

Attachment 3

Recommended changes to Chapter 9 Specific Zones, Chapter 13 and Chapter 28 Rangitahi Peninsula Zone. Note that the base documents for the recommended changes are the tracked change versions contained in the s42A Report. All additional changes are marked with a comment.

Recommended changes to SNA in Planning Maps.

Chapter 9: Specific Zones

Proposed Waikato District Plan

Stage I

(Recommended amended version)

Incorporating Rangitahi Ltd
Amendments (16-11-20)



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Chapter 9: Specific Zones

9.1 Hampton Downs motorsport and recreation

9.1.1 Objective - Continued development and operation of the Hampton Downs Motorsport Park

- (a) The Hampton Downs Motorsport Park develops into a regionally-significant motorsport and recreation facility.

9.1.1.1 Policy - Operation and development

- (a) Enable the continued operation and development of activities, facilities and events within the Motorsport and Recreation Zone by providing for:
- (i) A wide range of motor sport and recreation activities; and
 - (ii) The development of facilities to support the motorsport and recreation activities and events.

9.1.1.2 Policy – Precinct-based development

- (a) A precinct-based approach enables the ongoing operation and development of the Hampton Downs Motorsport Park by:
- (i) Precinct A providing for the operational motorsport area including the main race track and associated facilities;
 - (ii) Precinct B providing for business and industrial facilities and activities that supports the Hampton Downs Motorsport Park;
 - (iii) Precinct C providing for a minor race track and travellers' accommodation;
 - (iv) Precinct D providing for residential activities within the residential apartments;
 - (v) Precinct E providing for industrial activities within the industrial units.

9.1.1.3 Policy – Management of adverse effects

- (a) Mitigating adverse effects by managing:
- (i) The scale, intensity, timing and duration of activities so that adverse noise effects on the surrounding rural zone are minimised; and
 - (ii) The adverse traffic safety effects to ensure the safe and efficient operation and functioning of the adjacent transport network and efficient access to surrounding facilities is maintained at all times; and
 - (iii) Signs that are visible from, or located in close proximity to, a public road to ensure the safe functioning of the public road; and
 - (iv) The size scale and intensity of development to ensure the amenity of the surrounding area is maintained.

9.2 Te Kowhai Airpark

9.2.1 Objective – Te Kowhai Airpark

- (a) To use and develop Te Kowhai Airpark as a strategically-significant, safe and economically-sustainable airpark that meets the current and future needs of the aviation community.

9.2.1.1 Policy - Development

- (a) Facilitate development of Te Kowhai Airpark by providing for a diversity of residential and commercial opportunities which leverage off existing aerodrome infrastructure.
- (b) Develop Te Kowhai Airpark in accordance with the Te Kowhai Airpark Framework Plan.

9.2.1.2 Policy - Servicing

- (a) Development is to be adequately serviced with respect to essential services, water supply, wastewater treatment and disposal and stormwater treatment and disposal.

9.2.1.3 Policy – Precinct-based development

- (a) Provide a precinct based approach that enables the strategic development and management of Te Kowhai Airpark such that:
 - (i) Precinct A - provides for a runway, runway strip and associated aircraft operations;
 - (ii) Precinct B - provides for commercial activity which supports the airpark and the aviation sector ;
 - (iii) Precinct C - provides for medium density residential activities;
 - (iv) Precinct D - provides for low density residential development and a transitional higher density airside overlay; and
 - (v) All precincts - have taxiway connectivity with the runway.

9.2.1.4 Policy – Alignment of activities

- (a) On-site activities must be consistent with the precinct functions identified in the Te Kowhai Airpark Framework Plan.

9.2.1.5 Policy – Commercial activity

- (a) Provide for commercial activities that support Te Kowhai Airpark and the aviation sector, including hangars, workshops and refuelling facilities.

9.2.1.6 Policy – Existing and future operations

- (a) Te Kowhai Aerodrome's existing and future operational needs are safeguarded through mechanisms such as airspace protection (Obstacle Limitation Surface) and noise control boundaries.
- (b) Buildings, structures, trees and other vegetation do not create a potential hazard to the flight paths of aircraft or any other operations associated with Te Kowhai Aerodrome.
- (c) Sensitive land uses within the noise control boundary must achieve appropriate internal noise levels.

9.2.1.7 Policy – Future connectivity with Te Kowhai Village

- (a) Provide for future connectivity between Te Kowhai Airpark and Te Kowhai village in the Te Kowhai Airpark Framework Plan.

9.2.2 Objective – Amenity outcomes

- (a) The adverse effects of airpark activities are managed to ensure acceptable amenity outcomes.

9.2.2.1 Policies - Airpark standards

- (a) Manage adverse airpark effects through the application of general and airpark-specific performance standards including:
 - (i) Noise;
 - (ii) Hazardous substances;
 - (iii) Building setbacks;
 - (iv) Minimum site areas; and
 - (v) Subdivision allotment size.
- (b) To ensure that bulk and location standards provide for the unique operational requirements of an airpark whilst at the same time achieving appropriate levels of amenity.

9.3 Rangitahi Peninsula

9.3.1 Objective – Development

Development of the peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan’s seaside village character.

9.3.1.1 Policy – Development

- (a) Development should be consistent with the Rangitahi Peninsula Structure Plan
- (b) Enable some flexibility in the subdivision layout to respond to natural characteristics in a manner that retains the overall concept design.
- (c) Development has the following characteristics:
 - (i) Residential development within each precinct is in accordance with densities in the Rangitahi Structure Plan;
 - (ii) Lower-density residential development is located to maintain rural and coastal natural values;
 - (iii) The Balance Lot (Farm Management) is retained for rural uses and structures;
 - (iv) A sense of place that reflects village scale, coastal environment and its role in part as a holiday destination;
 - (v) Maintains a physical and visual connection to the existing Raglan settlement,
 - (vi) Maintains a visual connection to Mt Karioi;
 - (vii) Provides walking and cycling access to the coast;
 - (viii) Public open space is integrated within the village layout;
 - (ix) Small-scale / local-level businesses are enabled in appropriate locations.

9.3.1.2 Policy – Residential development

- (a) Residential development should adopt building forms and attributes that support the seaside village character, including:
 - (i) Creation of distinct neighbourhoods based on landscape character;
 - (ii) A low-speed, pedestrian-friendly road network;
 - (iii) A highly-connected network of pedestrian, cycle and bridle ways,
 - (iv) A range of building forms and intensity;
 - (v) Concentration of more intensive building forms around amenity areas and settlement nodes, and a predominance of freestanding dwellings;
 - (vi) Orientation of dwellings to utilise passive solar gain and maximise outlook towards the coast;
 - (vii) Establishing building platforms that minimise earthworks;
 - (viii) Design of buildings support good street outlook / surveillance for safety.

9.3.1.3 Policy – Staged, integrated infrastructure

- (a) Provision of infrastructure works should be staged, integrated and maintained to achieve efficient provision and operation of infrastructure without:
 - (i) Inhibiting planned timing of residential development;
 - (ii) Relying on future capacity increases or parallel systems.

9.3.1.4 Policy - Activities

- (a) Subdivision, use and development should be located and designed to provide a variety of living environments with recreational opportunities in close proximity.

9.3.2 Objective – Non-residential activities

- (a) Non-residential activities contribute to village character without significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre or significant adverse effects on traffic.

¹ Rangitahi Ltd [343.4]
Proposed District Plan (Stage 1)
(Recommended amended version)

9.3.2.1 Policies – Commercial activities

- (a) Commercial activities are managed to ensure that:
 - (i) They are in locations consistent with the Rangitahi Peninsula Structure Plan;
 - (ii) Activities will meet local needs;
 - (iii) Traffic impacts are managed;
 - (iv) Adverse effects on the role, amenity, commercial and social function of the Raglan town centre are minimised;
 - (v) They are designed and located to contribute to village character;
 - (vi) They are at a scale that retains the overall residential character of the Peninsula.
- (b) Mixed-use developments should be located and designed to:
 - (i) Provide active ground-floor business activities and frontages to public spaces at ground level. ~~Provide residential activities that are above ground floor with adequate amenity;~~²
 - (ii) Enable commercial activities that are compatible with residential uses;
 - (iii) Retain residential character and amenity.
 - (iv) ~~Provide residential activities that are above ground floor with adequate amenity.~~

9.3.2.2 Policy - Community facilities

- (a) Community facilities should:
 - (i) Be designed and located to be compatible with residential activities;
 - (ii) Provide a service or function to the local neighbourhood;
 - (iii) Be of an appropriate scale and function; and
 - (iv) Not detract from the vitality of the Raglan town centre.

