

This chapter is subject to the following plan changes:
 Proposed new text in Notified Plan Change 12 - underlined with green highlighting.
 Proposed deleted text in Notified Plan Change 12 - ~~strikethrough with red highlighting~~.
 Recommended amendments to Notified Plan Change 12:

- New text - underlined.
- Deleted Operative Plan text – ~~strikethrough~~.
- Deleted Notified Plan Change 12 text – ~~strikethrough~~.

Submission Points relating to recommended amendments.

4.5 Large Lot Residential Zone

4.5.1 Purpose

The Large Lot Residential Zone recognises that there are certain locations where a lower density is required to manage the effects of residential development in a sustainable manner. The Large Lot Residential Zone is similar in most respects to the General Residential Zone, with the obvious difference being the size of allotments within the Large Lot Residential Zone. The locations and rationale for this zone in these locations are outlined below.

Ruakura Structure Plan area (SH26)

This location is not serviced and is already characterised by a range of large lot residential and non-residential uses.

Ruakura Structure Plan area (Percival/Ryburn Roads)

The area bounded by Percival, and Ryburn Roads, the designation for the Waikato Expressway, the East Coast Main Trunk railway (ECMT) and the approved inland port (Logistics Zone, Sub–Area A – see Figure 2-14 Ruakura Structure Plan – Land use (Appendix2)) is characterised by a range of large lot residential uses and some rural activities. This area is not serviced and is not intended to be serviced.

This area is planned in the Ruakura Structure Plan area to transition to the Ruakura Logistics Zone in future district plans. To protect amenity a buffer will be necessary at the interface between the land intended to support the expansion of the inland port and future development in the Industrial Park Zone and the residential area. Interface design control measures are therefore adopted to assist in the protection of the residential amenity resulting from the development of the inland port and related activities adjacent to the enclave. The buffer measures are to be detailed in the relevant Lane Development Plan and implemented prior to the land being developed. For the avoidance of doubt, the required vegetation is to have been planted prior to development and have established heights and densities.

The conversion of the rural residential area to a Logistics zoning will require a change or variation to be made to the District Plan when there is sufficient information and certainty about the timing and need for the ‘new’ zoning. This is consistent with the staged industrial land allocation provided in the Regional Policy Statement.

4.5.2 Objectives and Policies: Large Lot Residential Zone

Objective	Policies
<b style="color: #0056b3; text-decoration: underline;">4.5.2.1 Protect the amenity values of the Percival – Ryburn Road Large Lot Residential Zone, while providing for the urbanisation for the Ruakura Structure Plan area.	<b style="color: #0056b3; text-decoration: underline;">4.5.2.1a Maintain the low density living environment by limiting the subdivision of land for further residential purposes.
	<b style="color: #0056b3; text-decoration: underline;">4.5.2.1b

	Maintain efficient management of water supply and the treatment and disposal of stormwater and wastewater.
Explanation	

This objective recognises that the area is an established rural residential enclave but that there is a need to manage its subdivision, use and development of future residential land uses given the area's central location and ultimately as part of an inland port which once completed will be of a scale that will make it a regionally significant facility.

Objective	Policies
4.5.2.2 Further development within the Percival /Ryburn Road Large Lot Residential Zone does not compromise future logistics zoning as provided for in the Regional Policy Statement.	4.5.2.2a Manage the transition to a logistics zoning by a variation or change to the District Plan when there is sufficient information and certainty about the timing and need for this zoning.

Explanation

The large lot residential zoning for the Percival-Ryburn Road area is intended to change to adopt a zoning consistent with the zoning of the adjoining land that serves the operations of the inland port. This will occur as part of a publicly notified planning process.

Objective	Policies
4.5.2.3 The development contributes to good neighbourhood amenity as the area matures.	4.5.2.3a Development in the Large Lot Residential Zones should not detract from or degrade the existing character of the surrounding area.

Explanation

4.5.3 Rules – Large Lot Residential Zone

4.5.3.1 Activity Status Table

Activity	Large Lot Residential Zone
Residential Activities and Structures	
a. Accessory building	P
b. Ancillary residential structures	P
c. Emergency housing for up to 10 residents	P
d. Ancillary residential unit	P
e. Residential activities (Except the use of buildings in the Percival/Ryburn Roads Ruakura Structure Plan Area – See 4.5.3.12 xx)	P
f. One single residential unit on a site	P
g. 2 or more single residential units on a site	RD*

