

Chapter XX: Special Purpose Zone - Hopuhopu

Proposed Waikato District – Version
for Hearing number 25

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Chapter SPZ-H: Special Purpose Zone - Hopuhopu

- (1) The rules that apply to activities in the Special Purpose Zone - Hopuhopu are contained in Rule SPZ-H-R1 Land Use – Activities, Rule SPZ-H-R2 Land Use – Effects and Rule SPZ-H-R3 Land Use – Building.
- (2) The rules that apply to subdivision in the Special Purpose Zone - Hopuhopu are contained in Rule SPZ-H-R4.
- (3) The activity status tables and standards in the following chapters also apply to activities in the Special Purpose Zone - Hopuhopu:
 - 14 Infrastructure and Energy;
 - 15 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
 - (a) PER Permitted activity
 - (b) RDIS Restricted discretionary activity
 - (c) DIS Discretionary activity
 - (d) NC Non-complying activity
- (5) The Special Purpose Zone - Hopuhopu contains five Specific Precincts listed below. These Specific Precincts contain rules that are either in addition to, or different from, other rules that apply to the rest of the Special Purpose Zone - Hopuhopu.
 - (a) PREC1 - Hopuhopu Residential Precinct;
 - (b) PREC2 - Hopuhopu Education and Conference Precinct;
 - (c) PREC3 - Hopuhopu Business Precinct;
 - (d) PREC4 - Hopuhopu Open Space Precinct;
 - (e) PREC5 – Hopuhopu Mixed Use Precinct.

SPZ-H-R1 Land Use - Activities

SPZ-H-R1-1 Permitted Activities

- (1) The following activities are permitted activities if they meet all of the following:
 - (a) Activity-specific conditions;
 - (b) Land Use – Effects rules in Rule SPZ-H-R2 (unless the activity rule and/or conditions identify a condition(s) that does not apply);
 - (c) Land Use – Building rules in Rule SPZ-H-R3 (unless the activity rule and/or conditions identify a condition(s) that does not apply).

Activity		Activity-specific conditions
PER1	Residential activity	(a) The activity occurs within PREC1 - the Hopuhopu Residential Precinct.
PER2	Papakaaingā (Hopuhopu)	(a) The activity occurs within PREC1 - the Hopuhopu Residential Precinct.
PER3	Kaumaatua housing (Hopuhopu)	(a) The activity occurs within PREC1 - the Hopuhopu Residential Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.

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PER4	Home business (Hopuhopu)	<p>(a) The activity occurs within PREC1 - the Hopuhopu Residential Precinct;</p> <p>(b) It is wholly contained within a building except as provided for in (c) below;</p> <p>(c) The storage of materials or machinery associated with the home business is either wholly contained within a building, or where outside occupies no more than 100m² per residential unit and is located where it is not visible from public roads;</p> <p>(d) No more than 2 people who are not permanent residents of the residential unit are employed at any one time;</p> <p>(e) Unloading and loading of vehicles or the receiving of customers or deliveries may only occur between 7:30am and 7:00pm on any day;</p> <p>(f) Machinery may only be operated between 7.30am and 9.00 pm on any day.</p>
PER5	Homestay	<p>(a) The activity occurs within PREC1 - the Hopuhopu Residential Precinct;</p> <p>(b) No more than 4 temporary residents in a residential unit.</p>
PER6	Papakaainga building	<p>(a) The activity occurs within PREC1 - the Hopuhopu Residential Precinct.</p>
PER7	Wharenui	<p>(a) The activity occurs within PREC2 – the Hopuhopu Education and Conference Precinct, PREC3 – the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.</p>
PER8	Wharekai	<p>(a) The activity occurs within PREC2 – the Hopuhopu Education and Conference Precinct, PREC3 – the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.</p>
PER9	Aatea	<p>(a) The activity occurs within PREC2 – the Hopuhopu Education and Conference Precinct, PREC3 – the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.</p>
PER10	Waharoa	<p>(a) The activity occurs within PREC2 – the Hopuhopu Education and Conference Precinct, PREC3 – the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.</p>
PER11	Tuuahu	Nil.
PER12	Urupaa	Nil.
PER13	Places of cultural significance	Nil.
PER14	A temporary event	<p>(a) The event occurs no more than 15 times per consecutive 12 month period;</p> <p>(b) The duration of each event is less than 72</p>

