

**Private Plan Change 20 Provisions
Lakeside Precinct
S42A Report Recommendations**

Throughout this plan change, text in red is to be inserted in the district plan: text ~~struck through~~ is to be deleted. Text in blue has been inserted as a result of submissions.

If you are making a submission on this plan change, please use the numbers in the left hand column, prefixed X (e.g. X), to identify the precise provision you are submitting on.

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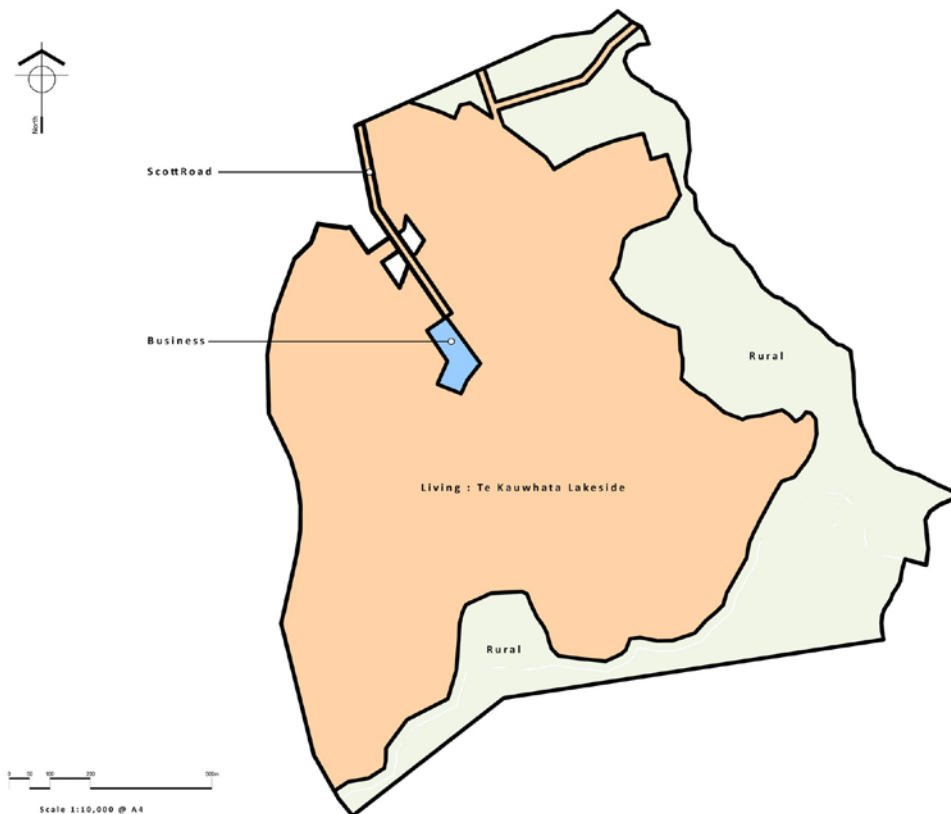
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PART A - AMENDMENTS TO THE PLANNING MAPS

Private Plan Change 20 amendments to the Waikato District Plan: Planning Maps

Planning Map - Zoning map: Map 1

Rezone the land identified below from “Rural” to “Living: Te Kauwhata Lakeside” and “Business” as shown below:



[LDL 10.1, 10.2]

Key

- Rezone the land from Rural to Living: Te Kauwhata Lakeside
- Rezone the land from Rural to Business
- Note this land retains a Rural zone.

Te Kauwhata Structure Plan: Map 2



Amend the boundary of the Te Kauwhata Structure Plan as shown.

PART B - AMENDMENTS TO PART 15 OBJECTIVES AND POLICIES

15D Te Kauwhata Lakeside Precinct Plan

15D.1 Introduction

Te Kauwhata is a rural service centre and urban village located in the northern portion of the Waikato region. It is a key township for Waikato District Council's growth strategy. Te Kauwhata has a village character and is surrounded by rural activities, Lake Waikare and the Whangamarino Wetlands.

Demand for housing in Te Kauwhata is expected to grow at a high rate over the next 20 years. This is because Te Kauwhata is well placed to connect with Auckland, Hamilton and other activities in the northern Waikato, such as Hampton Downs.

Further attractions to residents is the village character of Te Kauwhata, the rural landscape, Lake Waikare and the range of activities in the town centre including schools, library, medical centre and commercial activities and golf course.

The logical place to provide for this growth is to the south of the town centre as this land has good connections to the village and is of a gently rolling nature which can be readily developed for residential use.

A significant factor in this development is that it will enable public access to Lake Waikare and will also provide a variety of open spaces to be used by residents of the development and the wider Te Kauwhata community. This will not only have recreation and amenity benefits but will integrate the development with the existing town centre.

It is important to ensure that development of the Te Kauwhata Lakeside Precinct Plan Area has a compact urban form which is consistent with the Future Proof Growth Strategy including updated evaluation of growth trends. Additionally, development must be carefully planned so that it is complementary with the existing village character of Te Kauwhata, provides a high level of urban design and amenity, and respects the environmental values of the area, particularly Lake Waikare.

This chapter presents plan provisions that are specific to the Te Kauwhata Lakeside Precinct Plan Area, as shown in Schedule 21E, which are designed to ensure that development is appropriately managed. It is to be read in conjunction with the district-wide provisions contained elsewhere in this plan. The Lakeside Precinct Plan is a part of the Te Kauwhata Structure Plan. It follows structure planning principles, but is called "Lakeside Precinct Plan" to distinguish it from the "Te Kauwhata Structure Plan".

Provision of comprehensive infrastructure, including roading, water, wastewater and stormwater, telecommunications and energy services, needs to be integrated with development of Lakeside. This plan change is developed on the basis that Lakeside is capable of being self-sufficient in managing wastewater and stormwater. It is also designed that should the Huntly wastewater pipeline or any other Council option proceed, then the Lakeside development could connect into this pipeline or an alternate public system. If Lakeside is not able to obtain discharge consents for wastewater, then development of the area will need to occur after the pipeline is built or alternate system implemented.

The Lakeside Precinct Plan provisions encourage a two-step process for development. The first is a Comprehensive Subdivision Consent and Comprehensive Land Development Consent. The combination of these two consents provides for the creation of the core infrastructure and either superlots or development lots which enable future housing and business development. These consents include matters of earthworks, infrastructure, roading, identification of open space and the walkway network. Once the core land management infrastructure and amenities are provided and the land appropriately subdivided through the Comprehensive Subdivision Consent and/or Comprehensive Land Development Consent, then the second phase is the construction of residential and other permitted development. Where this residential development complies with the building and effects standards of the plan, they are generally permitted activities.

The North Island Main Trunk Railway bisects the Te Kauwhata township and runs alongside the western extent of Lakeside. Development near to the railway operations, including level crossings may create safety and reverse sensitivity effects. The Precinct Plan includes provisions to manage any adverse effects from the current and anticipated future operation of the North Island Main Trunk Railway Line and of development on level crossing safety. [KW R 34.1]

Note: The Waikato Regional Council manage identified pest species through the Regional Pest Management Plan which provides direction on subdivision and land development on sites that contain or may contain pest species. [WRC 7.10, 7.11]

15D.2 Issue - Te Kauwhata Lakeside Development

This plan change sets out to manage the following issues related to the Te Kauwhata Lakeside development. Comprehensive planning for the Lakeside development will avoid or mitigate significant adverse effects on the environment. The issues that are managed include:

- Significant demand for housing and growth pressures in the northern Waikato and Te Kauwhata area,
- Constraints on Te Kauwhata growing to the north due to the Whangamarino Wetlands and on growing to the west due to the rural lifestyle blocks and the inability to create an efficient pattern of development,
- The desirability for a future growth area to be in reasonable proximity to the town centre and community facilities so as to reinforce the Te Kauwhata village,
- Providing public access to Lake Waikare and other public open spaces throughout the development,
- Achieving high-quality urban design and residential amenity outcomes,
- Providing for a broader range of lifestyle choice and housing opportunity within Te Kauwhata,
- Enhancing the natural values of Lake Waikare and enabling formal public access to the lake foreshore,
- Providing for development while maintaining the landscape and other environmental values and character of the Te Kauwhata area,
- Creating quality open space and amenity, including walkways, cycleways and streetscapes,
- Supporting development by efficient and adequate provision of infrastructure, including upgrading of the existing Te Kauwhata wastewater infrastructure,
- Supporting the existing town centre and enhancing its role and viability but also providing for the needs of the residents of Lakeside.
- Managing reverse sensitivity issues impacting on the existing railway network including level crossing, noise and vibration. [KW R34.2]

- [Addressing the issue of alligator weed within the precinct. \[WRC 7.10, 7.11\]](#)

15D.3 Te Kauwhata Lakeside Precinct Plan – Objectives and Policies

<u>OBJECTIVES</u>	<u>POLICIES</u>
<u>15D.3.1</u> <u>Development of the Te Kauwhata Lakeside Precinct Plan Area provides for growth in Te Kauwhata.</u>	<u>15D.3.2</u> <u>Urban development has a compact form which:</u> <ul style="list-style-type: none"> (a) <u>Provides significant additional land for housing so as to provide for population growth in the northern Waikato and in particular Te Kauwhata,</u> (b) <u>Provides a broader choice of housing types within Te Kauwhata by enabling a range of housing types including medium density, higher density and retirement living,</u> (c) <u>Improves housing affordability through the provision of smaller lots sizes in appropriate locations,</u> (d) <u>Manages the balance between creating areas for growth, open space and retaining an appropriate size and capacity flood plain to assist flood management within the Waikato River system.</u>
<u>15D.3.3</u> <u>Development of the Te Kauwhata Lakeside Precinct Plan Area integrates with the existing town centre, Lake Waikare and the wider Te Kauwhata area.</u>	<u>15D.3.4</u> <u>The layout and form of urban development:</u> <ul style="list-style-type: none"> (a) <u>Provides an open space area between the residential development and the edge of Lake Waikare,</u> (b) <u>Provides for medium density residential development towards the edges of the Lakeside Precinct Plan Area,</u> (c) <u>Locates the higher density development, retirement living and community hub in the northern and central portions of the Lakeside Precinct Plan Area,</u> (d) <u>Provides a rural zone buffer to farmland to the south,</u> (e) <u>Enables a community hub which complements the activities within the existing Te Kauwhata town centre,</u> (f) <u>Provides safe and efficient vehicle, pedestrian and cycle connections within the Lakeside Precinct Plan Area, and into the existing village and the wider area,</u> (g) <u>Provides significant areas of open space which will enable access to Lake Waikare and attract Te Kauwhata residents to the development,</u> (h) <u>Enhance the public amenity values of the Lakeside environment,</u> (i) <u>Maintains a visual connection from Te Kauwhata Memorial Domain to Lake Waikare.</u>

<p><u>15D.3.5</u> Residents and users of the Te Kauwhata Lakeside Precinct Plan Area enjoy a high level of amenity and a sense of place.</p>	<p><u>15D.3.6</u> Implement design based planning and subdivision controls that promote a high standard of urban design which:</p> <ul style="list-style-type: none"> (a) <u>Orientate significant portions of the subdivision and development to maximise outlook to Lake Waikare (and its natural landscape qualities such as lake margins) and solar gain,</u> (b) <u>Ensure a streetscape design which combines a comprehensive and consistent landscape theme and quality materials,</u> (c) <u>Has a range of building footprints and forms at different densities,</u> (d) <u>Fosters neighbourhood identity by providing quality open spaces within the higher density precinct,</u> (e) <u>Includes large areas of open space that can be used for a variety of recreational activities,</u> (f) <u>Provides connections to and along the foreshore, to and from the town centre and between the different parts of the Lakeside Precinct Plan Area,</u> (g) <u>Provides an overlay within the rural zone, adjacent to Lake Waikare and as a transition between the Lakeside development and rural land to the south, which provides for pastoral farming, horticultural and recreation uses but which restricts more intensive rural uses,</u> (h) <u>Has a low-speed, pedestrian-friendly and highly landscaped road network [WDC 6.6],</u> (i) <u>Has a highly connected network of pedestrian and cycle ways,</u> (j) <u>Fosters community and safety with good street and open space outlook / surveillance which satisfies CEPTED (crime prevention through environmental design) principles,</u> (k) <u>Ensures that the medium density development adjoins the rail corridor to the east so as to enable adequate setbacks between habitable rooms and the rail corridor,</u> (l) <u>Minimises the use of rear lots,</u> (m) <u>Creating an lwi reserve on the most eastern point of the Lakeside development, and vesting this land in iwi.</u> <p><u>15D.3.7</u> <u>Mitigate the potential adverse effects on noise sensitive activities in the vicinity of the rail corridor arising from the operation of the North Island Main Trunk line (NIMT). [KW R 34.3]</u></p> <p><u>15D.3.8</u> <u>Require new development in close proximity to the North Island Main Trunk line to meet minimum internal noise and vibration standards. [KW R 34.3]</u></p>
<p><u>15D.3.79</u> The activities within the community hub complement the existing Te Kauwhata town centre.</p>	<p><u>15D.3.810</u> Non-residential activities are limited to those which:</p> <ul style="list-style-type: none"> (a) <u>are small-scale and provide local-level business opportunities and services or provide a community function,</u> (b) <u>will complement the role, amenity and social function of the Te Kauwhata town centre.</u>

<p><u>15D.3.911</u> The distinct environmental and cultural values (including landscape, ecology and habitat) of the Te Kauwhata Lakeside Precinct Plan Area are maintained or enhanced.</p>	<p><u>15D.3.1012</u> Public access is provided to and along the edge of Lake Waikare within the Lakeside Precinct Plan Area, through the establishment of managed reserves and walkways/cycleways. [WDC 6.8]</p> <p><u>15D.3.1113</u> Creating Iwi reserve on the most eastern point of the Lakeside development, and vesting this land in iwi.</p> <p><u>15D.3.1214</u> The edge of Lake Waikare is planted with locally appropriate indigenous species which maintain and enhance the natural values of the lake.</p> <p><u>15D.3.1315</u> Ecological corridors are established for the management of stormwater which are designed to minimise erosion and minimise ecological or water quality degradation in Lake Waikare arising from the Lakeside development.</p> <p><u>15D.3.1416</u> Stock are excluded from the edge of Lake Waikare and other waterways.</p> <p><u>15D.3.1517</u> Landscape treatment and planting along streets, public open spaces and other areas are designed and implemented in a manner which maintains and creates ecological linkages and habitat for indigenous fauna.</p> <p><u>15D.3.1618</u> Stormwater and wastewater from the Lakeside Precinct Plan Area is managed in a way which minimises the environmental effects on Lake Waikare.</p> <p><u>15D.3.1719</u> Identified areas of existing vegetation which are of ecological and/or landscape significance and shown on the Te Kauwhata Lakeside Precinct Plan Area are maintained.</p> <p><u>15D.3.1820</u> An appropriately sized flood plain is maintained as open space and/or rural land so as to allow this land to continue its flood protection function. [WRC 7.13]</p> <p><u>15D.3.21</u> Implement a management strategy to control the spread and impact of alligator weed. [WRC 7.10, 7.11]</p>
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	<p><u>15D.3.22</u> <u>Manage the portion of the rural zoned land that is part of the Waikato Catchment Flood Protection Lands to ensure that, in any reconfiguration of the flood plain boundaries, there is no material difference in the holding capacity of the flood plain in extreme events. [WRC 7.13]</u></p>
<p><u>15D.3.1923</u> <u>Urban development within the Lakeside Precinct Plan Area is coordinated with integrated development of roads and other infrastructure.</u></p>	<p><u>15D.3.2024</u> <u>Subdivision and development shall occur in an orderly sequence dictated by the provision of the following infrastructure.</u></p> <ul style="list-style-type: none"> <u>(a) stormwater management practices to provide a “treatment train” for stormwater including swales, rain gardens and wetlands. This shall be set out in a stormwater management plan;</u> <u>(b) wastewater capacity to service the development which will ensure an enhanced high quality effluent treatment;</u> <u>(c) a wetland in the southern end of the precinct to manage discharge from the wastewater plant or connection to a public system with sufficient capacity;</u> <u>(d) adequate potable water, energy and telecommunications to service growth within the subdivision;</u> <u>(e) in the reformation of the extent and shape of the flood plain and in the allowance for the public facilities within the flood plain, the same storage capacity of water shall be retained;</u> <u>(f) a secondary access roading connection into the Te Kauwhata Lakeside Precinct Plan Area must be open for traffic once the number of new lots and/or dwellings in the Lakeside Precinct Plan Area exceeds 400.</u> <p><u>15D.3.25</u> <u>Development shall manage effects on the North Island Main Trunk line to ensure the continued safe and efficient operation of the rail network. [KW R 34.3]</u></p> <p><u>15D.3.26</u> <u>Implement safety improvements at the Te Kauwhata railway level crossing. [KW R 34.3]</u></p>
<p><u>15D.3.27</u> <u>Urban development within the Lakeside Precinct Plan Area is appropriately serviced to ensure that any effects on the surrounding environment are minimised. [WRC 7.3]</u></p>	<p><u>15D.3.28</u> <u>Urban development within the Lakeside Precinct Plan must connect to appropriate infrastructure that has the capacity to adequately service the proposed development. [WRC 7.3]</u></p>

15D.4 Reasons and Explanations for Objectives and associated Policies

15D.4.1 Contributing to growth

An important aspect of the Council's growth strategies is promotion of compact urban form. Policy 15D3.2 makes this a requirement of development in the Lakeside Precinct Plan Area. Associated policies set out a number of means by which appropriate compact form can be achieved without detriment to other environmental principles including the retention of rural village character and the natural values of the Te Kauwhata area, and having regard to topographical constraints.

Due to its proximity to the heart of Te Kauwhata, Lakeside can accommodate growth in a manner that supports the compact form of Te Kauwhata and expands housing typologies and hence the lifestyle choice available to existing and future residents.

The Te Kauwhata Lakeside Precinct Plan Area has a limited number of owners and is of considerable scale. Therefore, a comprehensive planning analysis and design can be undertaken to achieve:

- Provision for significant growth in the northern Waikato area,
- Compact urban form,
- Reinforcement of the village character,
- Protection and enhancement of the natural values of the area,
- Public access to Lake Waikare,
- Coordinated provision of infrastructure (including the upgrading of the existing wastewater treatment system).

