

SECTION 42A REPORT

Closing Statement

Enabling Housing Supply

Report prepared by: Karin Lepoutre and Fiona

Hill Date: 30 January 2024



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I. Introduction and Purpose

- I. This closing statement has been prepared by Karin Lepoutre and Fiona Hill. We are the authors of the s42A reports and rebuttal statements for Variation 3 to the Proposed Waikato District Plan (PDP)¹. This closing statement is in response to the evidence presented by submitters at the Variation 3 hearing held on 5 December 2023 and to address any outstanding matters relating to Variation 3. This closing statement includes the following sections:
 - i. Section 2 describes the changes proposed to the PDP with reference to the provisions contained in Appendix A.
 - ii. Section 3 addresses the exemption to the higher risk flooding recommended in the rebuttal statement, including the alternative recommendation by Horotiu Farms Limited (HFL) regarding a suitably qualified person (SQP).
 - iii. Section 4 outlines the recommended amendments relating to the Havelock Precinct as per the Consent Order Decision [2024] NZENVCO01 included in Appendix B.
 - iv. Section 5 addresses Reverse Sensitivity Objective and Policy MRZ2-O6 and MRZ2-PI I
 - v. Section 6 provides an update to the recommended flooding maps and is supported by an example included in Appendix D.
 - vi. Section 7 outlines minor clarifications and corrections.
 - vii. Section 8 outlines potential amendments to the Natural Hazard and Medium Density Residential Zone chapters that may be included to enhance plan usability and is supported by provisions included in Appendix E.

2. Proposed District Plan Amendments

2. This statement supported by a track-changed set of updated Proposed District Plan (PDP) provisions contained in Appendix A with amendments shown as follows:
 - i. Amendments proposed at the Variation 3 Notification stage (19 September 2022) are shown in green underline/strikethrough.
 - ii. Amendments proposed by the s42A reporting officers on 19 July 2023 are shown in red underline/strikethrough.
 - iii. Amendments proposed by the s42A reporting officers in response to evidence and ongoing submitter discussions (rebuttal) are shown in blue underline/strikethrough.
 - iv. Amendments proposed by the s42A reporting officers in response to evidence presented at the hearing (closing) are shown purple underline/strikethrough.

¹ Ms Fiona Hill prepared planning evidence on behalf of Waikato District Council in relation to urban environments and relevant residential zones in Horotiu dated 26 September 2023. The matters addressed by Ms Hill in this report are limited to Sections 6 and 7 and relate to the Natural Hazard provisions of the PDP and flood maps and are not related to issues addressed in her evidence.

- v. Amendments proposed by the s42A reporting officer in relation to Horotiu and ancillary matters on 15 September 2023 are shown in red underline/strikethrough and grey shading.
 - vi. Amendments proposed by the s42A reporting officer in response to evidence and ongoing submitter discussions (rebuttal) are shown in blue underline/strikethrough and grey shading.
 - vii. Amendments proposed by the s42A reporting officers in response to evidence presented at the hearing dated 5 December 2023 (closing) are shown purple underline/strikethrough and grey shading.
3. In summary, this closing statement includes recommended PDP amendments to the following provisions:
- i. MRZ2-P11 (Reverse Sensitivity) in response to the evidence, legal submissions and subsequent alternative wording provided, by Kāinga Ora.
 - ii. PREC4-S2 (Building restriction – Sensitive land use within PREC4 – Havelock precinct)
 - iii. PREC4-S3 (Building design – Sensitive land use within PREC4- Havelock precinct)
 - iv. PREC4-S4 (Landscape Plantings – Havelock precinct (Slope Residential Area))
 - v. PREC4-S5 (Building Reflectivity – Havelock Precinct).
 - vi. SUB-R19 (Subdivision – building platform within PRC4 – Havelock precinct).
 - vii. SUB-R20A (Subdivision – PREC4 – Havelock boundary adjustment)
 - viii. SUB-R21 (Subdivision – PREC4 – Havelock precinct)
 - ix. NH-R26A (Flood Density QM, Higher Flood Area)
4. For completeness, Appendix A to this this closing statement includes all the recommended PDP amendments for Variation 3 and includes the following chapters:

Part 1: Introduction and general provisions

- Definitions
- Abbreviations

Part 2: District-wide matters

- SD- Strategic directions
- WWS – Water, wastewater and stormwater
- NH – Natural hazards and climate change
- SUB – Subdivision

Area-specific matters

- GRZ – General residential zone
- MRZ – Medium density residential zone
- COMZ – Commercial zone
- TCZ – Town centre zone

3. Exemption to MRZ2 Higher Risk Flooding Rules

5. Paragraphs 13-17 of the s42A rebuttal statement² and paragraph 7 of the s42A summary statement³ outline the recommended exemption to the Higher Risk Flooding⁴ Rules that are proposed by Variation 3. The recommended wording is as follows:

This rule does not apply where Council approves a detailed hydraulic analysis that demonstrates that the site is not within the definition of a Higher Risk Flood Area.

6. The exemption is intended to provide for scenarios where Higher risk flood areas are mapped but where it can be demonstrated that the risk has been removed through filling or engineered solutions.
7. At the hearing, Mr Collier (planning expert for HFL) stated that such an analysis should not necessarily be approved by Council. In his view, the requirement for assessments to be approved by Council would likely require a peer review of all submitted analyses and therefore result in more costly and inefficient resource consenting processes.
8. At the hearing, and in subsequent discussions, Mr Collier stated a preference for the exemption to be amended to state:

This rule does not apply where ~~Council approves~~ a detailed hydraulic analysis, prepared by a suitably qualified person, that demonstrates that the site is not within the definition of a Higher Risk Flood Area.

9. In Mr Collier's view the above amendment would result in a more efficient resource consenting outcome while minimising flood risks. Further, Mr Collier is of the view that Council can always commission peer reviews of any submitted information under section 92 of the Resource Management Act 1991 (RMA).
10. I retain the position outlined in the summary statement and expressed at the hearing that any hydraulic analyses and subsequent exemptions from non-complying activity statuses should be subject to Council approval. The reasons for this are:
 - i. There is currently no process or provision in the PDP or at WDC for approving suitably qualified persons (SQPs) to undertake hydraulic analyses. Therefore, it will be unclear who can undertake hydraulic analyses to support exemptions under the rule. It may further result in processing planners evaluating the qualifications and experience of the person who prepared the hydraulic analysis. In my view, the uncertainty around the process and the requisites for the SQP and therefore the interpretation of this rule would be unclear and problematic. As such, I do not consider Mr Collier's approach would meet the effective and efficiency tests in s32AA.

² 14 November 2023

³ 30 November 2023

⁴ The term Higher Risk Flood Area is recommended to be replaced with High Risk Flood Area 2 in Section 7.

- ii. Advice was sought from Mr Andrew Boldero and Mr David Bastion (WDC Team Lead – Land Development Engineering) regarding the potential implementation of the SQP alternative. Both Mr Boldero and Mr Bastion foresaw challenges with implementing the SQP requirement on the basis that there is no existing process in place and stated a preference for any hydraulic analyses to be subject to Council’s approval.
 - iii. As stated by Mr Collier, Section 92(2) of the RMA enables consent authorities to commission peer reviews of any information provided by an applicant. However, this can only occur where:
 - a. The consent authority is of the view that the activity for which consent is sought will have significant adverse environmental effects; and
 - b. The applicant is notified before such a report is commissioned; and
 - c. The applicant agrees that the report is commissioned.
 - iv. With reference to the above requirements I note that:
 - a. Under s92(2)(a) of the RMA, Council would be required to evaluate the potential effects of the activity rather than the likely accuracy of the hydraulic assessment.
 - b. Under s92(2)(c) of the RMA, the applicant would need to agree that a report [review] is commissioned.
 - v. For the above reasons, I do not agree with Mr Collier that Council has sufficient ability to undertake a review of any submitted information under section 92(2) of the RMA. Specifically, Council can only commission such a review where they have assessed the potential effects and where the applicant agrees. In my view, Council would therefore be limited in its ability to undertake reviews of any hydraulic analyses if Mr Collier’s preferred approach were to be adopted.
11. Finally, it is important to note that residential development within higher flood risk areas could have severe consequences which is reflected by its non-complying activity status. For the reasons outlined above I am of the view that the potential to be exempt from a non-complying activity status should be at Council’s discretion. There needs to be rigour around this exemption process. I therefore retain the position outlined in the Summary Statement dated 30 November 2023 and expressed at the hearing and do not recommend any further amendments to the wording of the exemption.
12. In the rebuttal statement and at the hearing, I recommended that the exception should apply to Rules NH-R19, NH-R20 and NH-R21. This is the incorrect location for the exemption which should instead be applied to NH-R26A. NH-R26A relates to the newly identified Higher Risk Flood Areas and is therefore the correct location for the exception as amendments through Variation 3 can only affect land zoned MRZ2. This correction is included in the recommended provisions included in Appendix A. I have communicated this correction to Mr Collier who did not object to the change.

4. Havelock Precinct

13. On 16 January 2024 the Environment Court issued the consent order for the Havelock Village⁵. A copy of the consent order is attached in Appendix B to this statement. The order requires:
 - i. The relevant PDP Chapters to be amended in accordance with Appendix 1 of the consent order (the consent order provisions);
 - ii. The PDP planning maps to be amended in accordance with Appendix 2 of the consent order; and
14. The order also sets out in paragraph [32] the parts of the HVL and Hynds appeals that remain extant.
15. At the hearing, the Panel questioned which provisions from the draft consent order can and should be incorporated through the Variation 3 process. Appendix C to this closing statement includes commentary on the consent order provisions and maps and identifies the provisions that:
 - i. Must be included through the Variation 3 process as qualifying matters.
 - ii. Can and should be included through the Variation 3 process as related or consequential provisions under section 80E.
 - iii. Will instead be included through the PDP Appeal process and are not affected by Variation 3. These provisions include the Precinct description, Precinct specific objectives and policies and provisions applying within the Local centre zone and the General rural zone.
16. The consent order provisions that fall into category 15(i) and 15(ii) above are incorporated in the recommended PDP amendments contained in Appendix A to this closing statement.

5. Reverse Sensitivity (MRZ2-P11 and MRZ2-O6)

17. At the hearing, Ms Kristen Gunnell (legal Counsel for KiwiRail) advised that the following alternative wording for MRZ2-P11(2) had been agreed between Kāinga Ora and KiwiRail:
18. *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~~ Manage potential reverse sensitivity effects by use of design controls for sensitive land uses in the Havelock Precinct and the Horotiu Acoustic Area.

⁵ Decision [2024] NZENVC001

(3) *Manage potential reverse sensitivity effects by restricting building heights within the Area 1 height restriction area in the Havelock Precinct.*

19. While I generally supported that alternative wording at the hearing, I note that the consent order for Havelock Precinct also includes a specific Objective and Policies relating to the management of reverse sensitivity effects. Specifically:

Objective PREC33-01

(ii) Urban development in the Havelock Precinct is designed to avoid as far as practicable or minimise reverse sensitivity effects on the Heavy Industrial Zone and incompatibility with existing land uses and to manage other effects on the environment.

Policy PREC33-P1

(ii) Prevent sensitive land uses locating within the Havelock Industry Buffer to avoid adverse health and amenity effects on sensitive land uses and avoid reverse sensitivity effects on the Heavy Industrial Zone (the extent of the Zone being as at 2018).

(iii) Manage the potential for reverse sensitivity effects from sensitive land uses in proximity to the Heavy Industrial Zone (the extent of the Zone being as at 2018) by:

- a. restricting the height of buildings in height restriction areas
- b. earthworks contouring
- c. requiring screen planting within the Environmental Protection Area.

20. (iv) Design dwellings located between the 40 dB L_{Aeq} contour and the Havelock Industry Buffer with acoustic attenuation to provide for appropriate residential amenity in proximity to the Heavy Industrial Zone and manage reverse sensitivity effects.

21. The above objective and policies provide for more specific directives than proposed Objective MRZ2-O6 and MRZ2-P6 which both include references to the Havelock Precinct in more general terms. To avoid confusion and potential plan interpretation issues, I recommend that Objective MRZ2-O6 and MRZ2-P11 be amended to remove any reference to the Havelock Precinct as follows:

MRZ2-O6 Reverse sensitivity.

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 1).*

MRZ2-P11 Reverse Sensitivity

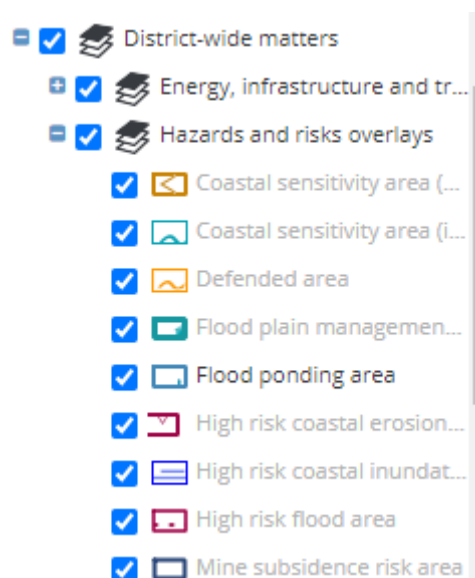
- (1) *Maintain appropriate setback distances between new sensitive land uses and existing lawfully established activities that may result in reverse sensitivity effects.*
- (2) ~~*Use of design controls for sensitive activities to minimise reverse sensitivity effects on existing lawfully established activities*~~ *Manage potential reverse sensitivity effects by use of design controls for sensitive land uses in the Havelock Precinct and the Horotiu Acoustic Area.*

~~(3) Manage potential reverse sensitivity effects by restricting building heights within the Area 1 height restriction area in the Havelock Precinct.~~

22. In my view, the above amendment to MRZ2-PI I is not inconsistent with the outcome agreed by Kāinga Ora and Kiwi Rail which seeks to limit where the use of design controls can be implemented to manage potential reverse sensitivity effects. The above amendments are incorporated in the amended provisions included in Appendix A to this closing statement.

6. Update to recommended flood maps

23. The final display of the maps will depend on the decision the Panel reaches on the flood modelling presented at the time of the hearing. If the Panel decides to include the new flood modelling then either the information would be displayed as part of the PDP or in a non-statutory layer that sits outside the PDP.
24. Attached in Appendix D are updated flood maps for Horotiu. Two maps are included in the Appendix. One shows an example of what a flood map could look like if it sat inside the Plan. The other map shows an example of what the flood map would look like if it sat outside the Plan.
25. If the maps sit **inside** the PDP then they will be located within the Council's GIS Mapping system. Discussions with GIS staff have indicated the most probable solution is for the information to be included within the existing module in the folder structure *District Wide Matters > Hazards and risks overlays >*. The additional areas added to this folder would be High risk flood area 2 and Floodplain management area 2. For the sake of clarity, I have included the folder structure below.

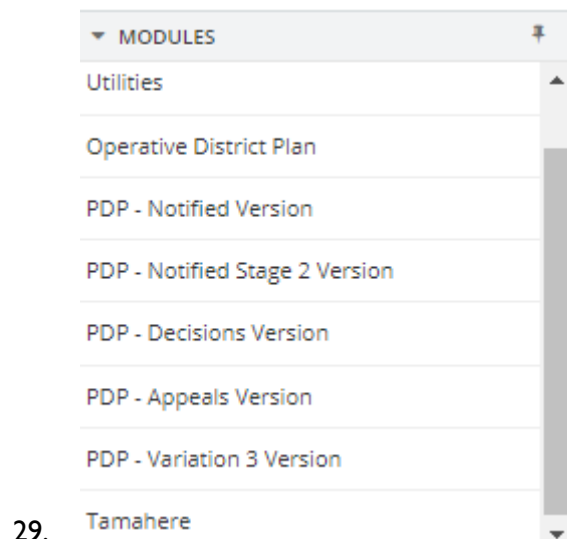


26. For the MRZ2 zone the following areas of flood risk would then be located within this zone:
- High risk flood area
 - Flood plain management area

- Flood ponding area
- Defended areas
- Flood plain management area 2
- High risk flood area 2

27. The map identifies the existing 'High risk flood area' separately. This is because the new rules NH-R26A to NH-R26D are not recommended to apply in this location as the existing rules are more restrictive. For completeness the example map for Horotiu does not include any existing flood ponding area or defended area.

28. If the new maps are **outside** the PDP in a non-statutory layer then Flood plain management area 2 and High risk flood area 2 would be located in a non-statutory layer. At the time of the December hearing it was confirmed Waikato District Council has the capacity to host a non-statutory layer. An option for hosting the information is to add the new information to the existing Tamahere stormwater module in the GIS system. The map in Appendix D shows an example of what this would look like. There is no zoning on the map as it is not part of the District Plan maps. The image below shows the location of the existing Tamahere layer in the Council's GIS system:



29. 30. At the time of writing the closing statement for the July hearing it was my opinion that whilst the matter is finely balanced, my preference was to keep the new flood maps on the planning maps⁶. The main reason for this was because of the need to develop new tools and systems and the difficulties of managing two systems. Since this time more work has been undertaken on the GIS system and I now consider the Council will be able to effectively manage the 'out of plan' approach which was the Council's preferred approach as outlined in Council's legal reply. I consider it is helpful that the maps can be viewed in the same mapping system albeit different modules as the district plan maps (shown in the image above). I verbally updated the Panel on the development with the Council's systems at the time of the Horotiu and Ancillary Matters hearing. I also acknowledge the 'out of plan approach' is pragmatic and there are significant efficiency benefits in being able to update the maps without a plan change process. I also

I. ⁶ Variation 3 Closing Statement September 2023 paragraph 65 to 69

consider the 'out of plan' approach will be effective in that it will enable urban stormwater to be managed in a way that the information can be updated when strategic infrastructure assets are in place or when more modelling is undertaken. In my opinion the administration issues I have previously identified have now been addressed. Because of this I now recommend the 'out of plan' approach to the Panel. I note the additional plan amendments associated with the 'out of plan' approach are attached in Appendix C Alternative Natural Hazard PDP provisions, Closing Statement, September 2023.

7. Clarifications and corrections

31. Three matters of clarification and or correction have been identified and these are described below. The matters are shown in **yellow highlight** in the PDP amendments.
32. The first matter relates to the QM for 5837 Great South Road. It would assist the implementation of the PDP if the note in MRZ2-SI was amended to state the standard does not apply to the areas of the site that contain the QM. Furthermore notes have been recommended to be added to MRZ2-SI that refer readers to district wide sections of the PDP. It would be helpful if these notes were also added to MRZ2-SIA and the Site and areas of significance to Maori chapter was also referenced.
33. The second point relates to the geotechnical limitation QM. At the time of the hearing I tabled a joint statement that referenced changes to the rules that added the geotechnical limitation QM with the Huntly North Wetland rule. On reflection I consider that it would assist the implementation of the Plan if the rule had its own number and was listed separately. I do consider that the amendments changed are a clarification.
34. The third matter relates to the Huntly Commercial Precinct Zone and the recommendations that relate to COMZ-R17(1)(g). The words height plane are not used in the PDP to describe a height in control to boundary rule. It is recommended to clarify the wording so it is consistent with the approach taken elsewhere in the PDP.

8. Potential amendment to PDP Chapters

35. As discussed with the hearing panel at the end of the hearing, Council's resource consent staff reviewed the proposed provisions for Variation 3. Modifications to the provisions were recommend to assist in the implementation of Variation 3. It was agreed at the time of the hearing that an example would be provided of the Natural hazards Chapters. The recommended changes are enclosed in in Appendix E and relate both to the Natural Hazards Chapter and the MRZ Chapter. The recommended changes are described in the section below. Additional changes have also been identified to the Subdivision chapter, however are not included as part of this package. An example of a change recommended in the Subdivision Chapter include an amendment to SUB-R152 and particularly the words 'where no vacant lots are created'. The consent staff are concerned people will not understand that where plans have been submitted showing compliance with MRZ2 standards but no building has been built that no vacant lots are created. For this reason the consent staff have recommended that part of the rule is amended to read "where no vacant lots are created or where (b) and (c) are complied with". I agree with this amendment. If the Panel considers that there is merit in viewing these additional changes they can be sent to the Panel.

Natural Hazard Chapter

36. The additional recommended changes to the Natural Hazard Chapter are shown in **yellow highlight** in Appendix E. An explanation of the changes is included below.
37. In the Overview Section following paragraph (4), changes are proposed to the naming and description of the flood areas. The name 'Flood Density QM' is recommended to be replaced with the term 'MRZ2 Flood Risk'. The key reasons for this is the consent team consider the term was confusing because it placed an overlay over another overlay. The consent team also consider there are benefits in identifying where the additional rules apply. The term MRZ2 Flood Risk addresses both of these issues. Whilst it is acknowledged further changes may be confusing to the people who submitted as part of Variation 3, it is considered the term MRZ2 Flood Risk is the preferable name for the long term. If this approach was supported by the Panel, I would further recommend that the term MRZ2 Flood Risk (as defined in the MRZ Chapter) is included within the definition chapter of the PDP.
38. The names of some of the flood overlays are also recommended to be replaced as follows:
 - i. 'Higher risk flood area' is recommended to be replaced with 'High risk flood area 2'. The reason for this change is that use of the term 'Higher' implies the risk is more than the existing high flood risk area when that is not the case. A new description of High risk flood area 2 is also included. The description explains the modelling that has been undertaken and has been drafted in consultation with Andrew Boldero.
 - ii. 'Areas of 1% Annual Exceedance Probability (AEP) floodplain is recommended to be replaced with the 'Floodplain management area 2'. The reason for this is the existing Floodplain management area also identifies areas of 1% AEP. By adding '2' it will assist with identifying what rules apply in each location. A description of flood plain management area 2 is also proposed to be added. This will provide clarity on how these areas have been identified. The description explains the modelling that has been undertaken and has been drafted in consultation with Andrew Boldero.
39. These names have also been replaced in the rules.
40. Under the heading 'Flood Risk' in the MRZ2 zone the words 'except for NH-R26D' is recommended to be removed since the area where NH-R26D applies is proposed to be identified in the rule. Appendix E identifies the relevant areas in each of the rules.
41. It is also sought to change NH-R26E Earthworks for two or more residential units (excluding a minor residential unit). The change is to amend (2) Activity status where compliance not achieved from DIS to NA. The reason for this is there are no Activity specific standards that apply in Rule NH-R26E and as a consequence the activity remains RDIS. In my opinion this amendment will assist in the implementation of Variation 3.
42. The final implementation matter relates to a change to assessment criteria NH-R26B(2)(b) to include the words "...and displacement of stormwater'. The assessment criteria would then read as follows: *Flooding effects including safe access and egress **and displacement of stormwater.***
43. The consent team has advised the explicit mention of these words will assist in the administration of the rule. It is not considered that any person would be prejudiced by this change as the 'displacement of stormwater' can be read into the existing words 'flooding effects'.

44. In addition to the above implementation changes, one further change has been identified. This change is identified in Appendix E.
45. The matter relates to the increased waterway setback rules and associated assessment criteria in NH-R26A, NH-R26B and NH-R26C. These rules propose to retain the existing waterway setback rules that apply in the GRZ in the High flood risk area 2 and Flood plain management area 2. The changes relate to the difference in setback standards between what was the GRZ and the MDRS requirements. The difference is 1.5m from the Waikato and Waipaa Rivers and 3m from the margin of any lake or wetland. The consent staff have advised that including a different setback requirement within the identified flood areas will be confusing and difficult to administer. It is agreed there are benefits to the implementation of the provisions. I have also discussed this change with Giles Boundy who presented expert planning evidence on behalf of Waikato Tainui. Whilst Mr. Boundy generally prefers larger setbacks he agrees with the issue raised by consent staff and considers it is preferable that the waterway setback provisions are in the one rule. I have also consulted with Mr. Andrew Boldero (Stormwater expert for the Council) who also agrees with this approach. In my opinion no other person would be prejudiced by this change. The same waterway setback rule would then apply in all locations (MRZ2-S14).

MRZ Chapter

46. The additional recommended changes to the MRZ Chapter are shown in **yellow highlight** in Appendix E. An explanation of the changes is included below:
- i. MRZ2-P15 (Neighbourhood centres in structure plan areas) – it is recommended to remove the reference to “or master plan areas” from the wording of this policy. The definition of Neighbourhood centres in the PDP only applies to structure plan areas and the policy directive referring to master plan areas is therefore misleading. It is further recommended that the words “or Master Plan” be removed from MRZ2-R15 (the rule that gives effect to MRZ2-P15) for the same reason.
 - ii. MRZ2-S1A (Residential Unit within the QM for 5851 Great South Road) – it is recommended that the property address be referenced correctly as 5837 Great South Road. This correction is required due to the recent approval of a subdivision consent which affects the numbering of the property.
 - iii. MRZ2-S2 (Height – building general), MRZ2-S3 (Height in relation to boundary), MRZ2-S5 (Building coverage) – it is recommended to reference the exclusion of Tuurangawaewae Marae Surrounds QM from the description of this rule, rather than within the rule as a note. This is consistent with other exclusions to rules within the district plan, including MRZ2-R13. Note, it is important to retain the assessment criteria relating to the Tuurangawaewae Marae High Potential Effects Area and the Tuurangawaewae Marae Building Height Assessment Overlay as they apply in different locations. In MRZ2-S3 Height in relation to boundary assessment criteria (i) was not recommended to be deleted as part of earlier amendments and should have been it has been replaced by assessment criteria (g). MRZ2-S3 (Height in relation to boundary) – it is recommended that the exclusion relating to Tuurangawaewae Marae Surrounds QM is identified within the heading of the standard, rather than as a note within the standard. This approach is consistent with other standards with exclusions.
 - iv. MRZ2-S10 (Minimum residential unit size) – it is recommended that the matter of discretion relating to functionality of the residential unit be amended to relate to “the ability to meet the day to day needs of residents”. This matter of discretion is more aligned to

the policy directive and provides greater direction to Council in considering potential applications for non-compliant residential units.

- v. MRZ2-S14 (Building setbacks – water bodies) – it is recommended to separate matter of discretion (f) into two separate matters (f) and (g) as effects on natural character values and effects on hydrology and flooding are two separate matters that are not directly related. It is further recommended that the words “of the District Plan” are included in [new] matter of discretion (j) to provide greater clarity to plan users.
 - vi. MRZ2-S15 (Building setback – sensitive land use) – it is recommended to make reference to the “property” boundary of the Alstra Poultry farm, rather than simply the boundary. This provides greater clarity about how to interpret the rule.
 - vii. MRZ2-S18 (Building – Horotiu Acoustic Area (identified on planning maps)) – it is recommended to reference “sensitive land use” rather than noise sensitive activity as this is a defined term within the PDP (and includes residential activities) and therefore provides greater clarity to plan users.
47. While the above amendments were not signalled at the hearing, the consent team have identified the above changes as contributing to the improved clarity and usability of the plan. I support the recommendations and am of the view that the changes are minor in nature. I do not consider that any party would be prejudiced by the inclusion of the above amendments and am of the view that they can be incorporated without further consultation.

Appendix A – PDP Amendments

Interpretation

Definitions

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

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

Amendments shown as part of the s42A recommendations dated 19 June 2023 are shown in red.

Term	Definition
<u>Active transport</u>	<p><u>Has the same meaning as in the National Policy Statement on Urban Development 2020 (as set out in the box below).</u></p> <div style="border: 1px solid black; padding: 5px;"> <p><u>Means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair.</u></p> </div>
<u>Landscaped area</u>	<p><u>Means any part of the site that has is grassed and/or planted in and can include the canopy of trees regardless of the ground treatment below them, shrubs, or ground cover and may include ancillary water, rocks, paved areas or amenity features.</u></p>
<u>MDRS</u>	<p><u>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</u></p> <div style="border: 1px solid black; padding: 5px;"> <p><u>Means the requirements, conditions, and permissions set out in Schedule 3A.</u></p> </div>
<u>Qualifying matters</u>	<p><u>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</u></p> <div style="border: 1px solid black; padding: 5px;"> <p><u>Means a matter referred to in section 77I or 77O of the Resource Management Act 1991</u></p> </div>
<u>Servicing area</u>	<p><u>Means the use of land for services, storage or waste management to serve a dwelling or residential activity.</u></p>

Interpretation

Abbreviations

Abbreviation	Full term
CPTED	Crime prevention through environmental design
GFA	Gross floor area
MDRS	Medium Density Residential Standard
NES	National environmental standard
NESETA	Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
NESF	National Environmental Standards for Freshwater 2020
NESTF	Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
NPS	National policy statement
NZCPS	New Zealand Coastal Policy Statement
NZECP	New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663
RMA	Resource Management Act 1991

SD – Strategic directions

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

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

Green underline text is used for new provisions.

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

Introduction

This chapter:

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

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

Objectives

SD-O1 Socio-economic advancement.

The District has a thriving economy.

SD-O2 Tangata whenua.

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

SD-O3 Growth targets.

The following growth targets are planned for:

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

SD-O4 Housing variety.

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

SD-O5 Integration of infrastructure and land use.

New development is integrated with the provision of infrastructure.

SD-O6 Hamilton's urban expansion area.

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

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

SD-O14 Well-functioning urban environment.

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

Policy

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

SD-P2 Medium Density Residential Standards

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

WWS – Water, wastewater and stormwater

Rules

WWS-RI	Stormwater systems for new development or subdivision	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) New development or subdivision must have a stormwater system that complies with all of the following standards:</p> <p>(i) Operates by gravity;</p> <p>(ii) Manages stormwater through a Stormwater Management Plan in the following manner:</p> <p>(1) Primary systems detain or retain runoff from all impervious surfaces during a 10% Annual Exceedance Probability storm event to ensure that the rate of any stormwater discharge off-site is at or below pre-development rates; and</p> <p>(2) Secondary overflows are conveyed to a system or drainage path designed to collect concentrated stormwater during events up to and including a 1% Annual Exceedance Probability; or</p> <p>(3) A controlled discharge to a network or receiving environment that will have equivalent capacity (as in (i) and (ii) above) once the catchment is fully developed.</p> <p>(iii) Stormwater management measures must be in place and operational upon the completion of subdivision and/or development;</p> <p>(iv) Systems must be designed using rainfall data specific to the area in which the property is located and be adjusted for a climate change</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 likely effectiveness of the system to avoid flooding, nuisance or damage to other buildings and sites;</p> <p>(b) The capacity of the system and suitability to manage stormwater;</p> <p>(c) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects; and</p> <p>(d) Extent to which low impact design principles and approaches are used.</p>

	<p>temperature increase of 2.1°C;</p> <p>(v) Stormwater management measures, including low impact design measures, must be implemented as appropriate in accordance with the following drainage hierarchy:</p> <ol style="list-style-type: none"> (1) Retention of rainwater/stormwater for reuse; (2) Soakage techniques; (3) Infiltration rate of a minimum of 7mm/hour; (4) Treatment, detention and gradual release to a watercourse; (5) Treatment, detention and gradual release to a piped stormwater system. (6) Stormwater treatment shall address water quality; downstream erosion and scour effects; and cumulative volume effects. <p>(vi) Where land is subject to instability, stormwater discharges directly to ground occurs only where the ground conditions have been identified as being suitable to absorb such discharges without causing, accelerating or contributing to land instability and downstream effects either on the site or on neighbouring properties;</p> <p>(vii) Connection of new development to any existing stormwater drainage system must not result in the minimum level of service not being met or the minimum level of capacity being exceeded. Alteration of the existing receiving stormwater network drainage system to achieve minimum level of service or additional onsite detention volume to ensure</p>	
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	<p>existing capacity will be required.</p> <p>Advice notes:</p> <p>Acceptable means of compliance for the provision, design and construction of stormwater infrastructure, including low impact design features, are contained within the Regional Infrastructure Technical Specifications (RITS). Refer also to Waikato Stormwater Management Guideline and Waikato Stormwater Run-off Modelling Guideline.</p> <p>A stormwater discharge consent may also be required from the Waikato Regional Council.</p>	
<p><u>WWS-RIA</u></p>	<p><u>Stormwater Management Plan for development of 4 or more residential units or subdivision of 4 or more lots in the MRZ2</u></p>	
<p><u>MRZ2</u></p>	<p><u>(1) Activity Status: RDIS</u> <u>Activity specific standards:</u></p> <p>(a) <u>A stormwater management plan must be prepared by a suitably qualified expert to demonstrate how the development or subdivision will comply with:</u></p> <p>(i) <u>The relevant Waikato District Council Comprehensive Stormwater Discharge Consent and Catchment Management Plan for the applicable catchment; and</u></p> <p>(ii) <u>Waikato Regional Council Stormwater Guidelines.</u></p> <p>(b) <u>The stormwater management plan must:</u></p> <p>(i) <u>Include the location, size and type of any stormwater treatment devices and infrastructure, any proposed ponds or wetlands;</u></p>	<p><u>(2) Activity status where compliance not achieved: DIS</u></p>

	<p>(ii) <u>Demonstrate how the stormwater treatment devices and infrastructure can be accommodated within the subdivision or development layout;</u></p> <p>(iii) <u>Include an operations and maintenance plan describing how any stormwater treatment devices will be regularly maintained and serviced; and</u></p> <p>(iv) <u>Identify the location of hydrological features including: groundwater (where relevant to stormwater management), rivers and streams overland flow paths and 1% AEP floodplain within or adjoining the development or subdivision.</u></p> <p><u>Council’s discretion is restricted to the following matters:</u></p> <p>(a) <u>In the Waikato River catchment, the extent to which the application enhances or benefits the Waikato River, and its tributaries.</u></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>The capacity of the stormwater system and ability to manage stormwater;</u></p> <p>(d) <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</u></p>	
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Part 2: District-wide matters / Energy, infrastructure and transport / WWS – Water, wastewater and stormwater

	<p>Stormwater Discharge Consent, Catchment Management Plan and Waikato Regional Council Stormwater Guidelines; and</p> <p>(e) The extent to which low impact design principles and approaches are used for stormwater management.</p>	
WWS-R1B	Services for more than one residential unit per site in the MRZ2.	
MRZ (Area 2)	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Where more than one residential unit (excluding minor residential units) is developed on a site, all services shall be provided to each additional unit as if the site was being subdivided to create separate titles for each serviced unit.</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 provision of infrastructure.</p>
WWS-R2	Wastewater servicing for new development or subdivision	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) New development or subdivision must have a wastewater system that complies with the following standards:</p> <p>(i) Is connected to public, reticulated wastewater network; or</p> <p>(ii) Is connected to a community-scale wastewater system; or</p> <p>(iii) Is provided with a site-contained, alternative method of wastewater disposal that complies with AS/NZS 1547:2012.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Health and safety of the occupants;</p> <p>(b) Capacity of the system;</p> <p>(c) Infiltration capacity of the soil;</p> <p>(d) Location, including proximity to waterways and effects on habitats; and</p> <p>(e) Contamination of downstream properties by wastewater.</p>
WWS-R3	Below ground pipelines for the conveyance of water, wastewater and stormwater	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Pipelines for the conveyance of water, wastewater and stormwater that comply with all of the following:</p> <p>(i) Any aboveground section of a pipeline must comply with the following:</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 functional need and operational need of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, streetscape and amenity effects;</p>