h. <u>Duplex dwelling (2 units) on a single site</u> i. <u>Percival and Ryburn Road enclave</u>	<u>RD*</u> <u>NC</u>
i. <u>Integrated Residential Development</u>	<u>NC</u>
j. <u>Terrace Housing Units</u> i. <u>Percival and Ryburn Road enclave</u>	<u>D</u> <u>NC</u>
k. <u>Apartments</u> i. <u>Percival and Ryburn Road enclave</u>	<u>D</u> <u>NC</u>
l. <u>Papakainga</u>	<u>RD*</u>
m. <u>Rest home</u>	<u>RD*</u>
n. <u>Managed care facilities</u> i. <u>Up to 109 residents</u> ii. <u>1140 or more residents (excluding including emergency housing)</u>	<u>P</u> <u>D</u>
o. <u>Residential centre</u>	<u>D</u>
Commercial Activities and Structures	
p. <u>Home-based business</u>	<u>P</u>
q. <u>Homestay accommodation</u>	<u>P</u>
r. <u>Show homes</u>	<u>P</u>
s. <u>Childcare facility</u> i. <u>Up to 5 children</u> ii. <u>Six or more children</u>	<u>P</u> <u>RD</u>
t. <u>Dairy</u>	<u>D</u>
u. <u>Health care service</u>	<u>NC</u>
v. <u>Places of assembly</u>	<u>NC</u>
w. <u>Visitor accommodation</u>	<u>D</u>
x. <u>Offices, other than as a home-based business</u>	<u>NC</u>
y. <u>Service industry</u>	<u>NC</u>
z. <u>Light industry</u>	<u>NC</u>
aa. <u>Restaurants</u>	<u>NC</u>
bb. <u>Licensed premises</u>	<u>NC</u>
cc. <u>Conference facility</u>	<u>NC</u>
dd. <u>Tertiary education and specialised training facility</u>	<u>NC</u>
ee. <u>Farming activities</u>	<u>P</u>
ff. <u>Rural industry</u>	<u>D</u>
gg. <u>Produce stalls</u>	<u>P</u>
hh. <u>The use of buildings for any residential activity in the Percival/Ryburn Roads Ruakura Residential Precinct where the site is subject to a restrictive no-complaint covenant in favour of adjoining Industrial Park and Logistics Zoned land (see Note 3 below).</u>	<u>P</u>

ii. <u>The use of buildings for any residential activity in the Percival/Ryburn Roads Ruakura Residential Precinct where the site is not subject to a restrictive no-complaint covenant in favour of adjoining Industrial Park and Logistics Zoned land (see Note 3 below).</u>	<u>D</u>
Community Activities and Structures	
jj. <u>Temporary activities</u>	<u>P</u>
kk. <u>Informal recreation</u>	<u>P</u>
ll. <u>Organised recreation</u>	<u>P</u>
mm. <u>Community centre</u>	<u>D</u>
nn. <u>General recreation</u>	<u>D</u>
oo. <u>Places of worship</u>	<u>D</u>
pp. <u>Marae</u>	<u>D</u>
qq. <u>School</u>	<u>NC</u>
All Activities and Structures	
rr. <u>Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)</u>	<u>P</u>
ss. <u>Demolition or removal of heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage</u>	<u>See Chapter 19</u>
tt. <u>Maintenance, repair and alterations and additions to existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)</u>	<u>P</u>
uu. <u>Maintenance, repair and alterations and additions to heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage.</u>	<u>See Chapter 19</u>
vv. <u>Any earthworks within the root protection zone of a tree where the trunk is located within a Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)</u>	<u>RD</u>
ww. <u>Pruning and maintenance of a tree within an Significant Natural Area where the canopy overhangs the boundary of the Significant natural Area in Schedule 9C (Volume 2, Appendix 9)</u>	<u>P</u>
xx. <u>Relocated buildings</u>	<u>P</u>
yy. <u>Emergency service facilities</u>	<u>D</u>
zz. <u>Any boundary wall/fence over 2.5m high as per Rule 4.5.4.7 b.</u>	<u>D</u>

Note

- For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor.
- Refer to Chapter 1.1.9 for activities marked with an asterisk (*)
- For the purposes of this rule a “restrictive no-complaint covenant” is defined as a restrictive covenant registered on the Title to the property or a binding agreement to covenant, in favour of the adjoining Industrial Park and Logistics Zoned land by the landowner (and binding any successors in title) not to complain as to effects generated by the lawful establishment and operation of the Industrial Park and Logistics Zoned land (including the inland port).

4.5.4 Rules – General Standards – Large Lot Residential Zone.

4.5.4.1 Density

Activity	Rules – General Standards – Large Lot Residential Zone
Single Residential Unit i. SH26 - Ruakura Structure Plan area ii. Percival/ Ryburn Roads - Ruakura Structure Plan area	2500m ² per residential unit 2ha per residential unit
Single dwellings with an ancillary residential unit	3500m ² total for both dwelling and ancillary residential unit
Duplex Dwelling	2500m ² per duplex (1250m ² per residential unit)
Residential centres	300m ² per resident
Rest homes	300m ² per resident
Managed care facilities	400m ² per resident
Relocated dwelling i. Percival/Ryburn Roads) Ruakura Structure Plan area.	2500m ² per residential unit 2ha per residential unit*

Notes

- Dwellings in the Percival/Ryburn Roads Ruakura Structure Plan area not complying with the density standards in 4.4.1 shall be a non-complying activity.
- The minimum net site areas marked with a “*” in rule 4.4.1 a above shall not apply to the property at 23 Ryburn Road (lot 8, DP 9210) where one additional dwelling is permitted with a minimum net site area of 5,000m².

