

Attachment I – PDP Amendment Text:

- Medium density residential zone chapter
- Natural hazards and climate change chapter

MRZ - Medium density residential zone

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

Explanatory note:

The Medium density residential zone provisions are applied differently within the following two areas:

- Area 1: Raglan and Te Kauwhata
- Area 2: Huntly, Pookeno, Tuakau and Ngaruawaahia and Horotiu.

This Chapter contains the following parts to reflect the different outcomes sought within each of the two areas:

- Part 1 provides for Area 1 towns and are prefixed with MRZ1
- Part 2 provides for Area 2 towns and are prefixed with MRZ2

Part 1: Medium density residential zone areas 1 (MRZI)

This part of the Chapter applies to all Medium density residential zone land within Raglan and Te Kauwhata.

Purpose of the MRZI

The purpose of the MRZI – Medium density residential zone in area 1 is to enable more efficient use of residentially zoned land and infrastructure by providing for a higher intensity of residential development than typically found in the GRZ – General residential zone. The MRZI – Medium density residential zone in area 1 provides for this form of development within a walkable catchment of town centres, strategic transport corridors and community facilities. Within Area 1 the zone will:

- Provide greater housing supply to respond to anticipated growth;
- 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). This will be achieved by providing housing close to town and business 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 greater diversity / choice of housing; and
- Coordinate delivery of infrastructure and services.

The zone provisions enable a variety of dwelling sizes and typologies to be delivered which provides opportunity for greater housing variety and choice. Development within the zone is guided by rules which encourage innovation and flexibility in design responses. The rules provide design guidance for up to 3 dwellings on site, allowing compliant smaller scale developments to be enabled in a manner that maximises opportunities on smaller existing sites. Developments of more than 3 dwellings are subject to a more intensive design assessment process with matters of discretion which provide the primary guidance for assessment, including the intensity of development and enabling appropriate design outcomes regarding:

- The contribution the development makes to the zone having regard to the planned urban form and intensity the zone provides for;
- The creation of safe and high-quality residential neighbourhoods;
- The on-site amenity for residents such as high-quality outdoor spaces;
- The amenity effects on adjoining sites such as privacy and shading; and
- The provision of three waters infrastructure to service the development.

Objectives

MRZI-O1 Housing typology.

Achieve greater housing choice for the community in response to changing demographics and housing needs.

MRZI-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.

MRZI-O3 Residential amenity.

Achieve a level of residential amenity commensurate with a medium density environment comprised of primarily townhouse and low-rise apartments.

MRZI-O4 Activities.

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

Policies

MRZI-P1 Housing typology and type.

Enable a variety of housing typologies including apartments, terrace housing and duplexes.

MRZI-P2 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.

MRZI-P3 Building form, massing and coverage.

- (1) Enable 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 visual dominance effects on adjoining sites.

MRZI-P4 Streetscape, yards and outdoor living spaces.

- (1) 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.

MRZI-P5 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.

MRZI-P6 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.

MRZI-P7 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.

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.

MRZI-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
MRZI-R2	A new retirement village or alterations to an existing retirement village
(1) Activity status: PER Activity-specific standards: (a) The site is connected to public water and wastewater infrastructure; (b) The minimum living space or balcony area and dimensions are: (i) Apartment – 10m ² area with a 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. (c) The minimum service court is either: (i) Apartment – Communal outdoor space (i.e. no individual service courts required); or (ii) All other units – 10m ² for each unit. (d) The following land use – effects standard does not apply: (i) SIGN-R1, SIGN-R8 – SIGN-R10 (Signs). (e) The following Land Use – Building standards do not apply: (i) MRZ1-S1 (Residential unit); (ii) MRZ1-S8 (Outdoor living space); and (f) The following infrastructure and energy rule does not apply: (i) Rule TRPT-R4(1)(a) (Traffic generation).	(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.
MRZI-R3	Home business

<p>(1) Activity status: PER 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 (e) Machinery may only be operated between 7:30am and 9pm on any day. 	<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) 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>MRZI-R4</p>	<p>Community facilities</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) No more than 200m² GFA. 	<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) 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>MRZI-R5</p>	<p>Neighbourhood park</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZI-R6</p>	<p>Home stay</p>
<p>(1) Activity status: PER 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: RDIS 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.
<p>MRZI-R7</p>	<p>Boarding houses/boarding establishments</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) No more than 10 people per site inclusive of staff and residents. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p>

		(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.
MRZI-R8	Construction or alteration of a building for a sensitive land use	
(1) Activity status: PER Activity-specific standards: (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: (i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or (ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people; (c) The risk of damage to property; and (d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.	
MRZI-R9	Construction, demolition, addition, and alteration of a building or structure	
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a	
MRZI-R10	Any activity that is not listed as permitted, restricted discretionary or prohibited, Activity status: DIS	
MRZI-R11	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	

Land use – building

MRZI-S1	Residential unit	
(1) Activity status: PER Where: (a) Up to three residential units per site.	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Intensity of the development; and (b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone; (c) The relationship of the development with adjoining streets or public open spaces,	

		<p>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>
MRZI-S2	Minimum residential unit size	
<p>(1) 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>(2) 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>(b) Internal residential amenity.</p>
MRZI-S3	Height – building general	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(b) 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;</p> <p>(c) 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.</p> <p>(d) 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;</p> <p>(e)</p>		<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Height of the building or structure;</p> <p>(b) Design, scale and location of the building;</p> <p>(c) Extent of shading on adjacent sites; and</p> <p>(d) Privacy and overlooking on adjoining sites.</p>
MRZI-S4	Fences or walls – road boundaries	
<p>(1) Activity status: PER</p> <p>Where:</p>		<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>(a) Fences and walls between the applicable building setbacks under MRZ1-S10 and MRZ1-11 on a site and any road boundaries, 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>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>
<p>MRZ1-S5 Height in relation to boundary</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) 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</p> <p>(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;</p> <p>(ii) This standard does not apply to existing or proposed internal boundaries within a site;</p> <p>(iii) Where a site in the MRZ1 – Medium density residential zone 1 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 – Large lot residential zone or SETZ – Settlement zone;</p> <p>(iv) Where the boundary adjoins a legal road.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Height of the building;</p> <p>(b) Design and location of the building;</p> <p>(c) Extent of shading on adjacent sites; and</p> <p>(d) Privacy on adjoining sites.</p>
<p>MRZ1-S6 Building coverage</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The total building coverage must not exceed 45%.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p>

<p>(b) MRZ1-S6(1)(a) does not apply:</p> <ul style="list-style-type: none"> (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. 	<ul style="list-style-type: none"> (a) Design, scale and location of the building; (b) Provision for outdoor living space and service courts; and (c) Effects on the planned urban built character of the surrounding residential area.
<p>MRZ1-S7 Impervious surfaces</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The impervious surfaces of a site must not exceed 70%. 	<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) Site design, layout and amenity; and (b) The risk of flooding, nuisance or damage to the site or other buildings and sites.
<p>MRZ1-S8 Outdoor living space</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) An outdoor living space must be provided for each residential unit that meets all of the following standards: <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 (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>(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) Design and location of the building; (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>MRZ1-S9 Ground floor internal habitable space</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site. 	<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) 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

	(b) The design and location of garaging as viewed from streets or public open spaces.
MRZ1-S10	Building setbacks – all boundaries
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) 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> <p>(iii) 1m from every boundary other than a road boundary; and</p> <p>(b) 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>(c) MRZ1-S10(1)(a) and (b) do not apply to structures that are not buildings.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>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.</p>
MRZ1-S11	Building setbacks – water bodies
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) 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) 23m from the bank of any river (other than the Waikato River and Waipa River);</p> <p>(iv) 38m from the margin of either the Waikato River and the Waipa River</p> <p>(v) 23m from mean high water springs</p> <p>(b) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ1-S12(1)(a);</p> <p>(c) MRZ1-S11(1)(a) does not apply to a structure which is not a 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) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</p> <p>(b) Adequacy of erosion and sediment control measures;</p> <p>(c) The functional or operational need for the building to be located close to the waterbody;</p> <p>(d) Effects on public access to the waterbody;</p> <p>(e) Effects on the amenity of the locality; and</p> <p>(f) Effects on natural character values.</p>

Part 2: Medium density residential zone areas 2 (MRZ2)

This part of the Chapter applies to all Medium density residential zone land within Huntly, Tuakau, Pookeno ~~and~~ Ngaruawaahia ~~and~~ Horotiu.

Purpose

The purpose of the MRZ2 – Medium density residential zone in area 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 in area 2 provides for this form of development within ~~a walkable catchment of the town centres of~~ Huntly, Ngaruawaahia, Pookeno ~~and~~ Tuakau ~~and~~ Within areas 2 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.

Part 3: Area-specific matters / Zones / Residential zones /MRZ – Medium density residential zone

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, including educational facilities, 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.

Avoid or 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; and
- (c) The use of building height restrictions in Havelock Precinct (Area I)

MRZ2-O7 Educational Facilities.

Residential development is supported by educational facilities.

MRZ2-O8 Public realm safety and amenity.

Recognise amenity values and enhance safety for the transport corridor and public open spaces.

MRZ2-O9 Outlook from Tuurangawaewae Marae.

In Ngaaruawaahia the outlook from Tuurangawaewae Marae to Hakarimata Range, Taupiri Maunga and Waikato Awa is recognised and provided for.

MRZ2-O10 Railway Corridors.

Protect the safe and efficient operation of the railway corridor and minimise risks to public health and safety.

Policies

MRZ2-PI 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.

- (1) 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) In relation to retirement villages, require outdoor living spaces or communal outdoor living spaces to be usable and accessible.
- (5) 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

Part 3: Area-specific matters / Zones / Residential zones /MRZ – Medium density residential zone

- (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.

- (1) Maintain appropriate setback distances between new sensitive land uses and existing lawfully established activities that may result in reverse sensitivity effects.
- (2) Use of design controls for sensitive activities to minimise reverse sensitivity effects on existing lawfully established activities.
- (3) Manage potential reverse sensitivity effects by restricting building heights within the Area 1 height restriction area in the Havelock Precinct.

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.

MRZ2-P13 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, 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.

MRZ2-P14 Outlook from Tuurangawaewae Marae

- (a) In Ngaaruawaahia, provide for the cultural relationship between Tuurangawaewae Marae the Hakarimata Ranges, Taupiri Maunga and the Waikato Awa within the Tuurangawaewae Marae Outlook High Potential Effects Area identified on the Planning Maps.
- (b) In Ngaaruawaahia, provide for the cultural relationship between Tuurangawaewae Marae the Hakarimata Ranges and Taupiri Maunga within the Tuurangawaewae Marae Building Height Assessment Overlay identified on the Planning Maps.

MRZ2-PI5 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.

MRZ2-PI6 Railway Corridors.

Maintain appropriate setback distances to the railway corridor to provide for its safe and efficient operation and to minimise any risks to public health and safety.