9.3.3 Objective - Natural features

- (a) Natural features of the Rangitahi Peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced.

9.3.3.1 Policy – Green spaces

- (a) In addition to the existing public coastal reserve, a range of green buffers between urban development and the coast shall be provided.

9.3.3.2 Policy – Coastal margins

- (a) Coastal strip and buffer areas, as shown on the Rangitahi Peninsula Structure Plan, shall be planted with appropriately-sourced, locally appropriate indigenous coastal species to maintain and enhance the natural values of the coastal environment.

9.3.3.3 Policy – Stormwater management

- (a) Stormwater management systems shall be designed to minimise the erosion potential and rate of run-off into the coastal marine area.

9.3.3.4 Policy - Stock exclusion

- (a) Stock should be excluded from steep slopes and gully systems to the extent compatible with maintaining a sustainable farming operation in the Balance Lot (Farm Management).

9.3.3.5 Policy – Environmental improvement

- (a) Gully systems and stream margins should be planted and managed to maintain and enhance natural ecosystems, contribute to land stability and restore habitat for indigenous flora and fauna.
- (b) Planting and management of gully systems and stream margins will result in net environmental gain.

9.3.3.6 Policy – Landscape values

- (a) Planting on steep slopes should be encouraged and designed to protect and enhance the landscape values on the peninsula.

² Rangitahi Ltd [343.5]
Proposed District Plan (Stage 1)
(Recommended amended version)

- (b) Landscape planting along streets and public open spaces should incorporate species to contribute to habitat for indigenous fauna.
- (c) Landscaping shall be designed to incorporate ecological and habitat linkages, where appropriate.

9.3.3.7 Policy – Ecological and habitat values

- (a) The significant ecological and habitat values of the Rangitahi Peninsula are maintained and enhanced.
- (b) The loss of significant indigenous vegetation and significant habitat of indigenous fauna should be avoided.

(c) Short term, minor or localised degradation effects for the construction and maintenance of roads, infrastructure, walkways and cycleways in accordance with the Rangitahi Structure Plan should be mitigated or offset if they cannot practicably be avoided.³

Commented [BI1]: Additional recommended change.

Commented [BI2]: Additional recommended change.

Commented [BI3]: Additional recommended change.

9.3.4 Objective - Heritage

- (a) Cultural and historic heritage on the Rangitahi Peninsula is retained.

9.3.4.1 Policies – Cultural and historic sites of significance

- (a) The cultural and historic heritage significance of Rangitahi Peninsula should be recognised and maintained through:
 - (i) Publications and other forms of communication to interpret natural, cultural and historic heritage and/or the use of story board signs,
 - (ii) Registration of archaeological sites with the New Zealand Archaeological Association (NZAA), and
 - (iii) Consultation with Tainui Hapuu.

9.3.4.2 Policy – Heritage protection

- (a) Development on Rangitahi Peninsula shall provide for the protection of historic heritage, including archaeological sites and areas and sites of significance to Tainui Hapuu.

9.3.5 Objective – Transport network

- (a) An integrated transport network that provides access to and within the Rangitahi Peninsula for vehicles, walking and cycling.

9.3.5.1 Policies - Integrated transport network

- (a) An integrated transport network shall be designed and implemented for the peninsula that:
 - (i) Establishes a road hierarchy that differentiates between collector roads and local roads,
 - (ii) Utilises engineering standards and geometric designs for local roads appropriate to village character, low-speed and low-volume usage,
 - (iii) Applies low-impact urban design techniques,
 - (iv) Prioritises pedestrian and cycle routes,
 - (v) Provides options for effective public transport.

9.3.5.2 Policy – Transport network design

- (a) The peninsula transport network should be located and designed to contribute towards development of the seaside village character of the Rangitahi Peninsula residential development including:
 - (i) A high degree of connectivity within the village,
 - (ii) Convenient and high-amenity walking and cycling routes within and between each development area, public open spaces and the coastal area,
 - (iii) Consistency with the Structure Plan road and indicative walkway network,
 - (iv) Design and traffic management features to achieve low vehicle speeds,
 - (v) Minimising the number of access points on roads,

³ Rangitahi Ltd [343.7]
Proposed District Plan (Stage 1)
(Recommended amended version)

(vi) Designing road alignments with regard to natural contours to minimise earthworks.

9.3.5.3 Policies – Primary access

- (a) Primary access to the Rangitahi Peninsula Structure Plan Area shall be maintained via:
 - (i) An upgraded Oporuru Road (inclusive of the bridge/causeway) to ensure that traffic generated by development in the Rangitahi Peninsula Structure Plan Area is safely and efficiently accommodated, and
 - (ii) An upgraded intersection of Oporuru Road with Wainui Road to ensure its safe and efficient operation.
- (b) The upgraded Oporuru Road shall:
 - (i) Achieve efficient access to the Raglan town centre,
 - (ii) Enable convenient connections for pedestrians and cyclists to the village centre in Development Precinct A and the network of pedestrian and cycling routes as shown on the Rangitahi Peninsula Structure Plan, and
 - (iii) Encourage walking to the beach and Raglan town centre.
- (c) Design and construction of the access, including any Oporuru Road upgrade shall:
 - (i) Provide for continued access to adjoining properties to appropriate access and road performance standards,
 - (ii) Use best-practice mitigation techniques to manage construction effects such as (but not limited to) sediment movement, dust and noise.

9.3.5.4 Policy – Secondary access

- ~~(a) From the beginning of development of the Rangitahi Peninsula Structure Plan Area up to completion of the permanent secondary access, an interim alternative access shall be provided to a usable standard for use at any time where the primary access may be closed.
 - ~~(i) A permanent secondary access must be constructed;⁴~~
 - ~~(ii) Prior to development of any of the Precincts E, F or G; and~~
 - ~~(iii) In accordance with access and road performance standards suitable for its secondary function.~~~~

Commented [B14]: Recommend deletion of Policy 9.3.5.4.

9.3.5.5 Policy – Open space and coastal access

- (a) Public access to open space and the coastal environment within the Rangitahi Peninsula Structure Plan Area shall be provided by walkways/ cycle ways/bridleways in a way that:
 - (i) Provides convenient and practical connections to the Rangitahi Peninsula residential areas,
 - (ii) Enables connections to walkways/cycle ways/bridleways in the greater Raglan area,
 - (iii) Avoids significant adverse effects on ecological values,
 - (iv) Provides for access to the coastal marine area whilst avoiding significant adverse effects on the natural environmental character of the coastal environment.

9.4 Business Zone Tamahere

9.4.1 Objective – Community hub

- (a) Development within the Business Zone Tamahere contributes to a community hub that is integrated, cohesive and sustainable.

9.4.1.1 Policy - Development

- (a) Development within the Business Zone Tamahere:
 - (i) Is carried out in accordance with the development plan;
 - (ii) Is integrated and connected to the Reserve Zone and Village Green;
 - (iii) Is at a scale that achieves sustainable economic and environmental outcomes;

⁴ Rangitahi Ltd [343.8 and 21]
Proposed District Plan (Stage 1)
(Recommended amended version)

- (iv) Provides for a compact and commercially vibrant neighbourhood centre consisting of a diverse range of small-scale retail activities; and
- (v) Ensures subdivision takes into account any shared facilities that are managed under a communal management structure.

9.4.1.2 Policy – Design guides

- (a) Ensure new development is complementary to the Tamahere Village Design Guide, and in particular:
 - (i) Acknowledges local cultural and historic values;
 - (ii) Achieves consistency of building scale, form, layout and design theme across the Tamahere Business Zone, Reserve Zone and Village Green;
 - (iii) Promotes a village character;
 - (iv) Provides amenity planting that minimises the adverse visual effects of hard structures, car parking areas, outdoor storage and servicing areas; and
 - (v) Promotes vehicle and pedestrian safety.

9.4.1.3 Policy – Subdivision

- (a) Subdivision of leasable units provides for the ongoing management and use of common facilities.

9.4.2 Objective – Adverse effects of land use

- (a) The health and well-being of people, communities and the environment are protected from the adverse effects of land use and development within the Business Zone Tamahere.

9.4.2.1 Policy – Noise

- (a) Adverse effects of noise on sensitive land uses are minimised by:
 - (i) Ensuring that the maximum sound levels are compatible with activities permitted in the Business Zone Tamahere and the adjacent Country Living Zone;
 - (ii) Limiting the timing and duration of noise-generating activities, including construction and demolition activities; and
 - (iii) Limiting the timing and duration of servicing and operation of commercial activities.