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		<p>hours;</p> <p>(c) It may only operate between 7.30am to 8:30pm Monday to Sunday;</p> <p>(d) Temporary structures are:</p> <p>(i) erected no more than 7 days before the event occurs;</p> <p>(ii) removed no more than 3 days after the end of the event;</p> <p>(e) The site of the event is returned to its previous condition no more than 3 days after the end of the event;</p> <p>(f) There is no direct site access from a national route or regional arterial road.</p>
PER15	Cultural event	Nil.
PER16	Informal recreation	Nil.
PER17	Organised recreation (Hopuhopu)	(a) The activity occurs within PREC3 – the Hopuhopu Business Precinct, or PREC4 - the Hopuhopu Open Space Precinct.
PER18	Indoor recreation (Hopuhopu)	(a) The activity occurs within PREC3 – the Hopuhopu Business Precinct, or PREC4 - the Hopuhopu Open Space Precinct.
PER19	Community facility	(a) The activity occurs within PREC2 - the Hopuhopu Education and Conference Precinct, PREC3 - the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.
PER20	Conservation activity	Nil.
PER21	Whare taonga	(a) The activity occurs within PREC3 – the Hopuhopu Business Precinct or PREC5 – The Hopuhopu Mixed Use Precinct.
PER22	Koohanga reo and kura kaupapa	(a) The activity occurs within PREC5 – the Hopuhopu Mixed Use Precinct.
PER23	Educational facility including waananga	(a) The activity occurs within PREC2 - the Hopuhopu Education and Conference Precinct.
PER24	Conference centre and facilities	(a) The activity occurs within PREC2 - the Hopuhopu Education and Conference Precinct, PREC3 - the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.
PER25	Trade and industry training activity	(a) The activity occurs within PREC3 - the Hopuhopu Business Precinct, or PREC4 - the Hopuhopu Open Space Precinct.
PER26	Light industry (Hopuhopu)	(a) The activity occurs within PREC3 - the Hopuhopu Business Precinct.
PER27	Crafting workshop (Hopuhopu)	(a) The activity occurs within PREC4 – the Hopuhopu Open Space Precinct.
PER28	Plant nursery (Hopuhopu)	(a) The activity occurs within PREC4 – the Hopuhopu Open Space Precinct; and

		(b) Any retail sales to the public occur from a single building limited to 50m ² of gross dedicated retail floor area.
PER29	Farming	(a) The activity occurs within PREC4 - the Hopuhopu Open Space Precinct.
PER30	Commercial activity	(a) The activity occurs within PREC3 - the Hopuhopu Business Precinct; or (b) The activity occurs within PREC5 – the Hopuhopu Mixed Use Precinct and the combined total area of all retail activities in the Precinct does not exceed 400m ² of gross dedicated retail floor area.
PER31	Office	(a) The Activity occurs within PREC3 – the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.
PER32	Health facility including hauora	(a) The activity occurs within PREC2 - the Hopuhopu Education and Conference Precinct, PREC3 - the Hopuhopu Business Precinct, or PREC5 – the Hopuhopu Mixed Use Precinct.
PER33	Visitor accommodation (Hopuhopu)	(a) The activity occurs within PREC2 - the Hopuhopu Education and Conference Precinct, or PREC3 - the Hopuhopu Business Precinct.
PER34	Public transport facility	(a) The activity occurs within PREC3 - the Hopuhopu Business Precinct.

SPZ-H-RI-2 Restricted Discretionary Activities

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

RDIS1	(a) Plant nursery (Hopuhopu) that does not comply with an activity-specific condition in SPZ-H-RI-1 PER28. (b) Council's discretion is restricted to the following matters: (i) effects on traffic; (ii) hours and days of operation; (iii) noise levels; (iv) site design, layout and amenity.
RDIS2	(a) Educational facility within PREC4 – the Hopuhopu Open Space Precinct (b) Council's discretion is restricted to the following matters: (i) effects on traffic; (ii) site design, layout and amenity; (iii) the degree to which the development would be compatible with the open space character and amenity of the Precinct.
RDIS3	(a) Home business (Hopuhopu) that does not comply with an activity-specific condition in SPZ-H-RI-1-PER4(b)-(f). (b) Council's discretion is restricted to the following matters: (i) duration and frequency; (ii) effects on traffic;

	(iii) effect on amenity values of nearby residential properties; (iv) scale of the activity.
RDIS4	(a) Homestay that does not comply with the activity specific condition in SPZ-H-R1- PER5(b). (b) Council’s discretion is restricted to the following matters: (i) duration and frequency; (ii) effects on traffic; (iii) effect on amenity values of nearby residential properties; (iv) number of temporary residents;
RDIS5	(a) A temporary event that does not comply with an activity specific condition under SPZ-H-R1- PER14. (b) Council’s discretion is restricted to the following matters: (i) duration and frequency; (ii) effects on traffic; (iii) traffic safety; (iv) effects on amenity values.

SPZ-H-R1-3 Discretionary Activities

(1) The activities listed below are discretionary activities.

DIS1	Any permitted activity that does not comply with an activity specific condition in SPZ-H-R1-1 except PER4(b)-(f), PER5(b), PER14, and PER28.
DIS2	Hazardous waste storage, processing or disposal
DIS3	Transport depot
DIS4	Intensive farming
DIS5	Rural Industry
DIS6	Correctional facility
DIS7	Any other activity that is not listed as Permitted or Restricted Discretionary

SPZ-H-R2 Land Use Effects

The rules within SPZ-H-R2 apply to all Precincts unless otherwise specified.

SPZ-H-R2-1 Noise

- (1) Rules SPZ-H-R2-1-1 to SPZ-H-R2-1-2 provide the permitted noise levels for noise generated by land use activities.
- (2) Rule SPZ-H-R2-1-1 Noise – General provides permitted noise levels in the Special Purpose Zone - Hopuhopu.
- (3) Noise levels for specific activities are provided Rule SPZ-H-R2-1-2 Noise – Construction.

SPZ-H-R2-1-1 Noise – General

PER1	Farming noise, crowd noise, and noise generated by hunting, emergency generators and emergency sirens.
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PER2	<p>(a) Noise generated within the Special Purpose Zone - Hopuhopu when measured at the zone boundary must meet the permitted noise levels for the neighbouring zone.</p> <p>(b) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound; and</p> <p>(c) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 Acoustic-Environmental noise.</p>
DIS1	Noise that does not comply with Rule SPZ-H-R2-1-1 PER1, or SPZ-H-R2-1-1 PER2.

SPZ-H-R2-1-2 Noise – Construction

PER1	<p>(a) Construction noise generated from a construction site must not exceed the limits in New Zealand Standard NZS 6803:1999 Acoustics – Construction Noise.</p> <p>(b) Construction noise must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction Noise.</p>
RDIS I	<p>(a) Construction noise that does not comply with Rule SPZ-H-R2-1-2- PER1.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on amenity values; (ii) hours and days of construction; (iii) noise levels; (iv) timing and duration; (v) methods of construction.

SPZ-H-R2-2 Glare and Artificial Light Spill

PER1	<p>(a) Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically at the zone boundary;</p> <p>(b) Rule SPZ-H-R2-2 PER1 (a) does not apply to vehicles used in farming activities and agricultural equipment.</p>
RDIS I	<p>(a) Illumination from glare and artificial light spill that does not comply with SPZ-H-R2-2-PER1</p> <p>(b) Council’s discretion is restricted to the following matters:</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.