4.5.4.2 Site-Building Coverage

Activity Specific	Standards
Maximum Site Coverage unless:	20%

4.5.4.3 ImpPermeable Surface

Activity	Standards
a. Front sites, corner sites, through sites only: front setback (required by Rule 4.5.4.6) to be planted in grass, shrubs or trees	Minimum 3070%
b. ImpPermeability across the entire site (can include area required by Rule 4.5.4.3 a above)	Minimum 3070%

4.5.4.4 Building Height

Activity	General Residential Zone
a. Height of buildings	Maximum 10m

4.5.4.5 Height in Relation to Boundary

Large Lot Residential Zone
a. No part of any building shall protrude through a height control plane rising at an angle of 28 degrees between northwest (315 degrees) and northeast (45 degrees), and rising at an angle of 45 degrees in all other directions. This angle is measured from 3m above ground level at all boundaries (see Figure 4.5.4.5 b below).

Except that:

- i. Where buildings are attached, no height control plane is required between those buildings
- ii. Where a boundary adjoins a transport corridor, the 45-degree angle applies to that boundary, measured 3m above the boundary (see Figure 4.5.4.5 a below).
- iii. Where there are two or more dwellings on the same site, the plane shall be measured at a line midway between the two dwellings rising at an angle of 45 degrees and with this angle measured from 3m above ground level at the midway line or the indicative subdivision boundary.
- iv. Where the boundary subject to measurement adjoins a legal right of way, access lot or entrance strip, the standard applies from the farthest boundary of that legal right of way, access lot or entrance strip.
- v. The height in relation to boundary control may be reduced where the written consent of owners adjoining the height in relation to boundary infringement is obtained. This does not apply to public boundaries.

b. The height in relation to boundary control may be reduced where the written consent of owners adjoining the height in relation to boundary infringement is obtained. This does not apply to public boundaries.

c. The following exemptions apply to Rule 4.5.4.5.a:

- i. Chimneys, flues and similar projections not exceeding 2m in height and 1m² in area may protrude through the height control plane; and
- ii. An aerial as permitted in Volume 1, Chapter 25.7 City-wide – Network Utilities and the Electricity National Grid Corridor may protrude through the height control plane; and
- iii. A gable end, dormer or roof may project beyond the height control plane where:
 - A. Any projection is no greater than 1.5m² in area and no greater than 1m in height; and
 - B. Any projection is no greater than 2.5m cumulatively in length measured along the edge of the roof (see figure 4.5.4.5 c); and
 - C. No more than two gable end, dormer or roof projections occur on any sites given elevation.

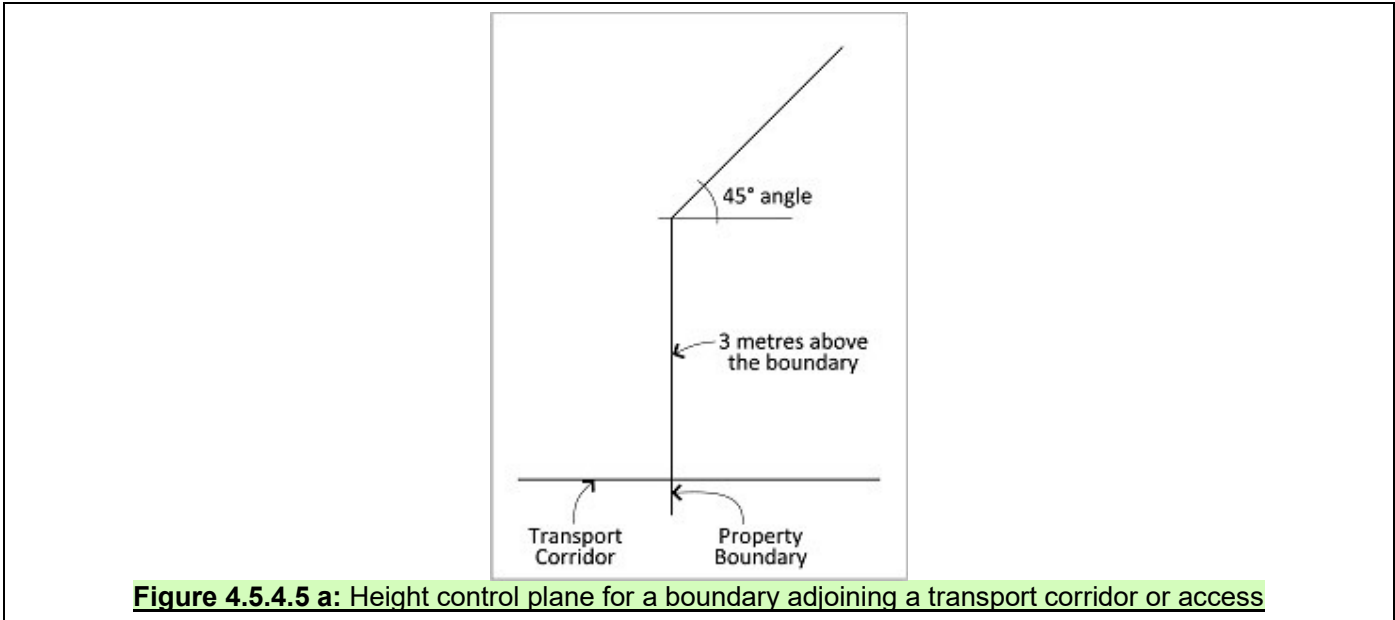


Figure 4.5.4.5 a: Height control plane for a boundary adjoining a transport corridor or access

