

MRZ2 – Medium density residential zone 2

Explanatory note for the purpose of the IPI and to be removed upon completion of the process:

The provisions in this chapter are based on the provisions of the MRZ – Medium density residential zone of the proposed Waikato District Plan.

Standard text is used for existing provisions contained in the proposed Waikato District Plan.

Green underline text is used for new provisions.

~~Black Strikethrough~~ is used to show the deletion of existing provisions.

The provisions in this chapter incorporate the density standards in Part 2 of Schedule 3A of the Resource Management Act 1991 (the Act) and the objectives and policies in Clause 3 of Schedule 3A of the Act. In accordance with Section 80H of the Act these provisions are shown **shaded grey**.

Provisions that have legal effect are marked in this chapter with a gavel (as shown in the margin of this paragraph).

Rules providing for residential units in the Medium density residential zone 2 as a permitted activity in accordance with the density standards in Schedule 3A of the Act have immediate legal effect under Section 86BA of the Act unless the site is within a qualifying matter area or a new residential zone. A new residential zone means an area that was not shown as a residential zone in the Operative Waikato District Plan. Applicable qualifying matters include the rules set out in the table below:

Qualifying matter	Topic	District wide rules	Zone rules
Matter of national importance under s6 (s771(a))	Natural character of the lakes and rivers and their margins s6(a) Maintenance and enhancement of public access to and along lakes and rivers s6(d)		GRZ-S22 Building setbacks – water bodies MRZ2–S13 Building setbacks – water bodies GRZ-R15 Building within the Huntly North Wetland specific control
	Outstanding natural features and landscapes s6(b)	NFL-R2 Earthworks within an ONF or ONL NFL-R3 Subdivision	GRZ-S22 Building setbacks – water bodies MRZ2–S13 Building Setbacks – water bodies
	Significant indigenous vegetation and significant habitats of indigenous fauna s6(c)	ECO–R3 Earthworks in an SNA ECO–R8 Vegetation clearance within an SNA ECO-R11 Vegetation clearance outside an SNA	
	Relationship of Maaori and their culture and	SASM–R4 Earthworks	

	traditions with their ancestral lands, water, sites, waahi tapu and other taonga s6(e)	SASM–R5 Title boundaries	
	Protection of historic heritage from inappropriate subdivision, use and development s6(f)	<p>HH-R2 All site development</p> <p>HH-R4 Additions and alterations to a historic heritage item</p> <p>HH-R5 Construction or alteration to a building in the Huntly heritage area</p> <p>HH-R7 Demolition, removal or relocation of any B ranked historic heritage item</p> <p>HH-R8 Demolition, removal or relocation of any A ranked historic heritage item</p> <p>HH-R9 Subdivision of land containing a historic heritage item</p>	
	Management of significant risks from natural hazards s6(h)	<p>Flood plain management area NH-R10</p> <p>High risk flood area NH-R20, NH-R19</p> <p>Defended area NH-R25, NH-R24</p> <p>Mine subsidence risk area NH-R72, NH-R73, NH-R74</p>	
Matter required to give effect to a national policy statement (s771(b))	National Policy Statement for Electricity Transmission	EW-R2 Earthworks activities within the National Grid Yard	<p>GRZ-R14 New sensitive land use within National Grid Yard</p> <p>MRZ2-R10 Buildings, structures and sensitive land uses within the National Grid Yard</p> <p>MRZ2-R10 New sensitive land use within the National Grid Yard</p> <p>SUB-R26 Subdivision within the National Grid Corridor</p>

			SUB-R162 Subdivision within National Grid Corridor
Matter required to give effect to Te Ture Whaimana (s771(c))			GRZ-S22 Building setbacks – water bodies MRZ2 – S13 Building setbacks – water bodies
Matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure (s771(e))	State Highways		GRZ-S20 Building setback – sensitive land use MRZ2-R14 Building setback – sensitive land use
	North Island Main Trunk rail		
	Gas transmission line		
Any other matter that makes higher density inappropriate in an area (s771(j))	Urban fringe		MDRS not proposed to apply to the GRZ
	Reverse sensitivity		GRZ-S20 Building setback – sensitive land use GRZ-S21 Building setback – sensitive land use located outside Amenity Setback PREC4-S2 Building setback – sensitive land use within Havelock Precinct MRZ2-S14 Building setback – sensitive land use
	Notable trees	TREE-R1 Removal or destruction TREE-R3 Activities within the dripline TREE-R4 Subdivision of land containing a notable tree	

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

Purpose

The purpose of the MRZ2 – Medium density residential zone 2 is to enable the most efficient use of residentially zoned land and infrastructure within the suite of Waikato District Plan residential zones. The MRZ2 – Medium density residential zone 2 provides for this form of development within a ~~walkable catchment of the town-centres of~~ Huntly, Ngaaruawaahia, Pookeno and Tuakau. The zone will:

- Provide housing at increased densities with three residential units per lot and buildings up to three storeys in height being permitted;
- Provide for the development of more than three residential units per lot, albeit subject to a more intensive design assessment process with matters of discretion to provide for appropriate design outcomes;
- Encourage a variety of housing types and sizes that respond to housing needs and demands of the district and its planned urban built character;
- Accommodate the highest level of residential growth within the district;
- ~~Reduce pressure for residential development on the urban fringe and beyond;~~
- ~~Relieve anticipated pressures on the road transport network (which are exacerbated by adopting sprawl to accommodate urban growth) by enabling greater development capacity in town-centres where the use of both public and active modes of transport to access places of employment, retail and entertainment is readily achievable and/or viable;~~
- Provide the highest capacity, diversity and choice of housing; and
- Coordinate delivery of infrastructure and services.

The capacity to accommodate medium density residential development may be limited to provide for and/or protect one or more of the following qualifying matters:

- Matter of national importance under s6 (s771(a)) of the RMA
- Matter required to give effect to a national policy statement (s771(b)).
- Matter required to give effect to Te Ture Whaimana (s771(c))
- Matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure (s771(e))
- Reverse sensitivity

Provisions to provide for and/or protect the above qualifying matter are incorporated into the district wide matters and the rules and standards of this zone.

Objectives

MRZ2-O1 Housing typology.

Provide for a variety of housing types and sizes that respond to:

- (a) Housing needs and demand; and
- (b) The neighbourhood's planned urban built character, including three-storey buildings.

MRZ2-O2 Efficient use of land and infrastructure.

Land and infrastructure near the TCZ – Town Centre Zone, LCZ – Local centre zone and COMZ – Commercial zone-and close to public transport networks, strategic

transport corridors and community facilities is efficiently used for medium density residential living, resulting in a compact urban settlement pattern.

MRZ2-O3 Residential amenity.

Achieve a level of residential amenity commensurate with a medium density environment comprised of primarily three-storey buildings, including semi-detached and terraced housing, townhouses and low-rise apartments.

MRZ2-O4 Activities.

An appropriate mix of complementary and compatible activities is enabled to support residential growth.

MRZ2-O5 Qualifying matters.

The capacity to accommodate medium density residential development may be limited to provide for ~~recognise~~ and/or protect one or more qualifying matters.

MRZ2-O6 Reverse sensitivity.

(I) ~~Avoid or m~~Minimise the potential for reverse sensitivity by managing the location and design of sensitive activities through:

- (a) The use of building setbacks; and
- (b) The design of subdivisions and development.

Policies

MRZ2-P1 Housing Typology.

Enable a variety of housing typologies with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.

MRZ2-P2 Residential Amenity.

Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

MRZ2-P3 Housing Design.

Enable housing to be designed to meet the day-to-day needs of residents.

MRZ2-P4 Enabling Housing Development.

Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

MRZ2-P5 Streetscape, yards and outdoor living spaces.

(I) Enable residential development that contributes to attractive and safe streets and public open spaces by:

- (a) Providing for passive surveillance to public open spaces and streets through the siting of dwellings and rooms, façade design and fencing / landscaping;
- (b) Incorporating front yard landscaping that will enhance streetscape amenity; and

- (c) Minimising the prevalence of garage doors, carparking and driveways fronting the street.
- (2) Require development to have sufficient side yard setbacks to provide for:
 - (a) Landscaping and permeable surfaces;
 - (b) Privacy to adjoining sites;
 - (c) Sunlight and daylight; and
 - (d) Driveways and accessways.
- (3) Require the provision of outdoor living spaces that:
 - (a) Are attractive, functional and accessible; and
 - (b) Provide a reasonable standard of privacy for residents and to adjoining sites.
- (4) Enable flexibility and innovation in the provision of outdoor living spaces by recognising the varying means by which suitable spaces can be provided for a particular form of development; including shared outdoor spaces, roof terraces or other communal outdoor living spaces.

MRZ2-P6 Qualifying Matters

Restrict residential development to an appropriate level to provide for and protect any relevant qualifying matters.

MRZ2-P7 Efficient use of land and infrastructure.

- (1) Enable land to be used for higher intensity residential living where such land is:
 - (a) Adjacent to the TCZ – Town centre zone, LCZ – Local centre zone, COMZ – Commercial zone and within a walkable catchment of transport networks; or
 - (b) Integrated into master-planned growth areas in close proximity to neighbourhood centres or publicly accessible open space.
- (2) Recognise the social, economic and environmental benefits arising from higher density development being situated closer to community facilities and the TCZ – Town centre zone, LCZ – Local centre zone and COMZ – Commercial zone when considering development proposals.
- (3) Recognise the economic and environmental benefits of higher density development that efficiently utilises existing, and planned, investment in both transport and three waters infrastructure.

MRZ2-P8 Changes to amenity values.

Recognise that the planned urban built form may result in changes to the amenity values and characteristics of the urban character over time.

MRZ2-P9 Home businesses.

- (1) Provide for home businesses to allow flexibility for people to work from their homes.
- (2) Manage adverse effects on residential amenity through limiting home occupations to a scale that is compatible with the primary residential purpose of the zone.

MRZ2-P10 Non-residential activities.

- (1) Maintain the zone primarily for residential activities while also:
 - (a) Ensuring community facilities:
 - (i) Are suitably located;
 - (ii) Are of a limited scale and intensity that is compatible with the zone;
 - (iii) Contribute to the amenity of the neighbourhood; and
 - (iv) Support the social and economic well-being of the residential community.
 - (b) Avoiding the establishment of new non-residential activities (except home occupations) on rear sites, or sites located on cul-de-sacs; and
 - (c) Ensuring that the design and scale of non-residential activities and associated buildings mitigates adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill.
- (2) Enabling existing non-residential activities to continue and support their redevelopment and expansion, provided they do not have a significant adverse effect on character and amenity.

MRZ2-P11 Reverse Sensitivity.

Maintain appropriate setback distances between new sensitive land uses and existing lawfully established activities that may result in reverse sensitivity effects.

MRZ2-P12 Building form, massing and coverage

- (1) Enable medium density residential development that:
 - (a) Is of a height and bulk that manages daylight access and a reasonable standard of privacy for residents; and
 - (b) Manages unreasonable visual dominance effects on adjoining properties.

Rules

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.

MRZ2-RI	Residential activity, unless specified below 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

MRZ2-R2	A new retirement village or alterations to an existing retirement village	
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The site is connected to public water and wastewater infrastructure; (b) The minimum living space or balcony area and dimensions are: <ul style="list-style-type: none"> (i) Apartment – 10m² area with a minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m² area with minimum dimension horizontal and vertical of 2.5m. (c) The minimum service court is either: <ul style="list-style-type: none"> (i) Apartment – Communal outdoor space (i.e. no individual service courts required); or (ii) All other units – 10m² for each unit. (d) The following land use – effects standard does not apply: <ul style="list-style-type: none"> (i) SIGN-R1, SIGN-R8 – SIGN-R10 (Signs). (e) The following Land Use – Building standards do not apply: <ul style="list-style-type: none"> (i) MRZ2-S1 (Residential unit (per unit)); (ii) MRZ2-S6 (Outdoor living space); and (f) The following infrastructure and energy rule does not apply: <ul style="list-style-type: none"> (i) Rule TRPT-R4(1)(a) (Traffic generation). 	<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) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects. 	
MRZ2-R3	Home business	
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The home business is wholly contained within a building; (b) The storage of materials or machinery associated with the home business are wholly contained within a building or are screened so as not to be visible from a public road or neighbouring residential property; (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, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and 	<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) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects. 	

