

## **APPENDIX ONE: EXPLANATION OF ACTIVITY TYPES**

This Appendix is intended as an *explanatory guide* and if there is any inconsistency with the Act or the provisions of the Plan then this Appendix shall be ignored.

### **PERMITTED ACTIVITIES**

1. *Permitted* activities may establish "as of right" provided all the standards or prerequisites of the Plan relating to the activity are complied with. Sometimes plans and information will be needed to clearly establish compliance. You may request a "certificate of compliance" to confirm the *Permitted* status of your activity.
2. Certain activities (such as telecommunications lines) not listed in a Zone are nevertheless *Permitted* throughout the District. For these refer to Part 15 of Plan.
3. Even where compliance with this Plan can be achieved, other consents or approvals may still be required. These include:
  - a building consent under the Building Act 2004 or licence under the Sale of Liquor Act;
  - compliance with the *New Zealand Building Code* or Council's bylaws for that activity;
  - a resource consent in terms of the Regional Rules (Auckland/Waikato) relating to the use of water, the disposal or discharge of stormwater or sewage effluent, and discharges to air.

It should be noted that in some instances these consents may not be forthcoming or may necessitate substantial changes to your proposal.

### **CONTROLLED ACTIVITIES**

1. A *Controlled* activity needs a resource consent. An application in the prescribed format must be submitted. In some cases the Zone may state "minimum" requirements (or standards), and the application must demonstrate compliance with these.
2. For *Controlled* activities there are aspects which the Council wants to have a closer look at prior to their establishment. These aspects are outlined within the Zone. They are matters over which the Council has "reserved control".
3. The Council must grant consent to *Controlled* activities. The applications for consent will be assessed primarily against the "reserved control" matters, and generally conditions will only relate to these matters. However, it should be noted that Section 104 of the Act provides wide-ranging assessment criteria for applications, and its provisions may influence the nature and scope of any conditions of consent (within the scope of the 'reserved control' matters).
4. Applications will generally be processed as *non-notified*, but the Council has the right to publicly notify the proposal or obtain the written consent/s of affected neighbours.
5. Certain activities are "*Controlled*" throughout the District. Refer to Part 15.
6. Note '3.' under PERMITTED ACTIVITIES above also applies to *Controlled* activities.

**DISCRETIONARY (RESTRICTED ASSESSMENT) ACTIVITIES**

1. These activities are dealt with in the same way as CONTROLLED ACTIVITIES but the Council does not have to grant consent. The Council has restricted the exercise of its discretionary decision making to specified matters identified in the Zone.
2. The Council needs to be able to refuse consent where aspects of the particular proposal or site cannot be adequately addressed by way of conditions.
3. Applications may be processed as *non-notified* where Council so determines in terms of Section 94 of the Act.
4. Note '3. ' under PERMITTED ACTIVITIES above also applies to *Discretionary (R A)* activities.

**DISCRETIONARY ACTIVITIES**

1. These activities may or may not be granted consent. The Zone may or may not identify specific matters against which the application will be assessed. The Plan outlines the general assessment criteria in Rule 53.
2. Applications may be processed as *non-notified*, where Council so determines in terms of Section 94 of the Act.
3. Certain activities are *Discretionary* throughout the District. Refer to Part 15.
4. Note '3. ' under PERMITTED ACTIVITIES above also applies to *Discretionary* activities.

**NON-COMPLYING ACTIVITIES**

1. These activities are considered unsuitable or inappropriate in the Zone and an applicant has to demonstrate exceptional factors or circumstances and make a very strong case before consent can be granted.

**PROHIBITED ACTIVITIES**

1. Consent cannot be granted to these activities. (Note however that while a Plan or Plan Change is still in a "Proposed" state, *Prohibited* activities are deemed to be *Non-complying*).