15D.4.2 Diverse Living Environments

In any urban development, it is important to achieve a diversity of living environments in order to meet the needs of a diverse community. This diversity can contribute significantly to the character and identity of Te Kauwhata, and reflects diversity within the community itself. Provision of a greater range of housing typologies will complement the existing range of housing choice within Te Kauwhata. These characteristics are seen as the essence of Te Kauwhata, and planning for future growth should strongly seek to further promote these characteristics. Lakeside provides a range of medium and higher densities which will complement the existing low and medium density housing of the existing Te Kauwhata urban area. Te Kauwhata will now be able to offer a range of housing typologies including some small sites which will assist in providing market affordable housing.

This important aspect is reflected in Objective 15D.3.1. The associated policies refer to design for a variety of living environments, proximity of recreational opportunities, and the use of landscape design within streets and public spaces to promote an individual sense of identity.

15D.4.3 Te Kauwhata Village Character

A key element in planning for the growth of Te Kauwhata is ensuring that new development is complementary with its existing village character. This is recognised in Objective 15D.3.5 of the District Plan. Lakeside by location and orientation presents an immediate opportunity to accommodate part of Te Kauwhata's growth in a way that supports the existing village character.

The objectives and policies for the Te Kauwhata Lakeside Precinct Plan Area recognise that the development of Lakeside will introduce a level of masterplanning, design and some development types that are relatively new to the wider Te Kauwhata area. They require comprehensive planning

and design to ensure that new development will be consistent with, and reflective, of its lake setting and is complementary overall with Te Kauwhata's existing character. The policies set out a number of requirements to utilise lake outlooks, where practical passive solar gain, connection to the existing Te Kauwhata settlement, a village scale and a sense of place in the Te Kauwhata environment.

Local commercial activities are anticipated. However Objective 15D.3.7 and the associated policies and rules control the scale of these activities to ensure they will complement the role, amenity and social function of the Te Kauwhata town centre.

Other policies identify elements such as built form characteristics supporting a village environment, walking and cycling access to Lake Waikare and integration of public open space within the residential development that are important in maintaining and contributing to a village style development.

15D.4.4 High Standard of Amenity and Sense of Place

Urban design and planning controls have been put in place to achieve quality development outcomes. In particular, the planning controls ensure that residents of Te Kauwhata Lakeside will have a high standard of residential amenity through a range of development controls suitable for the land and assessment criteria in the critical land development/subdivision stage. A high standard of amenity in the public environment is also achieved as a result of open spaces and controls on landscaping and streetscapes. Collectively, this high level of amenity will result in a development which is an enjoyable and engaging place to live and visit.

The Te Kauwhata Lakeside Precinct Plan Area requirement for a Comprehensive Subdivision includes urban design assessment criteria. This urban design approach ensures that the appropriate outcomes can be met, where zoning alone will likely produce homogenous and unresponsive outcomes.

15D.4.5 Natural Values of the Lakeside Environment

Much of the Lakeside development is located within the Lake Waikare environment. Formal public access will be provided to Lake Waikare.

The most important natural values of the environment are the Lake Waikare edge combined with the topographical profile of the land. Development of Lakeside to accommodate part of Te Kauwhata's growth affords an opportunity for the retention and enhancement of the remaining natural values of the lake environment. Ensuring a high-quality land/water interface is an important part of sustainable management of this resource. Retaining the main topographical features of the land and planting in gully systems and stream margins will contribute landscape elements to achieve a balance between residential development and retention and enhancement of the natural character of the lake environment.

Objective 15D.3.9 and the associated policies encourage the use of buffers between urban development and the lake, restoration planting and the use of a low-impact stormwater treatment system to manage the quality and rate of run-off of stormwater into Lake Waikare.

Other objectives and policies refer to restoration and management of public access to the lake environment. Overall, the objectives and policies promote a sustainable balance between development and the retention and enhancement of natural values.

15D.4.6 Public Access, Open Space and Lake Waikare

The rural land adjacent to Lake Waikare is zoned rural because of its private ownership but functions as a significant open space area for the benefit of the community. Pastoral, horticulture farming, gardening and a broad range of recreation uses are provided for within this area of land. A cultural heritage overlay is applied to an important historic site on Lake Waikare.

Permeability and connectivity are important attributes of any new residential area. Provision of public open space and walkways/cycleways [wd c 6.8] are therefore an integral part of layouts within the Precinct Plan Area. In addition, connections between the residential areas, surrounding public open space and Lake Waikare are important to make the most of the environmental opportunities within the Precinct Plan Area. Public access by way of walkways and cycleways will be significant amenities for the new Lakeside community and the existing Te Kauwhata community and will contribute to the relaxed, active village character of the new development.

Walkways are enabled within the Precinct Plan Area to connect with similar facilities in the wider Te Kauwhata area, and form part of a wider recreational network.

Objective 15D.3.5 and its associated policies set a foundation for provision to be made in the Comprehensive Subdivision for development of environmentally appropriate walkways/cycleways as an integral part of new development. The objectives and associated policies promote a roading pattern that distinguishes primary and local roads and provides additional alternative future connections to the Te Kauwhata village.

15D.4.7 Cultural importance and historic heritage

Lakeside is rich in heritage and it is important that this is recognised. Cultural and heritage resources are the tangible link to the past and it is important that future development of the lake edge accommodates and protects these heritage features for both present and future generations. For Māori this is an extremely rich cultural heritage area.

It is important to recognise the significance of the area to iwi, particularly the cultural importance and history of the Lake Waikare foreshore. This land will be preserved as Open Space and landscaped to recognise its cultural significance. The offer will be made to vest this land in iwi.

15D.4.8 Infrastructure

Residential development within the Te Kauwhata Lakeside Precinct Plan Area must be supported by a full range of infrastructure including roading, water supply, wastewater disposal and stormwater management as well as energy and telecommunications services.

Provision of the services must be timely to appropriately support each stage of residential development and contribute to an efficient outcome for the land as a whole. Development of these services within the Precinct Plan Area will be a requirement of a Comprehensive Subdivision.

Infrastructure will be staged as part of the development of subdivided sites within the Precinct Plan Area. Opening up access to Lake Waikare will be part of the first stage development.

The existing wastewater plant will be upgraded or Lakeside will have a stand-alone plant if a public network of sufficient capacity is not available. This will not only enable high quality treatment for the Lakeside development but will also be done in a manner which will enable the Council to expand the plant and connect the entire Te Kauwhata settlement. The wastewater solution and/or

associated pipeline will be futureproofed so it can connect to any possible future pipeline to Huntly or other alternative public system. This is seen as a significant benefit and may enable retirement of the existing wastewater treatment facility.

This wastewater upgrade will allow the decommissioning of the existing wastewater treatment ponds and creation of public reserve.

A second access road to the Te Kauwhata Lakeside Precinct Plan Area will be open for traffic once the number of new lots and/or dwellings in the Lakeside Precinct Plan Area exceeds 400.

15D.5 Methods of Implementation

15D.5.1 Regulatory Methods

- Rules to require approval of a Comprehensive Subdivision and or Comprehensive Land Development Consent prior to urban development within the Te Kauwhata Lakeside Precinct Plan Area.
- Manage the location, density, amenity and integration of subdivision and development through the requirement for a Comprehensive Subdivision.
- Through the Comprehensive Subdivision, require progressive implementation of environmental improvements and low-impact solutions to stormwater management.
- The Te Kauwhata Lakeside Precinct Plan Area in 21E.3.1, 21E.3.2 and 21E.3.3 shows:
 - public open space network,
 - a walkway and cycleway network,
 - primary road network and future connections to the Te Kauwhata village,
 - areas of different housing typologies,
 - flood plain,
 - wetlands.
- An application for approval of a Comprehensive Subdivision that must be consistent with the Precinct Plan.
- Inclusion of an Urban Design Criteria for subdivision and development within the Comprehensive Subdivision.
- The use of a communal open space control to provide for the outdoor needs of residents in the higher density precinct.
- Inclusion of an infrastructure staging plan for development within the Comprehensive Subdivision with a particular emphasis on upgrade to the wastewater network.
- Require appropriate infrastructure design that takes into account maintenance and renewal costs.

15D.5.2 Council Works and Services

- Council's exercise of its regulatory function.
- Council maintenance of roads, walkways/cycleways [wbc 6.8] and services once constructed to required standard and vested.
- Advice to the developer about restoration planting and ecological improvements.
- Development agreements between Council and the developer to address solutions for wastewater treatment and disposal and the provision of public amenity particularly walkways and cycleways to and along the lake edge.

15D.5.3 Information, Education and Advocacy

- Promote within the community the need to provide for growth in a planned manner and for development to be sensitive to the area.
- Promote low-impact design.
- Promote high-quality design features in development.
- Promote development and enhancement of the Te Kauwhata village character.

15D.6 Reasons for Methods

15D.6.1 Comprehensive Subdivision Consent and Comprehensive Land Development Consent

The Comprehensive Subdivision Consent and Comprehensive Land Development Consent enables the preparation of land ready for development. It is intended to provide for integrated comprehensive development. It enables the provision of earthworks, infrastructure, roading, pedestrian networks and other activities necessary for the development of residential, business and open space land. The Comprehensive Subdivision Consent creates the titles to enable both development and associated infrastructure and facilities.

15D.6.2 Regulatory Methods

Rules are necessary to assist the Council to carry out its duties under section 31 of the Resource Management Act 1991. Except as substituted by specific rules for the Te Kauwhata Lakeside Precinct Plan Area, District wide and Living zone rules will apply.

Specific rules for the Te Kauwhata Lakeside Precinct Plan Area have been introduced to recognise and protect particular attributes of Te Kauwhata and its village character, Lake Waikare and other environmental elements specific to the Lakeside area.

The Te Kauwhata Lakeside Precinct Plan Area has been designed to accommodate future growth of Te Kauwhata whilst avoiding, remedying or mitigating adverse effects on the environment. In particular, existing natural values of Lake Waikare are to be protected. In the extensive open spaces proposed as part of the identified development areas, there is a strong emphasis on the maintenance and enhancement of environmental values. The rules will enable the Council to regulate development to achieve a high quality environmental outcome through the integrated management of the natural and physical resources of the Lakeside Precinct Plan Area.

A three-level regulatory approach has been adopted:

- Incorporation of the Te Kauwhata Lakeside Precinct Plan within Schedule 21E of the district plan provides certainty about the extent and location of development and environmental protection areas and provides certainty about the pattern of development, village amenity and environmental outcomes required;
- Implementation of a Comprehensive Subdivision is required prior to development to enable the Council to exercise appropriate regulatory control over the extent and quality of development and effects on the environment. Any proposed Comprehensive Subdivision must be consistent with the Te Kauwhata Lakeside Precinct Plan included in the district plan in Schedule 21E; and

- Most development and activities are permitted activities, but resource consent is required for subdivision and any proposals that depart from that plan to ensure that potential adverse effects on the environment will be appropriately managed.

15D.6.3 Council Works and Services

Roads, walkways/cycleways, [WDC 6.8] infrastructure services and reserves will be progressively developed to Council's standards and vested in Council. Following vesting, Council will have ongoing responsibility for maintenance of these public facilities.

15D.6.4 Information, Education and Advocacy

Council will continue to work towards promoting the development of the Te Kauwhata Lakeside balanced with important environmental attributes and the village character of Te Kauwhata as a whole. This may include encouraging the community to enhance and protect lake environment and ecologically sensitive areas and by encouraging high-quality design within development.

15D.7 Anticipated Environmental Results

<u>ISSUE</u>	<u>ANTICIPATED ENVIRONMENTAL RESULTS</u>
<u>15D.7.1</u> <u>Lakeside form and amenity.</u>	<ul style="list-style-type: none"> (a) <u>Residential layout and development which has a character and scale that takes into consideration its Lakeside's setting and is complementary to Te Kauwhata's village character.</u> (b) <u>High amenity residential development providing a choice of housing typologies that will complement those currently offered in Te Kauwhata.</u> (c) <u>A diversity of built form and architectural style which creates a high quality urban environment.</u> (d) <u>High-quality connectivity within the Lakeside development and connecting to the village.</u> (e) <u>Landscaping of streets and public open spaces forming the green network within and between the development, Lake Waikare and the village.</u> (f) <u>Sustainable and cost-effective infrastructure.</u>
<u>15D.7.2</u> <u>Environmental values of Lakeside and adjoining environment.</u>	<ul style="list-style-type: none"> (a) <u>Lake margins are protected and enhanced through revegetation and enrichment planting.</u> (b) <u>Landscape and ecological values are enhanced by restoration planting.</u> (c) <u>Public access to public open spaces and the lake environment is enhanced whilst avoiding or mitigating adverse effects on those environments.</u> (d) <u>Environmental values are protected by the use of low-impact design principles.</u>

PART C - AMENDMENTS TO PART 21 LIVING ZONE RULES

Amend Rule 21A.1 Application of Schedule for the Te Kauwhata Structure Plan Living Zone Rules Living Zone, Living Zone (New Residential) and Living Zone (Te Kauwhata Ecological) as follows:

The rules in this schedule apply to the residential zones of the Te Kauwhata Structure Plan Area as shown on the Planning Maps and marked as Living, Living (New Residential) and Te Kauwhata Ecological Living, but excluding the Te Kauwhata Lakeside Precinct Plan Area. The Te Kauwhata Lakeside Precinct Plan Area Rules are set out in section 21E.

Schedule 21E: Te Kauwhata Lakeside Living Zone Rules, Precinct Plan and Comprehensive Subdivision

21E.1 Application of the Schedule

The rules in this schedule apply to the Te Kauwhata Lakeside Living Zone as shown on the Planning Map and as shown in the Te Kauwhata Lakeside Precinct Plan that is included at the end of this Schedule. All rules in Chapter 21: Living Zone Rules apply in the Te Kauwhata Lakeside Precinct Plan Area unless otherwise specified below.

21E.2 Rules applying in the Te Kauwhata Lakeside Precinct Plan Area

In addition to the rules in this Schedule 21E, all rules in Chapter 21: Living Zone also apply to the Te Kauwhata Lakeside Precinct Plan Area except for:

Living Rules:

Rules 21.17, 21.24, 21.25, 21.26, 21.41, 21.44, 21.45, 21.46, 21.46A, 21.47, 21.49, 21.52, 21.63, 21.65, 21.67, 21.68, 21.71, 21.71A, 21.72 and 21.73.

Comprehensive Subdivision

ITEM	<u>CONTROLLED RESTRICTED DISCRETIONARY ACTIVITY</u>	<u>RESOURCE CONSENT</u>
<p><u>21E.2.1 Comprehensive Subdivision Consent</u></p>	<p><u>21E.2.1.1</u></p> <p><u>A Comprehensive Subdivision Consent (CS) is a controlled restricted discretionary [WRC 7.3, 7.8, AWFC FS38.7] activity if it is:</u></p> <ul style="list-style-type: none"> <u>a) generally in accordance with Te Kauwhata Lakeside Precinct Plan 21E.3.1, 21E.3.2 and 21E.3.3; and</u> <u>b) complies with the secondary road access control in this rule; and</u> <u>c) complies with the site density control in this rule.</u> <u>d) complies with the infrastructure requirements in this rule. [WRC 7.3]</u> <p><u>Note: Subdivision standards 21E.2.22, 21E.2.24 and 21E.2.26 also apply [WRC 7.2]</u></p> <p><u>A CS is generally in accordance with the Precinct Plans identified in clause (a) above if:</u></p> <ul style="list-style-type: none"> <u>i. Primary roads are within 50m of the location shown on Precinct Plan 21E.3.2; and</u> <u>ii. Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> <u>iii. The external boundary of the high density area is within the Living Zone and within 10m of the location shown on Precinct Plan 21E.3.1; and</u> <u>iv. Indicative walkways/cycleways [WDC 6.8] are within 100m of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; and</u> <u>v. Lakeside Walkway is within 10m of the location shown on Precinct Plan 21E.3.3; and</u> 	<p><u>21E.2.1.43</u></p> <p><u>A CS, or an amendment thereto, that does not meet the requirements of Rule 21E.2.1.1 or 21E.2.1.2, and does not exceed the parameters below, shall be a discretionary activity, provided it meets the secondary road access control in Rule 21E.2.1:</u></p> <ul style="list-style-type: none"> <u>i. Primary roads are within 51 50 m-100m of the location shown on Precinct Plan 21E.3.2; [WDC 6.10] and</u> <u>ii. Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> <u>iii. The external boundary of the high density area is within the Living Zone and within 11 10m-20m of the location shown on Precinct Plan 21E.3.1; [WDC 6.10] and</u> <u>iv. Indicative walkways/cycleways [WDC 6.8] are within 101 100m-200m of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; [WDC 6.10] and</u> <u>v. Lakeside Walkway is within 11 10m-20m of the location shown on Precinct Plan 21E.3.3; [WDC 6.10] and</u> <u>vi. Retirement village boundaries are within 51 50m-100m of the location shown on Precinct Plan 21E.3.1, [WDC 6.10] and</u> <u>vii. Indicative areas of open space are within 200-400m of the location shown on Precinct Plan 21E.3.3 [TKCC 23.10, WDC FS35.5]</u> <p><u>The matters over which Council reserves control shall be used for assessing discretionary activity applications under this rule.</u></p>

