

PRECINCT 2 (PREC 2) – ACTIVITY STATUS RULES

PREC2(1) PER activities	
<i>All permitted activities must comply with the general and relevant activity specific performance standards. The general performance standards are listed in PREC2(4)(a) to PREC2(4)(e). Activity specific standards are identified under the following activity rules.</i>	
(a)	One kāinga (residential unit) per Record of Title

(b)	One kāinga (residential unit) per 500m² site area
	<p>This rule only applies for sites in PREC2 that either:</p> <ul style="list-style-type: none"> i. Have Māori Freehold land status; or ii. Have a legal mechanism in place to ensure the land will be maintained in whanau ownership in perpetuity. <p><i>Note: A legal mechanism may include a management structure under Te Ture Whenua Maori Act 1993 (for example an ahu whenua trust or whanau trust). Independent legal advice is recommended.</i></p>
(c)	Relocatable buildings
(d)	Earthworks
	<ul style="list-style-type: none"> i. Maximum cut or fill height: <ul style="list-style-type: none"> - 0.5m within minimum building setback. - 1.5m outside minimum building setback. ii. All site works shall be reinstated within 6 months of works commencing. iii. Maximum volume of earthworks is 100m³ within any 12 month period. iv. Works must not affect or be located within a scheduled item (Schedule 1 – 3). v. Works cannot involve the excavation or disposal of contaminated land/materials. vi. Works shall be set back 5m from any overland flow path and 10m from any water body. <p><u>Exclusion:</u></p> <p>Any earthworks which:</p> <ul style="list-style-type: none"> - Have been approved as part of a land use or subdivision consent; - Are for the removal of topsoil for building foundations and/or driveways; or - Any earthworks associated with utility installation, maintenance, upgrading and/or removal where the ground surface is fully reinstated within one month from when the work started.

PREC2(2) RDIS Activities

(a)	<p>Any permitted activity which does not comply with one or more general performance standard listed in PREC2(4)(a) to PREC2(4)(e).</p> <p><u>Matters of discretion:</u></p> <p>In assessing any application for a restricted discretionary activity, Council shall have discretion over the following matters:</p> <ul style="list-style-type: none">i. The extent of non-compliance with any performance standards and the degree to which this adversely affects the amenity and character of the site and surrounding area;ii. The degree to which on site amenity and character is retained for residents, and adjacent properties;iii. The extent to which the scale and nature of the proposal including any specific site features or design mitigates the adverse effects of the activity;
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	<ul style="list-style-type: none">iv. Whether the activity will adversely affect or interfere with the legitimate land use and activities on surrounding sites;v. Traffic, parking and access effects, including the safety and efficiency of the roading network and any effects of not providing carparking; andvi. The provision of three waters servicing and any capacity issues where public reticulation is proposed to service the site.
(b)	Earthworks that do not comply with an activity specific condition in PREC2(1)(d).

PREC2(3) NC activities

In considering any application for a non-complying activity, Council shall have regard to the matters outlined in Section 1.4.

(a)	Any activity not provided for.
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PREC2 - Standards

PREC2(4) Standards	
<p><i>PREC2(4)(a) to PREC2(4)(e) are general performance standards for all permitted activities in PREC2. The table MPZ(1) outlines additional performance standards that need to be complied with in other sections of the District Plan (where relevant).</i></p>	
(a)	<p>Maximum height</p> <p>The maximum height of buildings shall not exceed 10m.</p> <p>The maximum height rule does not apply to a single design feature or building component, which does not exceed the maximum permitted height by more than 2 metres and/or an external dimension of 2 metres in any other direction (excluding diagonal measurements).</p>
(b)	<p>Height in relation to site boundaries</p> <p>No part of any building shall exceed a height of 3m plus the shortest horizontal distance between that part of the building and the nearest site boundary, provided that this shall not apply:</p> <ul style="list-style-type: none"> i. To the apex of the gable ends of a roof, being no more than 1m² in area (see Appendix 2), or ii. A design feature or building component that does not exceed an external measurement of 2 metres in any direction (excluding diagonal measurements); and iii. Subject to no more than a total of two design features or building components (including the apex of a gable end) encroaching through the height relative to boundary plane of all boundaries. <p><u>Unless:</u> Written consent of all property owners contiguous to the building/structure is obtained, subject to compliance with the Building Act 2004.</p>
(c)	<p>Yards</p> <ul style="list-style-type: none"> i. Front yard (for sites adjoining a State Highway or Morrinsville-Walton Road): 15m ii. Front yard (for all other sites): 5m iii. Side and rear yard: 3m

	<p><u>Provided that:</u> Buildings and structures may be erected on any rear and/or side yard so long as the written consent of all property owners contiguous to any building/structure is obtained, subject to compliance with the Building Act 2004.</p> <p><i>Note: For sites located along a state highway or railway line corridor, internal noise levels for buildings shall comply with the acoustic insulation standards in Rule 5.2.9.</i></p>
(d)	<p>Fences and walls</p> <p>No fences or walls or a combination of these (whether separate or joined together) shall exceed 2m in height within the yard setback.</p>
(e)	<p>Maximum building coverage</p> <p>The maximum building coverage shall not exceed 35% of the net site area.</p>