9.4.2.2 Policy – Artificial outdoor lighting

- (a) Provide for artificial outdoor lighting to enable night time work, recreation activities, outdoor dining, transport and security.
- (b) Control the intensity and direction of artificial lighting to avoid significant glare and light spill on adjacent sites.
- (c) Ensure artificial outdoor lighting is installed and operated so that light spill does not compromise the safe operation of the transport network.

9.4.2.3 Policy – Outdoor storage

- (a) The adverse visual effects of outdoor storage are managed through screening or landscaping.

9.4.2.4 Policy – Signage

- (a) Provide for the establishment of signs where they are directly associated with the activity carried out on the site on which they are located;
- (b) Recognise that public information signs provide a benefit to community well-being; and
- (c) Enable the establishment of signage to support the commercial function of the Business Zone Tamahere with controls on the size, location, appearance and number of signs to ensure they do not detract from the visual amenity and character of the neighbourhood centre.

9.4.2.5 Policy – Managing the adverse effects of signs

- (a) The location, colour, content, and appearance of signs directed at traffic are controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;

- (b) Enable signs in the Business Zone Tamahere that contribute to an efficient, attractive and vibrant neighbourhood centre;
- (c) Avoid signs that generate adverse effects from illumination, light spill, flashing or reflection; and
- (d) Ensure that the placement of signs do not obstruct the free movement of:
 - (a) pedestrians along the footpath; and
 - (b) vehicle use of the road carriageway.

9.4.2.6 Policy – Managing the adverse effects of activities

- (a) Avoid activities such as large scale retail and drive through services that will detract from the character and amenity of a small scale neighbourhood centre;
- (b) Avoid residential activities, travellers' accommodation and overnight health care facilities given the physical constraints of the land area available for effective wastewater disposal.

9.4.2.7 Policy – Managing effluent disposal

- (a) Any effluent disposal system in the Business Zone Tamahere shall be designed, installed and managed to:
 - (i) provide a means of treating and disposing of sanitary wastewater to ensure that there is no detectable increase in effluent discharge across the boundary of the site, except where a cross boundary effluent disposal system is agreed between the owner/s of land within the Business Zone Tamahere and Waikato District Council;
 - A. reflect the nature of the site conditions and constraints associated with the property and building development, demonstrating that the soil and ground water conditions have been considered in the design;
 - B. meet the Australian/New Zealand Standard for Onsite Domestic Wastewater Management AS/NZS 1547:2012; and
 - C. demonstrate that ground water and surface water quality is not degraded as a result of the discharge or in combination with other discharges.

Chapter 13 Definitions

Recommended amendments to definitions

Incorporating Rangitahi Ltd Amendments (16-11-20)

Rangitahi ~~Integrated Comprehensive Residential~~ Development

Means development ~~in the locations shown on Development Outcomes Plan 5 of the Rangitahi Peninsula Structure Plan,~~ comprising multiple residential units which are planned and designed in an integrated and comprehensive manner and achieve compatibility between all buildings on a single site or multiple sites. A Rangitahi ~~Integrated Comprehensive Residential~~ Development may also include a Rangitahi commercial activity. Residential activities within a Rangitahi ~~Integrated Comprehensive Residential~~ Development may include duplexes and apartments.

~~Landscape Restoration Area~~

~~Means an area shown on the planning maps, within the Rangitahi Peninsula Zone, where existing native vegetation is to be complemented by additional landscape restoration planting. The purpose of the area is to promote stabilisation of steep slopes, encourage ecological and habitat linkages and enhance landscape amenity, particularly in and near coastal areas and on visually prominent landforms.¹~~

~~Rangitahi commercial activity~~

~~Means within the Rangitahi area, one or any combination of the following activities:~~

- ~~1. the sale, distribution or supply of goods and services;~~
- ~~2. healthcare facilities;~~
- ~~3. repair services;~~
- ~~4. sports and recreation equipment manufacture and sales.²~~

Commented [B11]: Recommended amendment

¹ Federated Farmers [680.254]

² National planning standards definition of 'commercial activity' means that a separate definition at Rangitahi is not required.

Chapter 28: Rangitahi Peninsula Zone

Proposed Waikato District
Plan Stage I
(Recommended amended version)

Incorporating Rangitahi Ltd
Amendments (16-11-20)



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Chapter 28: Rangitahi Peninsula Zone

- (1) The rules that apply to activities in the Rangitahi Peninsula zone are contained in [Rule 28.1](#) Land Use – Activities, [Rule 28.2](#) Land Use – Effects and [Rule 28.3](#) Land Use – Building.
- (2) The activity status tables and standards in the following chapters also apply to activities in the Rangitahi Peninsula zone:
 - 14 Infrastructure and Energy;
 - 15 Natural Hazards (Placeholder).
- (3) The following symbols are used in the tables:
 - (a) PR Prohibited activity
 - (b) P Permitted activity
 - (c) C Controlled activity
 - (d) RD Restricted discretionary activity
 - (e) D Discretionary activity
 - (f) NC Non-complying activity
- (4) The rules providing for subdivision in the Rangitahi Peninsula Zone are contained in [Rule 28.4](#) and the relevant rules in [14 Infrastructure and Energy](#); and [15 Natural Hazards and Climate Change \(Placeholder\)](#).¹

28.1 Land Use – Activities

- (1) The following activities are permitted activities if they comply with all of the:
 - (a) Land Use - Effects rules in [Rule 28.2](#) (except for P7);
 - (b) Land Use – Building rules in [Rule 28.3](#) (except for P7);
 - (c) Activity specific conditions.

28.1.1 Specific Activities – Permitted Activities

(1) The activities listed below are permitted activities.

Activity	Conditions
P1 Residential activity	<p>(a) An activity that is in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8); and²</p> <p>(b) Is located within Plan 1 Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (Appendix 8) or any approved subdivision;³</p>
P2 A temporary event	<p>(a) An activity that is in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8); and</p> <p>(b) Is located within Plan 1 Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (Appendix 8) or any approved subdivision; and</p> <p>(c) The event occurs no more than 3 times per calendar year; and</p> <p>(d) It operates between 7.30am to 8:30pm Monday to Sunday; and</p> <p>(e) Temporary structures are:</p> <p>(f) Erected no more than 2 days before the event occurs; and</p> <p>(g) Removed no more than 3 days after the end of the event; and</p> <p>(h) The site is returned to its original condition no more than 3 days after the end of the event; and</p> <p>(i) There is no direct site access from a national route or regional arterial road.</p>
P3 A home occupation	<p>(a) An activity that is in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8); and</p> <p>(b) Is located within Plan 1 Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (Appendix 8) or any approved subdivision; and</p> <p>(c) It is wholly contained within a building; and</p> <p>(d) The storage of materials or machinery associated with the home occupation are wholly contained within a building; and</p> <p>(e) No more than 2 people who are not permanent residents of the site are employed at any one time; and</p> <p>(f) There is no unloading and loading of vehicles or the receiving of customers or deliveries before 7:30am or after 7:00pm on any day; and</p> <p>(g) There is no operation of machinery before 7:30am or after 9pm on any day.</p>
P4 A homestay	<p>(a) An activity that is in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8); and</p> <p>(b) Is located within Plan 1 Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (Appendix 8) or any approved subdivision; and</p> <p>(c) Provides accommodation for no more than 4 temporary residents.</p>
P5 A community activity facility ⁴	<p>(a) An activity that is in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8); and</p>

² Rangitahi Limited [343.13]

³ Rangitahi Limited [343.22]

⁴ Hearing 5 recommendation to delete 'community activity' and rely on the national planning standards definition of 'community facility'.

		<p>(b) Is located within Plan 1 Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (Appendix 8) or any approved subdivision; and</p> <p>(c) The total gross floor area does not exceed a total of 200m² within the whole of the Rangitahi Peninsula Structure Plan Area (Appendix 8).</p>
P6	Rangitahi commercial activity ⁵ (including health facilities)	<p>(a) An activity that is in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8); and</p> <p>(b) Is located within Plan 1 Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (Appendix 8) or any approved subdivision; and</p> <p>(c) The total gross floor area does not exceed a total of 400m² gross floor area within the whole of the Rangitahi Peninsula Structure Plan Area (Appendix 8); and</p> <p>(d) Gross floor area of each individual premise does not exceed 100m².</p>
P7	Agricultural or horticultural activities	<p>(a) Located within Balance Lot (Farm Management) on Plan 2 in the Rangitahi Peninsula Structure Plan Area (Appendix 8);</p> <p>(b) Land Use – Effects for the Rural Zone (Rule 22.2);</p> <p>(c) Land Use - Buildings for the Rural Zone (Rule 22.3)</p>

28.1.2 Controlled Activities

(1) The activities listed below are controlled activities.