	<p>vi. <u>Retirement village boundaries are within 50m of the location shown on Precinct Plan 21E.3.1, and</u></p> <p>vii. <u>Indicative areas of open space are within 200m of the location shown on Precinct Plan 21E.3.3 [TKCC 23.10, WDC FS35.5]</u></p> <p><u>A CS can relate to the entire Te Kauwhata Lakeside Precinct Plan Area or may be made for an individual stage or stages provided that an individual stage must be 10ha or more.</u></p> <p><u>Secondary Road Access Control</u> <u>A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan 21E.3.2) must be open for traffic before the number of lots and/or dwellings in the Lakeside Precinct Plan Area exceeds 400.</u></p> <p><u>For the purpose of this rule, exceedance of 400 lots shall occur at the time of issue of 224C certificate under the Resource Management Act, and exceedance of dwellings shall occur at the time of issue of building consent for the dwelling.</u></p> <p><u>Site Density Control – Residentially zoned land</u> <u>A CS must comply with the relevant density provisions below.</u></p> <p><u>Individual site size shall not be less than the following for the identified areas on the Te Kauwhata Lakeside Precinct Plan 21E.3.1.</u></p> <p>(a) <u>Medium Density– a minimum site size of 300m² with a minimum average site size of 400450m².</u></p> <p>(b) <u>Higher Density – a minimum site size of 200-225225m² with a minimum average site size of 250m² [Garrick 3.1, Sunde 5.1, Cunningham 9.1, Kelly 11.1, D Hulme 12.1, R Hulme 13.1, McGuire 14.1, D Hulme FS37.2, Hartley 18.1, Cox 21.1, TKCC23.6, Castles 27.1, Moorfield 31.1, 31.2, Brown 32.1]. Where a site has legal access to private communal open space, then the percentage of the that communal [TKCC 23.11] open space related to the number of properties with legal rights to use the private communal open space, will count towards</u></p>	<p><u>21E.2.1.54</u> <u>A CS, or an amendment thereto, that does not meet the requirements of Rule 21E.2.1.1(b) secondary road access control, shall be a non-complying activity.</u></p> <p><u>21E.2.1.65</u> <u>An amendment to a CS that does not meet the requirements of Rule 21E.2.1.1(c) Density Control is a discretionary activity.</u></p> <p><u>21E.2.1.76</u> <u>A CS, or any amendment thereto, that does not meet the conditions for a discretionary activity outlined in 22E.2.1.4 is a non-complying activity.</u></p> <p><u>21E.2.1.7</u> <u>A CS, or any amendment thereto, that does not meet the requirements of Rule 21E.2.1.1(d) Infrastructure Requirements shall be a Non-Complying Activity. [WRC 7.3]</u></p>
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	<p><u>average site size (but not minimum site size).</u> [TKCC 23.10]</p> <p>(a) <u>Retirement village – Medium Density precinct – a minimum exclusive area for an independent dwelling of 120m²</u></p> <p>(b) <u>Retirement village – Higher Density precinct – no density limit.</u></p> <p><u>Where the averaging rule applies in (a) and (b) above this shall be calculated as the average of all sites zoned Living, intended for residential purposes, and less than 2000m². Any lot greater than 2000m² or any lot primarily intended for roading or public infrastructure shall not be included within the average calculation.</u></p> <p><u>Infrastructure requirements</u></p> <p><u>A CS must comply with the infrastructure requirements as below:</u></p> <p>a) <u>Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements.</u></p> <p>b) <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (a) above.</u></p> <p>c) <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Appendix B (Engineering Standards).</u> [WRC 7.3]</p> <p><u>Control Discretion [WRC 7.3, 7.8, AWFG F538.7] is reserved over:</u></p> <p>(a) <u>consistency with the Te Kauwhata Lakeside Precinct Plan in 21E.3.1, 21E.3.2 and 21E.3.3.</u></p>	
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	<p>(b) <u>matters identified in the assessment criteria in 21E.4,</u></p> <p>(c) <u>managing the effects of wastewater and stormwater,</u></p> <p>(d) <u>extent of any non-compliance with site density control,</u></p> <p>(e) <u>roading network (including the Te Kauwhata Road level crossing safety)[KW R 34.11] and compliance with a Council approved roading standard,</u></p> <p>(f) <u>protection, restoration or enhancement of ecological features,</u></p> <p>(g) <u>provision and location of existing and future utilities and connections,</u></p> <p>(h) <u>location of roads and their connections,</u></p> <p>(i) <u>provision for public access to Lake Waikare,</u></p> <p>(j) <u>provision of open space, including linkages between residential areas, open space and Lake Waikare,</u></p> <p>(k) <u>effects of natural hazards (including flooding), geotechnical and land contamination,</u></p> <p>(l) <u>provision of the historic Iwi overlay area shown on Precinct Plan 21E.3.3.</u></p> <p>(m) <u>Matters listed in Appendix B (Engineering Standards),[AWFG 15.6,WRC 7.3,7.8]</u></p> <p><u>21E.2.1.2 Amendments to an approved CS is a controlled activity provided the same requirements as for a CS in this rule 21E.2.1.1 are met. [WRC 7.3, 7.8, AWFG FS38.7]</u></p> <p><u>21E.2.1.32</u> <u>Applications for approval of a Comprehensive Subdivision (or amendments thereto) as a controlled-restricted discretionary [WRC 7.3, 7.8, AWFG FS38.7] activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</u></p> <p><u>Note 1:</u> <u>CS approval does not constitute authorisation by the Waikato</u></p>	
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	<p><u>District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</u></p> <p><u>Note 2:</u> <u>The definition of CS is contained in Part 3 Appendix P.</u></p>	
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Land Use Activities

<u>ITEM</u>	<u>CONTROLLEDRESTRICTED DISCRETIONARY ACTIVITY</u>	<u>RESOURCE CONSENT</u>
<p><u>21E.2.2</u> <u>Comprehensive Land Development Consent</u></p>	<p><u>21E.2.2.1</u> <u>A comprehensive land development consent (CLDC) is a controlled restricted discretionary [WRC 7.3, 7.8, AWFG FS38.7] activity if it is:</u></p> <p style="padding-left: 40px;">(a) <u>generally in accordance with the community hub shown on Te Kauwhata Lakeside Precinct Plan 21E.3.1; the roading network, walkways and cycleways shown on Precinct Plan 21E.3.2; and the open space shown on Precinct Plan 21E.3.3; and</u></p> <p style="padding-left: 40px;">(b) <u>complies with the secondary road access control in this rule, and.</u></p> <p style="padding-left: 40px;">(c) <u>complies with the infrastructure requirements in this rule. [WRC 7.3]</u></p> <p><u>A CLDC is generally in accordance with the Lakeside Precinct Plans identified in clause (a) above if:</u></p> <p style="padding-left: 40px;">i. <u>Primary roads are within 50m of the location shown on Precinct Plan 21E.3.2; and</u></p> <p style="padding-left: 40px;">ii. <u>Bus route is either on the alignment shown on 21E.3.2 or a continuous alignment that achieves the same circulation; and</u></p> <p style="padding-left: 40px;">iii. <u>The external boundary of the high density area within the</u></p>	<p><u>21E.2.2.43</u> <u>A CLDC, or an amendment thereto, that does not meet the requirements of Rule 21E.2.2.1 or 21E.2.2.2, and does not exceed the parameters below, shall be a discretionary activity, provided it meets the secondary road access control in Rule 21E.2.2.1:</u></p> <p style="padding-left: 40px;">i. <u>Primary roads are within 5150m-100m of the location shown on Precinct Plan 21E.3.2; [WDC 6.10]and</u></p> <p style="padding-left: 40px;">ii. <u>Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u></p> <p style="padding-left: 40px;">iii. <u>The external boundary of the high density area within the Living Zone is within 1110m-20m of the location shown on Precinct Plan 21E.3.1; [WDC 6.10]and</u></p> <p style="padding-left: 40px;">iv. <u>Indicative walkways/cycleways [WDC 6.8] are within 101100m-200m [WDC 6.10] of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; and</u></p> <p style="padding-left: 40px;">v. <u>Lakeside Walkway is within 1110m-20m of the location shown on Precinct Plan 21E.3.3; [WDC 6.10] and</u></p> <p style="padding-left: 40px;">vi. <u>Retirement village boundaries are within 5150 m-100m of the location shown on Precinct Plan 21E.3.1[WDC 6.10], and.</u></p>

	<p>iv. <u>Living Zone is within 10m of the location shown on Precinct Plan 21E.3.1; and</u></p> <p>v. <u>Indicative walkways/cycleways [WDC 6.8] are within 100m of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; and</u></p> <p>vi. <u>Lakeside Walkway is within 10m of the location shown on Precinct Plan 21E.3.3; and</u></p> <p>vii. <u>Retirement village boundaries are within 50m of the location shown on Precinct Plan 21E.3.1, and</u></p> <p>viii. <u>Indicative areas of open space are within 200m of the location shown on Precinct Plan 21E.3.3 [TKCC 23.10, WDC FS35.5]</u></p> <p><u>A CLDC can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages, provided that an individual stage must be 10ha or more.</u></p> <p><u>Secondary Road Access Control</u></p> <p><u>A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan 21E.3.2) must be opened for traffic before the number of lots and/or dwellings in the Lakeside Precinct Plan Area exceeds 400.</u></p> <p><u>For the purpose of this rule, exceedance of 400 lots shall occur at the time of issue of 224C certificate under the Resource Management Act, and exceedance of dwellings shall occur at the time of issue of building consent for the dwelling.</u></p> <p><u>Infrastructure requirements</u></p> <p><u>A CLDC must comply with the infrastructure requirements as below:</u></p> <p>a) <u>Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements.</u></p>	<p>vii. <u>Indicative areas of open space are within 200-400m of the location shown on Precinct Plan 21E.3.3 [TKCC 23.10, WDC FS35.5]</u></p> <p><u>The matters over which Council reserves control discretion shall be used for assessing discretionary activity applications under this rule.</u></p> <p><u>21E.2.2.54</u></p> <p><u>A CLDC, or an amendment thereto, that does not meet the requirements of Rule 21E.2.2.1(b) secondary road access control, shall be a non-complying activity.</u></p> <p><u>21E.2.2.65</u></p> <p><u>A CLDC, or an amendment thereto, that does not meet the conditions for a discretionary activity outlined in 21E.2.2.4 is a non-complying activity.</u></p> <p><u>21E.2.2.6</u></p> <p><u>A CLDC, or any amendment thereto, that does not meet the requirements of Rule 21E.2.2.1(c) Infrastructure Requirements shall be a Non-Complying Activity. [WRC 7.3]</u></p>
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	<p>b) <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (a) above.</u></p> <p>c) <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Appendix B (Engineering Standards). [WRC 7.3]</u></p> <p><u>Control Discretion [WRC 7.3, 7.8, AWFG FS38.7] is reserved over:</u></p> <ul style="list-style-type: none"> i. <u>consistency with the Te Kauwhata Lakeside Precinct Plans in 21E.3.1, 21E.3.2 and 21E.3.3,</u> ii. <u>matters identified in the assessment criteria in 21E.4,</u> iii. <u>managing the effects of wastewater and stormwater,</u> iv. <u>roading network (including the Te Kauwhata Road level crossing safety) [KW R 34.11] and compliance with a Council approved roading standard,</u> v. <u>protection, restoration or enhancement of ecological features,</u> vi. <u>provision and location of existing and future utilities and connections,</u> vii. <u>location of roads and their connections,</u> viii. <u>provision for public access to Lake Waikare,</u> ix. <u>provision of open space, including linkages between residential areas, open space and Lake Waikare,</u> x. <u>effects of natural hazards (including flooding), geotechnical and land contamination,</u> xi. <u>provision of the historic Iwi overlay area shown on Precinct Plan 21E.3.3.</u> xii. <u>The effects of wastewater and stormwater volume on the contaminant loading on Lake Waikare., [AWFG 15.6, WRC 7.3, 7.8]</u> 	
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	<p>xiii. Matters listed in Appendix B (Engineering Standards) [AWFG 15.6, WRC 7.3, 7.8]</p> <p>21E.2.2.2 Amendments to an approved CLDC may also be approved provided the same requirements as for a CLDC in this rule 21E.2.2.1 are met, [WRC 7.3, 7.8, AWFG FS38.7]</p> <p>21E.2.2.32 Applications for approval of a CLDC (or amendments thereto) as a controlled-restricted discretionary [WRC 7.3, 7.8, AWFG FS38.7] activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</p> <p><u>Note:</u> CLDC approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p>	
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<u>ITEM</u>	<u>PERMITTED</u>	<u>RESOURCE CONSENT</u>
21E.2.3 <u>Type of activity</u>	<p>21E.2.3.1 Any activity listed below is a permitted activity:</p> <ul style="list-style-type: none"> (a) a residential activity provided that it complies with the secondary road access in this rule, (b) a home occupation that meets the conditions for a permitted activity in Rule 21.11, (c) a retirement village provided that it complies with the secondary road access in this rule, 	<p>21E.2.3.2 Any activity listed in (a) to (g) in Rule 21E.2.3.1 that does not comply with a condition for a permitted activity under that rule is a restricted discretionary activity provided that:</p> <ul style="list-style-type: none"> (a) in the case of a community activity, the total gross floor area within the Te Kauwhata Lakeside Precinct Plan Area does not exceed 3000m² within the whole of the Precinct Plan Area; (b) it meets the secondary road access control in Rule 21E.2.3.1.

	<p>(d) <u>a temporary event that meets the conditions for a permitted activity in Rule 21.12,</u></p> <p>(e) <u>a network utility,</u></p> <p>(f) <u>a homestay that provides accommodation for no more than 4 temporary residents, and meets the conditions for a permitted activity,</u></p> <p>(g) <u>a community activity, provided that the total gross floor area for community activities does not exceed a total of 2000m² within the whole of the Te Kauwhata Lakeside Precinct Plan Area.</u></p> <p><u>Secondary Road Access Control</u> <u>A secondary road access into the Lakeside Precinct Plan Area (as shown on Lakeside Precinct Plan 21E.3.2) must be opened for traffic before the number of dwellings and/or independent living units within a retirement village in the Lakeside Precinct Plan Area exceeds 400.</u></p> <p><u>For the purpose of this rule, exceedance of 400 dwellings shall occur at the time of issue of building consent for a dwelling and/or independent living unit within a retirement village.</u></p> <p><u>Note: see Rule 21E.2 in relation to the other rules which must be complied with.</u></p>	<p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> <u>effects on the role, function, vitality, viability and amenity of the Te Kauwhata town centre,</u> <u>traffic impacts on the safety and efficiency of the road network,</u> <u>character and amenity of development within the Te Kauwhata Lakeside Precinct Plan Area.</u> <p><u>21E.2.3.3</u> <u>Any community activity that does not comply with a condition for a restricted discretionary activity under 21E.2.3.2 is a discretionary activity.</u></p> <p><u>21E.2.3.4</u> <u>A residential activity or retirement village that does not meet the requirements of Rule 21E.2.3.1 secondary road access, shall be a non-complying activity.</u></p>
<u>21E.2.4</u> <u>Grazing and pastoral farming</u>	<u>21E.2.4.1</u> <u>Grazing of livestock and pastoral farming on sites of 5ha or more is a permitted activity.</u>	<u>21E.2.4.2</u> <u>Grazing of livestock and pastoral farming on sites of less than 5ha is a discretionary activity.</u>
<u>21E.2.5</u> <u>Vehicle movements</u>	<p><u>21E.2.5.1</u> <u>Any activity is a permitted activity if:</u></p> <p>(a) <u>it does not involve more than 30 vehicle movements per day, and</u></p> <p>(b) <u>no more than 4 of these movements are heavy vehicle</u></p>	<p><u>21E.2.5.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.5.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> <u>traffic impacts on the safety and efficiency of the road network,</u>

	<p><u>movements,</u> <u>except that this rule does not apply to a retirement village or vehicles related to construction activity.</u></p>	<ul style="list-style-type: none"> • <u>traffic impacts on infrastructure condition and expected life,</u> • <u>traffic effects on amenity, including noise.</u>
<p><u>21E.2.6</u> <u>Carparking</u></p>	<p><u>21E.2.6.1</u> <u>Any activity is a permitted activity if:</u></p> <p>(a) <u>for a residential activity on sites of 300m² or less with 1 bedroom, provide a minimum of one carparking space per dwelling for a residential activity</u></p> <p>(b) <u>for a residential activity on sites greater than 300m², with two or more bedrooms, provide a minimum of two carparking spaces per dwelling for a residential activity [TKCC 23.12]</u></p> <p>(c) <u>for a retirement village, it provides a ratio of 0.5 per dwelling and one visitor space for every 10 residents.</u></p> <p><u>These controls shall apply instead of the standards in Table 1 of Appendix A2.</u></p>	<p><u>21E.2.6.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.6.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>traffic impacts on the safety and efficiency of the road network,</u> • <u>traffic impacts on infrastructure condition and expected life,</u> • <u>traffic effects on amenity, including noise.</u>
<p><u>21E.2.7</u> <u>Earthworks</u> <u>(other than earthworks approved as part of a CLDC)</u></p>	<p><u>21E.2.7.1</u> <u>Any activity is a permitted activity if earthworks:</u></p> <p>(a) <u>do not disturb or move more than 200m³ within an individual site in a single calendar year except where the maximum area at any one time shall not exceed 400m², and</u></p> <p>(b) <u>in relation to the height of any cut or batter face do not exceed 2m, or</u></p> <p>(c) <u>are necessary for building works authorised by a building consent and:</u></p> <p>(i) <u>the area of earthworks is no more than 150% of the area of those building works, or</u></p> <p>(ii) <u>the earthworks occur on land with an average gradient no steeper than 1:8, or</u></p> <p>(d) <u>is a back-filled trench for network utilities, or on or offsite utilities within the Te Kauwhata Lakeside Precinct Plan Area and original ground levels are reinstated, or</u></p>	<p><u>21E.2.7.2</u> <u>Any activity that does not comply with a condition for a permitted activity under Rule 21E.2.7.1 is a controlled activity provided it meets the following conditions:</u></p> <p>(a) <u>comply with Appendix B (Engineering Standards), and</u></p> <p>(b) <u>do not exceed 5000m² in total area at any one time except that in the case of a retirement village where the maximum area at any one time shall not exceed 1ha; and</u></p> <p>(c) <u>does not involve contaminated land unless that land has been remediated, and</u></p> <p>(d) <u>have erosion and sediment controls in place which will retain sediment on the site, and</u></p> <p>(e) <u>any cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced, or in the cases where the filled area is to be (in part or whole) within a building</u></p>

