

## **APPENDIX B: RESOURCE CONSENT TRIGGERS**

Resource consents required in accordance with clause 5(1)(f) of Schedule 5 of the Fast-track Approvals Act 2024 are as follows:

### **1. Stage 0 Subdivision**

#### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

- (a) The proposal includes subdivision and change of use that does not meet the requirements for a permitted activity under Regulation 8 and is a controlled activity under Regulation 9(1).

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- (b) The site is partially located within the Rural-Residential Zone, where any subdivision is a Restricted Discretionary activity under Rule 6.1.3(3a).
- (c) The site is partially located within the Eldonwood South Structure Plan ('ESSP') Area, where any subdivision is a Restricted Discretionary activity under Rule 6.1.3(3b).
- (d) The proposal includes subdivision of sites containing high quality soils which is not listed in Activity Table 6.1.4, and is a Non-Complying activity under Rule 2.1.5.
- (e) No physical works are proposed to service proposed Lots 1-7 under this application as required by Performance Standard 6.2.3. This is a Restricted Discretionary activity under 6.2.1(iii).
- (f) As the proposal is limited to the creation of vacant lots and no on-site infrastructure is proposed, the subdivision does not comply with requirements under 9.2.2, 9.2.3, and 9.2.4 of the ESSP as required by Performance Standard 6.3.3. This is a Non-Complying activity under Rule 6.3.3(iii).

### **2. Solar Farms**

#### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

- (a) The proposal includes land disturbance that does not meet the requirements for a permitted activity under Regulation 8 and is a controlled activity under Regulation 9(1).

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##### *General*

- (b) The proposal includes drilling below the water table for temporary activities, including dewatering during construction and investigation for pump testing. This is a Controlled activity under Rule 3.8.4.7.
- (c) The proposal includes drilling below the water table for dewatering spears that does not comply with Rule 3.8.4.6, however will comply with the Controlled Activity Standards, and is a Controlled activity under Rule 3.8.4.7.

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<sup>1</sup> Incorporating reasons set out the in the Applicant Response, at Attachment 2, page 31

- (d) The proposed temporary groundwater take for construction is a Discretionary activity under Rule 3.3.4.24.

#### *Southern Solar Farm*

- (e) The Southern Solar Farm will utilise existing culvert catchments for the conveyance of stormwater. This is a Controlled activity as per Rule 4.2.9.3.
- (f) The proposal includes the establishment of new culverts for the conveyance of stormwater in a catchment which exceeds 5ha but does not exceed 500ha. This is a Controlled activity as per Rule 4.2.9.3.

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- (g) Solar Farms are provided for within the definition of Community-scale renewable energy generation which is a Permitted activity in the Rural Zone, as per Activity Status Table 8.3.1.
- (h) The proposed northern and southern solar farms infringe yard and building coverage provisions within Rules 3.2.1 and 3.2.2, and are therefore both Restricted Discretionary activity in the Rural Zone under Rule 3.2.1(iii) - Yards and 3.2.2 - Building Coverage.
- (i) Construction of the northern solar farm will result in an exceedance to the permitted noise levels for one receiver (162 Station Road) of 2dB, and is therefore a Restricted Discretionary activity under Rule 5.2.1(iv).
- (j) The southern solar farm crossing does not comply with Standards 9.1.2(iv)(a)(i) and 9.1.2(vii)(a)(ii) and is therefore a Restricted Discretionary activity.

### **3. Retirement Village**

#### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

- (a) The proposal includes land disturbance that does not meet the requirements for a permitted activity under Regulation 8 and is a controlled activity under Regulation 9(1).

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- (b) The proposed groundwater take (for dust suppression, irrigation and potable supply and pump station wet well construction) is a Discretionary activity under Rule 3.3.4.24.
- (c) The discharge of water or sediment-laden water from temporary dewatering activities is not otherwise provided for in the WRP, and is Discretionary activity under Rule 3.5.4.5.
- (d) The proposed wastewater discharge does not comply with Rules 3.5.7.4 to 3.5.7.6 and is a Discretionary activity under Rule 3.5.7.7.
- (e) The proposal includes drilling below the water table that does not comply with Rule 3.8.4.6, however will comply with the Controlled Activity Standards, and is a Controlled activity under Rule 3.8.4.7.

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- (f) The proposed retirement village meets the definition of 'accommodation facilities' and is a Discretionary activity in the Rural Zone under Rule 2.2.3.10.

- (g) The proposal includes a facilities building meeting the definition of places of assembly and is a Discretionary activity in the Rural Zone under Rule 2.2.2.3.
- (h) The proposal includes two dwellings for the housing of staff in the Rural Zone which is not listed in Activity Table 2.2.3, and is a Non-complying activity under Rule 2.2.
- (i) The proposal includes medical facilities, which are a Non-complying activity in the Rural Zone under Rule 2.2.2.3.
- (j) The proposal includes development which does not comply with the following development controls for the Rural Zone, and is a Restricted Discretionary under Rule 1.2.1(i)(b):
  - (i) Villas are proposed within the front yard (to Station Road), with a setback of approximately 12m where a front yard setback of 25m is required under Development Control 3.2.1(iii).
  - (ii) Villas are proposed within the side yard to the western and southern boundaries, with a minimum setback of approximately 3m where a side yard setback of 10m is required under Development Control 3.2.1(iii).
- (k) The proposal includes subdivision of sites containing high quality soils which is not listed Activity Table 6.1.4, and is a Non-Complying activity under Rule 2.1.5.
- (l) The proposal includes secondary flow paths directed through proposed private road corridors which is a Restricted Discretionary activity in the Rural Zone under Rule 8.5.1.12.
- (m) The proposal includes a centralised wastewater treatment plant for the retirement village, which is a Restricted Discretionary activity in the Rural Zone under Rule 8.5.1.14.

#### **4. Residential Subdivision and Greenway**

##### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

- (a) The proposal includes land disturbance that does not meet the requirements for a permitted activity under Regulation 8 and is a Controlled activity under Regulation 9(1).

##### National Environmental Standard for Freshwater 2020<sup>2</sup>

- (b) The proposal involves earthworks within 100m and vegetation clearance within 10m of an identified wetland and requires consent as a Discretionary activity under Regulation 45C(1) and (2).

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- (c) The proposed temporary groundwater take for the construction of the greenway and associated wet well pumpstations and WW trenching is a Discretionary Activity under Rule 3.3.4.24.

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<sup>2</sup> Incorporating reasons set out the in the Applicant Response, at Attachment 2, page 33

<sup>3</sup> Incorporating reasons set out the in the Applicant Response, at Attachment 2, page 32

- (d) The construction of the greenway and wastewater pumpstations will result in a permanent diversion of groundwater and is a Discretionary Activity under Rule 3.3.4.24.
- (e) The proposed discharge of stormwater into water and into land will not comply with Permitted or Controlled Activity Standards and is a Discretionary Activity under Rule 3.5.11.8. The proposal includes off stream damming that does not comply with Rule 3.6.4.4, however will comply with the Controlled Activity Standards, and is a Controlled Activity under Rule 3.6.4.9.
- (f) The proposal requires the diversion of existing farm drains into the proposed Ashbourne Greenway that does not comply with Rule 3.6.4.8 and is a Discretionary Activity under Rule 3.6.4.13.
- (g) The proposal includes drilling below the water table for dewatering spears that does not comply with Rule 3.8.4.6, however will comply with the Controlled Activity Standards, and is a Controlled Activity under Rule 3.8.4.7.
- (h) The proposal includes an outlet structure from the Ashbourne Greenway to the Waitoa River. It is anticipated that this structure may be located on the bed of the Waitoa River and is a Discretionary Activity under Rule 4.2.4.4.
- (i) The construction of the proposed outlet structure from the Ashbourne Greenway to the Waitoa River may require disturbance of the bed of the Waitoa River and is a Discretionary Activity under Rule 4.3.4.4.
- (j) Earthworks including cleanfilling, sediment, and dust discharges that do not comply with permitted activity standards are proposed and are a Discretionary activity under Rule 5.1.4.15.

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- (k) The proposal involves the provision for future dwellings within the proposed residential lots, which is a Non-Complying Activity in the Rural and Rural-Residential Zones under Rule 2.2.3.2.
- (l) The proposal involves commercial tenancies for all activities identified in Activity Table 2.2.8.1-2.2.8-51 within the Commercial Node. These activities are a Non-Complying activity in the Rural-Residential Zone.
- (m) Resource consent is sought for commercial tenancies for veterinary clinics within the Commercial Node that is in the Rural-Residential Zone, which is a Discretionary activity in the Rural-Residential Zone under Activity Table 2.2.8.6.
- (n) Resource consent is sought for commercial tenancies for childcare facilities for greater than 10 pupils within the Commercial Node, which meet the definition of educational facilities, and is a Discretionary activity in the Rural-Residential Zone under Rule 2.2.2.2.
- (o) The proposed subdivision does not comply with performance standards 6.2.3, 6.2.4, and 6.2.8, and is a Non-Complying activity under Rule 6.3.5(iv).
- (p) The proposal includes subdivision of sites containing high quality soils which is not listed in Activity Table 6.1.4, and is a Non-Complying activity under Rule 2.1.5.

- (q) The proposed subdivision does not comply with requirements under 9.2.2 of the ESSP as required by Performance Standard 6.3.3. This is a Non-Complying activity under Rule 6.3.3(iii).
- (r) The proposal includes secondary flow paths directed through proposed private road corridors which is a Restricted Discretionary activity in the Rural Zone under Rule 8.5.1.12.
- (s) The proposal includes new public roads, service lanes, cycleways, walkways, and public car parks, as part of the subdivision and is a Restricted Discretionary activity under Rule 8.6.2.1 and 9.1.2(v)(a)(c).
- (t) The proposal includes vehicle crossings which do not comply with performance standards 9.1.2(iv)(a) (i) – (iii). This is a Restricted Discretionary activity under Rule 9.1.2.3.7.
- (u) The proposal includes vehicle accesses which do not comply with performance standards 9.1.2(viii)(a)(ii). This is a Discretionary activity under Rule 9.1.2(viii)(b).
- (v) Resource consent is sought for future dwellings within the proposed residential freehold lots which do not comply with the following development controls for the Rural Zone and Rural Residential Zone. This is a Restricted Discretionary under Rule 1.2.1(i)(b):
  - (i) Front yard setbacks up to 3m and 5m,<sup>4</sup> which do not meet the minimum required setback of 25m or 15m in the Rural Zone required under Rule 3.2.1(iii).
  - (ii) Front yard setbacks up to 3m and 5m, which do not meet the minimum required setback of 10m in the Rural-Residential Zone required under Rule 3.2.1(iii).
  - (iii) Side yard setbacks up to 1.5m, which do not meet the minimum required setback of 10m in the Rural Zone required under Rule 3.2.1(iii).
  - (iv) Side yard setbacks up to 1.5m, which do not meet the minimum required setback of 5m in the Rural-Residential Zone required under Rule 3.2.1(iii).
  - (v) Building coverage up to 25%, 45% and 55% for all buildings,<sup>5</sup> which do not comply with the maximum building coverage requirements under Rule 3.2.2.

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<sup>4</sup> Dependent on the lot size. A minimum front yard setback of 3m is proposed to apply to lots less than 450m<sup>2</sup> and a minimum front yard setback of 5m is proposed to apply to lots greater than 450m<sup>2</sup>.

<sup>5</sup> Dependent on the lot size. A maximum site coverage of 25% is proposed to apply to lots greater than 1,200m<sup>2</sup>, 45% is proposed to apply to lots greater than 450m<sup>2</sup> and a maximum site coverage of 55% is proposed to apply to lots less than 450m<sup>2</sup>.