(e) Machinery may only be operated between 7:30am and 9pm on any day.	
MRZ2-R4	Community facilities
<p>(1) Activity status: PER Activity-specific standards: (a) No more than 200m² GFA.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
MRZ2-R5	Neighbourhood park
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
MRZ2-R6	Home stay
<p>(1) Activity status: PER Activity-specific standards: (a) No more than 4 temporary residents.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
MRZ2-R7	Boarding houses/boarding establishments
<p>(1) Activity status: PER Activity-specific standards: (a) No more than 10 people per site inclusive of staff and residents.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
MRZ2-R8	Construction or alteration of a building for a sensitive land use

<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards:</p> <p>(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</p> <p>(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>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) Effects on the amenity values of the site;</p> <p>(b) The risk of electrical hazards affecting the safety of people;</p> <p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>
<p>MRZ2-R9</p>	<p>Construction, demolition, addition, and alteration of a building or structure</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZ2-R10</p>	<p><u>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</u></p>
<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) <u>Within the National Grid Yard:</u></p> <p>(i) <u>Building alterations and additions to an existing building or structure for a sensitive land use that does not involve an increase in the building height or footprint</u></p> <p>(ii) <u>New, or additions to existing buildings or structures that are not for a sensitive land use;</u></p> <p>(iii) <u>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</u></p> <p>(iv) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below.</u></p> <p>(b) <u>All buildings or structures permitted by Rule GRZ2-R10(1)(a) must:</u></p> <p>(i) <u>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</u></p> <p>(ii) <u>Locate a minimum of 12m from the outer visible foundation of any National Grid support structure and associated</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>

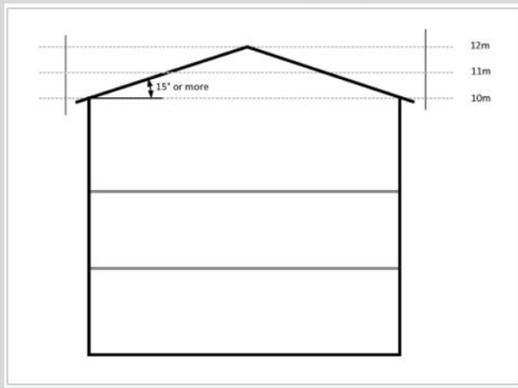
<p><u>stay wire, unless it is one of the following:</u></p> <p>(c) <u>A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP34:2001 ISSN 0114-0663;</u></p> <p>(d) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below, and located a minimum of 5m from the nearest National Grid support structure foundation;</u></p> <p>(e) <u>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</u></p> <p>(f) <u>Not permanently physically impede existing vehicular access to a National Grid support structure.</u></p>	
MRZ2-R11	<u>The establishment of any new sensitive land use within the National Grid Yard</u>
Activity status: NC	
MRZ2-R12	Any activity that is not listed as permitted, restricted discretionary or prohibited,
Activity status: DIS	
MRZ-R13	Any building, structure, objects or vegetation that obscures the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
Activity status: PR	
MRZ2-RX	<u>Any new building within the Huntly North Wetland specific control identified on the planning maps</u>
(I) Activity status: NC	

Land use

MRZ2-S1	Residential unit
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>The site is outside the Stormwater Constraints and Flood Hazard Overlay and the QM for 5851 Great South Road</u> up to three residential units per site.</p> <p>(b) <u>The site is within the Stormwater Constraints Overlay - Medium Risk one residential unit per site, and one minor dwelling per site provided that the minor residential unit contained within a site</u></p>	
	
<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Intensity of the development; and</p> <p>(b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone;</p> <p>(c) The relationship of the development with adjoining streets or public open</p>	

<p><u>must comply with all of the following standards:</u></p> <p>(i) <u>The net site area is 600m² or more; and</u></p> <p>(ii) <u>The gross floor area shall not exceed 70m²</u></p> <p>(c) <u>Within the QM for 585 I Great South Road I residential unit per site</u></p>	<p>spaces, including the provision of landscaping; and</p> <p>(d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and</p> <p>(e) Provision of 3-waters infrastructure to individual units; and</p> <p>(f) The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and</p> <p>(g) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces.</p> <p>(h) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana - Vision and Strategy</u></p> <p>(i) <u>Where located within the catchment of the Waikato River the extent to which the application enhances or benefits the Waikato River and its tributaries</u></p> <p>(j) <u>Flooding effects including safe access and egress</u></p> <p>(k) <u>Stormwater Management and Low Impact Design methods</u></p> <p>(l) <u>Within QM 585 I Great South Road affects on the values associated with the SASM</u></p> <p>Notification <u>Any application for resource consent for four or more dwellings per site that comply with all of the standards in (MRZ2-S2 to MRSZ-S9) will be considered without public or limited notification.</u></p>
<p>MRZ2-S1a Residential Unit</p>	
<p>(1) Activity status: NC <u>Where:</u></p> <p>a. <u>The site is within the Stormwater Constraints Overlay – High Risk Area; and</u></p> <p>b. <u>There are more than two residential units per site</u></p>	
<p>MRZ2-S2</p>	<p>Height – building general</p>
<p>(1) Activity status: PER <u>Where:</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

- (a) Except in the Tuurangawaewae Marae surrounds QM Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram (enlarged as Figure 1 at the conclusion of this Chapter).



In the Tuurangawaewae Marae surrounds QM:

- (b) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;
- (c) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;
- (d) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.
- (e) In Raglan, 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;

Council's discretion is restricted to the following matters:

- (a) Height of the building or structure;
- (b) Design, scale and location of the building;
- (c) Extent of shading on adjacent sites; **and**
- (d) Privacy and overlooking on adjoining sites; **and-**
- (e) The visual dominance effects on adjoining sites; and
- (f) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and
- (g) In addition, within the Tuurangawaewae Marae surrounds QM: The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga .

Notification

Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S2 will be considered without public notification. The notification provision does not apply to the Tuurangawaewae Marae surrounds QM

MRZ2-S3

Height in relation to boundary

(1) Activity status: PER

Where:

- (a) Except in the Tuurangawaewae Marae surrounds QM: Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram (enlarged as Figure 2 at the conclusion of this Chapter). Where the boundary forms part of a legal right of way, entrance strip,

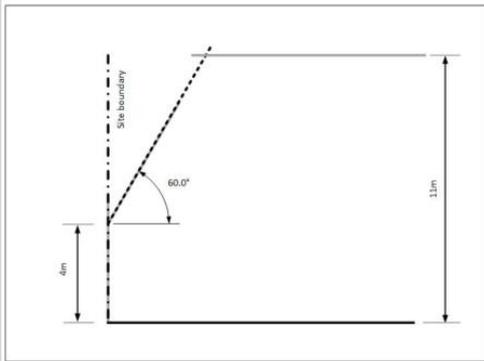


(2) Activity status where compliance not achieved: RDIS

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 sites; **and**
- (d) Privacy on adjoining sites.

access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



- (b) Standard (a) above does not apply to:
- (i) a boundary with a road
 - (ii) existing or proposed internal boundaries within a site;
 - (iii) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Within the Tuurangawaewae Marae Surrounds QM:

- (c) Buildings and structures must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3m above natural ground level at every point of the site boundary, except
- (i) Where the boundary forms part of a legal right of way, entrance strip or access site; the standard applies from the farthest boundary of that legal right of way, entrance strip or access site;
 - (ii) This standard does not apply to existing or proposed internal boundaries within a site;
 - (iii) Where a site in the MRZ – Medium density residential zone adjoins a site in the GRZ – General residential zone, LLRZ – Large lot residential or SETZ – Settlement zone, then buildings must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above natural ground level at every point of the site boundary abutting that GRZ – General residential zone, LLRZ

- (e) The visual dominance effects on adjoining sites; and
- (f) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and
- (g) In addition, within the Tuurangawaewae Marae surrounds QM: The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga

Notification

Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S3 will be considered without public notification. The notification provision does not apply to the Tuurangawaewae Marae surrounds QM

<p>– Large lot residential zone or SETZ – Settlement zone; (iv) Where the boundary adjoins a legal road.</p>																	
<p>MRZ2-S4</p>	<p>Setbacks</p>																
<p>(1) Activity status: PER Where:</p> <p>(a) <u>The site is outside of the Flood Hazards Overlay and outside of the Stormwater Constraints Overlay</u> buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" data-bbox="284 678 798 898"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>1.5m</td> </tr> <tr> <td>Side</td> <td>1m</td> </tr> <tr> <td>Rear</td> <td>1m (excluded on corner sites)</td> </tr> </tbody> </table> <p>(b) <u>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u></p> <p>(c) <u>The site is within the Stormwater Constraints Overlay and within the Flood Hazards Overlay</u> buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" data-bbox="209 1375 798 1664"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>3m</td> </tr> <tr> <td>Side</td> <td>1.5m</td> </tr> <tr> <td>Rear</td> <td>1.5m (excluded on corner sites)</td> </tr> </tbody> </table> <p>(d) The finished external walls (excluding eaves) of a building must be set back a minimum of:</p> <p>(i) 3m from the road boundary;</p> <p>(ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps);</p>	Yard	Minimum depth	Front	1.5m	Side	1m	Rear	1m (excluded on corner sites)	Yard	Minimum depth	Front	3m	Side	1.5m	Rear	1.5m (excluded on corner sites)	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Road network safety and efficiency;</p> <p>(b) Potential to mitigate adverse effects on the streetscape through use of other design features;</p> <p>(c) Daylight admission to adjoining properties; and</p> <p>(d) Privacy overlooking on adjoining sites; and</p> <p>(e) <u>The visual dominance effects on adjoining sites.</u></p> <p>(f) <u>Flooding effects including safe access and egress</u></p> <p>(g) <u>Stormwater Management and the use of Low Impact Design methods</u></p> <p>(h) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</u></p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S4 will be considered without public notification.</u></p> <p>Advice note <u>Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</u></p>
Yard	Minimum depth																
Front	1.5m																
Side	1m																
Rear	1m (excluded on corner sites)																
Yard	Minimum depth																
Front	3m																
Side	1.5m																
Rear	1.5m (excluded on corner sites)																

<p>(iii) 1m from every boundary other than a road boundary; and</p> <p>(e) Balconies greater than 1.5m above ground level shall be set back a minimum of 4m from every boundary other than a boundary to a road or public open space;</p> <p>(f) MRZ-S10(1)(a) and (b) do not apply to structures that are not buildings.</p>	
<p>MRZ2-S5</p>	<p>Building coverage</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Except in the Tuurangawaewae Marae surrounds QM and in the Stormwater Constraints Overlay and Flood Hazards Overlay the maximum building coverage must not exceed 50% of the net site area.</u></p> <p>(b) <u>The site is within the Tuurangawaewae Marae surrounds QM. The maximum building coverage must not exceed 45% of the net site area.</u></p> <p>(c) <u>The site is within the Stormwater Constraints Overlay or the Flood Hazards Overlay the building coverage must not exceed 40% of the net site area.</u></p> <p>(d) MRZ-S6(1)(a) does not apply:</p> <p>(i) To a structure that is not a building; or</p> <p>(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</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design, scale and location of the building;</p> <p>(b) Provision for outdoor living space and service courts; and</p> <p>(c) Effects on the planned urban built character <u>and any qualifying matter on</u> of the surrounding residential area ; <u>and</u></p> <p>(d) <u>The visual dominance effects on adjoining sites;</u></p> <p>(e) <u>In addition, within the Tuurangawaewae Marae surrounds QM: The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga</u></p> <p>(f) <u>Flooding effects including safe access and egress</u></p> <p>(g) <u>Stormwater Management and the use of Low Impact Design methods</u></p> <p>(h) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</u></p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S5 will be considered without public notification. The notification provision does not apply to the Tuurangawaewae Marae surrounds QM</u></p>
<p>MRZ2-S6</p>	<p>Outdoor living space (per unit)</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design and location of the building;</p>