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-R1	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	
(1) Activity status: PER Activity-specific standards: (a) The site is connected to public water and wastewater infrastructure; (b) The minimum living space or balcony area and dimensions are: (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: (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:	(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; and (d) <u>Whether the non-compliance with the activity standard is required for the operational needs of the retirement village.</u>	

<p>(i) SIGN-R1, SIGN-R8 – SIGN-R10 (Signs).</p> <p>(e) The following Land Use – Building standards do not apply:</p> <p>(i) MRZ2-S1 (Residential unit (per unit));</p> <p>(ii) MRZ2-S6 (Outdoor living space); and</p> <p>(iii) MRZ2-S7 (Outlook space)</p> <p>(iv) MRZ2-S10 (Minimum residential unit size); and</p> <p>(v) MRZ2-S12 Ground floor internal habitable space.</p> <p>(f) All other Land Use – Building standards apply, including the following MDRS standards:</p> <p>(i) MRZ2-S2 (Height – building general)</p> <p>(ii) MRZ2-S3 (Height in relation to boundary)</p> <p>(iii) MRZ2-S4 (Setbacks)</p> <p>(iv) MRZ2-S5 (Building coverage)</p> <p>(v) MRZ2-S8 (Windows to the street)</p> <p>(vi) MRZ2-S9 (Landsaped areas).</p> <p>(g) The following infrastructure and energy rule does not apply:</p> <p>(i) Rule TRPT-R4(1)(a) (Traffic generation).</p>	
MRZ2-R3	Home business
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) The home business is wholly contained within a building;</p> <p>(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;</p> <p>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</p> <p>(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> <p>(e) Machinery may only be operated between 7:30am and 9pm on any day.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Consideration of the effects of the activity-specific standard not met;</p> <p>(b) Measures to avoid, remedy or mitigate adverse effects; and</p> <p>(c) Cumulative effects.</p>
MRZ2-R4	Community facilities
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) No more than 200m² GFA.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p>

		(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-R5	Neighbourhood park	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
MRZ2-R6	Home stay	
(1) Activity status: PER Activity-specific standards: (a) No more than 4 temporary residents.		(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.
MRZ2-R7	Boarding houses/boarding establishments	
(1) Activity status: PER Activity-specific standards: (a) No more than 10 people per site inclusive of staff and residents.		(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.
MRZ2-R8	Construction or alteration of a building for a sensitive land use	
(1) Activity status: PER Activity-specific standards: (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: (i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or (ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.		(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people; (c) The risk of damage to property; and (d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.
MRZ2-R8	Construction, demolition, addition, and alteration of a building or structure	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a

MRZ2-R9	<u>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</u>
<p>(1) Activity status: PER</p> <p>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 GMRZ2-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 stay wire, unless it is one of the following:</u></p> <p>(2) <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>(3) <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>(4) <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>(i) <u>Not permanently physically impede existing vehicular access to a National Grid support structure.</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>
MRZ2-R10	<u>The establishment of any new sensitive land use within the National Grid Yard</u>

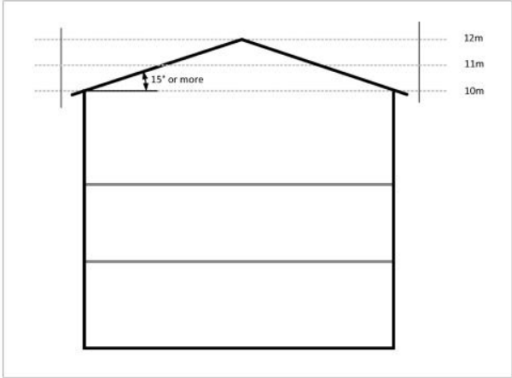
Activity status: NC	
MRZ2-R11	Any activity that is not listed as permitted, restricted discretionary or prohibited,
Activity status: DIS	
MRZ-R13	Any building, structure, objects or vegetation that obscures the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
Activity status: PR	
MRZ2-R12	<u>Any new building within the Huntly North Wetland specific control identified on the planning maps</u>
Activity status: NC	
MRZ2-R13	<u>Educational facilities</u> <u>This excludes childcare facilities</u>
(1) Activity status: RDIS Activity-specific standards: <u>Nil</u> Council's discretion is restricted to the following matters: (a) <u>The extent to which it is necessary to locate the activity in the GRZ - General residential zone;</u> (b) <u>Reverse sensitivity effects of adjacent activities;</u> (c) <u>The extent to which the activity may adversely impact on the transport network;</u> (d) <u>The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood;</u> (e) <u>The extent to which the activity may adversely impact on the noise environment.</u>	(2) Activity status where compliance not achieved: n/a
MRZ2-R14	<u>Childcare facility</u>
(1) Activity status: PER Activity-specific standards: (a) <u>For up to 4 children that are not permanent residents of the household unit.</u>	(2) Activity status where compliance not achieved: DIS
MRZ2-R15	<u>Neighbourhood centre</u>
(1) Activity status: PER Activity-specific standards: (a) <u>Must be within an area identified in a Council approved Structure Plan or Master Plan.</u>	(2) Activity status where compliance not achieved: DIS

Land use

MRZ2-S1	Residential unit
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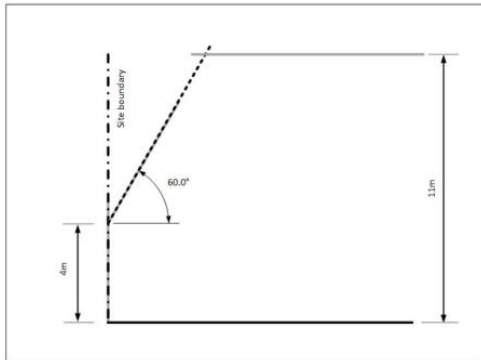
<p>(1) Activity status: PER Where: (a) Up to three residential units per site.</p> <p><u>Note: This standard does not apply to 5851 Great South Road Ngaaruawaahia.</u></p> <p><u>Advice Notes:</u></p> <ol style="list-style-type: none"> 1. <u>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</u> <ol style="list-style-type: none"> (a) <u>Water, Wastewater and Stormwater chapter</u> (b) <u>Earthworks chapter</u> 2. <u>A water, wastewater and/or stormwater connection approval from the network provider will be required. The presence of infrastructure that can service the unit(s) does not guarantee a connection will be possible and capacity is available to service new development.</u> 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> (a) Intensity of the development; and (b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone; (c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and (d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and (e) Provision of 3-waters infrastructure to individual units; and (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 (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; <u>and</u> (h) <u>The effects on values held by mana whenua where:</u> <ol style="list-style-type: none"> i. <u>Sites contain or are adjacent to mapped archaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</u> ii. <u>Sites are adjacent to marae or an Open Space Zone.</u> <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-SIA</p>	<p>Residential unit within the QM for 5851 Great South Road</p>
<p>(1) Activity status: PER Where: (a) <u>Up to one residential unit per site.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) <u>Intensity of the development; and</u></p>

	<ul style="list-style-type: none">(b) <u>Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone;</u>(c) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</u>(d) <u>Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and</u>(e) <u>Provision of 3-waters infrastructure to individual units; and</u>(f) <u>The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and</u>(g) <u>Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces.</u>(h) <u>Within QM 5851 Great South Road effects on the values associated with the Site or Area of Significance to Maaori.</u>
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MRZ2-S2	Height – building general
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) 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).</p> <p><i>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</i></p>  <p>(b) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(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;</p> <p>(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.</p> <p>(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;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Height of the building or structure;</p> <p>(b) Design, scale and location of the building;</p> <p>(c) Extent of shading on adjacent sites;</p> <p>(d) Privacy and overlooking on adjoining sites;</p> <p>(e) <u>The visual dominance effects on adjoining sites;</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</u></p> <p>(g) <u>In Ngaaruwaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa;</u></p> <p>(h) <u>In Ngaaruwaahia in the Tuurangawaewae Marae Building Height Assessment Overlay the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges and Taupiri Maunga; and</u></p> <p>(i) <u>The effects on values held by mana whenua where:</u></p> <ol style="list-style-type: none"> i. <u>Sites contain or are adjacent to mapped arcahaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</u> ii. <u>Sites are adjacent to marae or an Open Space Zone.</u> <p>Notification</p> <p><u>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.</u></p>
MRZ2-S2A	Height within the Tuurangawaewae Marae Surrounds QM
(1) Activity status: PER	(2) Activity status where compliance not achieved: RDIS

<p>Where:</p> <p>(a) <u>The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</u></p> <p>(b) <u>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;</u></p>	<p><u>Council’s discretion is restricted to the following matters:</u></p> <p>(a) <u>Height of the building or structure;</u></p> <p>(b) <u>Design, scale and location of the building;</u></p> <p>(c) <u>Extent of shading on adjacent sites;</u></p> <p>(d) <u>Privacy and overlooking on adjoining sites;</u></p> <p>(e) <u>The visual dominance effects on adjoining sites;</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</u></p> <p>(g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga; and</u></p> <p>(h) <u>The effects on values held by mana whenua where:</u></p> <p>i. <u>Sites contain or are adjacent to mapped archaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</u></p> <p>ii. <u>Sites are adjacent to marae or an Open Space Zone.</u></p>
<p>MRZ2-S3</p>	<p>Height in relation to boundary</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>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, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, en-</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) Height of the building;</p> <p>(b) Design and location of the building;</p> <p>(c) Extent of shading on adjacent sites; and</p> <p>(d) Privacy on adjoining sites.</p> <p>(e) <u>The visual dominance effects on adjoining sites; and</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping.</u></p> <p>(g) <u>In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa</u></p>

trance 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.

Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.

(a) 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

- ~~(iv) 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;~~
- ~~(v) This standard does not apply to existing or proposed internal boundaries within a site;~~
- ~~(vi) 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,~~

(h) The effects on values held by mana whenua where:

- i. Sites contain or are adjacent to mapped archaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or
 - ii. Sites are adjacent to marae or an Open Space Zone.
- (i) In Ngaaruwaahia the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa

Notification

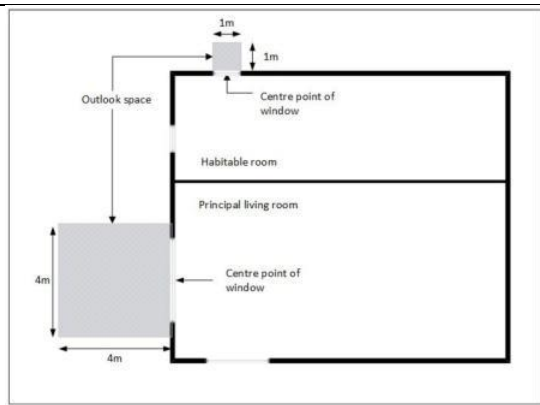
Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S3 will be considered without public notification.