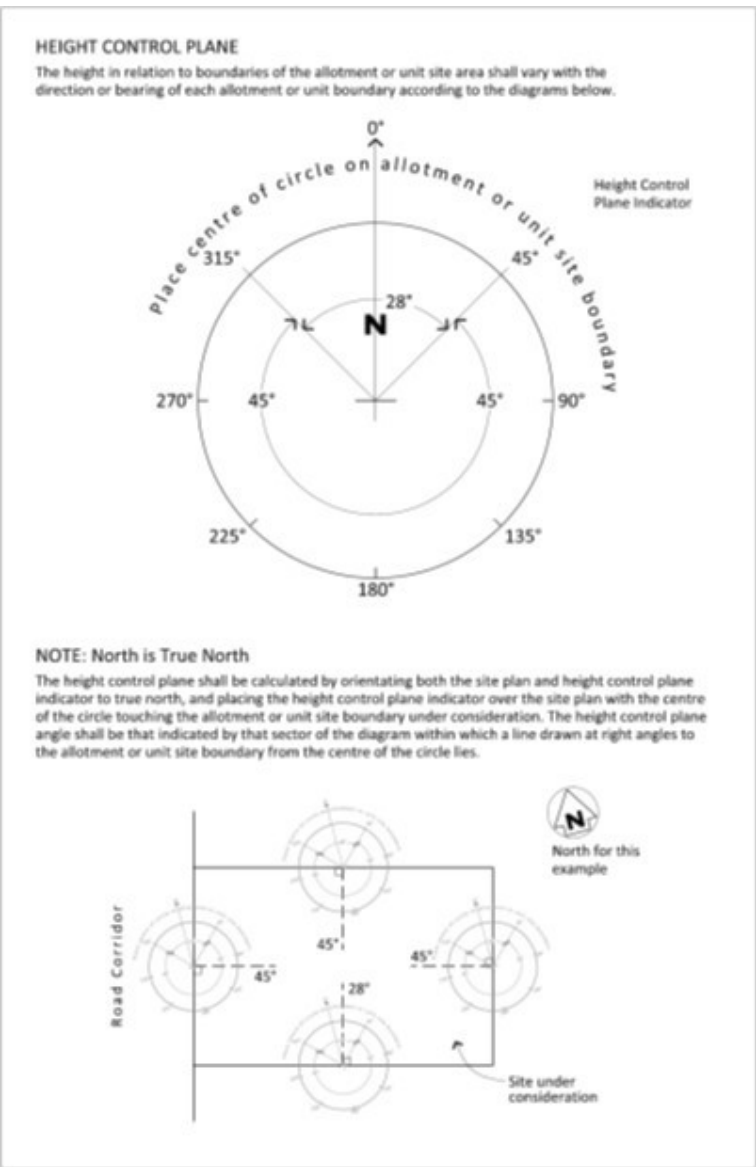


Figure 4.5.4.5 b: Height Control Plane

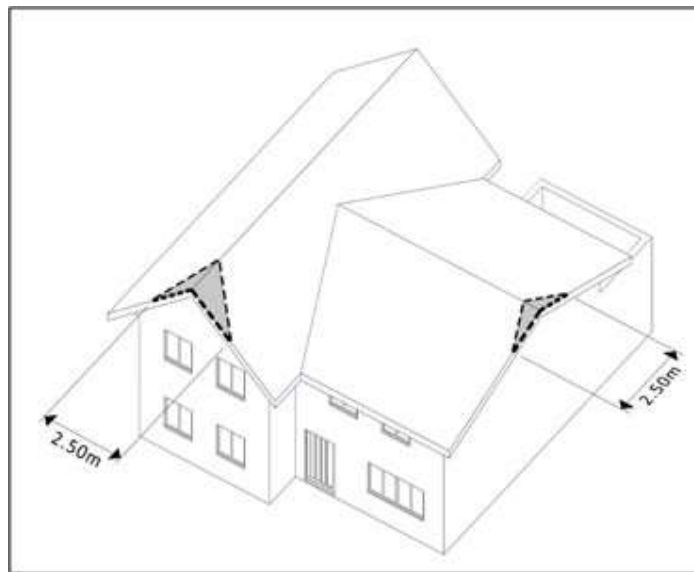


Figure 4.5.4.5 c: Exceptions for gable ends, dormers and roof projections

4.5.4.6 Building Setbacks

Activity	Minimum distance
a. Transport corridor boundary	5m
b. Side yards	1.5m
c. Side yard per site where it is a common/party wall	0m
d. Rear yard	1.5
<p>e. Side and rear yard setbacks may be reduced where:</p> <ul style="list-style-type: none"> i. The written consent of the owners adjoining the relevant setback or setbacks is obtained; or ii. It is proposed to site a building within the 1.5m setback and: <ul style="list-style-type: none"> A. The building is less than 10m² in area; and B. The building is less than 2m in height; and C. The building will not be connected to electricity supply; and D. There is no discharge of stormwater onto neighbouring land from the building; and E. No more than one building is established on a site in accordance with this rule; except where notional boundaries are shown for an approved subdivision, one accessory building can exist for each notional lot 	
<p>f. Any other boundary:</p> <ul style="list-style-type: none"> i. 5m setback for SH26 and Percival/Ryburn Roads ii. 50m for buildings and outdoor hardstands used for housing and feeding animals, including milking sheds and shearing sheds. 	

