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National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health

Regulation	Compliance	Comment
9 Controlled Activities		
Removing or replacing fuel storage system, sampling soil, or disturbing soil		
<p>(1) If a requirement described in any of regulation 8(1) to (3) is not met, the activity is a controlled activity while the following requirements are met:</p> <ul style="list-style-type: none"> • a detailed site investigation of the piece of land must exist: • the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7: • the consent authority must have the report: • conditions arising from the application of subclause (2), if there are any, must be complied with. 	Controlled Activity	<p>The site is considered to be a piece of land under Regulation 5(7) of the NES:CS as HAIL A10 is considered likely to have occurred at the site. Heavy metal concentrations in soil samples were above the predicted background soil concentrations, but below NES:CS SCS concentrations. Therefore, a controlled activity consent under Regulation 9(1) of the NESCS is required.</p>

Waikato Regional Plan

Chapter 3 – Water Module

Rule	Compliance	Comment
3.2 Management of Water Resources		
3.3 Water Takes		
<p>3.3.4.12 Permitted Activity Rule – Supplementary Groundwater Takes</p> <p>In addition to the taking of groundwater as allowed by s14(3)(b) of the RMA</p> <ol style="list-style-type: none"> 1. <u>The taking of up to 1.5 cubic metres per day on sites equal to or less than one hectare; or</u> 2. The taking of up to 1.5 cubic metres per day on sites where the well is within 600 metres of the coastal marine area; or 3. The taking of up to 15 cubic metres of groundwater per day on all other sites by means of a well is a permitted activity subject to the following conditions: <ol style="list-style-type: none"> (a) The take(s) shall be within a single site. (b) The site of the activity shall not be within 100 metres of a Significant Geothermal Feature except for those features that are Recent Sinter or Hydrothermal Eruption Craters containing no geothermal pools or discharging geothermal features in which case the take shall not be located within 20 metres of the feature. (c) The activity shall not result in salt water intrusion or any other contamination of the aquifer. (d) The total of all takes from the aquifer does not exceed the Sustainable Yield if listed in Table 3-6. 	Not applicable	No water take is proposed for the solar farm activity.
<p>3.3.4.14 Permitted Activity Rule – Temporary Takes</p> <p>The taking of up to 150 cubic metres of water per day (calculated on a net take basis for surface water takes) for no more than five days per annum from any river or aquifer is a permitted activity subject to the following standards and terms:</p>	Not applicable	As above, no water take is proposed for the solar farm activity.

<ul style="list-style-type: none"> (a) The net rate of the take, assessed in combination with all other authorised water takes, shall not exceed 100 percent of the primary allocable flows for catchments specified in Table 3-5. (b) For groundwater takes the well is not within 600 metres of the coastal marine area and the total rate of the take in combination with all other takes from the aquifer does not exceed the Sustainable Yield if listed in Table 3-6. (c) The intake structure shall comply with the screen and velocity standards as set out in the Water Management Class for that water body (see Chapter 3.2 of this Plan) and with the provisions in Rule 4.2.10.1 of this Plan. (d) This rule shall not apply when water restrictions are in place in accordance with Standard 3.3.4.27. (e) Written notice of the location, time and duration of take shall be provided to the Waikato Regional Council 10 working days before works commence. 		
<p>3.3.4.16 Controlled Activity Rule – Taking of Surface Water</p> <p>Except as permitted by Rules 3.3.4.13 and 3.3.4.14 of this Plan, the taking of surface water up to and including 70 percent of the allocable flow identified in Table 3-5 is a controlled activity (requiring resource consent) subject to the following standards and terms:</p> <ul style="list-style-type: none"> (a) The net rate of the take, assessed in combination with all other authorised water takes (all calculated on a net take basis), shall not exceed 70 percent of the primary allocable flows for catchments specified in Table 3-5 (b) The water take location shall not be within a water body classified as Natural State Water on the Water Management Class Maps. (c) Where the take is for a domestic or municipal supply a water management plan which meets the requirements of Method 8.1.2.2 shall be provided. (d) All applications to take water under this rule shall be assessed on a net take basis 	Not applicable	No surface water take is proposed for the solar farm activity.
<p>3.3.4.24 Discretionary Activity Rule – Groundwater Takes</p> <p>The taking of groundwater that, when assessed in combination with all other authorised takes from the same aquifer:</p> <ul style="list-style-type: none"> 1. Is a supplementary take, temporary take or well and aquifer testing take that does not comply with Rules 3.3.4.12, 3.3.4.14 or 3.3.4.15; or 2. Is a non-qualifying s14(3)(b) take described by Policy 10 c); or 	Not applicable	As above, no groundwater take is proposed for the solar farm activity.

<p>3. Does not exceed the Sustainable Yield if listed in Table 3-6; or</p> <p>4. Is from an aquifer that is not listed in Table 3-6; or</p> <p>5. Is for domestic or municipal supply takes where a water management plan is provided that meets the requirements of Method 8.1.2.2 of this Plan.</p> <p>is a discretionary activity (requiring resource consent)</p>		
3.5 Discharges		
<p>3.5.4.4 Permitted Activity Rule – Discharge of Water to Water – General Rule</p> <p>Except as expressly provided for by other rules in this Plan any discharge of water (excluding geothermal water), into water is a permitted activity subject to the following conditions:</p> <p>(a) There shall be no adverse effect on water quality of the receiving water body.</p> <p>(b) Any adverse erosion effects occurring as a result of the discharge to be remedied as soon as practicable.</p> <p>(c) There shall be no adverse effects from increased water levels downstream of the discharge point.</p> <p>(d) The Waikato Regional Council shall be notified in writing of the discharge, its volume, contaminant concentrations and the water quality of the receiving water body 10 working days prior to the discharge commencing.</p>	Not applicable	No discharge of water to water is proposed.
<p>3.5.4.5 Discretionary Activity Rule – Discharges – General Rule</p> <p>Any discharge of a contaminant into water, or onto or into land, in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water, that is not specifically provided for by any rule, or does not meet the conditions of a permitted or a controlled activity rule in this Plan, is a discretionary activity (requiring resource consent).</p>	Not applicable	No discharges of contaminants are anticipated. Discharge of stormwater to water is provided for and addressed below.
<p>3.5.10.3 Discretionary Activity Rule – Discharge of Pumped Drainage Water</p> <p>The take, diversion and discharge of pumped drainage and floodwater to water that does not comply with, or is not permitted by Rule 3.5.10.1 or Rule 3.5.10.2 is a discretionary activity (requiring resource consent).</p>	Not applicable	No pumped drainage or pumping of floodwater is proposed.

<p>3.5.11.4 Permitted Activity Rule – Discharge of Stormwater to Water</p> <p>The discharge of stormwater to surface water (including geothermal water) is a permitted activity subject to the following conditions:</p> <ul style="list-style-type: none"> (a) The discharge shall not originate from a catchment that includes any high risk facility, contaminated land*, operating quarry or mineral extraction site unless there is an interceptor system* in place. (b) Any erosion occurring as a result of the discharge shall be remedied as soon as practicable (c) The catchment shall not exceed one hectare for discharges that originate from urban areas. (d) There shall be no adverse increase in water levels downstream of the discharge point which causes flooding on neighbouring properties, as a result of the discharge. (e) The discharge shall comply with the suspended solids standards in Section 3.2.4.6. (f) The discharge shall not contain any material which will cause the production of conspicuous oil or grease films, scums or foams, or floatable suspended materials at any point downstream that is a distance greater than three times the width of the stream at the point of discharge (g) The discharge shall not contain concentrations of hazardous substances that may cause significant adverse effects on aquatic life or the suitability of the water for human consumption after treatment. (h) There shall be no discharge to any Significant Geothermal Feature. 	<p>Permitted Activity</p>	<p>On the southern solar farm, stormwater discharge from the existing farm drains will discharge to the Waitoa River via the proposed greenway (refer Volume 5).</p> <ul style="list-style-type: none"> a) The discharge does not originate from a high-risk catchment; b) Refer to Volume 5 of this application for erosion controls in the greenway; c) The discharge does not originate from an urban area; d) There will be no adverse increased in water levels; e) Discharge is anticipated to comply with suspended solids standards; f) Will comply; g) Will comply; h) Discharge is not to a Significant Geothermal Feature. <p>Sediment and erosion control measures are provided for during construction (refer Appendix 3F and Volume 5).</p> <p>This is therefore considered to be a Permitted Activity.</p>
<p>3.5.11.5 Permitted Activity Rule – Discharge of Stormwater Onto or Into Land</p> <p>The discharge of stormwater (including geothermal water) onto or into land is a permitted activity subject to the following conditions:</p> <ul style="list-style-type: none"> (a) The discharge shall not originate from a catchment that includes any high risk facility or contaminated land* unless there is an interceptor system* in place. 	<p>Permitted Activity</p>	<p>Stormwater will be discharged to the ground and is anticipated to comply with permitted activity standards. Refer to the Infrastructure Report (Appendix 3F) for further details</p>

<p>(b) The discharge shall be below a rate that would cause flooding outside the design discharge soakage area, except in rain events equivalent to the 10% Annual Exceedence Probability design storm or greater. Any exceedence shall go into designated overland flow paths.</p> <p>(c) There shall not be any overland flow resulting in a discharge to surface water, except in rain events equivalent to the 10% Annual Exceedence Probability design storm or greater; then there shall be no adverse surface water effects as a result of the discharge</p> <p>(d) Any erosion occurring as a result of the discharge shall be remedied as soon as practicable.</p> <p>(e) The discharge shall not contain concentrations of hazardous substances that may cause significant adverse effects on aquatic life or the suitability of the water for human consumption after treatment.</p>		
<p>3.5.11.8 Discretionary Activity Rule – Discharge of Stormwater</p> <p>The discharge of stormwater into water, and/or into or onto land which does not comply with Rules 3.5.11.4, 3.5.11.5, 3.5.11.6 and 3.5.11.7 is a discretionary activity (requiring resource consent).</p>	Not applicable	Rainwater runoff from the solar panels is a permitted activity, as per above.
<p>3.6 Damming and Diverting</p>		
<p>No damming or diversion of waterbodies is proposed. Therefore, consent is not required under Section 3.6</p>		
<p>3.7 Wetlands</p>		
<p>3.7.4.6 Discretionary Activity Rule – Creation of New Drains and Deepening of Drain Invert Levels</p> <p>The following activities:</p> <ol style="list-style-type: none"> 1. The creation of new drains for the purposes of managing water tables, or 2. The deepening (relative to the wetland level) of the invert level (bed) of lawfully established or authorised drains constructed prior to the date of notification (28 September 1998) of this Plan 	Not Applicable	No new drains or deepening of drain invert levels are proposed in this application.