<p>LLRZ—Large lot residential zone or SETZ—Settlement zone; (vii) Where the boundary adjoins a legal road.</p>									
<p>MRZ2-S3A</p>	<p><u>Height in relation to boundary in the Tuurangawaewae Marae surrounds QM</u></p>								
<p>(1) Activity status: PER Where: <u>Within the Tuurangawaewae Marae Surrounds QM:</u> (a) <u>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</u> (i) <u>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;</u> (ii) <u>This standard does not apply to existing or proposed internal boundaries within a site;</u> (iii) <u>Where the boundary adjoins a legal road.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) <u>Height of the building;</u> (b) <u>Design and location of the building;</u> (c) <u>Extent of shading on adjacent sites;</u> (d) <u>Privacy on adjoining sites.</u> (e) <u>The visual dominance effects on adjoining sites.</u> (f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</u> (g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</u></p>								
<p>MRZ2-S4</p>	<p>Setbacks</p>								
<p>(1) Activity status: PER Where: (a) <u>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <table border="1" data-bbox="284 1406 783 1626"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td><u>Front</u></td> <td><u>1.5m</u></td> </tr> <tr> <td><u>Side</u></td> <td><u>1m</u></td> </tr> <tr> <td><u>Rear</u></td> <td><u>1m (excluded on corner sites)</u></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> (a) <u>The finished external walls (excluding eaves) of a building must be set back a minimum of:</u></p>	Yard	Minimum depth	<u>Front</u>	<u>1.5m</u>	<u>Side</u>	<u>1m</u>	<u>Rear</u>	<u>1m (excluded on corner sites)</u>	<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) Potential to mitigate adverse effects on the streetscape through use of other design features; (c) Daylight admission to adjoining properties; (d) Privacy overlooking on adjoining sites; (e) <u>The visual dominance effects on adjoining sites;</u> (f) <u>Flooding effects including safe access and egress;</u> (g) <u>Stormwater management and the use of Low Impact Design methods;</u> (h) <u>Consistency with the relevant stormwater catchment management plan; and</u> (i) <u>The extent to which the non-compliance compromises the ability for emergency</u></p>
Yard	Minimum depth								
<u>Front</u>	<u>1.5m</u>								
<u>Side</u>	<u>1m</u>								
<u>Rear</u>	<u>1m (excluded on corner sites)</u>								

<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> <p>(iii) 1m from every boundary other than a road boundary; and</p> <p>(c) 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>(d) MRZ-S10(1)(a) and (b) do not apply to structures that are not buildings.</p>	<p>services to access the property in an emergency.</p> <p>Notification 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.</p> <p>Advice note Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</p>
<p>MRZ2-S5</p>	<p>Building coverage</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum building coverage must not exceed 50% of the net site area.</p> <p>(b) The maximum building coverage must not exceed 45% of the net site area.</p> <p>(c) 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>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</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 and any qualifying matter on of the surrounding residential area;</p> <p>(d) The visual dominance effects on adjoining sites;</p> <p>(e) Whether there is sufficient space on site for a stormwater treatment device and infrastructure;</p> <p>(f) Flooding effects including safe access and egress;</p> <p>(g) Stormwater management and the use of Low Impact Design methods; and</p> <p>(h) In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa.</p> <p>Notification 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.</p>

MRZ2-S5A	<u>Building Coverage within the Tuurangawaewae Marae surrounds QM</u>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>The maximum building coverage must not exceed 45% of the net site area.</u></p> <p>(b) <u>MRZ-S5A(1(a)) does not apply:</u></p> <p>(i) <u>To a structure that is not a building; or</u></p> <p>(ii) <u>Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) <u>Design, scale and location of the building;</u></p> <p>(b) <u>Provision for outdoor living space and service courts;</u></p> <p>(c) <u>Effects on the planned urban built character and any qualifying matter on the surrounding residential area ;</u></p> <p>(d) <u>The visual dominance effects on adjoining sites;</u></p> <p>(e) <u>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; and</u></p> <p>(g) <u>Stormwater management and the use of Low Impact Design methods.</u></p>
MRZ2-S6	Outdoor living space (per unit)
<p>(1) Activity status: PER 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 floor, balcony, patio, or roof terrace space that meets all of the following standards:</u></p> <p>(i) <u>where located at ground level, has no dimension less than 3m; and</u></p> <p>(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></p> <p>(iii) <u>is accessible from the residential unit; and</u></p> <p>(iv) <u>may be—</u></p> <p>(1) <u>grouped cumulatively by area in one communally accessible location; or</u></p> <p>(2) <u>located directly adjacent to the unit; and</u></p> <p>(v) <u>is free of buildings, parking spaces, and servicing and manoeuvring areas.</u></p> <p>(b) <u>A residential unit located above ground floor level must have an outdoor living</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Design and location of the building;</p> <p>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</p> <p>(c) Privacy and overlooking on adjoining sites; and</p> <p>(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> <p>Notification <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>

<p><u>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>(a) 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"> (iv) It is for the exclusive use of the occupants of the residential unit; (v) It is readily accessible from a living area of the residential unit; (vi) 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 (vii) 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>MRZ2-S7</p>	<p><u>Outlook space (per unit)</u></p>
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) <u>An outlook space must be provided for each residential unit as outlined below.</u> (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>(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) Measures to ensure that outlook spaces shall remain unobstructed, while providing an open outlook with access to daylight from the windows of habitable rooms; (b) The nature of the occupation of the room without the required outlook; (c) The effects on amenity of future occupants from a reduced outlook; and



(d) Any privacy benefits from providing a reduced outlook.

Notification

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.

- (c) The minimum dimensions for a required outlook space are as follows:
 - (i) a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and
 - (ii) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
- (d) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (e) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (f) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (g) Outlook spaces may be under or over a balcony.
- (h) Outlook spaces required from different rooms within the same building may overlap.
- (i) Outlook spaces must—
 - (i) be clear and unobstructed by buildings; and
 - (ii) not extend over an outlook space or outdoor living space required by another dwelling.

MRZ2-S8

Windows to the street

(1) **Activity status: PER**

Where:

- (a) 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.

(2) **Activity status where compliance not achieved: RDIS**

Council’s discretion is restricted to the following matters:

- (a) The extent to which front facing glazing is provided from ground floor living areas that is visible and prominent from the street;

	<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>
MRZ2-S9	Landscaped area
<p>(1) Activity status: PER 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 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 <u>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.</u></p>
MRZ2-S10	<u>Minimum residential unit size</u>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Residential units must have a minimum net internal floor area of:</u></p> <p>(i) <u>35m² for studio dwellings; and</u></p> <p>(ii) <u>45m² for one or more bedroom dwellings.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) <u>The functionality of the residential unit; and</u></p> <p>(b) <u>Internal residential amenity.</u></p>

MRZ2-S11	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) <u>The effectiveness of the stormwater system to manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment</u></p> <p>(c) <u>Stormwater management and the use of Low Impact Design methods; and</u></p> <p>(d) <u>Whether there is sufficient space on site for a stormwater treatment device and infrastructure.</u></p>
MRZ2-S12	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-S13	Fences or walls
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Boundary fences and walls:</u></p> <p>(i) adjacent to between properties and any road boundaries;</p> <p>(ii) <u>Adjoining any OSZ - open space zone; or;</u></p> <p>(iii) <u>Between properties within the first 1.5m of the front yard</u></p> <p>(b) <u>Boundary fences and walls within (a)</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</p> <p>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> <p>(d) <u>Amenity effects associated with access to sunlight.</u></p> <p><u>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below</u></p>

<p>(c) Boundary fences and walls between properties further than 1.5m into the site must not exceed 2m.</p>	
<p>MRZ2-SI4</p>	<p>Building setbacks – water bodies</p>
<p>(1) Activity status: PER Where: (a) A building must be set back a minimum of: (i) 20m from the margin of any lake; (ii) 20m from the margin of any wetland; (iii) 21.5m^{23m} from the bank of any river (other than the Waikato River and Waipa River); (iv) 26.5m^{38m} from the margin of either the Waikato River and the Waipa River (v) 23m from mean high water springs (b) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ2-SI3(1)(a); (c) 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: (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 including hydrology and flooding. (g) In the Waikato River catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries including groundwater resources. (h) Effects on cultural values identified in Maori Values and Maatauranga Maori Chapter; and (i) The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy.</p>
<p>MRZ2-SI5</p>	<p>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;</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>(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) 6m from the centre of a gas transmission line identified on the planning maps</p>	
MRZ2-S16	Building setback – Environmental Protection Area
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A building shall be set back a minimum of 3m from an Environmental Protection Area.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
MRZ2-S17	Building and structure setback – rail corridor
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Any new building or structure, or alteration to an existing building or structure, shall be setback a minim of 2.5m from the designated boundary of the railway corridor.</u></p> <p>(b) <u>Standard MRZ2-S17(1)(a) does not apply to fences or structures less than 2m in height, poles or aerials.</u></p> <p>(c) <u>Standard MRZ2-S17(1)(a) does not apply to retaining walls, which must be setback a minimum of 1.5m from the destined boundary of the railway corridor.</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) <u>The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.</u></p> <p><i>Notification: Any restricted discretion activity under MRZ2-S17 shall not be notified or limited notified unless KiwiRail is determined to be an affected person in accordance with section 98B of the Resource Management Act 1991 or Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.</i></p>
MRZ-S18	Building – Horotiu Acoustic Area (identified on the planning maps)
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>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</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) <u>On-site amenity values;</u></p> <p>(b) <u>Noise levels received at the notional boundary of the building;</u></p> <p>(c) <u>Timing and duration of noise received at the notional boundary of the building; and</u></p> <p>(d) <u>Potential for reverse sensitivity effects.</u></p>

Additional provisions applying to the Havelock Precinct

PREC4-S1	<u>Height – Havelock industry buffer height restriction areas</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 any of the following height restriction areas identified on the planning maps the:</u></p> <p>(i) <u>Havelock industry buffer height restriction area; and/or</u></p> <p>(ii) <u>Havelock hilltop park height restriction area; and/or</u></p> <p>(iii) <u>Havelock ridgeline height restriction area; and/or</u></p> <p>(iv) <u>Area I Height Restriction area</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
PREC4-S2	<u>Building setback – sensitive land use within PREC4 – Havelock precinct</u>
<p>(1) 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 Havelock Pōkeno Industry Buffer identified on the planning maps.</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>
PREC4-S3	<u>Building design – sensitive land use with PREC4 – Havelock precinct</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A building or structure with a maximum height not exceeding 8m, measured from the ground level immediately below that part of the structure, where it is located outside the Havelock Industry Buffer and the 'Height Restriction Area' but within the 40 dB LAeq noise contour shown on the planning maps (8m height 40dBa Noise Countour).</u></p> <p>(b) <u>Any new building or alteration to an existing building for a sensitive land use located outside the Pōkeno Havelock 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>(c) <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>(2) Activity status where compliance not achieved: DIS</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>(2) <u>A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</u></p> <p>i) <u>6 air changes per hour for rooms with less than 30% of the façade area glazed;</u></p> <p>ii) <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u></p> <p>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> <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>	
<p>PREC4-S4</p>	<p>Residential unit within the Slope Residential Area</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>One residential unit per site.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>PREC4-S5</p>	<p>Building coverage within the Slope Residential Area</p>
<p>(1) Where:</p> <p>(a) <u>The maximum building coverage must not exceed 40% of the net site area.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

Medium Density Residential Standard Figures

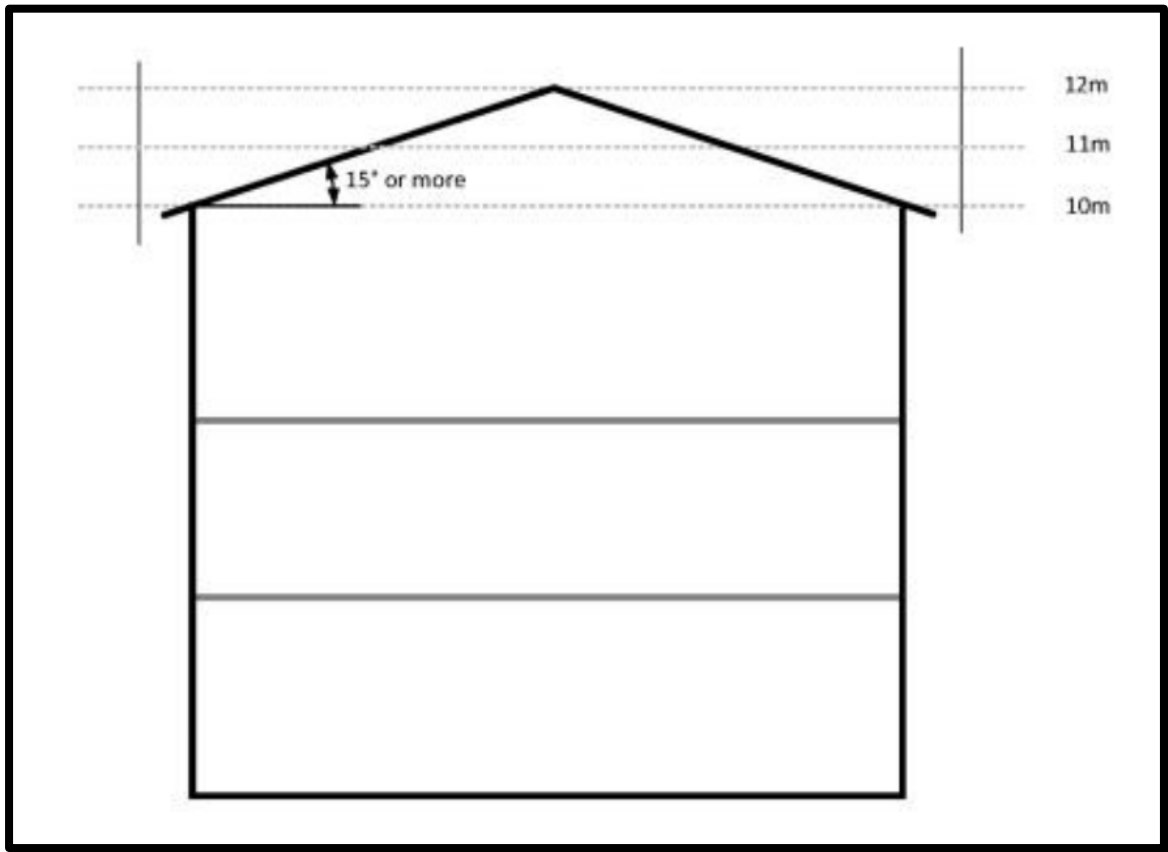


Figure 1: Building Height (refer to MRZ2-S2)