	<p>iii. <u>250m for residential units set back from the operational area of an existing intensive farm on any other site.</u></p> <p>iv. <u>25m from any water body.</u></p>
g.	<p><u>Waikato Riverbank and Gully Hazard Area</u></p> <p><u>6m (applies to buildings and swimming pools)</u></p>
h.	<p><u>Waikato Expressway (Designation E90 or E90a)</u></p> <p><u>40m measured from the actual carriageway edge of the Waikato Expressway.</u></p>

Note

- of building Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.
- The above standards do not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
- Rear and side year setbacks do not apply to rainwater tanks with a capacity of <10,500 litres (Refer to Chapter 25.13).

4.5.4.7 Fences and Walls

Rules	
a.	<u>Boundary fences and/or walls shall have a maximum height of 1.8m.</u>
b.	<p><u>Where a retaining wall and front fence are proposed, the maximum height of the combined structure measured from the bottom to top, shall be no more than 1.5m before the following shall apply:</u></p> <div style="text-align: center;"> </div> <p>Figure 4.5.4.7(b) a Retaining wall and fence height</p> <p>i. <u>Between 1.5m – 2.5m: A horizontal step at least 1m in depth shall be integrated into the structures no more than 1.2m above the level of the street boundary.</u></p>

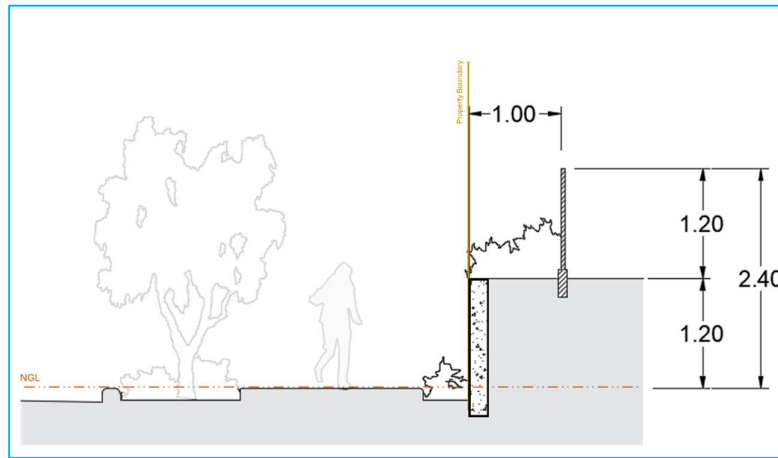


Figure 4.5.4.7(b) b Retaining wall and fence height - one step

- ii. Between 2.6m – 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structures no more than 1.2m above the ground level at the base of each 'step'.

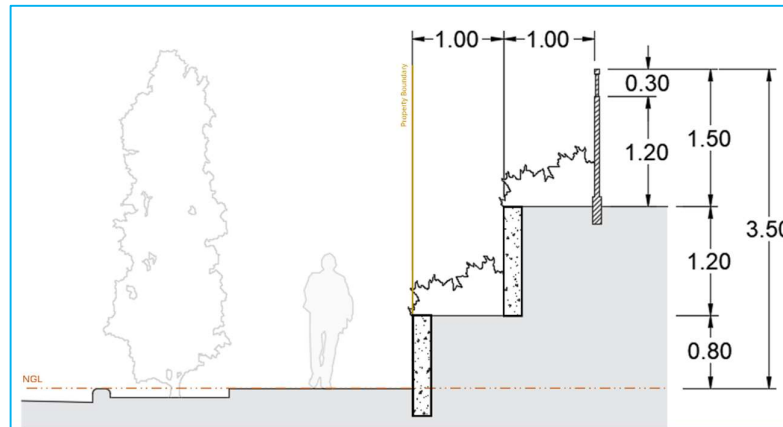


Figure 4.5.4.7(b) c Retaining wall and fence height - two steps

- iii. More than 3.6m: discretionary activity.