<p><u>floor, balcony, patio, or roof terrace space that meets all of the following standards:</u></p> <ul style="list-style-type: none"> (i) <u>where located at ground level, has no dimension less than 3m; and</u> (ii) <u>where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and</u> (iii) <u>is accessible from the residential unit; and</u> (iv) <u>may be—</u> <ul style="list-style-type: none"> (1) <u>grouped cumulatively by area in one communally accessible location; or</u> (2) <u>located directly adjacent to the unit; and</u> (v) <u>is free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <p>(b) <u>A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</u></p> <ul style="list-style-type: none"> (i) <u>is at least 8m² and has a minimum dimension of 1.8m; and</u> (ii) <u>is accessible from the residential unit; and</u> (iii) <u>may be—</u> <ul style="list-style-type: none"> (1) <u>grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or</u> (2) <u>located directly adjacent to the unit.</u> <p>(c) An outdoor living space must be provided for each residential unit that meets all of the following standards:</p> <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the residential unit; (ii) It is readily accessible from a living area of the residential unit; (iii) Where the residential unit contains an internal habitable space (excluding garages, bathrooms, laundries, and hall or stairways) on the ground floor, an outdoor living court shall be provided and shall have a minimum area of 20m² and a minimum dimension of 4m in any direction; and 	<ul style="list-style-type: none"> (b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed; (c) Privacy and overlooking on adjoining sites; and (d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. <p><u>Notification</u> <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S6 will be considered without public notification.</u></p>
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<p>(iv) Where the residential unit has its principal living area at first floor level or above, a balcony shall be provided and shall have a minimum area of 5m² for studio and one-bedroom dwellings, or 8m² for two or more bedroom dwellings and a minimum dimension of 1.5m.</p>	
<p>MRZ2-S7</p>	<p>Outlook space (per unit)</p>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>An outlook space must be provided for each residential unit as outlined below.</u></p> <p>(b) <u>An outlook space must be provided from habitable room windows as shown in the diagram below (enlarged as Figure 3 at the conclusion of this Chapter):</u></p> <div data-bbox="245 815 777 1209" data-label="Diagram"> <p>The diagram illustrates a habitable room with a window. A grey rectangular area represents the 'Outlook space', which is 4m wide and 4m deep. The window is 1m wide and 1m high. The 'Centre point of window' is marked with a dot and arrows. The room is divided into a 'Habitable room' and a 'Principal living room'. The 'Centre point of window' is also marked in the principal living room area.</p> </div> <p>(c) <u>The minimum dimensions for a required outlook space are as follows:</u></p> <p>(i) <u>a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and</u></p> <p>(ii) <u>all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.</u></p> <p>(d) <u>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</u></p> <p>(e) <u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u></p> <p>(f) <u>Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.</u></p> <p>(g) <u>Outlook spaces may be under or over a balcony.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) Measures to ensure that outlook spaces shall remain unobstructed, while providing an open outlook with access to daylight from the windows of habitable rooms;</p> <p>(b) The nature of the occupation of the room without the required outlook;</p> <p>(c) The effects on amenity of future occupants from a reduced outlook; and</p> <p>(d) Any privacy benefits from providing a reduced outlook.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S7 will be considered without public notification.</u></p>

<p>(h) <u>Outlook spaces required from different rooms within the same building may overlap.</u></p> <p>(i) <u>Outlook spaces must—</u></p> <p>(i) <u>be clear and unobstructed by buildings; and</u></p> <p>(ii) <u>not extend over an outlook space or outdoor living space required by another dwelling.</u></p>	
<p>MRZ2-S8</p>	<p>Windows to the street</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</u></p> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The extent to which front facing glazing is provided from ground floor living areas that is visible and prominent from the street;</p> <p>(b) Whether the majority of the glazing provided on the street facing façade of the unit is clear glazing to habitable spaces within the unit;</p> <p>(c) The level of passive surveillance from the residential unit to the street; and</p> <p>(d) Any other building features such as porches or gables that will add visual interest.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S8 will be considered without public notification.</u></p>
<p>MRZ2-S9</p>	<p>Landscaped area</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.</u></p> <p>(b) <u>The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</u></p> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The on-site and/or neighbouring amenity provided by the proposed landscaping;</p> <p>(b) The extent of landscaping between the buildings and road boundary to soften and integrate the development into the surrounding area;</p> <p>(c) The extent to which the breach is necessary to enable more efficient, cost effective and/or practical use of the remainder of the site;</p>

	<p>(d) The additional accessibility and safety benefits of providing less landscaped area; and</p> <p>(e) The effect of any reduction in landscaping on adjoining properties, including the street or other public open spaces.</p> <p>Notification Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S9 will be considered without public notification.</p>
MRZ-S2	Minimum residential unit size
<p>(3) Activity status: PER</p> <p>Where:</p> <p>(a) Residential units must have a minimum net internal floor area of:</p> <p>(i) 35m² for studio dwellings; and</p> <p>(ii) 45m² for one or more bedroom dwellings.</p>	<p>(4) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The functionality of the residential unit; and</p> <p>Internal residential amenity.</p>
MRZ2-S10	Impervious surfaces
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The impervious surfaces of a site must not exceed 70%.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Site design, layout and amenity; and</p> <p>(b) The risk of flooding, nuisance or damage to the site or other buildings and sites.</p> <p>(c) Stormwater Management and the use of Low Impact Design methods</p> <p>(d) The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</p>
MRZ2-S11	Ground floor internal habitable space
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The visual dominance of garaging, parking, and vehicle manoeuvring areas and the balance across the site of internal habitable space, outdoor living courts, and landscaping at ground level; and</p> <p>(b) The design and location of garaging as viewed from streets or public open spaces.</p>

MRZ2-SI2	Fences or walls – <u>road boundaries and OSZ – Open space zone boundaries</u>
<p>(1) Activity status: PER Where:</p> <p>(a) Boundary fences and walls <u>adjacent to between properties and</u> any road boundaries <u>or OSZ - open space zone</u>, must comply with all of the following standards:</p> <p>(i) Be no higher than 1.5m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(1) Visually permeable for the full 1.8m height of the fence or wall; or</p> <p>(2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; and</p> <p>(c) Public space visibility.</p>
MRZ2-SI3	Building setbacks – water bodies
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Within the Stormwater Constraints Overlay a building must be set back a minimum of:</u></p> <p>(i) <u>23m from the margin of any lake;</u></p> <p>(ii) <u>23m from the margin of any wetland;</u></p> <p>(iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u></p> <p>(iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></p> <p>(b) <u>Outside the Stormwater Constraints Overlay and the Flood Hazards Overlay</u> A building must be set back a minimum of:</p> <p>(i) 20m from the margin of any lake;</p> <p>(ii) 20m from the margin of any wetland;</p> <p>(iii) <u>21.5m</u>23m from the bank of any river (other than the Waikato River and Waipa River);</p> <p>(iv) <u>26.5m</u>38m from the margin of either the Waikato River and the Waipa River</p> <p>(v) 23m from mean high water springs</p> <p>(c) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ2-SI3(1)(a);</p> <p>(d) This standard 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:</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 <u>including hydrology and flooding.</u></p> <p>(g) <u>Where located within the catchment of the Waikato River the extent to which the application enhances or benefits the Waikato River and its tributaries</u></p> <p>(h) <u>Effects on cultural values identified in Maaori Values and Maatauranga Maaori Chapter.</u></p> <p>(i) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy</u></p>
MRZ2-SI4	<u>Building setback – sensitive land use</u>
<p>(1) Activity status: PER Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>(a) <u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u></p> <p>(i) <u>5m from the designated boundary of the railway corridor;</u></p> <p>(ii) <u>15m from the boundary of a national route or regional arterial;</u></p> <p>(iii) <u>25m from the designated boundary of the Waikato Expressway;</u></p> <p>(iv) <u>300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</u></p> <p>(v) <u>30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and</u></p> <p>(vi) <u>300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaaruawaahia.</u></p> <p>(vii) <u>6m from the centre of a gas transmission line identified on the planning maps</u></p>	<p><u>Council's discretion is restricted to the following matters:</u></p> <p>(a) <u>Road network safety and efficiency;</u></p> <p>(b) <u>On-site amenity values;</u></p> <p>(c) <u>Odour, dust and noise levels received at the notional boundary of the building;</u></p> <p>(d) <u>Mitigation measures; and</u></p> <p>(e) <u>Potential for reverse sensitivity effects.</u></p>
<p><u>MRZ2-SI5</u></p>	<p><u>Building setback – Environmental Protection Area</u></p>
<p><u>(3) Activity status: PER</u> <u>Where:</u></p> <p>(a) <u>A building shall be set back a minimum of 3m from an Environmental Protection Area.</u></p>	<p><u>(4) Activity status where compliance not achieved: DIS</u></p>

Additional provisions applying to the Havelock Precinct

<p><u>PREC4-SX</u></p>	<p><u>Residential unit within the Slope Residential Area</u></p>	
<p><u>(5) Activity status: PER</u> <u>Where:</u></p> <p>(a) <u>One residential unit per site.</u></p>	<p><u>(6) Activity status where compliance not achieved: DIS</u></p>	
<p><u>PREC4-SX</u></p>	<p><u>Building coverage within the Slope Residential Area</u></p>	
<p><u>(7) Where:</u></p> <p>(a) <u>The maximum building coverage must not exceed 40% of the net site area.</u></p>	<p><u>(8) Activity status where compliance not achieved: DIS</u></p>	
<p><u>PREC4-SX</u></p>	<p><u>Height – buildings or structures adjoining Hilltop parks within PREC4 – Havelock precinct</u></p>	
<p><u>(9) Activity status: PER</u> <u>Where:</u></p> <p>(a) <u>A building or structure with a maximum height not exceeding 5m, measured from the natural ground level immediately</u></p>	<p><u>(10) Activity status where compliance not achieved: DIS</u></p>	

	<u>below that part of the structure, where it is located within 50m (horizontal distance) of the boundary of the Hilltop parks identified on the Havelock precinct plan in APP14 – Havelock precinct plan.</u>
PREC4-SX	<u>Height – Havelock industry buffer height restriction area</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A building or structure with a maximum height not exceeding 5m, measured from the natural ground level, where it is located within the Havelock industry buffer height restriction area</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
PREC4-SX	<u>Building setback – sensitive land use within PREC4 – Havelock precinct</u>
<p>(3) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Any new building or alteration to an existing building for a sensitive land use within the PREC4 – Havelock precinct that is located outside the Pōkeno Industry Buffer identified on the planning maps.</u></p>	<p>Activity status where compliance not achieved: NC</p>
(4) PREC4-SX	<u>Building design – sensitive land use with PREC4 – Havelock precinct</u>
<p>(5) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Any new building or alteration to an existing building for a sensitive land use located outside the Pōkeno Industry Buffer but within the 40 dB LAeq noise contour shown on the planning maps that is designed and constructed so that internal noise levels do not exceed 25 dB LAeq in all habitable rooms.</u></p> <p>(b) <u>Provided that if compliance with clause (a) above requires all external doors of the building and all windows of these rooms to be closed, the building design and construction as a minimum:</u></p> <p>(i) <u>Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C.</u></p> <p>(ii) <u>Includes either of the following for all habitable rooms on each level of a dwelling:</u></p> <p>(1) <u>Mechanical cooling installed; or</u></p>	<p>(6) Activity status where compliance not achieved: DIS</p>

<p>(2) <u>A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</u></p> <ul style="list-style-type: none">(i) <u>6 air changes per hour for rooms with less than 30% of the façade area glazed;</u>(ii) <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u>(iii) <u>3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</u> <p>(iii) <u>Provides relief for equivalent volumes of spill air.</u></p> <p><u>All is certified by a suitably qualified and experienced person.</u></p>	
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Medium Density Residential Standard Figures

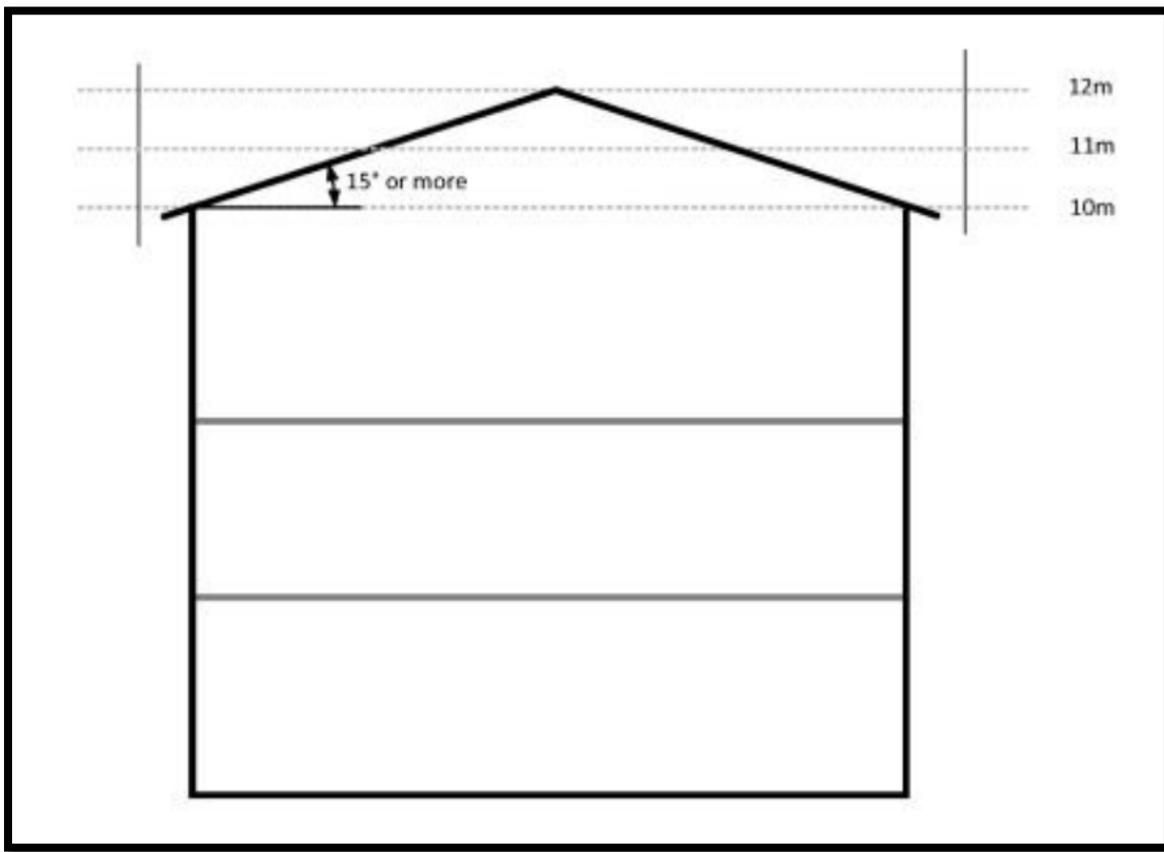


Figure 1: Building Height (refer to MRZ2-S2)

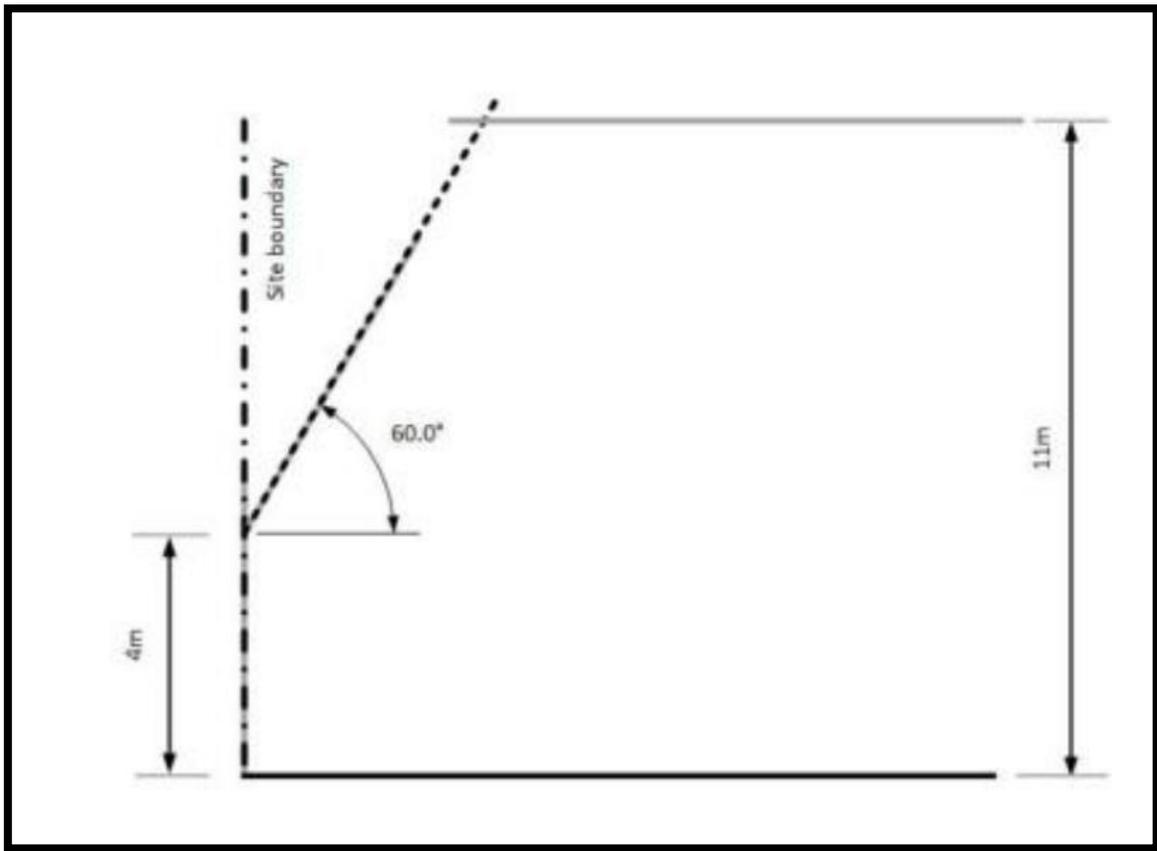


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

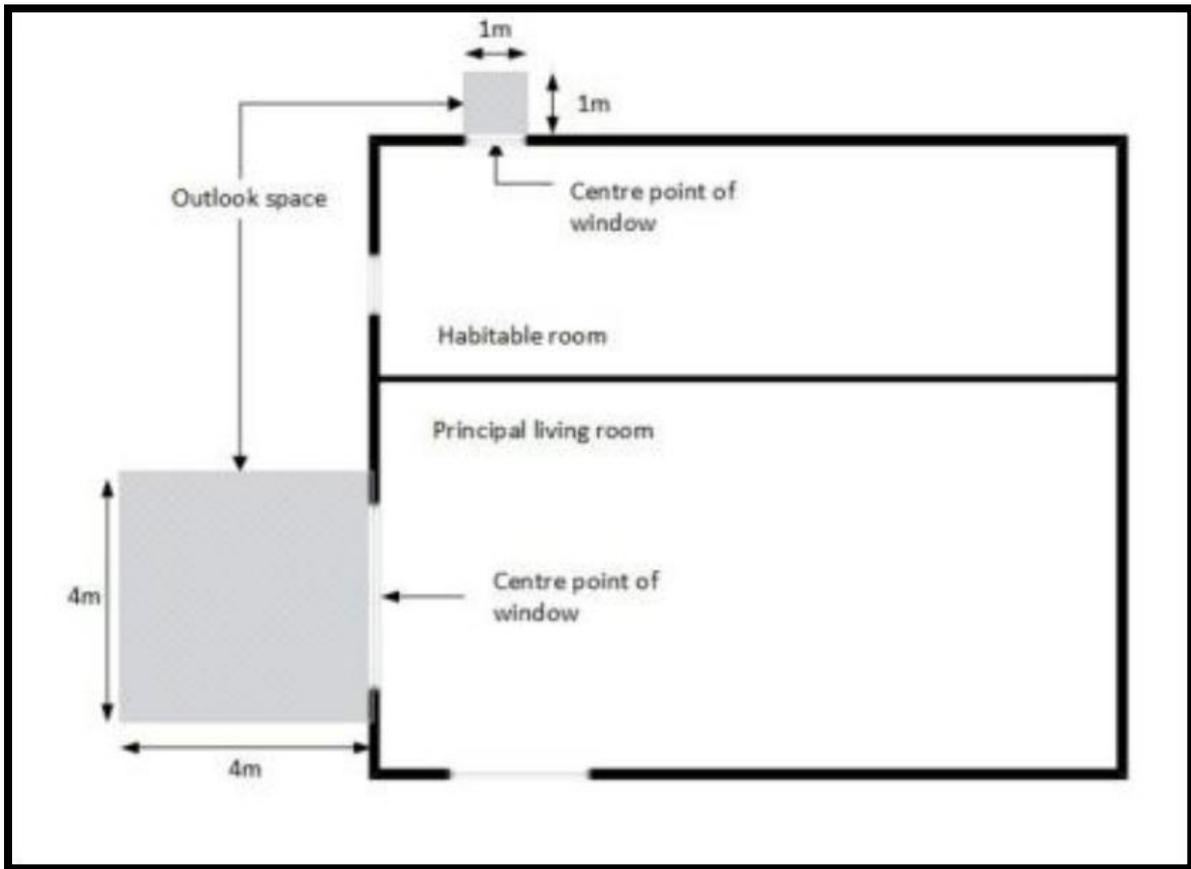


Figure 3: Outlook space per unit (refer to MRZ2-S7)

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Overview

- (1) The relationship of Waikato-Tainui with the Waikato River cannot be underestimated as it lies at the heart of their identity as well being a major influence on their spiritual, cultural, historic and physical wellbeing. To Waikato-Tainui, the Waikato River is their Tuupuna Awa, an ancestor.
- (2) The Waikato River Claim was filed with the Waitangi Tribunal by Sir Robert Mahuta on 16 March 1987 on behalf of Waikato-Tainui, the Tainui Trust Board and Ngaa Marae Toopu but was excluded from the 1995 Raupatu Land Settlement for future negotiation.
- (3) The 2009 Deed of Settlement between the Crown and Waikato-Tainui acknowledges the deterioration of the health of the Waikato River while the Crown had authority over the river. The Deed of Settlement has an overarching purpose of restoring and protecting the health and wellbeing of the Waikato River for future generations. This district plan aims to restore the river's health in conjunction with other agencies. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 gave effect to the 2009 Deed of Settlement in respect of the raupatu claims of Waikato-Tainui over the Waikato River.
- (4) Te Ture Whaimana o Te Awa o Waikato (Te Ture Whaimana) is the Vision and Strategy and is the primary direction-setting document for the Waikato River and activities within its catchment.
- (5) This District Plan reflects the new era of co-management between Waikato District Council and iwi. The Settlement Act requires that a district plan shall give effect to Te Ture Whaimana.
- (6) Te Ture Whaimana responds to four fundamental issues:
 - (a) The degradation of the Waikato River and the ability of Waikato River iwi to exercise kaitiakitanga or conduct their tikanga and kawa;
 - (b) The relationships and aspirations of communities with the Waikato River;
 - (c) The cumulative effects of physical intervention, land use and subsurface hydrological changes on the natural processes of the Waikato River;
 - (d) The time and commitment required to restore and protect the health and well-being of the Waikato River.
- (7) Section 13 of the Waikato River Act requires that district plans be reviewed and where necessary updated following an RMA Schedule 1 process no later than 12 months after the completion of a review of Vision and Strategy.

Definition of Waikato River and its catchment area

- (8) The body of water known as the Waikato River flowing continuously or intermittently from the Huka Falls to the mouth of the Waikato River shown as located within the areas marked "A" and "B" on SO plan 409144, and
- (9) All tributaries, streams and watercourses flowing into the part of the Waikato River, including the Waipaa River, described in paragraph (8), to the extent to which they are within the areas marked "A" and "B" on SO plan 409144, and

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- (10) Lakes and wetlands within the areas marked "A" and "B" on SO plan 409144, and
- (11) The beds and banks of the water bodies described in paragraphs (8) to (10).
- (12) For the avoidance of doubt, this definition is an excerpt from the interpretation of 'Waikato River' in Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. The area contained within SO plan 409144 is administered by a number of territorial authorities. Waikato District Council only administers that part of SO plan 409144 that is within the Waikato District.

Issue – Health and wellbeing of the Waikato River

- (13) Land use and development activities can adversely affect the ability of the Waikato River to sustainably support the economic, social, cultural and environmental aspirations of Waikato-Tainui and the community.

Objectives

TETW-O1 Achieving Te Ture Whaimana (Vision and Strategy for the Waikato River).

The health and well-being of the Waikato River is restored and protected and Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved.

Policies

TETW-PI Implementing Te Ture Whaimana (Vision and Strategy for the Waikato River).

[000036] {000051, 000063, 000073}

- (1) To restore and protect the health and wellbeing of the Waikato River including by;
 - (a) Identifying and recognising the Waikato River as an Outstanding Natural Cultural Landscape;
 - (b) Acquiring appropriate public access to and along the Waikato River at time of subdivision;
 - (c) Protecting and restoring significant natural areas, riparian margins and wetlands within the catchment;
 - (d) Providing for conservation activities;
 - (e) Protecting waahi tapu, sites and areas of significance to Maaori;
 - (f) Recognising and providing for application of maatauranga Maaori; and
 - (g) Managing the effects of subdivision, use and development including those associated with:
 - (i) Building in river setbacks;
 - (ii) Intensive farming;
 - (iii) Earthworks and land disturbance; and
 - (iv) Subdivision.
- (v) Residential development

SD – Strategic directions

Explanatory note for the purpose of the IPI and to be removed upon completion of the process:

Standard text is used for existing provisions contained in the proposed Waikato District Plan.

Green underline text is used for new provisions.

Provisions in this chapter incorporate the objectives and policies in Clause 6 of Schedule 3A of the Resource Management Act 1991 (the Act). In accordance with Section 80H of the Act these provisions are shown shaded grey.

Introduction

This chapter:

- (a) Provides the overarching direction for the District Plan, including for developing the other chapters within the Plan, and its subsequent implementation and interpretation; and
- (b) Has primacy over the objectives and policies in the other chapters of the Plan, which must be consistent with the strategic objectives in this chapter.

The strategic objectives in this chapter are provided in no order of priority.

Objectives

SD-O1 Socio-economic advancement.

The District has a thriving economy.

SD-O2 Tangata whenua.

Tangata whenua's relationships, interests, including commercial interests, and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga are recognised and provided for.

SD-O3 Growth targets.

The following growth targets are planned for:

	Minimum targets (number of dwellings)		
	2017-2026	2027-2046	Total
Waikato District	7,100	12,300	19,400

SD-O4 Housing variety.

A variety of housing types are available to meet the community's housing needs.

SD-O5 Integration of infrastructure and land use.

New development is integrated with the provision of infrastructure.

SD-O6 Hamilton's urban expansion area.

Land uses within Hamilton's Urban Expansion Area do not compromise its future urban development.