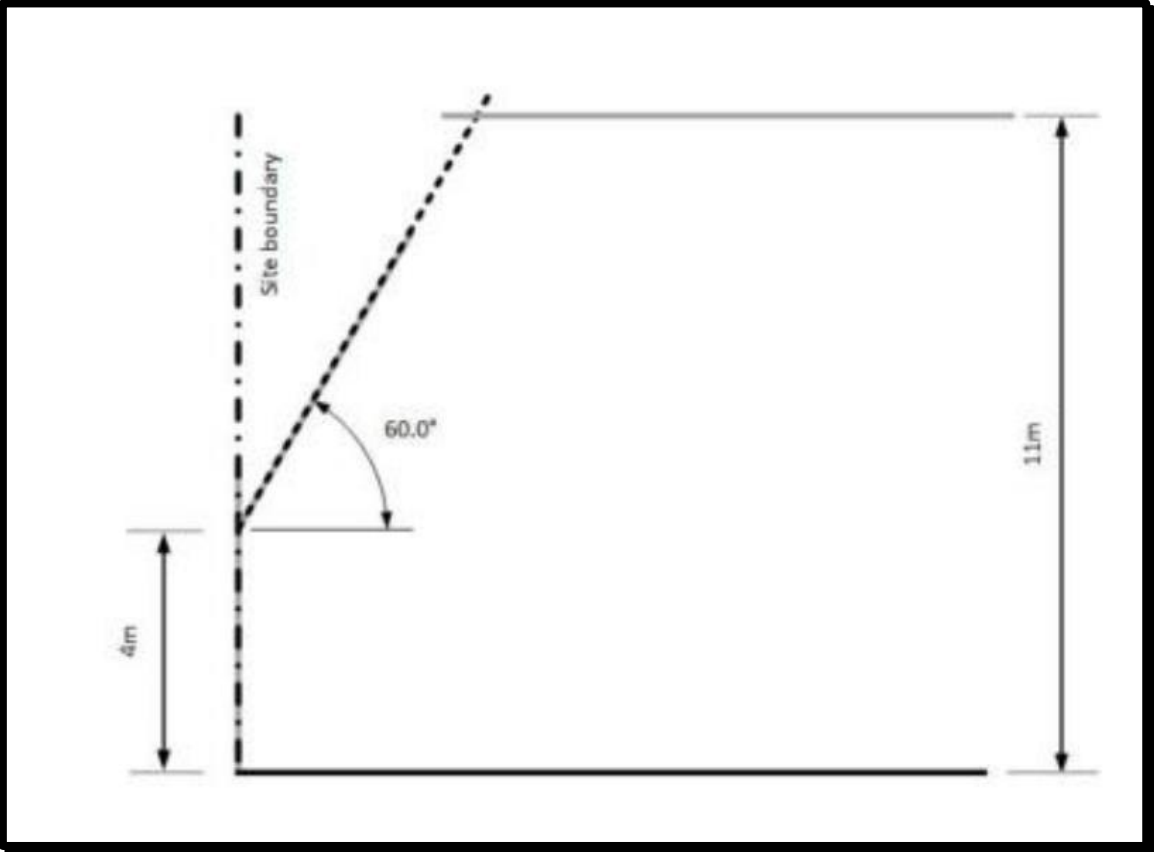


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

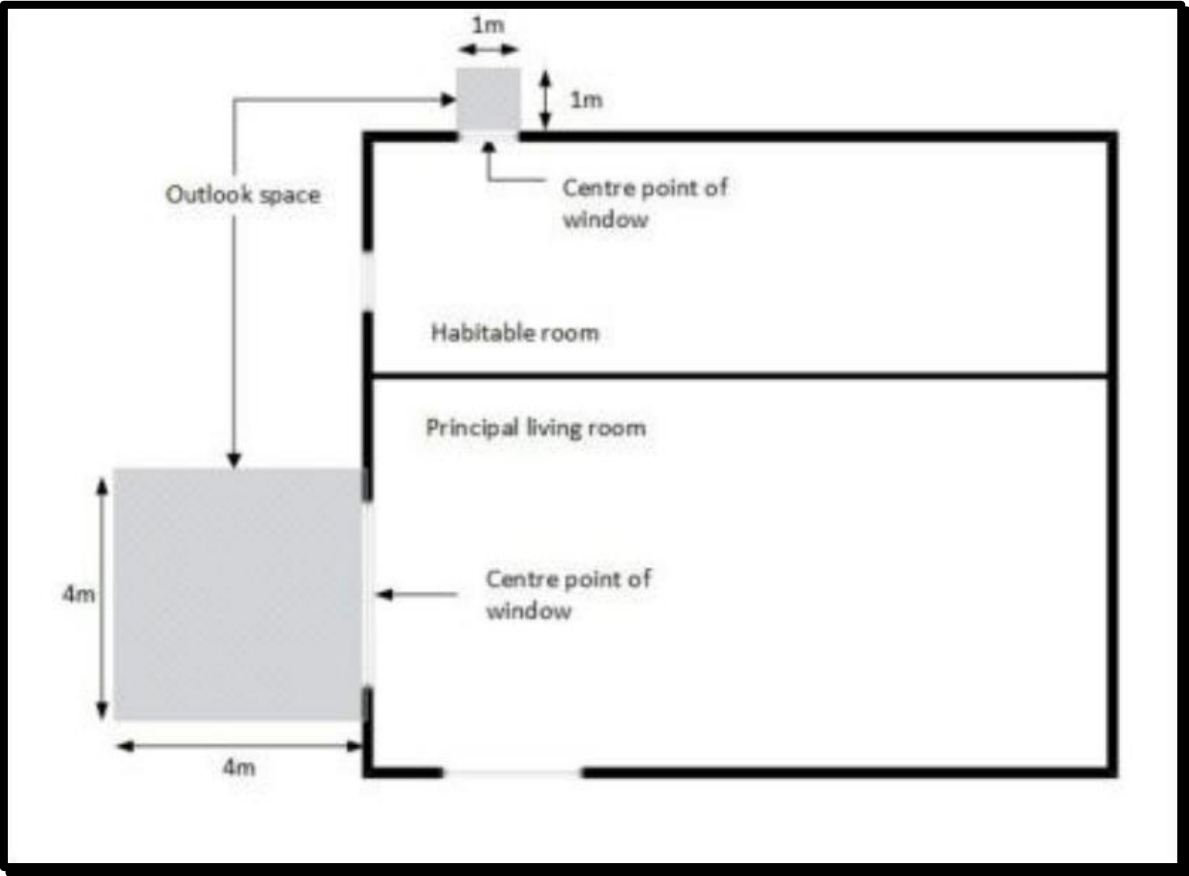


Figure 3: Outlook space per unit (refer to MRZ2-S7)

NH – Natural hazards and climate change

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

Overview

- (1) The NH – Natural hazards and climate change chapter identifies risks associated with natural hazards and manages land use in areas subject to risk from natural hazards. It identifies areas where certain types of new development will be avoided because of the natural hazards present, but also recognises that there is existing development, including infrastructure, already located on land subject to natural hazards. These areas will require management through mitigation and adaptation to ensure that the risk of damage to property, or injury or loss of lives is not increased.
- (2) This chapter sets out a two-tiered approach where natural hazard risk from subdivision, use and development is to be avoided within the following identified high risk natural hazard areas:
 - (a) High Risk Flood Area;
 - (b) High Risk Coastal Inundation Area; and
 - (c) High Risk Coastal Erosion Area.
- (3) Outside of these areas, subdivision, use and development is provided for where natural hazard risk can be adequately avoided, remedied or mitigated and the risk is not exacerbated or transferred to adjoining sites.
- (4) The following natural hazards areas have been identified and mapped in the District Plan:

Overlay	Description
Flood hazards	
High flood risk area	Identifies areas within the floodplain where the depth of flood water in a 1% AEP flood event exceeds 1 metre and the speed of flood water exceeds 2 metres per second, or the flood depth multiplied by the flood speed exceeds one.
Flood plain management area	Identifies the 1% Annual Exceedance Probability (AEP) floodplain and has been developed through both 1D and 2D modelling, depending on the level of information available.
Flood ponding area	Identifies areas that experience floodwater ponding in a 1% AEP rainfall event.
Residual risk areas / Defended areas	Identifies areas of land that would be at risk from a natural hazard event if it were not for a structural defence such as a stop bank.
<u>Flood density QM</u>	<u>The QM is identified on the planning maps and includes mapped areas in Flood plain management areas, Flood ponding area, and Defended areas. It also includes other areas of 1% Annual Exceedance Probability (AEP) floodplain identified by Council. The QM contains its own Higher risk area, being areas within the QM that meet the definition of a High risk flood area.</u>
Coastal hazards	

High risk coastal inundation area / High risk coastal erosion area	Identify land where there is significant risk from either coastal inundation or coastal erosion with existing sea level and coastal processes.
Coastal sensitivity area (Erosion) / Coastal sensitivity area (Inundation)	Identify land that is potentially vulnerable to either coastal erosion or coastal inundation over a 100 year period to 2120, assuming a sea level rise of 1.0 metre.
Subsidence risk	
Mine subsidence risk area	Identifies an area where subsidence has occurred at Huntly due to former underground coal mining.

Objectives

NH-O1 High risk natural hazards areas.

In an identified high risk natural hazards area, the risks associated with natural hazards on people, property and infrastructure from subdivision, use and development of land are avoided.

NH-O2 Areas at risk from natural hazards.

Subdivision, use and development within areas at risk from natural hazards are managed so that natural hazard risks on people, property and infrastructure are avoided, remedied or mitigated.

NH-O3 Awareness of natural hazard risks.

Ensure communities respond effectively and efficiently to natural hazards.

NH-O4 Climate change.

Communities are well-prepared to adapt to the effects of climate change.

Policies

NH-P1 New development in areas at high risk from natural hazards.

(I) Avoid subdivision, use and new development in the following high risk natural hazard areas:

- (a) High risk flood area;
- (b) High risk coastal inundation area;
- (c) High risk coastal erosion area,

where there is an increase in risk to people and property.

NH-P2 Changes to existing land use activities and development in areas at high risk from natural hazards.