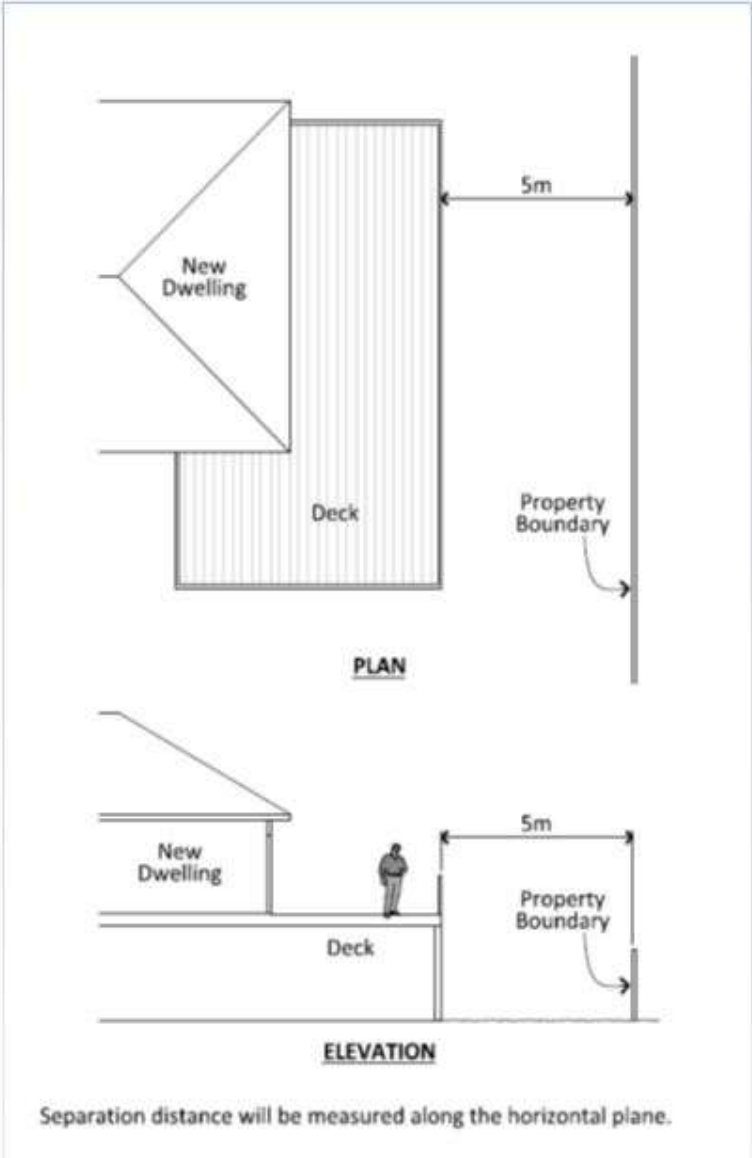
- c. Any retaining wall which is higher than 1.5m and load bearing is not subject to this standard and will be considered, for the purpose of assessment, as a building.
- d. Any fence and/or wall that is taller than 2.5m is not subject to this standard and will be considered, for the purpose of assessment, as a building.
- e. Rule 4.5.4.7 shall not apply to any fence and/or wall which:
 - i. Following construction will be located at or below the natural ground level of the land that existed prior to construction commencing; or
 - ii. Is internal to a proposed development and does not result in any fence or wall which has a height of 1.8m or more in relation to natural ground level of any adjoining external property boundary not in common ownership.

Note

For the purpose of the Building Act 2004 any retaining wall with a fall height greater than 1.0m requires the provision of a fall protection fence or similar of not less than 1.0m high. For the purpose of this rule this fall protection will be considered

as an integral part of the retaining wall and the combined height will be assessed as the overall height of both structures

4.5.4.8 Residential Buildings – Separation and Privacy

Rules	
a.	Residential buildings shall be set back at least 3m from the nearest part of any other residential building on the same site, except: <ul style="list-style-type: none">i. No separation is required between buildings that are attached.ii. Where windows are located and designed (including by glazing) to avoid views between rooms in different buildings on the same site, separation distance is a minimum of 1.5m.
b.	A balcony at upper-floor level shall be set back at least 5m from all boundaries (see Figure 4.5.4.8 a). This does not apply to a boundary along a transport corridor, access way, right-of-way, private way, access lot, or entrance strip, less than 6m wide.
	 <p>Figure 4.5.4.8 a: Upper-floor setbacks for separation and privacy</p>

4.5.4.9 Interface Between Public and Private

Rules	
a.	These standards only apply to residential units and accessory buildings on front, corner and through sites that have unit site areas that directly front onto a transport corridor.
b.	<p>Location of accessory building:</p> <ul style="list-style-type: none"> i. Any accessory building (excluding a carport) that: <ul style="list-style-type: none"> A. Is located forward of the front building line of a dwelling; and B. Does not have a vehicle entrance facing nor opening toward a transport corridor C. Shall be provided with a window(s) facing the transport corridor which have an area no less than 10% of the façade of the accessory building. ii. Where the accessory building is to be located between any residential unit and a transport corridor, it shall not cover more than 50% of the front façade of the residential unit that is visible at ground level from the transport corridor for the purpose of assessment. <ul style="list-style-type: none"> A. The measurement of the extent that a residential unit and any accessory building is visible, shall be taken from the elevation plans provided to illustrate the proposed development. B. This standard shall apply regardless of whether there is any screen fencing or planting of the transport corridor boundary existing or proposed. C. This standard shall apply regardless of whether there is any screen fencing or planting of the transport corridor boundary existing or proposed.
c.	At least one habitable room of the residential unit shall have a clear-glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any accessory building. For corner and through sites this shall be required only on the frontage from which vehicular access is provided.

4.5.4.10 Outdoor Living Area

Outdoor living area per residential unit	
a.	These standards do not apply to managed care facilities or rest homes.
b.	Each residential unit, except for when a communal area is provided, shall be provided with an outdoor living area that is <ul style="list-style-type: none"> i. For the exclusive use of each residential unit ii. Readily accessible from a living area inside the residential unit. iii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
c.	Communal open space for 4 or more residential units shall comply with 4.5.4.10 b) iii) as well as being: <ul style="list-style-type: none"> i. For the shared use of all residents on site, and ii. Readily accessible from all residential units on site.
d.	Outdoor living areas shall have areas and dimensions as follows.

