

RLZ – Rural lifestyle zone [000049, 000055, 000078, 000086] {CONSQ}

The relevant district-wide chapter provisions apply in addition to this chapter.

Purpose

The purpose of the RLZ – Rural lifestyle zone is to provide for, and maintain, the semi-rural character of large lot rural-residential development. The Rural Lifestyle Zone is typically located on the fringe of towns and provides a transition to the surrounding rural area.

The zone is generally characterised by rural-residential development, with one house per site which is usually single storied and set on sections of 5,000m² or larger, surrounded by paddocks, trees and garden/landscaping. The zone provides an opportunity for people to enjoy a spacious living environment while being close to an urban centre.

Development, including fencing, will maintain an open and spacious character that contrasts with the urban towns and rural land.

In addition to residential activities, the zone also provides for some non-residential activities that operate from existing houses or from purpose-built buildings, where these activities are compatible with the character and amenity of the zone and complementary with residential activities.

Objectives {CONSQ}

RLZ-O1 RLZ – Rural lifestyle zone. [000049, 000058, 000055, 000078, 000086] {CONSQ}

- (1) The zone is used primarily for a residential lifestyle within a rural environment on lots smaller than those of the GRZ – General rural zone, while still enabling primary production to occur.

Policies {CONSQ}

RLZ-PI Rural lifestyle character. [000049, 000058, 000055, 000078, 000086] {CONSQ}

- (1) Any building and activity within the zone is designed, located, scaled and serviced in a manner that does not detract from the character of the area by:
 - (a) Maintaining the open space character;
 - (b) Maintaining low density residential development;
 - (c) Recognising the absence of Council wastewater services and lower levels of other infrastructure.
- (2) Maintain views and vistas of the rural hinterland beyond, including, where applicable, Waikato River, wetlands, lakes, and the coast.
- (3) Maintain a road pattern that follows the natural contour of the landform.

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- (4) Ensures that the scale and design of any non-residential activities maintains the open rural character and addresses site specific issues such as on-site servicing, and transport related effects.
- (5) Requires activities within the zone to be self-sufficient in the provision of water supply, wastewater and stormwater disposal, unless a reticulated supply is available.
- RLZ-P2 Building setbacks. [000049, 000058, 000055, 000078, 000086] {CONSQ}
Maintain the existing spaciousness between buildings with adjoining sites.
- RLZ-P3 Scale and intensity of development. [000049, 000058, 000055, 000078, 000086] {CONSQ}
Minimise the adverse effects of development created by excessive building scale, overshadowing, building bulk, excessive site coverage or loss of privacy.
- RLZ-P4 Height of buildings. [000049, 000058, 000055, 000078, 000086] {CONSQ}
Ensure building height does not result in loss of privacy or cause overshadowing on adjoining sites or detract from the amenity of the area.
- RLZ-P5 Non-residential activities. [000049, 000058, 000055, 000078, 000086] {CONSQ}
- (1) Avoid the establishment of commercial or industrial activities within the zone unless they:
- (a) Have a functional need to locate within the zone; and
 - (b) Provide for the health and well-being of the community.
- RLZ-P6 Existing non-residential activities. [000049, 000058, 000055, 000078, 000086] {CONSQ}
Enable existing non-residential activities to continue and support their redevelopment and expansion, provided they do not have a significant adverse effect on the character and amenity of the zone.
- RLZ-P7 Home businesses. [000049, 000058, 000055, 000078, 000086] {CONSQ}
- (1) Provide for home businesses to allow flexibility for people to work from their homes.
- (2) Manage the adverse effects on residential amenity through limiting home businesses to a scale that is compatible with the level of amenity anticipated in the zone.
- RLZ-P8 Outdoor storage. [000049, 000058, 000055, 000078, 000086] {CONSQ}
The adverse visual effects of outdoor storage are managed through screening or landscaping.
- RLZ-P9 Objectionable odour. [000049, 000058, 000055, 000078, 000086] {CONSQ}
- (1) Ensure that the effects of objectionable odour do not detract from the amenity on other sites.
- (2) Maintain appropriate setback distances between new sensitive land uses and existing lawfully-established activities that generate objectionable odour.

RLZ-P10 Reverse sensitivity. [000049, 000058, 000035, 000027, 000055, 000078, 000086] {CONSQ}

- (1) Avoid or minimise the potential for reverse sensitivity through:
- (a) The use of setbacks, the design of subdivisions and development
 - (b) Limiting subdivision near the Waikato Regional Airport.

Rules {CONSQ}

Land use – activities

In addition to the activity-specific standards listed below, permitted activities must also comply with all relevant Land-use building standards in this chapter, as well as the standards in Part 2 / District-wide matters / General district-wide matters.

RLZ-R1	Residential activity, unless specified below [000049, 000078, 000086, 000055, 000048] {CONSQ}	
	This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
RLZ-R2	Home stay [000049, 000078, 000086, 000055, 000048] {CONSQ}	
(1) Activity status: PER Activity-specific standards: (a) Maximum of 4 guests		(2) Activity status where compliance not achieved: DIS
RLZ-R3	A home business [000049, 000078, 000086, 000055, 000048] {CONSQ}	
(1) Activity status: PER Activity-specific standards: (a) It is wholly contained within a building; (b) The storage of materials or machinery associated with the home business are wholly contained within a building; (c) No more than 2 people who are not permanent residents of the site are employed at any one time; (d) Unloading and loading of vehicles and the receiving of customers or deliveries can only occur after 7:00am and before 7:00pm on any day; (e) Machinery may be operated after 7:00am and up to 7:00pm on any day.		(2) Activity status where compliance not achieved: DIS
RLZ-R4	Farming [000049, 000078, 000086, 000055, 000048] {CONSQ}	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
RLZ-R5	Childcare facility [000049, 000078, 000086, 000055, 000048] {CONSQ}	
(1) Activity status: PER Activity-specific standards:		(2) Activity status where compliance not achieved: RDIS

<p>(a) Maximum 10 children</p>	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The extent to which it is necessary to locate the activity in the RLZ – Rural lifestyle zone; (b) Reverse sensitivity effects of adjacent activities; (c) The extent to which the activity may adversely impact on the transport network; (d) The extent to which the activity may adversely impact on the streetscape, character and amenity of the neighbour, with particular regard to the bulk and location of the buildings; (e) The extent to which the activity may adversely impact on the noise environment.
<p>RLZ-R6</p>	<p>Visitor accommodation [000049, 000078, 000086, 000055, 000048] {CONSQ}</p>
<p>(1) Activity status: PER Activity-specific standards: (a) Maximum 5 guests.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>RLZ-R7</p>	<p>Buildings, structures and sensitive land use within the National Grid Yard on sites existing as of 18 July 2018 [000049, 000078, 000086, 000074, 000055, 000048] {CONSQ}</p>
<p>(1) Activity status: PER Activity-specific standards: (a) Within National Grid Yard: <ul style="list-style-type: none"> (i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or (ii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991; or (iii) Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or (iv) Non-habitable horticultural buildings; or (v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas </p>	<p>(2) Activity status where compliance not achieved: NC</p>

<p>syringae pv. Actinidiae (Psa) disease control structures);</p> <p>(vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and</p> <p>(vii) Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks.</p> <p>(b) All buildings or structures permitted by Rule RLZ-R7(1)(a) must:</p> <p>(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</p> <p>(1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</p> <p>(2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or</p> <p>(3) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or</p> <p>(ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure;</p>	
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<p>(c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that:</p> <ul style="list-style-type: none"> (i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor; (ii) Are no higher than 2.5m; (iii) Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes; (iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane. 	
<p>RLZ-R8</p>	<p>Construction or alteration of a building for a sensitive land use [000049, 000078, 000086, 000074, 000055, 000048] {CONSQ}</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: <ul style="list-style-type: none"> (i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or (ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people; (c) The risk of damage to property; and (d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.
<p>RLZ-R9</p>	<p>Construction, demolition, additions and alterations to a structure [000049, 000078, 000086, 000055, 000048] {CONSQ}</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>RLZ-R10</p>	<p>Atawhai Assisi Retirement Village (Lot 1 DPS21156) maintenance, operation, and alteration [000049, 000078, 000086, 000055, 000048] {CONSQ}</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The alterations do not increase net floor area. (b) Land use – building standards for the zone except: 	<p>(2) Activity status: RDIS: Where:</p> <ul style="list-style-type: none"> (a) Atawhai Assisi Retirement (Lot 1 DPS21156) alterations and additions that increase net floor area and that meet all of the following standards:

<p>(i) RLZ-S1 (Residential unit) does not apply;</p> <p>(ii) RLZ-S2 (Minor residential units) does not apply;</p> <p>(iii) RLZ-S7 (Building coverage) does not apply.</p>	<p>(i) Land use – effects standards for the zone</p> <p>(ii) Land use – building standards for the zone except:</p> <p>(1) RLZ-S1 (Residential unit) does not apply;</p> <p>(2) RLZ-S2 (Minor residential units) does not apply;</p> <p>(3) RLZ-S7 (Building coverage) does not apply.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) Effects on rural character and amenity;</p> <p>(c) The visual and amenity effects of building bulk and scale;</p> <p>(d) Connectivity to, and capacity of, existing towns and villages, including connections to existing walkways, roads, and public transport;</p> <p>(e) Connectivity to public reticulated water supply and wastewater, or the adequacy of services provided on-site;</p> <p>(f) Reverse sensitivity effects on existing farming, intensive farming, rural industry, or quarrying activities; and</p> <p>(g) Traffic effects.</p>
<p>RLZ-R11</p>	<p>Educational facilities (other than childcare) [000049, 000078, 000086, 000055] {CONSQ}</p>
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The extent to which it is necessary to locate the activity in the RLZ – Rural lifestyle zone;</p> <p>(b) Reverse sensitivity effects of adjacent activities;</p> <p>(c) The extent to which the activity may adversely impact on the transport network;</p> <p>(d) The extent to which the activity may adversely impact on the streetscape, character and amenity of the neighbour, with particular regard to the bulk and location of the buildings; and</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

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	(e) The extent to which the activity may adversely impact on the noise environment.	
RLZ-R12	A commercial activity (excluding produce stall) [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: DIS		
RLZ-R13	A community facility [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: DIS		
RLZ-R14	A funeral home and/or crematorium [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: DIS		
RLZ-R15	A health facility [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: DIS		
RLZ-R16	A hospital, or a hospice with 10 or more beds [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: DIS		
RLZ-R17	An industrial activity [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: DIS		
RLZ-R18	Any activity that is not listed as permitted, controlled, restricted discretionary, discretionary or non-complying [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: DIS		
RLZ-R19	Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard [000049, 000078, 000086, 000074, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R20	Any change of use of an existing building to a sensitive land use within the National Grid Yard [000049, 000078, 000086, 000074, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R21	The establishment of any new sensitive land use within the National Grid Yard [000049, 000078, 000086, 000074, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R22	Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, Pseudomonas syringae pv. Actinidiae (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R23	A correctional facility [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R24	Quarrying activities [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R25	A retirement village [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R26	Multi-unit development [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: NC		
RLZ-R27	Intensive farming [000049, 000078, 000086, 000055] {CONSQ}	
(I) Activity status: NC		

RLZ-R28	Transport depot [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R29	Motorised sport and recreation [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R30	A child care facility within the Hamilton Airport Noise Outer Control Boundary [000049, 000078, 000086, 000075, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R31	A hospital or hospice within the Hamilton Airport Noise Outer Control Boundary [000049, 000078, 000086, 000075, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R32	Construction of a building on an indicative road [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R33	A waste management facility [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R34	Storage, processing or disposal of hazardous waste [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R35	Industrial activity within the Urban Expansion Area [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: NC	
RLZ-R36	Rural industry within the Urban Expansion Area [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: NC	

Land use – building

RLZ-S1	Residential unit [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: PER Where: (a) One residential unit within a Record of Title; (b) The residential unit must not be located within any of the following landscape and natural character areas: (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) Outstanding Natural Character Area of the coastal environment; (iv) High Natural Character Area of the coastal environment.	(2) Activity status where compliance not achieved: DIS
RLZ-S2	Minor residential unit [000049, 000078, 000086, 000055] {CONSQ}
(I) Activity status: PER Where: (a) A maximum of one minor residential unit within a Record of Title must comply with the following standards:	(2) Activity status where compliance not achieved: DIS

<ul style="list-style-type: none"> (i) Not exceed 70m² gross floor area; (ii) Be located within 20m of the principal residential unit; (iii) Share a single driveway access with the principal residential unit. 	
RLZ-S3	Height – building general [000049, 000078, 000086, 000055] {CONSQ}
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 7.5m. (b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure; (c) 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent site; (d) Privacy on any other site; and (e) Effects on amenity values of the locality.
RLZ-S4	Height – building general [000049, 000078, 000086, 000055] {CONSQ}
<p>(1) Activity status: CON</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The height of emergency services facilities (excluding hose drying towers) measured from the natural ground level immediately below that part of the structure must not exceed 9m. <p>Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (a) Location on the site; (b) Dominance on adjoining sites; and (c) Design. 	<p>(2) Activity status where compliance not achieved: DIS</p>
RLZ-S5	Height – building general [000049, 000078, 000086, 000055] {CONSQ}
<p>(1) Activity status: CON</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The maximum height of emergency services hose drying towers measured from the natural ground level immediately below that part of the structure must not exceed 15m. <p>Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (b) Location on the site; (c) Dominance on adjoining sites; and (d) Design. 	<p>(2) Activity status where compliance not achieved: DIS</p>
RLZ-S6	Height in relation to boundary [000049, 000078, 000086, 000055] {CONSQ}

<p>(1) Activity status: PER Where: (a) Buildings and structures must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent site; (d) Privacy on any other site; and (e) Effects on amenity values of the locality.</p>
<p>RLZ-S7 Building coverage [000049, 000078, 000086, 000055] {CONSQ}</p>	
<p>(1) Activity status: PER Where: (a) The building coverage must not exceed 10% of the site or 300m², whichever is the larger. (b) RLZ-S7(1)(a) does not apply: (i) To a structure that is not a building; or (ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matter: (a) Design, scale and location of the building.</p>
<p>RLZ-S8 Impervious surfaces [000049, 000078, 000086, 000055] {CONSQ}</p>	
<p>(1) Activity status: PER Where: (a) The impervious surface of a site must not exceed 70%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Site design, layout and amenity; (b) The risk of flooding, nuisance or damage to the site or other buildings and sites.</p>
<p>RLZ-S9 Building setbacks – all boundaries [000049, 000078, 000086, 000055] {CONSQ}</p>	
<p>(1) Activity status: PER Where: (a) A building located on a site Record of Title containing more than 1000m² must be set back a minimum of: (i) 7.5m from a road boundary; (ii) 17.5m from the centre line of an indicative road; (iii) 12m from every boundary other than a road boundary. (b) RLZ-S9(1)(a)(ii) does not apply where the indicative road has been formed, is open to the public and has been vested in Council. (c) RLZ-S9(1)(a)(ii) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values; (b) Transport network safety and efficiency; (c) Daylight admission to adjoining properties; (d) Effects on privacy of adjoining sites; and (e) Reverse sensitivity effects.</p>
<p>RLZ-S10 Building setbacks – all boundaries [000049, 000078, 000086, 000055] {CONSQ}</p>	

<p>(1) Activity status: PER Where: (a) Any building located on a lot containing 1000m² or less must be set back a minimum of: (i) 3m from a road boundary; (ii) 1.5m from every boundary other than a road boundary; (iii) 24m from an existing dwelling residential unit on any adjoining site. (b) RLZ-S10(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values; (b) Transport network safety and efficiency; (c) Daylight admission to adjoining properties; (d) Effects on privacy of adjoining sites; and (e) Reverse sensitivity effects.</p>
<p>RLZ-S11</p>	<p>Building setback - sensitive land use [000049, 000078, 000086, 000055] {CONSQ}</p>
<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of: (i) 15m from a national route or regional arterial boundary; (ii) 35m from the designated boundary of the Waikato Expressway; (iii) 200m from an Aggregate Extraction Area containing a sand resource; (iv) 500m from an Aggregate Extraction Area containing a rock resource; (v) 300m from the boundary of another site containing an intensive farming activity; (vi) 300m from oxidation ponds that are part of a municipal wastewater treatment facility on another site; (vii) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Road network safety and efficiency; (b) On-site amenity values; (c) Odour, dust and noise levels received at the notional boundary of the building; (d) Mitigation measures; and (e) Potential for reverse sensitivity effects.</p>
<p>RLZ-S12</p>	<p>Building setback - sensitive land use [000049, 000078, 000086, 000055, 000044] {CONSQ}</p>
<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of 5m from the designated boundary of the railway corridor.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) The size, nature and location of the buildings on the site; (b) The extent to which the safety and efficiency of rail and road operations will be adversely affected; (c) The outcome of any consultation with KiwiRail; and</p>