In areas of High risk flood, High risk coastal erosion and High risk coastal inundation, ensure that when changes to existing land use activities and development occur, a range of risk reduction options are assessed, and development that would increase risk to people's safety, well-being and property is avoided.

Part 2: District-wide matters / Hazards and risks / NH – Natural hazards and climate change

- NH-P3 Small scale non-habitable structures in areas subject to high risk from natural hazards.
Enable small scale accessory and farm buildings to be located within areas at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion, provided the risks to people, property and the environment beyond the site are managed to acceptable levels.
- NH-P4 New emergency services and hospitals in areas at significant high risk from natural hazards.
Avoid locating new emergency service facilities and hospitals in areas which are at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion, unless, considering engineering and technical constraints or functional and operational requirements, they cannot be reasonably located elsewhere and will not increase the risk to or vulnerability of people or communities.
- NH-P5 New and upgrading of infrastructure and utilities in areas subject to high risk from natural hazards.
- (I) Enable the construction of new infrastructure, utilities and ancillary activities and upgrading of existing infrastructure and utilities, in areas at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion areas only where:
- (a) The infrastructure and utilities are technically, functionally or operationally required to locate in areas subject to natural hazards, or it is not reasonably practicable to be located elsewhere; and
 - (b) Any increased risks to people, property and the environment are mitigated to the extent practicable; and
 - (c) The infrastructure and utilities are designed, maintained and managed, including provision of hazard mitigation works where appropriate, to function to the extent practicable during and after natural hazard events.
- NH-P6 Existing infrastructure and utilities in all areas subject to natural hazards.
Provide for the operation, maintenance and minor upgrading of existing infrastructure and utilities in all areas subject to natural hazards.
- NH-P7 Managing natural hazard risk generally.
- (I) Outside of high risk natural hazard areas, provide for subdivision, use and development where:
- (a) Natural hazard risk has been appropriately identified and assessed;
 - (b) The risk can be adequately avoided, remedied or mitigated;
 - (c) The risk does not transfer to adjoining sites; and
 - (d) The risk is not exacerbated.
- NH-P8 Protection from risks of coastal hazards.
Recognise the importance of natural features and buffers, and soft hazard protection works, and prefer them wherever practicable over hard protection structures, where

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new hazard mitigation measures and/or works are required to protect people, property infrastructure and the environment from the risks of coastal hazards.

- NH-P9 Limitations on hard protection works for coastal hazard mitigation.
- (1) Ensure that where hard protection structures and works are proposed to protect existing development on public or privately-owned land from coastal hazards that the following is achieved:
- (a) The structures have primarily a public and/or environmental benefit when located on public land;
 - (b) The structures are effective considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect;
 - (c) The economic, social and environmental benefits outweigh costs;
 - (d) Risk to people, property, infrastructure, the natural environment, historic heritage or Sites and Areas of Significance to Maaori is not transferred or increased;
 - (e) Structures are located as far landward as practicable; and
 - (f) Public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land
- (2) Ensure that when new hard protection structures are to be located in an area where an adaptive management strategy has been prepared to manage coastal hazards, they are consistent with that strategy.
- (3) Where adaptive management strategies have been prepared, plan change or resource consent processes should have regard to these strategies.
- NH-PI0 Natural features and buffers providing natural hazard protection.
- (1) Protect, maintain and, where appropriate, enhance the integrity of natural features and buffers which provide a natural defence against the effects of natural hazards and sea level rise, including natural ponding areas, coastal dunes, intertidal areas, wetlands, waterbody margins, riparian/coastal vegetation and floodways.
- (2) Enable natural systems to adapt and respond to natural coastal processes including the effects of climate change.
- NH-PI1 Areas defended by stopbanks adjacent to the Waikato River.
- (1) Control subdivision, use and development in areas identified as Defended Areas adjacent to the Waikato River by:
- (a) Assessing the potential risk of overtopping or structural failure of the stopbanks, and overwhelming of associated flood protection structures, before subdivision, use and development occurs; and
 - (b) Requiring that consideration be given to appropriate mitigation to reduce any residual risk identified to acceptable levels; and
 - (c) Ensuring that any residual risk is not transferred to neighbouring sites; and
 - (d) Recognising the functional needs and operational needs of the National Grid.

- (2) Specify minimum setbacks for buildings and earthworks from stopbanks to:
- (a) Protect the structural integrity of the stopbanks; and
 - (b) Provide a buffer to reduce the potential risk to life and damage to property from deep and fast-flowing flood waters in the event of a breach.
- NH-P12 New development that creates demand for new protection structures and works.
- Avoid locating new subdivision, use and development in High risk flood, High risk coastal inundation and High risk coastal erosion areas where a demand or need for new structural protection works will be required to reduce the risk from natural hazards to acceptable levels.
- NH-P13 Reduce potential for flood damage to buildings located on the floodplains and flood ponding areas.
- (1) Reduce the potential for flood damage to buildings located on floodplains and flood ponding areas by ensuring that the minimum floor level of building development is above the design flood levels/ponding levels in a 1% AEP flood event, plus an allowance for freeboard, unless:
- (a) The building is of a type that is not likely to suffer material damage during a flood; or
 - (b) The building is a small-scale addition to an existing building; or
 - (c) The risk from flooding is otherwise avoided, remedied or mitigated.
- NH-P14 Control filling of land within the 1% AEP floodplain and flood ponding areas.
- Control filling of land within the 1% AEP floodplain and flood ponding areas to ensure that the potential adverse effects on flood storage capacity, overland flows, run-off volumes on surrounding properties or infrastructure, are avoided or mitigated.
- NH-P15 Managing flood hazards through integrated catchment management.
- (1) Manage flood hazards by requiring new subdivision and development within floodplains, flood ponding areas and overland flow paths to adopt integrated catchment plan-based management methods which:
- (a) Maintain the function of natural floodplains, wetlands and ponding areas including flood storage capacity; and
 - (b) Retain the function and capacity of overland flow paths to convey stormwater run-off; and
 - (c) Do not transfer or increase risk elsewhere within the catchment; and
 - (d) Promote best practice stormwater management with reference to the Waikato Stormwater Management Guideline and the Regional Infrastructure Technical Specifications (RITS); and
 - (e) Minimise impervious surfaces.
- NH-P16 Development in the coastal sensitivity areas.
- (1) In coastal sensitive areas, control subdivision, use and development by ensuring that the subdivision, use and development is:

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- (a) Supported by a detailed site specific risk assessment, which includes measures to address the effects of climate change; and
- (b) Designed, constructed and located to minimise the level or risk to people, property and the environment.

NH-P17 Setbacks from the coast.

Avoid increasing the risk from coastal hazards by requiring new built development to be set back from the coastal edge, unless there is a functional or operational need for facilities to be located at or near the coast.

NH-P18 Residential development and subdivision potentially subject to fire risk.

- (1) In areas assessed or identified as being potentially subject to elevated fire risk, ensure that an appropriate design and layout, including a buffer area or setback, is provided around for new residential subdivision and development, and the following matters are considered:
 - (a) Access for emergency service vehicles;
 - (b) Provision of and access to emergency firefighting water supply;
 - (c) Separation and management of vegetation (with regard to slope, aspect, management regimes and use of less flammable vegetation); and
 - (d) The design and materials of any buildings.

NH-P19 Development on land subject to instability or subsidence.

Avoid locating new subdivision, use and development, including rezoning, on land assessed as being subject to, or likely to be subject to, instability or subsidence, unless appropriate mitigation is provided and the activity does not increase the risk to people, property or infrastructure.

NH-P20 Development of land in the Mine subsidence risk area

- (1) On land identified within the Mine subsidence risk area, ensure that:
 - (a) An assessment by an appropriately qualified engineer occurs before subdivision, use or development takes place to confirm that the land is suitable for development; and
 - (b) Buildings are designed and constructed, and uses appropriate materials, to effectively minimise the risk of damage to the buildings from ground subsidence.

NH-P21 Stormwater management in areas subject to risk of land instability or subsidence.

- (1) Avoid discharge of stormwater directly to ground on land that is potentially at risk of land instability or subsidence unless:
 - (a) An assessment has been undertaken by an appropriately qualified geotechnical specialist, indicating that the site is suitable for the proposed discharges; and
 - (b) Any adverse effects on the site and receiving environment can be appropriately mitigated.

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- NH-P22 Liquefaction susceptible land risk assessment.
- (1) On land assessed as potentially susceptible to liquefaction, ensure that:
- (a) An assessment by a geotechnical specialist occurs before new subdivision, use or development takes place; and
 - (b) The level of assessment reflects the type and scale of the subdivision, use or development and the overall vulnerability of the activity to the effects of liquefaction; and
 - (c) The assessment confirms that the land is suitable for the proposed development.
- NH-P23 Control activities on land susceptible to damage from liquefaction
- Control subdivision, use and development on land assessed as being susceptible to liquefaction induced ground damage, to ensure that appropriate mitigation is provided so that the level of risk to people, property, infrastructure.
- NH-P24 Natural hazard risk information.
- (1) Enable people to be informed and have access to information on the natural hazards affecting their properties and surrounding area, including through:
- (a) Provision of Land Information Memoranda;
 - (b) Natural hazard technical information, including the projected effects of climate change, risk registers and mapping on the Council's website, the Waikato Regional Council Hazards Portal, this district plan and accompanying planning maps;
 - (c) Education, provision of information and community engagement; and
 - (d) Alignment with the work of other agencies including iwi and the Waikato Regional Council.
- NH-P25 Awareness of Community Response Plans.
- Improve response to and recovery from natural hazard events by encouraging community awareness and use of information and methods contained in Community Response Plans.
- NH-P26 Effects of climate change on new subdivision and development.
- (1) Ensure that adequate allowances are made for the projected effects of climate change in the design and location of new subdivision and development including new urban zoning throughout the District, including undertaking assessments where relevant that provide for:
- (a) The projected increase in rainfall intensity, as determined by national guidance, assuming a temperature increase of not less than 2.3°C by 2120;
 - (b) The projected increase in sea level, where relevant, as determined by national guidance and the best available information, but being not less than 1m by 2120;

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- (c) In respect to new urban zoning, stress testing under the RCP 8.5 scenario for rainfall¹ and RCP 8.5H+ for sea level rise²;
- (d) In respect to the coastal environment, increases in storm surge, waves and wind; and
- (e) The ability for natural systems to respond and adapt to the projected changes included in (a) to (d) above.

NH-P27 Future land use planning and climate change.

- (I) Increase the ability of the community to adapt to the effects of climate change when undertaking future land use planning by:
 - (a) Ensuring the potential environmental and social costs of climate change, including effects on indigenous biodiversity (inland migration), historic heritage, Sites and areas of Significance to Maaori, mahinga kai, public health and safety, public access to the coast and waterway margins, and the built environment are addressed;
 - (b) Encouraging the incorporation of sustainable design measures within new subdivision, land use and development, including:
 - (i) Low impact, stormwater management, urban design and green infrastructure;
 - (ii) Of relocatable buildings and structures in areas potentially at risk due to sea level rise or increased flood levels;
 - (iii) Efficient water storage;
 - (iv) Provision of renewable energy generation; and
 - (v) Transferring to activities with lower greenhouse gas emissions.
 - (c) Providing ongoing monitoring of changes to the environment due to climate change; and
 - (d) Facilitating community discussion on adaptive pathways to manage the risks associated with climate change and incorporating them, where appropriate, into the district plan through plan changes.

NH-P28 Precautionary approach for dealing with uncertainty.

In areas throughout the district likely to be affected by climate change over the next 100 years, adopt a precautionary approach towards new subdivision, use and development which may have potentially significant or irreversible adverse effects, but for which there is incomplete or uncertain information.