	<u>Residential Units</u>	<u>Outdoor living area per residential unit</u>	<u>Shape</u>
	i. <u>Including single residential dwellings and duplex dwellings</u>	<ul style="list-style-type: none"> • <u>Up to 2 bedrooms- 35m²; plus</u> • <u>10m² for each additional bedroom over 2</u> 	<p><u>Either:</u></p> <ul style="list-style-type: none"> • <u>No width contributing to the complying area less than 4.0m; or</u> • <u>Capable of containing a 6m circle with no dimension less than 2.5m</u>
	ii. <u>Ancillary residential unit</u>	<u>12m²</u>	<u>No dimension less than 2.5m</u>
	iii. <u>Communal open space for 4 or more residential units for the exclusive use of the residential units</u>	<u>12m²</u>	<u>Capable of containing a 8m diameter circle</u>
e.	<u>The outdoor living area for an ancillary residential unit shall be separate from the outdoor living area provided for the principal residential unit.</u>		
f.	<u>Communal open space is an alternative to, and not in addition to, individual outdoor living areas for each residential unit.</u>		

4.5.4.11 Service Areas

<u>Activity</u>	<u>Minimum requirements per residential unit</u>
a. <u>Residential units</u>	<p>i. <u>15m² per residential unit and may be made up of two separate areas incorporating</u></p> <ul style="list-style-type: none"> • <u>10m² for clothes drying (e.g. foldable clothes line)</u> • <u>5m² for rubbish / recycling storage</u> <p>ii. <u>Minimum dimension 1.5m</u></p>
b. <u>Second and subsequent residential units, including duplex dwellings</u>	<p>i. <u>Additional 15m², and may be made up of two separate areas incorporating</u></p> <ul style="list-style-type: none"> • <u>10m² for clothes drying (e.g. foldable clothes line)</u> • <u>5m² for rubbish / recycling storage</u> <p>ii. <u>Minimum dimension 1.5m</u></p>
c. <u>Dairies (may be indoor or outdoor)</u>	i. <u>Minimum 10m²</u>

		<ul style="list-style-type: none"> ii. <u>Minimum dimension 1.5m</u> iii. <u>Readily accessible to service vehicles</u> iv. <u>Indoor service area separately partitioned</u> v. <u>Outdoor service area; all-weather dust-free surface</u>
<p>d.</p>	<p><u>All service areas</u></p>	<ul style="list-style-type: none"> i. <u>Clothes drying areas shall be readily accessible from each residential unit</u> ii. <u>Not visible from a public place unless screened from view by vegetation or fencing in accordance with Section 25.5.</u> iii. <u>Rubbish and recycling areas required for each residential unit shall be located where bins can be moved for roadside collection without requirement for them to be moved through the residential unit (excluding garages).</u>
<p>e.</p>	<p><u>These standards do not apply to managed care facilities or rest homes (See Rules 4.5.5.5. or 4.5.5.8.).</u></p>	

4.5.5 Rules – Specific Standards

4.5.5.1 Effluent Disposal

- a. Areas for the on-site disposal or storage of sewage (septic tanks) or farm effluent shall not be located within a:
 - i. High Flood Hazard Area
 - ii. Medium Flood Hazard Area.
 - iii. Low Flood Hazard Area.
 - iv. Temple View Flood Hazard Area.
 - v. Culvert Block Flood Hazard Area.
 - vi. Waikato Riverbank and Gully Hazard Area.
 - vii. Significant Natural Area (refer to Volume 2, Appendix 9, Schedule 9C: Significant Natural Areas).
 - viii. Root protection zone of a notable tree (refer to Volume 2, Appendix 9, Schedule 9D: Notable Trees).

- ix. Site in Schedule 8B: Group 1 Archaeological and Cultural Sites (refer to Volume 2, Appendix 8, Schedule 8B).
- b. Facilities for the storage and disposal of sewage (septic tanks) or farm effluent shall be sited at least 25m from any natural or artificial water course or any lake.
- c. Facilities for the storage and disposal of farm effluent shall be sited at least:
 - i. 100m from any residential unit on another site.
 - ii. 15m from any site boundary.
 - iii. 150m from any General Residential Zone boundary.

4.5.5.2 Produce Stalls

- a. One produce stall shall be allowed per site.
- b. Produce stalls shall not exceed 16m² gross floor area.
- c. Produce sold from a stall shall be grown or made either:
 - i. On the property on which it is offered for sale.
 - ii. On land owned or leased by the vendor of the produce.
 - iii. On land less than 3km from the property on which it is offered for sale.
- d. Produce stalls shall not be established on any site having vehicular access to a major arterial transport corridor or the strategic network.
- e. Produce stalls shall be located to enable two off-road hard stand areas for car parking.

4.5.5.3 Childcare Facility

- a. The activity shall not be part of a multiple residential unit development.
- b. The activity shall be located on a front, corner or through site.
- c. The activity shall have a maximum gross floor area of all buildings of 250m².