Activity	Conditions
<p>CI</p> <p>(a) Child care facilities are a controlled activity if the following conditions are met:</p> <p>(i) Land Use- Effects in Rule 28.2; and</p> <p>(ii) Land Use – Building in Rule 28.3; and</p> <p>(iii) The site is located within the potential mixed use, potential commercial or potential tourism locations shown in Plan 5 of the Rangitahi Peninsula Structure Plan (Appendix 8).</p>	<p>(a) Council reserves it control over the following matters:</p> <p>(i) Consistency with the Rangitahi Peninsula Structure Plan;</p> <p>(ii) Character and amenity of development within the Rangitahi Peninsula Structure Plan.</p> <p>(iii) Traffic impacts on the safety and efficiency of the road network.</p>

28.1.3 Specific Activities - Restricted Discretionary Activities

(1) The activities listed below are restricted discretionary activities.

(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity	Matters of Discretion
<p>RDI</p> <p>(a) Any activity that does not comply with a condition for Rule 28.1.1(P5) or Rule 28.1.1(P6) is a restricted discretionary activity provided that:</p>	<p>(a) Council's discretion is restricted to the following matters:</p>

⁵ National planning standards definition of 'commercial activities'
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(Recommended amended version)

	<p>(i) For a community activity facility⁶, the total gross floor area within the Rangitahi Peninsula Structure Plan Area does not exceed 300m² within the whole of the Structure Plan Area.</p> <p>(b)-(ii) For Rangitahi commercial activity (including health facilities):</p> <p>(i)A. The total gross floor area does not exceed 600m² within any of the seven neighbourhoods shown on the Rangitahi Peninsula Structure Plan (Appendix 8), or</p> <p>(i)B. The total gross floor area does not exceed 1000m² within the whole of the Structure Plan Area.⁷</p>	<p>(i) Effects on the role, function, and vitality, of the Raglan town centre;</p> <p>(ii) Traffic impacts on the safety and efficiency of the road network;</p> <p>(iii) Consistency with the Rangitahi Peninsula Structure Plan (Appendix 8);</p> <p>(iv) Character and amenity of development within the Rangitahi Peninsula Structure Plan (Appendix 8).</p>									
<p>RD2</p>	<p>(a) A Rangitahi Comprehensive Residential Development that meets the following conditions:</p> <p>(i) The Land Use – Effects in Rule 28.2; and</p> <p>(ii) The Land Use – Building in Rule 28.3; and</p> <p>A. Rule 28.3.3 (Building height) does not apply; and</p> <p>B. Rule 28.3.7 (Living court) does not apply; and</p> <p>(iii) The site is located within the Comprehensive Residential Development locations shown in Plan 5 of the Rangitahi Peninsula Structure Plan (Appendix 8) or approved subdivision consent⁸; and</p> <p>(iv) Construction or alteration of a building does not exceed 11m height; and</p> <p>(v) A detailed site plan is provided that identifies proposed title boundaries for each residential unit and any common areas (including access and services), ensuring that a freehold (fee simple) or unit title subdivision could occur in accordance with Appendix 8 - Rangitahi Peninsula Structure Plan; and</p> <p>(vi) The residential unit is designed and constructed to comply with Table 14 - Internal Sound Levels in Appendix 1 (Acoustic Insulation); and</p> <p>(vii) A communal service court area is provided; and</p> <p>(viii) Outdoor living courts are provided to meet the following minimum requirements for each residential unit:</p> <table border="1" data-bbox="277 1532 692 1675"> <thead> <tr> <th>Duplex Dwelling</th> <th>Living Court Area</th> <th>Minimum Dimension</th> </tr> </thead> <tbody> <tr> <td>Studio unit or 1 bedroom</td> <td>30m²</td> <td>4m</td> </tr> <tr> <td>2 bedroom</td> <td>40m²</td> <td>4m</td> </tr> </tbody> </table>	Duplex Dwelling	Living Court Area	Minimum Dimension	Studio unit or 1 bedroom	30m ²	4m	2 bedroom	40m ²	4m	<p>(a) Council's discretion is restricted to the following matters:</p> <p>(i) Adequacy of the information provided to address matters specified, and outcomes sought, within the Multi-Unit Design Guide (Appendix 3.4);</p> <p>(ii) The extent to which the development contributes to and engages with adjacent streets and public open space;</p> <p>(iii) The extent to which the access, car parking and garaging is integrated into the development in a way that is safe for pedestrians and cyclists;</p> <p>(iv) The extent to which the development incorporates environmental efficiency measures such as passive solar principles;</p> <p>(v) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, outdoor living court orientation, site design and layout;</p> <p>(vi) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner;</p> <p>(vii) Avoidance or mitigation of natural hazards;</p> <p>(viii) The safety and efficiency of roads due to traffic associated with the development;</p> <p>(ix) Geotechnical stability for building;</p>
Duplex Dwelling	Living Court Area	Minimum Dimension									
Studio unit or 1 bedroom	30m ²	4m									
2 bedroom	40m ²	4m									

⁶ Hearing 5 recommendation to delete 'commercial activity' and rely on the national planning standards definition of 'community facility'.

⁷ Rangitahi Ltd [343.25]

⁸ Rangitahi Ltd [343.12]

	3 bedroom	40m ²	4m	(x) Consistency with (Appendix 8) Rangitahi Peninsula Structure Plan.	
	Apartment Building	Living Area	Court		Minimum Dimension
	Ground Level Residential Unit				
	Studio unit or 1 bedroom	20m ²	4m		
	2 bedroom	30m ²	4m		
	3 bedroom	30m ²	4m		
	Apartment Building	Living Area	Court		Minimum Dimension
	Upper Level Residential Unit				
	Studio unit or 1 bedroom	10m ²	2m		
	2 bedroom	15m ²	2m		
	3 bedroom	15m ²	2m		
RD3	(a) Any mixed use activity comprising of a comprehensive residential development and a Rangitahi commercial activity (including health facilities) or a community facility is a restricted discretionary activity and shall meet the conditions in Rules 28.1.1 P5-P6 and 28.1.3 RD1 and RD2 ; (b) Mixed use activities provided for under Rule RD3(a) are exempt from the requirements of Rule 28.3.6 (Accessory buildings)				Council's discretion is restricted to the matters of discretion of Rules 28.1.3 RD1 (a) and RD2 (a) .

28.1.4 Specific Activities - Discretionary Activities

(1) The activities listed below are discretionary activities.

D1	Any activity that does not comply with one or more conditions for a permitted activity Rule 28.1.1 P1-P4, or P7 or P6, or a controlled activity Rule 28.1.2 (a) unless a lesser activity status under the Land Use - Effects Rule 28.2 or Land Use - Building Rules 28.3 has been identified. ⁹
D2	Child care facilities outside of potential mixed use, potential commercial or potential tourism locations shown in Plan 5 of the Rangitahi Peninsula Structure Plan (Appendix 8).
D3	Any activity that does not comply with Rule 28.1.3 RD1, RD2 or RD3 .

Commented [B11]: Recommended addition. Possible unintended omission.

Commented [B12]: Recommended addition. Possible unintended omission.

Commented [B13]: Recommended addition. Possible unintended omission.

28.1.5 Non-Complying Activities

(1) The activities listed below are non-complying activities.

⁹ Consequential changes to improve the certainty and consistency of the provisions in accordance with the submission of Rangitahi Ltd.
 Proposed District Plan (Stage 1) 23 Rangitahi Peninsula Zone 2 November 2020
 (Recommended amended version)

NCI	Any activity that is not listed as Prohibited, Permitted or Restricted Discretionary or Discretionary.
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28.2 Land Use – Effects

28.2.1 Noise

- (1) Rule 28.2.1 and Rule 28.2.2 provide the permitted noise levels for noise generated by land use activities.
- (2) Rule 28.2.2 Noise – General provides permitted noise levels across the entire Rangitahi Peninsula Zone.
- (3) Rule 28.2.3 Noise – Construction provides for permitted noise levels during construction activities.

28.2.1.2 Noise – general

PI	Farming noise, and noise generated by emergency generators and emergency sirens.
P2	<p>(a) Noise measured within any other site must not exceed:¹⁰</p> <ol style="list-style-type: none"> (i) 50dB $L_{Aeq}(15min)$ (L_{Aeq}), 7am to 7pm, every day, and (ii) 45dB $L_{Aeq}(15min)$ (L_{Aeq}), 7pm to 10pm, every day, and (iii) 40dB $L_{Aeq}(15min)$ (L_{Aeq}), 10pm to 7am the following day, and (iv) 65dB (L_{AFmax}), 10pm to 7am the following day. <p>(b) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics - Measurement of Environmental Sound."</p> <p>(c) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic- Environmental noise"</p>
DI	Noise generated by any activity that does not comply with Rule 28.2.1.2 PI and P2

28.2.1.3 Construction noise

PI	<p>(a) Noise generated from a construction site must meet the levels in NZS 6803:1999 (Acoustics – Construction Noise); and</p> <p>(b) Construction noise must be measured and assessed in accordance with the requirements of NZS6803:1999 'Acoustics – Construction Noise'.</p>
RDI	<p>(a) Construction noise that does not comply with Rule 28.2.1.3 PI.</p> <p>(b) Council's discretion is restricted to the following:</p> <ol style="list-style-type: none"> (i) Effects on amenity values; (ii) Hours of construction; (iii) Noise levels and days; (iv) Timing and duration; (v) Methods of construction.

28.2.3 Glare and artificial light spill

PI	<p>(a) Illumination from glare and light spill must not exceed 10 lux measured horizontally and vertically at any other site.</p> <p>(b) Rule 28.2.3 PI does not apply to streetlights, navigation lights, traffic signals or from vehicles or equipment used in farming activities.</p>
RDI	<p>(a) Illumination from glare and light spill that does not comply with Rule 28.2.3 PI.</p> <p>(b) Council's discretion is restricted to the following:</p>

	<ul style="list-style-type: none"> (i) Effects on amenity values; (ii) Light spill levels on other sites; (iii) Road safety; (iv) Duration and frequency; (v) Location and orientation of the light source; (vi) Mitigation measures.
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28.2.4 Earthworks

- (1) Rules 28.2.4.1 to 28.2.4.3 provide for permitted levels for earthworks generated by land use activities within the Rangitahi Peninsula Zone.
- (2) There are specific standards within rules:
- (3) Rule 28.2.4.1 Earthworks – General;
- (4) ~~Rule 28.2.4.2 Earthworks – Maaori Sites of Significance;~~¹¹
- (5) ~~Rule 28.2.4.3 Earthworks – Significant Natural Areas~~¹²

28.2.4.1 Earthworks – General¹³

PI	<p>(a) Earthworks within a site must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; (ii) Not exceed a volume of more than 250m³ and an area of more than 1,000m² within a site; (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 2m, with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; (vii) Do not result in the site being unable to be serviced by gravity sewers.
P2	<p>(a) The importation of fill material to a site must meet the following conditions, in addition to the conditions in Rule 28.2.4 P1:</p> <ul style="list-style-type: none"> (i) Does not exceed a total volume of 500m³ per site and a depth of 1m; (ii) Is fit for compaction; (iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal); (iv) Does not restrict the ability for land to drain; (v) Is not located within 1.5m of public sewers, utility services or manholes; (vi) The sediment from fill material is retained on the site.
P3	<p>(a) Earthworks for the maintenance of existing tracks, fences or drains within Significant Natural Area</p>
RDI	<p>(a) Earthworks that do not comply with Rule 28.2.4.1 P1 or P2.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Amenity values and landscape effects; (ii) Volume, extent and depth of earthworks; (iii) Nature of fill material; (iv) Contamination of fill material;

¹¹ Hearing 20 recommends deletion

¹² Hearing 21A recommends deletion

¹³ Hearing 21A recommends amendments to Rule 28.2.4.1 that are reflected here for completeness. No amendments to the rule are recommended in this s42A report.

	<ul style="list-style-type: none"> (v) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (vi) Compaction of the fill material; (vii) Volume and depth of fill material; (viii) Geotechnical stability; (ix) Flood risk, including natural water flows and established drainage paths (x) Land instability, erosion and sedimentation; (xi) Proximity to underground services and service connections; (xii) Traffic movements to and from the site; (xiii) Consistency with the Rangitahi Peninsula Structure Plan.
RD2	<p>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) The effects on the Significant Natural Area (ii) Land instability, erosion and sedimentation. (iii) The functional and operational need for the earthworks (iv) Volume, extent and depth of earthworks

28.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance¹⁴

RD1	<ul style="list-style-type: none"> (a) Earthworks within a Maaori Site of Significance as identified in Schedule 30.3 (Maaori Site of Significance) and shown on the planning maps. (b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.
RD2	<ul style="list-style-type: none"> (a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori Area of Significance) and shown on the planning maps. (b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.

28.2.4.3 Earthworks – Significant Natural Areas¹⁵

PI	<ul style="list-style-type: none"> (a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions: <ul style="list-style-type: none"> (i) Maximum volume of 50m³ in a single consecutive 12-month period; (ii) Maximum area of 250m² in a single consecutive 12-month period; and (iii) Not include importing any fill material.
RD1	<ul style="list-style-type: none"> (a) Earthworks that do not comply with Rule 16.2.4.3 PI. (b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> (i) The location of earthworks in relation to waterways, significant indigenous vegetation or habitat; (ii) The protection of adverse effects on the Significant Natural Area values.
DI	<p>Earthworks within an identified Significant Natural Area not provided for in Rule 28.2.4.3 PI or RD1.</p>

¹⁴ Hearing 20 recommends deletion.

¹⁵ Hearing 21A recommends deletion.

28.2.5 Hazardous substances

PI	(a) The use, storage or disposal of any hazardous substances where: (i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rangitahi Peninsula Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances); and (ii) The storage or use of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.
CI	(a) Service station with a maximum storage for retail sale of: (i) 100,000 litres of petrol in underground storage tanks; and (ii) 50,000 litres of diesel in underground storage tanks; and (iii) 6 tonnes of LPG (single vessel storage). (b) Council's control is reserved over the following matters: (i) The proposed site design and layout in relation to: A. The sensitivity of the surrounding natural, human and physical environment; potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities; and B. Interaction with natural hazards (flooding, instability), as applicable, proposed emergency management planning (spills, fire and other relevant hazards); (ii) Proposed procedures for monitoring and reporting of incidents.
DI	The use, storage or disposal of hazardous substances that do not comply with Rule 28.2.5 PI or CI.

28.2.6 Signs

- (1) Rule 28.2.6.1 Signs – general provides permitted standards for any sign, including real estate signs, across the entire Rangitahi Peninsula Zone.
- (2) Rule 28.2.6.2 Signs – effects on traffic apply specific standards for signs that are directed at road users.
- ~~(3) Rule 28.2.6.3 Signs – Heritage items and Maaori Sites of Significance provides permitted standards for signs that are attached to a heritage item or a Maaori Site of significance that are listed in Schedule No. 2. (Maaori Sites of Significance).¹⁶~~

28.2.6.1 Signs - General

PI	(a) A sign visible from a public place must comply with all of the following conditions: (i) It is the only sign on the site; (ii) It is wholly contained on the site; (iii) It does not exceed 0.25m ² ; (iv) The sign height does not exceed 2m; (v) It is not illuminated; (vi) It does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) It relates to: A. Goods or services available on the site; or B. It is a property name sign; or C. It is a public information sign erected by a public authority; or D. It is a temporary sign on display for no more than 3 months.
P2	(a) A real estate 'for sale' sign relating to the site on which it is located must not: (i) Have more than 3 signs per site; and (ii) Be illuminated; and

¹⁶ Rangitahi Ltd [343.28]
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	<ul style="list-style-type: none"> (iii) Contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; and (iv) Project into or over road reserve.
RD1	<ul style="list-style-type: none"> (a) A sign that does not comply with Rule 28.2.6.1 P1 or P2. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Amenity values; (ii) Character of the locality; (iii) Effects on traffic safety; (iv) Glare and artificial light spill; (v) Content, colour and location of the sign.

28.2.6.2 Signs – effects on traffic

PI	<ul style="list-style-type: none"> (a) Any sign directed at road users must: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; and (ii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and (iii) Contain maximum 40 characters and 6 symbols; and (iv) Have lettering that is at least 150mm high; and (v) Where the sign directs traffic to a site entrance, the sign must be at least 130m from the entrance.
DI	Any sign that does not comply with Rule 28.2.6.2 P1.