In areas within 200m of the legal property boundary of any wetland listed in Section 3.7.7. are discretionary activities (requiring resource consent) (except where the location of that activity is hydrologically isolated from the wetland)		
3.7.4.7 Discretionary Activity Rule – Drainage of Wetlands The following activities: <ol style="list-style-type: none"> the creation of drains after the date of notification of this Plan (28 September 1998), and the deepening (relative to the wetland water level) of the invert level (bed) of lawfully established or authorised drains constructed prior to the date of notification of this Plan (28 September 1998) within a wetland that is an area of significant indigenous vegetation and/or significant habitat of indigenous fauna are discretionary activities (requiring resource consent).	Not applicable	No wetlands are proposed to be drained as part of the solar farm activity.

3.8 Drilling

No drilling beneath the water table or associated discharge is proposed as part of the solar farm activity. Therefore, no consent is required under Section 3.8.

Chapter 4 – River & Lake Bed Module

Rule	Compliance	Comment
4.2 River and Lake Bed Structures		
4.2.4 Implementation Methods – Structures In, On, Under or Over the Beds of Lakes or Rivers		
No structures are proposed in, on, under, or over the beds of any lakes or rivers. Therefore, no consent is required under Section 4.2.4		
4.2.5 Existing Lawfully Established Structures		
There are no existing structures within waterways associated with the site. Therefore, no consent is required under Section 4.2.5		
4.2.6 Whitebait Stands		
No whitebait stands are proposed. Therefore, no consent is required under Section 4.2.6		
4.2.7 Maimai, Game Bird Hunting Structures		
No Maimai or game bird hunting structures are proposed. Therefore, no consent is required under Section 4.2.7		

4.2.8 Bridges

No bridges are proposed. Therefore, no consent is required under Section 4.2.8

4.2.9 Culverts

4.2.9.1 Permitted Activity Rule – Catchments Not Exceeding Five Hectares

Unless controlled by Rule 4.2.5.1, the following activities:

- (1) The use, erection, reconstruction, placement, alteration or extension of a culvert, and associated bed disturbances, in or on the bed of a river for catchments not exceeding five hectares upstream of the culvert, and
- (2) The subsequent diversion and discharge of water through the culvert, and
- (3) Any discharge of sediment associated with construction activities, and
- (4) The associated deposition of construction materials

Are permitted activities subject to the following conditions:

- a. Any such culvert shall be designed so that a two percent annual exceedance probability (1 in 50 year) flood event shall not cause any increase in upstream water levels which causes flooding on neighbouring properties.
- b. Culverts shall be designed to safely overtop without causing structural failure, or include a spillway, to ensure safe passage of flood flows where the two percent annual exceedance probability flood flow will overtop the embankment over the culvert.
- c. The structure shall not cause:
 - i. water depth upstream to exceed three metres, and
 - ii. the water level immediately upstream to exceed the water level immediately downstream by more than three metres
- d. The structure shall not be located in any permanently flowing water body or in the headwaters of any river identified for Natural State purposes in the Water Management Class Maps of this Plan.
- e. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.

Does not comply

Existing farm drains are proposed to be retained on the site. The discharge of these culverts is addressed in **Volume 5** of this application as they discharge to the Waitoa River via the proposed Greenway. As a matter of conservatism, consent is sought for the use of the culverts on the southern solar farm, with application documents to be read in conjunction.

Therefore, consent is sought under Rule 4.2.9.3, addressed below.

<p>f. In the event of any waahi tapu that is not subject to condition e) being identified by the Waikato Regional Council to the person undertaking the use, erection, reconstruction, placement, extension or alteration, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council.</p> <p>g. The construction works shall comply with the suspended solids discharge standards as set out in Section 4.2.21.</p> <p>h. Any erosion occurring as a result of the structure or diversion and discharge of water shall be remedied as soon as practicable.</p> <p>i. No discharge shall be made outside of the natural catchment.</p> <p>j. This Rule shall not apply to activities located in, on, under or over the bed of a river or lake that is a Significant Geothermal Feature.</p>		
<p>4.2.9.2 Permitted Activity Rule – Culverts for Catchments Not Exceeding 100 Hectares</p> <p>Unless controlled by Rule 4.2.9.1 and Rule 4.2.5.1 the following activities:</p> <ol style="list-style-type: none"> (1) The use, erection, reconstruction, placement, alteration or extension of a culvert, and associated bed disturbance, in or on the bed of a river or lake for a catchment area not exceeding one square kilometre (100 hectares) upstream of the culvert, and (2) The subsequent diversion or discharge of water through the culvert, and (3) Any discharge of sediment associated with construction activities; and (4) The associated deposition of construction materials <p>Are permitted activities subject to the following conditions:</p> <ol style="list-style-type: none"> a. Any such culvert shall be designed so that a two percent annual exceedance probability (1 in 50 year) flood event shall not cause any increase in upstream water levels which causes flooding on neighbouring properties. b. The structure shall provide for the safe passage of fish both upstream and downstream. c. There shall be no obstruction of debris that causes flooding on neighbouring properties. d. The culvert invert shall be submerged when water is flowing. 	<p>Does not comply</p>	<p>Existing farm drains are proposed to be retained on the site. The discharge of these culverts is addressed in Volume 5 of this application as they discharge to the Waitoa River via the proposed Greenway. As a matter of conservatism, consent is sought for the use of the culverts on the southern solar farm, with application documents to be read in conjunction.</p> <p>Therefore, consent is sought under Rule 4.2.9.3, addressed below.</p>

<ul style="list-style-type: none"> e. Culverts shall be designed to safely overtop without causing structural failure, or include a spillway to ensure safe passage of flood flows where the two percent annual exceedance probability flood flow will overtop the embankment over the culvert. f. The structure shall not cause; <ul style="list-style-type: none"> i. water depth upstream to exceed three metres, and ii. the water level immediately upstream to exceed the water level immediately downstream by more than three metres. g. The construction works shall comply with the suspended solids discharge standards as set out in Section 4.2.21. h. This Rule does not apply within a Natural State water body as identified in the Water Management Class Maps of this Plan. i. All equipment and surplus construction materials shall be removed from the river or lake bed and the floodplain on the completion of that activity. j. No contaminants (including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint or solvents, but excluding sediment) shall be discharged to water from the activity. k. The owner of the structure shall inform the Waikato Regional Council in writing, at least 10 working days prior to commencing construction, of the location of the structure and whether that structure is located within a flood control or drainage scheme managed by the Waikato Regional Council or a territorial authority. l. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained. m. In the event of any waahi tapu that is not subject to condition l) being identified by the Waikato Regional Council to the person undertaking the use, erection, reconstruction, placement, extension or alteration, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council. n. Any erosion occurring as a result of the structure or diversion and discharge of water shall be remedied as soon as practicable. 		
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<p>o. No discharge shall be made outside of the natural catchment.</p> <p>p. This rule shall not apply to activities located in, on, under or over the bed of a river or lake that is a Significant Geothermal Feature.</p>		
<p>4.2.9.3 Controlled Activity Rule - Culverts for Catchment Areas Not Exceeding 500 Hectares</p> <p>Any activity unable to comply with Rules 4.2.9.1 or 4.2.9.2 or unless controlled by Rule 4.2.5.1, the following activities:</p> <ol style="list-style-type: none"> (1) The use, erection, reconstruction, placement, alteration or extension of a culvert, and associated bed disturbance, in or on the bed of a river or lake for a catchment area exceeding 100 hectares but not exceeding 500 hectares upstream of the culvert, and (2) The subsequent diversion and discharge of water through the culvert, and (3) Any discharge of sediment associated with construction activities; and (4) The associated deposition of construction materials <p>are controlled activities (requiring resource consent) subject to the following standards and terms:</p> <ol style="list-style-type: none"> a. Any such culvert shall be designed so that a two percent annual exceedance probability (1 in 50 year) flood event shall not cause any increase in upstream water levels which causes flooding on neighbouring properties. b. The structure shall provide for the safe passage of fish both upstream and downstream in water bodies classified as Significant Indigenous Fisheries and Fish Habitats c. There shall be no obstruction of debris that causes flooding on neighbouring properties. d. This Rule does not apply within a Natural State water body as identified in the Water Management Class Maps of this Plan. e. All construction materials and equipment shall be removed from the river or lake bed and the floodplain on the completion of that activity. f. No contaminants (including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint or solvents, but excluding sediment) shall be discharged to water from the activity. 	<p>Controlled Activity</p>	<p>A series of existing farm drains run across the southern solar farm site which may not be able to comply with permitted activity standards. As a matter of conservatism, consent is required as a controlled activity under Rule 4.2.9.3.</p> <p>Refer to the Infrastructure Report (Appendix 3F) and Volume 5 for further information.</p>

<p>g. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.</p> <p>h. Any erosion occurring as a result of the structure and diversion and discharge shall be remedied as soon as practicable.</p> <p>i. No discharge shall be made outside of the natural catchment.</p> <p>This rule shall not apply to activities located in, on, under or over the bed of a river or lake that is a Significant Geothermal Feature.</p>		
4.2.10 Discharge and Intake Structures		
<p>4.2.10.1 Permitted Activity Rule – Discharge and Intake Structures</p> <p>(1) Unless controlled by Rule 4.2.5.1, 4.2.9.1, 4.2.9.2 and 4.2.9.3 the use, erection, reconstruction, placement, alteration or extension of a discharge or intake structure and associated bed disturbance in, on, under or over the bed of any river or lake, and</p> <p>(2) Any discharge of sediment associated with construction activities;</p> <p>(3) Are permitted activities subject to conditions</p>	Not applicable	Discharge structures are allowed for under Rule 4.2.9.3, therefore this rule is considered not applicable
4.2.11 Fords		
No fords are proposed. Therefore, consent is not required under Section 4.2.11		
4.2.12 Boat ramps and jetties		
No boat ramps or jetties are proposed. Therefore, consent is not required under Section 4.2.12		
4.2.13 Moorings, Navigational Markers, Safety/Interception Booms, Signs, Ski Lane Markers and Canoe Gates		
Not proposed. Therefore, consent is not required under Section 4.2.13		
4.2.14 Lines, Cables, Pipelines, Ropeways and Associated Structures		
No lines, cables, pipelines, ropeways, or associated structures are proposed in beds of waterways. Therefore, no consent is required under Section 4.2.14		
4.2.15 Erosion Control Structures		
No erosion control structures are proposed as part of this application. Therefore, consent is not required under section 4.2.15		

4.2.16 – 4.2.21

Not relevant to proposal

4.3 River and Lake Bed Disturbances

There is no disturbance to river or lake beds proposed in this application. Therefore, consent is not required under Section 4.3

Chapter 5 – Land & Soil Module

Rule	Compliance	Comment
5.1 Accelerated Erosion		
5.1.4.11 Permitted Activity Rule – Soil Disturbance, Roding and Tracking and Vegetation Clearance (1) Unless otherwise provided for by Rules 5.1.4.14, 5.1.4.15, 5.1.4.16 or 5.1.4.17, soil disturbance, roding and tracking, and vegetation clearance and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air; (2) Any roding and tracking activities associated with the installation of bridges or culverts permitted by Rules 4.2.8.1, 4.2.9.1 and 4.2.9.2, within 20 metres of that bridge or culvert and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air; (3) Vegetation clearance of planted production forest as planted at the date upon which this Plan becomes operative; are permitted activities subject to the conditions in Section 5.1.5.	Permitted Activity	Earthwork activities will be carried out in accordance with appropriate management plans, and are limited to earthworks required for the construction of access roads for both solar farms, as outlined in the Infrastructure Report (refer Appendix 3F). Therefore, land disturbance is a permitted activity
5.1.4.12 Permitted Activity Rule – Soil Cultivation Adjacent to Water Bodies	Not applicable	No soil cultivation proposed
5.1.4.13 Discretionary Activity Rule – Soil Disturbance, Roding and Tracking and Vegetation Clearance (1) Any soil disturbance, roding and tracking, and vegetation clearance and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air that does not comply with the conditions of Permitted Activity Rule 5.1.4.11;	Not applicable	Land disturbance complies with permitted activity standards in Rule 5.1.4.11, therefore this rule is considered not applicable

(2) Soil cultivation within two metres of the bed of a river or lake that does not comply with Rule 5.1.4.12; are discretionary activities (requiring resource consent).		
5.1.4.14 Controlled Activity Rule – Soil Disturbance, Roding and Tracking, and Vegetation Clearance, Riparian Vegetation Clearance in High Risk Erosion Areas	Not applicable	Site is not in a high-risk erosion area
5.1.4.15 Discretionary Activity Rule – Soil Disturbance, Roding, Tracking, Vegetation Clearance, Riparian Vegetation Clearance in High Risk Erosion Areas Except as restricted by Rule 5.1.4.16 the following activities, occurring in any continuous 12 month period and located in a high risk erosion area: <ol style="list-style-type: none"> (1) Roding and tracking activities exceeding 2,000 metres in length (2) Soil disturbance activities exceeding 1,000 cubic metres in volume (solid measure) (3) Soil disturbance activities exceeding two hectares in area (4) Soil disturbance activities resulting in a cut slope batter exceeding three metres in vertical height over a cumulative distance exceeding 120 metres in length (5) Vegetation clearance exceeding five hectares with the exclusion of planted production forests (except those restricted by Rule 5.1.4.16), and plant pests as specified in the Waikato Regional Council's Regional Pest Management Strategy (6) Riparian vegetation clearance which is within five metres on either side of the banks of a perennial water body which exceeds 100 metres in length per kilometre, with the exclusion of planted production forests, riparian enhancement programmes and plant pests as specified in the Waikato Regional Council's Regional Pest Management Strategy (7) Any riparian vegetation clearance within five metres of a Natural State water body as shown on the Water Management Class Maps except: <ol style="list-style-type: none"> i. that which is required as part of the construction of a walking track no greater than two metres width, and ii. the control of plant pests as specified in the Waikato Regional Council's Regional Pest Management Strategy (8) Any activity specified in Rules 5.1.4.14 and 5.1.4.16, that does not comply with the conditions and standards and terms in Section 5.1.5; 	Not applicable	Site is not in a high-risk erosion area

and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air are discretionary activities (requiring resource consent).		
5.1.4.16 Controlled Activity Rule – Vegetation Clearance in Catchments Draining into Coromandel Peninsula Estuaries	Not applicable	The site is not located near any Coromandel estuaries
5.1.4.17 Discretionary Activity Rule – Soil Disturbance/Vegetation Clearance in Karst Landscapes	Not applicable	The site is not located within a Karst Landscape
5.2 Discharges Onto or Into Land		
5.2.5.1 Permitted Activity Rule – Overburden Disposal Outside of High Risk Locations The discharge of overburden onto or into land at an overburden disposal site* and any subsequent discharge of contaminants into water or air when occurring outside of: <ol style="list-style-type: none"> (1) A high risk erosion area (2) A floodplain of a river* (3) The catchment of, or within 10 metres of, whichever is the lesser, a sink hole* or cave entrance (4) Any wetlands that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna (5) A significant geothermal feature* is a permitted activity	Not applicable	No discharge of overburden is proposed on the solar farm sites. The proposed earthworks are mostly fill. No discharges of contaminants are proposed as part of the solar farm activity
5.2.5.2 Controlled Activity Rule – Overburden Disposal Not Permitted by Rule 5.2.5.1	Not applicable	As above, no overburden disposal proposed
5.2.5.3 Discretionary Activity Rule – Large Scale Overburden Disposal	Not applicable	As above, no overburden disposal proposed
5.2.5.4 Permitted Activity Rule – Small Scale Cleanfill Disposal Outside of High Risk Locations The discharge of cleanfill onto or into land and any subsequent discharge of contaminants into water or air when occurring outside of: <ol style="list-style-type: none"> 1. A high risk erosion area 2. A floodplain of a river 3. The catchment of, or within 10 metres of, whichever is the lesser, a sink hole or cave entrance 	Does not comply	A total of 4,913m ³ of cleanfill will be deposited across the solar farms. While the staging of solar farms is not confirmed, it is noted that the southern solar farm includes the deposition of 2,763m ³ of cleanfill.

<p>4. Any wetlands that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna</p> <p>5. A significant geothermal area</p> <p>And where the total volume of cleanfill does not exceed 2,500 cubic metres per annum, is a permitted activity subject to the following conditions:</p> <ul style="list-style-type: none"> a) Any discharge to air arising from the activity shall comply with the conditions and standards and terms in Section 6.1.8 except where the matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site. b) Records of the source and composition of all material disposed of at the site shall be maintained and made available to the Waikato Regional Council upon request to demonstrate that only cleanfill as defined in the Glossary to this Plan has been received. c) The cleanfill has no acid producing potential. d) The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan (28 September 1998), in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained. e) In the event of any waahi tapu that is not subject to condition d) being identified by the Waikato Regional Council to the person undertaking the activity, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council. f) Where the site is to receive a total volume of more than 1,000 cubic metres of cleanfill (loose measure) the operator shall notify the Waikato Regional Council in writing of the accurate location of the site seven working days prior to commencing operation. g) The placement of the material shall be undertaken and maintained in a manner so as to ensure its long-term stability. h) The activity shall not cause any increase in flooding on neighbouring properties. <p>The concentration of suspended sediment in any discharge to a water body arising from this activity shall comply with the suspended sediment criteria as set out in Section 3.2.4.6.</p>		<p>The total volume is therefore anticipated to exceed 2,500m³ per annum. Consent is required under Rule 5.2.5.5 as set out below.</p>
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<p>5.2.5.5 Controlled Activity Rule – Large Scale Cleanfill Disposal outside of High Risk Locations</p> <p>The discharge of cleanfill onto or into land and any subsequent discharge of contaminants into water or air that does not comply with Rule 5.2.5.4 when occurring outside of:</p> <ol style="list-style-type: none"> 1. A high risk erosion area 2. A floodplain of a river 3. The catchment of, or within 10 metres of, whichever is the lesser, a sink hole or cave entrance 4. Any wetlands that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna 5. A significant geothermal area <p>Is a controlled activity (requiring resource consent) subject to the following standards and terms:</p> <ol style="list-style-type: none"> a) Any discharge to air arising from the activity shall comply with the conditions and standards and terms in Section 6.1.8 except where the matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site. b) Records of the source and composition of all material disposed of at the site shall be maintained and made available to the Waikato Regional Council upon request to demonstrate that only cleanfill as defined in the Glossary to this Plan has been received. c) The cleanfill has no acid producing potential⁴⁶. d) The placement of the material shall be undertaken and maintained in manner so as to ensure its long-term stability. e) The activity shall not cause any increase in flooding on neighbouring properties. 	<p>Controlled Activity</p>	<p>The proposed cleanfill as set out above does not comply with Rule 5.2.5.4 and is therefore a controlled activity.</p> <p>The cleanfill will comply with controlled activity standards and terms. Please refer to the Infrastructure Report (Appendix 3F)</p>
<p>5.2.5.6 Discretionary Activity Rule – Cleanfill Disposal in High Risk Locations</p> <p>The discharge of cleanfill onto or into land and any subsequent discharge of contaminants into water or air in a manner that does not comply with Rules 5.2.5.4 and 5.2.5.5 is a discretionary activity (requiring resource consent).</p>	<p>Not applicable</p>	<p>The proposed deposition of cleanfill complies with Rule 5.2.5.5, and this Rule is therefore considered not applicable</p>
<p>5.2.5.7 Permitted Activity Rule – Discharge of Small Volumes of Sediment and Vegetation from within or surrounding Lawfully Established Structures or Artificial Watercourses</p>	<p>Not applicable</p>	<p>Discharge of sediment and vegetation is not proposed from any of these activities</p>

The discharge of sediment and vegetation onto or into land and any subsequent discharge to air or water where the material is derived from the:

1. Clearing of debris and bed material from within or surrounding a lawfully established structure or artificial watercourse
2. Maintenance of channels in drainage districts and river control scheme areas that are managed by the Waikato Regional Council or territorial authorities
3. Clearance of floating vegetation and debris behind dams and intake structures

Is a permitted activity subject to the following conditions:

- a) The discharge must occur outside of:
 - i. A high risk erosion area
 - ii. A floodplain of a river
 - iii. The catchment of, or within 10 metres of, whichever is the lesser, a sink hole or cave entrance
 - iv. Any wetland that is an areas of significant indigenous vegetation and/or a significant habitat of indigenous fauna
 - v. A significant geothermal feature
- b) The total volume disposed of at an individual disposal site does not exceed 10 cubic metres per annum.
- c) The placement of the material shall be undertaken and maintained in a manner so as to ensure its long term stability.
- d) The activity shall not cause any increase in flooding on neighbouring properties.
- e) Any discharge to air that occurs either during the initial placement of the material or subsequently shall comply with the conditions and standards and terms in Section 6.1.8.
- f) The sediment or material has no acid producing potential.⁵¹
- g) The discharge shall not contain hazardous substances or pathogenic organisms.
- h) Any discharge to water that occurs either during the initial placement of the material or subsequently shall:
 - i. comply with the suspended solids standards in Section 3.2.4.5 of this Plan.
 - ii. not contain any material which will cause the production of conspicuous oil or grease films, scums or foams or floatable suspended materials at

<p>any point downstream that is greater than three times the width of the river at the point of discharge and which for any river does not exceed 20 metres from the point of discharge and for any lake (other than Hydro Electricity Reservoirs) does not exceed 15 metres from the location of the discharge or the activity.</p> <p>iii. not contain leachate produced during the decomposition of any organic material.</p> <p>i) The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme or by the Historic Places Trust except where Historic Places Trust approval has been obtained.</p> <p>j) In the event of any waahi tapu that is not subject to condition i) being identified while undertaking the use, erection, reconstruction, placement, extension or alteration of the structure, the activity shall cease insofar as it may affect the archaeological site or waahi tapu and the Waikato Regional Council shall be notified as soon as practicable. The activity shall not be recommenced without the approval of the Waikato Regional Council.</p> <p>Any erosion occurring as a result of the activity shall be remedied as soon as practicable.</p>		
<p>5.2.5.8 Controlled Activity Rule – Discharge of Large Volumes of Sediment and Vegetation from Within or Surrounding Lawfully Established Structures or Artificial Watercourses</p> <p>The discharge of sediment and vegetation onto or into land and any subsequent discharge to air or water where the material is derived from the:</p> <ol style="list-style-type: none"> 1. Clearing of debris and bed material from within or surrounding a lawfully established structure or artificial watercourse 2. Maintenance of channels in drainage districts and river control scheme areas that are managed by the Waikato Regional Council or territorial authorities 3. Clearance of floating vegetation and debris behind dams and intake structures <p>Is a controlled activity (requiring resource consent)</p>	Not applicable	Discharge of sediment and vegetation is not proposed from any of these activities
5.2.6 Dumps and Offal Holes on Production Land	Not applicable	No dumps or offal holes are proposed
5.2.7 Landfills	Not applicable	No landfills are proposed

5.2.8 Composting of Green Waste and Other Organic Materials	Not applicable	No composting of green waste or other organic materials is proposed
5.2.9 Dust Suppression		
5.2.9.1 Permitted Activity Rule – Use of Dust Suppressants The discharge of contaminants (excluding waste oil*) onto or into land for the purpose of dust suppression is a permitted activity subject to the following conditions: <ol style="list-style-type: none"> If the dust suppressant is a hazardous substance or if the water or dust suppressant contains hazardous substances it shall be licensed for use as a dust suppressant under the provisions of the Hazardous Substances and New Organisms Act (1996). The contaminants shall not be applied at a rate or in weather conditions that result in ponding or surface run-off of contaminants into surface water. Any discharge to air arising from the activity shall comply with the conditions and standards and terms in Section 6.1.8 except where the matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site. 	Not applicable	No use of hazardous dust suppressant is proposed as part of the solar farm activity
5.2.9.2 Non-Complying Activity Rule – Waste Oil and Other Dust Suppressants The discharge onto or into land of waste oil or other substances that does not comply with Rule 5.2.9.1 is a non-complying activity (requiring resource consent)	Not applicable	No use of hazardous dust suppressant is proposed as part of the solar farm activity
5.2.10 Contaminated Land	Not applicable	While the site is considered a piece of land under the NES:CS, soil testing results indicate that no contaminants are present on the site. This rule is therefore considered not applicable. Refer to the PSI/DSI (Appendix 1R) for further information.

Chapter 6 – Air Module

Rule	Compliance	Comment
6.1 Regional and Local Air Management	Not applicable	Objectives and Policies only
6.2 The Discharge of Agrichemicals into Air		
6.2.4.8 Permitted Activity Rule – Spot Spraying Using Hand Held Spray Equipment	Complies	Any spot spraying required during construction will comply with the permitted activity standards
6.2.4.9 Permitted Activity Rule – Widespread Application of Agrichemical(s) Unless provided for in Rule 6.2.4.8, the discharge of agrichemicals into air, into water, and into or onto land is a permitted activity subject to the following conditions: <ul style="list-style-type: none"> a) The agrichemical(s) shall be discharged in a manner that does not contravene any requirement specified in the manufacturer's instructions. b) The discharge shall be undertaken in such a way that no significant adverse effect of off-target drift shall occur beyond the boundary of the property being sprayed. c) Where the agrichemical is being applied to vegetation on the banks and bed of water bodies: <ul style="list-style-type: none"> i. the application and consequent breakdown of vegetation shall not result in the contamination of domestic or commercial water supplies, or the death of fauna (and/or residues being detected in fish). ii. Where agrichemicals are applied directly to water any downstream water take within one kilometre of the point of discharge must be notified between 12 hours and three weeks prior to commencement of the discharge. d) Within twelve months of the Plan (or this rule) becoming operative: <ul style="list-style-type: none"> i. Every person undertaking the application of agrichemicals shall have a qualification certified in writing that meets the performance requirements set out in Section 6.2.10, or be under the direct supervision of a person who meets those requirements, or ii. Every contractor or contractor employee undertaking the land based application of agrichemicals shall hold or be under the on site supervision 	Permitted Activity	As outlined in the Infrastructure Report (refer Appendix 3F), chemical treatment management measures will be applied throughout earthworks that are anticipated to comply with permitted activity standards.

<p>of a person who holds a current National Certificate in Agrichemical Application, a GROWSAFE® Registered Chemical Applicators Certificate or a qualification that meets the performance requirements for contractors and contractor employees in Section 6.2.10</p> <p>iii. Every pilot undertaking the aerial application of agrichemicals shall hold a Pilot's Chemical Rating issued by the Civil Aviation Authority or an equivalent qualification.</p> <p>e) The application of agrichemicals shall be undertaken in accordance with New Zealand Standard 8409:2004, Management of Agrichemicals75.</p> <p>f) The owner, occupier, or manager of the property to be sprayed shall prepare a spray plan, or shall arrange for a spray plan to be prepared, at the beginning of each year or spray season, and the spray plan shall:</p> <ul style="list-style-type: none"> i. contain as a minimum the information as outlined in Section 6.2.7 of this Plan or with reference to Appendix M4 of New Zealand Standard 8409:2004, Management of Agrichemicals. ii. be given to any person within seven days of that person requesting the spray plan. iii. Notwithstanding the requirements of part i) of this condition, for local authority parks and reserves, road side spraying operations and community based spray programmes where the spraying activities for which spray plans are required cover more than 10 properties a single spray plan can be prepared on an annual basis covering all operations. This spray plan must identify as a minimum all known sensitive areas likely to be affected by the activity and the strategies to be employed to avoid adverse effects on thos areas (e.g. specific application techniques, specific notification practices, buffer zones, manning boundaries, restrictions on climate conditions when spraying can occur etc). The plan must be provided to the contractor/applicator prior to spraying commencing. <p>g) The owner, occupier, or manager of the property to be sprayed shall keep and maintain records of agrichemical use, or shall arrange for records to be kept. These records shall, as a minimum, include the information in Appendix C of the New Zealand Standard 8409:2004 Management of Agrichemicals.</p>		
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h) The owner, occupier, or manager of the property to be sprayed must follow the relevant notification requirements listed in Table 6-4 of this Plan.		
6.2.4.10 Controlled Activity Rule – Application of Agrichemical(s) Any discharge of agrichemical(s) into air, into water, and onto or into land in a manner which is not permitted by, or does not comply with Rules 6.2.4.8, 6.2.4.9 is a controlled activity (requiring resource consent) subject to the following standards and terms: <ul style="list-style-type: none"> a) The agrichemical(s) shall be discharged in a manner that does not contravene any requirement specified in the manufacturer’s instructions b) The discharge shall be undertaken in such a way that no significant effect of off-target drift shall occur beyond the boundary of the property being sprayed 	Not applicable	As above, application of agrichemicals are anticipated to comply with permitted activity standards under 6.2.4.9
6.2.4.11 Discretionary Activity Rule – Application of Agrichemicals Any discharge of agrichemical(s) into air, into water and onto or into land that is not permitted by, or does not comply with, Rules 6.2.4.8, 6.2.4.9 or 6.2.4.10 is a discretionary activity (requiring resource consent).	Not applicable	As above, application of agrichemicals are anticipated to comply with permitted activity standards under 6.2.4.9

Matamata Piako District Plan

Part B: Section 2 – Activity Table

2.2 Activity Table	Rural Zone Activity Status	Compliance	Comment
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for	<u>Non-complying</u>	Not Applicable	While solar farm activities are not expressly provided for in this Activity Table, they are provided for in Section 8.3.1 as a permitted activity and are therefore deemed to be provided for
1. General			
1.1 Accessory buildings for any permitted or controlled activities	<u>Permitted</u>	Permitted	The solar farm activities are considered to be permitted activities, as they are expressly provided for in Section 8.3.1. Therefore, the construction of accessory buildings associated with the activity are also considered to be permitted activities
1.2 Activities listed in the Table that are permitted or controlled not complying with the Developmental Controls and Performance Standards, unless otherwise provided	<u>Restricted Discretionary</u>	Restricted Discretionary	As solar farms are allowed for in Section 8.3.1, it is considered that the establishment of solar farms is a permitted activity. The proposed solar farms do not comply with Development Controls 3.2.1(iii) – Yards and 3.2.2 – Building Coverage. Therefore, consent is sought as a restricted discretionary activity
1.4 Demolition of buildings and structures except those outlined in Schedules 1, 2 and 3	<u>Permitted</u>	Permitted	Minor buildings will need to be demolished that are not outlined in the relevant Schedules. This is therefore a permitted activity
1.5 Activities undertaken on known contaminated sites	<u>Discretionary</u>	Does not comply	Works will be undertaken on contaminated land. Consent is sought under Volume 2 of the application

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2. Community Related Activities

The proposed solar farms activities do not include community related activities, such as educational facilities, places of assembly, or fire stations. Therefore, no consents are required under 2.2.2.

3. Dwellings and Dwelling Based Activities *(rules 3.1 to 3.8 and 3.10 do not apply where the dwelling is part of a papakāinga in Rural and Rural-Residential Zones, refer to rules 6.1 and 6.2. For the avoidance of doubt, rule 3.9 is still applicable for papakāinga.)*

The proposed solar farms activities do not include dwellings or dwelling/residential-based activities. Therefore, no consents are required under 2.2.3.

4. Scheduled sites only. See Schedule 5.

The activity is not located within the scheduled sites in Schedule 5. Therefore, no consents are required under 2.2.4.

5. Industrial based activities

The proposed solar farms do not include the listed industrial-based activities (industry, depots, mining, quarrying, meat processing, etc.). Therefore, no consents are required under 2.2.5.

6. Papakāinga (refer to activity related performance standards in Rule 4.4 and the development controls in Rule 3.2)

The proposed solar farms do not include papakāinga or associated activities. Therefore, no consents are required under 2.2.6.

7. Reserve and Kaitiaki (Conservation) Zones

The proposed solar farms do not include works in Reserve and Kaitiaki Zones. Therefore, no consents are required under 2.2.7.

8. Retailing and Office-Based Activities

The proposed solar farms do not include retailing or office-based activities. Therefore, no consents are required under 2.2.8.