4.5.5.4 Home-based Businesses

- a. For the avoidance of doubt, if an activity does not comply with all of the standards specified, it is not a home-based business. Home-based businesses shall:
 - i. Not involve more than three employees that do not normally reside on the property.
 - ii. Not exceed 10m² or 30% of the total gross floor area of buildings on the site, whichever is greatest.
 - iii. Not generate any trips by a heavy motor vehicle.

- iv. Do not involve deliveries or the arrival or departure of any persons from the Site between the hours of 20h00-07h00, on any day.
- v. Occur internally within the building.
- vi. Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs.
- vii. Retail only those goods which have been manufactured, repaired, renovated or otherwise produced on the site.
- viii. Not create electrical interference with television and radio sets or other types of receivers in adjacent residential units.
- ix. Not generate nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects – these shall be measured at the boundaries of the site.
- x. Have only one sign with a maximum area of 0.6m², a maximum dimension of 1m and having no part higher than 2m above the adjacent ground level. The sign must be attached to either a fence, wall or building.

4.5.5.5 Managed Care Facilities

- a. Within one calendar month of its occupancy, the Agency/person(s) responsible for the Managed Care Facility shall provide the residents of the properties adjoining the site and Council's Planning Department a written information pack. The information pack shall include an overview of the Agency and the range of services provided (if relevant), and the type of care and programs to be provided within the Managed Care Facility and shall include the following:
 - i. Proposed number of residents.
 - ii. The anticipated number of visitors to the site per week and daily visiting hours.
 - iii. Anticipated full time equivalent staff at the facility.
 - iv. Regular and emergency contact details to enable prompt and effective contact if necessary.
 - v. The policies for the management of possible emergency situations including the management of neighbour relations in an emergency situation.
- b. The outdoor living area shall be provided communally which shall comprise:
 - i. At least 12m² per resident
 - ii. A minimum dimension of not less than 4m.
 - iii. An area capable of containing a 6m diameter circle.
 - iv. At least 60% at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.
 - v. Comprise not more than 35% impermeable surface area.

- vi. For the exclusive use of the residents.
- vii. Readily accessible for all residents.
- viii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
- c. A service area shall be provided that has:
 - i. A minimum area of 20m² with a minimum dimension of 3m.
 - ii. In cases where a fully equipped laundry (washing and drying machines) is provided, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.
- d. Staff providing supervision for managed care facilities accommodating eight or more residents shall be present on site at all times that residents are in occupation.
- e. No part of any site or premises used as a managed care facility shall contain a secure unit.

4.5.5.6 Relocated Buildings

- a. Any relocated building intended for use as a dwelling (excluding previously used accessory buildings) must have previously been designed, built and used as a dwelling.
- b. A building inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building.
- c. All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
- d. The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six month period.

4.5.5.7 Show Homes

- a. Shall be staffed by a maximum number of two staff at any time.
- b. Shall be located on a front, corner or through site.
- c. Shall have a maximum activity duration of two years from the time of first occupation.

4.5.5.8 Rest Homes

- a. Maximum occupancy shall be 10 residents (including live-in staff).
- b. The maximum density for rest homes shall be one person per 75m² of net site area.
- c. An outdoor living area shall be provided that:
 - i. Is for the exclusive use of the residents.

- ii. Is readily accessible to all residents.
 - iii. Is free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
 - iv. Has a maximum area of impermeable surfaces not exceeding 60% of the outdoor living area.
- d. The outdoor living area shall be provided communally which shall comprise:
- i. At least 8m² per resident.
 - ii. A minimum dimension of not less than 4m.
 - iii. At least capable of containing a 6m-diameter circle.
 - iv. At least 60% provided at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.
- e. A service area shall be provided with areas and dimensions as follows:
- i. Minimum area of 20m².
 - ii. Minimum dimension of 3m.
 - iii. Provided that where a fully equipped laundry (both washing and drying machines) is provided in rest home, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.

4.5.5.9 Pruning and maintenance of a tree where the trunk is located within a Significant Natural Area and the canopy overhangs the boundary of the Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)

- a. Shall comply with the following:
- i. Maximum amount of foliage to be removed per tree per calendar year is 15%
 - ii. Maximum thickness (cross-section) of any branch or root that may be cut is 50mm.

4.5.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a. In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. <u>Two or more dwellings on a site</u> *	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
ii. <u>Three or more dwellings on a site but complying with the standards*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
iii. <u>Childcare facility for 6 or more children</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
iv. <u>Community centre</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
v. <u>Dairy</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
vi. <u>Tertiary education and specialised training facility</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
vii. <u>Papakainga*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
viii. <u>Places of worship</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
ix. <u>Rest home*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
x. <u>Show Home</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
xi. <u>Emergency service facilities</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u>
xii. <u>Any earthworks within the root protection zone of a tree where the trunk is located within a Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)</u>	<ul style="list-style-type: none"> • <u>D – Natural Character and Open Space</u> • <u>F – Hazards and Safety</u>

Note

Refer to Chapter 1.1.9 for activities marked with an asterisk

4.5.7 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant:

- Chapter 2: Strategic Framework
- Chapter 3: Structure Plans
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions

- Chapter 25: City-wide

4.5.8 **Other Resource Consent Information**

Refer to Chapter 1: Plan Overview for guidance on the following:

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following:

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation