissions relating to zoning in the Proposed Waikato District Plan (PDP). However, this Decision report addresses a specific zoning proposal received by the Waikato District Council (Council) from Tata Valley Limited (TaTa Valley) which was for the TaTa Valley Resort. This report should be read along with the overarching Zoning Overview report (Decision Report 28), which sets out the statutory matters and key principles relating to all submissions pertaining to zoning.
2. TaTa Valley's submission sought to rezone approximately 235 hectares of land located 2km southwest of Pokeno and 5km east of Tuakau, from Rural Zone to a bespoke special purpose zone – the TaTa Valley Resort Zone (TVR Zone). The address of the TaTa Valley Resort is 242 Bluff Road (also known as 42B Potter Road) and 35 Trig Road (the Site). The Waikato River is located along the southern boundary of the Site. Figure 1 below shows the Site's location.

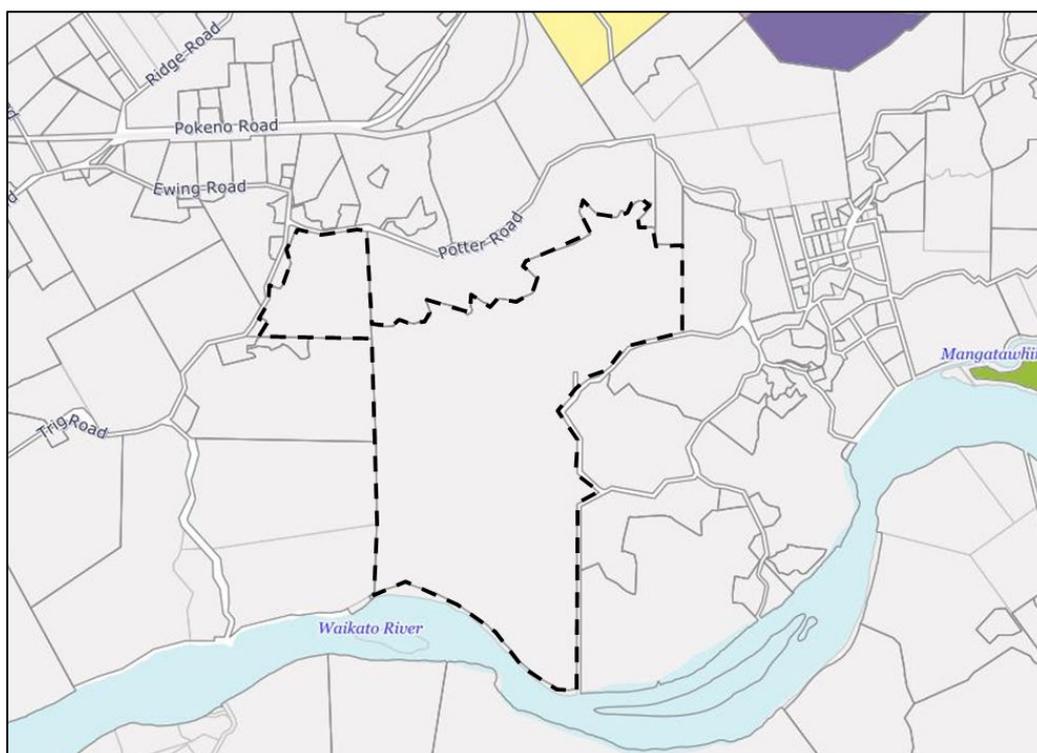


Figure 1: TaTa Valley Site Location

3. The proposed TaTa Valley Resort (the Resort) would include a hotel with conference and event facilities, a health spa, camping and glamping opportunities, and a Farm Park with associated tourism, retail and recreational activities that aim to showcase rural New Zealand. A ferry landing at the Waikato River would also provide for services to Mercer. The proposed bespoke provisions for the TVR Zone to facilitate these outcomes include:

- (a) A Concept Plan that spatially sets out the areas to be developed and managed within the overall Site;
- (b) A range of provisions that seek to provide for the development of the Site and activities anticipated at the Resort, while managing adverse effects;
- (c) A number of provisions taken from the Rural Zone, in recognition of the fundamental relationship between the proposed Resort and the rural environment.

## 2 Hearing Arrangement

- 4. The hearing was held on 2 June 2021 via Zoom. All of the relevant information pertaining to this hearing (i.e., section 42A report, legal submissions and evidence) is contained on Council’s website.
- 5. We heard from the following parties regarding their submissions on the specific zoning sought by TaTa Valley for the proposed Resort:

Submitter organisation	Attendee at the hearing
Council	Jerome Wyeth (author of section 42A Report)
TaTa Valley	Vanessa Evitt – legal counsel Karl Ye – corporate Adam Thompson – economics Ryan Pitkethley – stormwater Chris Edwards – geotechnical Leo Hills – transport Tim Martin – ecology Rob Pryor – landscape and visual Chris Scrafton – planning
Waikato Regional Council (presented at the hearing on 1 June 2021)	Miffy Foley

6. Although they did not attend the hearing, a memorandum of counsel was also filed by Ms Catherine Somerville-Frost and Ms Jo Pereira on behalf of Mercury NZ Limited, and planning evidence was filed by Mr Michael Wood on behalf of Waka Kotahi.

### **3 Strategic context for TaTa Valley**

7. Mr Wyeth helpfully described the relevant statutory framework for TaTa Valley's proposal as set out in various planning documents. As the TVR Zone is intended to remain predominantly rural in character, the National Policy Statement – Urban Development 2020 (NPS-UD), Future Proof 2017 and Waikato 2070 have limited relevance to the proposal. However, certain goals (such as those relating to thriving communities and tourism development) are of some relevance. The provisions in the Waikato Regional Policy Statement (RPS) relevant to this proposal were identified in Appendix C to the primary evidence of Mr Scrafton.<sup>1</sup> The National Policy Statement – Freshwater Management is relevant to the management of freshwater features on the Site, as is the Vision and Strategy for the Waikato River; therefore, both must be given effect to. The Waikato-Tainui Environmental Management Plan must also be taken into account.
8. The Site is zoned Rural in the notified PDP and there are a number of overlays on the Site or parts of it. These overlays include a Significant Amenity Landscape, three Significant Natural Areas, a Maaori Site of Significance, and Flood Plain Management Area. A number of watercourses run through the Site (natural and artificial) as well as several large areas of indigenous and exotic vegetation as well as a number of wetlands. The soils on the Site are largely classified as Land Use Classification 6 and are therefore not 'high class soils'. The Site is currently un-serviced, with no public water supply or public stormwater infrastructure.
9. Access to the property at 242 Bluff Road is from Potter Road at the northwest of the Site, while access to 35 Trig Road is from Trig Road in the west and Potter Road in the north. TaTa Valley has lodged resource consent applications with Council and Waikato Regional Council (WRC) for a new main accessway to the Site via Pōkeno (off Yashilli Drive). This would pass through land to the east and north of the Site, which is owned by the same party, and is also subject to a rezoning request from Havelock Village Limited (addressed in Decision Report 28I).
10. TaTa Valley is actively working towards commencing development through various resource consent applications, some of which were on-hold at the time of the hearing to enable further engagement with tangata whenua to occur.

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<sup>1</sup> Primary evidence of Christopher Scrafton on behalf of TaTa Valley Limited, dated 19 February 2021.

#### **4 Overview of issues raised in submissions**

11. In the section 42A report, Mr Jerome Wyeth set out the full list of submissions received on the proposed TVR Zone which included nine original submission points from TaTa Valley and 65 further submissions from 16 different further submitters.

##### **4.1 Overview of evidence**

###### TaTa Valley Limited

12. Ms Vanessa Evitt presented legal submissions on behalf of TaTa Valley. She described the Resort as an exciting proposition and a significant tourism and recreation asset for the district, which would generate significant social and economic benefits, and enable new access to the Waikato River for the community. She also highlighted the high degree of alignment between TaTa Valley's expert team and Council's reporting planner on the benefits of the rezoning, consistency with the relevant statutory requirements, and position that the rezoning is appropriate and should be approved.
13. Ms Evitt stated that the rezoning is intended to complement the consent applications that are in train and ensure the continued development and successful operation of the Resort. She explained that Covid-19 has caused a reshuffle in priorities for developing the Site, but TaTa Valley remains fully committed to the proposal and securing the rezoning of the Site in the PDP is still critical.
14. Mr Chris Scrafton, planner for TaTa Valley, then presented an overview of TaTa Valley's proposed development, including the concept plan included in Figure 2 below which was proposed to be included as part of the PDP. This identified development areas (including the Hotel Precinct), significant sites and vehicle access routes.

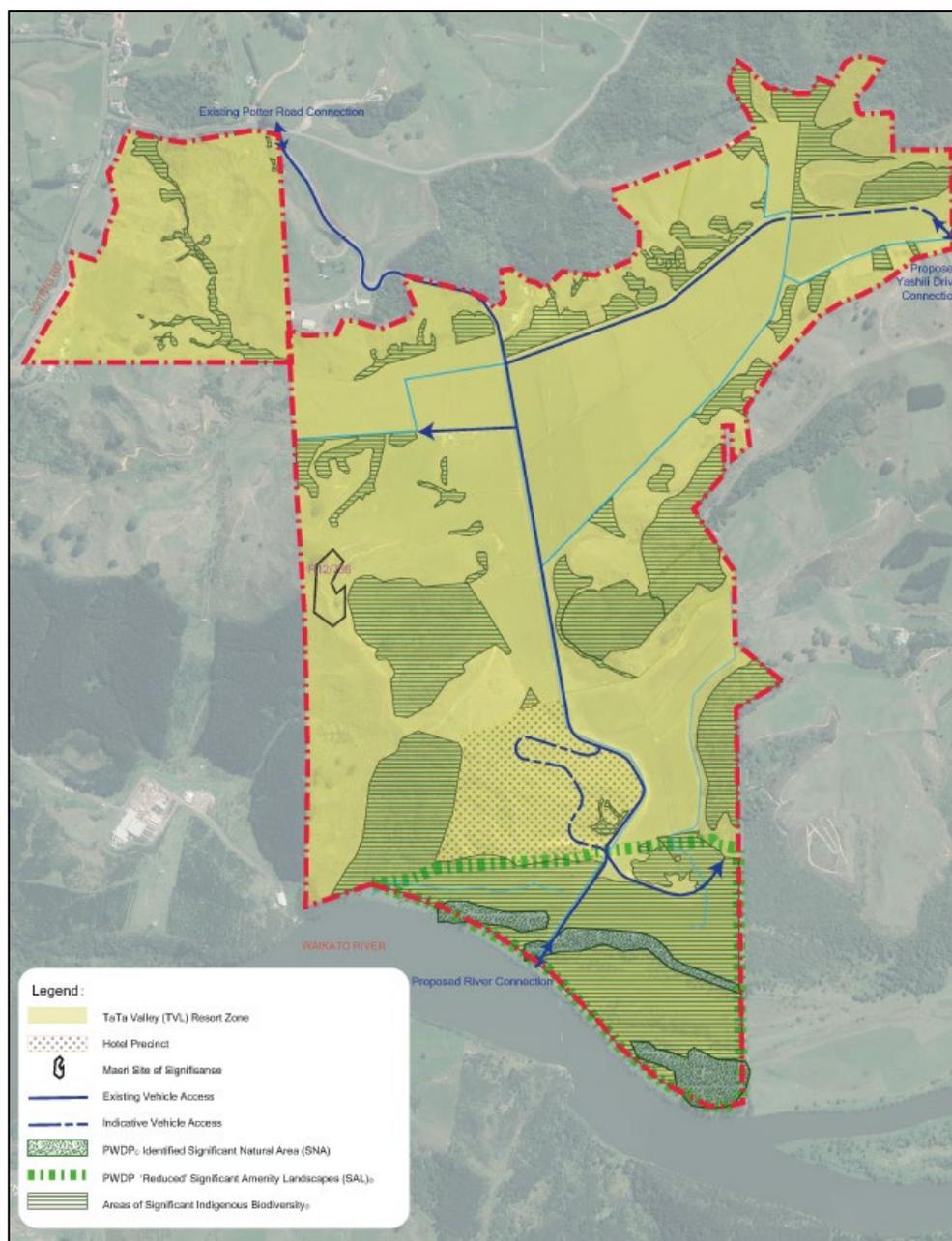


Figure 2: TaTa Valley Concept Plan<sup>2</sup>

15. Mr Karl Ye, director of TaTa Valley, gave a presentation and explained his 'Kua Value Model' which recognises that products and resources have different values to different cultures, and low value ingredients can be converted to high value products. He stated that this model applies in the property industry too, with TaTa Valley not being particularly good farming land, but having key features that make it ideal as a high value tourism destination. Mr Ye described that the vision for TaTa Valley is to

<sup>2</sup> Appendix A to primary evidence of Christopher Scrafton on behalf of TaTa Valley Limited, dated 19 February 2021.

- showcase New Zealand agriculture, manufacturing and technology. He explained that the showcase farm idea for the Site has come from a customer desire to see where raw materials are sourced from (for his pharmaceuticals company), and a lack of existing tourism options for exploring this desire.
16. Mr Ye then outlined positive feedback on the Resort project received from local community and tourism bodies. He also described the Project Steering Group that was formed with iwi representatives to understand how iwi values may be taken into account during the development of TaTa Valley and confirmed that this engagement will continue.
  17. Mr Adam Thompson presented economic evidence on behalf of TaTa Valley and highlighted that two thirds of international tourists arrived in New Zealand via Auckland Airport, with most heading south. He believed the proposal would have a unique benefit in capturing cultural and recreational tourist spend that was currently heading out of the district to other locations. He also expected the Resort to have a domestic market.
  18. Mr Thompson stated that there is only perhaps one other similar facility to the proposal in the country and considered that the Resort would create a significant benefit to the Waikato District. He assessed that the economic benefits from the proposal included 40-60 FTE jobs per annum from construction, 220 FTE jobs per annum from the operation of the Resort, and a net present value of \$163 – \$382.8 million. No notable economic costs were identified.
  19. Mr Ryan Pitkethley presented infrastructure engineering evidence on behalf of TaTa Valley. He highlighted that in relation to stormwater, the size and nature of the proposed development created a good opportunity for achieving a quality of stormwater discharge that was “better than industry standard”. He had calculated a 25-82 per cent reduction in contaminants for the post-development scenario including stormwater treatment, which would result in an improvement in the water quality of the Waikato River. Mr Pitkethley also assessed that there would be no effect on upstream or downstream flooding once the proposed site improvements and flood management strategy are implemented.
  20. In relation to water and wastewater, Mr Pitkethley stated that Watercare Services Limited (Watercare) had allowed future provision for TaTa Valley in its main trunk infrastructure, and that extensions to service the Site would be carried out by the developer. He was of the opinion that the growth proposed by TaTa Valley could be accommodated into existing and planned water supply and wastewater infrastructure, and that there were suitable mechanisms to ensure that the funding of that infrastructure could be achieved to align with the pace of development.
  21. Mr Christopher Edwards presented geotechnical evidence which set out the Site’s geotechnical constraints and risks including slope instability, compressible soils,

liquefaction and lateral spread. He had identified a number of potential solutions that could be used to address these matters and noted that the Site was not unusual in terms of its level of constraints. He considered that further detailed geotechnical investigations would be required to develop final engineering solutions, and that these were appropriately addressed at the time of resource or building consent. In this respect, he identified that consideration of 'geotechnical stability' was a matter of discretion under the earthworks rules that would apply to any significant earthworks in the TVR Zone.

22. Mr Leo Hills presented transport evidence and highlighted that a new main accessway to the Site was proposed to be constructed by the submitter, which would connect to Yashili Drive, Pōkeno. The existing accesses to the Site were not intended to be modified. He assessed that the new principal access (including two one-way sections) could operate safely and efficiency, without affecting the operation of key local intersections in Pōkeno. He also clarified that the new road was to be private rather than public at this stage, as it would be a reduced width.
23. In relation to the events expected to be held at the Site, Mr Hills assessed that any special events of over 500 person capacity should require a detailed traffic assessment. Finally, Mr Hills stated that various transport issues raised by Mr Todd Langwell for Hynds (in his Pōkeno zoning evidence in relation to both the neighbouring Havelock Village Limited rezoning proposal and TaTa Valley) have now either been addressed by Mr Scrafton's revised provisions or were not significant in his opinion.
24. Mr Tim Martin presented ecology evidence on behalf of TaTa Valley. While there were only three Significant Natural Areas (SNAs) mapped on the Site in the PDP, Mr Martin's ecological surveys had identified 50 additional areas that met the criteria for significant indigenous biodiversity in the RPS (and Appendix 2 of the PDP). Collectively, these areas covered 67.7 hectares (28.6% of the total Site area) and included indigenous forest, wetlands, habitat for indigenous fish and bird species, and potential habitat for long-tailed bats. The remainder of the Site (167.1 hectares) was assessed to comprise exotic terrestrial habitats of low ecological value.
25. Mr Martin considered that the areas of significant biodiversity value within the Site should be appropriately protected and supported exploring opportunities to enhance ecological values at the resource consent stage.
26. Mr Rob Pryor presented landscape and visual evidence which assessed that the proposed rezoning would result in a degree of landscape change, most noticeably in respect of the proposed hotel. It was his opinion that the Site and surrounding landscape had the capacity to absorb the landscape and visual effects of the development. He was confident that potential adverse visual effects of the proposal would be appropriately addressed through the proposed resource consent matters of discretion and would be acceptable within the surrounding landscape context. He also

highlighted that development enabled by the proposed rezoning is generally physically located away from the higher quality landscape features on the Site, such as SNAs.

27. Lastly, Mr Scrafton presented planning evidence. He described the proposed TVR Zone provisions as focusing on supporting rural character, noting that many of the provisions are consistent with the Rural Zone rules. The key differences he identified for the proposed TVR Zone from the Rural Zone included:
- (a) Zone-specific objectives and policies that recognise that the Resort may result in a greater scale of development than typically found in the rural environment. Those provisions would manage the adverse effects of the Resort including taking into account rural amenity and character and values of the Waikato River;
  - (b) The use of a Hotel Precinct to provide for a large scale hotel (as a restricted discretionary activity) and a more enabling approach to visitor accommodation outside the Precinct for smaller scale accommodation;
  - (c) Activity-specific rules, including helicopter take off/landings and special noise events, which provide for a limited number of events that exceed the Rural Zone's standard noise limits;
  - (d) A higher level of permitted building coverage whilst still retaining open space over a large extent of the TVR Zone; and
  - (e) Unlimited temporary events as long as permitted standards are met.
28. Mr Scrafton concluded that the proposed TVR Zone was the most effective and efficient method to achieve the PDP objectives compared to the alternative of developing the Site under the Rural Zone, or any other standard zone. He also stated that it would enable the efficient future operation of the Site and signal the intentions and future development of the Site for the community, the submitter and Council.

#### Waikato Regional Council

29. Ms Miffy Foley's primary evidence opposed the rezoning of land within the Hamilton 2 Auckland (H2A) corridor, including that by TaTa Valley, and considered that this should be deferred until the relevant component of the corridor plan was complete. However, Ms Foley's rebuttal evidence then stated that she agreed with many of the recommendations of the section 42A reporting planners on the rezoning topics, and TaTa Valley's proposal was not one where she had particular remaining concerns.

#### Waka Kotahi

30. Mr Michael Wood tabled planning evidence on behalf of Waka Kotahi, a further submitter on TaTa Valley's proposal. He advised that after reviewing the planning and transport evidence, he understood that the principal access to the Site will be from an extension to Yashili Drive. Mr Robert Swears (transport engineering advisor for Waka Kotahi) had reviewed the TaTa Valley Integrated Transport Assessment and advised

that this proposal is unlikely to have a detrimental impact on State Highway 1. On that basis, Mr Woods had a neutral position on TaTa Valley's rezoning proposal.

## 5 PANEL DECISIONS

31. We note that nine primary submission points and 65 further submission points were received on the zoning of TaTa Valley, and these were considered in a comprehensive section 42A report and rebuttal prepared by Mr Wyeth. Most of the further submitters did not file any evidence, but the concerns raised broadly related to traffic effects, cultural effects, landscape and visual effects, lack of servicing, and the strategic appropriateness of the development enabled by the proposed zone in its location. We address these in turn.
32. In terms of traffic effects, we understand that the proposal relies upon the new primary access road to achieve safe and efficient access. We are satisfied that there is sufficient certainty that this road can be delivered by the developer, noting that it crosses private land that is all within the control of the developer, and that the engineering assessment of the alignment has shown it to be technically feasible. Relevantly, we have decided to accept the adjoining Havelock Village Limited rezoning request in part, which will require the same road connection to be delivered to support that development.
33. Mr Hills' modelling assessment has adequately demonstrated to us that the rezoning proposal will not result in any adverse effects on the operation of local intersections and roads, and no specific transport mitigation measures are required for this proposal. We also accept Mr Hills' evidence that trips generated by events of 500 people or under can be managed within the capacity of the proposed new access road, and we determine that such events can be a permitted activity, while events for more people should require a traffic assessment.
34. We acknowledge the further submissions from iwi noting that cultural matters were still unresolved at the time of submission. We commend the past and ongoing engagement by the submitter with mana whenua in respect of the proposal. We also consider that the framework that has been put in place for an ongoing relationship with mana whenua will allow for cultural concerns to be addressed. We further support the proposed policy for the zone that relates to protecting and restoring the values of the Waikato River and note that resource consent will be required for any activity within the boundary of the Maaori Site of Significance.
35. While the visualisations presented of the hotel did appear somewhat stark, we accept that these were indicative only. We are supportive of the matters of discretion for visitor accommodation that are set out in the proposed TVR Zone provisions, which require close consideration of building design and external appearance to downplay visual bulk and dominance effects. We are also mindful that there is a low level of audience exposure for views into the Site and accept Mr Pryor's evidence that the

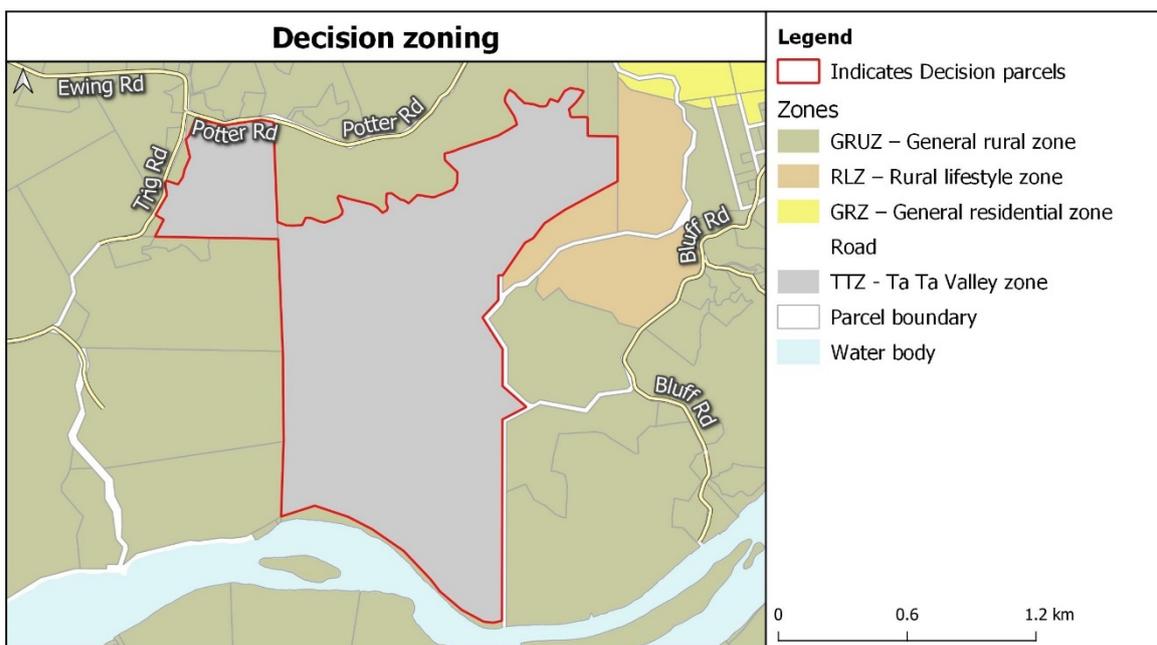
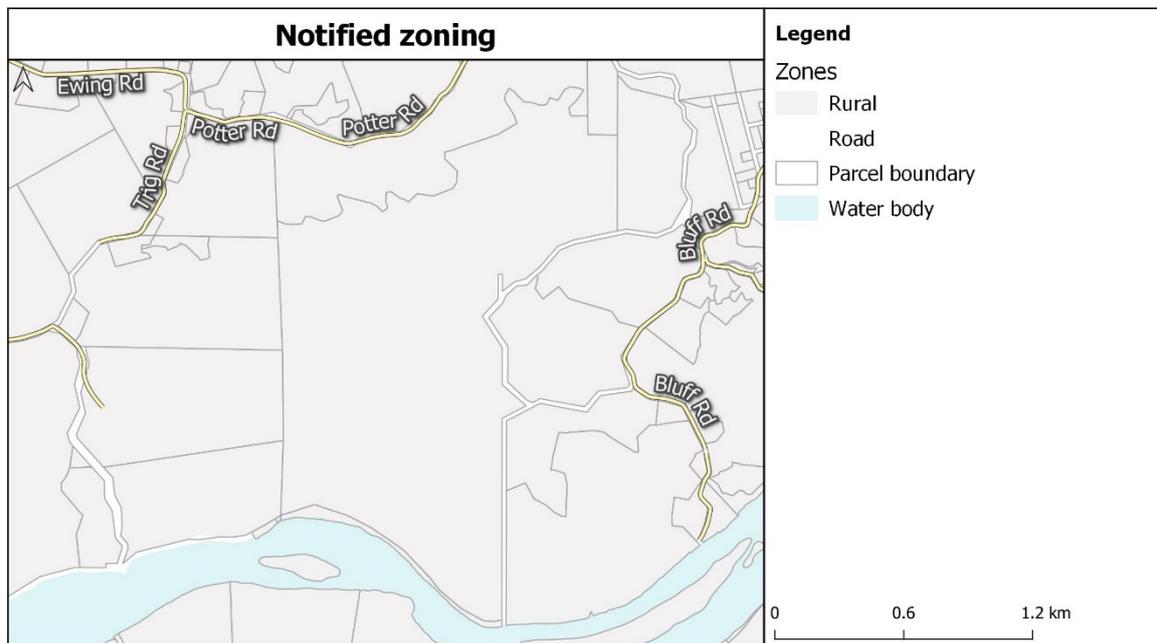
- hotel (and other associated development) can be designed so as to have acceptable visual effects.
36. In respect of servicing, we accept the evidence of Mr Pitkethley that infrastructure servicing of the Site is feasible and could be delivered in alignment with the pace of development. We also note that Watercare is anticipating the Resort development in its water and wastewater planning for Pōkeno. As per our Decision Report 28I on Pōkeno rezoning, we do not consider the local infrastructure issues for TaTa Valley to be of a scale that should hold up the rezoning of the Site.
37. Based on the evidence of Mr Pitkethley, we consider that the flooding hazard constraints for the Site are sufficiently understood and are satisfied that design solutions have been advanced which would enable the development to progress without increasing flood risk to people or property. We consider that the proposed stormwater solution gives effect to the Vision and Strategy for the Waikato River, by enhancing the quality of water discharged from the Site and entering the river.
38. We next considered the appropriateness of the proposed activities at the Site's location. The evidence has illustrated to us that the proposed activities will ensure that the overall setting will remain primarily rural in nature. We consider that the proposed zone provisions provide an appropriate framework for managing the effects of the proposed development to ensure that they are (for the most part and at a whole of Site scale) similar to what can occur in the Rural Zone. Further, we consider that these specific zoning provisions will be acceptable and compatible within the surrounding rural context. Since restrictive subdivision provisions will apply as per the Rural Zone, and very low building coverage is enabled outside of the Hotel Precinct, we are satisfied that the proposed TVR Zone will not enable 'urban creep'.
39. For completeness, we accept the evidence of Mr Edwards and Mr Martin respectively, that the Site is geotechnically and ecologically suitable for the type of development enabled by the proposed TVR Zone and that engineering solutions are able to address any geotechnical risks.
40. Overall, the evidence has satisfied us that the TaTa Valley Site is suitable for the proposed Resort and associated activities. As set out by Mr Thompson, we also recognise that the economic benefits of the Resort to the Waikato District are substantial. We wish to note our appreciation of the efforts of Mr Ye in presenting his vision for the Site to us and consider his rationale behind the proposed development to be sound.
41. Moving to the most appropriate mechanism to facilitate the proposed Resort, Mr Scrafton and Mr Wyeth have undertaken thorough section 32AA analyses and reached the conclusion that a special purpose zone (the TVR Zone) is the most appropriate zone for the TaTa Valley Resort Site. We agree and have included the TaTa Valley Resort Zone and corresponding zone provisions in the PDP (attached to this Decision

as **Appendix 1**). We have made only minor clarification amendments to the latest version of provisions attached to the opening statement of Mr Wyeth,<sup>3</sup> which we understand were agreed between Mr Wyeth and Mr Scrafton.

42. Mr Scrafton and Mr Wyeth both stated that the 50 additional identified areas of significant indigenous biodiversity should ideally be subject to SNA rules. We agree that this is the most efficient and effective approach to protecting these areas and have added these areas as SNAs on the planning maps. We note that the Significant Amenity Landscape overlay adjacent to the Waikato River will now be removed from the Site as set out in Decision Report 10 – Landscapes, and an Outstanding Natural Landscape (ONL) Overlay will apply to land within 37m of the bank of the Waikato River. The ONL combined with the large area of SNA adjacent to the Waikato River will continue to protect landscape values at this location, as envisaged.
43. While we acknowledge Mr Wyeth’s assessment that it would be beneficial to identify ‘natural inland wetlands’ on the concept plan, we are comfortable with these not being mapped, as the National Environmental Standards for Freshwater 2020 will be applied at the consenting stage to manage any works affecting such wetlands.
44. The TaTa Valley Resort Zone provisions (including Concept Plan) are added into the PDP as per **Appendix 1**, and the District Plan maps are amended as follows:

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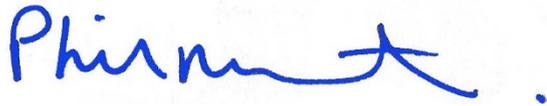
<sup>3</sup> Hearing 25: TaTa Valley Resort, Opening Statement of Jerome Wyeth, dated 31 May 2021.



## 6 CONCLUSION

45. The Panel accepts the section 42A report and the evidence filed by the submitters, collectively forming the section 32AA assessment informing this Decision.
46. Overall, the Panel is satisfied that the TaTa Valley Resort Zone (and the activities / development enabled by that zones) will provide a suitable framework for managing the development of TaTa Valley Resort for the lifespan of the PDP.

**For the Hearings Panel**

A handwritten signature in blue ink, appearing to read "Phil Mitchell", with a period at the end.

**Dr Phil Mitchell, Chair**

**Dated: 17 January 2022**

## Appendix 1: Zone provisions

### TTZ – TaTa Valley zone

*The relevant district-wide chapter provisions apply in addition to this chapter.*

#### **Objectives**

##### TTZ-O1 TaTa Valley Resort.

The TaTa Valley Resort is enabled to operate as a regionally significant rural tourism and recreation facility.

##### TTZ-O2 Adverse effects.

The TaTa Valley Resort is developed and operated while adverse effects on the environment, including on the character and amenity of the surrounding rural environment, are avoided, remedied or mitigated.

#### **Policies**

##### TTZ-P1 Development and operation of the TaTa Valley Resort.

###### (I) Enable the development and operation of the TaTa Valley Resort for:

- (a) Visitor accommodation; and
- (b) Rural tourism, including recreation activities.

##### TTZ-P2 Activities.

###### (I) Enable activities to establish onsite which are compatible with, or accessory to, the primary activities of the TaTa Valley Resort including:

- (a) Ancillary commercial and retail activities;
- (b) Conservation activities;
- (c) Concerts, events and ancillary temporary buildings and structures;
- (d) Workers' accommodation; and
- (e) Accessory buildings.

##### TTZ-P3 Concept plan.

Develop and manage the zone in general accordance with the concept plan (APPI3 – TaTa Valley concept plan).

##### TTZ-P4 Adverse effects.

###### (I) Manage the adverse effects of the establishment and operation of the TaTa Valley Resort by:

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- (a) Contributing to a proportionate response to protecting and restoring the health and well-being of the Waikato River;
- (b) Minimising adverse effects on the amenity and character values of the surrounding rural environment;
- (c) Providing for the safe and efficient operation and functioning of the surrounding traffic network; and
- (d) Recognising and providing for cultural values.

TTZ-P5 Scale of development.

Recognise that establishing and operating the TaTa Valley Resort may result in a greater scale of development than what may typically be found in the rural environment.

TTZ-P6 Waikato River.

- (1) Buildings within 37m of the Waikato River must have a functional or operational need to be located in proximity of the Waikato River (for example, river access structures and ancillary buildings such as waiting areas).

## **Rules**

### Land use – activities

<b>TTZ-RI</b>	Visitor accommodation outside the Hotel Area (as identified on the planning maps)
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) <u>The height of the building, measured from the natural ground level immediately below that part of the structure, must not exceed 5m.</u></li> <li>(b) <u>Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 7m measured from the natural ground level immediately below the structure;</u></li> <li>(c) <u>The maximum building footprint for Visitor Accommodation over the TTZ – TaTa Valley zone (but outside the Hotel Area) must not exceed 1,000m<sup>2</sup>.</u></li> </ul>	<p><b>(2) Activity status: RDIS</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) <u>The building must not exceed 10m in height, measured from the natural ground level immediately below that part of the structure;</u></li> <li>(b) <u>Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 12m measured from the natural ground level immediately below the structure;</u></li> <li>(c) <u>The maximum building footprint for Visitor Accommodation over the TTZ – TaTa Valley zone (but outside the Hotel Area) must not exceed 2,000m<sup>2</sup>.</u></li> </ul> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(d) <u>Effects arising from any non-compliance with relevant land use - effects standards, and/or land use – buildings standards.</u></li> </ul>

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	<p>(e) <u>The extent to which the building design and external appearance avoids, remedies or mitigates adverse effects, having regard to the amenity values and character of the surrounding area. Matters to consider include:</u></p> <p>(i) <u>Articulation of the overall mass of the building, including the extent to which the elevation of the Hotel is broken up horizontally and vertically at key points.</u></p> <p>(ii) <u>The extent to which dynamic and innovative building forms have been utilised to downplay the overall scale, visual bulk and perceived dominance of the built form.</u></p> <p>(iii) <u>The use of varied textures on the building's façade to emulate natural textures and diffuse naturally reflected light</u></p> <p>(iv) <u>The use of colour and materials in the lower built form</u></p> <p>(v) <u>The extent to which the uniformity of the roofline at the upper level can be broken up to provide a varied silhouette reminiscent of natural formations of land and clouds.</u></p> <p>(vi) <u>Cultural effects particularly on the values of the Waikato River</u></p> <p>(f) <u>Traffic effects on the local road network and the adequacy of proposed measures to manage these effects.</u></p> <p>(g) <u>Consistency with the concept plan (APP13 – TaTa Valley concept plan).</u></p> <p><b>(3) Activity status: DIS</b></p> <p><b>Where:</b></p> <p>(a) The standards of TTZ-R1(2) are not met.</p>
<p><b>TTZ-R2</b>   Workers' accommodation</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) <u>There are no more than 3 workers' accommodation buildings within the entire TTZ – TaTa Valley zone.</u></p> <p>(b) <u>Each workers' accommodation building shall have a floor area of no more than 120m<sup>2</sup> excluding decks and garaging.</u></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) <u>The extent to which the building design and external appearance manages adverse effects having regard to the</u></p>

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<p>(c) <u>Each building must comply with all the building setback and height requirements as set out in the land use – building standards.</u></p>	<p><u>amenity values and character of the surrounding area.</u></p>
<p><b>TTZ-R3</b></p>	<p><u>Ancillary retail</u></p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          (a) <u>There are no more than 5 ancillary retail premises within the entire TTZ – TaTa Valley zone.</u>          (b) <u>The floor area for each of the ancillary retail premises must not exceed 200m<sup>2</sup>.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>          (a) <u>Traffic effects on the local road network and the adequacy of proposed measures to manage these effects.</u></p>
<p><b>TTZ-R4</b></p>	<p><u>Ancillary offices</u></p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          (a) <u>Offices must be ancillary to other activities onsite and be included in the calculations for building height, building coverage and building setbacks for those activities.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>          (a) <u>Traffic effects on the local road network and the adequacy of proposed measures to manage these effects.</u></p>
<p><b>TTZ-R5</b></p>	<p><u>Helicopter take offs and landings</u></p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          (a) <u>Flight movements must not exceed 5 landings and 5 take offs on any day.</u>          (b) <u>Flight movements must not exceed 40 landings and 40 take-offs in any 30 day period.</u>          (c) <u>Flights must only occur between 30 minutes before sunrise and 30 minutes before sunset on the same day.</u>          (d) <u>The noise level arising from helicopter movements on any site must not exceed L<sub>dn</sub> 50dB and 85dB L<sub>AFmax</sub> on any single day measured at the TVR Zone boundary. This does not apply to helicopter movements required for emergency services.</u>          (e) <u>All helicopter noise measurements must be undertaken in accordance with NZS 6801:2008 “Acoustics – Measurement of Environmental Sound” and all assessments shall be undertaken in accordance with and NZS6807:1994 Noise management and land use planning for helicopter landing areas. Where</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>          (a) <u>Effects of noise on surrounding properties.</u></p>

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<u>NZS6807:1994 is applied, the period for averaging of LDN levels shall be 1 day.</u>	
<b>TTZ-R6</b>	<u>Informal recreation</u>
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>TTZ-R7</b>	<u>Entertainment activity</u>
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>TTZ-R8</b>	<u>Special noise events</u>
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) <u>A Special Noise Event must not exceed a total cumulative duration of 8 hours on any day. A Special Noise Event that occurs over two days shall be considered to be two Special Noise Events.</u> (b) <u>There must not be more than one Special Noise Event on any day.</u> (c) <u>There must not be more than two Special Noise Events in any seven day period.</u> (d) <u>There must not be more than four Special Noise Events in any 30 day period.</u> (e) <u>There must not be more than 12 Special Noise Events in any 12 month period.</u> (f) <u>Special Noise Events may take place between 7.30am and 8:30pm on any day.</u> (g) <u>The noise generated by any activity associated with the Special Noise Event must not exceed 65dB LAeq(5min) when measured and assessed at any Notional Boundary on another site outside the TTZ – TaTa Valley zone.</u> (h) <u>The noise level must comply with the stated limit for every 5 minute LAeq period. There shall be no adjustment for Duration or Special Audible Character in accordance with NZS6802:2008 when determining compliance with Rule TTZ-R8(1)(g). All other relevant adjustments and assessment requirements specified in NZS6802 apply.</u> (i) <u>Noise levels must be measured in accordance with the requirements of</u>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) <u>Noise effects on the surrounding environment and adequacy of proposed measures to manage these effects.</u> (b) <u>For Special Noise Events not complying with TTZ-R8(1)(i), the following matters:</u> (i) <u>Traffic effects on the local road network and the adequacy of proposed measures to manage these effects.</u> (ii) <u>Effects on the amenity of surrounding properties.</u>

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<p><u>New Zealand Standard NZS 6801:2008 “Acoustics – Measurement of Environmental Sound”</u>. Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustics – Environmental noise except as specified in (h) above.</p> <p>(j) <u>The number of people at the event must not exceed 500.</u></p>		
<b>TTZ-R9</b>	<u>Farming</u>	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> <u>Nil.</u>		(2) <b>Activity status where compliance not achieved: n/a</b>
<b>TTZ-R10</b>	<u>Produce stall</u>	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> <u>Nil.</u>		(2) <b>Activity status where compliance not achieved: n/a</b>
<b>TTZ-R11</b>	<u>Equestrian centre</u>	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> <u>Nil.</u>		(2) <b>Activity status where compliance not achieved: n/a</b>
<b>TTZ-R12</b>	<u>Horse training centre</u>	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> <u>Nil.</u>		(2) <b>Activity status where compliance not achieved: n/a</b>
<b>TTZ-R13</b>	<u>Free range pig or poultry farming, and poultry hatcheries</u>	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> <u>Nil.</u>		(2) <b>Activity status where compliance not achieved: n/a</b>
<b>TTZ-R14</b>	<u>Conservation activity</u>	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> <u>Nil.</u>		(2) <b>Activity status where compliance not achieved: n/a</b>
<b>TTZ-R15</b>	<u>Buildings, structures and sensitive land use within the National Grid Yard on existing sites as of 18 July 2018</u>	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) <u>Within National Grid Yard:</u> (i) <u>Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or</u> (ii) <u>Infrastructure (other than for the reticulation and storage of water for</u>		(2) <b>Activity status where compliance not achieved: NC</b>

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<p><u>irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991;</u> <u>or</u></p> <p>(iii) <u>Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or</u></p> <p>(iv) <u>Non-habitable horticultural buildings;</u> <u>or</u></p> <p>(v) <u>Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures);</u></p> <p>(vi) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below the structure;</u> <u>and</u></p> <p>(vii) <u>Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks.</u></p> <p>(b) <u>All buildings or structures permitted by Rule TTZ-R15(1)(a) must:</u></p> <p>(i) <u>Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions;</u> <u>and</u></p> <p>(1) <u>Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</u></p> <p>(2) <u>A building or structure where Transpower has given written</u></p>	
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<p><u>approval in accordance with clause 2.4.1 of the NZECP; or</u></p> <p>(3) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation;</u> or</p> <p>(ii) <u>Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</u></p> <p>(iii) <u>Not permanently physically impede existing vehicular access to a National Grid support structure;</u></p> <p>(c) <u>Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that:</u></p> <p>(i) <u>Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor;</u></p> <p>(ii) <u>Are no higher than 2.5m;</u></p> <p>(iii) <u>Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes;</u></p> <p>(iv) <u>Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.</u></p>	
<p><b>TTZ-RI6</b></p>	<p><u>Construction or alteration of a building for a sensitive land use</u></p>
<p><b>(1) Activity status: PER</b> <b><u>Activity-specific standards:</u></b></p> <p>(a) <u>The construction or alteration of a building for a sensitive land use that complies with all of the following standards:</u></p> <p>(i) <u>It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid,</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b><u>Council's discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Effects on the amenity values of the site;</u></p> <p>(b) <u>The risk of electrical hazards affecting the safety of people;</u></p> <p>(c) <u>The risk of damage to property; and</u></p>

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<p><u>that operate at a voltage of up to 110kV; or</u></p> <p>(ii) <u>It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</u></p>	<p>(d) <u>Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</u></p>
<p><b>TTZ-R17</b>      <u>Ancillary commercial services</u></p>	
<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p><u>Nil.</u></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) <u>Effects arising from any non-compliance with relevant land use - effects standards, and/or land use – buildings standards.</u></p> <p>(b) <u>Effects on retaining a predominantly rural character in the TTZ – TaTa Valley zone.</u></p> <p>(c) <u>Traffic effects on the local road network and the adequacy of proposed measures to manage these effects.</u></p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>TTZ-R18</b>      <u>Visitor accommodation within the Hotel Area (as identified on the planning maps)</u></p>	
<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p><u>Nil.</u></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) <u>Effects arising from any non-compliance with relevant land use – effects standards, and/or land use – buildings standards.</u></p> <p>(b) <u>The extent to which the building design and external appearance avoids, remedies or mitigates adverse effects, having regard to the amenity values and character of the surrounding area.</u></p> <p><u>Matters to consider include:</u></p> <p>(i) <u>Articulation of the overall mass of the building, including the extent to which the elevation of the Hotel is broken up horizontally and vertically at key points.</u></p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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<ul style="list-style-type: none"> <li>(ii) <u>The extent to which dynamic and innovative building forms have been utilised to downplay the overall scale, visual bulk and perceived dominance of the built form.</u></li> <li>(iii) <u>The use of varied textures on the building's façade to emulate natural textures and diffuse naturally reflected light.</u></li> <li>(iv) <u>The use of colour and materials in the lower built form.</u></li> <li>(v) <u>The extent to which the uniformity of the roofline at the upper level can be broken up to provide a varied silhouette reminiscent of natural formations of land and clouds.</u></li> <li>(vi) <u>Cultural effects particularly on the values of the Waikato River.</u></li> <li>(c) <u>Traffic effects on the local road network and the adequacy of proposed measures to manage these effects.</u></li> <li>(d) <u>Consistency with the concept plan (APP13 – TaTa Valley concept plan).</u></li> </ul>	
<p><b>TTZ-RI9</b>   Community facility</p>	
<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b>  <u>Nil.</u></p> <p><b><u>Council's discretion is restricted to the following matters:</u></b></p> <ul style="list-style-type: none"> <li>(a) <u>The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships and the extent to which it is necessary to locate in the TTZ – TaTa Valley zone;</u></li> <li>(b) <u>Effects on rural character and amenity of both the streetscape and neighbours with particular regard to the bulk and location of buildings;</u></li> <li>(c) <u>Nuisance effects including light spill and glare, odour, dust, and noise;</u></li> <li>(d) <u>Traffic effects;</u></li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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<p>(e) <u>Reverse sensitivity effects on existing farming, intensive farming, rural industry, or quarrying activities; and</u></p> <p>(f) <u>The extent to which the facilities are designed to meet Crime Prevention Through Environmental Design outcomes.</u></p>	
<p><b>TTZ-R20</b></p>	<p><u>Rural Industry, including packhouses and coolstores that handle produce sourced from other sites, feed mills and animal feed production, and rural contractors' depots</u></p>
<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b></p> <p>(a) <u>Rural Industry, including packhouses and coolstores that handle produce sourced from other sites, feed mills and animal feed production, and rural contractors' depots; that meet the following standard:</u></p> <p>(i) <u>Is not an extractive activity.</u></p> <p><b><u>Council's discretion is restricted to the following matters:</u></b></p> <p>(b) <u>The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships and the extent to which it is necessary to locate in the TTZ – TaTa Valley zone;</u></p> <p>(c) <u>Effects on rural character and amenity of both the streetscape and neighbours with particular regard to the bulk and location of buildings,</u></p> <p>(d) <u>Location, type and scale of development;</u></p> <p>(e) <u>Nuisance effects including light spill and glare, odour, dust, noise; and</u></p> <p>(a) <u>Traffic effects.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>TTZ-R21</b></p>	<p><u>Any activity that is not listed as permitted, restricted discretionary, discretionary or non-complying</u></p>
<p><b>(1) Activity status: DIS</b></p>	
<p><b>TTZ-R22</b></p>	<p><u>Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard</u></p>
<p><b>(1) Activity status: NC</b></p>	
<p><b>TTZ-R23</b></p>	<p><u>Any change of use of an existing building to a sensitive land use within the National Grid Yard</u></p>
<p><b>(1) Activity status: NC</b></p>	
<p><b>TTZ-R24</b></p>	<p><u>The establishment of any new sensitive land use within the National Grid Yard</u></p>

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<b>(1) Activity status: NC</b>	
<b>TTZ-R25</b>	<u>Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, Pseudomonas syringae pv. Actinidiae (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard</u>
<b>(1) Activity status: NC</b>	

Land use – effects

The standards below apply to permitted activities only.

<b>TTZ-S2</b>	<u>Access</u>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>Access and egress to and from the TTZ – TaTa Valley zone for all activities except for farming must be via an eastern entrance to the resort as shown on the concept plan (APPI3 – TaTa Valley concept plan) as Proposed Yashili Road Connection.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>The extent of traffic effects on the local road network and surrounding community and the adequacy of proposed measures to manage these effects.</u></p>
<b>TTZ-S3</b>	<u>Parking</u>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>All parking associated with activities occurring within the TTZ – TaTa Valley zone must be accommodated within the zone.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>The extent of traffic effects on the local road network and surrounding community and the adequacy of proposed measures to manage these effects.</u></p>
<b>TTZ-S4</b>	<u>Internal Road Circulation</u>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>Internal roading within the TTZ – TaTa Valley zone must be developed in general accordance with the indicative road network in the concept plan (APPI3 – TaTa Valley concept plan).</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Effects arising from any inconsistency with the Concept Plan.</u></p>

Land use – building

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The standards below apply to permitted activities only.

<b><u>TTZ-S5</u></b>	<u>Building height – general</u>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) <u>The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 15m, except:</u></p> <p>(i) <u>The maximum height is 10m where located within 50m of a road or internal boundary;</u></p> <p>(ii) <u>For hose drying towers associated with emergency service facilities the maximum height is 15m.</u></p> <p>(b) <u>Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 17m measured from the natural ground level immediately below the structure, except where located within 50m of a road or internal boundary where the maximum height is 12m.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>The extent to which the design of the building will result in adverse visual effects outside of the TTZ – TaTa Valley zone and the adequacy of proposed measures to manage these effects.</u></p>	
<b><u>TTZ-S6</u></b>	<u>Height in relation to boundary</u>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) <u>A building or structure (excluding poles or aerials) must not protrude through the height in relation to boundary rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Height of the building;</u></p> <p>(b) <u>Design and location of the building;</u></p> <p>(c) <u>Admission of daylight and sunlight to the site and other site;</u></p> <p>(d) <u>Privacy on any other site; and</u></p> <p>(e) <u>Amenity values of the locality.</u></p>	
<b><u>TTZ-S7</u></b>	<u>Building Coverage outside the Hotel Area</u>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) <u>The total building coverage throughout the TTZ – TaTa Valley zone (excluding the Hotel Area) must not exceed 50,000m<sup>2</sup>.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>The extent to which the building bulk, design and external appearance manages adverse effects having regard</u></p>	