	<p>(e) <u>is necessary for the construction and maintenance of existing public roads or for construction of new roads in accordance with the Te Kauwhata Lakeside Precinct Plan, and</u></p> <p>(f) <u>traffic associated with the works is managed in accordance with an Construction Traffic Management Plan approved by the Waikato District Council as the road controlling authority.</u></p> <p>(g) <u>Are not in the flood risk area except for filling in accordance with 21E.2.9; and</u></p> <p>(h) <u>Comply with Appendix B (Engineering Standards), and</u></p> <p>(i) <u>Including any cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced; and</u></p> <p>(j) <u>Retain sediment on the development site through the implementation and maintenance of sediment controls. [WRC 7.8, R Hulme 13.7]</u></p>	<p><u>platform or hard surface area, the base course has been laid and compacted within 12 months of the earthworks being commenced, and</u></p> <p>(f) <u>any surplus material is disposed of within the Te Kauwhata Lakeside Precinct Plan Area in 21E.3.1, and</u></p> <p>(g) <u>does not adversely affect other land through changes in natural water flows or established drainage paths, and</u></p> <p>(h) <u>if in a Flood Risk Area, are for filling, in accordance with Rule 21E.2.9.1 or rule 21E.2.9.2.</u></p> <p><u>21E.2.7.3</u> <u>Any activity that does not comply with a condition for a controlled activity under 21E.2.7.2 is a restricted discretionary activity.</u></p> <p><u>Control and [WRC 7.8]Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>effects on amenity values,</u> • <u>visual effects,</u> • <u>mitigation measures including sediment control,</u> • <u>matters listed in Appendix B (Engineering Standards),</u> • <u>effects on land utilisation,</u> • <u>effects on erosion,</u> • <u>effects on cultural values,</u> • <u>effects on heritage values,</u> • <u>effects on the Lake Waikare flood plain.</u>
<p><u>21E.2.8</u> <u>Earthworks</u> <u>filling using imported fill</u> <u>(other than earthworks approved as part of a CLDC)</u></p>	<p><u>21E.2.8.1</u> <u>Any activity is a permitted activity if:</u></p> <p>(a) <u>all material for filling is clean fill, and</u></p> <p>(b) <u>filling</u></p> <p>(i) <u>that is not part of building work, or construction of roads, or installation of infrastructure:</u></p> <p><u>1. does not exceed a volume of 20m³ and a depth of 1m, and</u></p>	<p><u>21E.2.8.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.8.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>effects on amenity values,</u> • <u>visual effects,</u> • <u>effects on indigenous vegetation and habitat,</u> • <u>mitigation measures including replacement planting where vegetation removal is involved,</u>

	<p><u>2. does not include a building platform, and</u></p> <p><u>3. does not include placing fill into an area of significant indigenous vegetation or habitat, or</u></p> <p>(ii) <u>is for minor upgrading of existing electricity lines and does not exceed 50m³, and</u></p> <p>(iii) <u>where traffic associated with the work uses public roads, is managed in accordance with an approved Construction Traffic Management Plan or authorised in writing by Waikato District Council as the road controlling authority.</u></p>	<ul style="list-style-type: none"> • <u>matters listed in Appendix B (Engineering Standards),</u> • <u>effects on cultural values,</u> • <u>effects on heritage values,</u>
<p><u>21E.2.9</u></p> <p><u>Filling: Flood risk area (other than earthworks approved as part of a CLDC)</u></p>	<p><u>21E.2.9.1</u></p> <p><u>Any activity in a Flood Risk Area is a permitted activity if:</u></p> <p><u>(a) filling is no more than is necessary to:</u></p> <p><u>(i) provide a foundation for building approved by a building consent, and access to that building, or</u></p> <p><u>(ii) enable minor upgrading of existing electricity lines and does not exceed 50m³.</u></p>	<p><u>21E.2.9.2</u></p> <p><u>Any activity that does not comply with a condition for a permitted activity under 21E.2.9.1 is a discretionary activity.</u></p>

Land Use – Building

<u>ITEM</u>	<u>PERMITTED</u>	<u>RESOURCE CONSENT</u>
<p><u>21E.2.10</u></p> <p><u>Number of dwellings</u></p>	<p><u>21E.2.10.1</u></p> <p><u>Construction of a dwelling, other than a dependent person's dwelling, is a permitted activity if:</u></p> <p>(a) <u>there is only one dwelling on the land contained in the certificate of title, or</u></p> <p>(b) <u>if more than one dwelling is constructed on land contained in the certificate of title, each dwelling is:</u></p> <p>(i) <u>either semi-detached, or terrace houses and meets</u></p>	<p><u>21E.2.10.2</u></p> <p><u>Construction of more than one dwelling on land contained in a certificate of title is a restricted discretionary activity if each dwelling is:</u></p> <p>(i) <u>either semi-detached or terrace houses and meets the following density requirements:</u></p> <ul style="list-style-type: none"> • <u>Medium Density Precinct one dwelling per 300m².</u> • <u>Higher Density Precinct one dwelling per 225 m²: or</u> <p>(iv) <u>Part of a retirement village.</u></p>

	<p><u>the following density requirements:</u></p> <ul style="list-style-type: none"> • <u>Medium Density one dwelling per 300m²;</u> • <u>Higher Density one dwelling per 200-225m² or</u> <p>(ii) <u>part of a retirement village, and</u></p>	<p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> - <u>Design and location of buildings</u> - <u>Amenity values of the locality</u> - <u>Privacy on other sites</u> - <u>Matters referred to in Appendix B (Engineering Standards)</u> - <u>Consistency with the Te Kauwhata Lakeside Precinct Plan in 21E.3.1, 21E.3.2 and 21E.3.3,</u> <p><u>21E.2.10.23</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.10.1 or a restricted discretionary activity under 21E.2.10.2 is a discretionary activity.</u></p> <p><i>[Garrick 3.1, Sunde 5.1, Cunningham 9.1, Kelly 11.1, D Hulme 12.1, R Hulme 13.1, McGuire 14.1, D Hulme FS37.2, Hartley 18.1, Cox 21.1, TKCC 23.6, Castles 27.1, Moorfield 31.1, 31.2, Brown 32.1, WRC 7.3, 7.8]</i></p>
<p><u>21E.2.11</u> <u>Building height</u></p>	<p><u>21E.2.11.1</u> <u>Construction or alteration of a building is a permitted activity if the height does not exceed 8.0m.</u></p>	<p><u>21E.2.11.2</u> <u>Any activity that does not comply with the condition for a permitted activity under 21E.2.11.1 is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> • <u>design and location of building,</u> • <u>building dominance effects,</u> • <u>admission of daylight and sunlight to the site and other sites,</u> • <u>privacy on other sites,</u> • <u>amenity values of the locality.</u>
<p><u>21E.2.12</u> <u>Building coverage</u></p>	<p><u>21E.2.12.1</u> <u>Construction or alteration of a building is a permitted activity if:</u></p>	<p><u>21E.2.12.2</u> <u>Any activity that does not exceed maximum building coverage control</u></p>

	<p>(a) <u>the total building coverage on a site does not exceed 40% in the medium density precinct identified on the Te Kauwhata Lakeside Precinct Plan in 21E.3.1, or</u></p> <p>(b) <u>the total building coverage on a site does not exceed 65% in the higher density precinct identified on the Te Kauwhata Lakeside Precinct Plan 21E.3.1.</u></p>	<p><u>under 23E.2.12.1 by more than an additional 10% is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> • <u>design and location of building,</u> • <u>effect of the scale of the building on adjoining sites and the streetscape.</u> <p><u>21E.2.12.3</u> <u>Any activity that does not comply with 21E.2.12.2 is a discretionary activity.</u></p>
<p><u>21E.2.13</u> <u>Daylight admission</u></p>	<p><u>21E.2.13.1</u> <u>Construction or alteration of a building is a permitted activity if:</u></p> <p><u>Buildings in the Medium Density Precinct</u></p> <p>(a) <u>The building does not protrude through a height control plane rising at an angle of 45° commencing at an elevation of 2.5m above ground level at every point of the site boundary, except that this standard does not apply to party walls located along site boundaries.</u></p> <p><u>Buildings in the High Density Precinct</u></p> <p>(b) <u>The building does not protrude through a height control plane rising at an angle of 45° commencing at an elevation of 3.5m above ground level at every point of the site boundary within 20m of a street frontage, and 2.5m above ground level at every point on the site boundary greater than 20m from the street frontage; except that this standard does not apply to party walls located along site boundaries.</u></p>	<p><u>21E.2.13.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.13.1 is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> • <u>height of building,</u> • <u>design and location of building,</u> • <u>admission of daylight and sunlight to the site and other sites,</u> • <u>privacy on other sites,</u> • <u>amenity values of the locality,</u>
<p><u>21E.2.14</u> <u>Non- residential building</u></p>	<p><u>21E.2.14.1</u> <u>Construction or alteration of a non-residential building is a permitted activity if:</u></p> <p>(a) <u>the gross floor area of all non-residential buildings on a</u></p>	<p><u>21E.2.14.2</u> <u>Any building that does not comply with the condition for a permitted activity under 21E.2.14.1 is a discretionary activity.</u></p>

	<u>residential site does not exceed 300m².</u>	
<u>21E.2.15</u> <u>Living court Medium</u> <u>Density Precinct</u>	<u>21E.2.15.1</u> <u>Construction or alteration of a dwelling in the medium density precinct is a permitted activity if:</u> (a) <u>an outdoor living court is provided, and</u> (b) <u>the outdoor living court is for the exclusive use of the occupants of a dwelling, and</u> (c) <u>the living court is readily accessible from a living area of the dwelling, and</u> (d) <u>either</u> (i) <u>on the ground floor the living court has a minimum area of 60m² capable of containing a circle of 6m diameter, exclusive of parking and manoeuvring areas and buildings and has a minimum width of 2.5m; or</u> (ii) <u>if the dwelling does not have a habitable room on the ground floor, a balcony is provided that meets the following: dwellings containing at least 1015m² and a circle with a diameter of at least 2.0m:</u> - <u>10m² with a diameter of at least 2.0m for 1 Bedroom dwellings; or</u> - <u>15m² with a minimum diameter 2.4m for 2 or more bedroom dwellings [TKCC 23.13]</u>	<u>21E.2.15.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.15.1 is a restricted discretionary activity.</u> <u>Discretion is restricted to:</u> <ul style="list-style-type: none"> • <u>outdoor amenity</u> • <u>Functionality of balcony space</u> • <u>Integration of balconies within building design</u> • <u>Privacy and overlooking.</u>
<u>21E.2.16</u> <u>Living court Higher</u> <u>Density Precinct</u>	<u>21E.2.16.1</u> <u>Construction or alteration of a dwelling in the higher density precinct is a permitted activity if either:</u> (a) <u>it complies with the living court rules for the medium density precinct, except that the ground floor living court must have a minimum area of 50m²; or</u> (b) <u>Communal open space is provided and:</u> (i) <u>the communal open space is accessible from all dwellings the subject of this provision, and</u>	<u>21E.2.16.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.16.1 is a restricted discretionary activity.</u> <u>Discretion is restricted to:</u> <ul style="list-style-type: none"> • <u>Outdoor amenity</u> • <u>Functionality of balcony space</u> • <u>Integration of balconies within building design</u> • <u>Privacy and overlooking</u>

	<p>(ii) <u>each dwelling has a legal right to use and enjoy the communal open space, and</u></p> <p>(iii) <u>an on-site private open space is provided where either:</u></p> <ul style="list-style-type: none"> • <u>on the ground floor the living court has a minimum area of 30m² capable of containing a circle of 4m diameter, exclusive of parking and manoeuvring areas and buildings and has a minimum width of 2.5m; or</u> • <u>if the dwelling does not have a habitable room on the ground floor, a balcony is provided containing at least 10m² and a circle with a diameter of at least 2.0m.</u> 	
<p><u>21E.2.17</u> <u>Building setback road boundary</u></p>	<p><u>21E.2.17.1</u> <u>Construction or alteration of a building is a permitted activity if it is set back at least 3m from the road boundary.</u></p>	<p><u>21E.2.17.2</u> <u>Any activity that does not comply with the condition for a permitted activity under 21E.2.17.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>amenity of neighbouring properties including shadowing, building dominance and privacy,</u> • <u>streetscape quality,</u>
<p><u>21E.2.18</u> <u>Building setback Reverse Sensitivity North Island main trunk rail line (NIMT) [KW R 34.6]</u></p>	<p><u>21E.2.18.1</u> <u>Construction or alteration of a building is a permitted activity if it is:</u></p> <p>(a) <u>a non-habitable accessory building or attached non-habitable garage and is set back at least 5m from any boundary which adjoins the North Island main trunk rail line (NIMT), or</u></p> <p>(b) <u>a building other than that specified in (a) above and is set back at least 10m from any boundary which adjoins the NIMT and,</u></p> <p>(c) <u>If located within 100m of the centreline of the nearest rail track within the NIMT and is designed and constructed to ensure the following internal design noise limits shall not be exceeded</u></p>	<p><u>21E.2.18.2</u> <u>Any activity that does not comply with the condition for a permitted activity under 21E.2.18.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>reverse sensitivity issues related to NIMT,</u> • <u>noise and vibration,</u> • <u>“Noise sensitive activities within 100m of a Rail Track:</u> <ol style="list-style-type: none"> <u>a) The degree of noise attenuation achieved at the noise sensitive activity.</u>

with all external doors and windows closed.

<u>Receiving Environment</u>	<u>LAeq, 1 hour</u>
<u>Residential – Bedrooms</u>	<u>35 dB</u>
<u>Residential – other habitable spaces</u>	<u>40 dB</u>
<u>Teaching Spaces</u>	<u>40 dB</u>
<u>All other sensitive activity building spaces e.g.</u>	<u>To comply with satisfactory sound levels AS/NZS 2107:2000 (nearest specified equivalent)</u>
<ul style="list-style-type: none"> - <u>Hospital and Dementia Care Spaces</u> - <u>Commercial Spaces</u> 	

For the purpose of this rule, the noise levels generated by rail operations on the NIMT shall be as determined by a qualified acoustic specialist, using methods consistent with New Zealand Standards, within five years prior to the date of the design certificate referred to at the end of this clause b)

This rule only applies to habitable rooms, teaching spaces and sensitive activity building spaces identified in the table above where those habitable rooms or spaces fall within or partly within the specified 100m distance.

Where it is necessary to have windows closed to achieve the internal acoustic noise limits, an alternative ventilation system shall be provided.

The ventilation system installed shall comply with the following:

- i) Consist of an air conditioning unit(s) provided that the noise level generated by the unit(s) must not exceed 40dB LAeq(30s) in the largest habitable room (excluding bedrooms) and 35dB LAeq(30s) in all other habitable

- b) The effects of reverse sensitivity on the operation of the rail network, and the ability and suitability of mitigation measures to enable the continued and uninterrupted operation of the rail network.
- c) A reverse sensitivity covenant.

- Vibration sensitive activities within 40m of a Rail Track:
 - a) The size, nature and location of the building on the site.
 - b) Special topographical, building features or ground conditions which will mitigate vibration impacts.
 - c) Any characteristics of the proposed use which make compliance with the standard unnecessary.
 - d) A reverse sensitivity covenant.”

Any restricted discretionary activity will be limited notified to the operator of the rail network (currently KiwiRail).

	<p><u>rooms, when measured 1 metre away from any grille or diffuser; or</u></p> <p><u>ii) A system capable of providing at least 15 air changes per hour (ACH) in the largest habitable room (excluding bedrooms) and at least 5 air changes per hour (ACH) in all other habitable rooms; and</u></p> <p><u>iii) The noise level generated by the system must not exceed 40dB LAeq(30s) in the largest habitable room (excluding bedrooms) and 35dB LAeq(30s) in all other habitable rooms, when measured 1 metre away from any grille or diffuser; and</u></p> <p><u>iv) The internal air pressure must be no more than 10 Pa above ambient air pressure due to the mechanical ventilation; and</u></p> <p><u>v) Where a high air flow rate setting is provided, the system shall be controllable by the occupants to be able to alter the ventilation rate with at least three equal progressive stages up to the high setting.</u></p> <p><u>Compliance with this rule shall be demonstrated by providing the Council with a design report and a design certificate prepared by an experienced and qualified acoustic specialist, at the time of building consent application and</u></p> <p><u>d) If located within 40m of the centreline of the nearest rail track within the NIMT and is designed and constructed to ensure the following levels of vibration from trains shall not be exceeded based on the procedures specified in the Norwegian Standard NS 8176E: 2nd edition September 2005 Vibration and Shock Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings.</u></p>	
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	<table><tr><th><u>Receiving Environment</u></th><th><u>Maximum weighted velocity, V^w95</u></th></tr><tr><td><u>Sensitive activities/ buildings</u></td><td><u>0.3mm/s</u></td></tr></table> <p><u>Or</u></p> <p><u>e) if located within 20m of the centre line of the nearest rail track within the NIMT and is designed and constructed to ensure the level of vibration from trains shall not exceed the criteria set out in the British Standard BS 7385-2:1993.</u></p> <p><u>Compliance with clause (e) and (f) shall be demonstrated by providing the Council with a design report and a design certificate prepared by an experienced and qualified vibration specialist, at the time of building consent application. Vibration generated by rail operations on the NIMT shall be as determined by a qualified vibration specialist, using methods consistent with New Zealand standards, within five years prior to the date of the design certificate.” [KW R 34.6]</u></p>	<u>Receiving Environment</u>	<u>Maximum weighted velocity, V^w95</u>	<u>Sensitive activities/ buildings</u>	<u>0.3mm/s</u>	
<u>Receiving Environment</u>	<u>Maximum weighted velocity, V^w95</u>					
<u>Sensitive activities/ buildings</u>	<u>0.3mm/s</u>					
<u>21E.2.19</u> <u>Fences</u>	<p><u>21E.2.19.1</u> <u>Construction or alteration of a fence, or a combined fence and retaining wall, is a permitted activity if:</u></p> <p><u>(a) Road boundary and road boundary setback: medium density precinct:</u> <u>(i) The fence does not exceed 1.2m in height.</u> <u>(ii) The combined fence and retaining wall does not exceed 1.8m in height provided that the fence alone does not exceed 1.2m and 40% of the fence is of a transparent construction.</u></p> <p><u>(b) Road boundary and road boundary setback: higher density precinct:</u> <u>(i) Fencing shall not be located on the road boundary or within the road boundary setback except that this does</u></p>	<p><u>21E.2.19.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 21E.2.19.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"><u>• building materials and design</u><u>• height</u><u>• effects on amenity</u><u>• visibility of public space.</u>				