SPZ-H-R2-3 Earthworks

- (1) Rule SPZ-H-R2-3-1 – Earthworks General, provides the permitted rules for earthworks in the Special Purpose Zone - Hopuhopu.
- (2) There are specific standards for earthworks within rule:
 - (a) SPZ-H-R2-3-2 – Earthworks – within Landscape and Natural Character Areas
 - (b) SPZ-H-R2-3-3 – Earthworks within the Indicative Borrow Pit and Maaori Made Soils Zone Overlay

SPZ-H-R2-3-1 Earthworks – General

PER1	<p>(a) Except as otherwise specified in SPZ-H-R2-3-2</p> <ul style="list-style-type: none"> (i) Ancillary rural earthworks; (ii) A farm quarry where the volume of aggregate extracted does not exceed 1000m³ in any single consecutive 12 month period;
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	<p>(b) Earthworks ancillary to a conservation activity must meet the following conditions:</p> <p>(i) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls.</p>
PER2	<p>With the exception of earthworks for the activities listed in SPZ-H-R2-3-1 PER1 and PER3</p> <p>(a) Earthworks across the whole of the SPZ-H must meet all of the following conditions:</p> <p>(i) Cumulatively, do not exceed a volume of more than 2000m³ and an area of more than 4000m² over any single consecutive 12 month period of which imported fill material or cleanfill does not exceed a total volume of 1,000m³ in any single consecutive 12 month period;</p> <p>(ii) The total combined depth of any excavation (excluding drilling) or filling does not exceed 3m above or below natural ground level;</p> <p>(iii) Take place on land with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Earthworks are setback a minimum of 1.5m from all site boundaries;</p> <p>(v) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path;</p> <p>(vi) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and any remaining bare ground re-vegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks or finished with a hardstand surface;</p> <p>(vii) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(viii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths;</p> <p>(ix) Earthworks must not result in the site being unable to be serviced by gravity sewers.</p>
PER3	<p>(a) Earthworks for the purpose of creating a building platform (including the use of imported fill material) that is:</p> <p>(i) Subject to an approved building consent; and</p> <p>(ii) The earthworks occur wholly within the footprint of the building.</p> <p>(b) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall.</p> <p>(c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building.</p>
PER4	<p>Earthworks for the maintenance of existing tracks, fences or drains within a Significant Natural Area.</p>
RDIS1	<p>(a) Earthworks that do not comply with SPZ-H-R2-3-1 PER1, PER2 or PER3.</p> <p>(b) Council's discretion shall be limited to the following matters:</p> <p>(i) amenity values and landscape effects;</p> <p>(ii) volume, extent and depth of earthworks;</p> <p>(iii) nature of fill material;</p> <p>(iv) contamination of fill material or cleanfill;</p> <p>(v) location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(vi) compaction of the fill material;</p> <p>(vii) volume and depth of fill material;</p> <p>(viii) geotechnical stability;</p> <p>(ix) flood risk, including natural water flows and established drainage paths;</p> <p>(x) land instability, erosion and sedimentation;</p> <p>(xi) effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access;</p> <p>(xii) proximity to underground services and service connections.</p>
RDIS2	<p>(a) Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) the effects on the Significant Natural Area</p> <p>(ii) land instability, erosion and sedimentation</p>

	(iii) the functional and operational need for the earthworks (iv) volume, extent and depth of earthworks
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Advice Note 1: The 'Indicative Borrow Pit and Maaori-Made Soils' Overlay indicates an area which contains Maaori-made soils and possible borrow pits. Archaeological sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga should be contacted regarding development on or in proximity to this area and the need to undertake an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Advice Note 2: The 'Indicative Borrow Pit and Maaori-Made Soils' Overlay also coincides with an area known to have contained alligator weed. The Waikato Regional Pest Management Plan 2014-2024 contains rules which relate to the management of alligator weed.

SPZ-H-R2-3-2 Earthworks – within Landscape and Natural Character Areas

PER1	Earthworks for the maintenance of existing tracks, fences or drains within an identified landscape or natural character area.						
PER2	<p>Earthworks that meet all of the following conditions:</p> <p>(a) earthworks are completed within a 12 month period</p> <p>(b) earthworks do not exceed the following areas and volumes:</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;">Landscape or Natural Character Area identified on the planning maps in Schedules 30.XXX¹</th> <th style="text-align: center;">Area (m2)</th> <th style="text-align: center;">Volume (m3)</th> </tr> </thead> <tbody> <tr> <td style="text-align: left;">Significant Amenity Landscape Waikato River Margins and Lakes</td> <td style="text-align: center;">500</td> <td style="text-align: center;">500</td> </tr> </tbody> </table> <p>(c) the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres;</p> <p>(d) the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1 metre vertical to 2 metres horizontal);</p> <p>(e) areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks;</p> <p>(f) sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(g) there is no diversion or change to natural water flows, water bodies or established drainage paths.</p>	Landscape or Natural Character Area identified on the planning maps in Schedules 30.XXX ¹	Area (m2)	Volume (m3)	Significant Amenity Landscape Waikato River Margins and Lakes	500	500
Landscape or Natural Character Area identified on the planning maps in Schedules 30.XXX ¹	Area (m2)	Volume (m3)					
Significant Amenity Landscape Waikato River Margins and Lakes	500	500					
RDISI	<p>(a) Earthworks that do not comply with SPZ-H-R2-3-2 PER1 or PER2.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) the extent to which adverse effects from earthworks on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</p>						

SPZ-H-R2-4 Hazardous substances

PER1	<p>(a) The use, storage or disposal of any hazardous substances where:</p> <p>(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Special Purpose Zone - Hopuhopu in Table 5.1 contained within Appendix 5 (Hazardous Substances).</p>
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¹ To be updated once the number is available should the approach outlined in the evidence presented at Hearing 21b be accepted.

PER2	(a) The storage or use of radioactive materials if it is: <ul style="list-style-type: none"> (i) an approved equipment for medical and diagnostic purposes; or (ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.
DIS1	The use, storage or disposal of hazardous substances that does not comply with SPZ-H-R2-4 PER1 or PER2.

SPZ-H-R2-5 Signs

- (a) SPZ-H-R2-5-1 Signs – General provides permitted standards for any sign across the entire Special Purpose Zone - Hopuhopu.
- (b) SPZ-H-R2-5-2 Signs – effects on traffic apply specific standards for signs that are directed at road users.

SPZ-H-R2-5-1 Signs – General

PER1	(a) A public information sign erected by a government agency or an official sign. (b) Signs that are located within a building or that are not visible from a road or adjoining site. (c) Signs permitted by PER1 (a) or PER1 (b) are not subject to SPZ-H-R2-5-1 PER2.
PER2	(a) A sign must comply with all of the following conditions: <ul style="list-style-type: none"> (i) The sign is wholly contained on the site; (ii) The sign is not illuminated, (iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (iv) The sign relates to: <ul style="list-style-type: none"> A. Goods or services available on the site; or B. A property name sign. (v) In PREC1 – the Hopuhopu Residential Precinct, PREC2 - the Hopuhopu Education and Conference Precinct, PREC4 - the Hopuhopu Open Space Precinct, and PREC5 – the Hopuhopu Mixed Use Precinct: <ul style="list-style-type: none"> A. The sign does not exceed 3m²; and B. The sign height does not exceed 3m; (vi) In PREC3 - the Hopuhopu Business Precinct: <ul style="list-style-type: none"> A. The sign height must not exceed 10m; B. Where the sign is attached to a building, it must: <ul style="list-style-type: none"> (a) Not extend more than 300mm from the building wall; and (b) Not exceed the height of the building; C. Where the sign is a freestanding sign, it must: <ul style="list-style-type: none"> (a) Not exceed an area of 3m²; and (b) Be set back at least 5m from the boundary of any other Zone.
RDIS1	(a) Any sign that does not comply with SPZ-H-R2-5-1 PER1 or PER2. (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) effects of glare and artificial light spill; (v) content, colour and location of the sign; (vi) effects on notable trees; (vii) effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (viii) effects on cultural values of any Maaori site of significance; (ix) effects on notable architectural features of the building.

SPZ-H-R2-5-2 Signs - effects on traffic

PER I	<p>(a) Any sign directed at land transport users must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and level crossings; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing; (iv) Contain no more than 40 characters and no more than 6 words, symbols, or graphics; (v) Have lettering that is at least 200mm high; and (vi) Where the sign directs traffic to a site entrance, it must be at least: <ul style="list-style-type: none"> A. 175m from the entrance on roads with a speed limit of 80 km/hr or less; or B. 250m from the entrance on roads with a speed limit of more than 80km/hr.
RDISI	<p>(a) Any sign that does not comply with SPZ-H-R2-5-2 PER I</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on traffic safety; (ii) glare and artificial light spill; (iii) content, colour and location of the sign.

SPZ-H-R2-6-1 Outdoor storage

PER I	<p>(a) Outdoor storage in all precincts except that in PREC3 – the Hopuhopu Business Precinct and PREC5 – the Hopuhopu Mixed Use Precinct:</p> <p>(b) Outdoor storage of goods or materials must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) SPZ-H-R3-2 Height and SPZ-H-R3-4 Daylight admission; and (ii) Be fully screened from view from any: <ul style="list-style-type: none"> A. Public road; B. Public reserve; and C. Adjoining site in another zone.
RDISI	<p>(a) Outdoor storage of materials that does not comply with SPZ-H-R2-6-1 PER I.</p> <p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> (i) Visual amenity; (ii) Size and location of storage area; (iii) Measures to mitigate adverse effects; (iv) Effects on loading and parking areas.

SPZ-H-R2-7-1 Indigenous vegetation clearance inside a Significant Natural Area

PER I	<p>(a) 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.</p>
PER2	<p>(a) Indigenous vegetation clearance in a Significant Natural Area for the following purposes:</p> <ul style="list-style-type: none"> (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Conservation fencing to exclude stock or pests; (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; (v) Gathering plants in accordance with Maaori customs and values; or (vi) Conservation activities
PER3	<p>(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) There is no alternative development area on the site outside the Significant Natural Area; (ii) The total indigenous vegetation clearance does not exceed 250m²; and (iii) The vegetation clearance is at least 10m from a natural waterbody.

DIS1	Indigenous vegetation clearance in a Significant Natural Area that does not comply with one or more conditions in SPZ-H-R2-7-1 PER1, PER2, or PER3.
DIS2	Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in SPZ-H-R2-7-1 PER1, PER2 and PER3.

SPZ-H-R2-7-2 Indigenous vegetation clearance - outside a Significant Natural Area

PER1	<p>(a) Indigenous vegetation clearance outside a Significant Natural Area must be for the following purposes:</p> <ul style="list-style-type: none"> (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Maintaining productive pasture through the removal of up to 1000m² per single consecutive 12 month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height; (iii) Maintaining existing tracks and fences; (iv) Maintaining existing farm drains; (v) Conservation fencing to exclude stock or pests; (vi) Gathering of plants in accordance with Maaori custom and values; or (vii) A building platform and associated access, parking and manoeuvring up to a total of 500m² clearance of indigenous vegetation and there is no practicable alternative development area on the site outside of the area of indigenous vegetation clearance.
RDISI	<p>(a) Indigenous vegetation clearance outside a Significant Natural Area that does not comply with one or more conditions of SPZ-H-R2-7-2 PER1.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems; (ii) the extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services; (iii) the extent to which cumulative effects have been considered and addressed; (iv) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site; (v) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.

SPZ-H-R3 Land Use - Building

SPZ-H-R3-1 Number of residential units

PER1	(a) The total number of residential units in PRECI - the Hopuhopu Residential Precinct does not exceed a residential unit yield equivalent to an average of one residential unit per 450m ² across the entirety of PRECI - the Hopuhopu Residential Precinct;
DIS1	A residential unit that does not comply with Rule SPZ-H-R3-1- PER1.

SPZ-H-R3-2 Height

- (1) SPZ-H-R3-2-1 – Height - Building General provides permitted height levels across the entire Special Purpose Zone - Hopuhopu for buildings, structures or vegetation.
- (2) The following rule provides height levels for specific activities:

(a) SPZ-H-R3-2-2 - Floodlight

SPZ-H-R3-2-1 Height - Building General

PER1	(a) The maximum height of any building must not exceed: <ul style="list-style-type: none"> (i) 8m above ground level in PREC1 - the Hopuhopu Residential Precinct; (ii) 12m above ground level in PREC2 - the Hopuhopu Education and Conference Precinct; (iii) 12m above ground level in PREC3 - the Hopuhopu Business Precinct; (iv) 15m above ground level in in PREC4 - the Hopuhopu Open Space Precinct; and (v) 12 m above ground level in PREC5 - the Hopuhopu Mixed Use Precinct.
PER2	The height of any residential unit or building must not exceed 7.5m in a Significant Amenity Landscape.
RDIS1	(a) Any building that does not comply with SPZ-H-R3-2-1 PER1 or PER2. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Height of the building; (ii) Design and location of the building; (iii) Extent of shading on an adjoining site; (iv) Privacy on adjoining sites.

SPZ-H-R3-2-2 Height – Floodlight

PER1	(a) Any floodlight must not exceed a maximum height of 12m; or (b) Any floodlight must not exceed 7.5m in a Significant Amenity Landscape.
DIS1	Any floodlight that does not comply with SPZ-H-R3-2-2 PER1.

SPZ-H-R3-3 Fences or Walls – Road boundaries and Reserve Zone boundaries

PER1	(a) Fences and walls between the applicable building setbacks under Rule SPZ-H-R3-5 on a site and any road and reserve zone boundaries must comply with all of the following conditions: <ul style="list-style-type: none"> (i) Be no higher than 1.2m if solid; (ii) Be no higher than 1.8m if: <ul style="list-style-type: none"> A. visually permeable for the full 1.8m height of the fence or wall; or B. solid up to 1.2m and visually permeable between 1.2 and 1.8m.
RDIS1	(a) Fences or walls that do not comply with Rule SPZ-H-R3-3-PER1 (b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> (i) Building materials and design; (ii) Effects on amenity; (iii) Public space visibility.

SPZ-H-R3-4 Daylight admission

PER1	A building must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the zone boundary.
RDIS1	(a) A building that does not comply with SPZ-H-R3-4-PER1. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Height of the building; (ii) Design and location of the building; (iii) Admission of daylight and sunlight to the site and other site; (iv) Privacy on any other site; (v) Amenity values of the locality.

SPZ-H-R3-5 Building setbacks

- (a) Rules SPZ-H-R3-5-1 to SPZ-H-R3-5-3 provide the permitted building setback distances for buildings from site boundaries, specific land use activities and environmental features.
- (b) SPZ-H-R3-5-1 Building setbacks – all boundaries provides permitted building setback distances from all boundaries within the Special Purpose Zone - Hopuhopu.
- (c) SPZ-H-R3-5-2 Building setback - sensitive land use provides permitted setback distances for any building containing a sensitive land use from specified land use activities.
- (d) SPZ-R3-5-3 Building setback – water bodies provides permitted setback distances from lakes, wetlands, rivers and the coast.

SPZ-H-R3-5-1 Building Setbacks – All boundaries

PERI	(a) A building must be set back a minimum of: <ul style="list-style-type: none"> (i) 3m from the road boundary; (ii) 3m from the boundary of an adjoining site.
RDISI	(a) A building that does not comply with SPZ-H-R3-5-1 PERI; (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Height, design and location of the building relative to the boundary; (ii) Impacts on the privacy for adjoining site(s); (iii) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); (iv) Landscaping and/or screening; and (v) Road network safety and efficiency.