Part 2: District-wide matters / Strategic direction / SD – Strategic directions

- SD-O7 Regionally significant infrastructure and industry.
Recognise the importance of regionally significant infrastructure and regionally significant industry.
- SD-O8 Highly productive soils.
High quality soils are protected from urban development, except in areas identified for future growth in the District Plan.
- SD-O9 Rural activities.
The rural environment provides for a range of rural activities, including primary production and food supply.
- SD-O10 Reverse sensitivity.
Existing activities are protected from reverse sensitivity effects.
- SD-O11 Historic heritage.
Historic heritage contributes to the district's sense of place and identity.
- SD-O12 Natural environment.
Outstanding natural features and landscapes, and significant indigenous terrestrial flora and fauna are protected.
- SD-O13 Climate change.
Land use is planned to recognise, and avoid, remedy or mitigate the potential adverse effects of climate change induced weather variability and sea level rise.

SD-O14 Well-functioning urban environment.

A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Policy

- SD-PI Activities within Hamilton's urban expansion area.
Avoid subdivision, use and development within Hamilton's urban expansion area to ensure that future urban development is not compromised.

SD-P2 Medium Density Residential Standards

Apply the MDRS across all relevant residential zones in the district plan except in circumstances where ~~a~~ the qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga).

SUB – Subdivision

Explanatory note for the purpose of the IPI and to be removed upon completion of the process:

Standard text is used for existing provisions contained in the proposed Waikato District Plan.

Green underline text is used for new provisions.

~~Black Strikethrough~~ is used to show the deletion of existing provisions that applied to the MRZ.

Only the subdivision rules pertaining to the MRZ2 – Medium density residential zone 2 and the consequential amendments to MRZ1 – Medium density residential zone 1 are included for the purpose of the IPI.

The relevant area specific zone chapter provisions apply in addition to this chapter.

Objective

SUB-O1 Subdivision.

Subdivision layout and design promotes the land use outcomes sought for the residential, business, industrial, open space and special purpose zones.

SUB-O2 Subdivision and development in the MTZ – Matangi zone.

Subdivision, layout and design maximises efficient use of the land and minimises any adverse effects.

Policies

SUB-P1 Subdivision location and design.

(I) Ensure subdivision, is located and designed to:

- (a) Be sympathetic to the natural and physical qualities and characteristics of the surrounding environment;
- (b) Establish boundaries that minimises, to the extent practicable, buildings and structures dominating adjoining land or public places, the coast, or fresh waterbodies;
 - (i) Arrange allotments to promote view sharing
 - (ii) Promote safe communities through quality urban design;
 - (iii) Accommodate safe and stable building platforms and vehicle accesses; and
 - (iv) Promote consistent grid layout.

SUB-P2 Residential subdivision.

(I) Promote residential subdivision and development that:

- (a) Integrates staging to ensure multi-modal connectivity;
- (b) Limits the number and length of cul-de-sacs;

- (c) Ensures pedestrian access is consistent with the Crime Prevention through Environmental Design (CPTED) principles;
 - (i) Discourages the creation of rear lots;
 - (ii) Includes adequate lighting levels in publicly accessible spaces;
 - (iii) Reflects local characteristics;
 - (iv) Orientates lots are orientated in a way that:
 - (1) Maximizes solar access; and
 - (2) Addresses the street frontage and public places.
 - (v) Creates lots that can accommodate a variety of density with a mix of usable lot types; and
 - (vi) Designs infrastructure to manage stormwater in a sustainable manner by:
 - (1) Minimising environmental impacts and maintenance costs, and reducing stormwater discharging to existing reticulated networks; and
 - (2) Promoting and maintaining riparian margins.

SUB-P3 Lot sizes.

- (1) Except for residential subdivision within the MRZ2 – Medium density residential zone 2, minimum lot size and dimension of lots enable the achievement of the character and density outcomes of each zone; and
- (2) Prevent undersized lots in the SETZ – Settlement zone and LLRZ – Large lot residential zone.
- (3) Within the MRZ2 – Medium density residential zone 2, subdivision enables medium density residential outcomes except where there is a relevant qualifying matter.

SUB-P4 Servicing requirements.

- (1) Require subdivision and development in all zones except for GRUZ – General rural zone and RLZ – Rural lifestyle zone to be serviced to a level that will provide for the anticipated activities in a structure plan, or otherwise anticipated within the zone, including through the provision of:
 - (a) Reserves for community, active and passive recreation;
 - (b) Pedestrian and cycle connections;
 - (c) Roads;
 - (d) Public transport infrastructure, e.g. bus stops;
 - (e) Telecommunications;
 - (f) Electricity;
 - (g) Stormwater collection, treatment and disposal;
 - (h) Wastewater treatment and reticulation, water provision for domestic and fire fighting purposes; and

Part 2: District-wide matters / Subdivision / SUB – Subdivision - IPI

- (i) Connections to identified adjacent future growth areas.
- SUB-P5 Co-ordination between servicing and development and subdivision
- (1) Ensure development and subdivision:
 - (a) Is located in areas where infrastructure capacity has been planned and able to be funded;
 - (b) Where located in areas subject to an approved structure plan, provides sufficient infrastructure capacity to meet the demand identified in the structure plan;
 - (c) Achieves the lot yield anticipated in an approved structure plan; and
 - (d) Includes infrastructure provision for both the strategic infrastructure network and local infrastructure connections.
- SUB-P6 Achieving sufficient development density to support the provision of infrastructure services in areas without a structure plan.
- In areas where there is no structure plan, ensure that the land is developed efficiently to support the provision of infrastructure services.
- SUB-P7 Staging of subdivision.
- Require any staging of subdivision to be undertaken in a manner that promotes efficient development and integration of infrastructure and community facilities.
- SUB-P8 Connected neighbourhoods.
- (1) Design subdivision to support the creation of a liveable, walkable and connected neighbourhood by having:
 - (a) A road network that achieves all of the following:
 - (i) Easy and safe to use for pedestrians and cyclists;
 - (ii) Accessible for emergency and other services;
 - (b) Connected with a variety of routes within the immediate neighbourhood and between adjacent land areas; and
 - (c) Connected to public transport, shops, schools, employment, open spaces and other amenities; and
 - (2) Vehicle crossings and associated access are designed and located to provide for safe and efficient movement to and from sites and minimising potential conflict between vehicles, pedestrians, and cyclists on the adjacent road network.
- SUB-P9 Recreation and access.
- (1) Provide for the recreation and amenity needs of residents by:
 - (a) Encouraging open spaces which are prominent and accessible by pedestrians;
 - (b) Requiring the location, number and size of open spaces to be in proportion to the future density of the neighbourhood and provide for a range of different activities and users; and
 - (c) Enabling pedestrian and/or cycle linkages.

Part 2: District-wide matters / Subdivision / SUB – Subdivision - IPI

- SUB-PI0 Reverse sensitivity
- (1) Other than in the GIZ – General industrial zone and HIZ – Heavy industrial zone, development and subdivision design minimises the potential for reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and
 - (2) Avoid, to the extent possible, and otherwise minimise, potential reverse sensitivity effects of locating new sensitive land uses in the vicinity of an intensive farming, extraction industry or industrial activity and regionally significant infrastructure.
- SUB-PI1 Boundary adjustments and relocations.
- Boundary adjustments and boundary relocations are designed to provide for more the efficient use of land.
- SUB-PI2 GRZ – General residential zone Te Kauwhata Ecological Area.
- (1) Subdivision in the Te Kauwhata Ecological Residential Area is designed and located to:
 - (a) Promote the natural features and landscapes of the Whangamarino Wetland and Lake Waikare; and
 - (b) Achieve the minimum lot size.
- SUB-PI3 Structure and master planning.
- Ensure that development and subdivision within approved structure or master plan areas is consistent with the development pattern and infrastructure provisions in the approved structure or master plan.
- SUB-PI4 Future development – Tuakau, Pokeno, and Te Kowhai within the LLRZ – Large lot residential zone.
- In Tuakau, Pokeno, and Te Kowhai, buildings, access, and lot boundaries are located to enable future subdivision and development in the event that reticulated water, stormwater, and wastewater infrastructure become available and a plan change to rezone to a higher density is in place.
- SUB-PI5 Effects of subdivision and development on soils in the GRUZ – General rural zone.
- Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located.
- SUB-PI6 Rural subdivision in the GRUZ – General rural zone.
- (1) Protect the productive capacity of land and soils.
 - (2) Maintain an open and spacious rural character.
 - (3) Minimise adverse effects on the safe and efficient operation of infrastructure; by:
 - (a) Avoiding subdivision that creates lots smaller than 0.8ha;
 - (b) Avoiding the creation of new lots that are wholly located on high class soils. For sites that are partially located on high class soils, new lots are to be located primarily on that part of the site that does not include high class soils;
 - (c) Limiting potential reverse sensitivity effects on productive rural activities, intensive farming, rural industry, infrastructure, or extractive activities by ensuring new lots provide adequate setbacks from potential sensitive activities;

Part 2: District-wide matters / Subdivision / SUB – Subdivision - IPI

- (d) Ensuring that the subdivision does not compromise public access to rivers and water bodies or the quality of these environments; and
- (4) Make only limited provision for small rural lifestyle lots, where in addition to the matters set out in (1), (2), and (3), the subdivision:
- (a) Provides public parks and reserves, located in accordance with a Council Parks Strategy; or
 - (b) Provides a balance lot greater than 40ha; or
 - (c) Involves a boundary relocation to create the same number of lots formed as a large balance lot greater than 40ha and a number of small rural lifestyle lots that are clustered to form a hamlet; and
 - (d) Where (4)(b) and (c) applies, avoids ribbon development and the cumulative effects of multiple small rural residential lots locating on the same road frontage.

SUB-PI7 Subdivision in the RLZ – Rural lifestyle zone.

- (1) Subdivision within the zone ensures that:
- (a) The creation of undersized lots is avoided;
 - (b) New lots are of a size and shape to enable sufficient building setbacks from any boundary;
 - (c) Building platforms are sited to maintain the character of the zone and are appropriately positioned to enable future development;
 - (d) Existing infrastructure is not compromised;
 - (e) Character and amenity are not compromised.

SUB-PI8 Subdivision in the BTZ – Business Tamahere zone.

Subdivision of leasable units provides for the ongoing management and use of common facilities.

SUB-PI9 Manage subdivision and activities within the FUZ – Future urban zone.

- (1) Manage activities to ensure that the ability to develop the area for urban purposes is not compromised; and
- (2) Manage subdivision to ensure that future urban development is not compromised. This can include:
- (a) Avoiding the creation of additional lots that are smaller than 40ha, except where directly associated with utilities, network infrastructure, or a development consolidation lot;
 - (b) Enabling subdivision boundary adjustments and relocations; and
 - (c) Encouraging the consolidation of landholdings into single ownership to facilitate long-term comprehensive urban development by enabling the subdivision of an existing Record of Title to create one new title around an existing dwelling where the balance of the existing lot is subject to a consent notice on the Record of Title preventing further dwellings until such time as the FUZ – Future urban zone is rezoned to a long-term urban zoning.

SUB-P20 Structure plans in the FUZ – Future urban zone.

- (1) Urban subdivision and development is to be in accordance with a structure plan that has been incorporated into the District Plan through a plan change process. The structure plan must include the following elements:
- (a) Key roading connections, collector road alignment, and public transport facilities;
 - (b) Key pedestrian / cycle linkages where these routes are separate from road or open space corridors;
 - (c) Land to be set aside for stormwater basins;
 - (d) The measures necessary to mitigate natural hazards, geotechnical issues, or soil contamination;
 - (e) Land to be set aside for public open space;
 - (f) How any existing natural, ecological, or landscape values will be maintained or enhanced;
 - (g) How any significant historic or cultural values will be maintained or enhanced;
 - (h) The general location of local commercial / community hubs and schools (if proposed);
 - (i) The general location of more intensive pockets of medium density residential development (if any);
 - (j) For residential developments, demonstrate the minimum yield to be achieved;
 - (k) How potential conflicts between new residential areas and existing industry, regional infrastructure, mineral extraction, or intensive farming operations will be mitigated including by the use of setbacks, open space, or large lots to create a buffer area; and
 - (l) Any staging necessary to ensure development achieves a good urban form and is able to be serviced.

SUB-P21 Subdivision in the HOPZ – Hopuhopu zone.

Avoid subdivision except where it is necessary for infrastructure, utilities, reserves, or road vesting.

SUB-P22 Subdivision development and design in the MTZ – Matangi zone.

- (1) Avoid subdivision that does not connect to public reticulated services;
- (2) Ensure subdivision and development provides integrated three waters infrastructure and services to each allotment;
- (3) Ensure subdivision and development maintains the setting of heritage items; and
- (4) Adverse effects of subdivision, use and development activities on the transport network are minimised with particular regard to:
 - (a) Reverse sensitivity effects of land uses sensitive to adverse transport effects (e.g. noise);
 - (b) Protecting strategic and arterial transport networks, rail crossings and associated intersections; and

- (c) Maintaining the safety of pedestrians and cyclists.