¹ Stress testing under the RCP 8.5 scenario for rainfall, see Ministry for the Environment, 2018: Climate Change Projections for New Zealand. September 2018. Publication No. MFE 1385.

² Stress testing under the RCP 8.5H+ scenario for sea level rise, see Ministry for the Environment, 2017: Coastal Hazards and Climate Change – Guidance for Local Government. December 2017. Publication No. ME 1341.

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- NH-P29 Provide sufficient setbacks for new development.
- (1) Protect people, property and the environment from the projected adverse effects of climate change, including sea level rise, by providing sufficient setbacks from water bodies and the coast when assessing new development.
 - (2) Ensure that, in establishing development setbacks for new development, adequate consideration is given to:
 - (a) The protection of natural ecosystems, including opportunities for the inland migration of coastal habitats;
 - (b) The vulnerability of the community;
 - (c) The maintenance and enhancement of public access to the coast and public open space;
 - (d) The requirements of infrastructure; and
 - (e) Natural hazard mitigation provision, including the protection of natural defences.
- NH-P30 Assess the impact of climate change on the level of natural hazard risks.
- (1) For all new subdivision, use and development requiring rezoning or a resource consent, ensure that account is taken of the projected effects of climate change over the next 100 years when assessing any identified risks from natural hazards, and their effects on people, property, infrastructure and the environment.
 - (2) Ensure that, when assessing the effects of climate change on the level of natural hazard risk in accordance with Policy NH-P30(1) above, the allowances in Policy NH-26(1)(a)-(d) are applied.
 - (3) Where the assessment required by Policy NH-P30(1) indicates that natural hazards are likely to be exacerbated by climate change, ensure that subdivision and development are designed and located so that any increased and cumulative risk from natural hazards is managed to acceptable levels and any intolerable risks are avoided or reduced to tolerable or acceptable levels.

Rules

- (1) The rules in this chapter apply alongside the National Environmental Standards for Electricity Transmission 2010 (NESETA).
- (2) The rules in this chapter do not apply to:
 - (a) Any activity which is a regulated activity under the National Environmental Standards for Telecommunication Facilities 2016 (NESTF);
 - (b) Plantation forestry activities regulated under the National Environmental Standards for Plantation Forestry (NESPF).

Flood plain management area and Flood ponding area

[Additional rules apply to sites located within the Flood density QM \(see NH-R26A-E\)](#)

NH-RI	Construction of a new building, or reconstruction of or an addition to an existing building, unless specified in Rules NH-R2 – NH-R6
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<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: (a) The minimum floor level is at least 0.5m above the 1% AEP flood level; and (b) Compliance with Standard NH-R1(1)(a) shall be demonstrated by a suitably qualified engineer with experience in hydrology.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Assessment of risk from the 1% AEP flood event; (b) Alternative locations within the site outside of the 1% AEP floodplain or flood ponding area; (c) The type of building development proposed and whether it is likely to suffer material damage during a flood; (d) Ability to manage risk through building materials, structural or design work, engineering solutions or other appropriate measures; and (e) Other mitigation measures to reduce the potential for flood damage to buildings.</p>
<p>NH-R2</p>	<p>Additions to an existing building that does not increase the ground floor area of the building by more than 15m²</p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R3</p>	<p>Standalone garage with a gross floor area not exceeding 40m²</p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R4</p>	<p>Construction of an accessory building without a floor</p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R5</p>	<p>Construction of a farm building without a floor</p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

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NH-R6	Construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities	
Flood plain management area and Flood ponding area across all zones	(1) Activity status: PER Activity-specific standards: Nil	(2) Activity status where compliance not achieved: n/a
NH-R7	Earthworks associated with construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities, including the formation and maintenance of access tracks.	
Flood plain management area and Flood ponding area across all zones	(1) Activity status: PER Activity-specific standards: Nil	(2) Activity status where compliance not achieved: n/a
NH-R8	Earthworks to create a building platform for residential purposes	
Flood plain management area and Flood ponding area across all zones	(1) Activity status: PER Activity-specific standards: (a) Filling height is only to the extent necessary to achieve compliance with Rule NH-RI(1)(a).	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Timing, location and scale of earthworks; (b) Adverse effects on: (i) Existing overland flow paths and surface drainage patterns; (ii) Flood storage capacity; (iii) Runoff volumes; (iv) Adjoining properties, including the transfer of risk; (v) Infrastructure and flood protection works; (vi) Consideration of soil types and potential for erosion; and (c) Mitigation including compensatory storage, or other flood management measures proposed.
NH-R9	Earthworks not provided for under Rules NH-R7 or NH-R8	
Flood plain management area and Flood ponding area across all zones	(1) Activity status: PER Activity-specific standards: (a) In the GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone, SETZ – Settlement zone and RLZ – Rural lifestyle zone, a maximum	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Timing, location and scale of earthworks; (b) Adverse effects on:

	<p>volume of filling above natural ground level of 10m³ per site, and a maximum cumulative volume of filling and excavation of 20m³; or</p> <p>(b) In the GRUZ – General rural zone – a maximum volume of filling above natural ground level of 100m³ per site, and a maximum cumulative volume of filling and excavation of 200m³ per site; or</p> <p>(c) All other zones – a maximum volume of filling above natural ground level of 20m³ per site, and a maximum cumulative volume of filling and excavation of 50m³ per site; and</p> <p>(d) Height and depth of earthworks in all zones:</p> <p>(i) A maximum height of 0.2m of filling above natural ground level; and</p> <p>(ii) a maximum depth of excavation of 0.5m below natural ground level.</p> <p>Advice note: where a site is located partly within the flood plain management area or flood ponding area this rule only applies to that part of the site within the flood plain management area or flood ponding area.</p>	<p>(i) Existing overland flow paths and surface drainage patterns;</p> <p>(ii) Flood storage capacity;</p> <p>(iii) Runoff volumes;</p> <p>(iv) Adjoining properties, including the transfer of risk;</p> <p>(v) Infrastructure and flood protection works;</p> <p>(vi) Consideration of soil types and potential for erosion; and</p> <p>(c) Mitigation including compensatory storage, or other flood management measures proposed.</p>
NH-R10	Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment.	
Flood plain management area and Flood ponding area across all zones	(1) Activity status: DIS	

High risk flood area

NH-R11	Repair, maintenance or minor upgrading of existing utilities	
High risk flood area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R12	Construction, replacement or upgrading of telecommunication lines, poles, cabinets and masts/poles supporting antennas	

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High risk flood area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R13	Construction, replacement or upgrading of electricity lines, poles, cabinets, and supporting structures	
High risk flood area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R14	Construction of an accessory building without a floor;	
High risk flood area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R15	Construction of a farm building without a floor.	
High risk flood area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R16	New utilities not provided for in Rules NH-R12 or NH-R13	
High risk flood area across all zones	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (a) Functional and operational requirements to be located in the High risk flood area; (b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area; (c) The potential for the development to transfer/increase flood risk to neighbouring properties; (d) Consideration of alternative locations; (e) Consideration of the projected effects of climate change; (f) Any mitigation measures to reduce the risk to people's safety, well-being and property. 	(2) Activity status where compliance not achieved: n/a
NH-R17	Upgrading of existing utilities not provided for in Rule NH-R11	
High risk flood area across all zones	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters:	(2) Activity status where compliance not achieved: n/a

	<ul style="list-style-type: none"> (a) Functional and operational requirements to be located in the High risk flood area; (b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area; (c) The potential for the development to transfer/increase flood risk to neighbouring properties; (d) Consideration of alternative locations; (e) Consideration of the projected effects of climate change; (f) Any mitigation measures to reduce the risk to people's safety, well-being and property. 	
NH-R18	One addition to a lawfully established building existing at 17 January 2022, where the addition does not increase the ground floor area of the existing building by more than 15m ² , unless provided for in Rules NH-R17 or NH-R18	
High risk flood area across all zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions; (b) The setting of an appropriate floor level for the addition, taking into consideration the location of the addition and the floor level of the existing building; (c) Any mitigation measures to reduce the risk to people's safety, well-being and property. 	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R19	<p>Subdivision that creates one or more additional vacant lot(s) where:</p> <ul style="list-style-type: none"> (a) The additional lot(s) are located entirely outside the High risk flood area; or (b) The additional lot(s) are partially within the High risk flood area and each additional lot(s) contains an area capable of containing a complying building platform entirely outside the High risk flood area. <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	

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	This rule does not apply where Council approves a detailed hydraulic analysis that demonstrates that the site is not within the definition of a High Risk Flood Area.
High risk flood area across all zones	(1) Activity status: DIS
NH-R20	Construction of a new building or additions to an existing building, not provided for in Rules NH-R11 – NH-R18 This rule does not apply where Council approves a detailed hydraulic analysis that demonstrates that the site is not within the definition of a High Risk Flood Area.
High risk flood area across all zones	(1) Activity status: NC
NH-R21	Subdivision that does not comply with Rule NH-R19 This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment. This rule does not apply where Council approves a detailed hydraulic analysis that demonstrates that the site is not within the definition of a High Risk Flood Area.
High risk flood area across all zones	(1) Activity status: NC
NH-R22	Emergency service facilities and hospitals
High risk flood area across all zones	(1) Activity status: NC

Defended area (Residual risk)

[Additional rules apply to sites located within the Flood density QM \(see NH-R26A-E\)](#)

NH-R23	Activities are permitted activities within the Defended area identified on the planning maps, unless specified in Rules NH-R24 to NH-R26 below, or as otherwise specified in the relevant zone chapter or the Part 2 – District-wide matters chapters	
Defended area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R24	Subdivision that creates one or more additional vacant lot(s). This rule does not apply to subdivision for a utility allotment, an access allotment or subdivision to create a reserve allotment.	
Defended area across all zones	(1) Activity status: RDIS Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a

	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The actual level of service provided by the structural defence and associated flood protection works, including any change in the level of service anticipated due to climate change and sea level rise; (b) The impact of any planned improvements, maintenance or upgrading on the residual risk; (c) The effect of groundwater levels and variability in ground conditions on stop-bank security at and adjacent to the site to be subdivided; (d) The likely depth and duration of flooding as a result of a breach or overtopping event or flood ponding; (e) The location of the subdivision, including services such as wastewater, water supply and roading/access (including escape routes), in relation to potential breakout points (failure zone); (f) The adverse effects on: <ul style="list-style-type: none"> (i) People and property, (ii) Historic heritage and Sites and Areas of Significance to Maaori, and (iii) Overall vulnerability from potential failure or overwhelming of the structural defences and associated flood protection works relevant to the proposed new lot(s); (g) Potential for the development to transfer/increase flood risk/residual risk to neighbouring properties; (h) Any additional mitigation measures proposed or site features which reduce residual risk (e.g., natural high ground; evacuation plan). 	
<p>NH-R25</p>	<p>Construction of a new building, or reconstruction of, or new accessory building, located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.</p>	

Defended area across all zones	(1) Activity status: DIS
NH-R26	<p>Earthworks located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.</p> <p>This rule does not apply to earthworks associated with utilities where the written approval of the authority managing the stop-bank has been obtained.</p>
Defended area across all zones	(1) Activity status: DIS

Flood density QM

Except for NH-R26D, the following Flood density QM rules apply in addition to any relevant rules under the Flood plain management area, Flood ponding area, High flood risk area and Defended area.