9. Rural-Based Activities

9.1 Clean fill activities involving the depositing of less than 1000m ³ material (as measured compacted in place) (including scheduled sites in the Industrial zone, see Schedule 5 except for those areas covered by the Lockerbie Development Area Plan (see Rule MRZ-R1(1)(i) and PREC1-R1(1)(i))	<u>Permitted</u>	Not applicable	Importation of cleanfill is limited to that associated with the development of the solar farm, and therefore does not meet the definition for 'clean fill activities'
9.2 Clean fill activities involving the deposit of 1000m ³ or more of material (as measured compacted in place). See 4.12. Except for those areas	<u>Discretionary</u>	Not applicable	Importation of cleanfill is limited to that associated with the development of the solar farm, and therefore does not meet the definition for 'clean fill activities'

covered by the Lockerbie Development Area Plan (see Rule MRZ-R1(1)(i) and PREC1-R1(1)(i))			
9.3 Commercial stockyards, saleyards and holding paddocks	<u>Discretionary</u>	Not applicable	This activity does not form part of the solar farm activities proposed in this application
9.4 Conservation forestry	<u>Permitted</u>	Not applicable	No conservation forestry is proposed
9.5 Establishment for the boarding/breeding of domestic pets.	<u>Discretionary</u>	Not applicable	No breeding of domestic animals is proposed
9.6 (a) Intensive Farming.	<u>Discretionary</u>	Not applicable	No intensive farming is proposed
9.6 (b) Litter Poultry Farming.	<u>Discretionary</u>	Not applicable	No litter poultry farming is proposed
9.7 Farming.	<u>Permitted</u>	Permitted	Stock grazing is proposed underneath the solar arrays. This is a permitted activity
9.8 Establishing new areas of Plantation Forestry.	<u>Permitted</u>	Not applicable	No forestry is proposed
9.9 Harvesting of Plantation Forests.	<u>Controlled</u>		
9.10 Replanting of Plantation Forests	<u>Permitted</u>		
9.11 Use of land for effluent disposal of non-human waste from agricultural activities except as otherwise stated on a DCP.	<u>Permitted</u>	Not applicable	No effluent disposal is proposed
9.12 Use of land for effluent disposal of non-human waste from industrial activities except as otherwise stated on a DCP.	<u>Controlled</u>	Not applicable	No effluent disposal is proposed
9.13 Stock movement within road reserves. See 8.7.	<u>Permitted</u>	Not applicable	No stock movement is proposed in the road reserve
9.14 Aggregation of rural land (refer to 8.7 for the requirements relating to stock crossings and stock underpasses).	<u>Permitted</u>	Not applicable	This does not apply to this proposal
9.15 Livestock farming in areas of indigenous vegetation over 1 ha.	<u>Discretionary</u>	Not applicable	No stock grazing is proposed over indigenous vegetation

Part B: Section 3 – Development Controls

Rule	Compliance	Comment
3.2 Rural and Rural-Residential Zones		
3.2.1(i) Maximum Height 10 metres	Complies	The proposed panels reach a height of 2.5m when fully tilted.
3.2.1(ii) Height relative to site boundary 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.	Complies	The proposed panels will comply with height in relation to boundary.
3.2.1(iii) Yards <ul style="list-style-type: none"> Rural front yards: 25m Rural side yards (except where the building is part of a papakāinga): 10m Rural-Residential front yard: 10m Rural-Residential side and rear yards: 5m River protection yard: 20m Side and rear yards where the building is part of a papakāinga: 20m 	Does not comply	<p>The Northern Solar Farm does not comply with yards standards as follows:</p> <ul style="list-style-type: none"> A 2.2m high security fence (meeting the definition of structures) is proposed along all boundaries. These are set back between 3-7m from all boundaries, infringing the rear yard to the north, side yard to the west, front yard to the south, and side yard to the east; and Solar panels meet the definition of structures are proposed within front yard in relation to 172 Station Road, being set approximately 15m from the common boundary <p>The Southern Solar Farm does not comply with yards standards as follows:</p> <ul style="list-style-type: none"> A 2.2m high security fence is proposed along all boundaries. These are set back between 3-7m from all boundaries, infringing all yards.
3.2.2 Maximum Building Coverage <ol style="list-style-type: none"> Total building coverage for accessory buildings on lots less than 4000m² shall not exceed 10% of the net site area. 	Does not comply	As solar panel arrays technically meet the definition of a building, the building coverage will exceed the permitted 10% of the net site area on both solar farms

ii. Except that in an identified Structure Plan (refer Activity Table 2.2) total building coverage of the site shall not exceed: <ul style="list-style-type: none"> - 15% of the net site area iii. Except that where the building is part of a Papakāinga, Rule 4.4.1(2) shall apply.		
3.2.3. Development Contributions A Development Contribution is required to be made in accordance with Section 7.2 (iii) prior to the issue of a building consent for the second or subsequent complying dwelling per lot where a contribution has not been made at the time of the subdivision to create the said lot.	Not applicable	No dwellings are proposed
3.2.4 Access, parking, loading and manoeuvring See Section 9: Transportation and the Development Manual.	Refer below	Refer Section 9 below

Part B: Section 4 – Activity Related Performance Standards

Rule	Compliance	Comment
4.1 Plantation and conservation forestry		
The proposed solar farms activities do not include forestry activities.		
4.2 Forestry and woodlot setbacks		
The proposed solar farms activities do not include forestry activities.		
4.3 Home occupations		
The proposed solar farms activities do not include home occupation activities.		
4.4 Papakāinga		
The proposed solar farms activities do not include papakāinga activities.		
4.5 Goat and deer farming		
The proposed solar farms activities do not include goat and deer farming activities.		
4.6 Buildings not requiring building consent		

The proposal does not trigger consent under this section.

4.7 Dependant persons dwelling

The proposed solar farms activities do not include dwellings or dwelling/residential-based activities.

4.8 Aerial topdressing/spraying

The proposed solar farms activities do not include spraying activities.

4.9 Mining, quarrying and mineral processing

The proposed solar farms activities do not include mining, quarrying and mineral processing activities.

4.10 Service stations

The proposed solar farms activities do not include service station activities.

4.11 Temporary Activities

4.11.1 Permitted Activities

4.11.1(a) Temporary offices, storage sheds, storage yards, builder's workshops, ablution facilities and other similar buildings and activities incidental to a building or construction project, for the duration of that project specific to the issued building consent

Will Comply

Any temporary structures for the purposes of construction will comply with permitted activity standards.

4.12 Cleanfill

The proposed solar farms do not include cleanfill activities.

4.13 Residential Infill Development

The proposed solar farms activities do not include dwellings or dwelling/residential-based activities.

4.14 Business Activities within Business/Residential Zone

The proposed solar farms activities do not include business activities.

Part B: Section 5 – Performance Standards – All Activities

Rule	Compliance	Comment
5.1 Conservation		
5.1.1 Riparian Planting and Retirement		
<p>i. Any resource consent granted in respect of land contiguous to a riverbank may require the establishment and maintenance of conservation planting or the retirement of land for regeneration of indigenous vegetation up to a maximum of 20 metres along all rivers to avoid, remedy or mitigate any adverse effects from the land use practices for which consent has been granted.</p> <p>For the purposes of this rule river means all natural perennial flowing streams and modified watercourses; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).</p> <p>ii. With the exception of Scheduled Item 213 of Schedule 3, the establishment of such areas may be subject to a covenant or consent notice or other such legal instrument as may be considered appropriate in the circumstances to ensure the long term protection of the waterway as well as the maintenance of the planted area as a protective environment. Such an instrument shall include provisions for fencing, and where stock are present, stock proof fencing, maintaining the waterway, clearing noxious weeds, maintaining and replacing the trees as required and shall define the extent of planting.</p> <p>iii. Consultation with the Waikato Regional Council, where it has responsibilities for operation and maintenance for soil conservation, river control or drainage assets, be undertaken concerning access and conservation provisions.</p>	Complies	<p>No planting is proposed within the 20m riparian margin along the Waitoa River to the west of the Southern Solar Farm. The riparian margin is provided as an Esplanade Reserve, as per the scheme plan included within Volume 2.</p> <p>Further details are included within the Ecological Assessment and Management Plans, included as Appendix 1I and 1J respectively.</p>
5.2.1 Rehabilitation		
<p>i. All activities involving extraction, excavation, drilling, tunnelling or other disturbance or deposition of land shall, where practicable, restore the land and structures to a stable land form with a soil structure and fertility that is capable of supporting vegetation similar to that found in local habitats.</p>	Complies	<p>All land beneath the solar arrays will be returned to pasture to enable grazing. Additional landscaping is proposed along all boundaries, as set out within the Landscape Drawings (refer Appendix 3B).</p>

<p><u>Provided that</u> these provisions do not apply to road construction, farm tracks (including farm or forestry access tracks) or excavation for a building platform of less than 1000m³ in volume.</p> <p>Restoration includes loosening of the soil to prevent over-compaction and slipping surfaces and to aid root penetration. In particular:</p> <ol style="list-style-type: none"> Topsoil stripped from the working area shall, where practicable, be retained for future restoration of the land; All excavations, heaps, dumps, spoil, tailings or other materials shall be restored in a manner that will enable reinstatement of a natural vegetated landscape, similar to that found locally; Rehabilitated lands shall be planted within the first growing season following restoration of the soil profile. <p>Site rehabilitation associated with mining and quarrying shall include the management of tailings to avoid discharges, and the removal of all machinery, buildings, equipment and solid waste. See Section 1.4.13.</p> <ol style="list-style-type: none"> Where vegetation clearing and/or burning is undertaken the land shall be rehabilitated and replanted in a way that avoids any potential for adverse effects from soil erosion and water sedimentation. All rehabilitation and replanting that is required in standards (i) and (ii) above shall be certified as being completed in accordance with the provisions of these rules by a suitably qualified or experienced person. To ensure that appropriate restoration is undertaken, Council may apply bonds or financial charges to an equivalent value. 		
5.1.3 Cleanfill		
<ol style="list-style-type: none"> Cleanfill shall be rehabilitated to a state similar in land, form and visual appearance to that found locally. Such sites shall not be located within 20m of a significant natural environment or heritage feature identified in Schedules 1, 2 or 3, or features that meet the evaluation criteria listed in Appendix 1. 	Complies	As set out above, cleanfill will be rehabilitated to a state similar in land, form, and visual appearance to the local pastures.
5.2 Noise		
5.2.1 General Noise		