SUB-P23 Subdivision in the MRZ2 – Medium density residential zone 2

- (1) Provide for subdivision that supports the development of medium density residential development as a controlled activity within the MRZ2 – Medium density residential zone 2, except where:
- (a) There is a relevant qualifying matter; or
- (b) The proposed subdivision does not comply with the relevant subdivision standards.
- (2) Require subdivision within the MRZ2 – Medium density residential zone 2 to not compromise any qualifying matters applied to the site.

Rules

All applications for subdivision consent, including controlled activities, are subject to section 106 of the Resource Management Act 1991.

Subdivision (zone specified in first column)

MRZ1 – Medium density residential zone 1

SUB-R30	Subdivision – general	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.</p> <p>Council’s control is reserved over the following matters:</p> <p>(b) Subdivision layout;</p> <p>(c) Compliance with the approved land use consent; and</p> <p>(d) Provision of infrastructure.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R31	Subdivision – general	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision must comply with all of the following standards:</p> <p>(i) Proposed vacant lots must have a minimum net site area (excluding access legs) of 200m², except where the proposed lot is an access allotment, utility allotment or reserve to vest; and</p> <p>(ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; (b) Shape of lots and variation in lot sizes; (c) Ability of lots to accommodate a practical building platform including geotechnical stability for building; (d) Likely location of future buildings and their potential effects on the environment; (e) Avoidance or mitigation of natural hazards; (f) Opportunities for streetscape landscaping; (g) Vehicle and pedestrian networks; (h) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and (i) Provision of infrastructure. 	
SUB-R32	Subdivision – general	
MRZ ₁ – Medium density residential zone ₁	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Every proposed vacant lot, other than one designed specifically for access or a utility allotment, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within the following dimension: <ul style="list-style-type: none"> (i) A rectangle of at least 100m² with a minimum dimension of 6m, exclusive of yards. <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout; (c) Shape of allotments; (d) Ability of allotments to accommodate a practical building platform; (e) Likely location of future buildings and their potential effects on the environment; (f) Avoidance or mitigation of natural hazards; (g) Geotechnical suitability for building; and (h) Ponding areas and primary overland flow paths. 	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R33	Subdivision – boundary adjustments	
MRZ ₁ – Medium density residential zone ₁	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Boundary adjustments must comply with all of the following standards: 	<p>(2) Activity status where compliance not achieved: RDIS</p>

	<p>(b) The standards specified in:</p> <p>(i) Rules SUB-R31 to SUB-R32 Subdivision - General;</p> <p>(c) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p>Council's control is reserved over the following matters:</p> <p>(d) Subdivision layout; and</p> <p>(e) Shape of titles and variation in lot sizes.</p>	<p>Council's discretion is restricted to the following matters:</p> <p>(a) Subdivision layout; and</p> <p>(b) Shape of titles and variation in lot sizes.</p>
SUB-R34	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Conversion of a cross lease flats plan to a fee simple title.</p> <p>Council's control is reserved over the following matters:</p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design; and</p> <p>(d) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R35	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Amendment or update of a cross lease flats plan.</p> <p>Council's control is reserved over the following matters:</p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design of cross lease or flats plan; and</p> <p>(d) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R36	Title Boundaries – contaminated land	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use) must comply with all of the following standards:</p> <p>(i) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>subdivision), compliance is required with the following building rules relating to:</p> <ol style="list-style-type: none"> (1) Height in relation to boundary (MRZ-S4); (2) Building coverage (MRZ-S6 – MRZ-S7); and (3) Building setbacks (MRZ-S11 – MRZ-S12). <p>(b) Where any proposed subdivision contains one or more of the features listed in 1 – 2, the subdivision must not divide the following:</p> <ol style="list-style-type: none"> (1) A natural hazard area; (2) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1 – 3 below, must provide the following setbacks:</p> <ol style="list-style-type: none"> (1) 300m from any intensive farming activity; (2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and (3) 200m from the boundary of an Aggregate Extraction Area for sand excavation. <p>Council's discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> (c) Landscape values; (d) Amenity values and character; (e) Reverse sensitivity effects; (f) Effects on existing buildings; (g) Effects on natural hazard areas; (h) Effects on contaminated land; (i) Effects on an intensive farming activity. 	
SUB-R37	Subdivision – road frontage	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ol style="list-style-type: none"> (a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 10m. 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>Council's discretion is restricted to the following matters:</p> <p>(b) Safety and efficiency of vehicle access and road network.</p>	
SUB-R38	Subdivision creating reserves	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) The extent to which the proposed reserve aligns with the principles of Council's Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy;</p> <p>(c) Consistency with any relevant structure plan or master plan;</p> <p>(d) Reserve size and location;</p> <p>(e) Proximity to other reserves;</p> <p>(f) The existing reserve supply in the surrounding area;</p> <p>(g) Whether the reserve is of suitable topography for future use and development;</p> <p>(h) Measures required to bring the reserve up to Council standard prior to vesting; and</p> <p>(i) The type and standard of boundary fencing.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R39	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is required to be created shall vest in Council where the following situations apply:</p> <p>(i) The proposed lot is less than 4ha and within 20m of:</p> <p>(ii) mean high water springs;</p> <p>(iii) the bank of any river whose bed has an average width of 3m or more; or</p> <p>(iv) a lake whose bed has an area of 8ha or more; or</p> <p>(v) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) The type of esplanade provided - reserve or strip; (c) Width of the esplanade reserve or strip; (d) Provision of legal access to the esplanade reserve or strip; (e) Matters provided for in an instrument creating an esplanade strip or access strip; and (f) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris. 	
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MRZ2 – Medium density residential zone 2

SUB-R152	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent. <p>Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout; (c) Compliance with the approved land use consent; and (d) Provision of infrastructure. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R153	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) <u>Except where the site is within the Stormwater Constraints Overlay or within the Flood Hazard Overlay; and</u> (b) <u>Except where SUB-R154 (Subdivision – residential) applies,</u> subdivision must comply with all of the following standards: <ul style="list-style-type: none"> (i) <u>Except in the minimum vacant lot site restriction area,</u> proposed vacant lots must have a minimum net site area (excluding access legs) of 200m², except where the proposed lot is an access allotment, utility allotment or reserve to vest; and (ii) <u>In the minimum vacant lot size restriction area proposed vacant lots must have a minimum net site area (excluding access</u> 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p><u>legs) of 450m², except where the proposed lot is an access lot, utility allotment, or reserve to vest; and</u></p> <p>(iii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p>(c) <u>Where the site is within the Stormwater Constraints Overlay, the minimum site size is 450m²</u></p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Subdivision layout;</p> <p>(b) Shape of lots and variation in lot sizes;</p> <p>(c) Ability of lots to accommodate a practical building platform including geotechnical stability for building;</p> <p>(d) Likely location of future buildings and their potential effects on the environment;</p> <p>(e) Avoidance or mitigation of natural hazards;</p> <p>(f) Opportunities for streetscape landscaping;</p> <p>(g) Vehicle and pedestrian networks;</p> <p>(h) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and</p> <p>(i) Provision of infrastructure.</p> <p>(j) <u>Flooding effects including safe access and egress</u></p> <p>(k) <u>Stormwater Management and the use of Low Impact Design methods</u></p> <p>(l) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana – Vision and Strategy</u></p>	
<p>SUB-R154</p>	<p><u>Subdivision - residential</u></p>	
<p><u>MRZ2 – Medium density residential zone 2</u></p>	<p>(I) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) <u>Any subdivision around either existing (constructed or approved) residential units or proposed residential units where the subdivision application is accompanied by a land use application that will be determined concurrently.</u></p> <p>(b) <u>Any allotments created under SUB-R152 (1a) must have a minimum net site area (excluding access legs) of 200m² except where:</u></p> <p>(i) <u>The subdivision does not increase the degree of non compliance of the residential units with the standards in</u></p>	<p><u>Activity status where compliance not achieved: n/a</u></p>

	<p><u>MRZ2-S2 to S9, or land use consent has been granted, or a concurrent land use application shows that it is practicable to construct on every allotment within the proposed subdivision a residential unit which complies with the standards in MRZ2-S2 to S9; and</u></p> <p>(ii) <u>No vacant allotments are created.</u></p> <p>(c) <u>For the purpose of SUB-R152(1b)(i), if a subdivision is proposed between residential units that share a common wall, the standard in MRZ2-S3 does not apply along the length of the common wall.</u></p> <p><u>Council’s control is reserved over the following matters:</u></p> <p>(d) <u>Subdivision layout; and</u></p> <p>(e) <u>Provision of infrastructure and;</u></p> <p>(f) <u>Vehicles and pedestrian networks.</u></p> <p><u>Notification</u> <u>Any application for a subdivision consent for a controlled activity under this rule will be considered without public or limited notification in the following circumstances:</u></p> <p>(a) A subdivision associated with the construction of no more than three residential units that do not comply with the standards in MRZ2-S2 to S9; or</p> <p>(b) A subdivision associated with the construction of four or more residential units that comply with the standards in MRZ2-S2 to S9; and</p> <p>(c) provided that other standards in the district plan are met.</p>	
<p>SUB-R155- MRZ— Medium density residential zone</p>	<p>Subdivision—general</p> <p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every proposed vacant lot, other than one designed specifically for access or a utility allotment, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within the following dimension:</p> <p>(i) A rectangle of at least 100m² with a minimum dimension of 6m, exclusive of yards.</p> <p>Council’s discretion is restricted to the following matters:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(b) Subdivision layout;</p> <p>(c) Shape of allotments;</p> <p>(d) Ability of allotments to accommodate a practical building platform;</p> <p>(e) Likely location of future buildings and their potential effects on the environment;</p> <p>(f) Avoidance or mitigation of natural hazards;</p> <p>(g) Geotechnical suitability for building; and</p> <p>(h) Ponding areas and primary overland flow paths.</p>	
SUB-R156	Subdivision – boundary adjustments	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Boundary adjustments must comply with all of the following standards:</p> <p>(b) The standards specified in:</p> <p>(i) Rules in SUB-R31 to SUB-R32 SUB-R153</p> <p>(c) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) Subdivision layout; and</p> <p>(b) Shape of titles and variation in lot sizes.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Subdivision layout; and</p> <p>(b) Shape of titles and variation in lot sizes.</p>
SUB-R157	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Conversion of a cross lease flats plan to a fee simple title.</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) Effects on existing buildings;</p> <p>(b) Site layout and design; and</p> <p>(c) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R158	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Amendment or update of a cross lease flats plan.</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) Effects on existing buildings;</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>(b) Site layout and design of cross lease or flats plan; and</p> <p>(c) Compliance with permitted building rules.</p>	
SUB-R159	Title Boundaries—contaminated land	
MRZ2— Medium density residential zone 2	<p>(3) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(a) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use) must comply with all of the following standards:</p> <p>(i) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the subdivision), compliance is required with the following building rules relating to:</p> <p>(1) Height in relation to boundary (MRZ-S4);</p> <p>(2) Building coverage (MRZ-S6-S7); and</p> <p>(3) Setbacks (MRZ-S10).</p> <p>(b) Where any proposed subdivision contains one or more of the features listed in 1—2, the subdivision must not divide the following:</p> <p>(1) A natural hazard area;</p> <p>(2) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and</p> <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1—3 below, must provide the following setbacks:</p> <p>(1) 300m from any intensive farming activity;</p> <p>(2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and</p> <p>(3) 200m from the boundary of an Aggregate Extraction Area for sand excavation.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Landscape values;</p> <p>(b) Amenity values and character;</p> <p>(c) Reverse sensitivity effects;</p> <p>(d) Effects on existing buildings;</p>	<p>(4) Activity status where compliance not achieved: DIS</p>

	<p>(e) Effects on natural hazard areas; (f) Effects on contaminated land; (g) Effects on an intensive farming activity.</p>	
SUB-RI59	Subdivision – road frontage	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 10m.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) Safety and efficiency of vehicle access and road network.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-RI60	Subdivision creating reserves	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The extent to which the proposed reserve aligns with the principles of Council's Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy;</p> <p>(b) Consistency with any relevant structure plan or master plan;</p> <p>(c) Reserve size and location;</p> <p>(d) Proximity to other reserves;</p> <p>(e) The existing reserve supply in the surrounding area;</p> <p>(f) Whether the reserve is of suitable topography for future use and development;</p> <p>(g) Measures required to bring the reserve up to Council standard prior to vesting; and</p> <p>(h) The type and standard of boundary fencing.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-RI61	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>required to be created shall vest in Council where the following situations apply:</p> <ul style="list-style-type: none"> (i) The proposed lot is less than 4ha and within 20m of: (ii) mean high water springs; (iii) the bank of any river whose bed has an average width of 3m or more; or (iv) a lake whose bed has an area of 8ha or more; or (v) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The type of esplanade provided - reserve or strip; (b) Width of the esplanade reserve or strip; (c) Provision of legal access to the esplanade reserve or strip; (d) Matters provided for in an instrument creating an esplanade strip or access strip; and (e) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris. 	
<p>SUB-RI62</p>	<p><u>Subdivision within the National Grid Corridor</u></p>	
<p><u>MRZ2 – Medium density residential zone 2</u></p>	<p><u>(1) Activity status: RDIS</u></p> <p><u>Activity specific standards:</u></p> <ul style="list-style-type: none"> (a) <u>The subdivision of land in any zone within the National Grid Subdivision Corridor that complies with all of the following standards:</u> <ul style="list-style-type: none"> (i) <u>All resulting allotments must be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</u> (ii) <u>The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</u> <p><u>Council’s discretion is restricted to the following matters:</u></p>	<p><u>(2) Activity status where compliance not achieved: NC</u></p>

	<ul style="list-style-type: none">(a) <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the National Grid;</u>(b) <u>The ability to provide a complying building platform outside of the National Grid Yard;</u>(c) <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</u>(d) <u>The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;</u>(e) <u>The risk to the structural integrity of the National Grid;</u>(f) <u>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.</u>	
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GRZ – General residential zone

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

Purpose

The purpose of the GRZ – General residential zone is to provide predominantly for residential activities with a mix of building types, and other compatible activities. The zone applies to the residential areas within the District's main towns (Tuakau, Pokeno, Te Kauwhata, Raglan, Huntly and Ngaaruawaahia) and the smaller towns (Meremere, Taupiri, Gordonton, Horotiu, Te Kowhai, Whatawhata, Matangi and Rangiriri).