		(d) Any characteristics of the proposed use that will make compliance unnecessary.
RLZ-S13	Building setbacks from Tamahere Commercial Areas and A and B [000049, 000078, 000086, 000055] [CONSO]	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any new building for a sensitive land use or alteration to an existing building for a sensitive land use must be:</p> <p>(i) Set back at least 100m from Tamahere Commercial Area A; or</p> <p>(ii) Within 100m of Tamahere Commercial Area A providing:</p> <p>(1) The alteration is to a residential unit that has existed since 30 June 2012;</p> <p>(2) No part of the alteration is located between the existing residential unit and any boundary of Tamahere Commercial Area A; and</p> <p>(3) It is designed and constructed to achieve the internal design sound level specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Reverse sensitivity;</p> <p>(b) The means to avoid, remedy or mitigate adverse effects on amenity within the site;</p> <p>(c) The setback distance from Tamahere Commercial Area A and Tamahere Commercial Area B; and</p> <p>(d) The position, orientation and design of the building and outdoor living court in relation to Tamahere Commercial Area A and Tamahere Commercial Area B.</p>	
RLZ-S14	Building setbacks from Tamahere Commercial Areas and A and B [000049, 000078, 000086, 000055] [CONSO]	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any new building or alteration to an existing building for a sensitive land use must be:</p> <p>(i) Set back at least 100m from Tamahere Commercial Area B; or</p> <p>(ii) Within 100m of Tamahere Commercial Area B and either:</p> <p>(1) the alteration is to a residential unit that has existed since 30 June 2012 and no part of the alteration is located between the existing residential unit and boundary of Tamahere Commercial Area B; or</p> <p>(2) it is a new residential unit that is placed within the building platform approved in the course of any subdivision and it is designed and constructed to achieve the internal design sound level specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Reverse sensitivity;</p> <p>(b) The means to avoid, remedy or mitigate adverse effects on amenity within the site;</p> <p>(c) The setback distance from Tamahere Commercial Area A and Tamahere Commercial Area B; and</p> <p>(d) The position, orientation and design of the building and outdoor living court in relation to Tamahere Commercial Area A and Tamahere Commercial Area B.</p>	

(3) Within Tamahere Commercial Area B, be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 25 – Internal sound levels		
RLZ-S15	Building setback – waterbodies {CONSQ}	[000049, 000078, 000086, 000055]
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any building must be set back a minimum of:</p> <p>(i) 32m from the margin of any;</p> <p>(1) Lake over 4ha; and</p> <p>(2) Wetland;</p> <p>(ii) 32m from the bank of any river (other than the Waikato River and Waipa River);</p> <p>(iii) 37m from the banks of the Waikato River and the Waipa River; and</p> <p>(iv) 32m from mean high water springs; or</p> <p>(v) 10m from the bank of a perennial or intermittent stream (named or unnamed)</p> <p>(vi) 10m from a managed wetland</p> <p>(b) A public amenity of up to 25m², or a pump shed (public or private) within any building setback identified in RLZ-S15(1)(a);</p> <p>(c) A maimai structure with a maximum floor area of 10m² within any building setback identified in RLZ-S15(1)(a).</p>		<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</p> <p>(b) Adequacy of erosion and sediment control measures;</p> <p>(c) The functional or operational need for the building to be located close to the waterbody;</p> <p>(d) Effects on public access to the waterbody;</p> <p>(e) Effects on the amenity of the locality; and</p> <p>(f) Effects on natural character values.</p>

Advice note: Refer to the National Environmental Standard for Freshwater

RLZ-S16	Building setback – Environmental Protection Area [000049, 000078, 000086, 000055] {CONSQ}	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any building must be set back a minimum of 3m from an Environmental Protection Area.</p>		<p>(2) Activity status where compliance not achieved: DIS</p>
RLZ-S17	Building – Horotiu Noise Acoustic Area {CONSQ}	[000049, 000078, 000086, 000055]
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Construction, addition to, or alteration of a building containing a noise sensitive activity within the Horotiu Noise</p>		<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) On-site amenity values;</p>

<p>Acoustic Area that is designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 22 – Internal design sound levels</p>	<ul style="list-style-type: none">(b) Noise levels received at the notional boundary of the building;(c) Timing and duration of noise received at the notional boundary of the building; and(d) Potential for reverse sensitivity effects.
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Appeals Version