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consistent with the predominant character of the Rural zone, are permitted provided that: <ul style="list-style-type: none">a. The activity is conducted in accordance with good management practice; andb. Machinery is operated in accordance with manufacturers’ specifications.c. This exclusion does not include rural operations such as the distribution of industrial factory by-products.d. The noise levels set by this Rule do not apply within the Quarry Noise Control Boundary shown in Appendix 8. The noise levels set by this Rule will apply to Rural zoned land outside that boundary.													
5.3 Vibration													
<p>i. Industrial (including the General Industrial Zone) and Business Activities</p> <p>Advice note: This Section does not include vibration created as a result of blasting. See Section 4.9.1 for rules related to blasting.</p> <p>Vibration from Industrial and Business activity shall not exceed the following average levels:</p> <ul style="list-style-type: none">a. At or within the boundary of any site zoned Residential, or within 20m of any dwelling in the Rural or Rural-Residential zones <table><tr><th>Time</th><th>Average weighted vibration level (Wb or Wd)</th></tr><tr><td>Monday to Saturday: 7.00am to 6.00pm (0700 to 1800)</td><td>45 mm/s2</td></tr><tr><td>At all other times</td><td>15 mm/s2</td></tr></table> <ul style="list-style-type: none">b. At or within the boundary of any adjacent site zoned Business or Industrial (including the General Industrial Zone): <table><tr><th>Time</th><th>Average weighted vibration level (Wb or Wd)</th></tr><tr><td>At all times</td><td>60 mm/s2</td></tr></table>		Time	Average weighted vibration level (Wb or Wd)	Monday to Saturday: 7.00am to 6.00pm (0700 to 1800)	45 mm/s2	At all other times	15 mm/s2	Time	Average weighted vibration level (Wb or Wd)	At all times	60 mm/s2	Complies	Construction vibration will be compliant with construction vibration standards. Please refer to the acoustic assessment contained in Appendix 3G for further details.
Time	Average weighted vibration level (Wb or Wd)												
Monday to Saturday: 7.00am to 6.00pm (0700 to 1800)	45 mm/s2												
At all other times	15 mm/s2												
Time	Average weighted vibration level (Wb or Wd)												
At all times	60 mm/s2												

<p>The weighted vibration levels Wb and Wd shall be measured according to BS6841:1987. The average vibration shall be measured over a time period not less than 60 seconds and not longer than 30 minutes. The vibration shall be measured at any point where it is likely to affect the comfort or amenity of persons occupying an adjacent site.</p> <p>ii. Buildings adjacent to railway lines and state highways</p>		
5.3 Lighting and Glare		
<p>i. At no time between 7.00am and 10.00pm shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at the boundary of any non-Industrial zoned or non-Industrial precinct site adjoining.</p> <p>ii. At no time between the hours of 10.00pm and 7.00am shall any outdoor lighting be used in a manner that causes:</p> <p>a. An added illuminance in excess of 10 lux measured horizontally or vertically at any window of an adjoining building within a non-Industrial zone or non-Industrial precinct;</p> <p>b. An added illuminance in excess of 20 lux measured horizontally or vertically at any point along any non-Industrial zone boundary or non-Industrial precinct.</p> <p>iii. Where measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations of a similar nature which are not affected by such outdoor lighting.</p> <p>iv. The outdoor lighting on any site adjoining any non-Industrial zoned or non-Industrial precinct site shall be so selected, located, aimed, adjusted and screened as to ensure that glare resulting from the lighting does not cause a significant level of discomfort to any occupants of the non-industrial site.</p>	Complies	<p>Glint and glare reports have been prepared for both solar farms and are contained in Appendix 3D and 3E. Glare from the solar farms have been concluded to not affect neighbouring receptors.</p>
5.5 Air Emissions		
5.5.1 Odour		
<p>The management of activities shall ensure that there is no odour nuisance at or beyond the boundary of the property.</p>	Complies	<p>No objectionable odour will be generated from the proposed solar farms.</p>

For the purpose of this rule an odour nuisance is defined as one that can be detected and determined to be a nuisance by three observers who are neutral to the issue, able to apply the frequency, intensity, duration and offensiveness to their observations and who are able to report these accurately; or an appropriately experienced Council or Regional Council Officer after having considered objectives, policies and guidelines of assessment as provided in the relevant sections of a Regional Air Plan or consideration of the provisions in Section 17 and Part XII of the RMA.		
5.5.2 Dust		
<p>Activities shall operate so as to ensure that dust generation is minimised. These activities shall be undertaken in a manner so as to avoid any adverse effects associated with dust and particulate emissions beyond the boundary of the site of emission</p> <p>As a guide, activities that result in a deposition rate beyond the boundary of the subject property of 4 grams or less per m² per 30 day period may be considered to be at an acceptable level in terms of mitigating dust nuisance.</p> <p>The reason that this is a guide in the Waikato Regional Plan for modelling to assess whether effects are objectionable, and is also a guide on the District Plan as opposed to a standard, is that what is acceptable will vary depending on the receiving environment and the background levels of deposited particulate matter already present.</p> <p>In other instances (i.e., where site characteristics differ) higher levels of deposition may be acceptable without resulting in objectionable effects or lower levels may be appropriate where for example background levels are low. Levels shall be determined on a site by site basis.</p> <p>Deposition monitoring shall be undertaken in accordance with draft ISO Standard 4222.2.</p>	Complies	Dust control measures will be implemented on the site. Refer to the Infrastructure Report (Appendix 3F) for further detail.
5.6 Management and Disposal of Wastes		
5.6.1 General		
<p>i. All activities shall provide solid waste storage areas which shall be visually screened when viewed from any adjoining site or public place</p> <p>ii. No unauthorised dumping of solid waste materials shall be permitted</p>	Not applicable	No waste will be produced by the solar farms.
5.6.2 Effluent Disposal Systems		
No disposal of non-human waste is proposed, therefore this standard is not applicable.		

5.7 Use and Storage of Hazardous Substances

No hazardous facilities are proposed, however it is noted that some hazardous substances will be stored on the Retirement Village site in association with the facilities/landscaping and the hospital. It is anticipated that these would comply with the Consent Status Matrix set out in Section 5.7.2, and as a matter of conservatism, a Hazardous Substances Management Plan has been prepared for the site (refer **Appendix 10**).

5.8 Regular Stock Movement within a Road

No stock movements are proposed within a road, therefore this standard is considered not applicable.

5.9 Infrastructure and Servicing

5.9.1 Performance Standards

<ul style="list-style-type: none"> i. Stormwater – the subdivision and development of land shall be carried out so as to provide for effective stormwater management, in compliance with the Development Manual ii. Wastewater – where available within a reticulated area, every allotment or household unit shall be provided with a connection to the Council’s wastewater reticulation system, in compliance with the Development Manual iii. Water supply – where available within a reticulated area every allotment or household unit shall be provided with a connection to the Council’s water reticulation system, in compliance with the Development Manual iv. Transportation – The performance standards for transportation set out in Section 9 Transportation must be met. In addition: <ul style="list-style-type: none"> a. In any subdivision every Certificate of Title shall have access to a formed, legal road in compliance with the Development Manual b. Where a new road is created, street lighting, streetscape planting, and any street furniture shall be designed and provided in compliance with the Development Manual c. Subdivision and development of the Industrial Zone area east of Rockford Street (Lot 2 DP 313622 and Part Lot 4 DPS 803) or any subsequent titles shall not have direct access onto SH24. v. Other reticulation – Telecommunication and electricity reticulation shall be provided at the time of subdivision and in accordance with the requirements of the relevant 	Complies	<p>5.9.1(i) – (ii) do not apply to the Solar Farms, with stormwater being provided on-site and being self-serviced, and no wastewater connections proposed.</p> <p>5.9.1(iii) to (vi) will be complied with. Refer to the Infrastructure Report (Appendix 3F) for further details.</p> <p>5.9.1(vii) does not apply to the proposal as no Papakāinga housing is proposed</p>
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network utility operator in compliance with the Development Manual. Refer also to Section 8: Works and Network Utilities		
vi. Firefighting Water Supply - Where a connection to a reticulated water supply is not possible, adequate provision shall be made for firefighting water supply and access to the supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.		
vii. Papakāinga		

Part B: Section 8 – Works and Network Utilities

Activity	Rural	Compliance	Comment
8.1 Telecommunications			
8.1.1 Activity Table			
No telecommunications lines are proposed as part of this proposal. Therefore, no consents are required under 8.1.1			
8.2 Electricity Transmission and Distribution Activities			
8.2.1 Activity Table			
1. Underground electrical cables and ancillary electrical equipment	<u>Permitted</u>	Permitted	New underground electrical cables are proposed to the boundaries of both solar farms. These are intended to connect into new underground electrical cables to be installed by PowerCo to connect the solar farms to relevant substations. Refer to the Infrastructure Report and Engineering Drawings for further details (refer Appendix 3F)
2. Overhead connections from buildings, structures, or sites to electrical lines where the existing distribution network is overhead	<u>Permitted</u>	Not applicable	No overhead connections are proposed
3. Temporary overhead electrical lines to construction sites or short term recreational venues subject to Council being formally notified of the route, and date by which it will be removed	<u>Permitted</u>	Not applicable	No overhead connections are proposed. If proposed during construction, these will comply with permitted activity standards
4. Minor upgrading of electrical lines	<u>Permitted</u>	Not applicable	No upgrading of electrical lines is proposed
5. Overhead electrical lines up to and including 110kV and associated support structures	<u>Permitted</u>	Not applicable	No overhead lines are proposed
6. High voltage electrical transmission lines greater than 110kV including support structures	<u>Discretionary</u>	Not applicable	No high voltage transmission lines are proposed (11kV and 33kV only proposed)
7. Pole mounted transformers and switching gear	<u>Permitted</u>	Not applicable	Pole-mounted transformers are not proposed

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8. Single transformers and associated switching gear and ancillary electrical equipment conveying electricity at a voltage of up to and including 11kV not exceeding a gross floor area of 4m ² and a height of 2m	<u>Permitted</u>	Does not comply	The proposed transformers on the northern solar farm will be 11kV, however will be contained within containers measuring approximately 6.1m in length, 2.4m in width, and 2.6m in height
9. New and extensions to existing transformers, substations, and switching stations conveying electricity at a voltage up to and including 66kV and ancillary buildings (not otherwise provided for in Activity Table 8.2.1)	<u>Permitted</u>	Permitted	<p>The proposed transformers for the southern solar farm will be 33kV. While the northern solar farm transformers will be 11kV, it is also considered to be captured under this rule</p> <p>The transformers proposed on the site are therefore considered a permitted activity</p>
10. New and extensions to existing substations and switching stations conveying electricity at a voltage including and in excess of 110kV and ancillary buildings	<u>Discretionary</u>	Not applicable	No substations or switching stations are proposed as part of this proposal
11. Electrical depots for maintenance, upgrading, alteration, construction, or security of lines or pylons provided they are situated within a substation property	<u>Restricted Discretionary</u>	Not applicable	No electrical depots are proposed
12. Electricity transmission and distribution activities that emit electromagnetic field emissions not complying with ICNIRP guidelines as recognised by the NZ Ministry of Health	<u>Non-Complying</u>	Not applicable	Does not apply to the proposal

8.2.2 Performance Standards

8.2.2.i. Minor upgrading – Rule 8.2.1.4

Minor upgrading of electrical lines is a permitted activity when undertaken in accordance with the definition of “minor upgrading” in Section 15 of the District Plan.

Advice Note: For activities involving the operation, maintenance, upgrading, relocation or removal of transmission lines, including 110kV lines being part of the National Grid, that were operated or able to be operated, on or prior to 14 January 2010 – see the NES-ET.

Not applicable

No upgrading of electrical lines is proposed as part of this consent.

<p>8.2.2.ii. Development Controls</p> <p>Buildings and structures (excluding electrical line support structures and single transformers and associated switching gear not exceeding a gross floor area of 4m² and a height of 2m and pole mounted transformers and switching gear) must comply with the following:</p> <p>a. The development controls for the relevant zone within which the facility is located. The Rural zone development controls shall apply to sites in the Kaitiaki (Conservation) zone.</p> <p>b. The district-wide development controls in Sections 3.5–3.9.</p>	Complies	<p>The transformers will be contained within structures that exceed 4m² and 2m in height.</p> <p>These containers are situated centrally within the sites and will comply with all relevant development controls.</p>
<p>8.2.2.iii. Noise</p> <p>Noise from substations as measured at the closest neighbouring dwelling must not exceed:</p> <p>a. LAeq (15 min) 55dB Monday to Saturday 7am–10pm and Sunday and Public Holidays 9am–6pm.</p> <p>b. LAeq (15 min) 45dB and LAFmax 75dB at all other times.</p> <p>c. Noise levels must be measured in accordance with New Zealand Standard on the Measurement of Environmental Sound (NZS 6801: 2008) and assessed in accordance with New Zealand Standard Acoustics – Environmental Noise (NZS 6802: 2008), except:</p> <ul style="list-style-type: none"> ▪ The measurement of noise must not be subject to any tonal adjustment; and: ▪ The noise level must be measured at 1m from the façade of the closest residential building, or 1m from the closest permitted building platform where the zoning of a vacant site permits a dwelling. 	Not applicable	No substations are proposed
<p>8.2.2.iv Electromagnetic Field Emissions</p> <p>Electromagnetic field emissions from electricity transmission and distribution activities must comply with the ICNIRP guidelines as recognised by the NZ Ministry of Health.</p>	Complies	The proposed solar farms will comply with the ICNRP guidelines

Advice Note: For the current version of the ICNIRP guidelines see “Guidelines for Limiting Exposure to Time-Varying Electric and Magnetic Fields (1Hz–100kHz). Health Physics 99(6):818–836; 2010.			
8.3 Renewable Energy Generation Activities			
8.3.1 Activity Table			
1. Small-scale renewable energy generation	<u>Permitted</u>	Not applicable	The solar farms do not meet the definition of small-scale, and this rule is therefore not applicable
2. Community-scale renewable energy generation	<u>Permitted</u>	Permitted	<p>The solar farms are expected to provide energy for approximately 7,000 homes, which is considered to meet the definition of ‘community-scale energy generation as per Part B, Chapter 15 of the MPODP</p> <p>The establishment of solar farms is therefore a permitted activity in the Rural zone</p>
3. Large-scale wind farms	<u>Restricted Discretionary</u>	Not applicable	Wind farms are not proposed
4. Research and exploratory-scale investigations for renewable electricity generation activities	<u>Permitted</u>	Not applicable	Not relevant to proposal
5. Other renewable energy generating facilities	<u>Discretionary</u>	Not applicable	As above, the solar farms are considered to be captured under 8.3.1.2, and this rule is therefore not applicable
8.3.2 Performance Standards			
8.3.2.i Wind research and exploration		Not applicable	No wind research facilities proposed
8.3.2.ii Small-scale roof-mounted wind turbines		Not applicable	No wind turbines proposed
8.3.2.iii Small-scale free-standing wind turbines		Not applicable	No wind turbines proposed
8.3.2.iv Community-Scale wind turbine towers		Not applicable	No wind turbines proposed
8.3.2.v Noise		Not applicable	No wind turbines proposed

<p>Noise associated with the operation of small or community scale wind turbines must comply with the noise standards for the zone within which the facility is located, except that:</p> <ul style="list-style-type: none"> a. In the Residential zone, the noise standards for discretionary activities (Rule 5.2.2(ii)) shall apply to the operation of small- or community-scale wind turbines; b. In the Kaitiaki (Conservation) zone the noise standards for the Rural zone (Rule 5.2.6(i)) shall apply to the operation of small- or community-scale wind turbines. <p><i>Advice Note: Noise associated with the operation of a large-scale wind farm must comply with the New Zealand Standard on Acoustics – Wind Farm Noise (NZS 6808: 2010).</i></p>		
8.4 Liquid fuels and gas transmission and distribution		
No liquid fuels or gas transmission facilities are proposed as part of this consent. Therefore, no consents are required under 8.4.1.		
8.5 Water, Wastewater and Stormwater		
8.5.1 Activity Table		
1. Water, wastewater, and stormwater connections to public networks	<u>Permitted</u>	<p>Permitted</p> <p>No stormwater or wastewater connections to public networks are proposed. Water connections from the public network will be extended to the southern solar farm site from the proposed residential subdivision (refer Volume 5 of this application), and from the existing public network on Station Road for the northern solar farm.</p> <p>Stormwater and wastewater for the two rural-residential Lots will be provided on-site, and no connection the public network is proposed. Public water connection is proposed from the existing network on Station Road.</p> <p>Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details</p>

2. Ventilation, drop shafts and manholes	<u>Permitted</u>	Permitted	Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details
3. Underground pipelines and fittings for the conveyance of water, wastewater, and stormwater	<u>Permitted</u>	Permitted	Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details
4. Above ground pipelines and fittings for the conveyance of water, wastewater and stormwater, attached to existing bridges or structures	<u>Permitted</u>	Not applicable	No existing bridges or structures will be retained on the site
5. Above ground pipelines and fittings for the conveyance of water, wastewater, and stormwater, not attached to existing bridges or structures	<u>Restricted Discretionary</u>	Not applicable	No above ground pipes are proposed
6. Wastewater pump stations	<u>Permitted</u>	Not applicable	No wastewater pump stations are proposed
7. Water storage tanks	<u>Permitted</u>	Permitted	2x 25,000L water storage tanks are proposed on each solar farm for firefighting purposes. Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details
8. Water reservoirs	<u>Permitted</u>	Not applicable	No water reservoirs are proposed on the solar farm sites
9 Water treatment plants	<u>Permitted</u>	Not applicable	No water treatment plants are proposed on the solar farm sites
10.1 Stormwater detention ponds and similar facilities to reduce stormwater runoff volume, flow, and contaminant loads prior to discharge, excluding: <ul style="list-style-type: none"> rain gardens infiltration trenches wetlands domestic-scale on-site stormwater management and disposal systems 	<u>Permitted</u>	Not applicable	No stormwater detention ponds or similar facilities are proposed on the solar farms
10.2 Stormwater detention by means of: <ul style="list-style-type: none"> Rain gardens; Infiltration trenches; 	<u>Permitted</u>	Permitted	Existing farm drains will be utilised, along with ground soakage.

<ul style="list-style-type: none"> Wetlands; All stormwater detention facilities and ponds on sites subject to a DCP 			Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details
11. Domestic-scale on-site stormwater management and disposal systems. (See Waikato Regional Plan for consent requirements)	<u>Permitted</u>	Not applicable	No domestic scale works are proposed. Note that on-site stormwater systems will be required for the proposed Rural-Residential Lots, however these are not proposed to be provided through this consent.
12. Secondary flow paths	<u>Restricted Discretionary</u>	Restricted Discretionary	Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details
13. Water and irrigation races, open drains, and channels (not being secondary flow paths)	<u>Permitted</u>	Permitted	Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details
14. Wastewater treatment plants (exclusive of domestic-scale on-site wastewater disposal systems)	<u>Restricted Discretionary</u>	Not applicable	No treatment plans are proposed as part of the solar farm activity
15. Domestic-scale on-site wastewater disposal systems	<u>Permitted</u>	Not applicable	No domestic-scale works are proposed. Note that on-site wastewater systems will be required for the proposed Rural-Residential Lots, however these are not proposed to be provided through this consent.
16. Erosion protection, culverts, measuring devices (flow structures) and water quality monitoring devices	<u>Permitted</u>	Not applicable	No relevant structures are proposed
8.5.2 Performance Standards			
8.5.2.i The standards in the Development Manual		Complies	Refer to the Infrastructure Report and Engineering Drawings (Appendix 3F) for further details
8.5.2.ii The following structures must meet the development controls for the zone within which they are located: <ol style="list-style-type: none"> Water storage tanks; Water reservoirs; Water treatment plants; Wastewater treatment plants. 		Complies	The water storage tanks will comply with the development controls for the rural zone. No water reservoirs, water treatment plants, or wastewater treatment plants are proposed.

The Rural zone development controls shall apply in the Kaitiaki (Conservation) zone.		
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8.6 Transport Network

8.6.1 Activity Table

1. Operation, maintenance, and safety works relating to existing public roads and state highways. (See advice notes below.)	<u>N/A</u>	Not applicable	N/A in the Rural zone
2.1 New public roads, service lanes, cycleways, walkways, and public car parks, as part of a subdivision	<u>Discretionary</u>	Not applicable	No new public roads are proposed on the solar farms. All proposed roads in the solar farms will be privately owned
2.2 New cycleways and walkways not part of a subdivision or included in a Reserve Management Plan	<u>Permitted</u>	Not applicable	No new cycleways or walkways are proposed on the solar farms.
2.3 New cycleways and walkways not part of a subdivision, but included in Reserve Management Plan	<u>Permitted</u>	Not applicable	No new cycleways or walkways are proposed on the solar farms.
3. New public roads, service lanes, cycleways, walkways, and public car parks, as part of a subdivision	<u>Refer Rule 9.1.2(v)</u>	Not applicable	No subdivision is proposed
4. New state highways	<u>Discretionary</u>	Not applicable	No new state highways are proposed
5. New railway network and ancillary equipment (outside of Designation 88)	<u>Discretionary</u>	Not applicable	No new railway network proposed

8.7 Stock movements and stock crossings

Stock movements will be handled outside of the road reserve, where applicable. Therefore, no consents are sought under Section 8.7.

8.8 Flood Control Works

No flood control works are proposed. Therefore, no consents are sought under Section 8.8

8.9 Miscellaneous works and network utilities

No matters under Section 8.9 are proposed as part of this consent. Therefore, no consents are sought under Section 8.9

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Part B: Section 9 – Transportation

Rule		Compliance	Comment
9.1.2 Access			
ii. Activity Table – Vehicle Crossing			
Performance Criteria	Activity Status		
1. Significant Roads			
The site does not adjoin or gain access from any significant roads. Therefore, no consent is required under 9.1.2.1			
2. Arterial Roads			
The solar farms do not adjoin or gain access from any arterial roads. Therefore, no consent is required under 9.1.2.2			
3. Collector and Local Roads			
3.1. An existing vehicle crossing that does not change in character, scale, or intensity of use.	<u>Permitted</u>	Not applicable	Station Road is a collector road. The existing vehicle crossing to the northern solar farm will be modified to accommodate vehicle movements associated with the solar farms.
3.2. An existing vehicle crossing that changes in character, scale, or intensity of use, meeting the performance standards in 9.1.2(iv)(a)(i)–(iv).	<u>Permitted</u>	Permitted	The existing vehicle crossing to the northern solar farm is proposed to be widened and re-used and is anticipated to comply with relevant Standards.
3.3. An existing vehicle crossing that changes in character, scale, or intensity of use not meeting the performance standards in 9.1.2(iv)(a)(iii) provided that: <ul style="list-style-type: none"> ▪ The crossing is utilised for a new activity that requires the same or lesser standard of entranceway than the current use; and ▪ The current formation is greater or equal to the vehicle crossing required for the new activity; and ▪ The crossing will serve an activity that is otherwise a permitted activity under the District Plan. 	<u>Permitted</u>	Not applicable	The northern solar farm crossing is fully compliant with the Development Manual and performance standards. The southern solar farm crossing does not comply with Standards 9.1.2(iv)(a)(i) and 9.1.2(vii)(a)(ii).

3.4. A new vehicle crossing that complies with the performance standards in 9.1.2(iv)(a)(i)–(iv).	<u>Permitted</u>	Not applicable	The existing crossing for the northern solar farm will be re-formed and is permitted under Rule 3.2 above. The new crossing for the southern solar farm does not comply with relevant standards and consent is sought under Rule 3.7 below.
3.5. An existing vehicle crossing that changes in character, scale or intensity of use or a new vehicle crossing where: <ul style="list-style-type: none"> ▪ The performance standards in 9.1.2(iv)(a)(i)–(iii) are met except that the separation distance from an intersection cannot be met; and ▪ The vehicle crossing is not associated with a new subdivision; and ▪ The vehicle crossing is the only vehicle crossing serving the property; and ▪ The vehicle crossing is located on the furthest property boundary so as to maximise the separation distance from the intersection. 	<u>Permitted</u>	Not applicable	The northern solar farm crossing complies with all standards. The southern solar farm crossing does not comply and consent is sought under Rule 3.7 below.
3.6. An existing vehicle crossing that changes in character, scale, or intensity of use or new vehicle crossing where: <ul style="list-style-type: none"> ▪ The vehicle crossing is not associated with a new subdivision; and ▪ The vehicle crossing is the only vehicle crossing serving the site; and ▪ The performance standards in 9.1.2(iv)(a)(i) and 9.1.1(iv)(a)(ii) can be met; and There is no location anywhere along the site's frontage that can comply with the minimum sight distances and/or separation distances to intersections contained	<u>Controlled</u>	Not applicable	The northern solar farm crossing complies with all standards. The southern solar farm crossing does not comply and consent is sought under Rule 3.7 below.

within the Development Manual; and the activity is not a permitted activity under 3.1–3.5.			
3.7. Any vehicle crossing on to Collector or Local Roads that is not permitted under 3.1–3.5; or controlled under 3.6.	<u>Restricted Discretionary</u>	Restricted Discretionary	The southern solar farm crossing does not comply with Standards 9.1.2(iv)(a)(i) and 9.1.2(vii)(a)(ii), and consent is sought as a Restricted Discretionary Activity .

Advice Note: References in the District Plan and in the table above to “changes in character, scale, or intensity” means an increase in the number of vehicle movements, and/or an increase in peak vehicle movements, and/or an increase in the number of heavy vehicles.

iii. Access to Significant Roads and Arterial Roads

No access to significant roads or arterial roads is proposed.

iv. Access to Collector and Local Roads

A – Performance Standards

<ul style="list-style-type: none"> i. The vehicle crossing shall be designed, formed, and constructed in accordance with the Development Manual; ii. There shall be less than an average of 250 car equivalent movements per day within any one week using the vehicle crossing, where a car equivalent movement is defined as follows: 1 car to and from the site = 2 car equivalent movements 1 truck to and from the site = 6 car equivalent movements 1 truck and a trailer to & from the site = 10 car equivalent movements Provided that a single residential dwelling is deemed to generate 8 car equivalent movements per day; iii. The vehicle crossing shall comply with the minimum sight distances, and separation distances to intersections, contained within the Development Manual; iv. A second or subsequent vehicle crossing serving the same site shall meet the vehicle crossing separation standards in the Development Manual. 	Does not comply	<ul style="list-style-type: none"> i. The crossing for the southern solar farm does not comply with the Development Manual (DG307). ii. Both solar farms comply, with vehicle movements anticipated to be low iii. Both solar farms comply with sight distance requirements iv. Both solar farms are provided with only one vehicle crossing
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v. Roads, private ways and access legs within a new subdivision

No subdivision is proposed for the solar farms further to what is proposed within Volume 2 of this application

vi. Access for seasonal rural activities

No access for seasonal rural activities is proposed, and this is therefore not applicable.

vii. Access to properties with frontage to “Shopping Frontage”

No “shopping frontage” within vicinity of the site. This is therefore not applicable.

viii. General access standards (all roads)

A – Performance Standards

<p>i. Every owner or occupier shall provide vehicular access to their property for parking and/or loading from a formed legal road or over land by mutual right of way or service lane.</p> <p>ii. The primary access to a lot shall be designed and constructed in accordance with the relevant standards being DG307, DG308, or Diagrams C, D, or E in the Development Manual or alternatively to such standards as agreed with the relevant road controlling authority. The design and construction of any secondary access shall be based on the anticipated use of the access and shall comply with an appropriate entranceway standard as contained within the Development Manual (see Rule 9.1.2 (ii)–(vii)). For the purpose of this rule “secondary access” includes accesses used occasionally, but excludes accesses used by heavy vehicles and the main working access to a property/lot, which are considered primary accesses.</p> <p>iii. Where upgrading of existing roads/construction of new roads is required to serve any controlled, restricted-discretionary, discretionary or non-complying activities, Council shall:</p> <ul style="list-style-type: none"> ▪ Determine the appropriate roading standards; ▪ Having regard to: <ul style="list-style-type: none"> ➤ The road classification (hierarchy); ➤ Current and future traffic volumes; and: 	<p>Does not comply</p>	<p>i. Complies - Vehicle access is provided to both solar farms</p> <p>ii. Does not comply – the southern solar farm access does not comply with the relevant standard being DG307. The northern solar farm complies</p> <p>iii. No new public roads are required</p> <p>iv. Land is not being subdivided for road widening</p> <p>v. Will comply</p> <p>vi. No subdivision is proposed in this volume.</p>
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➤	The intended function of the relevant road.		
iv.	Where any part of land being subdivided is required for road widening or for other street purposes or for other works, the subdivision shall be designed as though such land had been dedicated prior to the time of subdivision.		
v.	All work on crossings within the road boundaries shall be in accordance with the Development Manual (unless otherwise consented) and shall be undertaken at the expense of the owner.		
vi.	In respect of the urban environment, subdividers shall be required to provide only those crossings where the location is fixed at the time of subdivision, such as private access ways, rights of way, and where lots have less than 5m road frontage. In all other cases, the crossings shall be constructed at the time of building in accordance with the Development Manual.		

9.1.3 On-site Loading

The site does not require on-site loading. This is therefore not applicable.

9.1.4 On-site Parking

(i) Every person who proposes to erect, re-erect, construct or substantially reconstruct, alter or add to a building on a site or who changes the use of any land or building, shall provide suitable areas for the parking of vehicles as required below, except for within the urban areas of the Towns of Matamata, Morrinsville and Te Aroha which include all landuse within the Residential, Business and Industrial Zones.		Complies	Applicable parking amounts and standards will be complied with.
Activity	Parking Spaces Required		
Dwellings / Residential Unit	2 spaces Note: One may be “stacked” where it does not interfere with shared access		

Nursing and convalescent homes	Visitor parking at a ratio of 1 space per ten beds, plus 1 space per two employees, plus 1 space per ambulance		
Restaurants/licensed premises	1 space per 10m ²		
Recreational and community activities with no buildings including playing fields and outdoor courts	1 space per ten persons the facility is designed to accommodate		
Childcare centres	1 space for every four children, plus 2 spaces for every three full-time staff equivalents		
Health care services (doctors/dentists) / Healthcare facilities (Whare Hauora)	3 spaces per consultant		
Administrative, commercial and professional offices (excluding home occupations)	1 space per 40m ² gross floor area		
Supermarkets	1 space per 20m ² gross floor area		
Retail/shops under 5,000m ² gross floor area	1 space per 40m ² gross floor area		
Works and network utilities	All permanent employee parking and loading requirements to be on-site		
9.1.5 General parking, loading and formation standards			
(i) Location of Parking and Loading Areas			
a. The provision for parking and loading in respect of any site shall not be on: <ul style="list-style-type: none"> Part of any manoeuvring area or access lane, or road; Any screening required by this Plan; 	Complies	Will comply.	

<ul style="list-style-type: none"> Any solid waste storage area required by this Plan. <p>b. In the Business and Industrial zones manoeuvring may be on service lanes.</p> <p>c. Parking and loading spaces are to be either visible from the public road or clearly signposted at the road frontage.</p>		
<p>(ii) Access, parking and loading areas</p> <p>All shared private accessways, rights of way, access lots, common area for access, parking and loading areas shall be designed, formed and surfaced in accordance with the Development Manual.</p>	Not applicable	Not relevant to proposal
<p>(iii) Stacked parking</p> <p>Council shall accept stacked parking only in the case of dwellings provided that the stacking area is exclusive of all those matters listed in(i) above.</p>	Not applicable	Not relevant to proposal
<p>(iv) Reverse manoeuvring</p> <p>a. When three or more parking spaces or any loading space are required by this Plan to be provided on site, or where three or more car parks are provided on a site, sufficient space shall be provided on-site so that no reverse manoeuvring on to or from a road is needed.</p> <p>b. This requirement shall not apply where vehicular access to any such parking or loading space or spaces is obtained from a service lane.</p> <p>c. Parking and loading spaces must be able to be entered in a forward direction requiring no more than a three-point turn. The manoeuvring space provided shall take into account the type of vehicle anticipated. Loading and manoeuvring areas must be kept clear of obstructions.</p>	Not applicable	Not relevant to proposal