Objectives

- GRZ-O1 Residential character.
The low-density residential character of the zone is maintained.
- GRZ-O2 Residential built form and amenity.
Maintain neighbourhood residential amenity values and facilitate safety in the zone.
- GRZ-O3 On-site residential amenity.
Maintain amenity values within and around dwellings and sites in the zone.
- GRZ-O4 Housing options.
A range of housing options occurs in the zone to meet the needs of the community in a suburban setting.
- GRZ-O5 Maintain residential purpose.
Residential activities remain the dominant activity in the zone.
- GRZ-O6 Adverse effects of land use and development.
The health, safety and well-being of people, communities and the environment are protected from the adverse effects of land use and development.

Policies

- GRZ-P1 Character.
- (1) Ensure residential development in the zone:
- (a) Provides road patterns that follow the natural contour of the landform;
 - (b) Promotes views and vistas from public spaces of the hinterland beyond; and
 - (c) Is an appropriate scale and intensity, and setback from the road frontages to provide sufficient open space for the planting of trees and private gardens.
- GRZ-P2 Front setback.
- (1) Ensure buildings are designed and set back from roads by:

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- (a) Maintaining the existing street character including the predominant building setback from the street;
- (b) Allowing sufficient space for the establishment of gardens and trees on the site; and
- (c) Providing for passive surveillance to roads and avoiding windowless walls to the street.

GRZ-P3 Setback side boundaries.

- (1) Require development to have sufficient side boundary setbacks to provide for:
 - (a) Planting;
 - (b) Privacy; and
 - (c) Sunlight and daylight.
- (2) Reduced side boundary setbacks occur only where it:
 - (a) Enables effective development of sites where on-site topographic constraints occur; or
 - (b) Retains trees on the site.

GRZ-P4 Height.

Ensure building height is complementary to the low rise character of the zone.

GRZ-P5 Site coverage and permeable surfaces.

- (1) Ensure all sites have sufficient open space to provide for landscaping, on-site stormwater disposal, parking, and vehicles manoeuvring by maintaining maximum site coverage requirements for buildings in the zone.
- (2) Ensure a proportion of each site is maintained in permeable surfaces in order to ensure there is sufficient capacity to enable disposal of stormwater.

GRZ-P6 Building scale.

Facilitate quality development by ensuring buildings are a complementary height, bulk and form for the site, and are in keeping with the amenity values of the street.

GRZ-P7 Reverse sensitivity.

- (1) Avoid or minimise the potential for reverse sensitivity by managing the location and design of sensitive activities through:
 - (a) The use of building setbacks;
 - (b) The design of subdivisions and development; and
 - (c) Acoustic insulation requirements for noise sensitive activities.

GRZ-P8 Daylight and outlook.

- (1) Maintain adequate daylight and enable opportunities for passive solar gain.
- (2) Require the height, bulk and location of development to maintain sunlight access and privacy, and to minimise visual dominance effects on adjoining sites.

- (3) Maintain and enhance attractive open space character of residential areas by ensuring that development is compatible in scale to surrounding activities and structures and has on-site landscaping, screening and street planting.

GRZ-P9 Outdoor living space – residential units.
Require outdoor living spaces to be accessible and usable.

GRZ-P10 Outdoor living space – retirement villages.
Require outdoor living spaces or communal outdoor living spaces to be usable and accessible.

GRZ-P11 Housing types.
Enable a variety of housing types in the zone where it is connected to public reticulation, including minor residential units and retirement villages.

GRZ-P12 Retirement villages.

- (1) Provide for the establishment of new retirement villages and care facilities that:

- (a) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
- (b) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
- (c) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
- (d) Recognise that housing and care facilities for older people can require higher densities;
- (e) Provide high quality on-site amenity;
- (f) Integrate with local services and facilities, including public transport; and
- (g) Connect to alternative transport modes to the LLRZ – Large lot residential zone, SETZ – Settlement zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, GRZ – General residential zone, TCZ – Town centre zone, LCZ – Local centre zone or COMZ – Commercial zone.

- (2) Enable alterations and additions to existing retirement villages that:

- (a) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
- (b) Recognise that housing and care facilities for older people can require higher densities;
- (c) Provide high quality on-site amenity; and
- (d) Integrate with local services and facilities, including public transport and alternative transport modes.

GRZ-PI3 Maintain residential purpose.

Restrict the establishment of commercial or industrial activities, unless the activity has a strategic or operational need to locate within a residential zone, and the effects of such activities on the character and amenity of residential zones are insignificant.

GRZ-PI4 Bankart Street and Wainui.

Provide for the ongoing change in the mixture of residential and commercial activities bordering identified commercial areas at Raglan.

GRZ-PI5 Non-residential activities.

(1) Maintain the zone for residential activities by:

- (a) Ensuring the number of non-residential activities are not dominant within a residential block;
- (b) Ensuring non-residential activities are in keeping with the scale and intensity of development anticipated by the zone and contribute to the amenity of the neighbourhood;
- (c) Enabling non-residential activities that provide for the health, safety and well-being of the community and that service or support an identified local need;
- (d) Avoiding the establishment of new non-residential activities on rear sites, or sites located on cul-de-sacs, or that have access to national routes, regional arterial roads and arterial roads; and
- (e) Ensuring that the design and scope of non-residential activities and associated buildings:
 - (i) Maintain residential character including the scale and design of buildings and their location on the site, and on-site parking and vehicle manoeuvring areas; and
 - (ii) Mitigate adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill, to the extent that they minimise adverse effects on residential character and amenity and the surrounding transport network.

(2) 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.

GRZ-PI6 Home businesses.

- (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 residential environment.

GRZ-PI7 Neighbourhood centres in structure plan areas.

- (1) Provide for new neighbourhood centres within structure plan areas or master plan areas, that:
 - (a) Are for the daily retail and service needs of the community; and

- (b) Are located within a walkable catchment.

GRZ-P18 Outdoor storage.

- (a) The adverse visual effects of outdoor storage are mitigated through screening or landscaping.

GRZ-P19 Objectionable odour.

- (1) Ensure that the effects of objectionable odour do not detract from the amenity of other sites.
- (2) Maintain appropriate setback distances between new sensitive land uses and existing lawfully established activities that generate objectionable odour.

Rules

Land use – activities

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

GRZ-RI	Residential activity, unless specified below 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	
GRZ-R2	A new retirement village or alterations to an existing retirement village	
(1) Activity status: PER Activity-specific standards: (a) The site or combination of sites where the retirement village is proposed to be located has a minimum net site area of 3ha; (b) The site is either serviced by or within 400m walking distance of public transport; (c) The site is connected to public water and wastewater infrastructure; (d) Minimum outdoor living space or balcony area and dimensions: (i) Apartment – 10m ² area with minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m ² area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m ² area with minimum dimension horizontal and vertical of 2.5m; (e) Minimum service court is either:	(2) Activity status where compliance not achieved: DIS	

<ul style="list-style-type: none"> (i) Apartment – Communal outdoor space (ie no individual service courts required); or (ii) All other units – 10m² for each unit; (f) Building height does not exceed 8m, measured from the natural ground level immediately below the structure, except for 15% of the total building coverage, where buildings may be up to 10m high; and (g) The following land use – building standards do not apply: <ul style="list-style-type: none"> (i) GRZ-S2 (Residential units); (ii) GRZ-S4 – GRZ-S6 (Building Height); (iii) GRZ-S14 – GRZ-S15 (Outdoor living space); (iv) GRZ-S16 (Service Court). 	
GRZ-R3	Home business
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) It is wholly contained within a building; (b) The storage of materials or machinery associated with the home business are either wholly contained within a building or are screened so as not to be visible from a public road or neighbouring residential property; (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 or the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; (e) Machinery may only be operated between 7:30am and 9pm on any day. 	<p>(2) Activity status where compliance not achieved: DIS</p>
GRZ-R4	Community facility
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
GRZ-R5	Neighbourhood park
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
GRZ-R6	Home stay
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) No more than 4 temporary residents. 	<p>(2) Activity status where compliance not achieved: DIS</p>
GRZ-R7	Neighbourhood centre

<p>(1) Activity status: PER Activity-specific standards: (a) Must be within an area identified in a Council approved Structure Plan or Master Plan.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-R8</p>	<p>Commercial activity</p>
<p>(1) Activity status: PER Activity-specific standards: (a) Must be within the Bankart Street and Wainui Road Business Overlay Area.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-R9</p>	<p>Childcare facility</p>
<p>(1) Activity status: PER Activity-specific standards: (a) For up to 4 children that are not permanent residents of the household unit.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-R10</p>	<p>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</p>
<p>(1) Activity status: PER Activity-specific standards: (a) Within the National Grid Yard: (i) Building alterations and additions to an existing building or structure for a sensitive land use that does not involve an increase in the building height or footprint; (ii) New, or additions to existing buildings or structures that are not for a sensitive land use; (iii) 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 (iv) Fences less than 2.5m in height, measured from the natural ground level immediately below. (b) All buildings or structures permitted by Rule GRZ-R10(1)(a) must: (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 (ii) Locate a minimum of 12m from the outer visible foundation of any National Grid support structure and associated stay wire, unless it is one of the following:</p>	<p>(2) Activity status where compliance not achieved: NC</p>

	<p>(1) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP34:2001 ISSN 0114-0663;</p> <p>(2) Fences less than 2.5m in height, measured from the natural ground level immediately below, and located a minimum of 5m from the nearest National Grid support structure foundation;</p> <p>(3) 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>	
GRZ-R11	Construction or alteration of a building for a sensitive land use	
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards:</p> <p>(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</p> <p>(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>		<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 amenity values of the site;</p> <p>(b) The risk of electrical hazards affecting the safety of people;</p> <p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>
GRZ-R12	Construction, demolition, addition, and alteration of a building or structure	
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil</p>		<p>(2) Activity status where compliance not achieved: n/a</p>
GRZ-R13	<p>Educational facilities</p> <p>This excludes childcare facilities.</p>	

<p>(1) Activity status: RDIS Activity-specific standards: Nil</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 GRZ - General residential 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 and the amenity of the neighbourhood; (e) The extent to which the activity may adversely impact on the noise environment. 	<p>(2) Activity status where compliance not achieved: n/a</p>
GRZ-R14	The establishment of any new sensitive land use within the National Grid Yard
(1) Activity status: NC	
GRZ-R15-	Any new building within the Huntly North Wetland specific control identified on the planning maps
(1) Activity status: NC	
GRZ-R16	Any activity that is not listed as prohibited, permitted, restricted discretionary or discretionary.
(1) Activity status: NC	
GRZ-R17	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (refer to APP8 – Raglan navigation beacon).
(1) Activity status: PR	

Land use – effects

GRZ-S1	Servicing and hours of operation – Bankart Street and Wainui Road Business Overlay Area	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity within the Bankart Street and Wainui Road Business Overlay Area shall occur between 7.30am and 6:30pm. 	<p>(2) Activity status where compliance not achieved: DIS</p>	

Land use – building

GRZ-S2	Residential unit
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<p>(1) Activity status: PER Where: (a) One residential unit within a site.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-S3 Minor residential unit</p>	
<p>(1) Activity status: PER Where: (a) One minor residential unit contained within a site must comply with all of the following standards: (i) The net site area is 600m² or more; and (ii) The gross floor area shall not exceed 70m².</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-S4 Height – building general</p>	
<p>(1) Activity status: PER Where: (a) The maximum height of any building or structure, measured from the natural ground level immediately below the structure, shall not exceed 8m; (b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 10m measured from the natural ground level immediately below the structure; (c) The maximum height of a hose drying tower on a Fire and Emergency fire station site, measured from the natural ground level immediately below the structure, shall not exceed 15m.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Extent of overshadowing and shading of adjoining sites, particularly internal and external living spaces; (b) Loss of privacy through overlooking adjoining sites; (c) Whether development on the adjoining sites (such as separation by land used for vehicle access, the provision of screening) reduces the need to protect the adjoining site from overlooking; and (d) Design (such as high windows) and location of the building.</p>
<p>GRZ-S5 Height – building and vegetation in a battlefield view shaft area</p>	
<p>(1) Activity status: PER Where: (a) The maximum height of a building, structure or vegetation above ground level within a battlefield view shaft as shown on the planning maps, shall not exceed 5m.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-S6 Height – buildings, structures or vegetation – Raglan Navigation Beacon Height Restriction Plane</p>	
<p>(1) Activity status: PER Where: (a) A building, structure or vegetation that is located beneath, but does not intrude into, the Raglan Navigation Beacon Height Restriction Plane, as defined in APP8 – Raglan navigation beacon, provided that: (i) A Registered Surveyor has certified, in writing, that the building, structure or</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

GRZ-S6 is Operative

<p>vegetation does not intrude into the Raglan Navigation Beacon Height Restriction Plane; and</p> <p>(ii) This certification is provided to Council prior to the commencement of any works.</p>	
PREC4-S1	Height—buildings or structures adjoining Hilltop parks within PREC4—Havelock precinct
<p>(3) Activity status: PER</p> <p>Where:</p> <p>(a) A building or structure with a maximum height not exceeding 5m, measured from the natural ground level immediately below that part of the structure, where it is located within 50m (horizontal distance) of the boundary of the Hilltop parks identified on the Havelock precinct plan in APP14—Havelock precinct plan.</p>	<p>(4) Activity status where compliance not achieved: DIS</p>
GRZ-S7	Fences or walls – road boundaries and OSZ – Open space zone boundaries
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Fences and walls between the applicable building setbacks under GRZ-S17 – GRZ- on a site and any road and OSZ – Open space zone boundaries shall comply with all of the following standards, measured from the natural ground level immediately below the structure:</p> <p>(i) Be no higher than 1.2m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(iii) visually permeable for the full 1.8m height of the fence or wall; or</p> <p>(iv) solid up to 1.2m and visually permeable between 1.2 and 1.8m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design;</p> <p>(b) Effects on amenity; and</p> <p>(c) Public space visibility.</p>
GRZ-S8	Fences or walls – road boundaries and OSZ – Open space zone boundaries
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any fences or walls erected within the applicable building setbacks under GRZ-S17 – GRZ-S23 on common boundaries of the GRZ – General residential zone and RLZ – Rural lifestyle zone, between Wayside Road and Travers Road, Te Kauwhata, shall be of a rural-type post and wire or post and rail.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design;</p> <p>(b) Effects on amenity; and</p> <p>(c) Public space visibility.</p>
GRZ-S9	Height in relation to boundary
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Buildings or structures shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p>

<p>elevation of 2.5m above ground level at every point of the site boundary.</p>	<p>(a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent any other sites; (d) Privacy on another any other sites; and (e) Effects on amenity values and residential character.</p>
<p>GRZ-S10 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) The total building coverage shall not exceed 40%; (b) GRZ-S10(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 matters: (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site.</p>
<p>GRZ-S11 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) Within the Te Kauwhata Ecological Residential Area as identified on the planning maps, the total building coverage shall not exceed 35%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site.</p>
<p>GRZ-S12 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) Within the Bankart Street and Wainui Road Business Overlay Area as identified on the planning maps, total building coverage shall not exceed 50%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site.</p>
<p>GRZ-S13 Impervious surfaces</p>	
<p>(1) Activity status: PER Where: (a) The impervious surfaces of a site shall 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; and</p>

		(b) The risk of flooding, nuisance or damage to the site or other buildings and sites.
GRZ-S14	Outdoor living space	
<p>(1) Activity status: PER Where:</p> <p>(a) An outdoor living space shall be provided for each residential unit that meets all of the following standards:</p> <p>(i) It is for the exclusive use of the occupants of the residential unit;</p> <p>(ii) It is readily accessible from a living area of the residential unit;</p> <p>(iii) When located on the ground floor, it has a minimum area of 80m² and a minimum dimension of 4m in any direction; and</p> <p>(iv) When located on a balcony of an above ground apartment building, it must have a minimum area of 15m² and a minimum dimension of 2m in any direction.</p>		<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) The extent to which the space is useable and contributes to the feeling of spaciousness;</p> <p>(b) Access to sunlight;</p> <p>(c) Privacy of adjoining residential sites;</p> <p>(d) Accessibility to and convenience of the space for occupiers; and</p> <p>(e) Whether the size and quality of communal outdoor living space in the development or other public open space compensates for any reduction in the private space.</p>
GRZ-S15	Outdoor living space	
<p>(1) Activity status: PER Where:</p> <p>(a) An outdoor living space shall be provided for each minor residential unit that meets all of the following standards:</p> <p>(i) It is for the exclusive use of the occupants of the minor residential unit;</p> <p>(ii) It is readily accessible from a living area of the minor residential unit;</p> <p>(iii) When located on the ground floor it has a minimum area of 40m² and a minimum dimension of 4m in any direction;</p> <p>(iv) When located on a balcony of an above ground apartment building, it must have a minimum area of 15m² and a minimum dimension of 2m in any direction.</p>		<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) The extent to which the space is useable and contributes to the feeling of spaciousness;</p> <p>(b) Access to sunlight;</p> <p>(c) Privacy of adjoining residential sites;</p> <p>(d) Accessibility to and convenience of the space for occupiers; and</p> <p>(e) Whether the size and quality of communal outdoor living space in the development or other public open space compensates for any reduction in the private space.</p>
GRZ-S16	Service court	
<p>(1) Activity status: PER Where:</p> <p>(a) A service court shall be provided for each residential unit and minor residential unit, either as two separate areas or one combined area, each with all the following dimensions:</p>		<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) The convenience and accessibility of the spaces for building occupiers;</p>

<ul style="list-style-type: none"> (i) Storage of waste and recycling bins – minimum area of 3m² and minimum dimension of 1.5m; and (ii) Washing line – minimum area of 5m² and minimum dimension of 2m. 	<ul style="list-style-type: none"> (b) The adequacy of the space to meet the expected requirements of building occupiers; and (c) Adverse effects on the location of the space on visual amenity from the street or adjoining sites.
<p>GRZ-S17 Building setbacks – all boundaries</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The finished external walls (excluding eaves) of a building shall be set back a minimum of: <ul style="list-style-type: none"> (i) 3m from the road boundary; (ii) 1.3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps); (iii) 1.5m from every boundary other than a road boundary; and (iv) 1.5m from every vehicle access to another site. (b) GRZ-S17(1)(a) does not apply to a structure which is not a building. 	<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) Road network safety and efficiency; (b) Reverse sensitivity effects; (c) Adverse effects on amenity; (d) Streetscape; (e) Potential to mitigate adverse effects; (f) Daylight admission to adjoining properties; and (g) Effects on privacy at adjoining sites.
<p>GRZ-S18 Building setbacks – all boundaries</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The finished external walls (excluding eaves) of a non-habitable building can be set back less than 1.5m from a boundary, where: <ul style="list-style-type: none"> (i) The total length of all buildings within 1.5m of the boundary does not exceed 6m; and (ii) The building does not have any windows or doors on the side of the building facing the boundary. 	<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) Road network safety and efficiency; (b) Reverse sensitivity effects; (c) Adverse effects on amenity; (d) Streetscape; (e) Potential to mitigate adverse effects; (f) Daylight admission to adjoining properties; and (g) Effects on privacy at adjoining sites.
<p>GRZ-S19 Building setbacks – all boundaries</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A garage shall be set back behind the front façade of the residential unit where the residential unit and garage are on a site that has frontage to a road. 	<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) Road network safety and efficiency; (b) Reverse sensitivity effects; (c) Adverse effects on amenity; (d) Streetscape; (e) Potential to mitigate adverse effects; (f) Daylight admission to adjoining properties; and (g) Effects on privacy at adjoining sites.
<p>GRZ-S20 Building setback – sensitive land use</p>	

<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of: (i) 5m from the designated boundary of the railway corridor; (ii) 15m from the boundary of a national route or regional arterial; (iii) 25m from the designated boundary of the Waikato Expressway; (iv) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site; (v) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and (vi) 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaaruawaahia.</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>GRZ-S21</p>	<p>Building setback—sensitive land use located outside the Amenity Setback-specific control in Tuakau</p>
<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use shall be located outside the Amenity Setback-specific control identified on the planning maps.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) On-site amenity values; (b) Odour, dust and 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</p>
<p>PREC4-S2</p>	<p>Building setback—sensitive land use within PREC4—Havelock precinct</p>
<p>(3) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use within the PREC4—Havelock precinct that is located outside the Pōkeno Industry Buffer identified on the planning maps.</p>	<p>(4) Activity status where compliance not achieved: NC</p>
<p>GRZ-S22</p>	<p>Building setback – water bodies</p>
<p>(1) Activity status: PER Where: (a) Any building must shall be setback a minimum of:</p>	<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"> (i) 23m from the margin of any; <ul style="list-style-type: none"> (1) lake; and (2) wetland; (ii) 23m from the bank of any river (other than the Waikato and Waipa Rivers); (iii) 28m from the margin of both the Waikato River and the Waipa River; and (iv) 23m from mean high water springs. (v) 10m from any artificial wetland. (b) A public amenity of up to 25m² or a pump shed (public or private), within any building setback identified in GRZ-S22(1)(a). 	<ul style="list-style-type: none"> (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values.
GRZ-S23	Building setback – Environmental Protection Area
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building shall be set back a minimum of 3m from an Environmental Protection Area. 	<p>(2) Activity status where compliance not achieved: DIS</p>
GRZ-S24	Building – Horotiu Acoustic Area (identified on the planning maps)
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Construction, addition to or alteration of a building for a noise sensitive activity within the Horotiu Acoustic Area shall be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels 	<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) On-site amenity values; (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.
PREC4-S3	Building design – sensitive land use with PREC4 – Havelock precinct
<p>(3) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any new building or alteration to an existing building for a sensitive land use located outside the Pokeno Industry Buffer but within the 40 dB L_{Aeq} noise contour shown on the planning maps that is designed and constructed so that internal noise levels do not exceed 25 dB L_{Aeq} in all habitable rooms. (b) Provided that if compliance with clause (a) above requires all external doors of the building and all windows of these rooms to be closed, the building design and construction as a minimum: 	<p>(4) Activity status where compliance not achieved: DIS</p>

<p>(i) Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1°C and wet bulb 20.1°C.</p> <p>(ii) Includes either of the following for all habitable rooms on each level of a dwelling:</p> <p>(1) Mechanical cooling installed; or</p> <p>(2) A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</p> <p>(a) 6 air changes per hour for rooms with less than 30% of the façade area glazed;</p> <p>(b) 15 air changes per hour for rooms with greater than 30% of the façade area glazed;</p> <p>(c) 3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</p> <p>(iii) Provides relief for equivalent volumes of spill air.</p> <p>(iv) All is certified by a suitably qualified and experienced person.</p>	
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Interpretation

Definitions

Explanatory note for the purpose of the IPI and to be removed upon completion of the process:

Proposed additional definitions are shown in green underline. No modifications are proposed to any existing definitions within the proposed Waikato District Plan and are therefore not shown as part of the IPI.

Term	Definition
<u>Active transport</u>	<p>Has the same meaning as in the <u>National Policy Statement on Urban Development 2020 (as set out in the box below)</u>.</p> <p><u>Means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair.</u></p>
<u>Landscaped area</u>	<p>Means any part of the site that is-has grassed and/or planted and can include the canopy of in trees, regardless of the ground treatment below them. shrubs, or ground cover and may include ancillary water, rocks, paved areas or amenity features</p>
<u>MDRS</u>	<p>Has the same meaning as in section 2 of the <u>Resource Management Act 1991 (as set out in the box below)</u>.</p> <p><u>Means the requirements, conditions, and permissions set out in Schedule 3A.</u></p>
<u>Qualifying matters</u>	<p>Has the same meaning as in section 2 of the <u>Resource Management Act 1991 (as set out in the box below)</u>.</p> <p><u>Means a matter referred to in section 77I or 77O of the Resource Management Act 1991.</u></p>
<u>Servicing area</u>	<p><u>Means the use of land for services, storage or waste management to serve a dwelling or residential activity.</u></p>