	<p><u>not preclude planting, landscaping or a single pillar used for street numbering and/or letterbox. The maximum height of a single pillar shall be 1.8m with a maximum length of 2m.</u></p> <p>(c) <u>Other boundaries: medium density precinct and higher density precinct:</u></p> <p>(i) <u>The fence does not exceed 1.8m in height.</u></p> <p>(ii) <u>The combined fence and retaining wall does not exceed 1.8m in height.</u></p>	
<p><u>21E.2.20</u> <u>Overlooking of public spaces</u></p>	<p><u>21E.2.20.1</u></p> <p><u>Any residential building located on a site which fronts a street or public open space is a permitted activity if:</u></p> <p>(a) <u>at least one habitable room with glazing overlooks the street or public open space, and</u></p> <p>(b) <u>the area of glazing shall be a minimum of 25% of that part of the wall area of the habitable room which faces the street or public open space.</u></p>	<p><u>21E.2.20.2</u></p> <p><u>Any activity that does not comply with a condition for a permitted activity under 21E.2.20.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>visibility of public open space;</u> • <u>public safety.</u>

Subdivision

<u>ITEM</u>	<u>CONTROLLED</u>	<u>RESOURCE CONSENT</u>
<p><u>21E.2.21</u> <u>Subdivision (other than earthworks [consq for plan clarity] approved as part of a CS)</u></p>	<p><u>21E.2.21.1</u></p> <p><u>Subdivision on sites less than 10ha is a controlled activity if:</u></p> <p>(a) <u>it is in accordance with the Te Kauwhata Lakeside Precinct Plan in 21E.3.1 and 21E.3.2 and,</u></p> <p>(b) <u>environmental improvements required by the Te Kauwhata</u></p>	<p><u>21E.2.21.2</u></p> <p><u>Subdivision that does not comply with a condition for a controlled activity under 21E.2.21.1 is a restricted discretionary activity. [WRC 7.3, 7.8]</u></p> <p><u>Note: The assessment criteria in 21E.4 provide guidance for the</u></p>

	<p><u>Lakeside Precinct Plan (including, but not limited to landscaping and provision of walkways and cycleways shown on the Indicative Movement Network Plan) have been implemented to the extent required, or</u></p> <p>(c) <u>the requisite environmental improvements in (b) above 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.</u></p> <p><u>Control is reserved over:</u></p> <p>(a) <u>consistency with the Te Kauwhata Lakeside Precinct Plan in 21E.3.1 and 21E.3.2,</u></p> <p>(b) <u>matters identified in the assessment criteria in 21E.4,</u></p> <p>(c) <u>managing the effects of wastewater and stormwater,</u></p> <p>(d) <u>extent of any non-compliance with site density control,</u></p> <p>(e) <u>roading network and compliance with a Council approved roading standard,</u></p> <p>(f) <u>provision and location of existing and future utilities and connections,</u></p> <p>(g) <u>location of roads and their connections,</u></p> <p>(h) <u>effects of natural hazards (including flooding), geotechnical and land contamination,</u></p>	<p><u>approval of a CS but the criteria may also be used to assess any subdivision that is not fully in accordance with the Te Kauwhata Lakeside Precinct Plans.</u></p>
<p><u>21E.2.22</u> <u>Frontage</u></p>	<p><u>21E.2.22.1</u> <u>Subdivision is a controlled activity if:</u></p> <p>(a) <u>every allotment with a road boundary, other than an access allotment, access leg or utility allotment, has a width along the road boundary of at least:</u></p> <p><u>(i) 12m in the Medium Density Precinct shown on Plan 21E.3.2</u> <u>or</u> <u>(ii) 9m in the Higher Density Precinct shown on Plan 21E.3.2 or</u></p> <p><u>(b) Subdivision is for an existing or approved housing development.</u></p>	<p><u>21E.2.22.2</u> <u>Subdivision that does not comply with a condition for a controlled activity under 21E.2.22.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>road efficiency and safety,</u> • <u>amenity and streetscape.</u>

	<p><u>Control is reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>road efficiency and safety,</u> (b) <u>amenity and streetscape,</u> 	
<p><u>21E.2.23</u> <u>Allotment size</u></p>	<p><u>21E.2.23.1</u> <u>Subdivision is a controlled activity if:</u></p> <ul style="list-style-type: none"> (a) <u>every allotment, other than a utility allotment or access allotment, has a net site area of at least:</u> <ul style="list-style-type: none"> (i) <u>Medium Density Precinct – a minimum site size of 300m² with an average site size of 400450m²,</u> (ii) <u>Higher Density Precinct – a minimum site size of 200225m², with a minimum average site size of 250m².</u> <u>[Garrick 3.1, Sunde 5.1, Cunningham 9.1, Kelly 11.1, D Hulme 12.1, R Hulme 13.1, McGuire 14.1 D Hulme FS37.2, Epiha 17.1, Hartley 18.1, TKCC 23.6, 23.9, Patterson 26.1, Castles 27.1, Moorfield 31.1, 31.2, Brown 32.1, Peach 33.1] Where a site has legal access to private communal open space, then the percentage of that open space related to the number of properties with legal rights to use the private communal open space, will count towards the average site size (but not minimum site size).</u> <u>[WDC6.9]</u> (i) <u>2500m² in the case of any new allotment that is not connected to a reticulated wastewater system. For the avoidance of doubt this rule does not apply to any lot created prior to 1 January 2017.</u> <p><u>Control reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>shape, location and orientation.</u> <u>[WDC 6.7]</u> (b) <u>variation in allotment size,</u> (c) <u>matters referred to in Appendix B (Engineering Standards),</u> (d) <u>amenity and streetscape,</u> (e) <u>vehicle and pedestrian networks.</u> 	<p><u>21E.2.23.2</u> <u>Subdivision that does not comply with a condition for a controlled activity under 21E.2.23.1 is a restricted discretionary activity in the Medium Density and Higher Density Precincts but a discretionary activity where any allotment is not connected to a reticulated wastewater system and is less than 2,500m².</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> (a) <u>shape, size and orientation,</u> (b) <u>variation in allotment size,</u> (c) <u>matters referred to in Appendix B (Engineering Standards),</u> (d) <u>amenity and streetscape,</u> (e) <u>vehicle and pedestrian networks.</u> (f) <u>Matters identified in 21E.4</u> <u>[Garrick 3.1, Sunde 5.1, Cunningham 9.1, Kelly 11.1, D Hulme 12.1, R Hulme 13.1, McGuire 14.1 D Hulme FS37.2, Epiha 17.1, Hartley 18.1, TKCC 23.6, 23.9, Patterson 26.1, Castles 27.1, Moorfield 31.1, 31.2, Brown 32.1, 33.1, WDC 6.7]</u>

	<p><u>Note: This rule does not apply to the size of independent living units within a retirement village.</u></p>	
<p><u>21E.2.24</u> <u>Building platform</u></p>	<p><u>21E.2.24.1</u> <u>Subdivision is a controlled activity if every allotment, other than a utility or access allotment, is capable of containing a building platform:</u></p> <ul style="list-style-type: none"> (a) <u>upon which a dwelling and living court could be sited as a permitted activity or, in the Higher Density Precinct, outdoor living space meets the communal open space Rule 21E.2.16.1(b), or</u> (b) <u>in the case of vacant sites with no associated building proposal:</u> <ul style="list-style-type: none"> (i) <u>a rectangle of at least 200m² with a minimum dimension of 12m exclusive of yards, and</u> (ii) <u>No part of the rectangle is located in an area identified as a stream or flood plain.</u> <p><u>Control reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>subdivision layout,</u> (b) <u>shape of allotments,</u> (c) <u>ability of allotments to accommodate a practical building platform,</u> <ul style="list-style-type: none"> (i) <u>likely location of future buildings and their potential effects on the environment,</u> (ii) <u>avoidance or mitigation of natural hazards geotechnical suitability for building.</u> 	<p><u>21E.2.24.2</u> <u>Subdivision that does not comply with a condition for a controlled activity under 21E.2.24.1 is a restricted discretionary activity in the Higher Density Precinct and a discretionary activity in the Medium Density Precinct.</u></p>
<p><u>21E.2.25</u> <u>Earthworks</u> <u>(other than earthworks approved as part of a CS or CLDC)</u></p>	<p><u>21E.2.25.1</u> <u>Subdivision is a controlled activity if:</u></p> <ul style="list-style-type: none"> (a) <u>earthworks comply with Appendix B (Engineering Standards), and</u> (b) <u>earthworks and filling are not undertaken on the route of any overland flow path or in the location of any stream.</u> <p><u>Control reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>matters referred to in Appendix B (Engineering Standards)</u> 	<p><u>21E.2.25.2</u> <u>Subdivision that does not comply with a condition for a controlled activity under 21E.2.25.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>effects on amenity values,</u> • <u>visual effects,</u> • <u>mitigation measures including sediment control,</u> • <u>matters listed in Appendix B (Engineering Standards),</u>

	<p>(b) <u>amenity and streetscape, nature and source of fill, location of earthworks and fill, compaction of fill, [consq for clarity]</u></p> <p>(c) <u>compaction of fill,</u></p> <p>(d) <u>volume and depth of earthworks and fill,</u></p> <p>(e) <u>identification of future building platforms water quality [consq for clarity].</u></p>	<ul style="list-style-type: none"> • <u>effects on land utilisation,</u> • <u>effects on erosion,</u> • <u>effects on cultural values,</u> • <u>effects on heritage values,</u>
<p><u>21E.2.26</u> <u>Offroad</u> <u>walkways/cycleways</u> <u>[WDC 6.8]</u></p>	<p><u>21E.2.26.1</u> <u>Subdivision is a controlled activity if any walkway/cycleway [WDC 6.8] is:</u></p> <p>(a) <u>at least 3 metres wide, and</u></p> <p>(b) <u>designed for shared pedestrian and cycle use, and</u></p> <p>(c) <u>for connections between roads, has unimpeded visibility along the entire length, and</u></p> <p>(d) <u>generally in accordance with the walkway route shown on Precinct Plan 21E.3.2 (recognising that the detailed alignment is indicative only), and</u></p> <p>(e) <u>shown on the plan of subdivision.</u></p> <p><u>Control reserved over:</u></p> <p>(a) <u>alignment,</u></p> <p>(b) <u>drainage,</u></p> <p>(c) <u>land stability,</u></p> <p>(d) <u>amenity matters including batter slopes,</u></p> <p>(e) <u>connection to open spaces,</u></p> <p>(f) <u>achieving an interconnected walkway network.</u></p>	<p><u>21E.2.26.2</u> <u>Any activity that does not comply with a condition for a controlled activity under 21E.2.26.1 is a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> • <u>alignment of walkway;</u> • <u>costs and benefits of acquiring the land;</u> • <u>matters that control is reserved over.</u>
<p><u>21E.2.27</u> <u>Provision of</u> <u>infrastructure</u></p>	<p><u>21E.2.27.1</u> <u>Subdivision is a controlled activity if, for every allotment other than a utility, access or open space allotment it meets the infrastructure requirements as below:</u></p> <p>a) <u>Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements.</u></p>	<p><u>21E.2.27.2</u> <u>Any activity that does not comply with a condition for a controlled activity is a non-complying activity. [WRC 7.3, 7.8]</u></p>

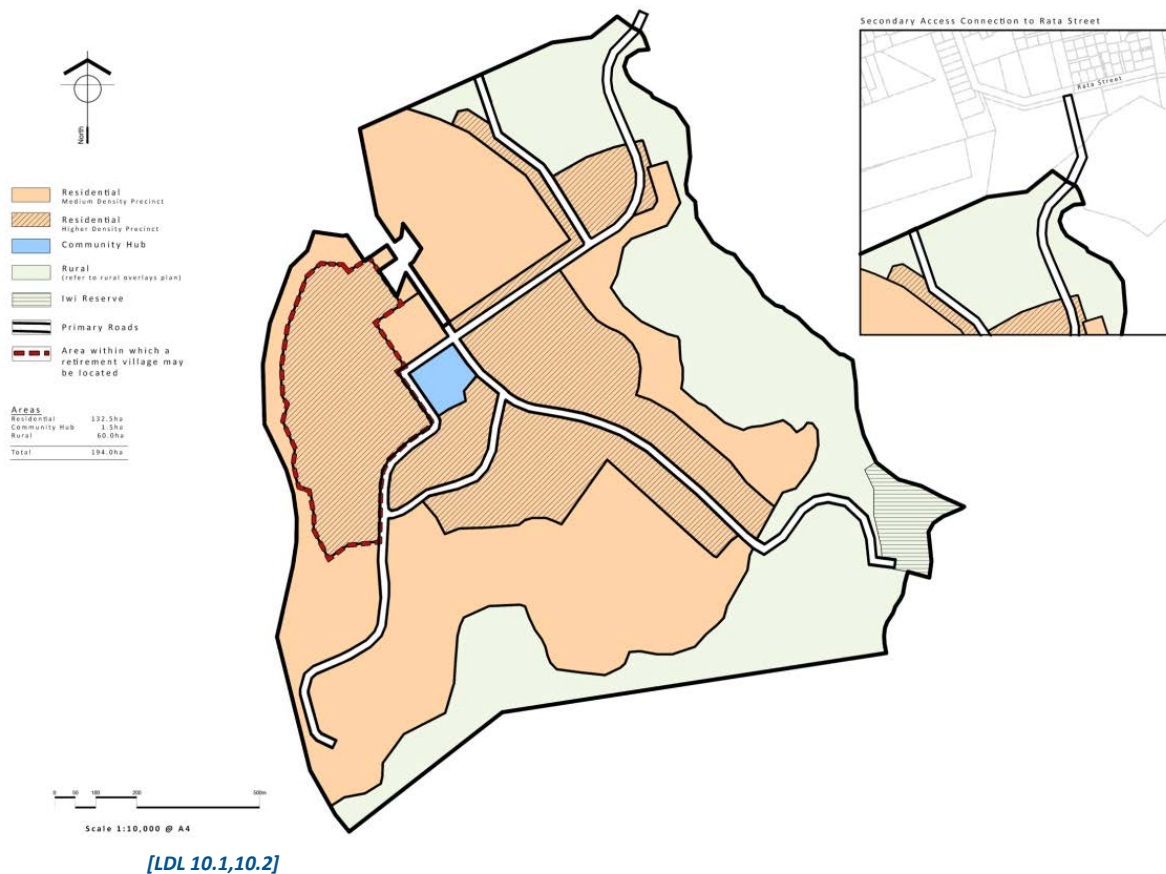
	<p>b) <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (a) above.</u></p> <p><u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Appendix B (Engineering Standards).</u><i>[WRC 7.3, AWFG FS38.6]</i></p> <p><u>Control is reserved over:</u></p> <ul style="list-style-type: none"> - <u>Health and safety</u> - <u>Amenity values</u> - <u>Matters referred to in Appendix B (Engineering Standards)</u> - <u>Easements to facilitate development beyond the site.</u> - <u>Matters of discretion identified for Infrastructure in 21E.4.</u> 	
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21E.3 Te Kauwhata Lakeside Precinct Plan

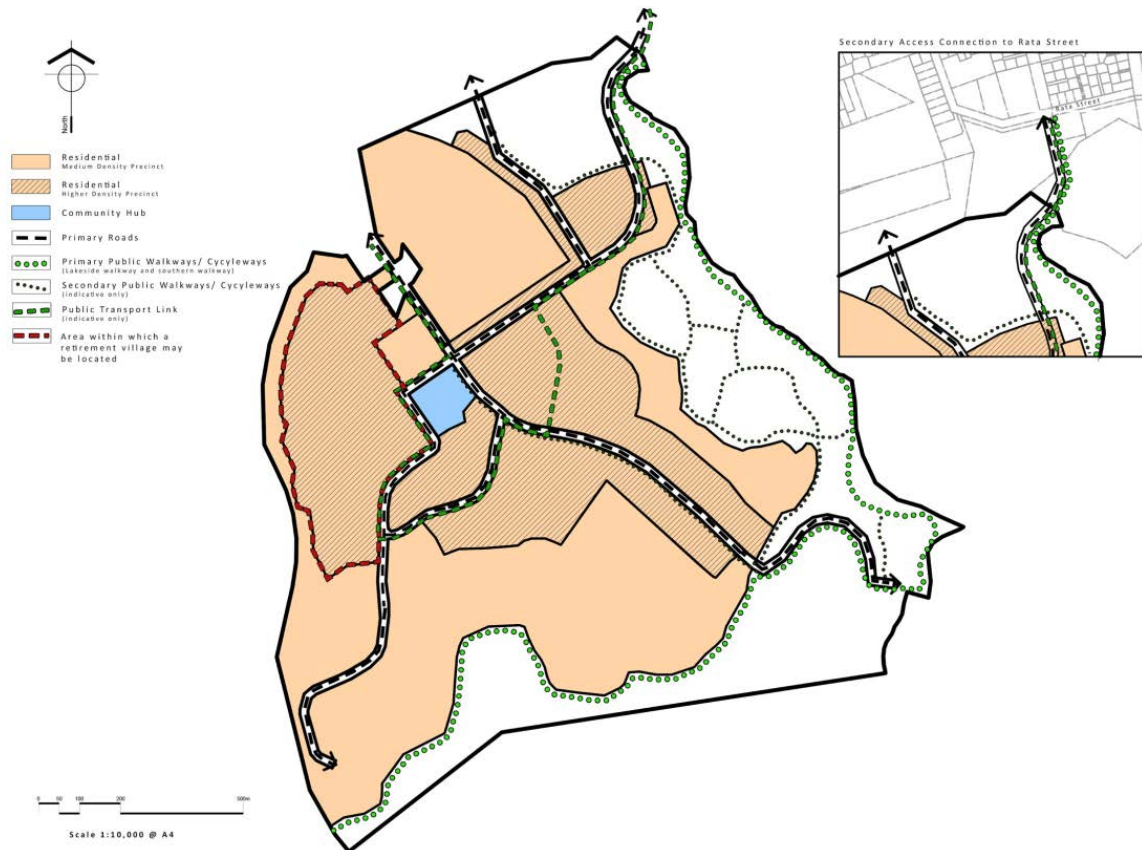
The Te Kauwhata Lakeside Precinct Plan consists of the following plans which are contained in Rule 21E.3.1, 21E.3.2 and 21E.3.1:

- Plan 1 Lakeside Precinct Plan: Precinct Areas
- Plan 2 Lakeside Precinct Plan: Public Transport, Primary Road Network and Walkways/cycleways [WDC 6.8]
- Plan 3 Lakeside Precinct Plan: Rural Zones: Overlays and Open Spaces

21E.3.1 Lakeside Precinct Plan 1: Precinct Areas

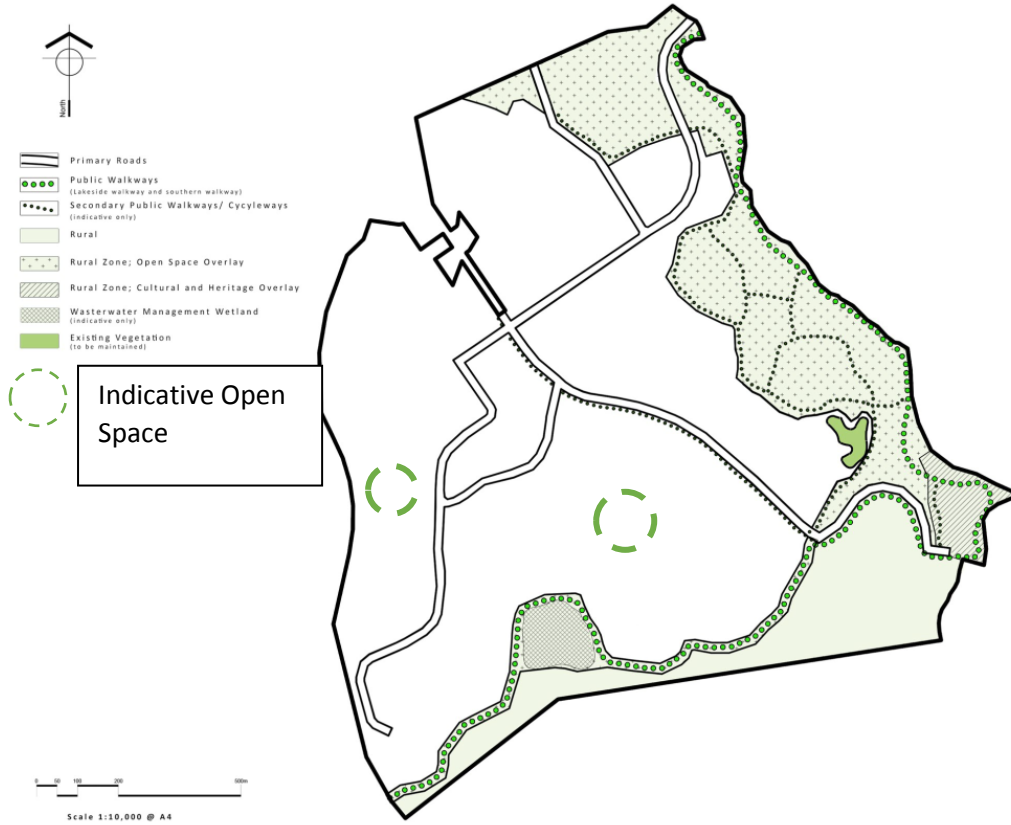


21E.3.2 Lakeside Precinct Plan 2: Public Transport, Primary Road Network and Walkways/cycleways [WDC 6.8]



[LDL 10.1,10.2]

21E.3.3 Lakeside Precinct Plan 3: Rural Zones: Overlays and Open Spaces



[LDL 10.1, 10.2, TKCC 23.10, WDC FS35.5]

21E.4 Assessment criteria-for approval of a Comprehensive Subdivision Consent or a Comprehensive Land Development Consent and any amendments thereto.

Any controlled or restricted discretionary activity undertaken under Rule 21E.2.1 and 21E.2.2 (Living Zone), and Rule 23C.3.1 and 23C.4.1 (Business Zone) and 25H.3.1 and 25H.4.1 (Rural Zone) being a Comprehensive Subdivision or a Comprehensive Land Development Consent will be assessed in terms of the following criteria:

Reverse Sensitivity: lots adjoining the North Island Main Trunk Railway

The extent to which issues of reverse sensitivity along the rail embankment are met. Methods to achieve this include no complaints covenants and appropriate noise attenuation controls on buildings by way of consent notice. *[KW R 34.7, 34.8]*

Permeability

The extent to which:

1. Scott Road provides primary road access to the Lakeside Precinct Plan Area,
2. Enhanced permeability is achieved by opening up a second access to the north-east and connecting to the village, once more than 400 sites and/or dwellings are developed in the Lakeside Precinct Plan Area,
3. A transport network that is safe, legible, logical and well connected for vehicles, pedestrians and cyclists
4. The primary road network generally conforms to the configuration shown in the Te Kauwhata Lakeside Precinct Plan in 21E.3.2,
5. The walking and cycling network allows for a future alternative public access between the village and the Lakeside Precinct Plan Area,
6. The road network aligns to the stages of the Lakeside development to ensure residential properties are served,
7. A transport network framework which supports practicable block sizes and shapes and road alignment which responds to natural topography rather than imposing a geometric grid,
8. Pedestrian walkways and cycle paths that connect to the existing village, Lake Waikare, and to the development; provide a network throughout the area as indicatively illustrated on Precinct Plan 21E.3.2,
9. The road environment encourages walking with separation between footpaths and vehicle carriageways and through the provision of street trees,
10. Rear lots make up less than 10% of lots per neighbourhood block with driveways to rear lots shared by not more than two adjoining lots.
11. Road reserve widths reflect the road typologies set out in the Council roading standards;
12. Integration of land use and infrastructure is achieved,
13. The type, location, density, staging and trigger requirements of land uses match the location, type, scale, funding and staging of infrastructure required to service the area,
14. The safe and efficient functioning of planned walkways and cycleways will be protected and enhanced,
15. Any necessary upgrade to the Scott Road and Te Kauwhata Road intersection to ensure safe operation and access to existing Scott Road properties is maintained.
16. The design and layout of the road network takes into account the future provision of public transport. *[WRC 7.7]*

Spatial Variety and Integration with the Natural Environment

The extent to which:

1. the Lake Waikare foreshore is opened up to public access through walkways and cycleways.
2. the importance of the iwi reserve is recognised and the development of open space and the invitation to vest this land in iwi,
3. a network of open spaces is created generally in accordance with the Precinct Plan 21E.3.3,
4. the network of open spaces as shown within Precinct Plan 21E3.3 with complementary open space within the residential development area which demonstrate:
 - a hierarchy,
 - connectivity and legibility;
 - the measures required to respond to flooding and to integrate with a stormwater management plan; and
 - measures to protect any important ecological areas.
5. the creation of a network of green corridors recognises the natural landform and provides amenity,
6. a high standard of stormwater management through a stormwater treatment train which could include on-street swales and/or rain gardens, natural streams and wetlands is achieved,
7. where modifications to natural landform are needed, these are preferably undertaken at the subdivision stage in a controlled and consistent manner in order to minimise the need for secondary earthworks and sediment discharges and minimise retaining wall heights,
8. land within the Te Kauwhata Recreation-Rural [consq plan consistency] Zone is planted to ensure Lake margins are protected and enhanced through revegetation and enrichment planting appropriate to the locality. [WRC 7.8]
9. landscaping:
 - Integrates with the development into the surrounding area and
 - complements the existing landscape character, including the natural character of Lake Waikare, and
 - supports the personal safety of people and enhance pedestrian comfort, and
 - is designed for on-going ease of maintenance.
10. The stormwater and flood management areas have dual ecological corridor functions where appropriate. [WRC 7.8]
11. Neighbourhood parks and areas of private communal open space within the Residential Medium Density Precinct and High Density Precinct provide for the amenity and safety of the community in terms of:
 - spatial variety
 - a mix of recreational opportunities
 - accessibility
 - the application of CPTED principles
 - ease and cost of maintenance
 - the management structure of areas of private communal open space [WDC 6.3]

Urban Design and Visual Amenity

The extent to which:

1. the proposal integrates and connects with the Te Kauwhata Township and the rest of the Lakeside Precinct as shown on the masterplan required by 21E.5.1; including the appropriateness of the developments response to the medium density and high density precincts and the proposed urban form.
2. The effect of any inconsistency with the Lakeside Precinct Plans on the visual amenity, rural character and urban character of the surrounding visual catchment.
3. The extent the proposed development is consistent with, or allows the implementation of the specific design proposal (as required by 21E.5.6). [WDC 6.3]

Robustness of Lot Design

The extent to which:

1. development recognises the distinction between the Medium Density Precinct from the Higher Density Precinct,
2. the effects of lot size and shape on the configuration of individual lots has been considered at CS stage,
3. planning for the Lakeside Precinct Plan Area provides a variety of opportunities for different medium and higher density housing typologies,
4. individual lots are designed such that when built on, dwellings will be able to have private outdoor living areas, part of which may comprise communal open space where the dwelling has legal rights to use such communal open space,
5. subdivisions are designed with regard to the principles of CPTED (Crime Prevention through Environmental Design) and the principles of low impact design.
6. Subdivision design, where adjacent to the NIMT, will address reverse sensitivity effects, including traffic noise and vibration. [KW R 34.7]

Infrastructure

The extent to which:

1. all residential development is serviced by wastewater, stormwater, potable water, energy and telecommunication infrastructure,
2. the wastewater upgrade provides a medium and long-term opportunity to enhance water quality in Lake Waikare,
3. wastewater infrastructure has been futureproofed so that the southern end of the Lakeside pipeline could connect into any possible future public wastewater pipeline to Huntly, [WRC 7.3]
4. stormwater management minimises effects on Lake Waikare and [WRC 7.8] achieves good water quality using street berms and wetlands to manage water quality,
5. roading upgrades to create a second access to the Lakeside Precinct Plan Area once the development exceeds 400 new sites and/or dwellings has been achieved;
6. any staging of the development corresponds to the staging and if necessary upgrading of infrastructure;
7. Development takes account of overland flow paths.
8. safety measures at the Te Kauwhata Road at-grade level crossing are addressed. [KW R34.7]

Earthworks

The extent to which

1. erosion and sediment controls and the proposed construction methodology will avoid or minimise adverse effects on:
 - (i) water quality including of Lake Waikare;
 - (ii) ecological health including of Lake Waikare;
 - (iii) riparian margins;
 - (iv) the mauri of water.
2. The extent to which the earthworks minimises soil compaction in open space areas, other than where it benefits geotechnical or structural performance.
3. Whether monitoring the volume and concentration of sediment that may be discharged by the activity is appropriate within the scale of the proposed land disturbance.
4. Whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works.
5. The effects of potential changes in flood plain depth, and the extent to which the carrying capacity of the flood plain is maintained.
6. The extent to which works in the flood plain do not exacerbate adverse effects of flooding, particularly on other property. [R Hulme 13.7]

Contaminated Land

1. Assessment of activities involving contaminated land should refer to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

Biosecurity

4. The extent to which a detailed management plan for the control of alligator weed has been or will be put in place. [WRC 7.10, 7.11]

21E.5 Information requirements

Applications for a Lakeside Precinct Plan Area Comprehensive Subdivision Consent or Comprehensive Land Development Consent

Applications for a Lakeside Precinct Plan Area CS or CLDC shall be accompanied by:

1. a copy of the latest masterplan for the entire Lakeside Precinct Plan Area
2. an urban design assessment which includes:
 - how the proposal integrates with the latest masterplan and the wider Te Kauwhata area
 - an urban form and development response for the Medium Density Precinct and/or the Higher Density Precinct

- how the area can integrate into existing road and open space networks
3. visual amenity assessment including off and on-site visual amenity effects of potential development
 4. detailed geotechnical assessment where one does not already exist for the land the subject of the consent
 5. land-use map indicating boundaries of developable areas, uses, connections and compliance with the relevant densities identified in Precinct Plan 21E.1.1
 6. specific design proposals for new roads and the upgrading of existing roads
 7. an assessment of any works within the flood plain
 8. confirmation of sufficient capacity of Council services including water and wastewater
 9. land contamination assessment.
 10. At each point where development in the Lakeside Precinct will exceed the following triggers, an integrated transport assessment shall be prepared that informs the need for any road or safety upgrades:
 - a) 400 lots or dwellings
 - b) 800 lots or dwellings
 - c) 1200 lots or dwellings
 - d) 1600 lots or dwellings *[WRC 7.3, R Hulme 13.5, McGuire 14.11 - 14.17, Pilbrow 19.1]*
 1. When development in the Lakeside precinct will exceed 800 lots or dwellings, the integrated transport assessment shall also take into account the Te Kauwhata Level Crossing and include a Level Crossing Safety Impact Assessment that is less than 3 years old. *[KW R 34.10, 34.11]*

Overall, the reports and assessments accompanying an application for a CS or CLDC approval or amendment are to be sufficiently comprehensive and provide environmental information, analysis and assessments of potential effects on the environment (of development that would be enabled by the CS or CLDC provisions) to adequately inform assessment of the proposed CS or CLDC under sections 95A to 95E and 104(1) and 104A of the Resource Management Act.

PART D AMENDMENTS TO PART 23 BUSINESS RULES

Schedule 23C: Te Kauwhata Lakeside Business Zone Rules, Precinct Plan and Comprehensive Subdivision

23C.1 Application of the Schedule

The rules in this schedule apply to the Te Kauwhata Lakeside Business Zone as shown on the Planning Map and as shown in the Te Kauwhata Lakeside Precinct Plan that is included in section 21E of this Plan. All rules in Chapter 23: Business Zone Rules apply in the Te Kauwhata Lakeside Precinct Plan Area unless otherwise specified below.

23C.2 Rules applying in the Te Kauwhata Lakeside Precinct Plan Area

In addition to the rules in this Schedule 23C, all rules in Chapter 23: Business Zone also apply to the Te Kauwhata Lakeside Plan Area except for:

Business Rules:

Rule: 23.26, 23.27, 23.28, 23.45, 23.47, 23.49, 23.67 and 23.72.

Comprehensive Subdivision

ITEM	CONTROLLED RESTRICTED DISCRETIONARY ACTIVITY	RESOURCE CONSENT
<p><u>23C.3 Comprehensive Subdivision Consent</u></p>	<p><u>23C.3.1</u> A Comprehensive Subdivision Consent (CS) is a controlled-restricted discretionary <u>[WRC 7.3, AWFG FS38.6]</u> activity if it is generally in accordance with Te Kauwhata Lakeside Precinct Plan 21E.3.1, 21E.3.2 and 21E.3.3. and meets the infrastructure requirements of this rule. <u>[WRC 7.3, AWFG FS38.6]</u></p> <p>A CS is generally in accordance with the Precinct Plans identified above if:</p> <ul style="list-style-type: none"> (a) <u>Primary roads are within 50m of the location shown on Precinct Plan 21E.3.2; and</u> (b) <u>Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> (c) <u>Indicative walkways/cycleways [WDC 6.8] are within 100m of the location shown on Precinct Plan 21E.3.3; and</u> (d) <u>Retirement village boundaries are within 50m of the location shown on Precinct Plan 21E.3.1.</u> <p><u>Infrastructure requirements</u> A CS must comply with the infrastructure requirements as below:</p> <ul style="list-style-type: none"> a) <u>Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements.</u> b) <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity</u> 	<p><u>23C.3.43</u> A CS, or an amendment thereto, that does not meet the requirements of Rule 23C.3.1 or 23C.3.2, and does not exceed the parameters below, shall be a discretionary activity:</p> <ul style="list-style-type: none"> i. <u>Primary roads are within 5150m-100m of the location shown on Precinct Plan 21E.3.2; [WDC 6.10] and</u> ii. <u>Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> iii. <u>Indicative walkways/cycleways [WDC 6.8] are within 101100m- [WDC 6.10]200m of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; and</u> iv. <u>Retirement village boundaries are within 5150m-100m [WDC 6.10] of the location shown on Precinct Plan 21E.3.1.</u> <p><u>The matters over which Council reserves control shall be used for assessing discretionary activity applications under this rule.</u></p> <p><u>23C.3.54</u> A CS, or any amendment thereto, that does not meet the conditions for a discretionary activity outlined in 23C.3.4 is a non-complying activity.</p> <p><u>23C.3.5</u> A CS, or any amendment thereto, that does not meet the requirements of Rule 23C.3.1 Infrastructure Requirements shall be a Non-Complying Activity. <u>[WRC 7.3, AWFG FS38.6]</u></p>