SPZ-H-R3-5-2 Building setback - sensitive land use

PERI	(a) Any building for a sensitive land use must be set back a minimum of: <ul style="list-style-type: none"> (i) 15m from a regional arterial road; (ii) 300m from the boundary of another site containing an intensive farming activity; (iii) 300m from oxidation ponds that are part of a municipal wastewater treatment facility on another site; (iv) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; (v) 300m from the boundary of buildings or outdoor enclosures used for another site containing an intensive farming activity. This setback does not apply to sensitive activities located on the same site as the intensive farming activity. (b) Any new building or alteration to an existing building for a sensitive land use within 100m of the legal boundary of a rail corridor must comply with Section 7 of Appendix I – Acoustic Insulation ² .
RDISI	(a) Any new building or alteration to an existing building for a sensitive land use at any point within 100 metres of the legal boundary of a rail corridor that does not comply with condition (b) of SPZ-H-R3-5-2 PERI.

² SPZ-H-R3-5-2 PER1 (b) and RDIS1 are additions based on the Hearing 22 evidence should this change be adopted by the Hearings Panel. There may need to be a consequential amendment to Appendix 1 to include Hopuhopu Special Purpose Zone if the s42a amendments as per Infrastructure s42a rebuttal evidence are accepted. https://wdcsitefinitivity.blob.core.windows.net/sitefinitivity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-22-infrastructure/council-rebuttal-evidence-and-reports/hearing-22---infrastructure---council-rebuttal---trevor-mackie.pdf?sfvrsn=81448dc9_2

	<p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Location of the building; (ii) The effects of any non-compliance with the standards in Section 7 of Appendix I; (iii) Topographical, ground conditions or building design features that will minimise vibration effects; (iv) The outcome of any consultation with KiwiRail.
DIS1	Any building for a sensitive land use that does not comply with SPZ-H-R3-5-2 PER1 except as provided for in SPZ-H-R3-5-2 RDIS1.

SPZ-H-R3-5-3 Building setback – water bodies

PER1	<p>(a) Any building, other than provided for under SPZ-H-R3-5-3 PER2, must be set back a minimum of:</p> <ul style="list-style-type: none"> (i) 32m from the margin of any wetland; (ii) 32 m from the bank of any river with an average width of 3m or more (other than the Waikato River); (iii) 28m from the banks of the Waikato River in PREC1 - the Hopuhopu Residential Precinct (iv) 32.5m from the banks of the Waikato River in PREC 3 – the Hopuhopu Mixed Use Precinct (v) 37m from the banks of the Waikato River in PREC 5 – the Hopuhopu Open Space Precinct; (vi) 12m from the bank of any river with an average width of 3m or less; (vii) 12m from the margin or any lake with a size of less than 8ha; and (viii) 10m from any artificial wetland.
PER2	A public amenity building, or maimai used for temporary waterfowl hunting purposes, of up to 25m ² in size.
PER3	A pump shed (public or private) set back a minimum of 5m from any waterbody.
RDIS1	<p>(a) Any building that does not comply with SPZ-H-R3-5-3 PER1, PER2, or PER3.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) The size of the adjacent waterbody and the landscape, ecological, cultural and recreational values associated with it; (ii) Erosion and sediment control measures; (iii) The functional or operational need for the building to be located close to the waterbody; (iv) Effects on public access to the waterbody.

SPZ-H-R3-5-4 Construction, demolition, additions or alterations to existing buildings

PER1	Construction, demolition, additions or alterations to buildings that comply with all relevant rules in SPZ-H-R3
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SPZ-H-R4 Subdivision

SPZ-H-R4-1 Subdivision

NC-1	Any subdivision in the Special Purpose Zone – Hopuhopu except as provided for in Rule 14.3.2 (subdivision to create a utility allotment for accommodating infrastructure).
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