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	<p>(1) Not exceed 25m in length, and</p> <p>(2) Not exceed 300mm in diameter.</p> <p>(3) Is not located within an Identified Area and .</p> <p>(b) The maximum dimensions in Rule WWS-R3(1)(a)(i) do not apply to any above-ground section of pipeline which is attached to or contained within the superstructure of a bridge.</p>	<p>(c) Road network safety and efficiency;</p> <p>(d) The risk of hazards to public or individual safety, and risk of property damage; and</p> <p>(e) Effects on the specific values, qualities and characteristics of any Identified Area.</p>
WWS-R4	Below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area that comply with all of the following:</p> <p>(i) There are no aboveground sections of pipeline within an Identified Area; and</p> <p>(ii) Are not within a site or area in SCHED1 – Historic heritage items or SCHED3 – Sites and areas of significance to Maaori.</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 functional need and operational need of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, streetscape and amenity effects;</p> <p>(c) Road network safety and efficiency;</p> <p>(d) The risk of hazards to public or individual safety, and risk of property damage; and</p> <p>(e) Effects on the specific values, qualities and characteristics of any Identified Area.</p>
WWS-R5	Pump stations for the conveyance of water, wastewater and stormwater	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Pump stations for the conveyance of water, wastewater and stormwater that complies with the following standards :</p> <p>(i) Is not located within an Identified Area.</p> <p>(ii) Not exceed 10m² in area above-ground; and</p> <p>(iii) Not exceed 3m in height 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) The functional need and operational need of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, streetscape and amenity effects;</p> <p>(c) Road network safety and efficiency;</p> <p>(d) The risk of hazards to public or individual safety, and risk of property damage; and</p> <p>(e) Effects on the specific values, qualities and characteristics of any Identified Area.</p>
WWS-R6	Stormwater treatment, detention and retention facilities or devices	

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All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Stormwater treatment, detention and retention facilities or devices, excluding stormwater wetlands or ponds.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
WWS-R7	Stormwater ponds or wetlands	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Stormwater ponds or wetlands that comply with the following:</p> <p>(i) The area of the pond or wetland does not exceed the equivalent site building coverage standards applicable to the zone.</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 functional need and operational need of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, streetscape and amenity effects;</p> <p>(c) Road network safety and efficiency;</p> <p>(d) The risk of hazards to public or individual safety, and risk of property damage; and</p> <p>(e) Effects on the specific values, qualities and characteristics of any Identified Area.</p>
WWS-R8	Ventilation facilities, drop shafts and manholes	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Ventilation facilities, drop shafts and manholes that comply with the following:</p> <p>(i) Are not located within an Identified Area.</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 functional need and operational need of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, streetscape and amenity effects;</p> <p>(c) Road network safety and efficiency;</p> <p>(d) The risk of hazards to public or individual safety, and risk of property damage; and</p> <p>(e) Effects on the specific values, qualities and characteristics of any Identified Area.</p>
WWS-R9	Below ground reservoirs	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Below ground reservoirs that comply with all of the following:</p> <p>(i) Are not located within an Identified Area; or</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 functional need and operational need of, and benefits derived from, the infrastructure;</p>

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	(ii) Are not located within road or unformed road.	(b) Visual, streetscape and amenity effects; (c) Road network safety and efficiency; (d) The risk of hazards to public or individual safety, and risk of property damage; and (e) Effects on the specific values, qualities and characteristics of any Identified Area.
WWS-R10	Water supply servicing for new development or subdivision	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) New development or subdivision must have a water supply system that complies with the following standards:</p> <p>(i) For the GRUZ – General rural zone, RLZ – Rural lifestyle zone, LLRZ – Large lot residential zone and SETZ – Settlement zone, potable water supply must be provided;</p> <p>(b) For all other zones:</p> <p>(i) Be connected to any available public, reticulated water supply system nearby; and</p> <p>(ii) In addition to connection to reticulated supply for potable water, may also use rainwater harvesting (installation of rain storage tanks for water conservation) to supplement water supply, but not for potable uses.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Health and safety of the occupants; and</p> <p>(b) Sufficiency of supply for fire-fighting.</p>
WWS-R11	The construction of new regional flood management infrastructure in close proximity to existing flood management infrastructure, undertaken by or on behalf of the public authority responsible for the regional flood management infrastructure	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) All activities must comply with the following standards:</p> <p>(i) Activities are carried out:</p> <p>(ii) Within 20m of the landward toe of a stopbank (See Figure 5 below);</p> <p>(iii) On a stopbank;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	(iv) Within the flood channel (between a stopbank and river bank); and (v) Within a 20m radius of a pump station or floodgate.	
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STOPBANK DIAGRAM

Legend

- | | |
|-----------------------------|---|
| 1. Design flood level (DFL) | 10. Stopbank |
| 2. Low water channel | 11. Land within 20m of the landward toe of a stopbank |
| 3. Flood Channel | |
| 4. Riverside stopbank toe | |
| 5. Riverside batter | |
| 6. Stopbank crest level | |
| 7. Landside batter | |
| 8. Landward stopbank toe | |
| 9. Riverside land | |

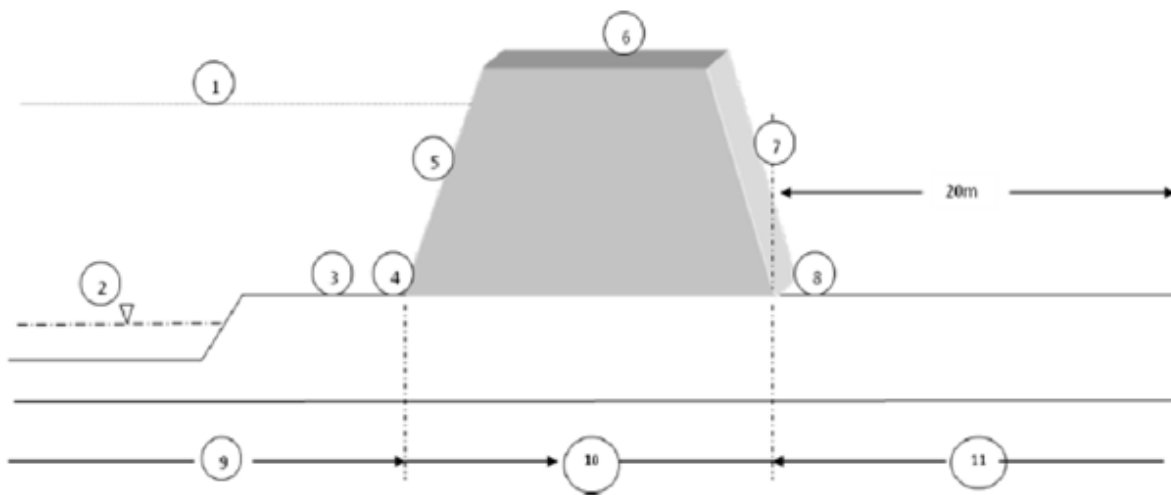


Figure 5 – Stopbank diagram

WWS-R12	Flood control, renewal, maintenance, unscheduled, and storm response works undertaken by or on behalf of the public authority responsible for the regional flood management infrastructure	
All zones (a) (b) (c) (d)	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
WWS-R12 (e) (f) (g)	In close proximity to existing flood management infrastructure: The maintenance of existing stock-proof fences; Grazing of animals; Any farming activity other than the grazing of animals; Planting of trees; The construction of any road or race for the passage of stock or vehicles; The erection of any new fence, shelter, building or structure; The excavation or the digging of any drain; and	

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	A network utility or private infrastructure including underground pipes and cables with written approval from the public authority responsible for the regional flood management infrastructure.	
All zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
WWS-RI (a) (a) (b) (c) (d) (e)	Stormwater ponds or wetlands, that serve more than one site, located within: GRZ – General residential zone; MRZ – Medium density residential zone; RPZ – Rangitahi Peninsula zone; SETZ – Settlement zone; LLRZ – Large lot residential zone; RLZ – Rural lifestyle zone; Road and unformed road; and Identified Areas.	
All specified (f) in rule (g) (h)	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters: (a) The functional need and operational need of, and benefits derived from, the infrastructure; (b) Visual, streetscape and amenity effects; (c) Road network safety and efficiency; (d) The risk of hazards to public or individual safety, and risk of property damage; and (e) Effects on the specific values, qualities and characteristics of any Identified Area.	(2) Activity status where compliance not achieved: n/a
WWS-RI5	Outfall structures located within an Identified Area	
All zones	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters: (a) The functional need and operational need of, and benefits derived from, the infrastructure; (b) Visual, streetscape and amenity effects; (c) Road network safety and efficiency;	(2) Activity status where compliance not achieved: n/a

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	<p>(d) The risk of hazards to public or individual safety, and risk of property damage; and</p> <p>(e) Effects on the specific values, qualities and characteristics of any Identified Area.</p>	
WWS-R16	New capital works relating to regional flood management infrastructure, including but not limited to flood control dams, flood gates, stopbanks, channels, and culverting of waterways	
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> <p>(a) The extent to which adverse effects are avoided, remedied or mitigated.</p>	(2) Activity status where compliance not achieved: n/a
WWS-R17	Any other activity that is not permitted under Rules WWS-R11 – WWS-R13 but complies with the activity specific standards in Rule WWS-R11(1)	
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> <p>(a) The extent to which the activity will affect the integrity of the flood control asset;</p> <p>(b) The extent to which the activity will impede maintenance access;</p> <p>(c) Methods to avoid, remedy, or mitigate adverse effects on the integrity of the flood control assets; and</p> <p>(d) Methods to avoid, remedy, or mitigate adverse effects on maintenance access.</p> <p>Non-notification:</p> <p>Applications utilising Rule WWS-R17 that do not simultaneously trigger other consent requirements shall not be publicly notified and shall not be served on any party other than Council and the public authority responsible for the regional flood management infrastructure.</p>	(2) Activity status where compliance not achieved: n/a
WWS-R18	Water treatment plants not located within road or unformed road	

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All zones	(I) Activity status: DIS
WWS-R19	Wastewater treatment plants located within the following: GIZ – General industrial zone; HIZ – Heavy industrial zone; MSRZ – Motor sport and recreation zone; GRUZ – General rural zone; RLZ – Rural lifestyle zone; OSZ – Open space zone
(a)	
As specified in rule	(I) Activity status: DIS
(c)	
WWS-R20	Above ground reservoirs
(d)	
All zones	(I) Activity status: DIS
(e)	
(f)	
WWS-R21	Water treatment plants located within the road and or unformed road
All zones	(I) Activity status: NC
WWS-R22	Wastewater treatment plants located within the following: GRZ – General residential zone; MRZ – Medium density residential zone; RPZ – Rangitahi Peninsula zone; LLRZ – Large lot residential zone; SETZ – Settlement zone; COMZ – Commercial zone; TCZ – Town centre zone; LCZ – Local centre zone; BTZ – Business Tamahere zone; Road and unformed road; or Identified Area;
(a)	
(b)	
(c)	
(d)	
(e)	
(f)	
(g)	
(h)	
(i)	
(j)	
(k)	
As specified in rule	(I) Activity status: NC

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

High risk natural hazards areas.

NH-O1 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.

Areas at risk from natural hazards.

NH-O2 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.

Awareness of natural hazard risks.

NH-O3 Ensure communities respond effectively and efficiently to natural hazards.

Climate change.

NH-O4 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.

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- 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.

- (I) 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

- (I) 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.

- (I) 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.

- 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.

- 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:

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	<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>
	<p>NH-R19</p> <p>Subdivision that creates one or more additional vacant lot(s) where: The additional lot(s) are located entirely outside the High risk flood area; or 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> <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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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
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.
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. Council's discretion is restricted to the following matters: (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;	(2) Activity status where compliance not achieved: n/a

	<ul style="list-style-type: none"> (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). 	
NH-R25	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.	
Defended area across all zones	(I) 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
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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	
Flood density QM (Higher risk area) in the MRZ (Area 2)	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) One residential unit within a site; (b) The minimum floor level is at least 0.5m above the 1% AEP flood level; and (c) buildings must be set back a minimum of: <ul style="list-style-type: none"> (i) 23m from the margin of any lake; (ii) 23m from the margin of any wetland; (iii) 23m from the bank of any river (other than the Waikato and the Waipa River); (iv) 28m from the margin of either the Waikato or the Waipa River. <p><i>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.</i></p>	<p>(2) Activity status where compliance not achieved: NC</p>
NH-R26B	Residential unit	
Flood density QM (outside the Higher risk area) in the MRZ (Area 2)	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) One residential unit within a site; (b) The minimum floor level is at least 0.5m above the 1% AEP flood level; and (c) buildings must be set back a minimum of: <ul style="list-style-type: none"> (i) 23m from the margin of any lake; (ii) 23m from the margin of any wetland; (iii) 23m from the bank of any river (other than the 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (a) In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries; (b) Flooding effects including safe access and egress; (c) Stormwater management and Low Impact Design methods;

	<p><u>Waikato and the Waipa River);</u> (iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></p>	<p>(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></p>
NH-R26C	Minor residential unit	
Flood density QM in the MRZ (Area 2).	<p>(1) Activity status: PER Where:</p> <p>(a) <u>One minor residential unit contained within a site must comply with all of the following standards:</u> (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> (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>	<p>(2) Activity status where compliance not achieved: DIS</p>
NH-R26D	Subdivision that creates one or more vacant lot other than a utility allotment, access allotment or subdivision to create a reserve allotment.	
Flood density QM (excluding the Flood plain management area, Flood	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) <u>each vacant lot includes an area capable of containing a building</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p><u>ponding area, and Defended area) in the MRZ (Area 2)</u></p>	<p><u>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> <ul style="list-style-type: none"> (a) <u>Avoidance or mitigation of natural hazards;</u> (b) <u>In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</u> (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> (d) <u>The capacity of the stormwater system and ability to manage stormwater;</u> (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> (f) <u>Extent to which low impact design principles and approaches are used for stormwater management.</u> 	
<p>NH-R26E</p>	<p><u>Earthworks for two or more residential units (excluding a minor residential unit)</u></p>	
<p><u>Flood density QM in the MRZ (Area 2).</u></p>	<p>(1) Activity status: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) <u>Timing, location and scale of earthworks;</u> (b) <u>Adverse effects on:</u> 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<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	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: PER 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 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

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		<p>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) 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-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	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

<p>(Inundation) across all zones</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>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</p>	<p>(1) Activity status: RDIS Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

<p>(Inundation) across all zones</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>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)</p>	<p>(1) Activity status: RDIS Activity-specific standards: Nil Council's discretion is restricted to the following matters:</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

<p>across all zones</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. 	
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High risk coastal erosion area

NH-R36	Construction of an accessory building without a floor	
High risk coastal erosion 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 40m². 	<p>(2) Activity status where compliance not achieved: NC</p>
NH-R37	Construction of a farm building without a floor	
High risk coastal erosion 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 40m². 	<p>(2) Activity status where compliance not achieved: NC</p>
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: (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	(2) Activity status where compliance not achieved: n/a

	<p>effects of climate change and the activities or development they are designed to protect;</p> <p>(c) The extent to which economic, social and environmental benefits outweigh costs;</p> <p>(d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased;</p> <p>(e) The extent to which structures are located as far landward as practicable;</p> <p>(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</p> <p>(g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy.</p>	
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> <p>The replacement building is located landward of the existing building that it replaces;</p> <p>The replacement building is relocatable on a suspended timber floor; and</p> <p>The gross floor area of the replacement building is no larger than the existing building that it replaces</p>	
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	

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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 across all zones	Activity status: NC

High risk coastal inundation area

NH-R53	Construction of an accessory building without a floor	
High risk coastal inundation	(1) Activity status: PER Activity-specific standards:	(2) Activity status where compliance not achieved: NC

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area across all zones	(a) The gross floor area of the building does not exceed 40m ² .	
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 (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-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	(1) Activity status: RDIS Activity-specific standards: Nil	(2) Activity status where compliance not achieved: n/a

<p>area across all zones</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>NH-R61</p>	<p>Earthworks not provided for in Rule NH-59</p>	
<p>High risk coastal inundation area across all zones</p>	<p>Activity status: DIS</p>	
<p>NH-R62</p>	<p>Construction of new utilities not provided for in Rules NH-R56 and NH-R57</p>	
<p>High risk coastal inundation area across all zones</p>	<p>Activity status: DIS</p>	
<p>NH-R63</p>	<p>Upgrading of existing utilities not provided for in Rules NH-R55 and NH-R56</p>	

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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

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		(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.	
Mine subsidence risk area across all zones	<p>(1) Activity status: CON</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council's control is reserved to the following matters:</p> <ul style="list-style-type: none"> (a) The degree to which the requirements and recommendations of the 	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>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>	
NH-R73	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	
Mine subsidence risk 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> <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>	(2) Activity status where compliance not achieved: n/a
NH-R74	Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment	
Mine subsidence risk area across all zones	Activity status: DIS	

Liquefaction

NH-R75	Overview of method
All zones	<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 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>

	(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.
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>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>(a) Measures proposed to mitigate the effects of liquefaction hazard if present including:</p> <p>(b) (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> <p>(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;</p> <p>(ii) Location, timing, scale and nature of earthworks;</p> <p>(iii) Provision for ground strengthening and foundation design;</p> <p>(iv) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground (or free face, or alternative</p>

	<p>geotechnical measures to address any identified potential for lateral spread);</p> <p>(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and</p> <p>(vi) Effects on adjoining properties.</p>
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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

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- (l) 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.

SUB – Subdivision

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

Objective

SUB-O1 Subdivision.

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

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

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

Policies

SUB-P1 Subdivision location and design.

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

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

SUB-P2 Residential subdivision.

(I) Promote residential subdivision and development that:

- (a) Integrates staging to ensure multi-modal connectivity;
- (b) Limits the number and length of cul-de-sacs;
- (c) Ensures pedestrian access is consistent with the Crime Prevention through Environmental Design (CPTED) principles;
 - (i) Discourages the creation of rear lots;
 - (ii) Includes adequate lighting levels in publicly accessible spaces;
 - (iii) Reflects local characteristics;
 - (iv) Orientates lots are orientated in a way that:
 - (1) Maximizes solar access; and
 - (2) Addresses the street frontage and public places.

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- (v) Creates lots that can accommodate a variety of density with a mix of usable lot types; and
- (vi) Designs infrastructure to manage stormwater in a sustainable manner by:
 - (1) Minimising environmental impacts and maintenance costs, and reducing stormwater discharging to existing reticulated networks; and
 - (2) Promoting and maintaining riparian margins.

SUB-P3 Lot sizes.

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

SUB-P4 Servicing requirements.

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

SUB-P5 Co-ordination between servicing and development and subdivision

- (1) Ensure development and subdivision:
 - (a) Is located in areas where infrastructure capacity has been planned and able to be funded;
 - (b) Where located in areas subject to an approved structure plan, provides sufficient infrastructure capacity to meet the demand identified in the structure plan;
 - (c) Achieves the lot yield anticipated in an approved structure plan; and

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- (d) Includes infrastructure provision for both the strategic infrastructure network and local infrastructure connections.

SUB-P6 Achieving sufficient development density to support the provision of infrastructure services in areas without a structure plan.

In areas where there is no structure plan, ensure that the land is developed efficiently to support the provision of infrastructure services.

SUB-P7 Staging of subdivision.

Require any staging of subdivision to be undertaken in a manner that promotes efficient development and integration of infrastructure and community facilities.

SUB-P8 Connected neighbourhoods.

- (1) Design subdivision to support the creation of a liveable, walkable and connected neighbourhood by having:
 - (a) A road network that achieves all of the following:
 - (i) Easy and safe to use for pedestrians and cyclists;
 - (ii) Accessible for emergency and other services;
 - (b) Connected with a variety of routes within the immediate neighbourhood and between adjacent land areas; and
 - (c) Connected to public transport, shops, schools, employment, open spaces and other amenities; and
- (2) Vehicle crossings and associated access are designed and located to provide for safe and efficient movement to and from sites and minimising potential conflict between vehicles, pedestrians, and cyclists on the adjacent road network.

SUB-P9 Recreation and access.

- (1) Provide for the recreation and amenity needs of residents by:
 - (a) Encouraging open spaces which are prominent and accessible by pedestrians;
 - (b) Requiring the location, number and size of open spaces to be in proportion to the future density of the neighbourhood and provide for a range of different activities and users; and
 - (c) Enabling pedestrian and/or cycle linkages.

SUB-P10 Reverse sensitivity

- (1) Other than in the GIZ – General industrial zone and HIZ – Heavy industrial zone, development and subdivision design minimises the potential for reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and
- (2) Avoid, to the extent possible, and otherwise minimise, potential reverse sensitivity effects of locating new sensitive land uses in the vicinity of an intensive farming, extraction industry or industrial activity and regionally significant infrastructure.

SUB-PI1 Boundary adjustments and relocations.

Boundary adjustments and boundary relocations are designed to provide for more the efficient use of land.

SUB-PI2 GRZ – General residential zone Te Kauwhata Ecological Area.

- (1) Subdivision in the Te Kauwhata Ecological Residential Area is designed and located to:
- (a) Promote the natural features and landscapes of the Whangamarino Wetland and Lake Waikare; and
 - (b) Achieve the minimum lot size.

SUB-PI3 Structure and master planning.

Ensure that development and subdivision within approved structure or master plan areas is consistent with the development pattern and infrastructure provisions in the approved structure or master plan.

SUB-PI4 Future development – Tuakau, Pokeno, and Te Kowhai within the LLRZ – Large lot residential zone.

In Tuakau, Pokeno, and Te Kowhai, buildings, access, and lot boundaries are located to enable future subdivision and development in the event that reticulated water, stormwater, and wastewater infrastructure become available and a plan change to rezone to a higher density is in place.

SUB-PI5 Effects of subdivision and development on soils in the GRUZ – General rural zone.

Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located.

SUB-PI6 Rural subdivision in the GRUZ – General rural zone.

- (1) Protect the productive capacity of land and soils.
- (2) Maintain an open and spacious rural character.
- (3) Minimise adverse effects on the safe and efficient operation of infrastructure; by:
 - (a) Avoiding subdivision that creates lots smaller than 0.8ha;
 - (b) Avoiding the creation of new lots that are wholly located on high class soils. For sites that are partially located on high class soils, new lots are to be located primarily on that part of the site that does not include high class soils;
 - (c) Limiting potential reverse sensitivity effects on productive rural activities, intensive farming, rural industry, infrastructure, or extractive activities by ensuring new lots provide adequate setbacks from potential sensitive activities;
 - (d) Ensuring that the subdivision does not compromise public access to rivers and water bodies or the quality of these environments; and
- (4) Make only limited provision for small rural lifestyle lots, where in addition to the matters set out in (1), (2), and (3), the subdivision:
 - (a) Provides public parks and reserves, located in accordance with a Council Parks Strategy; or
 - (b) Provides a balance lot greater than 40ha; or

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- (c) Involves a boundary relocation to create the same number of lots formed as a large balance lot greater than 40ha and a number of small rural lifestyle lots that are clustered to form a hamlet; and
- (d) Where (4)(b) and (c) applies, avoids ribbon development and the cumulative effects of multiple small rural residential lots locating on the same road frontage.

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

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

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

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

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

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

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

- (1) Urban subdivision and development is to be in accordance with a structure plan that has been incorporated into the District Plan through a plan change process. The structure plan must include the following elements:
 - (a) Key roading connections, collector road alignment, and public transport facilities;
 - (b) Key pedestrian / cycle linkages where these routes are separate from road or open space corridors;

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- (c) Land to be set aside for stormwater basins;
- (d) The measures necessary to mitigate natural hazards, geotechnical issues, or soil contamination;
- (e) Land to be set aside for public open space;
- (f) How any existing natural, ecological, or landscape values will be maintained or enhanced;
- (g) How any significant historic or cultural values will be maintained or enhanced;
- (h) The general location of local commercial / community hubs and schools (if proposed);
- (i) The general location of more intensive pockets of medium density residential development (if any);
- (j) For residential developments, demonstrate the minimum yield to be achieved;
- (k) How potential conflicts between new residential areas and existing industry, regional infrastructure, mineral extraction, or intensive farming operations will be mitigated including by the use of setbacks, open space, or large lots to create a buffer area; and
- (l) Any staging necessary to ensure development achieves a good urban form and is able to be serviced.

SUB-P21 Subdivision in the HOPZ – Hopuhopu zone.

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

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

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

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

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

- (2) Require subdivision within the MRZ₂ – Medium density residential zone (Area 2) to not compromise any qualifying matters applied to the site.

Rules

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

Subdivision (zone specified in first column)

MRZ₁ – Medium density residential zone ₁

SUB-RI	Subdivision – general	
MRZ ₁ – Medium density residential zone ₁	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.</p> <p>Council's control is reserved over the following matters:</p> <p>(b) Subdivision layout;</p> <p>(c) Compliance with the approved land use consent; and</p> <p>(d) Provision of infrastructure.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R2	Subdivision – general	
MRZ ₁ – Medium density residential zone ₁	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision must comply with all of the following standards:</p> <p>(i) Proposed vacant lots must have a minimum net site area (excluding access legs) of 200m², except where the proposed lot is an access allotment, utility allotment or reserve to vest; and</p> <p>(ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) Subdivision layout;</p> <p>(c) Shape of lots and variation in lot sizes;</p> <p>(d) Ability of lots to accommodate a practical building platform including geotechnical stability for building;</p> <p>(e) Likely location of future buildings and their potential effects on the environment;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (f) Avoidance or mitigation of natural hazards; (g) Opportunities for streetscape landscaping; (h) Vehicle and pedestrian networks; (i) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and (j) Provision of infrastructure. 	
SUB-R3	Subdivision – general	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Every proposed vacant lot, other than one designed specifically for access or a utility allotment, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within the following dimension: <ul style="list-style-type: none"> (i) A rectangle of at least 100m² with a minimum dimension of 6m, exclusive of yards. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout; (c) Shape of allotments; (d) Ability of allotments to accommodate a practical building platform; (e) Likely location of future buildings and their potential effects on the environment; (f) Avoidance or mitigation of natural hazards; (g) Geotechnical suitability for building; and (h) Ponding areas and primary overland flow paths. 	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R4	Subdivision – boundary adjustments	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Boundary adjustments must comply with all of the following standards: (b) The standards specified in: <ul style="list-style-type: none"> (i) Rules SUB-R31 to SUB-R32 Subdivision - General; (c) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment. <p>Council’s control is reserved over the following matters:</p>	<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) Subdivision layout; and (b) Shape of titles and variation in lot sizes.

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	(d) Subdivision layout; and (e) Shape of titles and variation in lot sizes.	
SUB-R5	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Conversion of a cross lease flats plan to a fee simple title.</p> <p>Council’s control is reserved over the following matters:</p> <p>(b) Effects on existing buildings; (c) Site layout and design; and (d) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R6	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Amendment or update of a cross lease flats plan.</p> <p>Council’s control is reserved over the following matters:</p> <p>(b) Effects on existing buildings; (c) Site layout and design of cross lease or flats plan; and (d) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R7	Title Boundaries – contaminated land	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use) must comply with all of the following standards:</p> <p>(i) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the subdivision), compliance is required with the following building rules relating to:</p> <p>(1) Height in relation to boundary (MRZ-S4); (2) Building coverage (MRZ-S6 – MRZ-S7); and (3) Building setbacks (MRZ-S11 – MRZ-S12).</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(b) Where any proposed subdivision contains one or more of the features listed in 1 – 2, the subdivision must not divide the following:</p> <ul style="list-style-type: none"> (1) A natural hazard area; (2) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1 – 3 below, must provide the following setbacks:</p> <ul style="list-style-type: none"> (1) 300m from any intensive farming activity; (2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and (3) 200m from the boundary of an Aggregate Extraction Area for sand excavation. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (c) Landscape values; (d) Amenity values and character; (e) Reverse sensitivity effects; (f) Effects on existing buildings; (g) Effects on natural hazard areas; (h) Effects on contaminated land; (i) Effects on an intensive farming activity. 	
SUB-R8	Subdivision – road frontage	
MRZ ₁ – Medium density residential zone ₁	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 10m. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Safety and efficiency of vehicle access and road network. 	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R9	Subdivision creating reserves	
MRZ ₁ – Medium density	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Every reserve, including where a reserve is identified within a structure plan or master 	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>residential zone ↓</p>	<p>plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) The extent to which the proposed reserve aligns with the principles of Council's Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy; (c) Consistency with any relevant structure plan or master plan; (d) Reserve size and location; (e) Proximity to other reserves; (f) The existing reserve supply in the surrounding area; (g) Whether the reserve is of suitable topography for future use and development; (h) Measures required to bring the reserve up to Council standard prior to vesting; and (i) The type and standard of boundary fencing. 	
<p>SUB-R10</p>	<p>Subdivision of Esplanade Reserves and Esplanade Strips</p>	
<p>MRZ ↓ – Medium density residential zone ↓</p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is required to be created shall vest in Council where the following situations apply: <ul style="list-style-type: none"> (i) The proposed lot is less than 4ha and within 20m of: <ul style="list-style-type: none"> (ii) mean high water springs; (iii) the bank of any river whose bed has an average width of 3m or more; or (iv) a lake whose bed has an area of 8ha or more; or (v) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas. <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) The type of esplanade provided - reserve or strip; (c) Width of the esplanade reserve or strip; (d) Provision of legal access to the esplanade reserve or strip; 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(e) Matters provided for in an instrument creating an esplanade strip or access strip; and</p> <p>(f) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris.</p>	
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MRZ2 – Medium density residential zone 2

SUB-RI52	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Where no vacant lots are created:</p> <p>(a) <u>Any subdivision around existing constructed residential units if the subdivision does not increase the degree of any non-compliance with the standards in MRZ2-S2 to S9; or</u></p> <p>(b) <u>Any subdivision where a land use consent for residential units has been granted or applied for concurrently; or</u></p> <p>(c) <u>Any subdivision that demonstrates it is practicable to construct on every allotment within the proposed subdivision a residential unit which complies with the standards in MRZ2-S2 to S9.</u></p> <p><u>Note:</u> <i>For the purpose of SUB-RI52(1a), if subdivision is proposed between residential units that share a common wall, the standard in MRZ2-S3 does not apply along the length of the common wall.</i></p> <p>Council’s control is reserved over the following matters:</p> <p>(a) <u>Subdivision layout including a range of lot sizes; and</u></p> <p>(b) <u>Provision of infrastructure;</u></p> <p>(c) <u>Vehicles and pedestrian networks; and-</u></p> <p>(d) <u>The design and capacity of the stormwater system and ability to manage stormwater; and</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</u></p>	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>Plan and Waikato Regional Council Stormwater Guidelines; and</p> <p>(f) The extent to which low impact design principles and approaches are used for stormwater management.</p> <p>Notification Any application for a subdivision consent for a controlled activity under this rule will be considered without public or limited notification in the following circumstances:</p> <p>(a) A subdivision associated with the construction of no more than three residential units that do not comply with the standards in MRZ2-S2 to S9; or</p> <p>(b) A subdivision associated with the construction of four or more residential units that comply with the standards in MRZ2-S2 to S9; and</p> <p>(c) provided that other standards in the district plan are met.</p> <p><i>Advice Notes:</i></p> <p>The Council may refuse a controlled activity subdivision consent under section 106 of the Resource Management Act where there is a significant risk from natural hazards.</p> <p>A water, wastewater and/or stormwater connection approval from the network provider will be required. The presence of infrastructure that can service the lot or unit does not guarantee a connection will be possible and capacity is available to service new development.</p>	
<p>SUB-RI53</p>	<p>Subdivision – general</p>	
<p>MRZ2 – Medium density residential zone 2</p>	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) Subdivision must comply with all of the following standards:</p> <p>(i) In the Outer Intensification Area shown on the planning maps in Ngaaruawaahia, Huntly, Tuakau and Pokeno and Horotiu, proposed vacant lots must have a minimum net site area of 300m² (excluding access legs and access lot, utility allotment, or reserve to vest) provided for any subdivision of more than 9 lots:</p> <p>(1) there must be an average minimum net site area of 375m²; and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p><u>(2) lots of more than 5,000m² are excluded from the average calculation; and</u></p> <p><u>(ii) In the Outer Intensification Area each rear lot must be capable of containing a building platform upon which a residential unit and outdoor living space could be sited as a permitted activity, with the building platform being contained within a rectangle of at least 200m² with a minimum dimension of 12m exclusive of setbacks</u></p> <p>(ii) In all other areas-Proposed vacant lots must have a minimum net site area of 200m² (excluding access legs and access allotment, utility allotment or reserve to vest;) and</p> <p><u>(iii) (i) and (ii) Above do not apply to land within the Slope Residential Area in the Havelock Precinct where proposed minimum vacant lots must have a minimum net site area of 2,500m², (except where the proposed lot is an access allotment, utility allotment or reserve to vest)</u></p> <p>(b) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(c) <u>Subdivision</u> layout;</p> <p>(d) Shape of lots and variation in lot sizes;</p> <p>(e) Ability of <u>all</u> lots to accommodate a <u>practical</u> building platform including geotechnical stability for building;</p> <p>Likely location of future buildings and their potential effects on the environment;</p> <p>(f) Avoidance or mitigation of natural hazards;</p> <p>(g) Opportunities for streetscape landscaping;</p> <p>(h) Vehicle and pedestrian networks;</p> <p>(i) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and</p> <p>(j) Provision of infrastructure;:-</p> <p>(k) <u>In the Waikato River Catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries;</u></p> <p>(l) <u>The effectiveness of the stormwater system to manage flooding (including safe</u></p>	
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	<p><u>access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment;</u></p> <p>(m) <u>The design and capacity of the stormwater system and ability to manage stormwater;</u></p> <p>(n) <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;</u></p> <p>(o) <u>Extent to which low impact design principles and approaches are used for stormwater management.</u></p> <p><u>Advice Note: A water, wastewater and/or stormwater connection approval from the network provider will be required. The presence of infrastructure that can service the lot or unit does not guarantee a connection will be possible and capacity is available to service new development.</u></p>	
<p>SUB-R154</p>	<p>Subdivision—general</p>	
<p>MRZ— Medium density residential zone</p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every proposed vacant lot, other than one designed specifically for access or a utility allotment, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within the following dimension:</p> <p>(i) A rectangle of at least 100m² with a minimum dimension of 6m, exclusive of yards.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) Subdivision layout;</p> <p>(c) Shape of allotments;</p> <p>(d) Ability of allotments to accommodate a practical building platform;</p> <p>(e) Likely location of future buildings and their potential effects on the environment;</p> <p>(f) Avoidance or mitigation of natural hazards;</p> <p>(g) Geotechnical suitability for building; and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	(h) Ponding areas and primary overland flow paths:	
SUB-R154	Subdivision – boundary adjustments	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Boundary adjustments must comply with all of the following standards: <ul style="list-style-type: none"> (i) The standards specified in: (ii) Rules in SUB-R31 to SUB-R32 <u>SUB-R153</u> (iii) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; and (b) Shape of titles and variation in lot sizes. 	<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"> (1) Subdivision layout; and (2) Shape of titles and variation in lot sizes.
SUB-R155	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (c) Conversion of a cross lease flats plan to a fee simple title. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (d) Effects on existing buildings; (e) Site layout and design; and (f) Compliance with permitted building rules. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R156	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Amendment or update of a cross lease flats plan. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (b) Effects on existing buildings; (c) Site layout and design of cross lease or flats plan; and (d) Compliance with permitted building rules. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R159	Title Boundaries – contaminated land	

<p>MRZ2— Medium density residential zone 2</p>	<p>SUB-O3 Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(1) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use) must comply with all of the following standards:</p> <p>(1) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the subdivision), compliance is required with the following building rules relating to:</p> <p>(1) Height in relation to boundary (MRZ-S4);</p> <p>(2) Building coverage (MRZ-S6-S7); and</p> <p>(3) Setbacks (MRZ-S10).</p> <p>(2) Where any proposed subdivision contains one or more of the features listed in 1—2, the subdivision must not divide the following:</p> <p>(4) A natural hazard area;</p> <p>(5) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and</p> <p>(1) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1—3 below, must provide the following setbacks:</p> <p>(6) 300m from any intensive farming activity;</p> <p>(7) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and</p> <p>(8) 200m from the boundary of an Aggregate Extraction Area for sand excavation.</p> <p>Council's discretion is restricted to the following matters:</p>	<p>SUB-O4 Activity status where compliance not achieved: DIS</p>
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	<p>(b) Landscape values;</p> <p>(3) Amenity values and character;</p> <p>(4) Reverse sensitivity effects;</p> <p>(5) Effects on existing buildings;</p> <p>(6) Effects on natural hazard areas;</p> <p>(7) Effects on contaminated land;</p> <p>(8) Effects on an intensive farming activity.</p>	
SUB-RI57	Subdivision – road frontage	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 11.0m, <u>provided that for lots with a frontage of less than 12.5m, a legal mechanism restricts the width of a garage and vehicle crossing for any subsequent building development to a single car width.</u></p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) Safety and efficiency of vehicle access and road network.</p> <p>(c) <u>Amenity of the street environment</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-RI58	Subdivision creating reserves	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) The extent to which the proposed reserve aligns with the principles of Council's Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy;</p> <p>(c) Consistency with any relevant structure plan or master plan;</p> <p>(d) Reserve size and location;</p> <p>(e) Proximity to other reserves;</p> <p>(f) The existing reserve supply in the surrounding area;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(g) Whether the reserve is of suitable topography for future use and development;</p> <p>(h) Measures required to bring the reserve up to Council standard prior to vesting; and</p> <p>(i) The type and standard of boundary fencing.</p>	
SUB-RI59	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(j) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is required to be created shall vest in Council where the following situations apply:</p> <p>(i) The proposed lot is less than 4ha and within 20m of:</p> <p>(1) mean high water springs;</p> <p>(2) the bank of any river whose bed has an average width of 3m or more; or</p> <p>(3) a lake whose bed has an area of 8ha or more; or</p> <p>(i) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(k) The type of esplanade provided - reserve or strip;</p> <p>(l) Width of the esplanade reserve or strip;</p> <p>(m) Provision of legal access to the esplanade reserve or strip;</p> <p>(n) Matters provided for in an instrument creating an esplanade strip or access strip; and</p> <p>(o) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris.</p>	<p>(1) Activity status where compliance not achieved: DIS</p>
SUB-RI60	<u>Subdivision within the National Grid Corridor</u>	
<u>MRZ2 – Medium density residential zone 2</u>	<p><u>(1) Activity status: RDIS</u></p> <p><u>Activity specific standards:</u></p> <p>(a) <u>The subdivision of land in any zone within the National Grid Subdivision Corridor that complies with all of the following standards:</u></p>	<p><u>(2) Activity status where compliance not achieved: NC</u></p>

	<p>(i) <u>All resulting allotments must be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</u></p> <p>(ii) <u>The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p>(b) <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the National Grid;</u></p> <p>(c) <u>The ability to provide a complying building platform outside of the National Grid Yard;</u></p> <p>(d) <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</u></p> <p>(e) <u>The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;</u></p> <p>(f) <u>The risk to the structural integrity of the National Grid;</u></p> <p>(g) <u>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.</u></p>	
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Precinct Subdivision Provisions

[Note for IPI purposes only: The only provisions included below are those that are subject to Variation 3 amendments. All other Subdivision Provisions remain unchanged.]

SUB-R19	Subdivision – building platform within PREC4 – Havelock Precinct	
<p>PREC4 – Havelock Precinct</p> <p><u>(Applies to Local Centre, General</u></p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision within PREC4 – Havelock Precinct where every proposed lot, other than one designed specifically for access, <u>is a boundary adjustment under</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>

<p>Rural, General Industry, Medium Density Residential Zone)</p>	<p>SUB-R20A, or is a utility allotment, is capable of containing a building platform complying with SUBR18(1) located outside the Pokeno Havelock Industry Buffer illustrated on the planning maps.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout; (c) Shape of allotments; (d) Ability of allotments to accommodate a practical building platform; (e) Likely location of future buildings and their potential effects on the environment; (f) Avoidance or mitigation of natural hazards; (g) Geotechnical suitability for building; and (h) Ponding areas and primary overland flow paths within and adjoining the Precinct. 	
<p>SUB-R21</p>	<p>Subdivision – PREC4 – Havelock Precinct</p>	
<p>PREC4 - Havelock Precinct (Applies to Local Centre, General Rural, General Industry, Medium Density Residential Zone)</p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Except as provided for by SUB-R20A, subdivision within the PREC – Havelock Precinct that complies with all of the following standards: <ul style="list-style-type: none"> (i) The first subdivision to create residential lots includes the indicative road connections from Hitchen Road and Yashili Drive as a road to vest. (ii) The proposal includes the indicative roads as roads to vest, provided that this can be constructed and vested in stages. (iii) The proposal includes the provision of the Hilltop Park, provided that these can be established in stages (iv) The proposal includes the provision of the Havelock Industry Buffer area and Environmental Protection Area that it contains, provided that these can be established in stages (all as shown on the planning maps) and the proposal includes legal mechanisms to retain Environmental Protection Area in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting). (iv) The proposal includes the provision of the Environmental Protection Area (where outside the Havelock Industry Buffer) and includes legal mechanisms to 	<p>(2) Activity status: DIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Subdivision that does not comply with Rule SUB-R21 (1)(a)(i) – (iii), (v) and (vii) <p>(3) Activity status: NC</p> <p>Where:</p> <ul style="list-style-type: none"> (b) Subdivision that does not comply with Rule SUB-R21 (1)(a)(iv) and (vi).

	<p>retain the Environmental Protection Areas in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting).</p> <p>(vi) Either prior to or concurrent with subdivision in Lot 2 DPI99997, an acoustic barrier (being a bund, building or structure, or any combination thereof) is constructed within the Havelock Precinct's GIZ - General industrial zone which is designed so as to:</p> <ol style="list-style-type: none">(1) Achieve noise levels no greater than 45 dB L_{Aeq} between 10pm and 7am in the PREC4 – Havelock Precinct and GRZ – General residential zone; and(2) Be at a height of no less than that illustrated on Figure 20 below and a length along the entire common boundary between Lot 2 DPI99997 and Lots 3 and 4 DP 492007 (excluding the Collector Road on the Havelock Precinct Plan and 5m front yard setback – Rule GIZ-S6(1)(a)(1)). <p>(vii) The proposal includes planted primary ridgelines and other ridgelines (as shown on the APP14 – Havelock precinct plan) for any part of the ridgeline that falls within that proposal or stage.</p> <p>Council's discretion is restricted to the following matters:</p> <ol style="list-style-type: none">(b) Consistency with the Havelock Precinct Plan (APP14 – Havelock precinct plan);(c) Design and construction of the indicative roads and pedestrian networks;(d) Design, location and timing of construction of the acoustic barrier within the Havelock Precinct's GIZ – General industrial zone;(e) The design of, and potential effects on, the safe and efficient operation of the intersection of the Havelock Precinct's Collector Road and Yashili Drive, including the design to accommodate safe vehicle access and egress for activities in the adjacent GIZ – General industrial zone;(f) Design and planting (including cultural values and landmarks, management plans for weed and pest control and their implementation, ownership and ongoing management) of the	
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	<p><u>Hilltop Parks and adjoining park edge roads. This includes the landscaping of the Hill Top Parks in indigenous species;</u></p> <p>(g) <u>Avoidance, minimisation or mitigation of visual and physical disturbance to the upper flanks of Transmission and Potters Hills (where the hilltop parks are located) resulting from road design and alignment;</u></p> <p>(h) <u>Potential effects on the safe and efficient operation of Bluff and Pioneer Roads (including where these intersect with State Highway 1) from roading connections to Cole Road;</u></p> <p>(i) <u>The design of, and potential effects on, the safe and efficient operation of the intersections of:</u></p> <p>(i) <u>Yashili Drive and Gateway Park Drive;</u></p> <p>(ii) <u>Gateway Park Drive and Hitchen Road;</u> <u>and</u></p> <p>(iii) <u>Gateway Park Drive and McDonald Road.</u></p> <p>(j) <u>Potential effects on the safe and efficient operation of the McDonald Road railway crossing;</u></p> <p>(k) <u>Accessible, safe and secure pedestrian and cycling connections within the Precinct and to the existing transport network and public facilities;</u></p> <p>(l) <u>Provision within the Precinct design for future public transport;</u></p> <p>(m) <u>Provision of planting, management plans for weed and pest control and their implementation, ownership and ongoing management of the Environmental Protection Area, including a 3m width band of fast growing evergreen indigenous species along the upper edge of the Havelock Industry Buffer to provide a planting screen within the short term;</u></p> <p>(n) <u>Design of earthworks (contours and aspect), lot size and orientation, fencing and landscape treatment between the 40 dB L_{Aeq} noise contour and the Havelock Pōkero Industry Buffer on the planning maps to minimise possible reverse sensitivity effects on nearby HIZ - Heavy industrial zone activities, including through limiting potential for direct visual interaction from building platforms and associated future dwellings and outdoor living areas to industrial activities; and</u></p>	
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Part 2: District-wide matters / Subdivision / SUB – Subdivision - IPI

	<p>(o) <u>Ridgeline landscape buffers and greenways as identified on the APPI4 – Havelock precinct plan to create landscape plantings between the Hilltops and Environmental Protection Areas (20-25m width on primary ridgeline and 8m on other ridgeline), including provision of fast growing shelter species and indigenous canopy trees, ownership and ongoing management;</u></p> <p>(p) <u>Provision of Te Ara Hikoi; and</u></p> <p>(q) <u>Tangata Whenua engagement and cultural effects.</u></p>	
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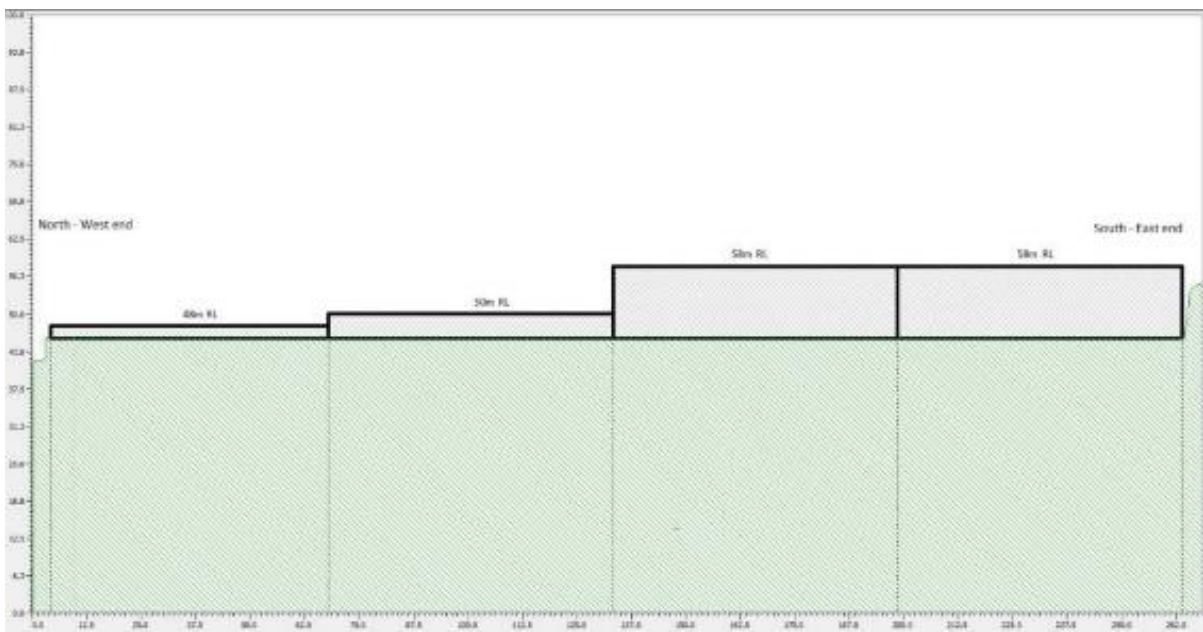


Figure 20 – Havelock Precinct

<p>SUB-R20A</p> <p><u>PREC4 – Havelock precinct (Applies to Local Centre, General Rural, and Medium Density Residential Zone)</u></p>	<p>Subdivision – PREC4 – Havelock boundary adjustment</p> <p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) <u>Boundary adjustment must comply with the following standard:</u></p> <p>(i) <u>Boundary adjustment between sites within the Havelock Precinct and Lot 2 DP 463893 to include parts of the Havelock Industry Buffer and Environmental protection Area within Lot 2 DP 463893</u></p> <p>Council’s control is reserved over the following matters:</p> <p>(b) <u>Subdivision layout.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
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Part 2: District-wide matters / Subdivision / SUB – Subdivision - IPI

[Note for IPI purposes only: All other Subdivision provisions that currently apply to the GRZ will be amended to apply to the MRZ2 including SUB-R22, SUB-R23, SUB-R24, SUB-R25,]

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 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 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 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 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	
(1) Activity status: PER Where:	<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	
(1) Activity status: PER Where:	<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	
(1) Activity status: PER Where:		(2) Activity status where compliance not achieved: RDIS

<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 MRZ – 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~~ Horotiu. 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) Manage potential reverse sensitivity effects by use of design controls for sensitive land uses in the Havelock Precinct and the Horotiu Acoustic Area.
- (3) Manage potential reverse sensitivity effects by restricting building heights within the Area 1 height restriction area in the Havelock Precinct.

MRZ2-PI2 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-PI3 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-PI4 Outlook from Tuurangawaewae Marae

- (1) 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.
- (2) 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 bed roomed 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 (Landscaped areas).</p> <p>(g) The following infrastructure and energy rule does not apply:</p> <p>(i) Rule TRPT-R4(1)(a) (Traffic generation).</p>	
<p>MRZ2-R3</p>	<p>Home business</p>
<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>
<p>MRZ2-R4</p>	<p>Community facilities</p>
<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.
MRZ	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

MRZ	<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>
MRZ	<u>The establishment of any new sensitive land use within the National Grid Yard</u>

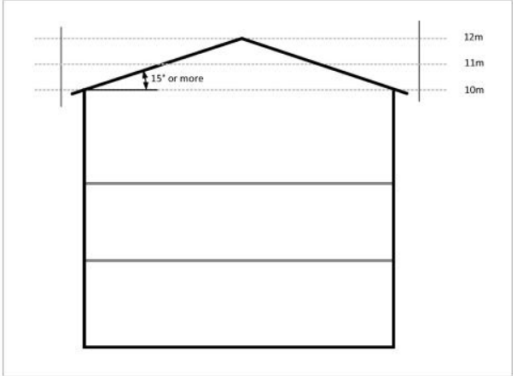
Activity status: NC	
MRZ	Any activity that is not listed as permitted, restricted discretionary or prohibited,
Activity status: DIS	
MRZ-R13	Any building, structure, objects or vegetation that obscures the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – 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
MRZ2-R16	<u>Building setback – sensitive land use located outside the Amenity Setback specific control in Tuakau.</u>

<p>(1) Activity status: PER Where: (a) <u>Any new building or alteration to an existing building for a sensitive land use shall be located outside the Amenity Set-back specific control identified on the planning maps.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) <u>On-site amenity values;</u> (b) <u>Odour, dust and noise levels received at the notional boundary of the building;</u> (c) <u>Timing and duration of noise received at the notional boundary of the building; and</u> (d) <u>Potential for reverse sensitivity effects</u></p>
MRZ2-RI7	<u>Any new building within the Geotechnical limitation QM identified on the planning maps.</u>
Activity status: NC	

Land use

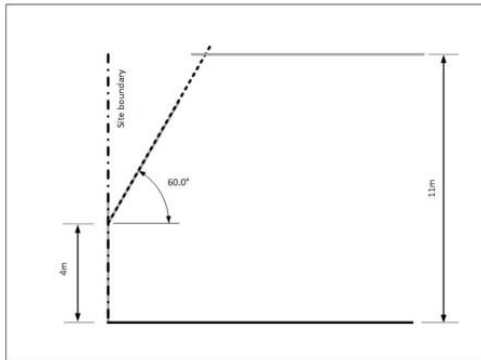
MRZ2-SI	Residential unit
<p>(1) Activity status: PER Where: (a) Up to three residential units per site. <u>Note: This standard does not apply to 5851 Great South Road Ngaaruawaahia.</u> <u>Advice Notes:</u> 1. <u>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</u> (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>	<p>(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, 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; and (h) <u>The effects on values held by mana whenua where:</u> i. <u>Sites contain or are adjacent to mapped archaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Out-</u></p>

	<p><u>standing Natural Features or Outstanding Natural Landscapes;</u> and/or</p> <p>ii. <u>Sites are adjacent to marae or an Open Space Zone.</u></p> <p>Notification 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.</p>
MRZ2-S1A	Residential unit within the QM for 585 I Great South Road
<p>(1) Activity status: PER Where:</p> <p>(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:</p> <p>(a) <u>Intensity of the development; and</u> (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 585 I Great South Road effects on the values associated with the Site or Area of Significance to Maaori.</u></p>

MRZ2-S2	Height – building general
<p>(1) Activity status: PER Where:</p> <p>(a) <u>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).</u></p> <p><u>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</u></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 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 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 <u>Turangawaewae Marae to Hakarimata Range, and Taupiri Maunga, and the Waikato Awa;</u> 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 Turangawaewae Marae High Potential Effects Area the potential to adversely affect the outlook from Turangawaewae 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

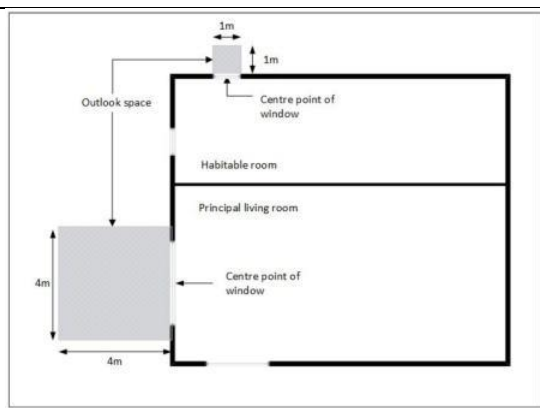
Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S3 will be considered without public notification.

<p>LLRZ—Large lot residential zone or SETZ—Settlement zone; (vii) Where the boundary adjoins a legal road.</p>									
<p>MRZ2-S3A</p>	<p>Height in relation to boundary in the Tuurangawaewae Marae surrounds QM</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, and the Waikato Awa.</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><u>Yard</u></th> <th><u>Minimum depth</u></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>	<u>Yard</u>	<u>Minimum depth</u>	<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 storm-water catchment management plan; and</u> (i) <u>The extent to which the non-compliance compromises the ability for emergency</u></p>
<u>Yard</u>	<u>Minimum depth</u>								
<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 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.</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</p> <p>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</p> <p><u>Council’s discretion is restricted to the following matters:</u></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, and the Waikato Awa.</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</p> <p>Where:</p> <p>(a) <u>A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground 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</p> <p><u>Council’s discretion is restricted to the following matters:</u></p> <p>(a) <u>Design and location of the building;</u></p> <p>(b) <u>Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</u></p> <p>(c) <u>Privacy and overlooking on adjoining sites; and</u></p> <p>(d) <u>The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</u></p> <p><u>Notification</u></p> <p><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-SI1	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-SI2	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-SI3	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>	
MRZ2-SI4	Building setbacks – water bodies
<p>(1) Activity status: PER Where:</p> <p>(a) A building must be set back a minimum of:</p> <ul style="list-style-type: none"> (i) 20m from the margin of any lake; (ii) 20m from the margin of any wetland; (iii) 21.5m23m from the bank of any river (other than the Waikato River and Waipa River); (iv) 26.5m38m from the margin of either the Waikato River and the Waipa River (v) 23m from mean high water springs <p>(b) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ2-SI3(1)(a);</p> <p>(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:</p> <ul style="list-style-type: none"> (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values including hydrology and flooding. (g) <u>In the Waikato River catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries including groundwater resources.</u> (h) <u>Effects on cultural values identified in Maori Values and Maatauranga Maori Chapter; and</u> (i) <u>The objectives and policies in Chapter 2-20 - Te Ture Whaimana -Vision and Strategy.</u>
MRZ2-SI5	Building setback – sensitive land use
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u></p> <ul style="list-style-type: none"> (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) <u>300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</u> 	<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) <u>Road network safety and efficiency;</u> (b) <u>On-site amenity values;</u> (c) <u>Odour, dust and noise levels received at the notional boundary of the building;</u> (d) <u>Mitigation measures; and</u> (e) <u>Potential for reverse sensitivity effects.</u>

<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, Ngaruawaahia.</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:</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 restriction – 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 within 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' (Rule-PREC4-S1) 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 (ab) above requires all external doors of the building and all windows of these rooms to</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p><u>be closed, the building design and construction as a minimum:</u></p> <p>(i) <u>Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C.</u></p> <p>(ii) <u>Includes either of the following for all habitable rooms on each level of a dwelling:</u></p> <p>(1) <u>Mechanical cooling installed; or</u></p> <p>(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>(a) <u>6 air changes per hour for rooms with less than 30% of the façade area glazed;</u></p> <p>(b) <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u></p> <p>(c) <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>(iv) <u>All is certified by a suitably qualified and experienced person.</u></p>	
<p>PREC4-S4</p>	<p>Landscape Plantings - Havelock Precinct (Slope Residential Area)</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Any new building or alteration to an existing building within the Slope Residential Area that is landscaped to the following minimum standards:</u></p> <p>(i) <u>25% of the site area; and</u></p> <p>(ii) <u>Comprises locally appropriate, eco sourced indigenous vegetation planted a maximum of 1.5m apart.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p><u>Council’s discretion is restricted to the following matters:</u></p> <p>(a) <u>Type, density and scale of indigenous vegetation; and</u></p> <p>(b) <u>The extent to which the vegetated character of Slope Residential Area is achieved and buildings are located within a revegetated landform.</u></p>
<p>PREC4-S5</p>	<p>Building Reflectivity - Havelock Precinct</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Any new building or alteration to an existing building that is designed to the following minimum standards:</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p><u>Council’s discretion is restricted to the following matters:</u></p> <p>(a) <u>Effects on landscape values and visual amenity of views from public places; and</u></p>

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

<p>(i) <u>The exterior finish of any building has a light reflectance value of no more than 20% for roofs and no more than 30% for exterior walls; and</u></p> <p>(ii) <u>All glazing on the elevations of any building shall be low reflectivity glass having a reflectivity of less than 16 per cent.</u></p>	<p>(b) <u>Mitigation of effects including through plantings.</u></p>
<p>PREC4-S6</p>	<p><u>Residential unit within the Slope Residential Area</u></p>
<p>(1) Activity status: PER Where: (a) <u>One residential unit per site.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>PREC4-S7</p>	<p><u>Building coverage within the Slope Residential Area</u></p>
<p>(1) Where: (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

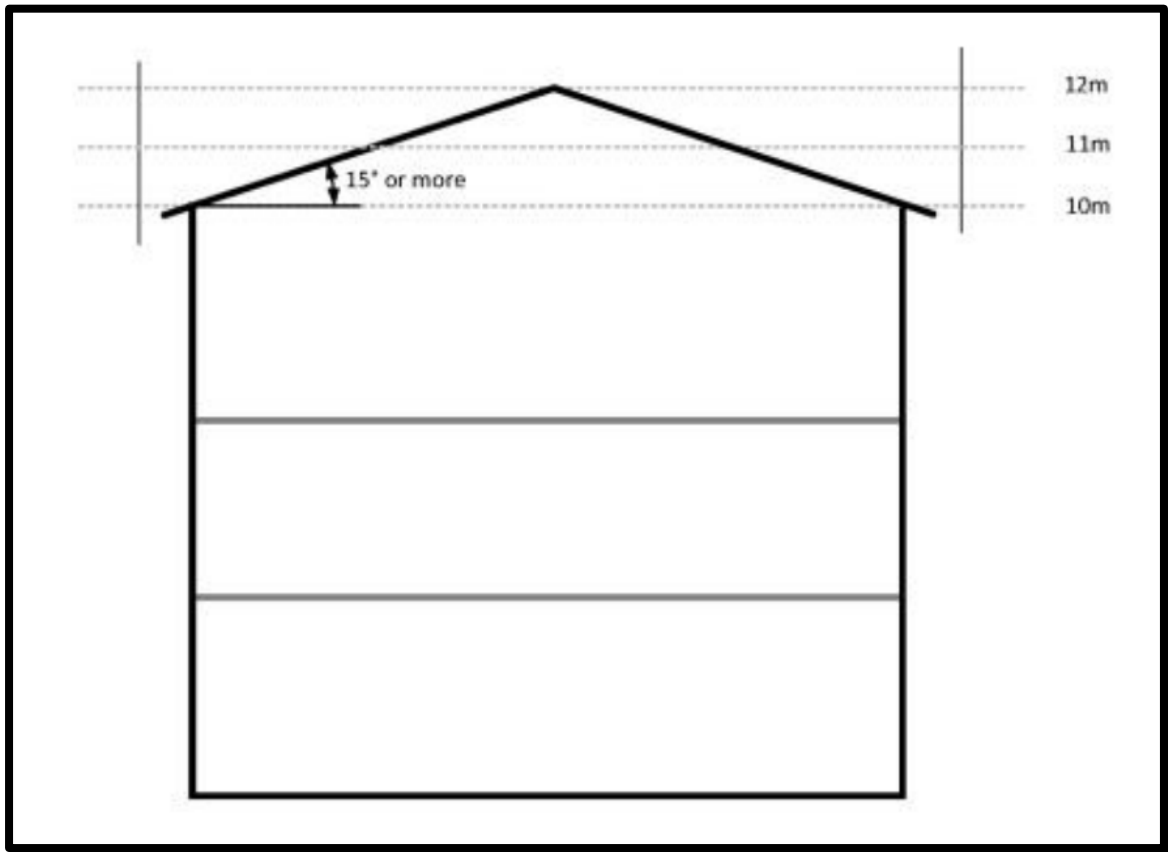


Figure 1: Building Height (refer to MRZ2-S2)

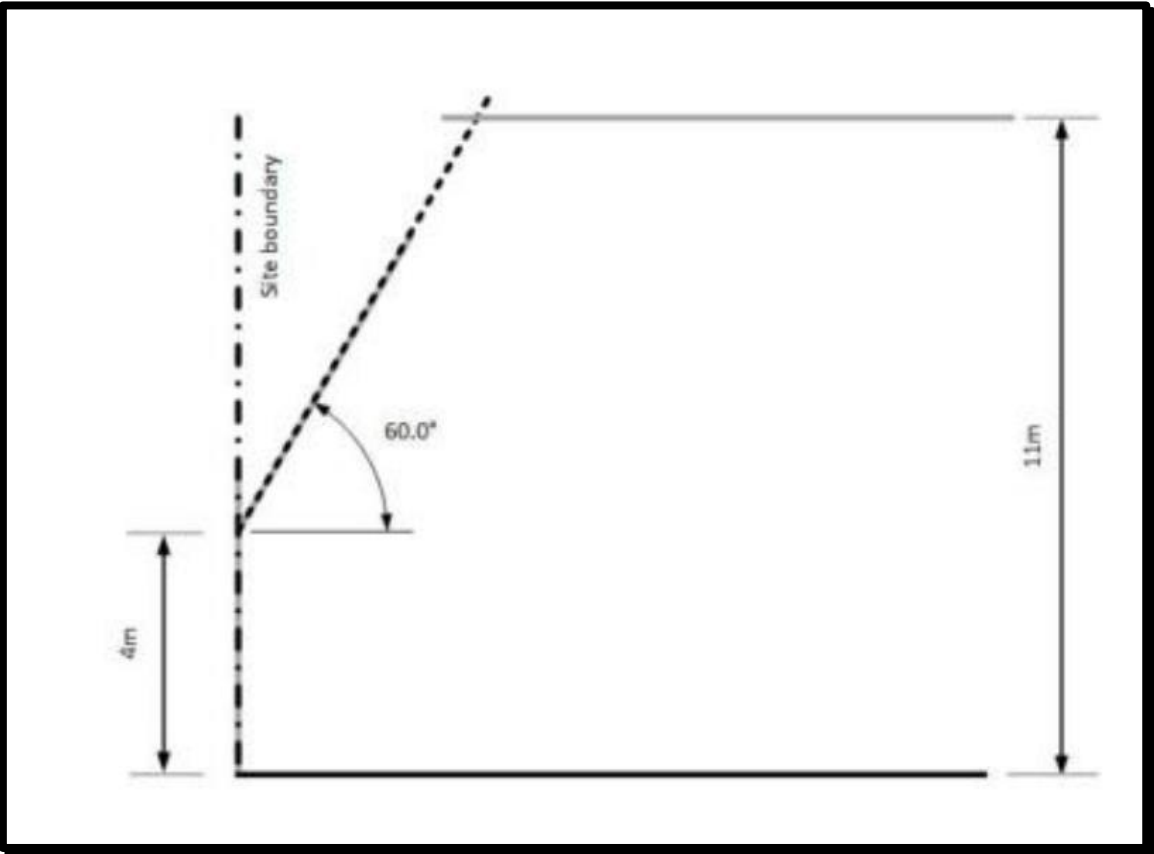


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

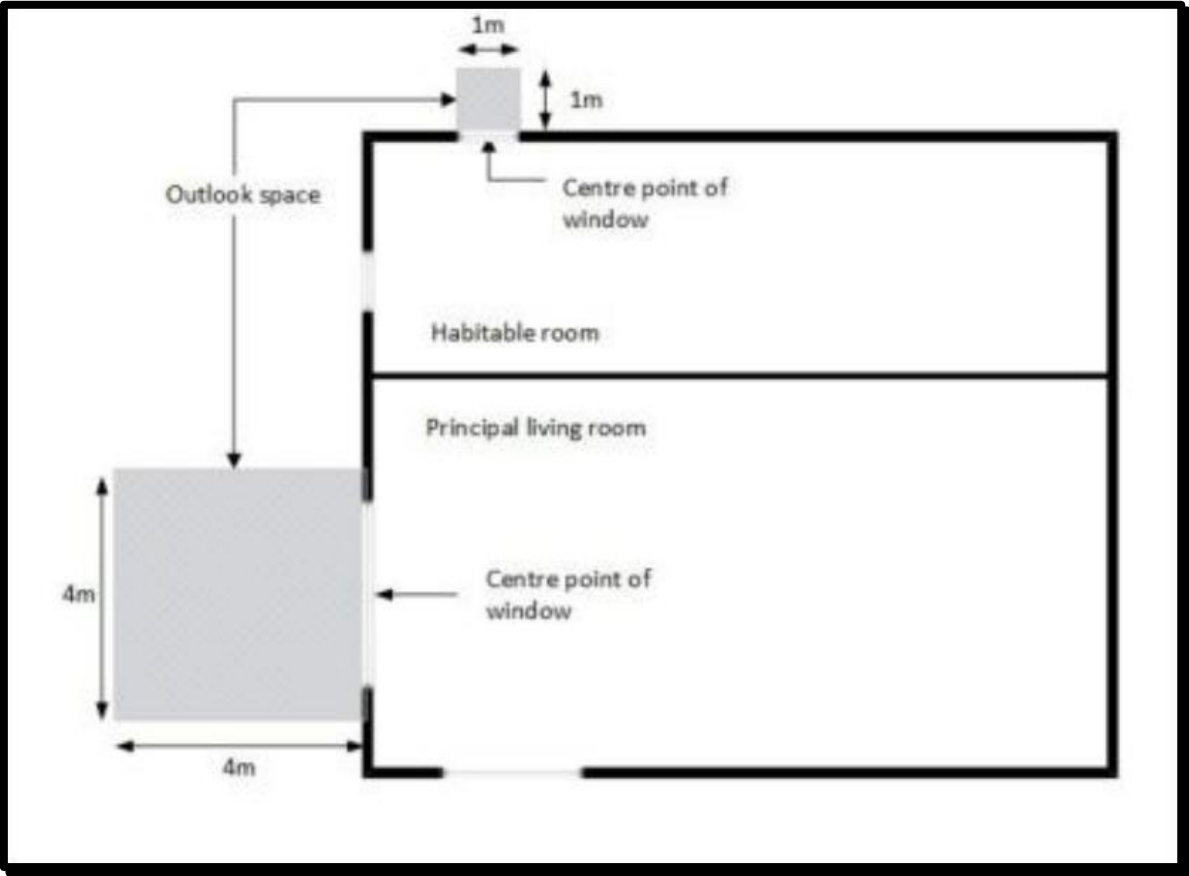


Figure 3: Outlook space per unit (refer to MRZ2-S7)

GRZ – General residential zone

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

Purpose

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

Objectives

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

Policies

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

Part 3: Area-specific matters / Zones / Residential zones / GRZ – General residential zone

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

GRZ-P3 Setback side boundaries.

(1) Require development to have sufficient side boundary setbacks to provide for:

- (a) Planting;
- (b) Privacy; and
- (c) Sunlight and daylight.

(2) Reduced side boundary setbacks occur only where it:

- (a) Enables effective development of sites where on-site topographic constraints occur; or
- (b) Retains trees on the site.

GRZ-P4 Height.

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

GRZ-P5 Site coverage and permeable surfaces.

(1) Ensure all sites have sufficient open space to provide for landscaping, on-site stormwater disposal, parking, and vehicles manoeuvring by maintaining maximum site coverage requirements for buildings in the zone.

(2) Ensure a proportion of each site is maintained in permeable surfaces in order to ensure there is sufficient capacity to enable disposal of stormwater.

GRZ-P6 Building scale.

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

GRZ-P7 Reverse sensitivity.

(1) Avoid or minimise the potential for reverse sensitivity by managing the location and design of sensitive activities through:

- (a) The use of building setbacks;
- (b) The design of subdivisions and development; and
- (c) Acoustic insulation requirements for noise sensitive activities.

GRZ-P8 Daylight and outlook.

(1) Maintain adequate daylight and enable opportunities for passive solar gain.

(2) Require the height, bulk and location of development to maintain sunlight access and privacy, and to minimise visual dominance effects on adjoining sites.

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

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

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

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

GRZ-P12 Retirement villages.

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

GRZ-PI3 Maintain residential purpose.

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

GRZ-PI4 Bankart Street and Wainui.

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

GRZ-PI5 Non-residential activities.

(1) Maintain the zone for residential activities by:

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

(2) Enable existing non-residential activities to continue and support their redevelopment and expansion provided they do not have a significant adverse effect on the character and amenity of the zone.

GRZ-PI6 Home businesses.

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

GRZ-PI7 Neighbourhood centres in structure plan areas.

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

- (b) Are located within a walkable catchment.

GRZ-P18 Outdoor storage.

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

GRZ-P19 Objectionable odour.