	<p><u>as per infrastructure standard (a) above.</u> <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Appendix B (Engineering Standards).</u> <i>[WRC 7.3, AWFG FS38.6]</i></p> <p><u>A CS can relate to the entire Te Kauwhata Lakeside Precinct Plan Area or may be made for an individual stage or stages.</u></p> <p><u>Control is reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>consistency with the Te Kauwhata Lakeside Precinct Plan in 21E.3.1, 21E.3.2 and 21E.3.3,</u> (b) <u>matters identified in the assessment criteria in 21E.4,</u> (c) <u>managing the effects of wastewater and stormwater,</u> (d) <u>roading network (including the Te Kauwhata Road level crossing safety) and compliance with a Council approved roading standard,</u><i>[KW R 34.9]</i> (e) <u>provision and location of existing and future utilities and connections,</u> (f) <u>location of roads and their connections,</u> (g) <u>effects of natural hazards (including flooding), geotechnical and land contamination.</u> <p><u>23C.3.2 Amendments to an approved CS is a controlled activity provided the same requirements as for a CS in this rule 23C.3.1 are met.</u> <i>[WRC 7.3, AWFG FS38.6]</i></p> <p><u>23C.3.32</u> <u>Applications for approval of a Comprehensive Subdivision (or amendments thereto) as a controlled-restricted discretionary</u> <i>[WRC 7.3,AWFG FS38.6]</i> <u>activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</u></p>	
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	<p><u>Note 1:</u> <u>CS approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</u></p> <p><u>Note 2:</u> <u>The definition of CS is contained in Part 3 Appendix P.</u></p>	
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<u>ITEM</u>	<u>CONTROLLED RESTRICTED DISCRETIONARY</u>	<u>RESOURCE CONSENT</u>
<p><u>23C.4</u> <u>Comprehensive Land Development Consent</u></p>	<p><u>23C.4.1</u> A comprehensive land development consent (CLDC) is a <u>controlled restricted discretionary</u> activity if it is generally in accordance</p> <ol style="list-style-type: none"> <u>with the community hub shown on Te Kauwhata Lakeside Precinct Plan 21E.3.1; the roading network, walkways and cycleways shown on Precinct Plan 21E.3.2; and the open space shown on Precinct Plan 21E.3.3, and</u> <u>the infrastructure requirements of this rule. [WRC 7.3, AWFG FS38.6]</u> <p><u>A CLDC is generally in accordance with the Lakeside Precinct Plans identified above if:</u></p> <ol style="list-style-type: none"> <u>Primary roads are within 50m of the location shown on Precinct Plan 21E.3.2; and</u> <u>Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> <u>Indicative walkways/cycleways [WDC 6.8] are within 100m of the location shown on Precinct Plan 21E.3.3; and</u> <u>Retirement village boundaries are within 50m of the location shown on Precinct Plan 21E.3.1</u> 	<p><u>23C.4.43</u> A CLDC, or an amendment thereto, that does not meet the requirements of Rule 23C.4.1 or 23C.4.2, and does not exceed the parameters below, shall be a discretionary activity:</p> <ol style="list-style-type: none"> <u>Primary roads are within 515050m-100m of the location shown on Precinct Plan 21E.3.2; [WDC 6.10] and</u> <u>Bus route is either on the alignment shown on 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> <u>Indicative walkways/cycleways [WDC 6.8] are within 101100m-200m of the location shown on Precinct Plan 21E.3.3; [WDC 6.10] and</u> <u>Retirement village boundaries are within 515050m-100m of the location shown on Precinct Plan 21E.3.1. [WDC 6.10]</u> <p><u>The matters over which Council reserves control shall be used for assessing discretionary activity applications under this rule.</u></p>

	<p><u>A CLDC can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages.</u></p> <p><u>Infrastructure requirements</u></p> <p><u>A CS must comply with the infrastructure requirements as below:</u></p> <ul style="list-style-type: none"> a) <u>Demonstrate that adequate capacity within the water, stormwater and wastewater networks will be available to accommodate the proposed subdivision including all necessary treatment required to meet water quality, quantity and disposal requirements.</u> b) <u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will connect to a reticulated water supply, and wastewater network that has adequate capacity as per infrastructure standard (a) above.</u> <p><u>Every allotment other than a utility allotment, access allotment or open space allotment must be able to demonstrate how it will provide land drainage and stormwater disposal either through a reticulated network or in accordance with Appendix B (Engineering Standards). [WRC 7.3, AWFG FS38.6]</u></p> <p><u>Control is reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>consistency with the Te Kauwhata Lakeside Precinct Plan in 21E.3.1, 21E.3.2 and 21E.3.3,</u> (b) <u>matters identified in the assessment criteria in 21E.4,</u> (c) <u>managing the effects of wastewater and stormwater,</u> (d) <u>roading network (including the Te Kauwhata Road level crossing safety) and compliance with a Council approved roading standard, [KW R 34.8]</u> (e) <u>provision and location of existing and future utilities and connections,</u> (f) <u>location of roads and their connections,</u> (g) <u>effects of natural hazards (including flooding), geotechnical and land contamination.</u> 	<p><u>23C.4.54</u></p> <p><u>A CLDC or amendment thereto, that does not meet the conditions for a discretionary activity outlined in 23C.4.4 is a non-complying activity.</u></p> <p><u>23C.3.5</u></p> <p><u>A CS, or any amendment thereto, that does not meet the requirements of Rule 23C.3.1 Infrastructure Requirements shall be a Non-Complying Activity. [WRC 7.3, AWFG FS38.6]</u></p>
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	<p><u>23C.4.2</u> <u>Amendments to an approved CLDC may also be approved provided the same requirements as for a CLDC in this rule 23C.4.1 are met.</u> <u>[WRC 7.3,AWFG FS38.6]</u></p> <p><u>23C.4.32</u> <u>Applications for approval of a CLDC (or amendments thereto) as a controlled-restricted discretionary [WRC 7.3, AWFG FS38.6] activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons.</u></p> <p><u>Note:</u> <u>CLDC approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</u></p>	
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<u>ITEM</u>	<u>PERMITTED</u>	<u>RESOURCE CONSENT</u>
<u>23C.5</u> <u>Grazing and pastoral farming</u>	<u>23C.5</u> <u>Grazing of livestock and pastoral farming is a permitted activity.</u>	
<u>23C.6</u> <u>Earthworks</u> <u>(other than earthworks approved as part of a CLDC)</u>	<u>23C.6.1</u> <u>Any activity is a permitted activity if earthworks complies with Rule 23.26.1.</u>	<u>23C.6.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 23C.6.1 is a restricted discretionary activity.</u> <u>Discretion restricted to:</u>

		<ul style="list-style-type: none"> • <u>effects on amenity values,</u> • <u>visual effects,</u> • <u>mitigation measures including sediment control,</u> • <u>matters listed in Appendix B (Engineering Standards),</u> • <u>effects on land utilisation,</u> • <u>effects on erosion,</u> • <u>effects on cultural values,</u> • <u>effects on heritage values,</u>
<u>23C.7</u> <u>Earthworks</u> <u>filling using imported</u> <u>fill</u> <u>(other than earthworks</u> <u>approved as part of a</u> <u>CLDC)</u>	<u>23C.7.1</u> <u>Any activity is a permitted activity if earthworks comply with Rule</u> <u>23.27.1.</u>	<u>23C.7.2</u> <u>Any activity that does not comply with a condition for a permitted</u> <u>activity under 23C.7.1 is a restricted discretionary activity.</u> <u>Discretion restricted to:</u> <ul style="list-style-type: none"> • <u>effects on amenity values,</u> • <u>visual effects,</u> • <u>effects on indigenous vegetation and habitat,</u> • <u>mitigation measures including replacement planting where</u> <u>vegetation removal is involved,</u> • <u>matters listed in Appendix B (Engineering Standards),</u> • <u>effects on cultural values,</u> • <u>effects on heritage values,</u>

Land Use Building

<u>ITEM</u>	<u>PERMITTED</u>	<u>RESOURCE CONSENT</u>
<u>23C.9</u> <u>Daylight admission</u>	<u>23C.9.1</u> <u>Construction or alteration of a building is a permitted activity if:</u> <u>(a) the building does not protrude through a height control plane</u> <u>rising at an angle of 45 degrees commencing at an elevation of</u> <u>3.5m above ground level at every point of the zone boundary.</u>	<u>23C.9.2</u> <u>Any activity that does not comply with a condition for a</u> <u>permitted activity under 23C.9.1 is a restricted discretionary</u> <u>activity.</u>

		<u>Discretion restricted to:</u> <ul style="list-style-type: none"> • <u>height of building,</u> • <u>design and location of the building,</u> • <u>admission of daylight and sunlight to the site and other sites,</u> • <u>amenity values of the locality.</u>
<u>23C.10</u> <u>Gross Floor Area</u>	<u>23C.10.1</u> <u>Construction or alteration of a building is a permitted activity if the total Gross Floor Area of all buildings does not exceed 4000m².</u>	<u>23C.10.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 23C.10.1 is a restricted discretionary activity.</u> <u>Discretion restricted to:</u> <ul style="list-style-type: none"> • <u>impact on the Te Kauwhata town centre,</u> • <u>design and location of the building.</u>
<u>23C.11</u> <u>Gross Leasable Floor Area</u>	<u>23C.11.1</u> <u>Construction or alteration of a building is a permitted activity if:</u> (a) <u>individual leasable retail units have a Gross Leasable Floor Area between 70m² and 650m²; and</u> (b) <u>there are no more than two individual leasable units with a Gross Leasable Floor Area between 400m² and 650m².</u>	<u>23C.11.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 23C.11.1 is a restricted discretionary activity.</u> <u>Discretion restricted to:</u> <ul style="list-style-type: none"> • <u>impact on the Te Kauwhata town centre,</u> • <u>design and location of the building.</u>
<u>23C.12</u> <u>Building setbacks</u>	<u>23C.12.1</u> <u>Construction or alteration of a building is a permitted activity if the building is set back at least 10m from the centre line of an indicative or legal road.</u>	<u>23C.12.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 23C.12.1 is a restricted discretionary activity.</u> <u>Discretion restricted to:</u> <ul style="list-style-type: none"> • <u>streetscape and amenity,</u> • <u>traffic capacity of the road network.</u>

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23C.2 Information requirements

The information requirements for the Comprehensive Subdivision Consent or a Comprehensive Land Development Consent as set out in Rule 21E.5 shall apply to the Business Zone.

PART E - AMENDMENTS TO PART 25 RURAL ZONE RULES

Schedule 25H: Te Kauwhata Lakeside Rural Zone Rules, Overlay Control and Precinct Plan

25H.1 Application of the Schedule

The rules in this schedule apply to the Te Kauwhata Lakeside Rural Zone overlay as shown in the Te Kauwhata Lakeside Precinct Plan that is included in section 21E.3.3.1 of this Plan and on Plan 25H.1.1 below.

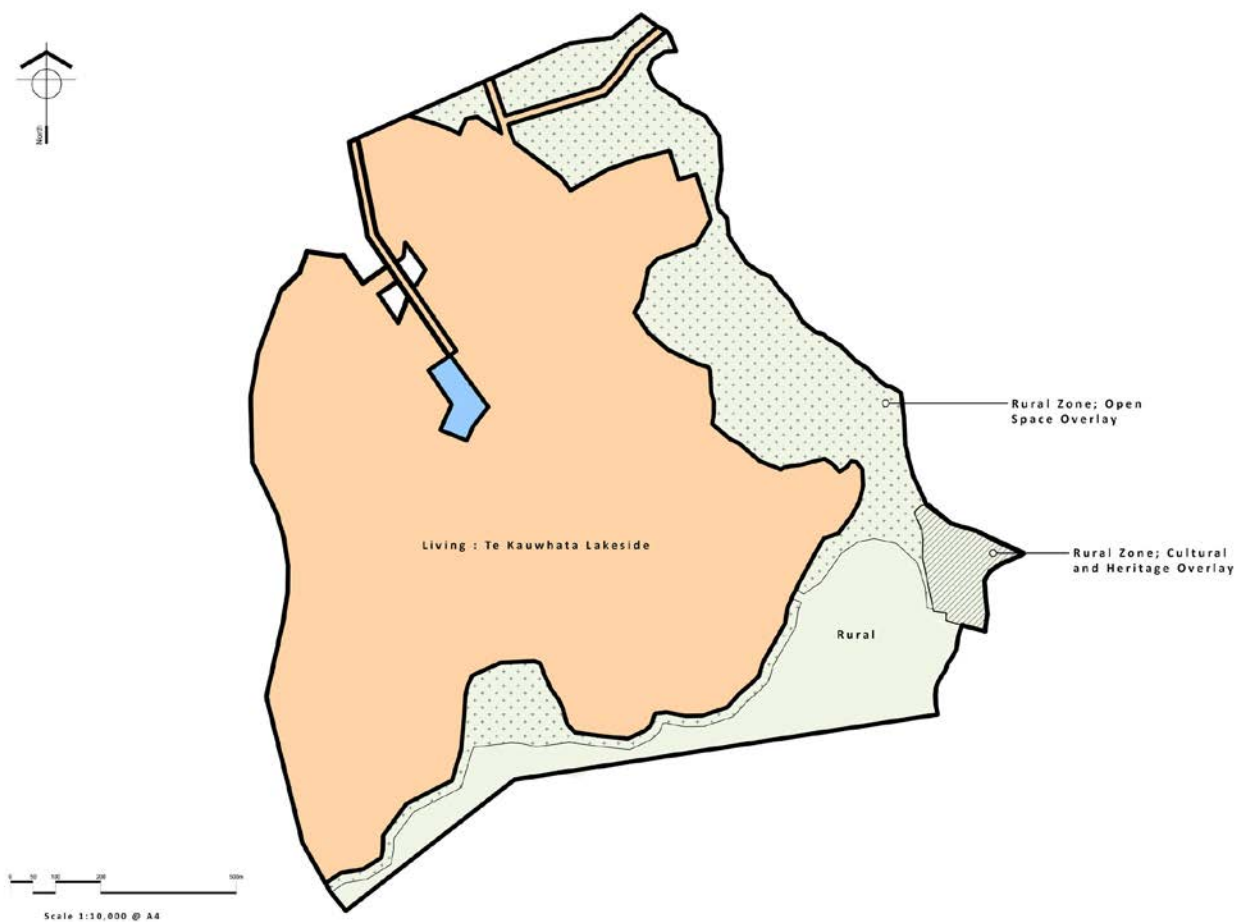
25H.2 Rules applying in the Te Kauwhata Lakeside Rural Zone overlay Area

In addition to the rules in this Schedule 25H, the Rural Rules identified below apply to the Te Kauwhata Lakeside Plan Area:

25.11, 25.13, 25.13A, 25.13AA, 25.15, 25.16, 25.17, 25.18, 25.21, 25.22, 25.30, 25.33, 25.43, 25.43A, 25.51, 25.52, 25.53, 25.54, 25.55, 25.56, 25.59, 25.61, 25.70A, 25.71 and 25.72.

All other rules in Chapter 25: Rural do not apply to the Te Kauwhata Lakeside Plan Area.

Plan 25H.1.1: Lakeside Open Space and Lakeside Cultural and Heritage Overlay



Comprehensive Subdivision

ITEM	CONTROLLED RESTRICTED DISCRETIONARY ACTIVITY	RESOURCE CONSENT
<p><u>25H.3 Comprehensive Subdivision Consent</u></p>	<p><u>25H.3.1</u> <u>A Comprehensive Subdivision Consent (CS) is a controlled-restricted discretionary [WRC 7.3, AWFG F538.6] activity if it is generally in accordance with Te Kauwhata Lakeside Precinct Plans 25H.1.1, 21E.3.2 and 21E.3.3.</u></p> <p><u>A CS is generally in accordance with the Precinct Plans identified above if:</u></p> <ul style="list-style-type: none"> i. <u>Primary roads are within 50m of the location shown on Precinct Plan 21E.3.2; and</u> ii. <u>Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> iii. <u>Indicative walkways/cycleways [WDC 6.8] are within 100m of the location shown on Precinct Plan 21E.3.3. provided connections are retained between the Lakeside Walkway and the residential development; and</u> iv. <u>Lakeside Walkway is within 10m of the location shown on Precinct Plan 21E.3.3;</u> <p><u>A CS can relate to the entire Te Kauwhata Lakeside Precinct Plan Area or may be made for an individual stage or stages provided that an individual stage must be 10ha or more.</u></p> <p><u>Control is reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>consistency with the Te Kauwhata Lakeside Precinct Plans in 25H.1.1 , 21E.3.2 and 21E.3.3</u> (b) <u>matters identified in the assessment criteria in 21E.4 'Spatial Variety and Integration with the Natural Environment' and 'Infrastructure'.</u> 	<p><u>25H.3.4</u> <u>A CS, or an amendment thereto, that does not meet the requirements of Rule 25H.3.1 or 25H.3.2, and does not exceed the parameters below, shall be a discretionary activity:</u></p> <ul style="list-style-type: none"> i. <u>Primary roads are within 5150m-100m of the location shown on Precinct Plan 21E.3.2; [WDC 6.10] and</u> ii. <u>Bus route either on the alignment shown on 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> iii. <u>Indicative walkways/cycleways [WDC 6.8] are within 101100m-200m of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; [WDC 6.10] and</u> iv. <u>Lakeside Walkway is within 1110m-20m of the location shown on Precinct Plan 21E.3.3 [WDC 6.10]</u> <p><u>The matters over which Council reserves control shall be used for assessing discretionary activity applications under this rule.</u></p> <p><u>25H.3.5</u> <u>A CS, or any amendment thereto, that does not meet the conditions for a discretionary activity outlined in 25H.3.4 is a non-complying activity.</u></p>

	<p>(c) <u>managing the effects of stormwater,</u></p> <p>(d) <u>roading and railway network (including level crossing safety) [KW R 34.9] and compliance with a Council approved roading standard,</u></p> <p>(e) <u>protection, restoration or enhancement of ecological features,</u></p> <p>(f) <u>provision and location of existing and future utilities and connections,</u></p> <p>(g) <u>location of roads and their connections,</u></p> <p>(h) <u>provision for public access to Lake Waikare,</u></p> <p>(i) <u>provision of open space, including linkages between residential areas, open space and Lake Waikare,</u></p> <p>(j) <u>effects of natural hazards (including flooding), geotechnical and land contamination,</u></p> <p>(k) <u>provision of the historic lwi overlay area shown on Precinct Plan 21E.3.3.</u></p> <p><u>25H.3.2</u> <u>Amendments to an approved CS is a controlled activity provided the same requirements as for a CS in this rule 25H.3.1 are met. [WRC 7.3]</u></p> <p><u>25H.3.3</u> <u>Applications for approval of a Comprehensive Subdivision (or amendments thereto) as a controlled activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons. [DoC 16.3]</u></p> <p><u>Note 1:</u> <u>CS approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</u></p> <p><u>Note 2:</u> <u>The definition of CS is contained in Part 3 Appendix P.</u></p>	
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Land Use Activities