28.2.6.3 Signs – Heritage items and Maaori Sites of Significance¹⁷

PI	<ul style="list-style-type: none"> (a) A sign for the purpose of identification and interpretation attached to: <ul style="list-style-type: none"> (i) A Maaori Site of Significance listed in Schedule 30.3 (Maaori Site of Significance).
RD1	<ul style="list-style-type: none"> (a) Any sign that does not comply with Rule 28.2.6.3 P1. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Effects on cultural values of any Maaori Site of Significance.

28.2.7 Outdoor storage

PI	<ul style="list-style-type: none"> (a) Outdoor storage of goods or materials must: <ul style="list-style-type: none"> (i) Be associated with the commercial activity operating from the site; and (ii) Not encroach on required parking or loading areas; and (iii) Be fully screened from view by closed board 1.8m high fencing or landscaping from any: <ul style="list-style-type: none"> A. Public road; and B. Public reserve; and C. Adjoining site in another zone.
DI	<ul style="list-style-type: none"> (a) Outdoor storage of goods or materials that do not comply with Rule 28.2.7 P1. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Visual amenity; (ii) Effects on loading and parking areas; (iii) Size and location of storage area; (iv) Measures to mitigate adverse effects.

28.2.8 Indigenous vegetation clearance inside a Significant Natural Area¹⁸

P1	(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) ¹⁹ for the following purposes: (i) Removing vegetation that endangers human life or existing buildings or structures; or (ii) Conservation fencing to exclude stock or pests; or (iii) Maintaining existing farm drains; or (iv) Maintaining existing tracks and fences; or (v) Gathering plants in accordance with Maaori customs and values; or
P2	Removing of up to 5m ³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant
P3	(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area outside the coastal environment identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions: (i) There is no alternative development area on the site outside the Significant Natural Area; and (ii) The total indigenous vegetation clearance does not exceed 250m ² ; (iii) The vegetation clearance is at least 10m from a natural waterbody;
P4	(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) where: (i) There is no alternative development area on the site outside the Significant Natural Area; (ii) The following total areas are not exceeded: A. 1500m ² for a Marae complex, including areas associated with access parking and manoeuvring; and B. 500m ² per dwelling, including areas associated with access parking and manoeuvring; and C. 500m ² for a papakaainga building including areas associated with access parking and manoeuvring;
P5	(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes: (i) Removing vegetation that endangers human life or existing buildings or structures; or (ii) Conservation fencing to exclude stock or pests; or (iii) Maintaining existing farm drains; or (iv) Maintaining existing tracks and fences; or (v) Gathering plants in accordance with Maaori customs and values;
P6	Removing of up to 5m ³ of manuka and/or kanuka outside of the Coastal Environment per consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant
P7	The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation
P8	Vegetation clearance of non-indigenous species in a Significant Natural Area
P9	Vegetation clearance outside a Significant Natural Area

Commented [B14]: Recommend deletion. There is no land within the Rangitahi Peninsula Zone which is outside the coastal environment.

Commented [B15]: Recommend deletion. There is no land within the Rangitahi Peninsula Zone which is outside the coastal environment.

Commented [B16]: Recommend deletion. There is no Maaori Freehold Land or Maaori Customary Land within the Rangitahi Peninsula Zone.

¹⁸ Hearing 21A recommends amendments to Rule 28.2.8 which are included here for completeness. The only amendment recommended to the rule in this s42A report relates to Schedule 30.5 (Urban Allotment Significant Natural Areas).

¹⁹ Rangitahi Ltd [343.29]

D1	Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with Rule 21.2.8 P1, P2, P3, P4, P5 and P6.
D2	Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P4 or P7.
D3	Indigenous vegetation clearance within a Significant Natural Area within the coastal environment

Commented [B17]: Recommend deletion. See comments below.

Commented [B18]: Recommended amendment. Reflects that P1 and P7 would be the only exceptions for indigenous vegetation clearance within the Rangitahi Peninsula Zone and all other indigenous vegetation clearance would be a Discretionary Activity.

Commented [B19]: Recommend deletion. Otherwise all other rules above would be redundant because the Rangitahi Peninsula Zone is entirely within the coastal environment.

28.3 Land Use – Building

28.3.1 – Dwellings

PI	One dwelling within a lot, excluding Rangitahi Comprehensive Residential Development lots identified on Plan 5 – Development Outcomes in Appendix 8 in locations shown in Plan 5 of the Rangitahi Peninsula Structure Plan (Appendix 8) or an approved subdivision consent. ²⁰
DI	A dwelling that does not comply with Rule 28.3.1 P1.

Commented [B10]: Recommended consequential amendment.

Commented [B11]: Recommended amendment.

28.3.2 Minor dwelling

PI	(a) One minor dwelling not exceeding 70m ² gross floor area contained within a CFR where: <ol style="list-style-type: none"> The net site area is 900m² or more; and The site does not contain a comprehensive development.
DI	A minor dwelling that does not comply with Rule 28.3.2 P1

28.3.3 Building height

PI	(a) The height of a building must not exceed 7.5m. (b) Rule 28.3.3 P1 (a) does not apply to Comprehensive Development Lots shown on Plan 5 of the Rangitahi Peninsula Structure Plan (Appendix 8), where the height of buildings must not exceed 11m.
RDI	(a) A building that does not comply with Rule 28.3.3 P1. (b) Council's discretion is restricted to the following matters: <ol style="list-style-type: none"> Design and location of building; Building dominance effects; Admission of daylight and sunlight to the site and other sites; Privacy on other sites; Amenity values of the locality; Consistency with the Rangitahi Peninsula Structure Plan (Appendix 8).

28.3.4 Daylight admission

PI	(a) A building must not protrude through a height control plane rising at an angle of 37° commencing at an elevation of 2.5m above ground level at every point of the site boundary. (b) Rule 28.3.4 P1 (a) does not apply to party walls located along site boundaries. (c) Rule 28.3.4 P1 (a) does not apply to sites in Precinct A and D that are indicated as having a zero setback in the Rangitahi Peninsula Structure Plan (Appendix 8).
RDI	(a) A building that does not comply with Rule 28.3.4 P1. (b) Council's discretion is restricted to the following matters: <ol style="list-style-type: none"> Height of building; Design and location of building;

²⁰ Rangitahi Ltd [343.14]
Proposed District Plan (Stage 1)
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	<ul style="list-style-type: none"> (iii) Admission of daylight and sunlight to the site and other sites; (iv) Privacy on other sites; (v) Amenity values of the locality; (vi) Consistency with the Rangitahi Peninsula Structure Plan (Appendix 8).
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28.3.5 ~~28.3.5~~ Building coverage

PI	<ul style="list-style-type: none"> (a) The total building coverage must not exceed 40% of the site within the Development Precincts defined in the Rangitahi Peninsula Structure Plan (Appendix 8); or (b) The total building coverage outside the Development Precincts defined in the Rangitahi Peninsula Structure Plan (Appendix 8) must not exceed the larger of: <ul style="list-style-type: none"> (i) 2% of the site area; or (ii) 500m².
DI	A building that does not comply with Rule 28.3.5 PI.

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28.3.5A Impervious surfaces²¹

PI	The impervious surface of a site must not exceed 70%.
RD1	<ul style="list-style-type: none"> (a) Impervious surfaces that do not comply with Rule 28.3.5A PI. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Site design, layout and amenity; (ii) The risk of flooding, nuisance or damage to the site or other buildings and sites.

28.3.6 Accessory buildings

PI	<ul style="list-style-type: none"> (a) The gross floor area of all accessory buildings on a residential site must not exceed 70m²; or (b) Where the accessory building is located outside the Development Precincts defined in the Rangitahi Peninsula Structure Plan (Appendix 8) the gross floor area of the accessory building must not exceed either: <ul style="list-style-type: none"> (iii) 400m² on a site having an area of at least 2ha; or (iv) 250m² on a site less than 2ha.
DI	An accessory building that does not comply with one of the conditions in Rule 28.3.6 PI

Commented [B113]: Recommended amendment.

28.3.7 Living court

PI	<ul style="list-style-type: none"> (a) A living court must be provided for each dwelling that meets all of the following conditions: <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the dwelling; (ii) It is located between 45 degrees northeast through north to 90 degrees west of the dwelling measured from the southernmost part of the dwelling; (iii) It is readily accessible from a living area of the dwelling and either: <ul style="list-style-type: none"> A. On the ground floor of the dwelling, the living court must have a minimum area of 80m² capable of containing a circle of 6m diameter; or B. Above ground floor of the dwelling, the living court must be located on a balcony capable of containing at least 15m² and a circle with a diameter of at least 2.4m.
P2	<ul style="list-style-type: none"> (a) A living court must be provided for each minor dwelling that meets all of the following conditions: <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the minor dwelling; (ii) It is located between 45 degrees northeast through north to 90 degrees west of the minor dwelling measured from the southernmost part of the minor dwelling; (iii) It is readily accessible from a living area of the minor dwelling and either: <ul style="list-style-type: none"> A. On the ground floor of the minor dwelling, the living court must have a minimum of 40m² capable of containing a circle of 6m diameter; or

²¹ Waikato District Council [697.425]
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(Recommended amended version)

	B. Above ground floor of the minor dwelling , the living court must be located on a balcony capable of containing at least 15m ² and a circle with a diameter of at least 2.4m.
DI	A living court that does not comply with Rule 28.3.7 PI or P2 .

28.3.8 Service court

PI	(a) A service court must be provided for each dwelling with the following dimensions: (i) Minimum area of 15m ² ; and (ii) Contains a circle of at least 3m diameter.
DI	A service court that does not comply with Rule 28.3.8 PI .

28.3.9 Building Setbacks

- (1) **Rules 28.3.9.1 to 28.3.9.3** provide the permitted building setback distances for buildings from site boundaries, specific land use activities and environmental features.
- (2) **Rule 28.3.9.1** provides permitted building setback distances from all boundaries on any site within the Rangitahi Peninsula Zone. Different setback distances are applied based on the type of building and the boundary.
- (3) **Rule 28.3.9.2** Dwelling setback – wastewater treatment plant provides standards for dwellings near the wastewater treatment plant.
- (4) **Rule 28.3.9.3** Building setback – Water bodies including lake, wetland, river and coast.

28.3.9.1 Building setbacks – all boundaries

PI	(a) A building must be set back a minimum of: (i) 3m from the road boundary ; (ii) 13m from the line of an indicative road ; (iii) 1.5m from every boundary other than a road boundary , including vehicle access to another site . (b) A non-habitable building can be set back less than 1.5m from a boundary if it complies with all of the following conditions: (i) The total length of all buildings within 1.5m of the boundary does not exceed 6m; (ii) It does not have any windows or doors on the side of the building facing the boundary ; (iii) No part of the building within the setback extends over the site boundary . (c) Rule 28.3.9.1 PI (a) does not apply to the lots identified in the Precinct A or D in the Rangitahi Peninsula Structure Plan (Appendix 8) as having a zero setback. (d) Rule 28.3.9.1 PI (b) do not apply to party walls or lease plan boundaries within Comprehensive Development Lots in Appendix 8 .
RDI	(a) A building that does not comply with Rule 28.3.9.1 PI . (b) Council's discretion is restricted to the following matters: (i) Road network safety and efficiency; (ii) Reverse sensitivity effects; (iii) Adverse effects on amenity; (iv) Streetscape; (v) Potential to mitigate adverse effects; (vi) Daylight admission to adjoining properties; (vii) Effects on privacy at adjoining sites .

28.3.9.2 Dwelling setback – wastewater treatment plant

PI	(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of: <ul style="list-style-type: none"> (i) 300m from the oxidation ponds that are part of a wastewater treatment facility on another site; or (ii) 30m from a wastewater treatment facility where the treatment process is fully enclosed.
RDI	(a) Any building for a sensitive land use that does not comply with Rule 28.3.9.2 PI . (b) Discretion is restricted to: <ul style="list-style-type: none"> (i) Adverse effects of odour; (ii) Potential to mitigate adverse effects.

28.3.9.3 Building setback – water bodies

PI	Any building must be setback a minimum of 23m from mean high water springs .
DI	Any building that does not comply with Rule 28.3.9.3 PI .

28.4 Subdivision

- (1) **Rules 28.4.1 to 28.4.9** provide for subdivision density and design and apply across the Rangitahi Peninsula Zone.
- (2) The following rules apply to specific areas or activities:
 - (a) **Rule 28.4.1** - subdivision general sets out the lot sizes which are to be consistent with the Rangitahi Peninsula Structure Plan (**Appendix 8**)
 - (b) **Rule 28.4.2** - subdivision boundary adjustments
 - (c) **Rule 28.4.3** - subdivision amendments and updates to cross lease flats plans
 - (d) **Rule 28.4.4** - subdivision title boundaries contaminated land, Significant Amenity Landscape, intensive farming activities, aggregate extraction areas.
 - (e) **Rule 28.4.5** - subdivision title boundaries Significant Natural Areas, **and Maaori Sites of Significance**.²²
 - (f) **Rule 28.4.6** – subdivision building platform **Rule 28.4.7** – subdivision road frontage
 - (g) **Rule 28.4.8** -subdivision esplanade reserves and esplanade strips
 - (h) **Rule 28.4.9** - subdivision of land containing mapped off-road walkways

28.4.1 Subdivision – General

RDI	(a) Subdivision must comply with the following conditions: <ul style="list-style-type: none"> (i) Subdivision must be in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8), within an upper range of 10% of the Dwellings Illustrated including the density ranges specified therein for each neighbourhood in the Neighbourhood Outcomes Plans – Rangitahi Peninsula Structure Plan (Appendix 8); and (ii) Compliance with the following variances will be determined to be in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8) (the base figures and locations are as stated or shown in the Neighbourhood Outcome Plans that form part of the Rangitahi Peninsula Structure Plan): <ul style="list-style-type: none"> (i) Development Precinct areas (hectares) – variance up to and including 10%; (ii) Development Precinct boundaries – variance up to and including 100m; (iii) Development Precinct densities – variance up to and including 10% from the upper and lower end of the range specified;
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Commented [BI14]: Recommended amendments.

	<p>(iv) Collector Road locations – variance up to and including 50m movement outside of the road reserve;</p> <p>(v) Secondary access location – any variance and up to and including 30% variance in length; and²³</p> <p>(iii) Environmental improvements required by the Rangitahi Peninsula Structure Plan (Appendix 8) (including, but not limited to, restoration planting shown on the Indicative Open Space Framework Plan and provision of walkways and cycle ways shown on the Indicative Movement Network Plan) have been implemented to the extent required;</p> <p>(iv) The primary access to the Rangitahi Peninsula Structure Plan Area by way of an upgraded Oporuru Road (inclusive of the Oporuru Road/Wainui Road intersection and the bridge/causeway at each end) has been formed; and</p> <p>(v) There must be secondary legal access for all road users when the Oporuru Road connection is not available for any reason. A metalled access route protected by easement is sufficient for this purpose.²⁴</p> <p>(vi) Council shall consider Tainui Hapuu as an affected party and require that its written approval be obtained or that notice be served on a limited notified basis.</p> <p>(vii) Proposed lots must be able to connect to public-reticulated water supply.²⁵</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Extent to which subdivision is consistent with the Rangitahi Peninsula Structure Plan (Appendix 8), including the Development Precinct areas, boundaries, density ranges, and road locations, (allowing for the following variances from the base figures and locations as stated or shown in the Neighbourhood Outcome Plans that form part of the Rangitahi Structure Plan):</p> <p>A. Development Precinct areas (hectares) – variance up to and including 10%;</p> <p>B. Development Precinct boundaries – variance up to and including 100m;</p> <p>C. Development Precinct densities – variance up to and including 10% from the upper and lower end of the range specified;</p> <p>D. Primary route locations – variance up to and including 50m movement outside of the road reserve;</p> <p>E. Secondary route location – any variance and up to and including 30% variance in length; and</p> <p>(ii) Extent of variation in allotment sizes from provisions of the Rangitahi Peninsula Structure Plan (Appendix 8);</p> <p>(iii) Matters referred to in Chapter 14 Infrastructure and Energy;</p> <p>(iv) Amenity and streetscape;</p> <p>(v) Vehicle and pedestrian networks;</p> <p>(vi) Implementation of environmental improvements required by the Rangitahi Peninsula Structure Plan (Appendix 8).</p> <p>(vii) Provision of infrastructure, including water supply for firefighting purposes.²⁶</p> <p>(viii) Effects on archaeological sites and cultural values.²⁷</p>
DI	Subdivision that does not comply with one or more conditions in Rule 28.4.1 RDI.

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Commented [BI16]: Recommended amendment.

28.4.2 Subdivision - Boundary adjustments

CI	<p>(a) Proposed lots must comply with the following conditions:</p> <p>(i) Subdivision must be in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8), within an upper range of 10% of the Dwellings Illustrated including the density ranges specified therein for each neighbourhood in the Neighbourhood Outcomes Plans – Rangitahi Peninsula Structure Plan (Appendix 8); and</p> <p>(ii) Compliance with the following variances will be determined to be in accordance with the Rangitahi Peninsula Structure Plan (Appendix 8) (the base figures and locations are as stated</p>
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Commented [BI17]: Recommended amendment.

²³ Rangitahi Ltd [343.16]

²⁴ Consequential amendment to Rangitahi Ltd [343.21]

²⁵ FENZ [378.80]

²⁶ FENZ [378.80]

²⁷ Consequential change to Rangitahi Ltd [343.19]

	<p>or shown in the Neighbourhood Outcome Plans that form part of the Rangitahi Peninsula Structure Plan);²⁸</p> <p>(i) Development Precinct areas (hectares) – variance up to and including 10%;</p> <p>(ii) Development Precinct boundaries – variance up to and including 100m;</p> <p>(iii) Development Precinct densities – variance up to and including 10% from the upper and lower end of the range specified;</p> <p>(iv) Collector Road locations – variance up to and including 50m movement outside of the road reserve;</p> <p>(v) Secondary access location – any variance and up to and including 30% variance in length; and</p> <p>(iii) Environmental improvements required by the Rangitahi Peninsula Structure Plan (Appendix B) (including, but not limited to, restoration planting shown on the Indicative Open Space Framework Plan and provision of walkways and cycle ways shown on the Indicative Movement Network Plan) have been implemented to the extent required; or</p> <p>(iv) The requisite environmental improvements are proposed to be implemented as a condition of subdivision consent to be completed or bonded prior to the issue of a section 224(c) certificate for the subdivision; and</p> <p>(v) The primary access to the Rangitahi Peninsula Structure Plan Area by way of an upgraded Oporuru Road (inclusive of the Oporuru Road/Wainui Road intersection and the bridge/causeway at each end) has been formed; and</p> <p>(vi) Provision is made for a secondary legal access for all road users when the Oporuru Road connection is not available for any reason. A metalled access route protected by easement is sufficient for this purpose.</p> <p>(b) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary relocation.</p> <p>(c) Control is reserved over:</p> <p>(i) Purpose of the boundary adjustment;</p> <p>(ii) Effects on existing buildings;</p> <p>(iii) Extent to which subdivision is consistent with the Rangitahi Peninsula Structure Plan (Appendix B), including the Development Precinct areas, boundaries, density ranges, and road locations, (allowing for the following variances from the base figures and locations as stated or shown in the Neighbourhood Outcome Plans that form part of the Rangitahi Structure Plan):</p> <p>(iv) A. Development Precinct areas (hectares) – variance up to and including 10%;</p> <p>(v) B. Development Precinct boundaries – variance up to and including 100m;</p> <p>(vi) C. Development Precinct densities – variance up to and including 10% from the upper and lower end of the range specified;</p> <p>(vii) D. Primary route locations – variance up to and including 50m movement outside of the road reserve;</p> <p>E. Secondary route location – any variance and up to and including 30% variance in length.</p>
DI	Boundary adjustment that does not comply with Rule 28.4.2 CI

Commented [BI18]: Recommend deletion.

Commented [BI19]: Recommended amendment.

28.4.3 Subdivision - Amendments and updates to flats plans

CI	<p>(a) An amendment or update to a flats plan of a unit title where the:</p> <p>(b) amendment or update must identify additions or alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners.</p> <p>(c) Council's control is reserved over the following matters:</p> <p>(i) Purpose of the amendment or update to the flats plan;</p> <p>(ii) Effects on existing buildings;</p> <p>(iii) Site layout and design of cross lease or flats plan;</p> <p>(iv) Compliance with permitted building rules where the amendment is to convert a cross lease title to fee simple.</p>
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²⁸ Rangitahi Ltd [343.16]
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DI	Any amendment or update to a cross lease flats plan that does not comply with Rule 28.4.3 .
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28.4.4 Subdivision – Title boundaries – contaminated land

RDI	(a) Subdivision of any lot containing any contaminated land must not divide the area of contaminated land ; (b) Council's discretion is restricted to the following matters: (i) Amenity values and character; (ii) Effects on contaminated land .
DI	Subdivision that does not comply with Rule 28.4.4 RDI .

28.4.5 Subdivision - Title boundaries – Significant Natural Areas **and Maaori Sites of Significance**²⁹

RDI	(a) The boundaries of every proposed lot must not divide any of the following: (i) Significant Natural Area; (ii) A Maaori Site of Significance as listed in Schedule 30.3; (b) Council's discretion is restricted to the following matters: (i) Effects on Significant Natural Areas; (ii) Effects on Maaori Sites of Significance;
NCID ³⁰	Subdivision that does not comply with Rule 28.4.5 RDI .

28.4.6 Subdivision - building platform

RDI	(a) Every proposed lot , other than and access or utility allotment , must be capable of containing a building platform that meets all of the following conditions: (i) Has, exclusive of boundary setbacks, a circle with a diameter of at least 18m or a rectangle of at least 200m ² with a minimum dimension of 12m, except that this condition shall not apply to Comprehensive Residential Development Lots; (ii) Has an average gradient not steeper than 1:8; (iii) Has vehicular access in accordance with Rule 14.12.1.1 Infrastructure and Energy Chapter; (iv) Is geo-technically stable; (v) Is not subject to inundation in a 2% AEP storm or flood event; (b) Council's discretion is restricted to the following matters: (i) Earthworks and fill material required for subsequent buildings ; (ii) Geotechnical suitability for building ; (iii) Likely location of future buildings and their potential effects on the environment; (iv) Avoidance or mitigation of natural hazards; (v) Effects on landscape and amenity; (vi) Measures to avoid storm or flood events.
DI	Subdivision that does not comply with one or more condition in Rule 28.4.6 RDI .

28.4.7 Subdivision – Road Frontage

RDI	(a) Every proposed lot with a road boundary other than access allotment or utility allotment or a proposed lot containing a ROW or access leg must either: (i) Provide a width along the road boundary of at least 20m; or (ii) Comply with the Rangitahi Peninsula Structure Plan (Appendix 8).
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²⁹ Rangitahi Ltd [343.19]

³⁰ Rangitahi Ltd [343.19]

	(b) Council's discretion is reserved over the following matters: <ul style="list-style-type: none"> (i) Road efficiency and safety; (ii) Amenity and streetscape; (iii) Extent to which it complies with the Rangitahi Peninsula Structure Plan (Appendix 8).
DI	Subdivision that does not comply with Rule 28.4.7 RDI.

28.4.8 Subdivision - Esplanade reserves and esplanade strips

RDI	(a) Subdivision must create an esplanade reserve or strip 20m wide (or such other width stated in Appendix 4 (Esplanade Priority Areas) from every proposed CFR: <ul style="list-style-type: none"> (i) Less than 4ha and within 20m of any: <ul style="list-style-type: none"> A. mean high water springs; (ii) 4ha or more and within 20m of any: <ul style="list-style-type: none"> A. mean high water springs; B. a water body identified in Appendix 4 (Esplanade Priority Areas). (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) The type of esplanade provided - reserve or strip; (ii) Width of the esplanade reserve or strip; (iii) Provision of legal access to the esplanade reserve or strip; (iv) Matters provided for in an instrument creating an esplanade strip or access strip; (v) Works required prior to vesting any reserve in the council, including pest plant control, boundary fencing and the removal of structures and debris; (vi) Costs and benefits of acquiring the land.
DI	Subdivision that does not comply with Rule 28.4.8 RDI.

28.4.9 Subdivision of land containing mapped off-road walkways

RDI	(a) Subdivision of land where walkways are shown as Reserve – Pedestrian Way on Plan 2 Indicative Land-use Plan on the Rangitahi Peninsula Structure Plan Area (Appendix 8) must comply with all of the following conditions: <ul style="list-style-type: none"> (i) The walkway is at least 3 metres wide; (ii) The walkway is designed and constructed for shared pedestrian and cycle use; (iii) The walkway is generally in accordance with the walkway route shown on the planning maps; (iv) The walkway is shown on the plan of subdivision and vested in the Council. (b) Once the walkway has been acquired, or an alternative walkway has been acquired, Rule 28.4.9 RDI (a) no longer applies. (c) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Alignment of the walkway; (ii) Drainage in relation to the walkway; (iii) Standard of design and construction of the walkway; (iv) Land stability; (v) Amenity matters including batter slopes; (vi) Connection to reserves.
DI	Subdivision that does not comply with Rule 28.4.9 RDI.

Commented [B120]: Recommended amendment (drafting clarification).

Amendments to SNA in Planning Maps

Areas recommended to be removed are shown in blue outline.