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

Rules

Land use – activities

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

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

Part 3: Area-specific matters / Zones / Residential zones / GRZ – General residential zone

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

<p>(1) Activity status: PER Activity-specific standards: (a) Must be within an area identified in a Council approved Structure Plan or Master Plan.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-R8</p>	<p>Commercial activity</p>
<p>(1) Activity status: PER Activity-specific standards: (a) Must be within the Bankart Street and Wainui Road Business Overlay Area.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-R9</p>	<p>Childcare facility</p>
<p>(1) Activity status: PER Activity-specific standards: (a) For up to 4 children that are not permanent residents of the household unit.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRZ-R10</p>	<p>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</p>
<p>(1) Activity status: PER Activity-specific standards: (a) Within the National Grid Yard: (i) Building alterations and additions to an existing building or structure for a sensitive land use that does not involve an increase in the building height or footprint; (ii) New, or additions to existing buildings or structures that are not for a sensitive land use; (iii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991 (iv) Fences less than 2.5m in height, measured from the natural ground level immediately below. (b) All buildings or structures permitted by Rule GRZ-R10(1)(a) must: (i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and (ii) Locate a minimum of 12m from the outer visible foundation of any National Grid support structure and associated stay wire, unless it is one of the following:</p>	<p>(2) Activity status where compliance not achieved: NC</p>

<p>(1) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP34:2001 ISSN 0114-0663;</p> <p>(2) Fences less than 2.5m in height, measured from the natural ground level immediately below, and located a minimum of 5m from the nearest National Grid support structure foundation;</p> <p>(3) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure.</p>	
GRZ-R11	Construction or alteration of a building for a sensitive land use
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards:</p> <p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p> <p>(ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on the amenity values of the site;</p> <p>(b) The risk of electrical hazards affecting the safety of people;</p> <p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>
GRZ-R12	Construction, demolition, addition, and alteration of a building or structure
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
GRZ-R13	<p>Educational facilities</p> <p>This excludes childcare facilities.</p>

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

Land use – effects

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

Land use – building

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

GRZ-S6 is Operative

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

<p>elevation of 2.5m above ground level at every point of the site boundary.</p>	<p>(a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent any other sites; (d) Privacy on another any other sites; and (e) Effects on amenity values and residential character.</p>
<p>GRZ-S10 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) The total building coverage shall not exceed 40%; (b) GRZ-S10(1)(a) does not apply: (i) To a structure that is not a building; or (ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site.</p>
<p>GRZ-S11 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) Within the Te Kauwhata Ecological Residential Area as identified on the planning maps, the total building coverage shall not exceed 35%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site.</p>
<p>GRZ-S12 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) Within the Bankart Street and Wainui Road Business Overlay Area as identified on the planning maps, total building coverage shall not exceed 50%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone; (b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site.</p>
<p>GRZ-S13 Impervious surfaces</p>	
<p>(1) Activity status: PER Where: (a) The impervious surfaces of a site shall not exceed 70%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Site design, layout and amenity; and</p>

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

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

<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of: (i) 5m from the designated boundary of the railway corridor; (ii) 15m from the boundary of a national route or regional arterial; (iii) 25m from the designated boundary of the Waikato Expressway; (iv) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site; (v) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and (vi) 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaaruawaahia.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Road network safety and efficiency; (b) On-site amenity values; (c) Odour, dust and noise levels received at the notional boundary of the building; (d) Mitigation measures; and (e) Potential for reverse sensitivity effects.</p>
<p>GRZ-S21</p>	<p>Building setback—sensitive land use located outside the Amenity Setback-specific control in Tuakau</p>
<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use shall be located outside the Amenity Setback-specific control identified on the planning maps.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) On-site amenity values; (b) Odour, dust and noise levels received at the notional boundary of the building; (c) Timing and duration of noise received at the notional boundary of the building; and (d) Potential for reverse sensitivity effects</p>
<p>PREC4-S2</p>	<p>Building setback—sensitive land use within PREC4—Havelock precinct</p>
<p>(3) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use within the PREC4—Havelock precinct that is located outside the Pōkeno Industry Buffer identified on the planning maps.</p>	<p>(4) Activity status where compliance not achieved: NC</p>
<p>GRZ-S22</p>	<p>Building setback – water bodies</p>
<p>(1) Activity status: PER Where: (a) Any building must shall be setback a minimum of:</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p>

<ul style="list-style-type: none"> (i) 23m from the margin of any; <ul style="list-style-type: none"> (1) lake; and (2) wetland; (ii) 23m from the bank of any river (other than the Waikato and Waipa Rivers); (iii) 28m from the margin of both the Waikato River and the Waipa River; and (iv) 23m from mean high water springs. (v) 10m from any artificial wetland. (b) A public amenity of up to 25m² or a pump shed (public or private), within any building setback identified in GRZ-S22(1)(a). 	<ul style="list-style-type: none"> (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values.
GRZ-S23	Building setback – Environmental Protection Area
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building shall be set back a minimum of 3m from an Environmental Protection Area. 	<p>(2) Activity status where compliance not achieved: DIS</p>
GRZ-S24	Building – Horotiu Acoustic Area (identified on the planning maps)
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Construction, addition to or alteration of a building for a noise sensitive activity within the Horotiu Acoustic Area shall be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) On-site amenity values; (b) Noise levels received at the notional boundary of the building; (c) Timing and duration of noise received at the notional boundary of the building; and (d) Potential for reverse sensitivity effects.
PREC4-S3	Building design – sensitive land use with PREC4 – Havelock precinct
<p>(3) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any new building or alteration to an existing building for a sensitive land use located outside the Pōkeno Industry Buffer but within the 40 dB L_{Aeq} noise contour shown on the planning maps that is designed and constructed so that internal noise levels do not exceed 25 dB L_{Aeq} in all habitable rooms. (b) Provided that if compliance with clause (a) above requires all external doors of the building and all windows of these rooms to be closed, the building design and construction as a minimum: 	<p>(4) Activity status where compliance not achieved: DIS</p>

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

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

Purpose

The COMZ - Commercial zone identifies areas used predominantly for a range of commercial and community activities.

Objectives

COMZ-O1 Economic growth of industry.

Commercial activity is focussed within a differentiation of commercial zones (comprising the TCZ – Town centre zone, LCZ – Local centre zone, COMZ – Commercial zone, and the BTZ – Business Tamahere zone.

COMZ-O2 Commercial zone character.

The commercial scale, form of buildings and character of the zone is maintained.

COMZ-O3 Commercial zone amenity.

The amenity values of residential activities within, and activities in, adjoining zones are protected from the adverse effects of developments and activities in the zone.

COMZ-O4 [Huntly Commercial Precinct](#)

[Land within the Huntly Commercial Precinct is efficiently used to provide for mixed uses, including high-density urban living that increases housing capacity and choice.](#)

COMZ-O5 [Outlook from Tuurangawaewae Marae](#)

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

Policies

COMZ-P1 Commercial function and purpose.

Larger scale commercial activities are provided for within the zone.

COMZ-P2 Commercial purpose.

- (1) The role of the zone is to support the local economy and the needs of businesses by:
- (a) Providing for a wide range of commercial activities; and
 - (b) Providing for commercial activities at a scale that supports the commercial viability of towns and villages; and
 - (c) Ensuring that commercial activities complement and support the role of business town centres.

COMZ-P3 Role and function of the zone.

- (1) Ensure the role of the zone is complementary to the TCZ – Town centre zone by:

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- (a) Enabling a wide range of commercial activities including large format retail activities within the zone; and
- (b) Discouraging small scale retail activities, administration and commercial services within the zone.

COMZ-P4 Employment opportunities.

Commercial development within the zone increases employment opportunities within the district.

COMZ-P5 Retail.

- (1) Locate small scale retail activities within the TCZ – Town centre zone and LCZ – Local centre zone and discourage large scale activities with the exception of supermarkets from establishing within the TCZ – Town centre zone.
- (2) Locate large scale retail and commercial activities within the COMZ – Commercial zone.

COMZ-P6 Residential upper floors.

- (1) Maintain the commercial viability of the zone while:
 - (a) Providing for mixed use developments, ensuring residential activities are preferably located above ground floor; and
 - (b) Avoiding residential activity located at ground level, where it could undermine commercial activity and frontage.

COMZ-P7 Landscaping of onsite parking areas.

Provide a degree of amenity for onsite parking areas within the zone by ensuring a planting strip is established and maintained.

COMZ-P8 Strategic infrastructure setback.

- (1) Ensure buildings within the zone are designed and set back from strategic infrastructure by:
 - (a) Retaining the predominant building setback within the street; and
 - (b) Allowing sufficient space for the establishment of landscaping on the site.

COMZ-P9 Height.

- (1) Ensure the height of new buildings is complementary to, and promotes, the existing character of the zone and adjoining residential zones, [except within the Huntly Commercial Precinct.](#)
- (2) [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.](#)
- (3) [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.](#)

COMZ-PI0 Reverse sensitivity.

Development within the zone is acoustically insulated to mitigate the adverse effects of noise.

COMZ-PI1 Adjoining site amenity.

- (1) Maintain amenity of adjoining GRZ – General residential zone, MRZ – Medium density residential zone, or OSZ – Open space zone by:
- (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ – Medium density residential zone and OSZ – Open space zoned land; and
 - (b) The progressive reduction in the height of buildings in the zone, the closer they are located to boundaries adjoining GRZ – General residential, MRZ – Medium density residential zone and OSZ – Open space zoned land.

COMZ-PI2 Huntly Commercial Precinct – Multi unit development building heights

- (1) Enable a planned built character of up to 6 storeys for multi-unit development provided that:
- (a) Development provides quality on-site residential amenity for residents and supports attractive and safe streets.
 - (b) The bulk, form and appearance of development above 3 storeys is required to mitigate visual dominance and overlooking of adjacent sites.

Rules

Land use – activities

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

COMZ-RI	Commercial activity	
(1) Activity status: PER Activity-specific standards: (a) Any individual tenancy must have a gross floor area of greater than 350m ² .	(2) Activity status where compliance not achieved: DIS	
COMZ-R2	Supermarket	
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a	
COMZ-R3	Community facility	
(1) Activity status: PER Activity-specific standards: (a) Excluding a cemetery.	(2) Activity status where compliance not achieved: DIS	
COMZ-R4	Residential activity, unless specified below	

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	This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level.		(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) The extent to which the residential activity effects the primary purpose of the zone to provide for commercial activities.
COMZ-R5	Educational facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R6	Child care facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R7	Office	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R8	Public amenity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R9	Health facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R10	Visitor accommodation	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R11	Public transport facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R12	Servicing of boats at Raglan Wharf	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R13	Community corrections activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R14	Buildings, structures and sensitive land use within the National Grid Yard on sites existing as of 18 July 2018	

<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Within National Grid Yard:</p> <ul style="list-style-type: none"> (i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or (ii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991; or (iii) Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or (iv) Non-habitable horticultural buildings; or (v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures); (vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and (vii) Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks. <p>(b) All buildings or structures permitted by Rule COMZ-R14(1)(a) must:</p> <ul style="list-style-type: none"> (i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and 	<p>(2) Activity status where compliance not achieved: NC</p>
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<ul style="list-style-type: none"> (1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is: (2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or (3) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or (ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and (iii) Not permanently physically impede existing vehicular access to a National Grid support structure; (c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that: <ul style="list-style-type: none"> (i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor; (ii) Are no higher than 2.5m; (iii) Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes; (iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane. 	
<p>COMZ-RI5 Construction or alteration of a building for a sensitive land use</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people;

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<p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p> <p>(ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>
<p>COMZ-R16</p>	<p>Construction or demolition of, or alteration or addition to, a building or structure</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R17</p>	<p>A multi-unit development</p>
<p>(1) Activity status: RDIS Activity-specific standards:</p> <p>(a) A multi-unit development that meets all of the following standards:</p> <p>(i) Land use – effects standards for the zone;</p> <p>(ii) Land use – building standards for the zone, except the following rules do not apply;</p> <p>(1) COMZ-S9 (Residential units) does not apply;</p> <p>(2) COMZ-S10 (Outdoor living space) does not apply;</p> <p>(b) A detailed site plan depicting the proposed Record of Title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule SUB-R93 (Subdivision of multi-unit developments);</p> <p>(c) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels;</p> <p>(d) A communal service court is provided comprising;</p> <p>(i) minimum area of 20m²; and</p> <p>(ii) minimum dimension of 3m.</p> <p>(e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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Residential Unit	Minimum outdoor Living space area	Minimum Dimensions
Studio unit or 1 bedroom	10m ²	2m
2 or more bedrooms	15m ²	2m

(f) Each residential unit must meet the following minimum unit size:

Unit or Apartment Area	Minimum Unit
Studio Unit	35m ²
1 or more bedroom unit	45m ²

(g) In the Huntly Commercial Precinct: For all side and rear boundaries that are not zone boundaries buildings above 12m in height must fit within a height plane of 12m, at the boundary plus 60 degrees.

(h) In the Huntly Commercial Precinct: Residential units must have an outlook space of 6m in depth by 4m in width measured from the exterior of a unit's principal living room window. All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width. This outlook area must be free of buildings and either be contained within the site or extend into public space or road. Outlook areas must not overlap outlook areas for other dwellings.

Council's discretion is restricted to the following matters:

Design:

- (i) The extent to which that portion of the building or site which fronts a road or public space:
 - (i) Provides for passive surveillance of the street from habitable rooms at ground and upper floor levels.
 - (ii) Avoids the use of impermeable screens or fencing that obstruct visual connections.
 - (iii) Avoids unrelieved and blank façades.
 - (iv) Creates visual interest through the use of cladding materials, colour and articulation of the façade.
 - (v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity.
 - (vi) Minimises vehicle garaging/parking or manoeuvring areas.

<p>(vii) Service courts are screened or obscured.</p> <p><u>Additional Design matters within the Huntly Commercial Precinct:</u></p> <ul style="list-style-type: none">(a) <u>Sunlight and daylight access to adjoining sites; and</u>(b) <u>Privacy and overlooking of adjoining sites;</u>(c) <u>The effects on the heritage values of any scheduled heritage item</u>(d) <u>The design and appearance of buildings including modulation and articulation of building mass to create visual interest and to break down larger elements;</u>(e) <u>Landscape treatment of yards and frontages, including screening of taller buildings when viewed from adjoining residential zones.</u>(f) <u>The effectiveness of screening of car parking and service areas from the view of people using public spaces.</u>(g) <u>The maintenance or enhancement of amenity for pedestrians using public spaces or streets;</u> <p><u>On-site amenity:</u></p> <ul style="list-style-type: none">(j) The extent to which the design:<ul style="list-style-type: none">(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.(iii) Maximises opportunities for passive solar gain within units. <p><u>Additional on-site amenity matters within the Huntly Commercial Precinct:</u></p> <ul style="list-style-type: none">(h) <u>Dimensions of outlook area;</u>(i) <u>Visual privacy and dominance effects on adjoining sites</u>(j) <u>Internal amenity outcome.</u>(k) <u>Methods to secure outlook if over adjoining site</u>	
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<p>Infrastructure:</p> <p>(k) The extent to which the design can be efficiently serviced with 3 waters infrastructure.</p> <p>Natural hazards:</p> <p>(l) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards.</p> <p>Staging:</p> <p>(m) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner.</p>	
COMZ-R18	Commercial activities within in the Motorway service centre specific control
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity of the locality;</p> <p>(b) Landscaping;</p> <p>(c) Design and layout;</p> <p>(d) Effects on efficiency and safety of the land transport network, including the Waikato Expressway;</p> <p>(e) Access design; and</p> <p>(f) Potential reverse sensitivity effects.</p>	<p>(2) Activity status: NC</p> <p>Where:</p> <p>(a) Any other activity within the Motorway service centre specific control area.</p> <p>Advice note: The other land-use activities listed within the COMZ – Commercial zone do not apply to the Motorway service centre specific control area, however the land-use effects and land-use standards do apply.</p>
COMZ-R19	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
(1) Activity status: DIS	
COMZ-R20	Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard
(1) Activity status: NC	
COMZ-R21	Any change of use of an existing building to a sensitive land use within the National Grid Yard
(1) Activity status: NC	
COMZ-R22	The establishment of any new sensitive land use within the National Grid Yard
(1) Activity status: NC	
COMZ-R23	Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, Pseudomonas syringae pv. Actinidiae (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard
(1) Activity status: NC	
COMZ-R24	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
(1) Activity status: PR	

Land use – effects

COMZ-S2	Servicing and hours of operation	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the GRZ - General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.</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 amenity values on adjoining sites within the GRZ - General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone;</p> <p>(b) Timing, duration and frequency of adverse effects;</p> <p>(c) Location of activity in relation to zone boundary;</p> <p>(d) Location of activity in relation to residential units on adjoining sites;</p> <p>(e) The means to avoid, remedy or mitigate adverse effects on adjoining sites.</p>	
COMZ-S3	Onsite parking areas – landscaping	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Onsite car parking area for 5 or more parking spaces located adjoining a road, must comply with the following standards:</p> <p>(i) The car parking area must be separated from the road by a 1.5m wide planting strip, with the exception of vehicle access points; and</p> <p>(ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design and location of the parking area and landscaping strip; and</p> <p>(b) Effects on streetscape amenity.</p>	
COMZ-S4	Outdoor storage	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Outdoor storage of goods or materials must comply with all of the following standards:</p> <p>(i) Be associated with the activity operating from the site;</p> <p>(ii) Not encroach on parking or loading areas;</p> <p>(iii) Standards COMZ-S4 Height and COMZ-S7 Height in relation to boundary; and</p> <p>(iv) Be fully screened from view by a close boarded fence or solid fence or</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Visual amenity;</p> <p>(b) Effects on loading and parking areas;</p> <p>(c) Size and location of storage area; and</p> <p>(d) Measures to mitigate adverse effects.</p>	

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<p>wall to a height of 1.8m fencing or landscaping from any:</p> <p>(1) Public road;</p> <p>(2) Public reserve; and</p> <p>(3) Adjoining site in another zone.</p>	
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Land use – building

COMZ-S5	Building height
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12m;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure;</p> <p>(c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m.</p> <p>(d) The maximum height of any multi-unit development in the Huntly Commercial Precinct must not exceed 22m.</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 an adjoining site;</p> <p>(d) Privacy on adjoining sites;</p> <p>(e) In Ngaaruawaahia, in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa; and</p> <p>(f) In Ngaaruawaahia, in the Tuurangawaewae Marae Building Height Assessment Overlay the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges and Taupiri Maunga.</p>
COMZ-S6	Height in relation to zone boundary
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the:</p> <p>(i) GRZ – General residential zone;</p> <p>(ii) MRZ – Medium density residential zone;</p> <p>(iii) LLRZ – Large lot residential zone;</p> <p>(iv) SETZ – Settlement zone;</p> <p>(v) RLZ – Rural lifestyle zone; or</p> <p>(vi) OSZ – Open space zone.</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) Level of shading on any other adjoining sites;</p> <p>(d) Privacy on other sites; and</p> <p>(e) Amenity values of the locality and</p> <p>(f) In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa.</p>
COMZ-S7	Building setbacks – zone boundaries

<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building must be set back a minimum of at least:</p> <p>(i) 3.0 m from rear and side boundaries adjoining any:</p> <p>(1) GRZ – General residential zone;</p> <p>(2) MRZ – Medium density residential zone;</p> <p>(3) LLRZ – Large lot residential zone;</p> <p>(4) SETZ - Settlement zone;</p> <p>(5) RLZ – Rural lifestyle zone; or</p> <p>(6) OSZ – Open space zone.</p> <p>(ii) 1.5m from rear and side boundaries adjoining any:</p> <p>(1) GRUZ – General rural zone;</p> <p>(2) GIZ – General industrial zone; or</p> <p>(3) HIZ – Heavy industrial zone.</p> <p>(iii) 15m from SH23 for any site between Greenslade Road and Hills Road, Raglan.</p> <p>(b) COMZ-S6(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) Height, design and location of the building relative to the boundary;</p> <p>(b) Impacts on the privacy for adjoining site(s);</p> <p>(c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and</p> <p>(d) Landscaping and/or screening.</p>
<p>COMZ-S8 Building setback – waterbodies</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building that is set back a minimum of:</p> <p>(i) 27.5m from the margin of any lake;</p> <p>(ii) 27.5m from the margin of any wetland;</p> <p>(iii) 27.5 from the bank of any river (other than the Waikato River and Waipa River);</p> <p>(iv) 32.5m from the margin of either the Waikato River and the Waipa River;</p> <p>(v) 27.5m from mean high water springs;</p> <p>(vi) 10m from any artificial wetland;</p> <p>(b) A public amenity of up to 25m² or pump shed (private or public) within any building setback identified in Standard COMZ-S7(1)(a);</p> <p>(c) COMZ-S7(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>
<p>COMZ-S9 Horotiu acoustic area</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area must</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) On-site amenity values;</p>

Part 3: Area-specific matters / Zones / Commercial and mixed use zones / COMZ – Commercial zone

<p>be designed and constructed to achieve the internal design sound level specified in APP1 – Acoustic insulation, Table 22 – Internal design sound levels</p>	<p>(b) Noise levels received at the notional boundary of the residential unit; (c) Timing and duration of noise received at the notional boundary of the residential unit; (d) Potential for reverse sensitivity effects.</p>
<p>COMZ-S10 Residential units</p>	
<p>(1) Activity status: PER Where: (a) One residential unit on the Record of Title must comply with all of the following standards: (i) The residential unit must not be located at ground level; (ii) The residential unit is designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 22 – Internal design sound levels. (b) Standard COMZ-S9(1)(a) does not apply to multi-unit development (refer to Rule COMZ-R17 (Multi-unit development)).</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>COMZ-S11 Outdoor living space</p>	
<p>(1) Activity status: PER Where: (a) An outdoor living space must be provided for each residential unit that meets all of the following standards: (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; and (iii) It is located on a balcony containing at least 15m² and a circle with a diameter of at least 2.4m.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Design and location of the building; (b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed; (c) Privacy on adjoining sites; (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>

TCZ – Town centre zone

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

Purpose

The TCZ – Town centre zone provides for a range of commercial, community, recreational and residential activities.

Objectives

TCZ-O1 Economic growth of industry.

Commercial activity is focussed within a differentiation of commercial zones (comprising the TCZ – Town centre zone, LCZ – Local centre zone, COMZ – Commercial zone, and the BTZ – Business Tamahere zone.

TCZ-O2 Town centre zone character.

- (1) The commercial and mixed use character of Raglan, Huntly, Ngaaruawaahia, Te Kauwhata, Pokeno and Tuakau town centres is maintained and enhanced.
- (2) The zone is promoted as a community focal point.
- (3) Development of town centres is designed in a functional and attractive manner serving the needs of the community.

TCZ-O3 Town centre zone amenity.

The amenity values of residential activities within, and activities in, adjoining zones are protected from the adverse effects of developments and activities in the zone.

TCZ-O4 [Outlook from Tuurangawaewae Marae.](#)

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

Policies

TCZ-P1 Commercial function and purpose.

- (1) Commercial activity develops in a way that ensures the town centre within each town is maintained as the primary focal point for retail, administration, commercial services and civic functions.

TCZ-P2 Commercial purpose.

- (1) The role of the zone in Raglan, Huntly, Ngaaruawaahia, Te Kauwhata, Pokeno and Tuakau is strengthened by ensuring that:
 - (a) They are recognised and maintained as the primary retail, administration, commercial service and civic centre for each town; and
 - (b) The scale of commercial activities supports their continued viability as the primary retail, administration and commercial service centre for each town; and

- (c) Enhances their vitality and amenity while providing for a range of commercial and community activities and facilities.
- TCZ-P3 Employment opportunities.
Commercial development within the zone increases employment opportunities within the district.
- TCZ-P4 Retail.
 - (1) Locate small scale retail activities within the TCZ – Town centre zone and LCZ – Local centre zone and discourage large scale activities with the exception of supermarkets from establishing within the TCZ – Town centre zone.
 - (2) Locate large scale retail and commercial activities within the COMZ – Commercial zone.
- TCZ-P5 Residential upper floors.
 - (1) Maintain the commercial viability of the zone while:
 - (a) Providing for mixed use developments, ensuring residential activities are preferably located above ground floor; and
 - (b) Avoiding residential activity located at ground level, where it could undermine commercial activity and frontage.
- TCZ-P6 Town centre zone built form.
 - (1) The scale and form of new development in the zone is to:
 - (a) Provide for a safe, accessible, compact and attractive town centre environment;
 - (b) Facilitate the integration of retail shopping, administration and commercial services, residential, civic and community activities;
 - (c) Reflect the role and character of the town centre;
 - (d) Increase the prominence of buildings on street corners;
 - (e) Maintain a low rise built form and small scale, pedestrian focussed retail activities; and
 - (f) Manage adverse effects on the surrounding environment, particularly at the interface with residential areas.
- TCZ-P7 Huntly town centre.
 - (1) Development maintains and enhances the role of the Huntly town centre by:
 - (a) Maintaining wide footpaths and high quality public space, prioritising and providing for pedestrian movement and safety;
 - (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths; and
 - (c) Providing for a building scale appropriate to the town centre.

TCZ-P8 Ngaaruawaahia town centre.

- (I) Development maintains and enhances the role of the Ngaaruawaahia town centre by:
- (a) Maintaining wide footpaths, prioritising and providing for pedestrian movement and safety;
 - (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths;
 - (c) Promoting improved pedestrian and cycle linkages with Te Awa River ride, Ngaaruawaahia swimming pool and the town centre; and
 - (d) Providing for an appropriate building scale with narrow frontages

TCZ-P9 Te Kauwhata town centre.

- (I) Development maintains and enhances the role of the Te Kauwhata town centre by:
- (a) Maintaining wide footpaths, prioritising and providing for pedestrian movement and safety;
 - (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths;
 - (c) Providing for an appropriate building scale with narrow frontages; and
 - (d) Protecting and enhancing the character of existing buildings through new built form.

TCZ-P10 Pokeno town centre.

- (I) Development maintains and enhances the role of the Pokeno town centre by:
- (a) Maintaining wide footpaths, prioritising and providing for pedestrian movement and safety;
 - (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths;
 - (c) Providing for an appropriate building scale with narrow frontages; and
 - (d) Protecting and enhancing the character of existing buildings through new built form.

TCZ-P11 Tuakau town centre.

- (I) Development maintains and enhances the role of the Tuakau town centre by:
- (a) Maintaining wide open streets, with wide pedestrian footpaths;
 - (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths; and
 - (c) Providing for an appropriate building scale with narrow frontages.

TCZ-P12 Pedestrian frontages: active street frontages.

- (I) Provide for active street frontages in the design or redesign of buildings, and avoid car parking and accessways on sites within the pedestrian frontage area of the zone to enable the maintenance of:
- (a) Passive surveillance;
 - (b) Continuous verandahs;
 - (c) Display windows and building façades;

- (d) Pedestrian safety; and
- (e) Buildings located up to the street boundary.

TCZ-P13 Corner buildings.

- (1) Ensure buildings within zone positively reinforce corner locations through:
 - (a) Building design;
 - (b) The position of the building on the site;
 - (c) Architectural details; and
 - (d) Having prominent building entrances.

TCZ-P14 Landscaping.

- (1) Within the zone and outside of the pedestrian frontage areas, ensure that landscaping contributes to the adjacent streetscape.

TCZ-P15 Height.

- (1) Ensure the height of new buildings is complementary to, and promotes, the existing character of the business town centre within each town.
- (2) [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.](#)
- (3) [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.](#)

TCZ-P16 New buildings

- (1) New buildings within the zone:
 - (a) Respond to the specific site characteristics and wider street and town context;
 - (b) Promote architectural form, building features and placement;
 - (c) The design of buildings contributes to vibrancy, character and commercial viability of the town centre;
 - (d) Provide landscape and open space design that responds to the characteristics and qualities of the area;
 - (e) Minimise visual and amenity impacts of accessways and parking facilities; and
 - (f) Maximise pedestrian access and safety.

TCZ-P17 Reverse sensitivity.

Development within the zone is acoustically insulated to mitigate the adverse effects of noise.

TCZ-P18 Adjoining site amenity.

- (1) Maintain amenity of adjoining GRZ – General residential zone, MRZ – Medium density residential zone or OSZ – Open space zone by:
- (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ – Medium density residential zone and OSZ – Open space zoned land; and
 - (b) The progressive reduction in the height of buildings in the zone, the closer they are located to boundaries adjoining GRZ – General residential, MRZ – Medium density residential zone and OSZ – Open space zoned land.

TCZ-P19 Outdoor storage.

The adverse visual effects of outdoor storage in the zone are mitigated through appropriate location, screening or landscaping.

TCZ-P20 Objectionable odour.

Within the zone ensure that the adverse effects of objectionable odour from activities do not detract from the amenity of other sites.

Rules

Land use – activities

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

TCZ-R1	Commercial activity
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
TCZ-R2	Residential activity, unless specified below This includes occupation of a single residential unit for short term rental.
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level; and (b) The entrance lobby, stairwell or lift may be located on the ground floor level	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Streetscape effects; (b) The extent to which the residential activity effects the primary purpose of the zone to provide for retail, administration, civic and commercial activities.
TCZ-R3	Supermarket
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
TCZ-R4	Visitor accommodation

<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>TCZ-R5 Community facility</p>	
<p>(1) Activity status: PER Activity-specific standards: (a) Excluding a cemetery.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>TCZ-R6 Health facility</p>	
<p>(1) Activity status: PER Activity-specific standards: (a) Excluding a hospital.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>TCZ-R7 Office</p>	
<p>(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level within the Verandah Line notation on the planning maps.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Streetscape effects including ways in which to activate visual connection and interest between pedestrians and the office; and (b) Extent of glazing and length of frontage of the office to the street.</p>
<p>TCZ-R8 Public transport facility</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>TCZ-R9 Community corrections activity</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>TCZ-R10 Construction or alteration of a building for a sensitive land use</p>	
<p>(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.</p>	<p>(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.</p>

TCZ-R11	Demolition of, or alteration or addition to, a building or structure										
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a									
TCZ-R12	A multi-unit development										
(1) Activity status: RDIS Activity-specific standards: (a) A multi-unit development that meets all of the following standards: (i) Land use – effects; (ii) Land use – building, except the following standards do not apply; (1) Standard TCZ-S6 (Display windows) does not apply; (2) Standard TCZ-S7 (Verandahs) does not apply (3) TCZ-S10 (Residential units) does not apply; (4) TCZ-S11 (Outdoor living space) does not apply; (b) A detailed site plan depicting the proposed Record of Title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule SUB-R100 (Subdivision of multi- unit developments); (c) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels; (d) A communal service court is provided comprising; (i) minimum area of 20m ² ; and (ii) minimum dimension of 3m. (e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:		(2) Activity status where compliance not achieved: DIS									
<table border="1"> <thead> <tr> <th>Residential Unit</th> <th>Minimum outdoor Living space area</th> <th>Minimum Dimensions</th> </tr> </thead> <tbody> <tr> <td>Studio unit or 1 bedroom</td> <td>10m²</td> <td>2m</td> </tr> <tr> <td>2 or more bedrooms</td> <td>15m²</td> <td>2m</td> </tr> </tbody> </table>		Residential Unit	Minimum outdoor Living space area	Minimum Dimensions	Studio unit or 1 bedroom	10m ²	2m	2 or more bedrooms	15m ²	2m	
Residential Unit	Minimum outdoor Living space area	Minimum Dimensions									
Studio unit or 1 bedroom	10m ²	2m									
2 or more bedrooms	15m ²	2m									
(f) Each residential unit must meet the following minimum unit size:											
<table border="1"> <thead> <tr> <th>Unit or Apartment Area</th> <th>Minimum Unit</th> </tr> </thead> <tbody> <tr> <td>Studio Unit</td> <td>35m²</td> </tr> <tr> <td>1 or more bedroom unit</td> <td>45m²</td> </tr> </tbody> </table>		Unit or Apartment Area	Minimum Unit	Studio Unit	35m ²	1 or more bedroom unit	45m ²				
Unit or Apartment Area	Minimum Unit										
Studio Unit	35m ²										
1 or more bedroom unit	45m ²										

<p>Council's discretion is restricted to the following matters:</p> <p><u>Design:</u></p> <ul style="list-style-type: none"> (g) The extent to which that portion of the building or site which fronts a road or public space: <ul style="list-style-type: none"> (i) Provides for passive surveillance of the street from habitable rooms at ground and upper floor levels. (ii) Avoids the use of impermeable screens or fencing that obstruct visual connections. (iii) Avoids unrelieved and blank façades. (iv) Creates visual interest through the use of cladding materials, colour and articulation of the façade. (v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity. (vi) Minimises vehicle garaging/parking or manoeuvring areas. (vii) Service courts are screened or obscured. <p><u>On-site amenity:</u></p> <ul style="list-style-type: none"> (h) The extent to which the design: <ul style="list-style-type: none"> (i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces. (ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects. (iii) Maximises opportunities for passive solar gain within units. <p><u>Infrastructure:</u></p> <ul style="list-style-type: none"> (i) The extent to which the design can be efficiently serviced with 3 waters infrastructure. <p><u>Natural hazards:</u></p> <ul style="list-style-type: none"> (j) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards. <p><u>Staging:</u></p> <ul style="list-style-type: none"> (k) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner. 	
TCZ-RI3	Construction of any new building
(1) Activity status: RDIS Activity-specific standards:	(2) Activity status where compliance not achieved: DIS

<p>(a) The construction of any new building that meets all of the following conditions standards:</p> <ul style="list-style-type: none"> (i) Land use – effects; (ii) Land use – building except; <ul style="list-style-type: none"> (1) TCZ-S10 (Residential units) does not apply; (2) TCZ-S11 (Outdoor living space) does not apply. <p>Council's discretion is restricted to the following matters:</p> <p>(b) The extent to which the building is consistent with the following matters:</p> <ul style="list-style-type: none"> (i) A site and contextual analysis; (ii) A connectivity and movement network analysis; (iii) A neighbourhood character assessment; and (iv) Design illustrating how the building will promote character elements 	
TCZ-RI4	Educational facility
<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 extent to which it is necessary to locate the activity with the TCZ – Town Centre Zone; (b) Reverse sensitivity effects of adjacent activities; (c) The extent to which the activity may adversely impact on the transport network; (d) The extent to which the activity may adversely impact on the streetscape; and (e) The effects of noise. 	<p>(2) Activity status where compliance not achieved: n/a</p>
TCZ-RI5	Emergency service facilities
Activity status: DIS	
TCZ-RI6	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
Activity status: DIS	
TCZ-RI7	Construction of a building located on an indicative road
Activity status: NC	
TCZ-RI8	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).