ITEM	CONTROLLED RESTRICTED DISCRETIONARY	RESOURCE CONSENT
<p><u>25H.4</u> <u>Comprehensive Land Development Consent</u></p>	<p><u>25H.4.1</u> <u>A comprehensive land development consent (CLDC) is a controlled restricted discretionary [WRC 7.3,AWFG 38.6] activity if it is generally in accordance Precinct Plans 21E.3.2, 21E.3.3 and 25H.1.1.</u></p> <p><u>A CLDC is generally in accordance with the Lakeside Precinct Plans identified above if:</u></p> <ul style="list-style-type: none"> i. <u>Primary roads are within 50m of the location shown on Precinct Plan 21E.3.2; and</u> ii. <u>Bus route is either on the alignment shown on Precinct Plan 21E.3.2 or a continuous alignment that achieves the same circulation; and</u> iii. <u>Indicative walkways/cycleways [WRC 6.8] are within 100m of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; and</u> iv. <u>Lakeside Walkway is within 10m of the location shown on Precinct Plan 21E.3.3.</u> <p><u>A CLDC can relate to the entire Te Kauwhata Lakeside Precinct Plan Area, or may be for an individual stage or stages, provided that an individual stage must be 10ha or more.</u></p> <p><u>Control is reserved over:</u></p> <ul style="list-style-type: none"> (a) <u>consistency with the Te Kauwhata Lakeside Precinct Plans in 21E.3.2, 21E.3.3 and 25H.1.1,</u> (b) <u>matters identified in the assessment criteria in 21E.4 'Spatial Variety and Integration with the Natural Environment' and</u> 	<p><u>25H.4.4</u> <u>A CLDC, or an amendment thereto, that does not meet the requirements of Rule 25H.1.1 and 25H.1.2, and does not exceed the parameters below, shall be a discretionary activity:</u></p> <ul style="list-style-type: none"> i. <u>Primary roads are within 5150m-100m of the location shown on Precinct Plan 21E.3.2; [WDC 6.10] and</u> ii. <u>Bus route is either on the alignment shown on 21E.3.2 or a continuous alignment that achieves the same circulation;</u> iii. <u>Indicative walkways/cycleways [WDC 6.8] are within 10100m-200m of the location shown on Precinct Plan 21E.3.3 provided connections are retained between the Lakeside Walkway and the residential development; [WDC 6.10] and</u> iv. <u>Lakeside Walkway is within 110m-20m of the location shown on Precinct Plan 21E.3.3 [WDC 6.10];</u> <p><u>The matters over which Council reserves control shall be used for assessing discretionary activity applications under this rule</u></p> <p><u>25H.4.5</u> <u>Any development that does not meet the conditions for a discretionary activity outlined in 25H.4.4 is a non-complying activity.</u></p>

	<p><u>'Infrastructure',</u></p> <ul style="list-style-type: none"> (c) <u>managing the effects of stormwater,</u> (d) <u>roading network and compliance with a Council approved roading standard,</u> (e) <u>protection, restoration or enhancement of ecological features,</u> (f) <u>provision and location of existing and future utilities and connections,</u> (g) <u>location of roads and their connections,</u> (h) <u>provision for public access to Lake Waikare,</u> (i) <u>provision of open space, including linkages between residential areas, open space and Lake Waikare,</u> (j) <u>effects of natural hazards (including flooding), geotechnical and land contamination,</u> (k) <u>provision of the historic lwi overlay area shown on Precinct Plan 21E.3.3.</u> <p><u>25H.4.2</u> <u>Amendments to an approved CLDC may also be approved provided the same requirements as for a CLDC in this rule 25H.4.1 are met.</u></p> <p><u>25H.4.3</u> <u>Applications for approval of a CLDC (or amendments thereto) as a controlled activity will be considered without public notification and without the need to serve notice on or obtain the written approval of any affected persons. [DoC 16.3]</u></p> <p><u>Note:</u> <u>CLDC approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 1974. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</u></p>	
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<u>ITEM</u>	<u>PERMITTED</u>	<u>RESOURCE CONSENT</u>
<p><u>25H.5</u> <u>Activities generally</u></p>	<p><u>25H.5.1</u> <u>The following activities are permitted within the open space overlay shown on Plan 25H.1.1 provided they comply with all the effects and building rules:</u></p> <ul style="list-style-type: none"> (a) <u>walkways and cycleways;</u> (b) <u>informal recreation;</u> (c) <u>active recreation;</u> (d) <u>an equestrian arena (provided any buildings comply with the building and effects rules of the plan);</u> (e) <u>Information signage;</u> (f) <u>public art;</u> (g) <u>planting and landscaping;</u> (h) <u>infrastructure works associated with roading, stormwater, wastewater and flood protection measures;</u> (i) <u>horticulture;</u> (j) <u>grazing of livestock and pastoral farming where excluded from Lake Waikare and other natural waterways; [WRC 7.8]</u> (k) <u>gardens, landscape and planting including communal gardens,</u> (l) <u>shelters not exceeding 4m in height or 50m² gross roof area;</u> (m) <u>temporary events;</u> (n) <u>network utility.</u> <p><u>25H.5.2</u> <u>The following activities are permitted within the cultural and heritage overlay shown on Plan 25H.1.1 provided they comply with all the effects and building rules:</u></p> <ul style="list-style-type: none"> (a) <u>any activity listed in Rule 25H.5.1;</u> (b) <u>information kiosk;</u> (c) <u>structures providing information on the culture, history or environment of the Lake Waikare and Te Kauwhata area;</u> 	<p><u>25H.5.3</u> <u>Any activity that does not comply with a condition for a permitted activity under 25H.5.1 is a discretionary activity.</u></p> <p><u>25H.5.4</u> <u>Any activity that does not comply with a condition for a permitted activity under 25H.5.2 is a discretionary activity.</u></p>

	(d) <u>memorials recognising the culture and history of the Lake Waikare and Te Kauwhata area.</u>	
<u>25H.6</u> <u>Earthworks</u> <u>(other than earthworks approved as part of a CLDC)</u>	<u>25H.6.1</u> <u>Any activity is a permitted activity if earthworks comply with Rule 25.25.1. [WRC 7.2]</u>	<u>25H.6.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 25H.6.1 is a restricted discretionary activity.</u> <u>Discretion restricted to:</u> <ul style="list-style-type: none"> • <u>effects on amenity values,</u> • <u>visual effects,</u> • <u>mitigation measures including sediment control,</u> • <u>matters listed in Appendix B (Engineering Standards),</u> • <u>effects on land utilisation,</u> • <u>effects on erosion,</u> • <u>effects on cultural values,</u> • <u>effects on heritage values,</u>
<u>25H.7</u> <u>Earthworks</u> <u>filling using imported fill</u> <u>(other than earthworks approved as part of a CLDC)</u>	<u>25H.7.1</u> <u>Any activity is a permitted activity if earthworks comply with Rule 25.27.1 [WRC 7.2]</u>	<u>25H.7.2</u> <u>Any activity that does not comply with a condition for a permitted activity under 25H.7.1 is a restricted discretionary activity.</u> <u>Discretion restricted to:</u> <ul style="list-style-type: none"> • <u>effects on amenity values,</u> • <u>visual effects,</u> • <u>effects on indigenous vegetation and habitat,</u> • <u>mitigation measures including replacement planting where vegetation removal is involved,</u> • <u>matters listed in Appendix B (Engineering Standards),</u> • <u>effects on cultural values,</u> • <u>effects on heritage values,</u>

<p><u>25H.8</u> <u>Filling: Flood risk area</u> <u>(other than earthworks</u> <u>approved as part of a</u> <u>CLDC)</u></p>	<p><u>25H.8.1</u> <u>Any activity in a Flood Risk area is a permitted activity if filling is no</u> <u>more than is necessary to:</u> <u>(i) provide a foundation for building approved by a building</u> <u>consent, and access to that building, or</u> <u>(ii) enable minor upgrading of existing electricity lines and</u> <u>does not exceed 50m³.</u></p>	<p><u>25H.8.2</u> <u>Any activity that does not comply with a condition for a permitted</u> <u>activity under 25H.8.1 is a discretionary activity.</u></p>
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Subdivision

<u>ITEM</u>	<u>CONTROLLED</u>	<u>RESOURCE CONSENT</u>
<p><u>25H.9</u> <u>Subdivision (other</u> <u>than earthworks</u> <u>approved as part of</u> <u>a CS)</u></p>	<p><u>25H.9.1</u> <u>Subdivision is a controlled activity if:</u> <u>(a) It relates to the creation of lots in accordance with the</u> <u>precinct boundaries, and</u> <u>(b) it is in accordance with the Te Kauwhata Lakeside Precinct</u> <u>Plan in 25H.1.1, and</u> <u>(c) it creates titles necessary to vest public open space in the</u> <u>Council or an iwi authority, or</u> <u>(d) it creates titles necessary to provide long-term lease or</u> <u>ownership for informal or active recreational uses within the</u> <u>Te Kauwhata Structure Plan Area, or</u> <u>(e) it creates titles appropriate for the long term management of</u> <u>land or part of land identified as open space overlay on Te</u> <u>Kauwhata Lakeside Precinct Plan 25H.1.1, or</u> <u>(f) It creates a title for the Rural zoned land outside the open</u> <u>space overlays.</u> <u>Control is reserved over:</u></p>	<p><u>25H.9.2</u> <u>Subdivision that does not comply with a condition for a</u> <u>controlled activity under 25H.9.1 is a restricted discretionary</u> <u>activity.</u> <u>Discretion restricted to:</u> <u>(a) extent to which the proposal accords with the Te Kauwhata</u> <u>Lakeside Precinct Plan 25H1.1,</u> <u>(b) amenity,</u> <u>(c) pedestrian and cycle networks,</u> <u>(d) access roads,</u> <u>(e) access to Lake Waikare.</u></p>

	<p>(a) <u>extent to which it accords with the Te Kauwhata Lakeside Precinct Plan 25H.1.1,</u></p> <p>(b) <u>extent to which the subdivision facilitates the vesting of public open space or the creation of sites for informal or active recreation use, or grazing and pastoral farming activity,</u></p> <p>(c) <u>vehicle access and pedestrian networks.</u></p>	
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25H.10 Information requirements

Applications for a Lakeside Precinct Plan Area Comprehensive Subdivision Consent or Comprehensive Land Development Consent

Applications for a Lakeside Precinct Plan Area CS or CLDC shall be accompanied by:

1. a copy of the latest masterplan for the entire Lakeside Precinct Plan Area
2. an urban design assessment which includes:
 - how the proposal integrates with the latest masterplan and the wider Te Kauwhata area
 - how the area can integrate into open space networks shown on Plan 25H.3
3. an assessment of any works within the flood plain

Overall, the reports and assessments accompanying an application for a CS or CLDC approval or amendment are to be sufficiently comprehensive and provide environmental information, analysis and assessments of potential effects on the environment (of development that would be enabled by the CS or CLDC provisions) to adequately inform assessment of the proposed CS or CLDC under sections 95A to 95E and 104(1) and 104A of the Resource Management Act.

PART F - AMENDMENTS TO PART 29 – REASONS AND EXPLANATIONS

Insert the following text in section 29.3

Te Kauwhata Lakeside Precinct Plan Area

The Te Kauwhata Lakeside Precinct Plan Area comprises Living and Rural (with an open space overlay and a cultural and heritage overlay) zoning with a small Business zone block. The combination of these zones and overlays which apply to the Te Kauwhata Lakeside Precinct Plan Area provide for a combination of village development at medium and higher density and significant open space areas. The housing typologies will complement the existing range of buildings provided for within Te Kauwhata. It will reinforce Te Kauwhata as a rural township with a diverse community. Provision is made for a retirement village.

Significant rural zoning with overlays and development of a walkway network will open up the foreshore of Lake Waikare to the Te Kauwhata community and public. A limited number of non-residential activities are provided for subject to District Plan controls over scale to ensure they contribute to rather than detract from the existing Te Kauwhata village.

All development within the zones must be in accordance with the Te Kauwhata Lakeside Precinct Plan in 21E.3. A Comprehensive Subdivision (which may be prepared in stages) is required to be implemented prior to any new development or land-use activity occurring within the zone. The Comprehensive Subdivision is required to be in accordance with the Te Kauwhata Lakeside Precinct Plans contained in Schedule 21E.3 in order to have controlled activity status. A Comprehensive Subdivision Consent that is not in accordance with the Te Kauwhata Lakeside Precinct Plan is a discretionary activity.

Significant areas of private open space are created within the Precinct. These areas are zoned Rural but with a unique overlay applying to the Lakeside Precinct. The overlay provides for a range of open space uses and a network of walkways and cycleways. It also provides wetlands associated with stormwater and possibly wastewater treatment. A particular cultural heritage overlay applies to the iwi reserve recognising the cultural importance of this land associated with the Waikato Maori Land Wars. This overlay provides for open space uses enabling walkway connections, shelter, public art and the opportunity for an appropriate memorial and / or information kiosk recognising the environment, heritage and history of this location.

The Lakeside development has the opportunity to be self-sufficient in wastewater or could proceed once the Council's upgrade to Te Kauwhata wastewater system is complete. There is the opportunity for an integrated wastewater system servicing both the existing Te Kauwhata area and Lakeside. Housing development will only proceed after an appropriate wastewater network for Lakeside has been consented.

Additional roading access to enhance connectivity to the "village" and adequate roading capacity is provided to the north-east once more than 400 lots are developed within the Precinct.

PART G - CONSEQUENTIAL AMENDMENTS TO 15A: TE KAUWHATA STRUCTURE PLAN

The following are insertions to be added into 15A: Te Kauwhata Structure Plan. Existing text is shown in black, insertions are shown in red.

1. Insert the following after the first paragraph in 15A:

A particular Lakeside Precinct Plan applies to the area south of the current town centre and adjoining Lake Waikare. This area is within the Te Kauwhata Structure Plan Area as shown in Schedule 21E.3, but it has its own provisions particular to the Lakeside location. The Lakeside Precinct Plan Area complements the range of housing typologies within Te Kauwhata by providing medium and relatively higher densities. The higher density areas are complemented with the extensive use of communal open space. These areas are also in close proximity to the significant public open space proposed as part of the Lakeside Precinct Plan Area. The objectives, policies and provisions for Lakeside complement the general Te Kauwhata Structure Plan provisions. In particular, they limit business development so as to reinforce the Te Kauwhata town centre. The Lakeside Precinct Plan provides for the opening up of Lake Waikare to public access. Development controls ensure high quality neighbourhoods. Provisions are put in place to promote comprehensive integrated development. The objectives and policies for the Lakeside Precinct Plan Area are set out in section 15D.

2. Insert “and Lake Waikare” into policy 15A.2.4.6 as follows:

15A.2.4

6. open space including a connection to the Whangamarino Wetland and Lake Waikare.

3. Insert “open spaces, and” into policy 15A.2.13.2 as follows:

15A.2.13

2. be in close proximity to public transport nodes, the town centre and open spaces, and

4. Insert “or form part of an integrated development approved as a Comprehensive Land Development Consent or Comprehensive Subdivision Consent” into policy 15A.2.20 as follows:

15A.2.20

Modifications to flow paths, ponding areas and drainage patterns should be limited to minor adjustments that enable an overall enhancement of the environment or restore previously modified systems or form part of an integrated development approved as a Comprehensive Land Development Consent or Comprehensive Subdivision Consent.

5. Insert the following sentence under 15A.3 Reasons and Explanations:

“The reasons and explanations for the Lakeside Precinct Plan Area are set out in section 15D.”

6. Insert the following as a last paragraph in 15A.3.10 Transport:

“Once the Lakeside development exceeds 400 sites and/or dwellings, a second access road will be constructed in the north-east linking the Lakeside Precinct to the Te Kauwhata urban area in the vicinity of Rata Street.”

7. Insert the following under heading 15A.4 Methods of Implementation:

"The methods of implementation for the Lakeside Precinct Plan Area are set out in section 15D."

8. Insert the following sentence under the heading 15A.5 Reasons for Methods:

"The reasons for methods of the Lakeside Precinct Plan Area are set out in section 15D."

PART H - CONSEQUENTIAL AMENDMENTS

Add the following definition to Part 3 Appendices P – “Meaning of Words”

Comprehensive Subdivision Consent (CS)

Comprehensive Subdivision Consent relates to the Te Kauwhata Lakeside Precinct Plan referred to in Parts 21E Living Zone Rules, 23C Business Zone Rules and 25H Rural Zone Rules of this plan.

A Comprehensive Subdivision is a subdivision of 10ha or more which provides for staged, integrated development within the Te Kauwhata Lakeside Precinct Plan Area. The Comprehensive Subdivision can cover a range of zonings including Living, Business, Rural and Recreation.

A Comprehensive Subdivision Consent includes the provision of sites for roading, walking and cycling trails, sites for open space and community facilities, dedicated sites for wastewater and stormwater infrastructure and development sites for housing, business and other activities provided for within the relevant zone/structure plan. It also includes sites for associated infrastructure.

A Comprehensive Subdivision Consent may be applied for concurrently with a Comprehensive Land Development Consent or separately.

Comprehensive Land Development Consent (CLDC)

Comprehensive Land Development Consent relates to Te Kauwhata Lakeside Precinct referred to in Parts 21E, 23C and 25H of this plan.

A Comprehensive Land Development Consent is a bundle of land use consents that apply to an area of land of 10ha or more which provides for staged integrated development within the Te Kauwhata Lakeside Precinct Plan Area. The Comprehensive Land Development Consent can cover a range of zoning including Living, Business, Rural and Recreation.

A CLDC includes the provision of earthworks, roading network, wastewater infrastructure including treatment plants, pipelines and associated wetlands, stormwater infrastructure, network utilities and other infrastructure, open space, ecological restoration, works in the flood plain, landscaping and planting, community facilities, walkways and cycleways and associated land decontamination.

A Comprehensive Land Development Consent may be applied for concurrently with a Comprehensive Subdivision or separately.

Community Activity (Te Kauwhata Lakeside Precinct)

Community activity relates to Te Kauwhata Lakeside Precinct referred to in Parts 21E and 23C of this plan.

Community activity means the use of land and buildings which provides for individual or community health, welfare, care, safety, recreational, cultural, ceremonial, spiritual, and art and craft purpose. It includes any preschool or educational facility, place of worship, community hall or centre or recreational facility.