NH-R26A	Residential unit	
<u>Flood density QM (Higher risk area) in the MRZ (Area 2)</u>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) <u>One residential unit within a site;</u> (b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u> (c) <u>buildings must be set back a minimum of:</u> <ul style="list-style-type: none"> (i) <u>23m from the margin of any lake;</u> (ii) <u>23m from the margin of any wetland;</u> (iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u> (iv) <u>28m from the margin of either the Waikato or the Waipa River.</u> 	<p>(2) Activity status where compliance not achieved: NC</p>
NH-R26B	Residential unit	
<u>Flood density QM (outside the Higher risk area) in the MRZ (Area 2)</u>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) <u>One residential unit within a site;</u> (b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u> (c) <u>buildings must be set back a minimum of:</u> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p><u>Council's discretion is limited to the following matters:</u></p> <ul style="list-style-type: none"> (a) <u>In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</u>

	<ul style="list-style-type: none"> (i) <u>23m from the margin of any lake;</u> (ii) <u>23m from the margin of any wetland;</u> (iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u> (iv) <u>28m from the margin of either the Waikato or the Waipa River.</u> 	<ul style="list-style-type: none"> (b) <u>Flooding effects including safe access and egress;</u> (c) <u>Stormwater management and Low Impact Design methods;</u> (d) <u>Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</u> (e) <u>Adequacy of erosion and sediment control measures;</u> (f) <u>The functional or operational need for the building to be located close to the waterbody;</u> (g) <u>Effects on public access to the waterbody;</u> (h) <u>Effects on the amenity of the locality; and</u> (i) <u>Effects on natural character values.</u>
NH-R26C	Minor residential unit	
Flood density QM in the MRZ (Area 2).	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) <u>One minor residential unit contained within a site must comply with all of the following standards:</u> <ul style="list-style-type: none"> (i) <u>The net site area is 600m² or more; and</u> (ii) <u>The gross floor area shall not exceed 70m²; and</u> (b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u> (c) <u>buildings must be set back a minimum of:</u> <ul style="list-style-type: none"> (i) <u>23m from the margin of any lake;</u> (ii) <u>23m from the margin of any wetland;</u> (iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u> (iv) <u>28m from the margin of either the Waikato or the Waipa River.</u> 	<p>(2) Activity status where compliance not achieved: DIS</p>
NH-R26D	<u>Subdivision that creates one or more vacant lot other than a utility allotment, access allotment or subdivision to create a reserve allotment.</u>	

<p><u>Flood density QM (excluding the Flood plain management area, Flood ponding area, and Defended area) in the MRZ (Area 2)</u></p>	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) <u>each vacant lot includes an area capable of containing a building platform of 8m x 15m (exclusive of setbacks) entirely outside the Flood density QM</u></p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) <u>Avoidance or mitigation of natural hazards;</u></p> <p>(b) <u>In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</u></p> <p>(c) <u>The effectiveness of the stormwater system to manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment;</u></p> <p>(d) <u>The capacity of the stormwater system and ability to manage stormwater;</u></p> <p>(e) <u>The potential for adverse effects to the environment in terms of stormwater volume including downstream channel erosion and stormwater quality, taking into account the requirements or recommendations of the relevant Comprehensive Stormwater Discharge Consent, Catchment Management Plan and Waikato Regional Council Stormwater Guidelines; and</u></p> <p>(f) <u>Extent to which low impact design principles and approaches are used for stormwater management.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>NH-R26E</p>	<p>Earthworks for two or more residential units (excluding a minor residential unit)</p>	
<p><u>Flood density QM in the MRZ (Area 2).</u></p>	<p>(1) Activity status: RDIS Council's discretion is restricted to the following matters:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (a) <u>Timing, location and scale of earthworks;</u> (b) <u>Adverse effects on:</u> <ul style="list-style-type: none"> (i) <u>Existing overland flow paths and surface drainage patterns;</u> (ii) <u>Flood storage capacity;</u> (iii) <u>Runoff volumes;</u> (iv) <u>Adjoining properties, including the transfer of risk; and</u> (v) <u>Infrastructure and flood protection works;</u> (c) <u>Consideration of soil types and potential for erosion; and</u> (d) <u>Mitigation including compensatory storage, or other flood management measures proposed.</u> 	
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Coastal sensitivity areas

NH-R27	Additions to an existing lawfully established building	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The gross floor area of all additions to the building from 17 January 2022 do not exceed a total of 15m². 	<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) The ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including the ability to relocate the building; (b) The setting of minimum floor levels where appropriate; (c) The application of mitigation through natural features and buffers where appropriate; (d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated; (e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;

		<p>(f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply;</p> <p>(g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building</p> <p>(h) Any mitigation measures to reduce risk; and</p> <p>(i) Whether there is any suitable alternative location for the activity to locate within the site.</p>
NH-R28	Construction of an accessory building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<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>
NH-R29	Construction of a farm building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<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>
NH-R30	Construction, upgrading, minor upgrading, replacement, repair or maintenance of utilities excluding hard protection structures.	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<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>
NH-R31	Maintenance or repair of an existing lawfully established hard protection structure	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation)	<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>

across all zones		
NH-R32	Construction of a new building, or reconstruction of, or additions to existing buildings in the RPZ – Rangitahi Peninsula zone and Coastal sensitivity area (Erosion) on a certificate of title which was created by subdivision consent granted between 28 September 2015 and 17 January 2022	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Compliance with the requirements of any consent notice for the certificate of title pursuant to section 221 of the Resource Management Act 1991 containing specific design or location requirements for buildings.</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 ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including the ability to relocate the building;</p> <p>(b) The setting of minimum floor levels where appropriate;</p> <p>(c) The application of mitigation through natural features and buffers where appropriate;</p> <p>(d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated;</p> <p>(e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;</p> <p>(f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply;</p> <p>(g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building</p> <p>(h) Any mitigation measures to reduce risk; and</p> <p>(i) Whether there is any suitable alternative location for the activity to locate within the site.</p>
NH-R33	Construction of a new building or additions to an existing building not provided for in Rules NH-R27- NH-R30 and NH-R32	

<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</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 ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including the ability to relocate the building; (b) The setting of minimum floor levels where appropriate; (c) The application of mitigation through natural features and buffers where appropriate; (d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated; (e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment; (f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply; (g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building (h) Any mitigation measures to reduce risk; and (i) Whether there is any suitable alternative location for the activity to locate within the site. 	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R34</p>	<p>Any subdivision to create any additional vacant lots where the additional vacant lot(s) are located partially or entirely within the Coastal sensitivity area (Inundation), Coastal sensitivity area (Erosion).</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision creating a reserve allotment</p>	

<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</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) Whether the vacant lot(s) are capable of containing a complying building platform entirely outside the Coastal sensitivity area (Inundation), or the Coastal sensitivity area (Erosion); or (b) Where the vacant lot(s) are not capable of containing a complying building platform entirely outside of the Coastal sensitivity area (Inundation), or the Coastal sensitivity area (Erosion): <ul style="list-style-type: none"> (i) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment; (ii) Suitability of the vacant lot for the likely future uses, including the provision for servicing such as access, wastewater, stormwater, and water supply; (iii) The degree to which alternative subdivision layout(s) have been investigated to avoid or mitigate coastal hazards; (iv) Adverse effects to people, property and the environment and overall vulnerability from the likely future uses, including any mitigation measures to reduce risk; and (v) The setting of minimum floor levels in areas subject to inundation. 	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R35</p>	<p>Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure</p>	

<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</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) Whether structures have primarily a public and/or environmental benefit when located on public land; (b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect; (c) The extent to which economic, social and environmental benefits outweigh costs; (d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased; (e) The extent to which structures are located as far landward as practicable; (f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land; and (g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy. 	<p>(2) Activity status where compliance not achieved: n/a</p>
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High risk coastal erosion area

<p>NH-R36</p> <p>High risk coastal erosion area across all zones</p>	<p>Construction of an accessory building without a floor</p> <p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The gross floor area of the building does not exceed 40m². 	<p>(2) Activity status where compliance not achieved: NC</p>
<p>NH-R37</p>	<p>Construction of a farm building without a floor</p>	

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High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: (a) The gross floor area of the building does not exceed 40m ² .	(2) Activity status where compliance not achieved: NC
NH-R38	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R39	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R40	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R41	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R42	Earthworks for an activity listed in Rules NH-R36 – NH-R41, including the maintenance and repair of access tracks	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: (a) The maximum volume of filling does not exceed 10m ³ per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	(2) Activity status where compliance not achieved: DIS
NH-R43	Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure.	
High risk coastal erosion area across all zones	(1) Activity status: RDIS Activity-specific standards: Nil Council's discretion is restricted to the following matters:	(2) Activity status where compliance not achieved: n/a

	<ul style="list-style-type: none"> (a) Whether structures have primarily a public and/or environmental benefit when located on public land; (b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect; (c) The extent to which economic, social and environmental benefits outweigh costs; (d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased; (e) The extent to which structures are located as far landward as practicable; (f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land; and (g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy. 	
NH-R44	Earthworks not provided for in Rule NH-42	
High risk coastal erosion area across all zones	Activity status: DIS	
NH-R45	Relocation of an existing building within the same site where the building is relocated landward of its existing position	
High risk coastal erosion area across all zones	Activity status: DIS	
NH-R46	<p>Replacement of an existing building within the same site where:</p> <ul style="list-style-type: none"> (a) The replacement building is located landward of the existing building that it replaces; (b) The replacement building is relocatable on a suspended timber floor; and 	

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	(c) The gross floor area of the replacement building is no larger than the existing building that it replaces
High risk coastal erosion area across all zones	Activity status: DIS
NH-R47	Construction of new utilities not provided for in Rules NH-R39 and NH-R40
High risk coastal erosion area across all zones	Activity status: DIS
NH-R48	Upgrading of existing utilities not provided for in Rules NH-R38 and NH-R39
High risk coastal erosion area across all zones	Activity status: DIS
NH-R49	Subdivision that creates one or more additional vacant lot(s) where the additional lot(s) are partially within the High risk coastal erosion area and each additional lot(s) contains a net site area capable of containing a complying building platform entirely outside the High risk coastal erosion area. This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.
High risk coastal erosion area across all zones	Activity status: DIS
NH-R50	Construction of a new building or additions to an existing building, not provided for in Rules NH-R36 – NH-R40, NH-R45 – NH-R48
High risk coastal erosion area across all zones	Activity status: NC
NH-R51	Subdivision to create one or more additional lot(s) that does not comply with Rule NH-R49. This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.
High risk coastal erosion area across all zones	Activity status: NC
NH-R52	Emergency service facilities and hospitals
High risk coastal erosion area	Activity status: NC

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across all zones	
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High risk coastal inundation area

NH-R53	Construction of an accessory building without a floor	
High risk coastal inundation area across all zones	(1) Activity status: PER Activity-specific standards: (a) The gross floor area of the building does not exceed 40m ² .	(2) Activity status where compliance not achieved: NC
NH-R54	Construction of a farm building without a floor	
High risk coastal inundation area across all zones	(1) Activity status: PER Activity-specific standards: (a) The gross floor area of the building does not exceed 40m ² .	(2) Activity status where compliance not achieved: NC
NH-R55	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal inundation area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R56	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal inundation area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R57	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal inundation area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R58	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal inundation area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R59	Earthworks for an activity listed in Rules NH-R53 – NH-R57, including the maintenance and repair of access tracks	
High risk coastal inundation area across all zones	(1) Activity status: PER Activity-specific standards: (a) The maximum volume of filling does not exceed 10m ³ per site; and	(2) Activity status where compliance not achieved: DIS

	(b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	
NH-R60	Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure.	
High risk coastal inundation area across all zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Whether structures have primarily a public and/or environmental benefit when located on public land; (b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect; (c) The extent to which economic, social and environmental benefits outweigh costs; (d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased; (e) The extent to which structures are located as far landward as practicable; (f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land; and (g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy. 	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R61	Earthworks not provided for in Rule NH-59	
High risk coastal inundation	Activity status: DIS	