Activity status: PR

Land use – effects

TCZ-S1	Servicing and hours of operation
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the GRZ - General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.</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 amenity values on adjoining sites within the GRZ - General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone;</p> <p>(b) Timing, duration and frequency of adverse effects;</p> <p>(c) Location of activity in relation to zone boundary;</p> <p>(d) Location of activity in relation to residential units on adjoining sites;</p> <p>(e) The means to avoid, remedy or mitigate adverse effects on adjoining sites.</p>
TCZ-S2	Outdoor storage
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Outdoor storage of goods or materials must comply with all of the following standards:</p> <p>(i) Be associated with the activity operating from the site;</p> <p>(ii) Not encroach on parking or loading areas;</p> <p>(iii) Standards TCZ-S3 Height and TCZ-S4 Height in relation to boundary; and</p> <p>(iv) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any:</p> <p>(1) Public road;</p> <p>(2) Public reserve; and</p> <p>(3) Adjoining site in another zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Visual amenity;</p> <p>(b) Effects on loading and parking areas;</p> <p>(c) Size and location of storage area; and</p> <p>(d) Measures to mitigate adverse effects.</p>

Land use – building

TCZ-S3	Building height
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum height of any building or structure measured from the</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p>

<p>natural ground level immediately below that part of the structure must not exceed 12;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure;</p> <p>(c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m.</p>	<p>(a) Height of the building;</p> <p>(b) Design and location of the building</p> <p>(c) Extent of shading on an adjoining site; and</p> <p>(d) Privacy on adjoining sites;</p> <p>(e) In Ngaaruawaahia, in the Tuurangawaewae Marae High Potential Effects Area, the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa; and</p> <p>(f) In Ngaaruawaahia, in the Tuurangawaewae Marae Building Height Assessment Overlay, the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges and Taupiri Maunga.</p>
<p>TCZ-S4 Height in relation to boundary</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the:</p> <p>(i) GRZ – General residential zone;</p> <p>(ii) MRZ <u>I</u> – Medium density residential zone <u>I</u>;</p> <p>(iii) LLRZ – Large lot residential zone;</p> <p>(iv) SETZ – Settlement zone;</p> <p>(v) RLZ – Rural lifestyle zone; or</p> <p>(vi) OSZ – Open space zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS 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) Level of shading on any other sites adjoining site;</p> <p>(d) Privacy on other site; and</p> <p>(e) Amenity values of the locality; and</p> <p>(f) In Ngaaruawaahia, in the Tuurangawaewae Marae High Potential Effects Area, the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa.</p>
<p>TCZ-S5 Gross leasable floor area</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) Every individual tenancy (excluding supermarkets) must have a gross leasable floor area of no more than 350m²</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>TCZ-S6 Display windows and building façades</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) Any new building façade adjoining a road boundary, or alteration of an existing building façade, adjoining a road boundary must comply with the following standards:</p> <p>(i) Not be set back from the road boundary at ground floor level; and</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 having regard to the operational and functional requirements of the activity to be accommodated</p> <p>(b) Extent to which the activity achieves the intent of the control by other means, to</p>

<p>(ii) Provide display windows comprising at least 50% of the building façade at ground floor level.</p> <p>(b) Standard TCZ-S6(1)(a) does not apply to the entrance lobby, stairwell or lift located at ground floor level that services an above ground level multi-unit development.</p>	<p>enable passive surveillance and promote pedestrian safety</p> <p>(c) Effects on amenity values and town centre character.</p>
<p>TCZ-S7 Verandahs</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any new building, or alteration to the frontage of an existing building, on land with a verandah line identified on the planning maps, must be provided with a verandah that complies with the following standards:</p> <p>(i) Is attached to the façade of the building;</p> <p>(ii) Has a height above the footpath of at least 2.5m but not more than 3.5m;</p> <p>(iii) Has a minimum width of 3m;</p> <p>(iv) The outer edge of the verandah is set back 0.5m from the kerb;</p> <p>(v) It is attached to any verandahs on adjoining buildings, so as to provide continuous pedestrian shelter;</p> <p>(vi) It is cantilevered from the building.</p> <p>(b) Standard TCZ-S7(1)(a) does not apply to a building included in SCHED I – Historic heritage items.</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 effects on the amenity of the streetscape, including providing continuous pedestrian shelter and town centre character;</p> <p>(b) The character and layout of the building;</p> <p>(c) The nature, design and location of the verandah; and</p> <p>(d) The functional requirements of the activities that the buildings are intended to accommodate.</p>
<p>TCZ-S8 Building setbacks – zone boundaries</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building must be set back a minimum of at least:</p> <p>(i) 3m from rear and side boundaries adjoining any:</p> <p>(1) GRZ – General residential zone;</p> <p>(2) MRZ₁ – Medium density residential zone ₁;</p> <p>(3) RLZ – Rural lifestyle zone;</p> <p>(4) LLRZ – Large lot residential zone;</p> <p>(5) SETZ - Settlement zone; or</p> <p>(6) OSZ – Open space zone</p> <p>(ii) 1.5m from rear and side boundaries adjoining any:</p> <p>(1) GRUZ – General rural zone;</p> <p>(2) GIZ – General industrial zone; or</p> <p>(3) HIZ – Heavy industrial zone.</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, design and location of the building relative to the boundary;</p> <p>(b) Impacts on the privacy for adjoining site(s);</p> <p>(c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and</p> <p>(d) Landscaping and/or screening.</p>

(b) TCZ-S8(1)(a) does not apply to a structure which is not a building.		
TCZ-S9	Building setback – waterbodies	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building must be set back a minimum of: <ul style="list-style-type: none"> (i) 27.5m from the margin of any lake; (ii) 27.5m from the margin of any wetland; (iii) 27.5 from the bank of any river (other than the Waikato River and Waipa River); (iv) 32.5m from the margin of either the Waikato River and the Waipa River; (v) 27.5m from mean high water springs; (vi) 10m from any artificial wetland; (b) A public amenity of up to 25m² or pump shed (private or public) within any building setback identified in Standard TCZ-S9(1)(a); (c) TCZ-S9(1)(a) does not apply to a structure which is not a building. 		<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) 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.
TCZ-S10	Residential units	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) One residential unit on the Record of Title; (b) The residential unit must comply with all of the following standards: <ul style="list-style-type: none"> (i) The residential unit must not be located at ground level; (ii) The entrance lobby, stairwell or lift may be located on the ground floor level; (iii) The residential unit must achieve the internal design sound levels specified achieve the internal design sound levels specified in APPI – Acoustic insulation, Table 25 – Internal sound levels. (c) Standard TCZ-S10(1) does not apply to multi-unit development (refer to Rule TCZ-R12 (Multi-unit development)). 		<p>(2) Activity status where compliance not achieved: DIS</p>
TCZ-S11	Outdoor living space	
<p>(1) Activity status: PER</p> <p>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: 		<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) Design and location of the building;

<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; and(iii) It is located on a balcony containing at least 15m² and a circle with a diameter of at least 2.4m.	<ul style="list-style-type: none">(b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed;(c) Privacy on adjoining sites;(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.
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Appendix B – Havelock Consent Order

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU**

Decision [2024] NZEnvC 001

IN THE MATTER OF appeals under clause 14 of the First
Schedule of the Resource Management
Act 1991

BETWEEN HAVELOCK VILLAGE LIMITED
(ENV-2023-AKL-000072)

HYNDS PIPE SYSTEMS LIMITED
HYNDS FOUNDATION
(ENV-2023-AKL-000087)

Appellants

AND WAIKATO DISTRICT COUNCIL
Respondent

Court: Environment Judge S M Tepania sitting alone under s 279 of the
Act

Last case event: 30 November 2023

Date of Order: 16 January 2024

Date of Issue: 16 January 2024

CONSENT DETERMINATION



A: Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the relevant chapters in the Proposed Waikato District Plan are amended in accordance with Appendix 1 to this order;
- (2) the planning maps are amended in accordance with Appendix 2 to this order; and
- (3) the appeals remain extant.

B: Under section 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] This consent order resolves the parts of two appeals as they relate to Waikato District Council's decision on the Proposed Waikato District Plan (**PDP**) zoning and precinct provisions for an urban residential development site known as Havelock, which is a 150ha site located on the existing urban edge of South Pokeno.

[2] The two appeals were grouped as part of Topic 10 for the purposes of the PDP process, which is called Pokeno South and includes a specific sub-topic item, being the spatial extent and precinct provisions for the Havelock site. The appeals are referenced as follows:

- (a) Havelock Village Limited v Waikato District Council - ENV-2022-AKL-000072 (**HVL Appeal**); and
- (b) Hynds Pipe Systems Limited and Hynds Foundation v Waikato District Council - ENV-2022-AKL-000087 (**Hynds Appeal**).

Background

[3] HVL and Hynds both made submissions and further submissions on the PDP.

[4] HVL's original submission sought to rezone its Havelock site on the southwest fringe of Pōkeno's existing urban area from its proposed rural zoning in the notified version of the PDP to general residential. Hynds lodged further submissions opposing the relief sought by HVL.

[5] Prior to the Council hearing, HVL undertook further master planning, refining its proposal to include residential zoning, with a greater spatial buffer from the existing heavy industry zone, as well as a small neighbourhood centre, and hilltop parks at Transmission Hill and Potters Hill. In addition, a rural lifestyle zoned area was included to transition to adjacent rural land. The rezoning was supported by a Havelock Precinct Plan and associated Precinct provisions to ensure a high-quality designed neighbourhood, and site-specific rules that sought to manage the effects of development and achieve intended environmental outcomes.

[6] Hynds has made a significant investment in Pōkeno establishing its regional concrete manufacturing and distribution plant within the existing heavy industrial business park at 9 McDonald Road, Pōkeno. In addition, Hynds has purchased adjoining land at 62 Bluff Road, Pōkeno to enable it to expand its activities in the future. Due to the elevated topography between the Havelock and Hynds' site, parts of the Hynds site are visible from the Havelock site. Hynds' original submission sought that residential development be prohibited or restricted adjacent to any Heavy Industry Zone to prevent potential reverse sensitivity effects.

[7] Following lodgement of original submissions, Hynds' purchased the property at 62 Bluff Road, which is immediately adjacent to its existing operation at 9 McDonald Road and the southeastern boundary of the Havelock site. The previous owner had lodged an original submission seeking the site be zoned Heavy Industry. Hynds took over this submission when it purchased the land and also lodged a further submission in support. Prior to the Council hearing Hynds refined the relief sought so as to seek to rezone only part of the site at 62 Bluff Road as Heavy Industry. HVL opposed this relief.

[8] Both HVL and Hynds appeared at the Council hearing before the Waikato District Council's Independent Hearing Panel (**IHP**) where the parties presented legal submissions and called expert evidence regarding the potential incompatibility of

Havelock's proposed residential zoning with Hynds' existing operation and proposed expansion as well as the potential for reverse sensitivity effects on those operations.

[9] The IHP issued its Decisions relating to the zoning of Havelock in Decision Report 28I: Zoning – Pōkeno.

[10] In summary, the Council Decision was to rezone the majority of Havelock from General Rural to General Residential and Rural Lifestyle but retain the General Rural zoning for land above RL100 and impose an Environmental Protection Area (EPA) on Area 1. An EPA is a planning mechanism used in the PDP that identified a spatial area where revegetation and enhancement planting should occur in order to address the effects of development. The Decision confirmed the inclusion of the Havelock Precinct Plan to identify site specific constraints and plan provisions, and a series of site-specific subdivision and land use controls were included in the PDP. No separate Havelock Precinct chapter was included.

HVL and Hynds Appeals

[11] HVL and Hynds both filed appeals against the Council Decision containing appeal points relating to Havelock.

[12] At paragraph 7 of HVL's appeal, it opposed the Zoning – Pokeno – Decision Report 28I, including:

- (a) retention of rural zoning for land above RL100 at Havelock;
- (b) identification of land in "Area 1" at Havelock as an EPA;
- (c) rezoning of part of 62 Bluff Road as Heavy Industry Zone; and
- (d) sought a minor adjustment to one Significant Natural Area (SNA) boundary on the Havelock site, contained in SNA – Decision Report 9.

[13] At paragraph 9 of the Hynds' appeal, it seeks the following relief:

- (a) remove the Havelock Precinct and all related provisions from the HVL Land and retain the General rural zone as set out in the PDP as notified; and

- (b) notwithstanding sub-paragraph (a) above, in the event that the Court is minded to approve the Havelock Precinct and related provisions in some form, Hynds seeks amendments to the provisions of the relevant PDP chapters to more appropriately address reverse sensitivity effects on Hynds' operations.

[14] These parts of the appeals have been assigned to Topic 10: Pokeno South – Spatial Extent and Havelock Precinct Provisions except for the Havelock SNA point which was allocated to the SNA PDP appeal topic.¹ The parties to the Havelock SNA boundary adjustment point are the same as those for the other Precinct and Zoning provisions in Topic 10.

[15] Both the HVL and Hynds Appeals also include appeal points related to other Topics, that are not resolved through this consent order. These remaining appeal points are listed in and collectively referred to as the Outstanding Appeal Points for the purposes of this order. Those appeal points remain extant for the purposes of the PDP appeal process and are outlined below.

[16] A number of persons gave notice of their intention to be parties to the appeals under s 274 of the RMA. There are several s274 parties who either support or oppose aspects of the HVL Appeal and/or Hynds Appeal concerning the proposed Havelock rezoning and residential development. All parties have been involved in direct discussions with a view to reaching an agreed position on revised Precinct and Zoning provisions for the Havelock site (or have had the opportunity to participate in those discussions as facilitated by Council).

[17] In relation to the HVL appeal the following parties gave notice to join the appeal: Craig Hall; Kāinga Ora- Homes and Communities; Gareth Charles Harris; Yashili New Zealand Dairy Co Limited; Sir William Birch; Hynds Pipe Systems Limited and the Hynds Foundation; Ngāti Tamaoho Trust; Ngāti Te Ata; and Pokeno Village Holdings Limited.

[18] In relation to the Hynds appeal the following parties gave notice to join the appeal: CSL Trust; Craig Hall; Havelock Village Limited; Steven Hopkins and Patricia

¹ Topic 3 Ecosystem and biodiversity – Sub-topic Significant Natural Area.

(Teresa) Hopkins; Ngāti Tamaoho Trust; Ngāti Te Ata; Pokeno Village Holdings Limited; Synlait Milk Limited; and Yashili New Zealand Dairy Co. Limited.

Agreement reached between the parties

[19] Since the appeals were filed, the Parties have engaged in direct discussions as well as Council convened meetings and expert discussions and reached the agreements outlined below in relation to:

- (a) zoning for Havelock;
- (b) the Havelock Precinct Plan; and
- (c) Plan provisions relating specifically to Havelock.

[20] The details of the amended zoning map and Precinct Plan and amended plan provisions are contained within Appendix 1 and Appendix 2 of this consent order.

[21] The agreement reached addresses the concerns of the parties and Council Decision on the key issues of:

- (a) potential reverse sensitivity effects;
- (b) landscape and cultural effects; and
- (c) the format of the Precinct provisions and underlying zoning in terms of implementation of those intended outcomes.

[22] The amendments to the PDP include the addition of a new precinct description, objective and policy relating specifically to Havelock, which will be located within a new Havelock Precinct chapter in the PDP.

[23] The agreed zoning of Havelock involves the following aspects:

- (a) rezone land within Havelock above RL100 from General Rural to a combination of General Residential and Local Centre Zone;
- (b) amend the zoning of the land underneath the Havelock Industry Buffer from General Residential to General Rural Zone;

- (c) amend the zoning of the hilltop parks from General Rural to Open Space Zone;
- (d) amend the boundary between General Rural and General Residential Zone in limited locations to align with refined boundaries of the EPA; and
- (e) confirm the zoning of the balance of Havelock as General Residential.

[24] The Havelock Precinct Plan is amended to:

- (a) identify the Primary and Secondary ridgelines;
- (b) identify various building height restriction areas relating to the hilltop park, industry buffer and ridgelines;
- (c) remove the EPA overlay from the majority of Area 1 and replace in part with a new Height Restriction Area relating to Area 1;
- (d) increase the spatial extent of the EPA to the southeast of Area 1; and
- (e) make a minor boundary adjustment to one Significant Natural Area extent to align with onsite ecological values.

[25] Amend the rules relating to Havelock as follows:

- (a) amend the existing standards in the primary subdivision rule for Havelock (SUB-R21 PREC 4 Havelock) to clarify the hilltop parks and the Havelock Industry buffer area can be provided in stages, and the subdivision proposal must include the legal mechanisms to retain the EPA in perpetuity and prevent further subdivision;
- (b) include a new standard in the primary subdivision rule for Havelock that the proposal includes planted primary ridgelines and other ridgelines (as shown on the Precinct Plan) for any part of the ridgeline that falls within a proposal or stage;

- (c) amend existing matters of discretion for the primary subdivision rule to refer to:
 - (i) the design and planting of Hilltop Parks and adjoining road edges (including consideration of cultural values, management plans for weed and pest control and their implementation, ownership and ongoing management); and
 - (ii) the inclusion of a 3m width band of fast growing evergreen indigenous species along the upper edge of the Havelock Industry Buffer to provide a planting screen within the short term;
- (d) include a new matter of discretion for the primary subdivision rule relating to ridgeline landscape buffers and greenway to create a substantial planted landscape buffer along the primary and secondary ridgelines, compromising 20-25m for the primary ridgeline and 8m for the secondary ridgeline;
- (e) include a new controlled activity subdivision rule to allow for a boundary adjustment between HVL and Hynds, but without triggering the obligations relating to the first subdivision in the wider precinct, involved in the primary subdivision rule;
- (f) include a new land use rule imposing a height restriction of 5 metres for buildings when located within a height restricted area identified on the Precinct Plan;
- (g) amend an existing land use rule relating to building restriction area to include the EPA as well as the Havelock Industry Buffer;
- (h) include new land use rules for buildings within the Slope Residential Area to be landscaped to meet minimum standards, requiring 25% of the site area to be landscaped, comprising locally appropriate, eco sources indigenous vegetation planted species; and

- (i) include new land uses rule for maximum Light Reflectance Value (LRV) standards for all buildings within the Havelock Precinct, including the Local Centre.

[26] HVL is no longer pursuing its appeal point in relation to the zoning of 62 Bluff Road.

Section 32AA evaluation

[27] Section 32AA of the RMA requires a further evaluation of any changes to the proposal since the initial section 32 evaluation report and the Decision. Details of the amendments proposed are outlined above and the further reasoning is provided below.

[28] The parties agree that the amendments satisfy the concerns in the Appeals relating to:

- (a) the rezoning of land above RL100 for residential development and the management of landscape and cultural effects related to that development; and
- (b) the management of potential reverse sensitivity effects on nearby industrial activities from the establishment of residential activities.

[29] The amendments have had regard to the decision of the IHP in relation to the zoning of Havelock by addressing the matters raised in the Council Decision about development above RL100 and providing the nuanced landscape approach the panel said was required to allow residential development in this area.

[30] The section 32AA evaluation provided with the Joint Memorandum of Counsel outlines how the amended zoning and Precinct provisions will:

- (a) give better effect to higher order planning documents² than the Decision as they provide for more integrated, efficient and well-functioning urban

² For example, the National Policy Statement for Urban Development 2020 and the National Policy Statement for Freshwater 2020.

environment with greater opportunities for holistic environmental benefits and outcomes;

- (b) be consistent with the region's growth management (Future Proof 2022) and the district's growth management strategy (Waikato 2070) as well as providing social and economic benefits for current and future landowners and the community;
- (c) provide for additional residential dwellings and commercial activities (through the new local centre) and will help people provide for social and economic wellbeing, while avoiding, remedying and mitigating adverse effects;
- (d) protect areas of significant indigenous vegetation and significant habitats of indigenous fauna, through the retention of Significant Natural Areas and the enhancement of land contained within the EPA;
- (e) manage significant risks from natural hazards through the retention of the controls relating to the Slope Residential Area;
- (f) recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands and sites and particular regard to kaitiakitanga through the identification of the hilltop parks and the protection of the key ridgelines and connections;
- (g) provide for an efficient use of the Havelock site itself through the zoning of the entire site for development rather than part of the site, and an efficient use of infrastructure through the establishment of an urban expansion of the edge of the existing urban area of Pōkeno;
- (h) provide for the ongoing efficient use of adjacent and nearby heavy industry activities through the appropriate management of potentially incompatible land uses and reverse sensitivity effects;
- (i) have particular regard to the maintenance and enhancement of amenity values for future residents of Havelock, through high quality design, and

for other residents of Pōkeno, through protection of key ridgelines and enhancement planting to provide a backdrop to the town; and

- (j) maintain and enhance the quality of the environment through restoration and enhancement of waterways and existing rural sites.

HVL and Hynds appeal points resolved

[31] This consent order resolves part of the Hynds and HVL appeals. The following appeal points are resolved through this consent order:

- (a) HVL appeal:
 - (i) to rezone rural land above RL100 at Havelock to residential;
 - (ii) remove identification of additional EPA land in Area 1 at Havelock and convert EPA to residential zone;
 - (iii) minor adjustment to one SNA boundary at the Havelock site; and
 - (iv) oppose rezoning of part of 62 Bluff Road as Heavy Industry Zone. HVL is no longer pursuing this relief and supports the rezoning.
- (b) Hynds appeal:
 - (i) remove the Havelock Precinct and all related provisions from the HVL Land and retain the General rural zone as set out in the PWDP as notified; and
 - (ii) if the Havelock Precinct and related provisions are approved, amend the provisions of the relevant PDP chapters to more appropriately manage reverse sensitivity effects on Hynds' operations.

Outstanding appeal points

[32] The following points from the Appeals are not addressed by this consent order and remain extant for the purposes of the PDP appeal process:

- (a) HVL appeal:
 - (i) inclusion of a new restricted discretionary rule for Multi-Unit Housing;
- (b) Hynds appeal:
 - (i) that the higher order objectives and policies relating to reverse sensitivity in the PDP be strengthened;
 - (ii) that the Rural Lifestyle zoning applied to 39, 51 and 65 Pioneer Road and the Hopkins' Land at 67 Pioneer Road is declined and General rural zoning retained;
 - (iii) that the General rural zone provisions be amended to refer to reverse sensitivity effects on industrial activities and that a more restrictive activity status is applied to dwellings and minor dwellings on General rural zoned land in proximity to the Hynds Factory Site; and
 - (iv) the permitted activity standard for activities in the Heavy Industrial Zone is amended to provide for more than 250 vehicle movements per day (and with a larger proportion of the movements from heavy vehicles) from the Hynds Factory site.

Consideration

[33] In making this order the Court has read and considered:

- (a) the notices of appeal;
- (b) the consent memorandum dated 30 November 2023;
- (c) the joint memorandum of counsel dated 6 December 2023; and
- (d) the response of counsel for HVL dated 22 December 2023 to the Court's directions of 21 December 2023.

[34] The Court is making this order under section 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order; and
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

Orders

[35] Therefore, the Court orders, by consent, that:

- (a) amendments are made to the provisions of the PDP as shown in Appendix 1;
- (b) the planning maps and Havelock Precinct Plan are amended in accordance with Appendix 2;
- (c) the outstanding appeal points, as outlined above, remain extant; and
- (d) there is no order as to costs.



S M Tepania
Environment Judge



APPENDIX 1: AMENDMENTS TO CHAPTERS IN PDP

PDP Decisions Version – January 2022

Havelock Zone and Precinct amendments in red

PREC33 HAVELOCK PRECINCT

Description of Havelock Precinct

The Havelock Precinct is located in between the main residential areas on the western side of Pokeno and the Waikato River and provides a range of housing opportunities. It includes an opportunity for a local centre to support the day-to-day needs of residents. The Precinct also includes a number of place-based provisions necessary for recognition and management of the development having regard to the topography, landscape context and proximity to the Heavy Industrial Zone.

Objective – Havelock Precinct

PREC33-01 Havelock Precinct

(i) The Havelock Precinct achieves a range of housing outcomes while recognising and integrating with natural and cultural heritage features such as the hilltops, streams, wetlands, Significant Natural Areas, ridgelines and steep slopes.

(ii) Urban development in the Havelock Precinct is designed to avoid as far as practicable or minimise reverse sensitivity effects on the Heavy Industrial Zone and incompatibility with existing land uses and to manage other effects on the environment.

Policies – Havelock Precinct

PREC33-P1

Subdivision and development shall:

- (i) Progressively implement the Havelock Precinct Plan.
- (ii) Prevent sensitive land uses locating within the Havelock Industry Buffer to avoid adverse health and amenity effects on sensitive land uses and avoid reverse sensitivity effects on the Heavy Industrial Zone (the extent of the Zone being as at 2018).
- (iii) Manage the potential for reverse sensitivity effects from sensitive land uses in proximity to the Heavy Industrial Zone (the extent of the Zone being as at 2018) by:
 - a. restricting the height of buildings in height restriction areas
 - b. earthworks contouring
 - c. requiring screen planting within the Environmental Protection Area.

- (iv) Design dwellings located between the 40 dB L_{Aeq} contour and the Havelock Industry Buffer with acoustic attenuation to provide for appropriate residential amenity in proximity to the Heavy Industrial Zone and manage reverse sensitivity effects.
- (v) Revegetate streams, wetlands and steep slopes associated with the Environmental Protection Area and avoid dwellings in these areas.
- (vi) Reinforce hill tops and ridgelines as viewed from Pokeno through use of open space, landscape plantings and building height restrictions.
- (vii) Establish a road connection to Bluff Road.
- (viii) Achieve cluster housing development within revegetated areas in the Rural Lifestyle Zone.

Application of rules

The area-specific and district-wide rules shall apply to the Havelock Precinct in addition to the following Precinct provisions. In the event of a conflict between an area-specific district-wide rule and an equivalent Precinct rule, the Precinct rule shall apply instead.

Subdivision Rules

SUB-R19	Subdivision – building platform within PREC – Havelock Pprecinct	
PREC4 - Havelock Pprecinct <u>(Applies to Local Centre, General Rural, General Industry, General Residential Zone)</u>	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) Subdivision within PREC4 – Havelock Pprecinct where every proposed lot, other than one designed specifically for access, <u>is a boundary adjustment under SUB-R20A</u> or is a utility allotment, is capable of containing a building platform complying with SUB-R18(1) located outside the Havelock Pokeno Industry Buffer illustrated on the planning maps.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Subdivision layout; (b) Shape of allotments; (c) Ability of allotments to accommodate a practical building platform; (d) Likely location of future buildings and their potential effects on the environment; (e) Avoidance or mitigation of natural hazards; (f) Geotechnical suitability for building; and (g) Ponding areas and primary overland flow paths <u>within and adjoining the Precinct.</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>
SUB-R21	Subdivision – PREC4 – Havelock Pprecinct	
PREC4 – Havelock Pprecinct <u>(Applies to Local Centre, General Rural, General</u>	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) <u>Except as provided for by SUB-R20A, subdivision</u> within the PREC – Havelock Pprecinct that complies with all of the following standards:</p>	<p>(2) Activity status: DIS Where:</p> <p>(a) Subdivision that does not comply with Rule SUB-R21(1)(a)(i) – <u>(iii).</u></p>

<p><u>Industry, General Residential Zone)</u></p>	<p>(i) The first subdivision to create residential lots includes the indicative road connections from Hitchen Road and Yashili Drive as a road to vest.</p> <p>(ii) The proposal includes the indicative roads as roads to vest, provided that this can be constructed and vested in stages.</p> <p>(iii) The proposal includes the provision of the Hilltop Parks, <u>provided that these can be established in stages, and the creation of the Pōkeno Industry Buffer areas and Environmental Protection Areas (all as shown on the planning maps).</u></p> <p><u>(iv) The proposal includes the provision of the Havelock Industry Buffer area and Environmental Protection Area that it contains, provided that these can be established in stages (all as shown on the planning maps) and the proposal includes legal mechanisms to retain Environmental Protection Areas in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting).</u></p> <p>(iv) The proposal <u>includes the provision of the Environmental Protection Area (where outside the Havelock Industry Buffer) and includes</u> legal mechanisms to retain Environmental Protection Areas in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting).</p> <p>(vi) Either prior to or concurrent with subdivision in Lot 2 DP199997, an acoustic barrier (being a bund, building or structure, or any combination thereof) is constructed within the Havelock Precinct's GIZ - General industrial zone which is designed so as to:</p> <ol style="list-style-type: none"> (1) Achieve noise levels no greater than 45 dB LAeq between 10pm and 7am in the PREC4 – Havelock Pprecinct and GRZ – General residential zone; and (2) Be at a height of no less than that illustrated on Figure 20 below and a length along the entire common boundary between Lot 2 DP199997 and Lots 3 and 4 DP 492007 (excluding the Collector Road on the Havelock Precinct Plan and 5m front yard setback – Rule GIZ-S6(1)(a)(1)). <p><u>(vii) The proposal includes planted primary ridgelines and other ridgelines (as shown on the APP14 – Havelock Precinct Plan) for any part of the ridgeline that falls within that proposal or stage.</u></p> <p>Council's discretion is restricted to the following matters:</p>	<p><u>(v) and (vii) (iv) and (vi)</u></p> <p>(3)Activity status: NC</p> <p>Where:</p> <p>(a)Subdivision that does not comply with Rule SUB-R21(1)(a)(<u>iv) and (vi)</u>).</p>
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	<ul style="list-style-type: none"> (a) Consistency with the Havelock Precinct Plan (APP14 – Havelock Precinct Plan); (b) Design and construction of the indicative roads and pedestrian networks; (c) Design, location and timing of construction of the acoustic barrier within the Havelock Precinct’s GIZ – General industrial zone; (d) The design of, and potential effects on, the safe and efficient operation of the intersection of the Havelock Precinct’s Collector Road and Yashili Drive, including the design to accommodate safe vehicle access and egress for activities in the adjacent GIZ – General industrial zone; (e) Design <u>and planting (including cultural values and landmarks, management plans for weed and pest control and their implementation, ownership and ongoing management)</u> of the Hilltop Parks and adjoining park edge roads. <u>This includes the landscaping of the Hilltop Parks in indigenous species;</u> (f) Avoidance, minimisation or mitigation of visual and physical disturbance to the upper flanks of Transmission and Potters Hills (where the Hilltop Parks are located) resulting from road design and alignment; (g) Potential effects on the safe and efficient operation of Bluff and Pioneer Roads (including where these intersect with State Highway 1) from roading connections to Cole Road; (h) The design of, and potential effects on, the safe and efficient operation of the intersections of: <ul style="list-style-type: none"> (ii) Yashili Drive and Gateway Park Drive; (iii) Gateway Park Drive and Hitchen Road; and (iii) Gateway Park Drive and McDonald Road. (i) Potential effects on the safe and efficient operation of the McDonald Road railway crossing; (j) Accessible, safe and secure pedestrian and cycling connections within the Precinct and to the existing transport network and public facilities; (k) Provision within the Precinct design for future public transport; (l) Provision of planting, management plans for weed and pest control and their implementation, ownership and ongoing management of the Environmental Protection Area, <u>including a 3m width band of fast growing evergreen indigenous species along the upper edge of the Havelock Industry Buffer to provide a planting screen within the short term;</u> (m) Design of earthworks (contours and aspect), lot size and orientation, fencing and landscape treatment between the 40 dB LAeq dBA <u>dB LAeq</u> noise contour and the Havelock Pōkeno <u>Havelock Pōkeno</u> Industry Buffer on the planning maps to minimise possible reverse sensitivity effects on nearby HIZ - Heavy industrial zone activities, including 	
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	<p>through limiting potential for direct visual interaction from building platforms and associated future dwellings and outdoor living areas to industrial activities; and</p> <p><u>(n) Ridgeline landscape buffers and greenways as identified on the APP14 – Havelock Precinct Plan to create landscape plantings between the Hilltops and Environmental Protection Areas (20-25m width on primary ridgeline and 8m on other ridgeline), including provision of fast growing shelter species and indigenous canopy trees, ownership and ongoing management;</u></p> <p><u>(o) Provision of Te Ara Hikoi; and</u></p> <p><u>(p) Tangata Whenua engagement and Cultural effects.</u></p>	
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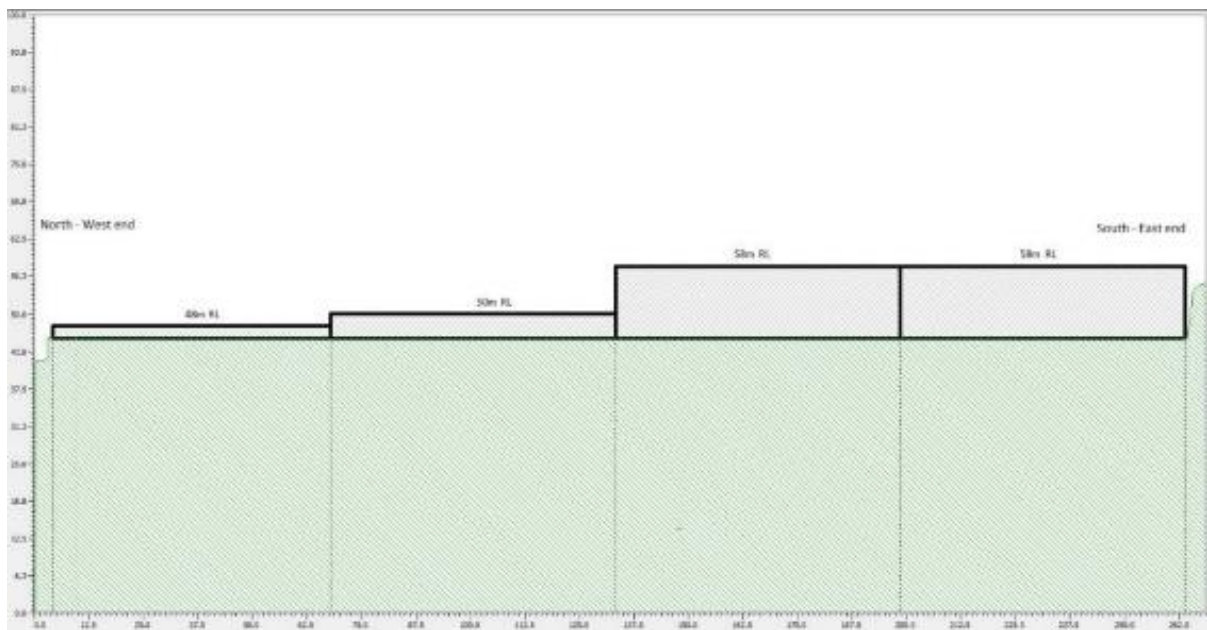


Figure 20 – Havelock **P**recinct

<p><u>SUB-R20A</u></p> <p><u>PREC4 – Havelock Precinct (Applies to Local Centre, General Rural, and General Residential Zone)</u></p>	<p><u>Subdivision – PREC4 – Havelock boundary adjustment</u></p> <p><u>(1) Activity status: CON</u></p> <p><u>Activity specific standards:</u></p> <p><u>(a) Boundary adjustment must comply with the following standard:</u></p> <p><u>(i) Boundary adjustment between sites within the Havelock Precinct and Lot 2 DP 463893 to include parts of the Havelock Industry Buffer and Environmental Protection Area within Lot 2 DP 463893</u></p> <p><u>Council’s control is reserved over the following matters:</u></p> <p><u>(a) Subdivision layout.</u></p>	<p><u>(2) Activity status where compliance not achieved: DIS</u></p>
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General Residential Zone

PREC4-S1	Height – Havelock height restriction areas Height – buildings or structures adjoining Hilltop parks within PREC4 – Havelock precinct
<p>(1) (3) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A building or structure with a maximum height not exceeding 5m, measured from the ground level, where it is located within any of the following height restriction areas identified on the planning maps:</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 1 height restriction area.</u></p> <p>(a) A building or structure with a maximum height not exceeding 5m, measured from the natural ground level immediately below that part of the structure, where it is located within 50m (horizontal distance) of the boundary of the Hilltop parks identified on the havelock precinct plan in APP14 – Havelock precinct plan.</p>	<p>(2) (4) Activity status where compliance not achieved: DIS</p>

PREC4-S2	Building restriction setback – sensitive land use within PREC4 – Havelock P precinct
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any new building or alteration to an existing building for a sensitive land use within the PREC4 – Havelock Pprecinct that is located outside the Havelock Pōkene Industry Buffer <u>and Environmental Protection Area</u> identified on the planning maps.</p>	<p>(2) Activity status where compliance not achieved: NC</p>