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	<p><u>to the amenity values and character of the surrounding area.</u></p> <p>(b) <u>The extent of traffic effects on the local road network and surrounding community and the adequacy of proposed measures to manage these effects.</u></p>
<b>TTZ-S8</b>	<u>Building setbacks – all boundaries</u>
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) <u>A habitable building located on a Record of Title less than 1.6ha must be set back a minimum of:</u></p> <p>(i) <u>7.5m from the road boundary;</u></p> <p>(ii) <u>17.5m from the centre line of an indicative road;</u></p> <p>(iii) <u>25m from the boundary of an adjoining site that is 6ha or more;</u></p> <p>(iv) <u>12m from the boundary of an adjoining site that is less than 6ha;</u></p> <p>(b) <u>A non-habitable building or structure located on a Record of Title less than 1.6ha must be set back a minimum of:</u></p> <p>(i) <u>7.5m from the road boundary;</u></p> <p>(ii) <u>17.5m from the centre line of an indicative road;</u></p> <p>(iii) <u>12m from every boundary other than a road boundary.</u></p> <p>(c) <u>Standard TTZ-S8(1)(b) does not apply to fences or structures less than 2m in height, retaining walls, poles or aerials.</u></p> <p>(d) <u>A habitable building located on a Record of Title 1.6ha or more must be set back a minimum of:</u></p> <p>(i) <u>12m from the road boundary;</u></p> <p>(ii) <u>22m from the centre line of an indicative road;</u></p> <p>(iii) <u>25m from every boundary other than a road boundary.</u></p> <p>(e) <u>A non-habitable building or structure located on a Record of Title 1.6ha or more must be set back a minimum of:</u></p> <p>(i) <u>12m from the road boundary;</u></p> <p>(ii) <u>22m from the centre line of an indicative road;</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b><u>Council's discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Effects on rural amenity values beyond the TTZ – TaTa Valley zone;</u></p> <p>(b) <u>Transport network safety and efficiency;</u></p> <p>(c) <u>Reverse sensitivity effects; and</u></p> <p>(d) <u>Where the road boundary is with an unformed paper road the likelihood of the road being formed or readily utilised by the public.</u></p>

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<p>(iii) <u>12m from every boundary other than a road boundary.</u></p> <p>(f) <u>Standard TTZ-S8(1)(e) does not apply to fences or structures less than 2m in height, retaining walls, poles or aerials.</u></p>	
<b>TTZ-S9</b>	<u>Building setback – waterbodies</u>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>A building other than provided for under Standards TTZ-S9(1)(b) and (c) must be set back a minimum of:</u></p> <p>(i) <u>32m from the margin of any lake with a size of 8ha or more;</u></p> <p>(ii) <u>32m from the margin of any wetland;</u></p> <p>(iii) <u>32m from the bank of a river with an average width of 3m or more, other than the Waikato River and Waipa River;</u></p> <p>(iv) <u>37m from a bank of the Waikato River and Waipa River;</u></p> <p>(v) <u>12m from the bank of any river with an average width of 3m or less;</u></p> <p>(vi) <u>12m from the margin of any lake with a size of less than 8ha;</u></p> <p>(vii) <u>32m from mean high water springs</u></p> <p>(b) <u>A public amenity building, or maimai used for temporary waterfowl hunting purposes, of up to 25m<sup>2</sup> in size;</u></p> <p>(c) <u>A pump shed (public or private) set back a minimum of 5m from any waterbody.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b><u>Council's discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</u></p> <p>(b) <u>Adequacy of erosion and sediment control measures;</u></p> <p>(c) <u>The functional or operational need for the building to be located close to the waterbody;</u></p> <p>(d) <u>Effects on public access to the waterbody;</u></p> <p>(e) <u>Effects on rural character and amenity.</u></p>

<b>TEMP-xx</b>	<u>Temporary events</u>	
<u>TTZ – TaTa Valley zone</u>	<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>The duration of the event must not exceed 72 hours;</u></p> <p>(b) <u>Noise levels for temporary events must comply with the limits specified in Rule NOISE-Rxx;</u></p> <p>(c) <u>The number of people at the event must not exceed 500;</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b><u>Council's discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Traffic effects on the local road network and the adequacy of proposed measures to manage these effects; and</u></p> <p>(b) <u>Effects on the amenity of surrounding properties.</u></p>

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	<p>(d) <u>Temporary buildings must:</u></p> <p>(i) <u>Not exceed a height of 15m, measured from the natural ground level immediately below that part of the structure;</u></p> <p>(ii) <u>Be erected no more than 2 days before the event occurs;</u></p> <p>(iii) <u>Be removed no more than 3 days after the end of the event.</u></p> <p>(e) <u>The site must be returned to its previous condition no more than 3 days after the end of the event.</u></p> <p>(f) <u>If taking place outside of the Hotel Area, the event must only occur between the hours of 7:30am and 8:30pm Monday – Sunday.</u></p>	
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Noise

<p><b><u>NOISE-Rxx</u></b></p>	<p><u>Noise – general</u></p>	
<p><u>TTZ – TaTa Valley zone</u></p>	<p><b><u>(1) Activity status: PER</u></b>  <b><u>Where:</u></b></p> <p>(a) <u>The noise rating level must not exceed:</u></p> <p>(i) <u>50dB LAeq, 7am to 7pm every day;</u></p> <p>(ii) <u>45dB LAeq, 7pm to 10pm every day;</u></p> <p>(iii) <u>40dB LAeq and 65dB LAmax, 10pm to 7am the following day when measured at or within any Notional Boundary in the GRUZ – General Rural Zone.</u></p> <p>(b) <u>No noise limits apply between sites in the TTZ – TaTa Valley zone.</u></p> <p>(c) <u>Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics – Measurement of Environmental Sound”.</u></p>	<p><b><u>(2) Activity status where compliance not achieved: RDIS</u></b>  <b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>The extent to which proposed hours of operation and/or duration (of the activity causing the noise infringement) will give rise to adverse noise effects on the surrounding environment and adequacy of proposed measures to manage these effects.</u></p>

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	(d) <u>Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic – Environmental noise”.</u>	
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**Subdivision**

TTZ – TaTa Valley zone

<b><u>SUB-xx</u></b>	<u>Any subdivision in the TTZ – TaTa Valley zone except as provided for in Rule AINF-R17 (subdivision to create a utility allotment for accommodating infrastructure)</u>	
<u>TTZ – TaTa Valley zone</u>	<b>(1) Activity status: DIS</b>	
<b><u>SUB-xx</u></b>	<u>Subdivision within the National Grid Corridor</u>	
<u>TTZ – TaTa Valley zone</u>	<p><b>(1) Activity status: RDIS</b>  <b>Activity specific standards:</b></p> <p>(a) <u>The subdivision of land in any zone within the National Grid Subdivision Corridor that complies with all of the following standards:</u></p> <p>(i) <u>All resulting allotments must be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</u></p> <p>(ii) <u>The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</u></p> <p><b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(e) <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the National Grid;</u></p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>

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	<ul style="list-style-type: none"><li>(f) <u>The ability to provide a complying building platform outside of the National Grid Yard;</u></li><li>(g) <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</u></li><li>(h) <u>The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and the how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;</u></li><li>(i) <u>The risk to the structural integrity of the National Grid;</u></li><li>(j) <u>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.</u></li></ul>	
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The following tracked change text has no legal status. Its sole purpose is to help submitters understand the Hearing Panel's changes to the notified provisions. Our formal decision, which is in the National Planning Standard format, can be found on the Waikato District Council website.

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**Appendix 13: TaTa Valley Concept Plan**