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area across all zones	
NH-R62	Construction of new utilities not provided for in Rules NH-R56 and NH-R57
High risk coastal inundation area across all zones	Activity status: DIS
NH-R63	Upgrading of existing utilities not provided for in Rules NH-R55 and NH-R56
High risk coastal inundation area across all zones	Activity status: DIS
NH-R64	Subdivision that creates one or more additional vacant lot(s) where the additional lot(s) are partially within the High risk coastal inundation area and each additional lot(s) contains a net site area capable of containing a complying building platform entirely outside the High risk coastal inundation area. This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.
High risk coastal inundation area across all zones	Activity status: DIS
NH-R65	Construction of a new building or additions to an existing building, not provided for in Rules NH-R53 – NH-R57, NH-R62 – NH-R63
High risk coastal inundation area across all zones	Activity status: DIS
NH-R66	Subdivision to create one or more additional lot(s) that does not comply with Rule NH-R64 This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.
High risk coastal inundation area across all zones	Activity status: NC
NH-R67	Emergency service facilities and hospitals
High risk coastal inundation area across all zones	Activity status: NC

Mine subsidence risk area

NH-R68	Additions to an existing building	
Mine subsidence risk area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Additions do not increase the gross floor area of the building by more than 15m²; and (b) Additions do not result in the length of any wall of the building exceeding 20m. 	<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) Construction standards and materials; (b) Suitability of the site for development; and (c) The potential effects on health and safety.
NH-R69	Standalone garage	
Mine subsidence risk area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The gross floor area of the building does not exceed 55m²; and (b) The maximum length of any wall does not exceed 20m. 	<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) Construction standards and materials; (b) Suitability of the site for development; and (c) The potential effects on health and safety.
NH-R70	Construction, replacement, repair, minor upgrading, upgrading or maintenance of utilities and associated earthworks	
Mine subsidence risk area across all zones	<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>
NH-R71	Earthworks	
Mine subsidence risk area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The maximum volume of filling does not exceed 20m³ per site; and (b) The maximum depth of any excavation or filling does not exceed 1m above or below ground level. 	<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) Location and scale of earthworks; (b) Geotechnical and geological stability of the site following the completion of earthworks; (c) Risk to people and property from subsidence as a result of earthworks; and (d) Any other mitigation measures to reduce risk.
NH-R72	The construction or alteration of a building that is not provided for under Rule Rules NH-R68 – NH-R71 where a Consent Notice is registered against the Record of Title confirming that a geotechnical assessment has been approved at the time of subdivision and the approved geotechnical report confirms that the ground is suitable for building development and the building development is in accordance with any recommendations of the geotechnical report.	

<p>Mine subsidence risk area across all zones</p>	<p>(1) Activity status: CON Activity-specific standards: Nil.</p> <p>Council’s control is reserved to the following matters:</p> <p>(a) The degree to which the requirements and recommendations of the geotechnical report approved at the time of subdivision have been incorporated in the building design; and</p> <p>(b) Whether confirmation is provided from a suitably experienced and qualified geotechnical engineer that confirms the proposed building development is consistent with the recommendations and requirements of the geotechnical report approved at the time of subdivision.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R73</p>	<p>Construction of a building, or reconstruction of, or accessory building or the reconstruction of or additions to an existing building not provided for in Rules NH-R68 – NH-R70 or NH-R72</p>	
<p>Mine subsidence risk area across all zones</p>	<p>(1) Activity status: RDIS Activity-specific standards: Nil.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Construction standards and materials;</p> <p>(b) Suitability of the site for development; and</p> <p>(c) The potential effects on health and safety.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R74</p>	<p>Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment</p>	
<p>Mine subsidence risk area across all zones</p>	<p>Activity status: DIS</p>	

Liquefaction

<p>NH-R75</p>	<p>Overview of method</p>
<p>All zones</p>	<p>(1) Areas in the District susceptible to liquefaction have not been identified on the planning maps as a natural hazard overlay as is the case with the other</p>

	<p>natural hazards in this chapter. Where specific land uses have already been identified as restricted discretionary activities in the activity status tables in the relevant zone, liquefaction risk has been added as a matter over which the Council will reserve its discretion, where it is considered relevant for that activity. To satisfy the requirements of sections 104 and 106 of the RMA, identification of appropriate mitigation may be required where the site and proposed development are considered vulnerable to liquefaction based on site-specific characteristics. It is expected that best practice geotechnical and engineering methods will be used to ensure that the site is suitable for the intended use.</p> <p>(2) Where potential liquefaction risk is identified as a matter that the Council restricts its discretion to, the additional matters outlined in Rules NH-R76 and NH-R77 below apply where relevant.</p>
NH-R76	Additional matters of restricted discretion for subdivision to create one or more additional vacant lots – liquefaction risk
All zones	<p>(1) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a subdivision rule elsewhere in this Plan, and where that proposal involves subdivision to create one or more additional vacant lots, the Council restricts its discretion to the following additional matters (note: these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):</p> <p>(a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (refer to the information requirements in section below);</p> <p>(b) Measures proposed to mitigate the effects of liquefaction hazard if present including:</p> <p>(i) Location, size, layout and design of allotments, structures, and building platforms, including consideration given to alternative siting away from where liquefaction risk is greatest;</p> <p>(ii) Location, timing, scale and nature of earthworks;</p> <p>(iii) Provision for ground strengthening and foundation design;</p> <p>(iv) Provision for resilient services and infrastructure, including wastewater, water supply, roads and access;</p> <p>(v) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground or free face, or alternative geotechnical measures to address any identified potential for lateral spread; and</p> <p>(vi) Effects on adjoining properties.</p>
NH-R77	Additional matters of restricted discretion for new land use (e.g., multi-unit development) – liquefaction risk
All zones	<p>(1) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a rule elsewhere in this Plan for new land use, the Council restricts its discretion to the following additional matters (note: these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):</p> <p>(a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (refer to the information requirements in section below);</p>

	<p>(b) Measures proposed to mitigate the effects of liquefaction hazard, if present, including:</p> <ul style="list-style-type: none">(i) Location, size, layout and design of buildings, structures, car parking areas, access and provision for resilient infrastructure and services, including wastewater, stormwater and water supply;(ii) Location, timing, scale and nature of earthworks;(iii) Provision for ground strengthening and foundation design;(iv) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground (or free face, or alternative geotechnical measures to address any identified potential for lateral spread);(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and(vi) Effects on adjoining properties.
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Advice note:

Effects on archaeological sites, both recorded (identified by the New Zealand Archaeological Association) and unrecorded, are regulated under the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development and the need to undertake an archaeological assessment to determine the need for an archaeological authority. In the event of an accidental discovery, the Heritage New Zealand Pouhere Taonga Lower Northern Office must be contacted immediately.

Information Requirements for all resource consent applications addressing natural hazards

NH-INFO1 – General

- (1) The following documents, to the extent relevant to the proposal:
 - (a) Geotechnical assessment, including identification and assessment of any potentially liquefaction prone land and land subject to slope instability;
 - (b) An assessment of natural hazard risk, including the type of natural hazards present, such as flooding, slope stability, liquefaction, subsidence and coastal hazards. The assessment shall include the level of risk and any increase in risk as a result of the proposal associated with each hazard. Where applicable, the projected effects of climate change over the period to 2120 must be included;
 - (c) Remediation and mitigation measures necessary to make the site and any proposed buildings suitable for the proposed use, such as minimum floor levels, foundation design for relocatability, and appropriate time limits and/or triggers for the removal of any building and onsite wastewater disposal systems.
- (2) Plans identifying:
 - (a) Topographical features within the site and surrounding area; and
 - (b) The location of natural hazards on all or part of the site.
- (3) Consideration of the information contained in the following stormwater catchment management plans, or any approved updated version, where relevant:
 - (a) Ngaruawahia Catchment Management Plan, March 2015;
 - (b) Tamahere Stormwater Catchment Management Plan and Report, 2011
 - (c) Port Waikato Stormwater Catchment Management Plan and Report, 2004;
 - (d) Pokeno Catchment Management Plan, 2010;

- (e) Te Kauwhata Catchment Management Plan, 2009; or
- (f) Tuakau Catchment Management Plan, Draft 2014.

NH-INFO2 – Liquefaction potential

- (1) For land use resource consent applications where the additional matters the Council will restrict its discretion to include liquefaction, as per Rule NH-R77, the following information is required:
 - (a) A preliminary geotechnical assessment in sufficient detail to determine:
 - (i) The liquefaction vulnerability category, being either “liquefaction damage is unlikely” or “liquefaction damage is possible”, as shown in Table 4.4 in “Preliminary Document: Planning and engineering guidance for potentially liquefaction prone land – Resource Management Act and Building Act aspects. Pub MfE and MBIE, September 2017”; or
 - (ii) Whether or not the site is susceptible to liquefaction using an alternative accepted method, observation, or desktop study.
 - (b) Where a “liquefaction damage is possible” category has been identified for the site as per NH-INFO2(1)(a)(i) above, or an alternative accepted method, observation or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii) above, the assessment will be required to determine the liquefaction vulnerability in more detail, and in proportion to the scale and significance of the liquefaction hazard, and must:
 - (i) Identify any areas which require particular ground strengthening or other mitigation measures, and recommendations for such mitigation; and
 - (ii) Identify areas to be excluded from built development, due to liquefaction hazard constraints (which includes lateral spread), or which require geotechnical setbacks; and
 - (iii) Indicate options and recommended locations for the proposed activities and infrastructure recommended by the geotechnical engineer.
 - (c) All geotechnical assessments in respect of liquefaction risk are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered).
- (2) For subdivision consent applications that create one or more additional vacant lots as per Rule NH-R76:
 - (a) An assessment in accordance with NH-INFO2(1)(a) above will be required to be provided.
 - (b) Where a “liquefaction damage is possible” category has been identified for the site as per 15.13.2(1)(a)(i) above, or an alternative accepted method, observation, or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii) above, the subdivision application will be required to include sufficient information and proposed measures to satisfy that liquefaction risk can be adequately avoided, remedied or mitigated, including the potential effects of lateral spread.
 - (c) Subdivision plans shall show, to the extent relevant or appropriate to the scale and significance of the liquefaction hazard identified:
 - (i) Any areas which require particular ground strengthening or other mitigation
 - (ii) Measures, and recommendations for such mitigation; and
 - (iii) Any areas which should be excluded from built development due to geotechnical constraints, or which require geotechnical setbacks; and
 - (iv) Any features of subdivision layout recommended by the geotechnical engineer, for example any recommended locations for proposed activities and other infrastructure as a result of geotechnical constraints.
 - (d) All geotechnical reports in respect of liquefaction potential are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ registered).

NH-INFO3 – RLZ – Rural lifestyle zone in Tamahere

- (1) Any resource consent in relation to land located in the RLZ – Rural lifestyle zone in Tamahere will be required to include details of ponding of stormwater and overland flow paths as a result of a 1% AEP storm event (with rainfall events adjusted for climate change), as well as mitigation measures taking account of information that the Council holds in respect to the Tamahere stormwater catchment area.

NH-INFO3 – Defended areas

- (1) For any Restricted Discretionary Activity land use and subdivision applications within the Defended Area, the following information is required to the extent relevant to the scale of the proposal:
- (a) A risk assessment, carried out by a suitably-qualified and experienced risk assessment practitioner, which identifies the nature and level of residual risk, and details of appropriate methods to further reduce residual risk, where appropriate.