PREC4-S3	Building design – sensitive land use with <u>in</u> PREC4 – Havelock P precinct
<p>(1) (3) Activity status: PER</p> <p>Where:</p> <p><u>(a) 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’ (Rule PREC4-S1) but within the 40 dB LAeq noise contour shown on the planning maps.</u></p> <p>(a) <u>(b) Any new building or alteration to an existing building for a sensitive land use located outside the Havelock Pōkene Industry Buffer but within the 40 dB LAeq noise contour shown on the planning maps that is designed and constructed so that</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>internal noise levels do not exceed 25 dB L_{Aeq} in all habitable rooms.</p> <p>(b-c) Provided that if compliance with clause (a b) above requires all external doors of the building and all windows of these rooms to be closed, the building design and construction as a minimum:</p> <p>(i) Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1°C and wet bulb 20.1°C.</p> <p>(ii) Includes either of the following for all habitable rooms on each level of a dwelling:</p> <p>(1) Mechanical cooling installed; or</p> <p>(2) A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</p> <p>(a) 6 air changes per hour for rooms with less than 30% of the façade area glazed;</p> <p>(b) 15 air changes per hour for rooms with greater than 30% of the façade area glazed;</p> <p>(c) 3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</p> <p>(iii) Provides relief for equivalent volumes of spill air.</p> <p>(iv) All is certified by a suitably qualified and experienced person.</p>	
PREC4-S4	<u>Landscape Plantings - Havelock Precinct (Slope Residential Area)</u>
<p><u>(1) Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(a) Any new building or alteration to an existing building within the Slope Residential Area that is landscaped to the following minimum standards:</u></p> <p><u>(i) 25% of the site area; and</u></p> <p><u>(ii) Comprises locally appropriate, eco sourced indigenous vegetation planted a maximum of 1.5m apart.</u></p>	<p><u>(2) Activity status where compliance not achieved: RDIS</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(a) Type, density and scale of indigenous vegetation; and</u></p> <p><u>(b) The extent to which the vegetated character of Slope Residential Area is achieved and buildings are located within a revegetated landform.</u></p>
PREC4-S5	<u>Building Reflectivity - Havelock Precinct</u>
<p><u>(1) Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(a) Any new building or alteration to an existing building that is designed to the following minimum standards:</u></p>	<p><u>(2) Activity status where compliance not achieved: RDIS</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(a) Effects on landscape values and visual amenity of views from public places; and</u></p>

<p><u>(i) The exterior finish of any building has a light reflectance value of no more than 20% for roofs and no more than 30% for exterior walls; and</u></p> <p><u>(ii) All glazing on the elevations of any building shall be low reflectivity glass having a reflectivity of less than 16%.</u></p>	<p><u>(b) Mitigation of effects including through plantings.</u></p>
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<u>PREC4-S6</u>	<u>Residential unit within the Slope Residential Area</u>
<p><u>(1) Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(a) One residential unit per site.</u></p>	<p><u>(2) Activity status where compliance not achieved: DIS</u></p>
<u>PREC4-S7</u>	<u>Building coverage within the Slope Residential Area</u>
<p><u>(1) Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(a) The maximum building coverage must not exceed 40% of the net site area.</u></p>	<p><u>(2) Activity status where compliance not achieved: DIS</u></p>

Part 3_8 LCZ - Local Centre Zone

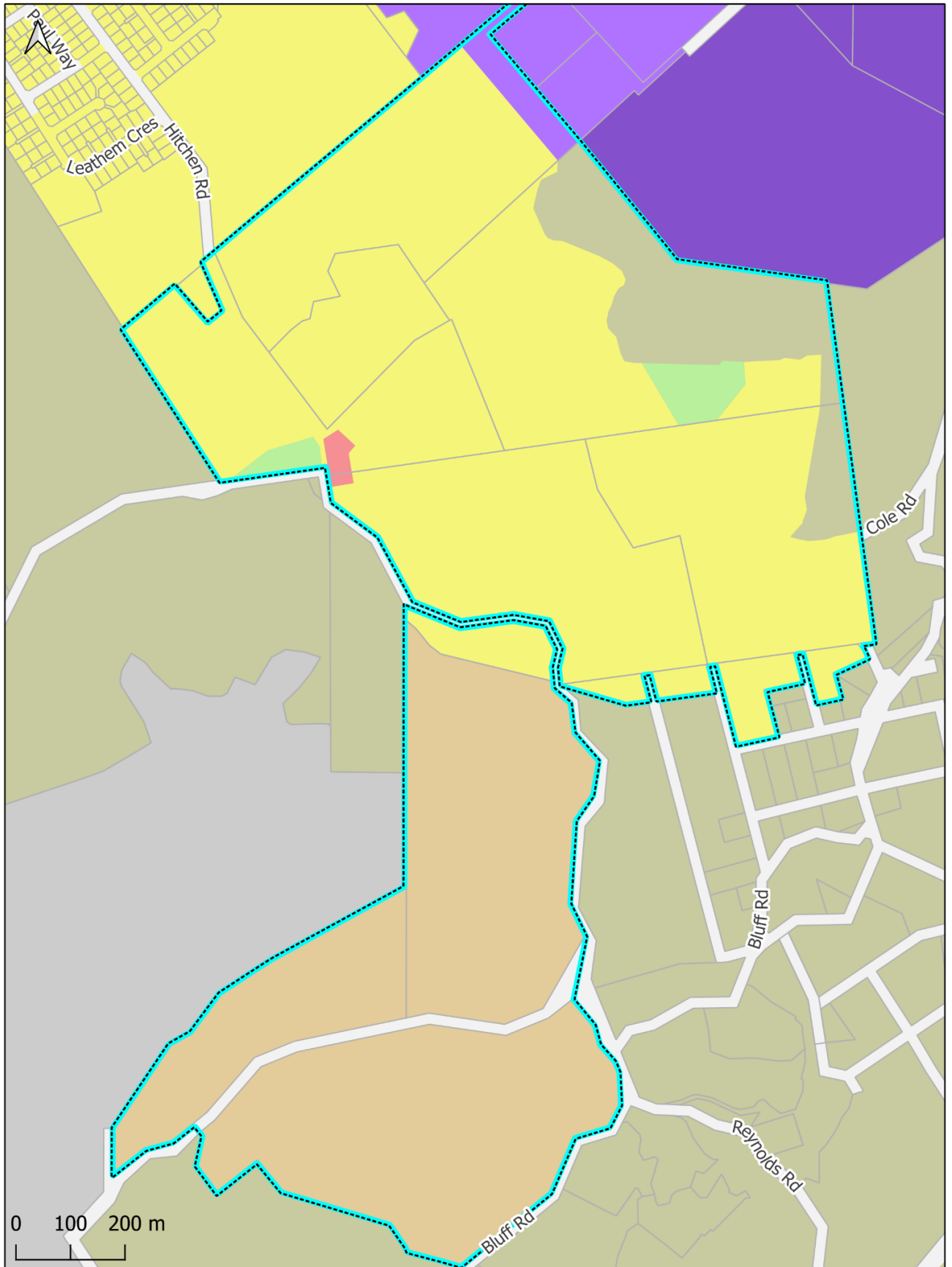
<u>PREC4-S8</u>	<u>Building Reflectivity - Havelock Precinct – Local Centre Zone</u>
<p><u>(1) Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(a) Any new building or alteration to an existing building that is designed to the following minimum standards:</u></p> <p><u>(i) The exterior finish of any building has a light reflectance value of no more than 20% for roofs and no more than 30% for exterior walls; and</u></p> <p><u>(ii) All glazing on the elevations of any building shall be low reflectivity glass having a reflectivity of less than 16%.</u></p>	<p><u>(2) Activity status where compliance not achieved: RDIS</u></p> <p><u>Council’s discretion is restricted to the following matters:</u></p> <p><u>(a) Effects on landscape values and visual amenity of views from public places; and</u></p> <p><u>(b) Mitigation of effects including through plantings.</u></p>

<u>PREC4-S9</u>	<u>Building Height – Havelock height restriction areas – Local Centre Zone</u>
<p><u>(1) Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(a) A building or structure with a maximum height not exceeding 5m, measured from the ground level, where it is located within any of the following height restriction areas identified on the planning maps:</u></p> <p><u>(i) Havelock Hilltop Park height restriction area; and/or</u></p> <p><u>(ii) Havelock ridgeline height restriction area.</u></p>	<p><u>(2) Activity status where compliance not achieved: DIS</u></p>

General Rural Zone

<u>PREC4-S10</u>	<u>Building restriction– sensitive land use within PREC4 – Havelock Precinct – General Rural Zone</u>
<u>(1) Activity status: NC</u> <u>Where:</u> <u>(a) Any new building or alteration to an existing building for a sensitive land use within the PREC4 – Havelock Precinct that is located within the Havelock Industry Buffer identified on the planning maps.</u>	

APPENDIX 2: AMENDMENTS TO PLANNING MAPS AND PRECINCT PLAN




Legend

 Havelock precinct

Zones


 GRZ – General residential zone

 LCZ – Local centre zone

 OSZ – Open space zone

 GRUZ – General rural zone

 RLZ – Rural lifestyle zone

 GIZ – General industrial zone

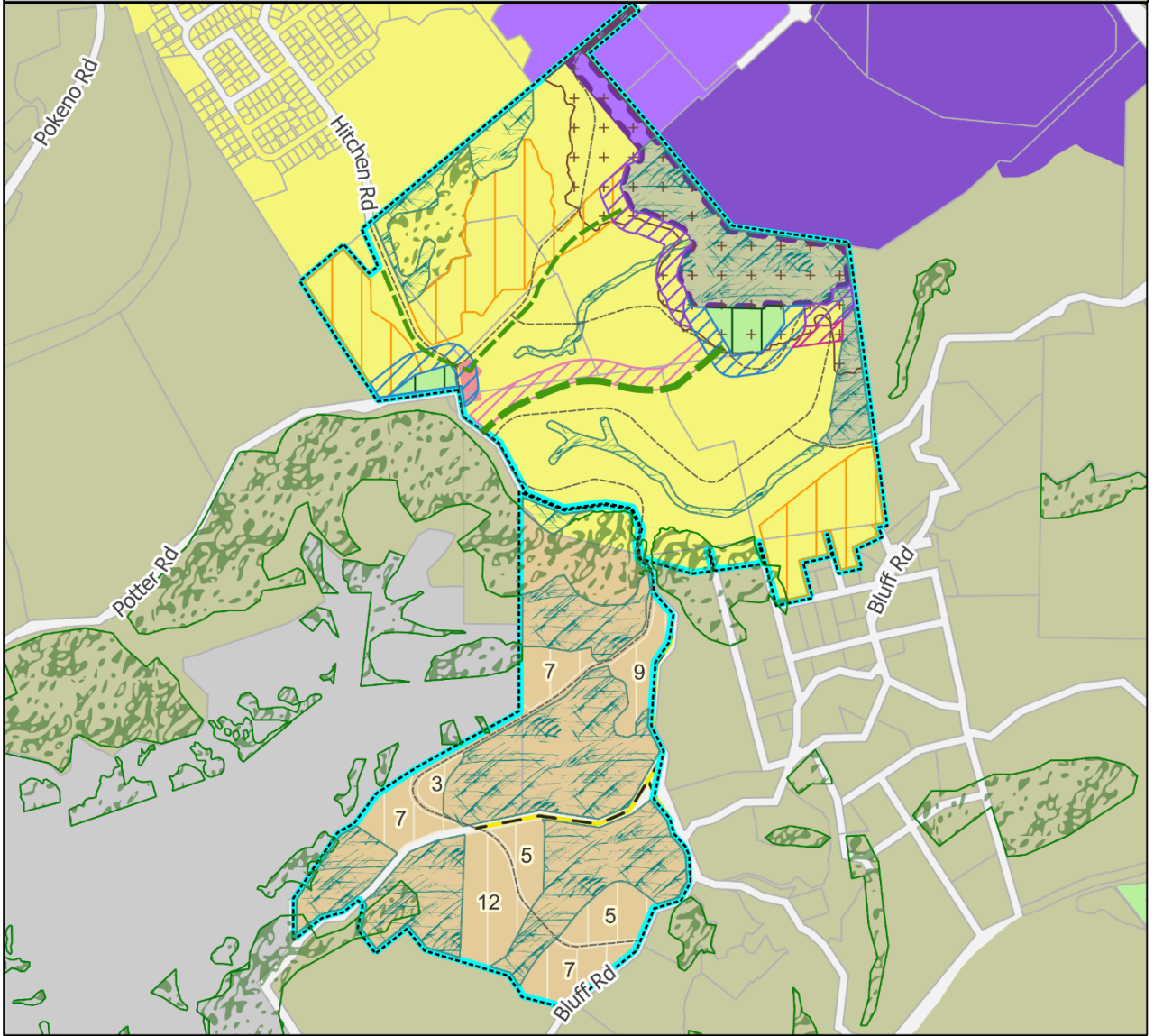
 HIZ – Heavy industrial zone

 TTZ - TaTa Valley zone

 Road

 Parcel boundary

Havelock Precinct Plan



Legend

- | | | |
|---|---|--------------------------------|
| Area 1 height restriction area* | Havelock ridgelines* | Zones |
| Environmental protection area | Primary ridgeline | GRZ – General residential zone |
| Havelock 40 dB LAeq noise contour | Secondary ridgeline | LCZ – Local centre zone |
| Havelock hilltop park | Havelock ridgeline height restriction area* | OSZ – Open space zone |
| Havelock hilltop park height restriction area* | Havelock precinct | GRUZ – General rural zone |
| Havelock indicative roads | Havelock rural lifestyle cluster (number = max. number of lots) | RLZ – Rural lifestyle zone |
| Havelock industry buffer | Havelock slope residential area | GIZ – General industrial zone |
| Havelock industry buffer height restriction area* | Havelock walkway cycleway/bridleway | HIZ – Heavy industrial zone |
| | Significant Natural Area | TTZ - TaTa Valley zone |
| | Parcel boundary | Road |



0 250 500 m

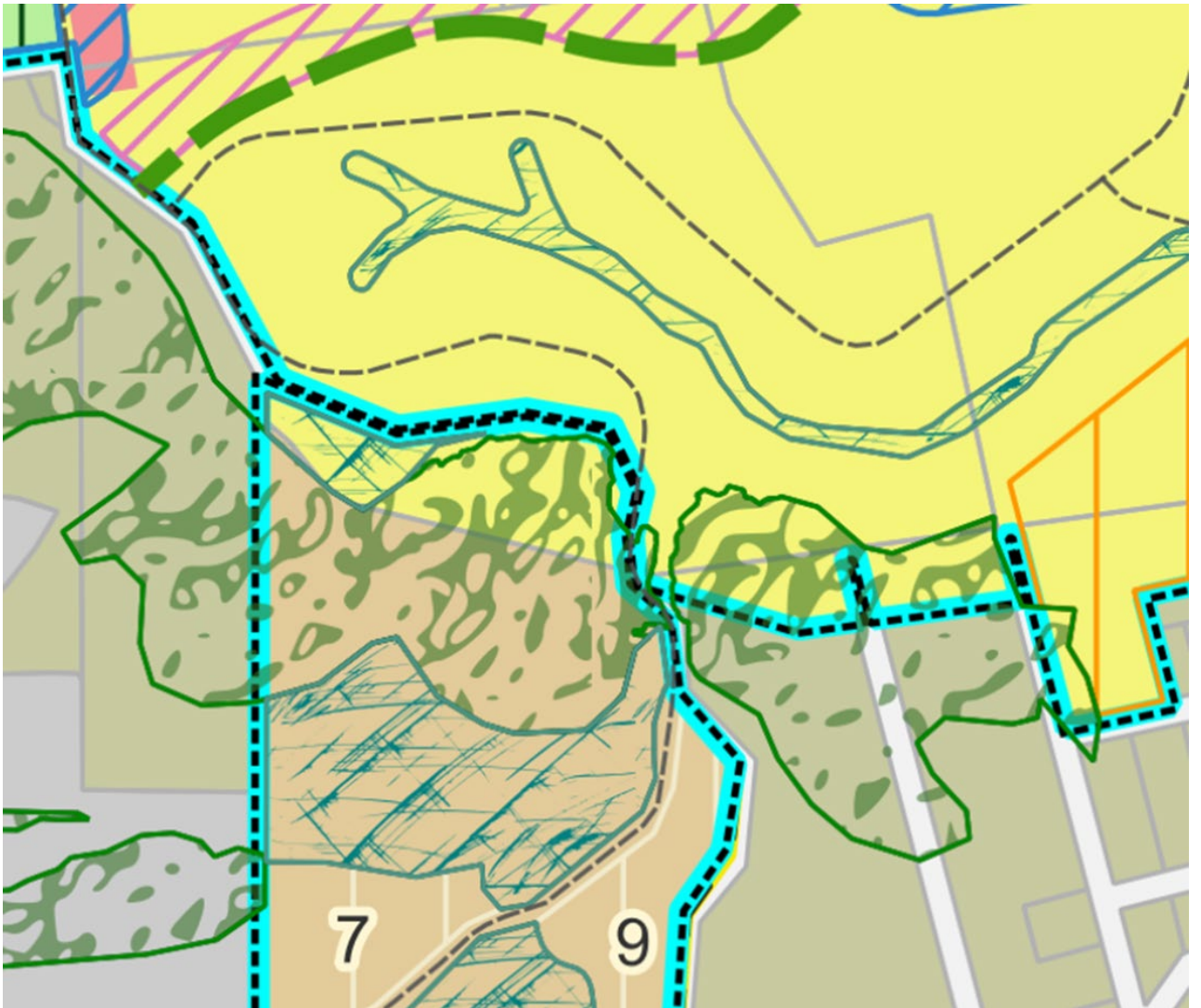


Waikato District Council
 Printed: 6 Nov 2023
 Cadastre Boundaries and addresses - Land Information New Zealand
 Projection: NZTM2000
 Ref: ME47930

* Note: symbology is not final and may be different on final District Plan maps

MINOR BOUNDARY ADJUSTMENT TO SIGNIFICANT NATURAL AREA

Amended boundaries shown in map below



Appendix C – Marked-up Consent Order

PREC33 HAVELOCK PRECINCT

Description of Havelock Precinct

The Havelock Precinct is located in between the main residential areas on the western side of Pokeno and the Waikato River, and provides a range of housing opportunities. It also includes an opportunity for a local centre to support the day-to-day needs of residents. The Precinct also includes a number of place-based provisions necessary for recognition and management of the development having regard to the topography, landscape context and proximity to the Heavy Industrial Zone.

Objective – Havelock Precinct

PREC33-01 Havelock Precinct

(i) The Havelock Precinct achieves a range of housing outcomes while recognising and integrating with natural and cultural heritage features such as the hilltops, streams, wetlands, Significant Natural Areas, ridgelines and steep slopes

(ii) Urban development in the Havelock Precinct is designed to avoid as far as practicable or minimise reverse sensitivity effects on the Heavy Industrial Zone and incompatibility with existing land uses and to manage other effects on the environment.

Policies – Havelock Precinct

PREC33-P1

Subdivision and development shall:

- (i) Progressively implement the Havelock Precinct plan
- (ii) Prevent sensitive land uses locating within the Havelock Industry Buffer to avoid adverse health and amenity effects on sensitive land uses and avoid reverse sensitivity effects on the Heavy Industrial Zone (the extent of the Zone being as at 2018).
- (iii) Manage the potential for reverse sensitivity effects from sensitive land uses in proximity to the Heavy Industrial Zone (the extent of the Zone being as at 2018) by:
 - a. restricting the height of buildings in height restriction areas
 - b. earthworks contouring
 - c. requiring screen planting within the Environmental Protection Area.
- (iv) Design dwellings located between the 40 dB L_{Aeq} contour and the Havelock Industry Buffer with acoustic attenuation to provide for appropriate residential amenity in proximity to the Heavy Industrial Zone and manage reverse sensitivity effects.

Commented [KL1]: Included in PDP through PDP Appeal/Consent Order. Unaffected by V3.

- (v) Revegetate streams, wetlands and steep slopes associated with the Environmental Protection Area and avoid dwellings in these areas
- (vi) Reinforce hill tops and ridgelines as viewed from Pokeno through use of open space, landscape plantings and building height restrictions
- (vii) Establish a road connection to Bluff Road
- (viii) Achieve cluster housing development within revegetated areas in the Rural Lifestyle Zone

Application of rules

The area-specific and district-wide rules shall apply to the Havelock Precinct in addition to the following Precinct provisions. In the event of a conflict between an area-specific district-wide rule and an equivalent Precinct rule, the Precinct rule shall apply instead.

Commented [KL2]: Included in PDP through PDP Appeal/Consent Order. Unaffected by V3.

Subdivision Rules

SUB-R19	Subdivision – building platform within PREC – Havelock Precinct	
PREC4 - Havelock Precinct <u>(Applies to Local Centre, General Rural, General Industry, General Residential Zone)</u>	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) Subdivision within PREC4 – Havelock Precinct where every proposed lot, other than one designed specifically for access, <u>is a boundary adjustment under SUB-R20A</u> or is a utility allotment, is capable of containing a building platform complying with SUB-R18(1) located outside the <u>Havelock Pōkeno</u> Industry Buffer illustrated on the planning maps.</p>	<p>(2) Activity status where compliance not achieved: NC</p>
	<p>Council’s discretion is restricted to the following matters:</p> <p>(a) Subdivision layout; (b) Shape of allotments; (c) Ability of allotments to accommodate a practical building platform; (d) Likely location of future buildings and their potential effects on the environment; (e) Avoidance or mitigation of natural hazards; (f) Geotechnical suitability for building; and (g) Ponding areas and primary overland flow paths <u>within and adjoining the Precinct.</u></p>	
SUB-R21	Subdivision – PREC4 – Havelock Precinct	
PREC4 - Havelock Precinct <u>(Applies to Local Centre,</u>	<p>(1) Activity status: RDIS Activity specific standards:</p>	<p>(2) Activity status: DIS Where:</p> <p>(a) Subdivision that does not comply with Rule</p>

Commented [KL3]: Included in PDP through PDP Appeal. This rule will require consequential reference amendments from GRZ to MRZ through Variation 3.

Commented [MT4]: V3 Consequential amendment - change from GRZ to MRZ.

Commented [KL5]: Included in PDP through PDP Appeal. This rule will require consequential reference amendments from GRZ to MRZ through Variation 3.

<p><u>General Rural, General Industry, General Residential Zone)</u></p>	<p>(a) <u>Except as provided for by SUB-R20A</u>, subdivision within the PREC – Havelock Precinct that complies with all of the following standards:</p> <p>(i) The first subdivision to create residential lots includes the indicative road connections from Hitchen Road and Yashili Drive as a road to vest.</p> <p>(ii) The proposal includes the indicative roads as roads to vest, provided that these can be constructed and vested in stages.</p> <p>(iii) The proposal includes the provision of the Hilltop Parks, <u>provided that this can be established in stages and the creation of the Pōkero Industry Buffer areas and Environmental Protection Areas (all as shown on the planning maps).</u></p> <p><u>(iv) The proposal includes the provision of the Havelock Industry Buffer area and Environmental Protection Area that it contains, provided that these can be established in stages (all as shown on the planning maps) and the proposal includes legal mechanisms to retain Environmental Protection Area in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting).</u></p> <p><u>(iv) The proposal includes the provision of the Environmental Protection Area (where outside the Havelock Industry Buffer) and includes legal mechanisms to retain the Environmental Protection Areas in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting).</u></p> <p>(vi) Either prior to or concurrent with subdivision in Lot 2 DP199997, an acoustic barrier (being a bund, building or structure, or any combination thereof) is constructed within the Havelock Precinct’s GIZ - General industrial zone which is designed so as to:</p> <p>(1) Achieve noise levels no greater than 45 dB L_{Aeq} between 10pm and 7am in the PREC4 – Havelock Precinct and GRZ – General residential zone; and</p> <p>(2) Be at a height of no less than that illustrated on Figure 20 below and a length along the entire common boundary between Lot 2 DP199997 and Lots 3 and 4 DP 492007 (excluding the Collector Road on the Havelock Precinct Plan and 5m front yard setback – Rule GIZ-S6(1)(a)(1)).</p> <p><u>(vii) The proposal includes planted primary ridgelines and other ridgelines (as shown on the APP14 – Havelock Precinct plan) for any</u></p>	<p>SUB-R21(1)(a)(i) – <u>(iii), (v) and (vii) (iv) and (vi)</u></p> <p>(3) Activity status: NC</p> <p>Where:</p> <p>(a) Subdivision that does not comply with Rule SUB-R21(1)(a) <u>(iv) and (vi)</u>.</p>
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Commented [MT6]: V3 Consequential amendment - change from GRZ to MRZ.

Commented [KL7]: V3 Consequential amendment - change from GRZ to MRZ.

part of the ridgeline that falls within that proposal or stage.

Council's discretion is restricted to the following matters:

- (a) Consistency with the Havelock Precinct Plan (APP14 – Havelock Precinct plan);
- (b) Design and construction of the indicative roads and pedestrian networks;
- (c) Design, location and timing of construction of the acoustic barrier within the Havelock Precinct's GIZ – General industrial zone;
- (d) The design of, and potential effects on, the safe and efficient operation of the intersection of the Havelock Precinct's Collector Road and Yashili Drive, including the design to accommodate safe vehicle access and egress for activities in the adjacent GIZ – General industrial zone;
- (e) Design and planting (including cultural values and landmarks, management plans for weed and pest control and their implementation, ownership and ongoing management) of the Hilltop Parks and adjoining park edge roads. This includes the landscaping of the Hilltop Parks in indigenous species;
- (f) Avoidance, minimisation or mitigation of visual and physical disturbance to the upper flanks of Transmission and Potters Hills (where the hilltop parks are located) resulting from road design and alignment;
- (g) Potential effects on the safe and efficient operation of Bluff and Pioneer Roads (including where these intersect with State Highway 1) from roading connections to Cole Road;
- (h) The design of, and potential effects on, the safe and efficient operation of the intersections of:
 - (ii) Yashili Drive and Gateway Park Drive;
 - (iii) Gateway Park Drive and Hitchen Road; and
 - (iii) Gateway Park Drive and McDonald Road.
- (i) Potential effects on the safe and efficient operation of the McDonald Road railway crossing;
- (j) Accessible, safe and secure pedestrian and cycling connections within the Precinct and to the existing transport network and public facilities;
- (k) Provision within the Precinct design for future public transport;
- (l) Provision of planting, management plans for weed and pest control and their implementation, ownership and ongoing management of the Environmental Protection Area, including a 3m width band of fast growing evergreen indigenous species along the upper edge of the Havelock Industry Buffer to provide a planting screen within the short term;

	<p>(m) Design of earthworks (contours and aspect), lot size and orientation, fencing and landscape treatment between the 40 dB L_{eq} noise contour and the Havelock Pōkene Industry Buffer on the planning maps to minimise possible reverse sensitivity effects on nearby HIZ - Heavy industrial zone activities, including through limiting potential for direct visual interaction from building platforms and associated future dwellings and outdoor living areas to industrial activities; and</p> <p><u>(n) Ridgeline landscape buffers and greenways as identified on the APP14 – Havelock Precinct plan to create landscape plantings between the Hilltops and Environmental Protection Areas (20-25m width on primary ridgeline and 8m on other ridgeline), including provision of fast growing shelter species and indigenous canopy trees, ownership and ongoing management;</u></p> <p><u>(o) Provision of Te Ara Hikoi; and</u></p> <p><u>(p) Tangata Whenua engagement and cultural effects.</u></p>	
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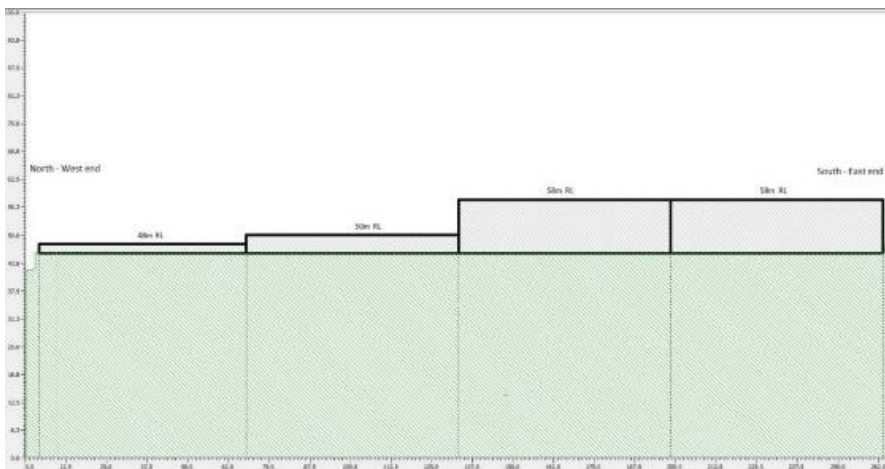


Figure 20 – Havelock Precinct

<p>SUB-R20A</p> <p><u>PREC4 – Havelock Precinct (Applies to Local Centre, General Rural, and General</u></p>	<p><u>Subdivision – PREC4 – Havelock boundary adjustment</u></p> <p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) <u>Boundary adjustment must comply with the following standard:</u></p> <p>(i) <u>Boundary adjustment between sites within the Havelock Precinct and Lot 2 DP 463893 to include parts of the Havelock Industry Buffer</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
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<u>Residential Zone)</u>	<u>and Environmental protection Area within Lot 2 DP 463893</u>	
	Council's control is reserved over the following matters: <u>(a) Subdivision layout.</u>	

Commented [KL8]: V3 Consequential amendment - change from GRZ to MRZ.

Land Use rules

General Residential Zone

<u>PREC4-S1</u>	<u>Height – Havelock height restriction areas</u> <u>Height – buildings or structures adjoining Hilltop parks within PREC4 – Havelock Precinct</u>	
(1) (3) Activity status: PER Where: (a) <u>A building or structure with a maximum height not exceeding 5m, measured from the ground level, where it is located within any of the following height restriction areas identified on the planning maps:</u> (i) <u>Havelock industry buffer height restriction area; and/or</u> (ii) <u>Havelock hilltop park height restriction area; and/or</u> (iii) <u>Havelock ridgeline height restriction area; and/or</u> (iv) <u>Area 1 height restriction area.</u> (a) <u>A building or structure with a maximum height not exceeding 5m, measured from the natural ground level immediately below that part of the structure, where it is located within 50m (horizontal distance) of the boundary of the Hilltop parks identified on the havelock Precinct plan in APP14 – Havelock Precinct plan.</u>	(2) (4) Activity status where compliance not achieved: DIS	

Commented [KL9]: Consequential amendment - this standard will need to be deleted from the GRZ Chapter and included in the MRZ Chapter.

<u>PREC4-S2</u>	Building <u>restriction setback</u> – sensitive land use within PREC4 – Havelock Precinct	
(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use within the PREC4 – Havelock Precinct that is located outside the <u>Havelock Pōkene Industry Buffer and Environmental Protection Area</u> identified on the planning maps.	(2) Activity status where compliance not achieved: NC	

Commented [KL10]: Consequential amendment - this standard will need to be deleted from the GRZ Chapter and included in the MRZ Chapter.

<u>PREC4-S3</u>	Building design – sensitive land use <u>with in</u> PREC4 – Havelock Precinct	
(1) (3) Activity status: PER Where:	(2) Activity status where compliance not achieved: DIS	

Commented [KL11]: Consequential amendment - this standard will need to be deleted from the GRZ Chapter and included in the MRZ Chapter.

<p><u>(a) 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' (Rule PREC4-S1) but within the 40 dB L_{Aeq} noise contour shown on the planning maps</u></p> <p>(a-b) Any new building or alteration to an existing building for a sensitive land use located outside the Havelock Pōkeo Industry Buffer but within the 40 dB L_{Aeq} noise contour shown on the planning maps that is designed and constructed so that internal noise levels do not exceed 25 dB L_{Aeq} in all habitable rooms.</p> <p>(a-c) Provided that if compliance with clause (a-b) above requires all external doors of the building and all windows of these rooms to be closed, the building design and construction as a minimum:</p> <p>(i) Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C.</p> <p>(ii) Includes either of the following for all habitable rooms on each level of a dwelling:</p> <p>(1) Mechanical cooling installed; or</p> <p>(2) A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</p> <p>(a) 6 air changes per hour for rooms with less than 30% of the façade area glazed;</p> <p>(b) 15 air changes per hour for rooms with greater than 30% of the façade area glazed;</p> <p>(c) 3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</p> <p>(iii) Provides relief for equivalent volumes of spill air.</p> <p>(iv) All is certified by a suitably qualified and experienced person.</p>	
<p>PREC4-S4</p> <p>(1) Activity status: PER</p> <p>Where:</p> <p><u>(a) Any new building or alteration to an existing building within the Slope Residential</u></p>	<p>Landscape Plantings - Havelock Precinct (Slope Residential Area)</p> <p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p>

Commented [KL12]: Consequential V3 amendment - this standard will need to be deleted from the GRZ Chapter and included in the MRZ Chapter.

<p>Area that is landscaped to the following minimum standards:</p> <p>(i) 25% of the site area; and (ii) Comprises locally appropriate, eco sourced indigenous vegetation planted a maximum of 1.5m apart.</p>	<p>(a) Type, density and scale of indigenous vegetation; and (b) The extent to which the vegetated character of Slope Residential Area is achieved and buildings are located within a revegetated landform.</p>
<p>PREC4-S5 Building Reflectivity - Havelock Precinct</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) Any new building or alteration to an existing building that is designed to the following minimum standards:</p> <p>(i) The exterior finish of any building has a light reflectance value of no more than 20% for roofs and no more than 30% for exterior walls; and (ii) All glazing on the elevations of any building shall be low reflectivity glass having a reflectivity of less than 16 per cent.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) Effects on landscape values and visual amenity of views from public places; and (b) Mitigation of effects including through plantings.</p>

Commented [KL13]: Consequential V3 amendment - this standard will need to be deleted from the GRZ Chapter and included in the MRZ Chapter.

<p>PREC4-S6 Residential unit within the Slope Residential Area</p>	
<p>(1) Activity status: PER Where: (a) One residential unit per site.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>PREC4-S7 Building coverage within the Slope Residential Area</p>	
<p>(1) Activity status: PER Where: (a) The maximum building coverage must not exceed 40% of the net site area.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

Commented [KL14]: This standard needs to be included through V3 to provide for the natural hazard QM.

Commented [KL15]: This standard needs to be included through V3 to provide for the natural hazard QM.

Part 3_8 LCZ - Local Centre Zone

<p>PREC4-S8 Building Reflectivity - Havelock Precinct – Local Centre Zone</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) Any new building or alteration to an existing building that is designed to the following minimum standards:</p> <p>(i) The exterior finish of any building has a light reflectance value of no more than 20% for roofs and no more than 30% for exterior walls; and</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) Effects on landscape values and visual amenity of views from public places; and (b) Mitigation of effects including through plantings.</p>

Commented [KL16]: Included in PDP through PDP Appeal/Consent Order. Unaffected by V3.

(ii) <u>All glazing on the elevations of any building shall be low reflectivity glass having a reflectivity of less than 16 per cent.</u>	
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PREC4-9	<u>Building Height – Havelock height restriction areas – Local Centre Zone</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <p><u>(a) A building or structure with a maximum height not exceeding 5m, measured from the ground level, where it is located within any of the following height restriction areas identified on the planning maps:</u></p> <p><u>(i) Havelock hilltop park height restriction area; and/or</u></p> <p><u>(ii) Havelock ridgeline height restriction area.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

Commented [KL17]: Included in PDP through PDP Appeal/Consent Order. Unaffected by V3.

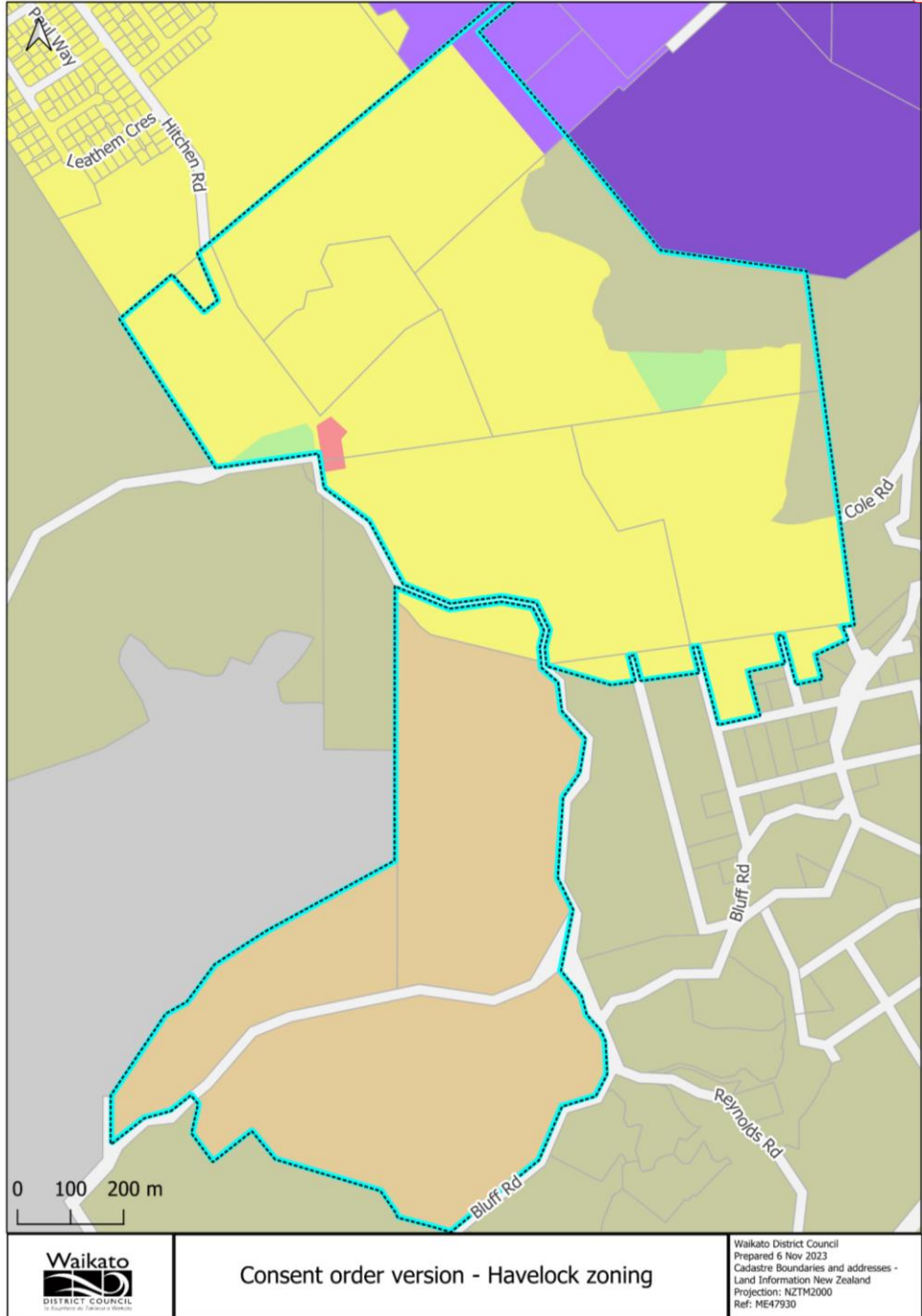
General Rural Zone













PREC4-10	<u>Building restriction– sensitive land use within PREC4 – Havelock Precinct – General Rural Zone</u>
<p>(1) Activity status: NC</p> <p>Where:</p> <p><u>(a) Any new building or alteration to an existing building for a sensitive land use within the PREC4 – Havelock Precinct that is located within the Havelock Industry Buffer identified on the planning maps.</u></p>	

Commented [KL18]: Included in PDP through PDP Appeal/Consent Order. Unaffected by V3.

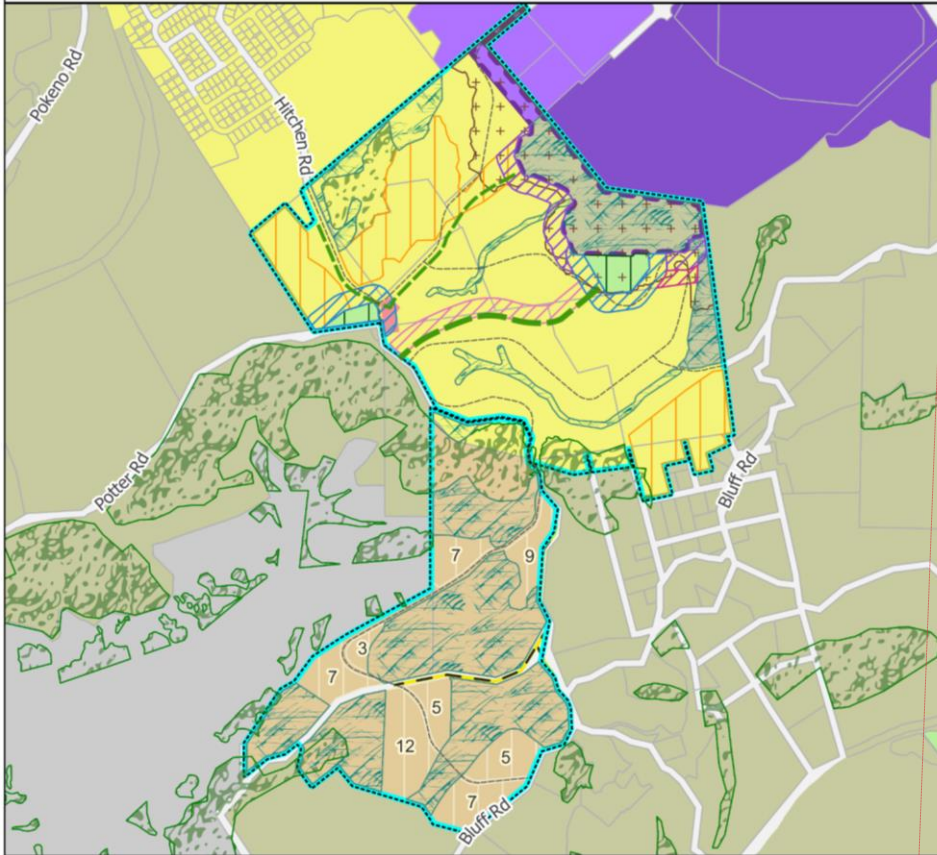
AMENDMENTS TO PLANNING MAPS AND PRECINCT PLAN

Commented [KL19]: V3 amendment - replaced by map titled "post-appeal Variation 3 Zoning map" included as Attachment 1 below.



<p>Legend</p> <p> Havelock precinct</p> <p>Zones</p> <p> GRZ – General residential zone</p> <p> LCZ – Local centre zone</p> <p> OSZ – Open space zone</p> <p> GRUZ – General rural zone</p> <p> RLZ – Rural lifestyle zone</p> <p> GIZ – General industrial zone</p> <p> HIZ – Heavy industrial zone</p> <p> TTZ - TaTa Valley zone</p> <p> Road</p> <p> Parcel boundary</p>	
	<p>Consent order version - Havelock zoning</p>
<p>Waikato District Council Prepared 6 Nov 2023 Cadastre Boundaries and addresses - Land Information New Zealand Projection: NZTM2000 Ref: HE47930</p>	

Havelock Precinct Plan



Commented [KL20]: V3 amendment - rezone GRZ to MRZ. This map is also supplemented by map titled "Havelock precinct Variation 3 post-appeal version with 100m contour shown" included as Attachment 2 below which shows all proposed QMs applying to the Havelock Precinct.

Legend

- | | | |
|---|---|--------------------------------|
| Area 1 height restriction area* | Havelock ridgelines* | Zones |
| Environmental protection area | Primary ridgeline | GRZ – General residential zone |
| Havelock 40 dB LAeq noise contour | Secondary ridgeline | LCZ – Local centre zone |
| Havelock hilltop park | Havelock ridgeline height restriction area* | OSZ – Open space zone |
| Havelock hilltop park height restriction area* | Havelock precinct | GRUZ – General rural zone |
| Havelock indicative roads | Havelock rural lifestyle cluster (number = max. number of lots) | RLZ – Rural lifestyle zone |
| Havelock industry buffer | Havelock slope residential area | GIZ – General industrial zone |
| Havelock industry buffer height restriction area* | Havelock walkway cycleway/bridleway | HIZ – Heavy industrial zone |
| | Significant Natural Area | TTZ - TaTa Valley zone |
| | Parcel boundary | Road |



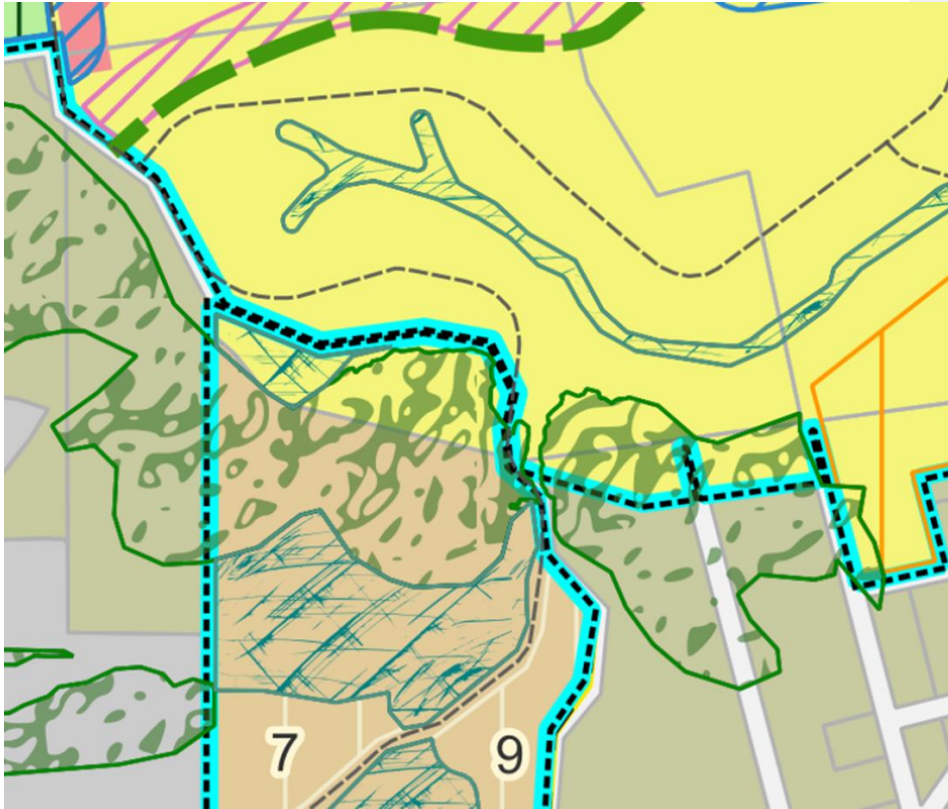
Waikato District Council
 Printed: 6 Nov 2023
 Cadastre Boundaries and addresses - Land Information New Zealand
 Projection: NZTM2000
 Ref: ME47930

* Note: symbology is not final and may be different on final District Plan maps

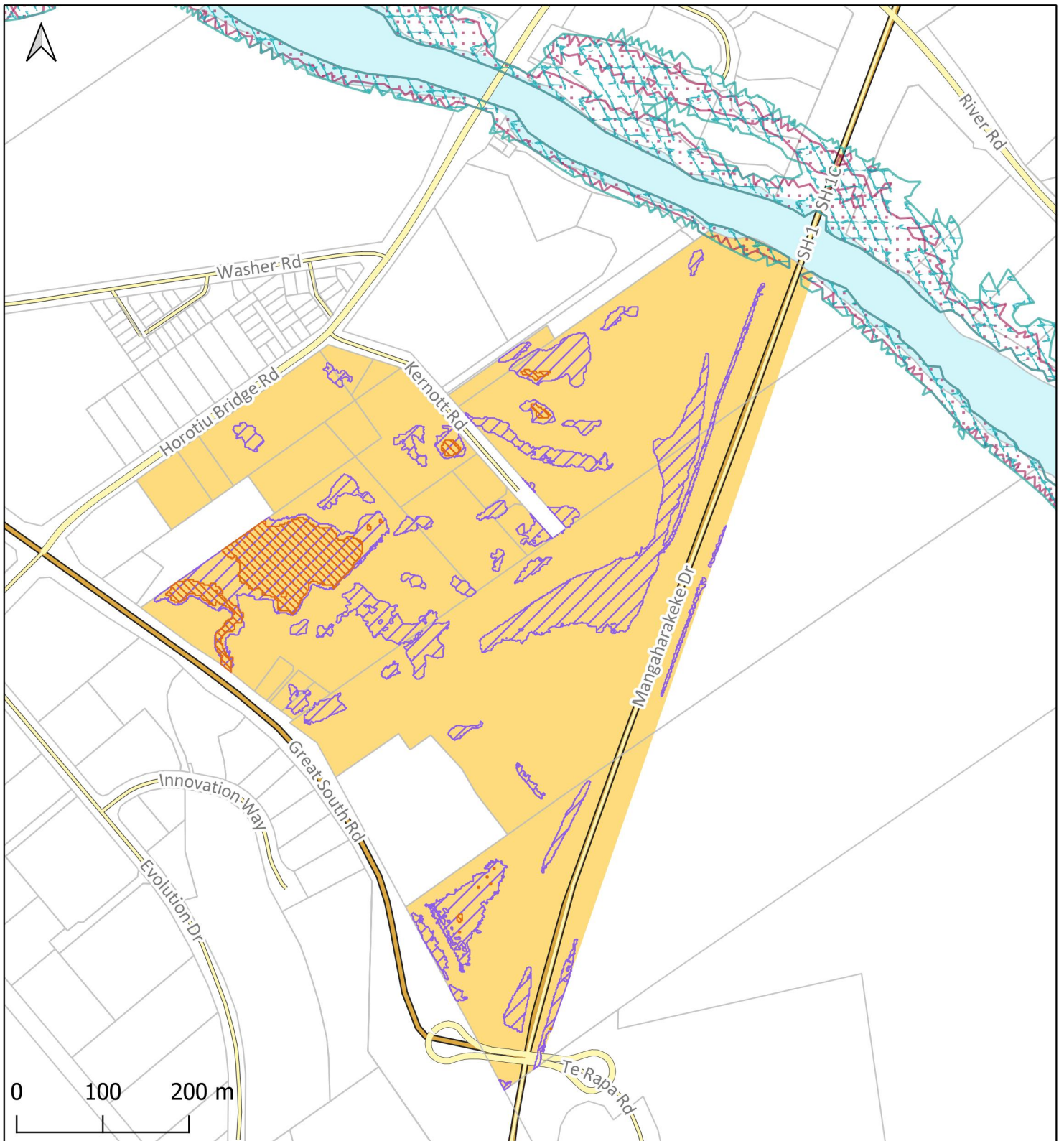
MINOR BOUNDARY ADJUSTMENT TO SIGNIFICANT NATURAL AREA

Commented [KL21]: This map is used for illustrative purposes and not affected by Variation 3.







Amended boundaries shown in map below






Appendix D – Flood map examples

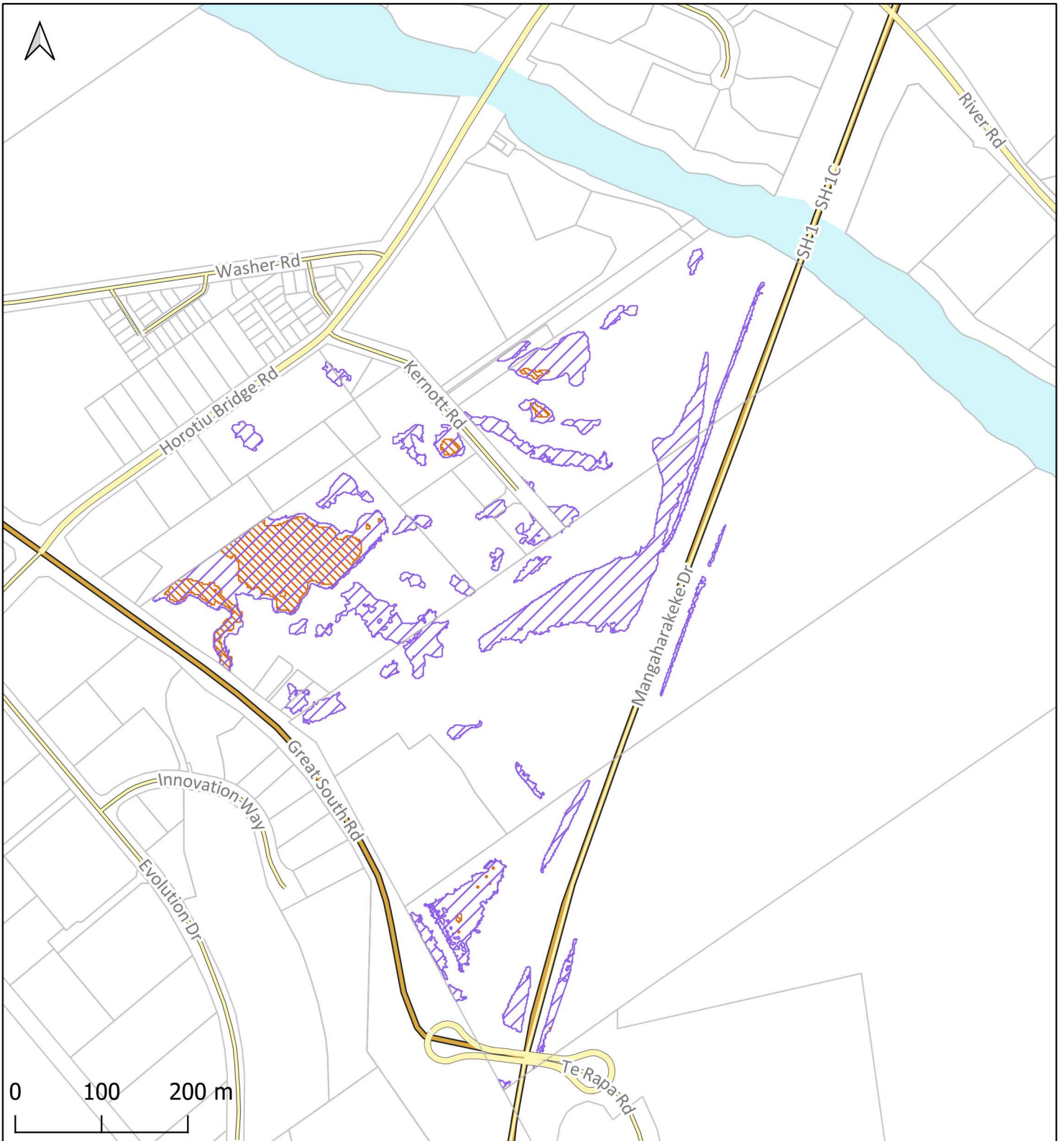


Legend





-  Flood plain management area 2 *
-  High risk flood area 2 *
-  Flood plain management area (Decisions version)
-  High risk flood area (Decisions version)
-  Flood ponding area (Decisions version)
-  Defended area (Decisions version)

-  Parcel boundary
-  Water body
- Zone (Variation 3)
-  MRZ - Medium density residential zone

* Symbology may be different on final District Plan maps



Legend

-  Flood plain management area 2 *
-  High risk flood area 2 *
-  Parcel boundary
-  Water body

* Symbology may be different on final map

Appendix E – Potential additional amendments to the PDP provisions

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.
<u>High risk flood area 2</u>	<u>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.</u> <u>*includes climate change RCP 6.0 (Hirds v4)</u>
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.
<u>Flood plain management area 2</u>	<u>Identifies the 1% Annual Exceedance Probability (AEP)* floodplain and has been developed through predominantly 'rain on grid' modelling. This includes both 1D and 2D modelling of upstream catchments where appropriate. The modelling is based on 2022 lidar and includes critical pipes and culverts.</u>

	*includes climate change RCP 6.0 (Hirids v4)
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.
MRZ2 Flood Risk	<p>Identifies land in the MRZ2 where there are increased flood risks and additional residential development rules apply (refer to NH-R26A-26E).</p> <p><u>The MRZ2 Flood Risk includes:</u></p> <ul style="list-style-type: none"> • <u>Flood plain management areas</u> • <u>Flood ponding area</u> • <u>Defended areas</u> • Areas of 1% Annual Exceedance Probability (AEP) floodplain <u>Floodplain management area 2</u> • Higher risk flood areas <u>High risk flood area 2</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

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

- NH-P1 New development in areas at high risk from natural hazards.
- (1) 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.
- 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.
- (1) 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.

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

- 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.
- (1) 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 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-P10 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

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

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-P11 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.

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

- NH-PI5 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-PI6 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:
- (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-PI7 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-PI8 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-PI9 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
- (I) 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.
- (I) 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.
- NH-P22 Liquefaction susceptible land risk assessment.
- (I) 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.
- (I) 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;
 - (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.
- (1) 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

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.

- (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.

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

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- (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 in the MRZ2 Flood risk (see NH-R26A-E)

NH-R1	Construction of a new building, or reconstruction of or an addition to an existing building, unless specified in Rules NH-R2 – NH-R6	
Flood plain management area and Flood ponding area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (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>(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) 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.
NH-R2	Additions to an existing building that does not increase the ground floor area of the building by more than 15m ²	
Flood plain management area and Flood ponding 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-R3	Standalone garage with a gross floor area not exceeding 40m ²	
Flood plain management area and Flood ponding 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>

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NH-R4	Construction of an accessory building without a floor	
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-R5	Construction of a farm building without a floor	
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-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;

		<ul style="list-style-type: none"> (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	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (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 volume of filling above natural ground level of 10m³ per site, and a maximum cumulative volume of filling and excavation of 20m³; or (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 (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 (d) Height and depth of earthworks in all zones: <ul style="list-style-type: none"> (i) A maximum height of 0.2m of filling above natural ground level; and (ii) a maximum depth of excavation of 0.5m below natural ground level. <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>(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) Timing, location and scale of earthworks; (b) Adverse effects on: <ul style="list-style-type: none"> (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-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.	

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Flood plain management area and Flood ponding area across all zones	(1) Activity status: DIS
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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	
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 	(2) Activity status where compliance not achieved: n/a

	<p>transfer/increase flood risk to neighbouring properties;</p> <p>(d) Consideration of alternative locations;</p> <p>(e) Consideration of the projected effects of climate change;</p> <p>(f) Any mitigation measures to reduce the risk to people's safety, well-being and property.</p>	
NH-R17	Upgrading of existing utilities not provided for in Rule NH-R11	
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> <p>(a) Functional and operational requirements to be located in the High risk flood area;</p> <p>(b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area;</p> <p>(c) The potential for the development to transfer/increase flood risk to neighbouring properties;</p> <p>(d) Consideration of alternative locations;</p> <p>(e) Consideration of the projected effects of climate change;</p> <p>(f) Any mitigation measures to reduce the risk to people's safety, well-being and property.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
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> <p>(a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions;</p> <p>(b) The setting of an appropriate floor level for the addition,</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

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	<p>taking into consideration the location of the addition and the floor level of the existing building;</p> <p>(c) Any mitigation measures to reduce the risk to people's safety, well-being and property.</p>	
NH-R19	<p>Subdivision that creates one or more additional vacant lot(s) where:</p> <p>(a) The additional lot(s) are located entirely outside the High risk flood area; or</p> <p>(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> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
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	
High risk flood area across all zones	(1) Activity status: NC	
NH-R21	<p>Subdivision that does not comply with Rule NH-R19</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
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 Risk Areas in the MRZ2** (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	<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 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 	<p>(2) Activity status where compliance not achieved: n/a</p>

	features which reduce residual risk (e.g., natural high ground; evacuation plan).	
NH-R25	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.	
Defended area across all zones	(1) Activity status: DIS	
NH-R26	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. This rule does not apply to earthworks associated with utilities where the written approval of the authority managing the stop-bank has been obtained.	
Defended area across all zones	(1) Activity status: DIS	

Flood risk in the MRZ2

Except for NH-R26D The following 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	<u>Residential unit</u>	
<u>Higher risk flood 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><u>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 2</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>

<p>NH-R26B</p>	<p>Residential unit</p>	
<p><u>Flood plain management areas, Flood ponding area, Defended areas, Areas of 1% Annual Exceedance Probability (AEP) Floodplain management area 2.</u></p> <p><u>Flood density QM (outside the Higher risk area) in the MRZ (Area 2)</u></p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) One residential unit within a site;</p> <p>(b) The minimum floor level is at least 0.5m above the 1% AEP flood level; and</p> <p>(c) buildings must be set back a minimum of:</p> <p>(i) 23m from the margin of any lake;</p> <p>(ii) 23m from the margin of any wetland;</p> <p>(iii) 23m from the bank of any river (other than the Waikato and the Waipa River);</p> <p>(iv) 28m from the margin of either the Waikato or the Waipa River.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is limited to the following matters:</p> <p>(a) In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</p> <p>(b) Flooding effects including safe access and egress and displacement of stormwater;</p> <p>(c) Stormwater management and Low Impact Design methods;</p> <p>(d) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</p> <p>(e) Adequacy of erosion and sediment control measures;</p> <p>(f) The functional or operational need for the building to be located close to the waterbody;</p> <p>(g) Effects on public access to the waterbody;</p> <p>(h) Effects on the amenity of the locality; and</p> <p>(i) Effects on natural character values.</p>
<p>NH-R26C</p>	<p>Minor residential unit</p>	
<p><u>Flood risk in the MRZ2</u></p> <p><u>Flood plain management areas, Flood ponding area, Defended areas, Floodplain management area 2.</u></p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) One minor residential unit contained within a site must comply with all of the following standards:</p> <p>(i) The net site area is 600m² or more; and</p> <p>(ii) The gross floor area shall not exceed 70m²; and</p> <p>(b) The minimum floor level is at least 0.5m above the 1% AEP flood level; and</p> <p>(c) buildings must be set back a minimum of:</p> <p>(i) 23m from the margin of any lake;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(ii) 23m from the margin of any wetland;</p> <p>(iii) 23m from the bank of any river (other than the Waikato and the Waipa River);</p> <p>(iv) 28m from the margin of either the Waikato or the Waipa River.</p>	
<p>NH-R26D</p>	<p>Subdivision that creates one or more vacant lot other than a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
<p>Higher risk area; Areas of 1% Annual Exceedance Probability (AEP) High risk flood area 2 and Floodplain management area 2</p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) each vacant lot includes an area capable of containing a building platform of 8m x 15m (exclusive of setbacks) entirely outside the high risk flood area 2 and the 1% AEP.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Avoidance or mitigation of natural hazards;</p> <p>(b) In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</p> <p>(c) 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;</p> <p>(d) The capacity of the stormwater system and ability to manage stormwater;</p> <p>(e) 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</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>and Waikato Regional Council Stormwater Guidelines; and</p> <p>(f) Extent to which low impact design principles and approaches are used for stormwater management.</p>	
NH-R26E	Earthworks for two or more residential units (excluding a minor residential unit)	
<p>Flood-risk in the MRZ2</p> <p>High risk flood area 2, Flood plain management areas, Flood ponding area, Defended areas, Floodplain management area 2.</p>	<p>(1) Activity status: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Timing, location and scale of earthworks;</p> <p>(b) Adverse effects on:</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; and</p> <p>(v) Infrastructure and flood protection works;</p> <p>(c) Consideration of soil types and potential for erosion; and</p> <p>(d) Mitigation including compensatory storage, or other flood management measures proposed.</p>	<p>(2) Activity status where compliance not achieved: N/ADIS</p>

Coastal sensitivity areas

NH-R27	Additions to an existing lawfully established building	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) The gross floor area of all additions to the building from 17 January 2022 do not exceed a total of 15m².</p>	<p>(2) Activity status where compliance not achieved: RDIS 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>

		<ul style="list-style-type: none"> (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.
NH-R28	Construction of an accessory building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	(1) Activity status: PER Activity-specific standards: Nil	(2) Activity status where compliance not achieved: n/a
NH-R29	Construction of a farm building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	(1) Activity status: PER Activity-specific standards: Nil	(2) Activity status where compliance not achieved: n/a
NH-R30	Construction, upgrading, minor upgrading, replacement, repair or maintenance of utilities excluding hard protection structures.	

<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) 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-R31</p>	<p>Maintenance or repair of an existing lawfully established hard protection structure</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) 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-R32</p>	<p>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</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (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>(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 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

		<p>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>
<p>NH-R33</p>	<p>Construction of a new building or additions to an existing building not provided for in Rules NH-R27- NH-R30 and NH-R32</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The 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</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>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>	
<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</p> <p>Activity-specific standards:</p> <p>Nil</p> <p>Council's discretion is restricted to the following matters:</p> <p>(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</p> <p>(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):</p> <p>(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;</p> <p>(ii) Suitability of the vacant lot for the likely future uses, including the provision for servicing such as access, wastewater, stormwater, and water supply;</p> <p>(iii) The degree to which alternative subdivision layout(s) have been investigated to avoid or mitigate coastal hazards;</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>(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</p> <p>(v) The setting of minimum floor levels in areas subject to inundation.</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</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 	<p>(2) Activity status where compliance not achieved: n/a</p> <p>Nil</p>

	structure is consistent with that strategy.	
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High risk coastal erosion area

NH-R36	Construction of an accessory building without a floor	
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-R37	Construction of a farm building without a floor	
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	(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-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	<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-R44	Earthworks not provided for in Rule NH-42	
High risk coastal erosion area	Activity status: DIS	

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across all zones	
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	Replacement of an existing building within the same site where: <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 (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

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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 across all zones	Activity status: NC

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	<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
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	<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The maximum volume of filling does not exceed 10m³ per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level. 	<p>(2) Activity status where compliance not achieved: DIS</p>
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 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 	<p>(2) Activity status where compliance not achieved: n/a</p>

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	<p>structure is located on public land; and</p> <p>(g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy.</p>	
NH-R61	Earthworks not provided for in Rule NH-59	
High risk coastal inundation area across all zones	Activity status: DIS	
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	<p>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.</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
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	<p>Subdivision to create one or more additional lot(s) that does not comply with Rule NH-R64</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
High risk coastal inundation	Activity status: NC	

area across all zones	
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;

		<p>(c) Risk to people and property from subsidence as a result of earthworks; and</p> <p>(d) Any other mitigation measures to reduce risk.</p>
NH-R72	<p>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>(1) Activity status: CON</p> <p>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>
NH-R73	<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>	
Mine subsidence risk 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> <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>

NH-R74	Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment
Mine subsidence risk area across all zones	Activity status: DIS

Liquefaction

NH-R75	Overview of method
All zones	<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 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>

	(vi) Effects on adjoining properties.
NH-R77	Additional matters of restricted discretion for new land use (e.g., multi-unit development) – liquefaction risk
All zones	<p>(I) 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> <p>(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;</p> <p>(ii) Location, timing, scale and nature of earthworks;</p> <p>(iii) Provision for ground strengthening and foundation design;</p> <p>(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);</p> <p>(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and</p> <p>(vi) Effects on adjoining properties.</p>

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

- (I) 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.

SUB – Subdivision

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

Objective

SUB-O1 Subdivision.

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

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

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

Policies

SUB-PI Subdivision location and design.

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

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

SUB-P2 Residential subdivision.

(I) Promote residential subdivision and development that:

- (a) Integrates staging to ensure multi-modal connectivity;
- (b) Limits the number and length of cul-de-sacs;
- (c) Ensures pedestrian access is consistent with the Crime Prevention through Environmental Design (CPTED) principles;
 - (i) Discourages the creation of rear lots;
 - (ii) Includes adequate lighting levels in publicly accessible spaces;
 - (iii) Reflects local characteristics;
 - (iv) Orientates lots are orientated in a way that:
 - (1) Maximizes solar access; and
 - (2) Addresses the street frontage and public places.

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- (v) Creates lots that can accommodate a variety of density with a mix of usable lot types; and
- (vi) Designs infrastructure to manage stormwater in a sustainable manner by:
 - (1) Minimising environmental impacts and maintenance costs, and reducing stormwater discharging to existing reticulated networks; and
 - (2) Promoting and maintaining riparian margins.

SUB-P3 Lot sizes.

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

SUB-P4 Servicing requirements.

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

SUB-P5 Co-ordination between servicing and development and subdivision

- (1) Ensure development and subdivision:
 - (a) Is located in areas where infrastructure capacity has been planned and able to be funded;
 - (b) Where located in areas subject to an approved structure plan, provides sufficient infrastructure capacity to meet the demand identified in the structure plan;
 - (c) Achieves the lot yield anticipated in an approved structure plan; and

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- (d) Includes infrastructure provision for both the strategic infrastructure network and local infrastructure connections.
- SUB-P6 Achieving sufficient development density to support the provision of infrastructure services in areas without a structure plan.
- In areas where there is no structure plan, ensure that the land is developed efficiently to support the provision of infrastructure services.
- SUB-P7 Staging of subdivision.
- Require any staging of subdivision to be undertaken in a manner that promotes efficient development and integration of infrastructure and community facilities.
- SUB-P8 Connected neighbourhoods.
- (1) Design subdivision to support the creation of a liveable, walkable and connected neighbourhood by having:
 - (a) A road network that achieves all of the following:
 - (i) Easy and safe to use for pedestrians and cyclists;
 - (ii) Accessible for emergency and other services;
 - (b) Connected with a variety of routes within the immediate neighbourhood and between adjacent land areas; and
 - (c) Connected to public transport, shops, schools, employment, open spaces and other amenities; and
 - (2) Vehicle crossings and associated access are designed and located to provide for safe and efficient movement to and from sites and minimising potential conflict between vehicles, pedestrians, and cyclists on the adjacent road network.
- SUB-P9 Recreation and access.
- (1) Provide for the recreation and amenity needs of residents by:
 - (a) Encouraging open spaces which are prominent and accessible by pedestrians;
 - (b) Requiring the location, number and size of open spaces to be in proportion to the future density of the neighbourhood and provide for a range of different activities and users; and
 - (c) Enabling pedestrian and/or cycle linkages.
- SUB-P10 Reverse sensitivity
- (1) Other than in the GIZ – General industrial zone and HIZ – Heavy industrial zone, development and subdivision design minimises the potential for reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and
 - (2) Avoid, to the extent possible, and otherwise minimise, potential reverse sensitivity effects of locating new sensitive land uses in the vicinity of an intensive farming, extraction industry or industrial activity and regionally significant infrastructure.

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- SUB-PI1 Boundary adjustments and relocations.
Boundary adjustments and boundary relocations are designed to provide for more the efficient use of land.
- SUB-PI2 GRZ – General residential zone Te Kauwhata Ecological Area.
(1) Subdivision in the Te Kauwhata Ecological Residential Area is designed and located to:
(a) Promote the natural features and landscapes of the Whangamarino Wetland and Lake Waikare; and
(b) Achieve the minimum lot size.
- SUB-PI3 Structure and master planning.
Ensure that development and subdivision within approved structure or master plan areas is consistent with the development pattern and infrastructure provisions in the approved structure or master plan.
- SUB-PI4 Future development – Tuakau, Pokeno, and Te Kowhai within the LLRZ – Large lot residential zone.
In Tuakau, Pokeno, and Te Kowhai, buildings, access, and lot boundaries are located to enable future subdivision and development in the event that reticulated water, stormwater, and wastewater infrastructure become available and a plan change to rezone to a higher density is in place.
- SUB-PI5 Effects of subdivision and development on soils in the GRUZ – General rural zone.
Subdivision, use and development minimises the fragmentation of productive rural land, particularly where high class soils are located.
- SUB-PI6 Rural subdivision in the GRUZ – General rural zone.
(1) Protect the productive capacity of land and soils.
(2) Maintain an open and spacious rural character.
(3) Minimise adverse effects on the safe and efficient operation of infrastructure; by:
(a) Avoiding subdivision that creates lots smaller than 0.8ha;
(b) Avoiding the creation of new lots that are wholly located on high class soils. For sites that are partially located on high class soils, new lots are to be located primarily on that part of the site that does not include high class soils;
(c) Limiting potential reverse sensitivity effects on productive rural activities, intensive farming, rural industry, infrastructure, or extractive activities by ensuring new lots provide adequate setbacks from potential sensitive activities;
(d) Ensuring that the subdivision does not compromise public access to rivers and water bodies or the quality of these environments; and
(4) Make only limited provision for small rural lifestyle lots, where in addition to the matters set out in (1), (2), and (3), the subdivision:
(a) Provides public parks and reserves, located in accordance with a Council Parks Strategy; or
(b) Provides a balance lot greater than 40ha; or

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- (c) Involves a boundary relocation to create the same number of lots formed as a large balance lot greater than 40ha and a number of small rural lifestyle lots that are clustered to form a hamlet; and
- (d) Where (4)(b) and (c) applies, avoids ribbon development and the cumulative effects of multiple small rural residential lots locating on the same road frontage.

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

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

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

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

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

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

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

- (1) Urban subdivision and development is to be in accordance with a structure plan that has been incorporated into the District Plan through a plan change process. The structure plan must include the following elements:
 - (a) Key roading connections, collector road alignment, and public transport facilities;

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

SUB-P21 Subdivision in the HOPZ – Hopuhopu zone.

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

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

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

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

- (1) Provide for subdivision that supports the development of medium density residential development as a controlled activity within the MRZ2 – Medium density residential zone (Area 2), except where:

- (a) There is a relevant qualifying matter; or
 - (b) The proposed subdivision does not comply with the relevant subdivision standards.
- (2) Require subdivision within the MRZ~~2~~ – Medium density residential zone (Area 2) ~~to~~ **does** not compromise any qualifying matters applied to the site.

Rules

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

Subdivision (zone specified in first column)

MRZ~~1~~ – Medium density residential zone ~~1~~

SUB-R30	Subdivision – general	
MRZ 1 – Medium density residential zone	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> () Any subdivision in accordance with an approved land use resource consent must comply with that resource consent. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; (b) Compliance with the approved land use consent; and (c) Provision of infrastructure. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R31	Subdivision – general	
MRZ 1 – Medium density residential zone	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> () Subdivision must comply with all of the following standards: <ul style="list-style-type: none"> (i) Proposed vacant lots must have a minimum net site area (excluding access legs) of 200m², except where the proposed lot is an access allotment, utility allotment or reserve to vest; and (ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; (b) Shape of lots and variation in lot sizes; 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (c) Ability of lots to accommodate a practical building platform including geotechnical stability for building; (d) Likely location of future buildings and their potential effects on the environment; (e) Avoidance or mitigation of natural hazards; (f) Opportunities for streetscape landscaping; (g) Vehicle and pedestrian networks; (h) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and (i) Provision of infrastructure. 	
SUB-R32	Subdivision – general	
MRZ1 – Medium density residential zone	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> () Every proposed vacant lot, other than one designed specifically for access or a utility allotment, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within the following dimension: <ul style="list-style-type: none"> (i) A rectangle of at least 100m² with a minimum dimension of 6m, exclusive of yards. <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; (b) Shape of allotments; (c) Ability of allotments to accommodate a practical building platform; (d) Likely location of future buildings and their potential effects on the environment; (e) Avoidance or mitigation of natural hazards; (f) Geotechnical suitability for building; and (g) Ponding areas and primary overland flow paths. 	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R33	Subdivision – boundary adjustments	
MRZ1 – Medium density residential zone	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> () Boundary adjustments must comply with all of the following standards: <ul style="list-style-type: none"> (a) The standards specified in: <ul style="list-style-type: none"> (i) Rules SUB-R31 to SUB-R32 Subdivision - General; (b) Proposed lots must not generate any additional building infringements to those 	<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"> () Subdivision layout; and (a) Shape of titles and variation in lot sizes.

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	<p>which legally existed prior to the boundary adjustment.</p> <p>Council's control is reserved over the following matters:</p> <p>(c) Subdivision layout; and (d) Shape of titles and variation in lot sizes.</p>	
SUB-R34	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ – Medium density residential zone	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>() Conversion of a cross lease flats plan to a fee simple title.</p> <p>Council's control is reserved over the following matters:</p> <p>(a) Effects on existing buildings; (b) Site layout and design; and (c) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R35	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ ₁ – Medium density residential zone	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>() Amendment or update of a cross lease flats plan.</p> <p>Council's control is reserved over the following matters:</p> <p>(a) Effects on existing buildings; (b) Site layout and design of cross lease or flats plan; and (c) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R36	Title Boundaries – contaminated land	
MRZ ₁ – Medium density residential zone	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>() Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use) must comply with all of the following standards:</p> <p>(i) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the subdivision), compliance is required with the following building rules relating to:</p> <p>(1) Height in relation to boundary (MRZ-S4);</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(2) Building coverage (MRZ-S6 – MRZ-S7); and</p> <p>(3) Building setbacks (MRZ-S11 – MRZ-S12).</p> <p>(a) Where any proposed subdivision contains one or more of the features listed in 1 – 2, the subdivision must not divide the following:</p> <p>(1) A natural hazard area;</p> <p>(2) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and</p> <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1 – 3 below, must provide the following setbacks:</p> <p>(1) 300m from any intensive farming activity;</p> <p>(2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and</p> <p>(3) 200m from the boundary of an Aggregate Extraction Area for sand excavation.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) Landscape values;</p> <p>(c) Amenity values and character;</p> <p>(d) Reverse sensitivity effects;</p> <p>(e) Effects on existing buildings;</p> <p>(f) Effects on natural hazard areas;</p> <p>(g) Effects on contaminated land;</p> <p>(h) Effects on an intensive farming activity.</p>	
SUB-R37	Subdivision – road frontage	
MRZ1 – Medium density residential zone	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>() Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 10m.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Safety and efficiency of vehicle access and road network.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R38	Subdivision creating reserves	

<p>MRZ1 – Medium density residential zone</p>	<p>(1) Activity status: RDIS Activity specific standards:</p> <ul style="list-style-type: none"> () Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The extent to which the proposed reserve aligns with the principles of Council’s Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy; (b) Consistency with any relevant structure plan or master plan; (c) Reserve size and location; (d) Proximity to other reserves; (e) The existing reserve supply in the surrounding area; (f) Whether the reserve is of suitable topography for future use and development; (g) Measures required to bring the reserve up to Council standard prior to vesting; and (h) The type and standard of boundary fencing. 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>SUB-R39 Subdivision of Esplanade Reserves and Esplanade Strips</p>		
<p>MRZ1 – Medium density residential zone</p>	<p>(1) Activity status: RDIS Activity specific standards:</p> <ul style="list-style-type: none"> () Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is required to be created shall vest in Council where the following situations apply: <ul style="list-style-type: none"> (i) The proposed lot is less than 4ha and within 20m of: <ul style="list-style-type: none"> (ii) mean high water springs; (iii) the bank of any river whose bed has an average width of 3m or more; or (iv) a lake whose bed has an area of 8ha or more; or (v) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The type of esplanade provided - reserve or strip; 	<p>(2) Activity status where compliance not achieved: DIS</p>

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

SUB-RI 52	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p><u>Where no vacant lots are created:</u></p> <ul style="list-style-type: none"> (a) <u>Any subdivision around existing constructed residential units if the subdivision does not increase the degree of any non-compliance with the standards in MRZ2-S2 to S9; or</u> (b) <u>Any subdivision where a land use consent for residential units has been granted or applied for concurrently; or</u> (c) <u>Any subdivision that demonstrates it is practicable to construct on every allotment within the proposed subdivision a residential unit which complies with the standards in MRZ2-S2 to S9.</u> <p><u>Note:</u> <u>For the purpose of SUB-RI 52(1a), if subdivision is proposed between residential units that share a common wall, the standard in MRZ2-S3 does not apply along the length of the common wall.</u></p> <p><u>Council’s control is reserved over the following matters:</u></p> <ul style="list-style-type: none"> (a) <u>Subdivision layout including a range of lot sizes; and</u> (a) <u>Provision of infrastructure;</u> (b) <u>Vehicles and pedestrian networks; and-</u> (c) <u>The design and capacity of the stormwater system and ability to manage stormwater; and</u> (d) <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</u> 	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>relevant Comprehensive Stormwater Discharge Consent, Catchment Management Plan and Waikato Regional Council Stormwater Guidelines; and</p> <p>(e) The extent to which low impact design principles and approaches are used for stormwater management.</p> <p>Notification Any application for a subdivision consent for a controlled activity under this rule will be considered without public or limited notification in the following circumstances:</p> <p>(a) A subdivision associated with the construction of no more than three residential units that do not comply with the standards in MRZ2-S2 to S9; or</p> <p>(b) A subdivision associated with the construction of four or more residential units that comply with the standards in MRZ2-S2 to S9; and</p> <p>(c) provided that other standards in the district plan are met.</p> <p><i>Advice Notes:</i></p> <p>The Council may refuse a controlled activity subdivision consent under section 106 of the Resource Management Act where there is a significant risk from natural hazards.</p> <p>A water, wastewater and/or stormwater connection approval from the network provider will be required. The presence of infrastructure that can service the lot or unit does not guarantee a connection will be possible and capacity is available to service new development.</p>	
<p>SUB-RI 53</p>	<p>Subdivision – general</p>	
<p>MRZ2 – Medium density residential zone 2</p>	<p>(1) Activity status: RDIS Activity specific standards:</p> <p>(a) Subdivision must comply with all of the following standards:</p> <p>(i) In the Outer Intensification Area shown on the planning maps in Ngaaruawaahia, Huntly, Tuakau and Pookeno and Horotiu, proposed vacant lots must have a minimum net site area of 300m² (excluding access legs and access lot, utility allotment, or reserve to vest) provided for any subdivision of more than 9 lots:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p><u>(1) there must be an average minimum net site area of 375m²; and</u></p> <p><u>(2) lots of more than 5,000m² are excluded from the average calculation; and</u></p> <p><u>(ii) In the Outer Intensification Area each rear lot must be capable of containing a building platform upon which a residential unit and outdoor living space could be sited as a permitted activity, with the building platform being contained within a rectangle of at least 200m² with a minimum dimension of 12m exclusive of setbacks</u></p> <p>(ii) In all other areas Proposed vacant lots must have a minimum net site area of 200m² (excluding access legs and access allotment, utility allotment or reserve to vest;) and</p> <p><u>(iii) (i) and (ii) Above do not apply to land within the Slope Residential Area in the Havelock Precinct where proposed minimum vacant lots must have a minimum net site area of 2,500m², (except where the proposed lot is an access allotment, utility allotment or reserve to vest)</u></p> <p>(b) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p>Council's discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> 1. Subdivision layout; 2. Shape of lots and variation in lot sizes; 3. Ability of <u>all</u> lots to accommodate a practical building platform including geotechnical stability for building; —Likely location of future buildings and their potential effects on the environment; 4. Avoidance or mitigation of natural hazards; 5. Opportunities for streetscape landscaping; 6. Vehicle and pedestrian networks; 7. Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and 8. Provision of infrastructure;: 9. <u>In the Waikato River Catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries;</u> 	
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	<p>10. 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;</p> <p>11. The design and capacity of the stormwater system and ability to manage stormwater;</p> <p>12. 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;</p> <p>13. Extent to which low impact design principles and approaches are used for stormwater management.</p> <p><i>Advice Note: A water, wastewater and/or stormwater connection approval from the network provider will be required. The presence of infrastructure that can service the lot or unit does not guarantee a connection will be possible and capacity is available to service new development.</i></p>	
<p>SUB-R154</p>	<p>Subdivision—general</p>	
<p>MRZ— Medium density residential zone</p>	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(-) Every proposed vacant lot, other than one designed specifically for access or a utility allotment, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within the following dimension:</p> <p>(i) A rectangle of at least 100m² with a minimum dimension of 6m, exclusive of yards.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Subdivision layout;</p> <p>(b) Shape of allotments;</p> <p>(c) Ability of allotments to accommodate a practical building platform;</p> <p>(d) Likely location of future buildings and their potential effects on the environment;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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	<p>(e) Avoidance or mitigation of natural hazards; (f) Geotechnical suitability for building; and (g) Ponding areas and primary overland flow paths.</p>	
SUB-RI 54	Subdivision – boundary adjustments	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON Activity specific standards: (a) Boundary adjustments must comply with all of the following standards: (i) The standards specified in: (ii) Rules in SUB-R31 to SUB-R32 SUB-R153 (iii) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p>Council’s control is reserved over the following matters: (b) Subdivision layout; and (c) Shape of titles and variation in lot sizes.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (1) Subdivision layout; and (2) Shape of titles and variation in lot sizes.</p>
SUB-RI 55	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON Activity specific standards: (a) Conversion of a cross lease flats plan to a fee simple title.</p> <p>Council’s control is reserved over the following matters: (b) Effects on existing buildings; (c) Site layout and design; and (d) Compliance with permitted building rules.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-RI 56	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON Activity specific standards: (a) Amendment or update of a cross lease flats plan.</p> <p>Council’s control is reserved over the following matters: (b) Effects on existing buildings; (c) Site layout and design of cross lease or flats plan; and</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

	(d) Compliance with permitted building rules.	
SUB-R159	Title Boundaries—contaminated land	
MRZ2— Medium density residential zone 2	<p>SUB-O3 Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(1) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use) must comply with all of the following standards:</p> <p>(1) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the subdivision), compliance is required with the following building rules relating to:</p> <p>(i) Height in relation to boundary (MRZ-S4);</p> <p>(ii) Building coverage (MRZ-S6-S7); and</p> <p>(iii) Setbacks (MRZ-S10).</p> <p>(2) Where any proposed subdivision contains one or more of the features listed in 1—2, the subdivision must not divide the following:</p> <p>(i) A natural hazard area;</p> <p>(ii) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and</p> <p>(2) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1—3 below, must provide the following setbacks:</p>	<p>SUB-O4 Activity status where compliance not achieved: DIS</p>

	<p>(i) 300m from any intensive farming activity;</p> <p>(ii) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and</p> <p>(iii) 200m from the boundary of an Aggregate Extraction Area for sand excavation.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(3) Landscape values;</p> <p>(4) Amenity values and character;</p> <p>(5) Reverse sensitivity effects;</p> <p>(6) Effects on existing buildings;</p> <p>(7) Effects on natural hazard areas;</p> <p>(8) Effects on contaminated land;</p> <p>(9) Effects on an intensive farming activity.</p>	
SUB-RI 57	Subdivision – road frontage	
MR22 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 11.0m, <u>provided that for lots with a frontage of less than 12.5m, a legal mechanism restricts the width of a garage and vehicle crossing for any subsequent building development to a single car width.</u></p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) Safety and efficiency of vehicle access and road network.</p> <p>(c) <u>Amenity of the street environment</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-RI 58	Subdivision creating reserves	
MR22 – Medium density	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>residential zone 2</p>	<p>(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) The extent to which the proposed reserve aligns with the principles of Council's Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy;</p> <p>(c) Consistency with any relevant structure plan or master plan;</p> <p>(d) Reserve size and location;</p> <p>(e) Proximity to other reserves;</p> <p>(f) The existing reserve supply in the surrounding area;</p> <p>(g) Whether the reserve is of suitable topography for future use and development;</p> <p>(h) Measures required to bring the reserve up to Council standard prior to vesting; and</p> <p>(i) The type and standard of boundary fencing.</p>	
<p>SUB-RI59</p>	<p>Subdivision of Esplanade Reserves and Esplanade Strips</p>	
<p>MRZ2 – Medium density residential zone 2</p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is required to be created shall vest in Council where the following situations apply:</p> <p>(i) The proposed lot is less than 4ha and within 20m of:</p> <ol style="list-style-type: none"> (1) mean high water springs; (2) the bank of any river whose bed has an average width of 3m or more; or (3) a lake whose bed has an area of 8ha or more; or <p>(ii) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) The type of esplanade provided - reserve or strip; (c) Width of the esplanade reserve or strip; (d) Provision of legal access to the esplanade reserve or strip; (e) Matters provided for in an instrument creating an esplanade strip or access strip; and (f) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris. 	
<p>SUB-RI 60</p>	<p><u>Subdivision within the National Grid Corridor</u></p>	
<p><u>MRZ2 – Medium density residential zone 2</u></p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) <u>The subdivision of land in any zone within the National Grid Subdivision Corridor that complies with all of the following standards:</u> <ul style="list-style-type: none"> (i) <u>All resulting allotments must be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</u> (ii) <u>The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</u> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the National Grid;</u> (c) <u>The ability to provide a complying building platform outside of the National Grid Yard;</u> (d) <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</u> (e) <u>The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance,</u> 	<p>(2) Activity status where compliance not achieved: NC</p>

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	<p><u>upgrade and development (including access) of the National Grid;</u></p> <p>(f) <u>The risk to the structural integrity of the National Grid;</u></p> <p>(g) <u>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.</u></p>	
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Precinct Subdivision Provisions

[Note for IPI purposes only: The only provisions included below are those that are subject to Variation 3 amendments. All other Subdivision Provisions remain unchanged.]

SUB-R19	Subdivision – building platform within PREC4 – Havelock Precinct	
<p>PREC4 – Havelock Precinct</p> <p><u>(Applies to Local Centre, General Rural,, General Industry, Medium Density Residential Zone)</u></p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision within PREC4 – Havelock Precinct where every proposed lot, other than one designed specifically for access, <u>is a boundary adjustment under SUB-R20A,</u> or is a utility allotment, is capable of containing a building platform complying with SUBR18(1) located outside the <u>Pōkeno Havelock</u> Industry Buffer illustrated on the planning maps.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) Subdivision layout;</p> <p>(c) Shape of allotments;</p> <p>(d) Ability of allotments to accommodate a practical building platform;</p> <p>(e) Likely location of future buildings and their potential effects on the environment;</p> <p>(f) Avoidance or mitigation of natural hazards;</p> <p>(g) Geotechnical suitability for building; and</p> <p>(h) Ponding areas and primary overland flow paths <u>within and adjoining the Precinct.</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>
SUB-R21	Subdivision – PREC4 – Havelock Precinct	
<p>PREC4 - Havelock Precinct</p> <p><u>(Applies to Local Centre, General Rural, General Industry, Medium</u></p>	<p>(1)Activity status: RDIS</p> <p>Activity specific standards:</p> <p><u>(a) Except as provided for by SUB-R20A, subdivision within the PREC – Havelock Precinct that complies with all of the following standards:</u></p> <p><u>(i)The first subdivision to create residential lots includes the indicative road</u></p>	<p>(2) Activity status: DIS</p> <p>Where:</p> <p><u>(a)Subdivision that does not comply with Rule SUB-R21(1)(a)(i) – (iii), (v) and (vii) (iv) and (vi)</u></p> <p>(3)Activity status: NC</p>

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<p>Density Residential Zone)</p>	<p>connections from Hitchen Road and Yashili Drive as a road to vest.</p> <p>(ii) The proposal includes the indicative roads as roads to vest, provided that this can be constructed and vested in stages.</p> <p>(iii) The proposal includes the provision of the Hilltop Park, provided that this can be established in stages and the creation of the Pōkeno Industry Buffer areas and Environmental Protection Areas (all as shown on the planning maps).</p> <p>(iv) The proposal includes the provision of the Havelock Industry Buffer area and Environmental Protection Area that it contains, provided that these can be established in stages (all as shown on the planning maps) and the proposal includes legal mechanisms to retain Environmental Protection Area in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting).</p> <p>(iv) The proposal includes the provision of the Environmental Protection Area (where outside the Havelock Industry Buffer) and includes legal mechanisms to retain the Environmental Protection Areas in perpetuity and which prevent further subdivision of them (such as via covenants, consent notice or vesting).</p> <p>(vi) Either prior to or concurrent with subdivision in Lot 2 DP199997, an acoustic barrier (being a bund, building or structure, or any combination thereof) is constructed within the Havelock Precinct's GIZ - General industrial zone which is designed so as to:</p> <p>(i) Achieve noise levels no greater than 45 dB L_{Aeq} between 10pm and 7am in the PREC4 – Havelock Precinct and GRZ – General residential zone; and</p> <p>(ii) Be at a height of no less than that illustrated on Figure 20 below and a length along the entire common boundary between Lot 2 DP199997 and Lots 3 and 4 DP 492007 (excluding the Collector Road</p>	<p>Where:</p> <p>(a) Subdivision that does not comply with Rule SUB-R21(1)(a)(iv) and (vi).</p>
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	<p><u>on the Havelock Precinct Plan and 5m front yard setback – Rule GIZ-S6(1)(a)(1)).</u></p> <p>(iii) <u>(vii) The proposal includes planted primary ridgelines and other ridgelines (as shown on the APP14 – Havelock Precinct plan) for any part of the ridgeline that falls within that proposal or stage.</u></p> <p><u>Council’s discretion is restricted to the following matters:</u></p> <p><u>(b) Consistency with the Havelock Precinct Plan (APP14 – Havelock Precinct plan);</u></p> <p><u>(c) Design and construction of the indicative roads and pedestrian networks;</u></p> <p><u>(d) Design, location and timing of construction of the acoustic barrier within the Havelock Precinct’s GIZ – General industrial zone;</u></p> <p><u>(e) The design of, and potential effects on, the safe and efficient operation of the intersection of the Havelock Precinct’s Collector Road and Yashili Drive, including the design to accommodate safe vehicle access and egress for activities in the adjacent GIZ – General industrial zone;</u></p> <p><u>(f) Design and planting (including cultural values and landmarks, management plans for weed and pest control and their implementation, ownership and ongoing management) of the Hilltop Parks and adjoining park edge roads. This includes the landscaping of the Hill Top Parks in indigenous species;</u></p> <p><u>(g) Avoidance, minimisation or mitigation of visual and physical disturbance to the upper flanks of Transmission and Potters Hills (where the hilltop parks are located) resulting from road design and alignment;</u></p> <p><u>(h) Potential effects on the safe and efficient operation of Bluff and Pioneer Roads (including where these intersect with State Highway 1) from roading connections to Cole Road;</u></p> <p><u>(i) The design of, and potential effects on, the safe and efficient operation of the intersections of:</u></p>	
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	<p>(i) <u>Yashili Drive and Gateway Park Drive;</u></p> <p>(ii) <u>Gateway Park Drive and Hitchen Road;</u> <u>and</u></p> <p>(iii) <u>Gateway Park Drive and McDonald Road.</u></p> <p>(j) <u>Potential effects on the safe and efficient operation of the McDonald Road railway crossing;</u></p> <p>(k) <u>Accessible, safe and secure pedestrian and cycling connections within the Precinct and to the existing transport network and public facilities;</u></p> <p>(l) <u>Provision within the Precinct design for future public transport;</u></p> <p>(m) <u>Provision of planting, management plans for weed and pest control and their implementation, ownership and ongoing management of the Environmental Protection Area, including a 3m width band of fast growing evergreen indigenous species along the upper edge of the Havelock Industry Buffer to provide a planting screen within the short term;</u></p> <p>(n) <u>Design of earthworks (contours and aspect), lot size and orientation, fencing and landscape treatment between the 40 dB L_{Aeq} noise contour and the Havelock Pōkare Industry Buffer on the planning maps to minimise possible reverse sensitivity effects on nearby HIZ - Heavy industrial zone activities, including through limiting potential for direct visual interaction from building platforms and associated future dwellings and outdoor living areas to industrial activities; and</u></p> <p>(o) <u>Ridgeline landscape buffers and greenways as identified on the APP14 – Havelock Precinct plan to create landscape plantings between the Hilltops and Environmental Protection Areas (20-25m width on primary ridgeline and 8m on other ridgeline), including provision of fast growing shelter species and indigenous canopy trees, ownership and ongoing management;</u></p> <p>(p) <u>Provision of Te Ara Hikoi; and</u></p> <p>(q) <u>Cultural effects.</u></p>	
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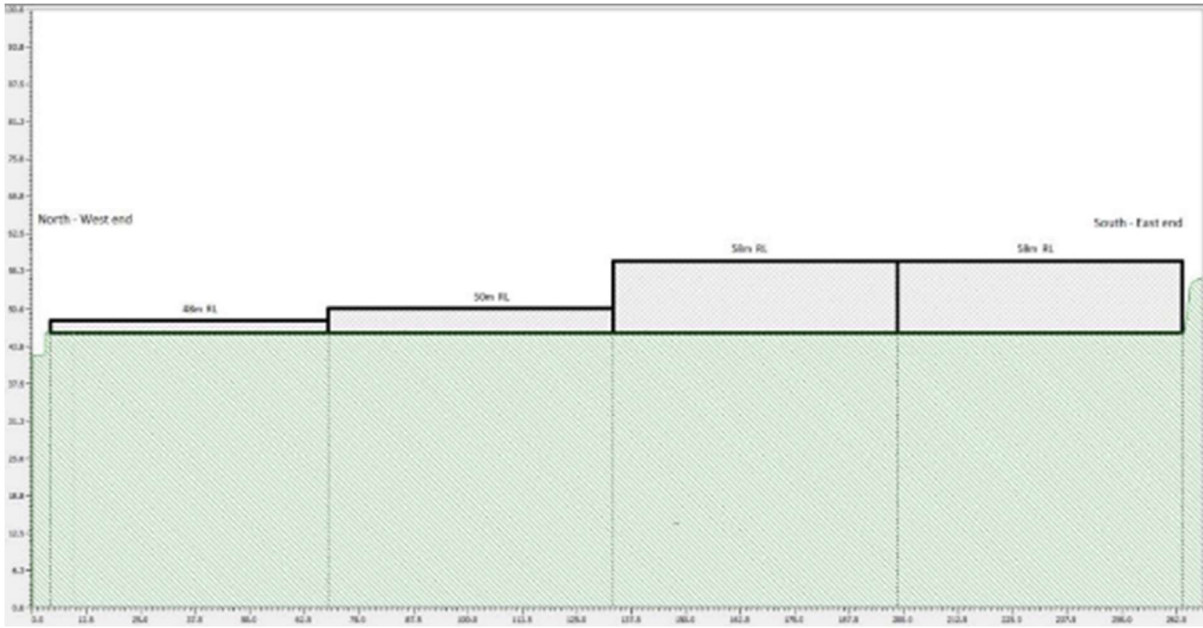


Figure 20 – Havelock Precinct

SUB-R20A	Subdivision – PREC4 – Havelock boundary adjustment	
<p>PREC4 – Havelock Precinct (Applies to Local Centre, General Rural, and Medium Density Residential Zone)</p>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <p>(a) Boundary adjustment must comply with the following standard:</p> <p>(i) Boundary adjustment between sites within the Havelock Precinct and Lot 2 DP 463893 to include parts of the Havelock Industry Buffer and Environmental protection Area within Lot 2 DP 463893</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) Subdivision layout.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

[Note for IPI purposes only: All other Subdivision provisions that currently apply to the GRZ will be amended to apply to the MRZ2 including SUB-R22, SUB-R23, SUB-R24, SUB-R25,]

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 (MRZ1)

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

Purpose of the MRZ1

The purpose of the MRZ1 – 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 MRZ1 – 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

(1) Housing typology.

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

(2) 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.

(3) Residential amenity.

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

(4) Activities.

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

Policies

i) Housing typology and type.

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

ii) 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.

iii) 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.

iv) 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.

v) 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.

vi) 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.

vii) 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	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.	

<p>(f) The following infrastructure and energy rule does not apply: (i) Rule TRPT-R4(1)(a) (Traffic generation).</p>	
<p>MRZI-R3 Home business</p>	
<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 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 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 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 Boarding houses/boarding establishments</p>	

<p>(1) Activity status: PER Activity-specific standards: (a) No more than 10 people per site inclusive of staff and residents.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
<p>MRZI-R8 Construction or alteration of a building for a sensitive land use</p>	
<p>(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.</p>	<p>(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.</p>
<p>MRZI-R9 Construction, demolition, addition, and alteration of a building or structure</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZI-R10 Any activity that is not listed as permitted, restricted discretionary or prohibited,</p>	
<p>Activity status: DIS</p>	
<p>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).</p>	
<p>Activity status: PR</p>	

Land use – building

<p>MRZI-S1 Residential unit</p>	
<p>(1) Activity status: PER Where: (a) Up to three residential units per site.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Intensity of the development; and</p>

	<ul style="list-style-type: none"> (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.
MRZI-S2	Minimum residential unit size
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Residential units must have a minimum net internal floor area of: <ul style="list-style-type: none"> (i) 35m² for studio dwellings; and (ii) 45m² for one or more bedroom dwellings. 	<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 functionality of the residential unit; and (b) Internal residential amenity.
MRZI-S3	Height – building general
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure; (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; (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. (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>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building or structure; (b) Design, scale and location of the building; (c) Extent of shading on adjacent sites; and (d) Privacy and overlooking on adjoining sites.

(e)	
MRZI-S4	Fences or walls – road boundaries
<p>(1) Activity status: PER Where:</p> <p>(a) Fences and walls between the applicable building setbacks under MRZ₁-S10 and MRZ₁-I1 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 (2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design; (b) Effects on streetscape amenity; and (c) Public space visibility.</p>
MRZI-S5	Height in relation to boundary
<p>(1) Activity status: PER 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 Council’s discretion is restricted to the following matters:</p> <p>(a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent sites; and (d) Privacy on adjoining sites.</p>
MRZI-S6	Building coverage

<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The total building coverage must not exceed 45%. (b) MRZI-S6(1)(a) does not apply: <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. 	<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, 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>MRZI-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>MRZI-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>MRZI-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.
<p>MRZI-S10 Building setbacks – all boundaries</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The finished external walls (excluding eaves) of a building must be set back a minimum of: <ul style="list-style-type: none"> (i) 3m from the road boundary; (ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps); (iii) 1m from every boundary other than a road boundary; and (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; (c) MRZ1-S10(1)(a) and (b) do not apply to structures that are not buildings. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Road network safety and efficiency; (b) Potential to mitigate adverse effects on the streetscape through use of other design features; (c) Daylight admission to adjoining properties; and (d) Privacy overlooking on adjoining sites.
<p>MRZI-S11 Building setbacks – water bodies</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A building must be set back a minimum of: <ul style="list-style-type: none"> (i) 20m from the margin of any lake; (ii) 20m from the margin of any wetland; (iii) 23m from the bank of any river (other than the Waikato River and Waipa River); (iv) 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 MRZ1-S12(1)(a); (c) MRZ1-S11(1)(a) does not apply to a structure which is not a building. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) 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.

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 MRZ – 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~~ Horotiu. Within area 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 Ngaruawaahia 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) Manage potential reverse sensitivity effects by use of design controls for sensitive land uses in the Havelock Precinct and the Horotiu Acoustic Area.
- (3) Manage potential reverse sensitivity effects by restricting building heights within the Area 1 height restriction area in the Havelock Precinct.

MRZ2-PI2 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-PI3 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, MRZI – Medium density residential zone I, 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-PI4 Outlook from Tuurangawaewae Marae

- (1) 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.
- (2) 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.

MRZ2-PI7 Geotechnical limitation QM

Avoid buildings within the Geotechnical limitation QM identified on the planning maps.

Rules

Land use – activities

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

MRZ2-RI	Residential activity, unless specified below This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
MRZ2-R2	A new retirement village or alterations to an existing retirement village	
(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 bedrooled unit—15m² area with minimum dimension horizontal and vertical of 2.5m. (c) The minimum service court is either:	(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) Apartment—Communal outdoor space (i.e. no individual service courts required); or</p> <p>(ii) All other units—10m² for each unit.</p> <p>(d) The following land use – effects standard does not apply:</p> <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 (Landscaped areas).</p> <p>(g) The following infrastructure and energy rule does not apply:</p> <p>(i) Rule TRPT-R4(1)(a) (Traffic generation).</p>	
<p>MRZ2-R3</p>	<p>Home business</p>
<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>(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>

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

<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards:</p> <p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p> <p>(ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) Effects on the amenity values of the site;</p> <p>(b) The risk of electrical hazards affecting the safety of people;</p> <p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and up-grading of the electrical distribution or transmission lines.</p>
<p>MRZ2-R8</p>	<p>Construction, demolition, addition, and alteration of a building or structure</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZ2-R9</p>	<p><u>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</u></p>
<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) <u>Within the National Grid Yard:</u></p> <p>(i) <u>Building alterations and additions to an existing building or structure for a sensitive land use that does not involve an increase in the building height or footprint</u></p> <p>(ii) <u>New, or additions to existing buildings or structures that are not for a sensitive land use;</u></p> <p>(iii) <u>Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991;</u></p> <p>(iv) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below.</u></p> <p>(b) <u>All buildings or structures permitted by Rule 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</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>

<p><u>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>	
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	Educational facilities This excludes childcare facilities
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p><u>Nil</u></p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) <u>The extent to which it is necessary to locate the activity in the GRZ - General residential zone;</u></p> <p>(b) <u>Reverse sensitivity effects of adjacent activities;</u></p> <p>(c) <u>The extent to which the activity may adversely impact on the transport network;</u></p> <p>(d) <u>The extent to which the activity may adversely impact on the</u></p>	<p>(2) <u>Activity status where compliance not achieved: n/a</u></p>

	<u>streetscape and the amenity of the neighbourhood;</u> (e) <u>The extent to which the activity may adversely impact on the noise environment.</u>	
MRZ2-RI4	Childcare facility	
(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-RI5	Neighbourhood centre	
(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
MRZ2-RI6	<u>Building setback – sensitive land use located outside the Amenity Setback specific control in Tuakau</u>	
(1) Activity status: PER Where:	(a) <u>Any new building or alteration to an existing building for a sensitive land use shall be located outside the Amenity Setback specific control identified on the planning maps.</u>	(3) <u>Activity status where compliance not achieved: RDIS</u> <u>Council’s discretion is restricted to the following matters:</u> (a) <u>On-site amenity values;</u> (b) <u>Odour, dust and noise levels received at the notional boundary of the building;</u> (c) <u>Timing and duration of noise received at the notional boundary of the building; and</u> Potential for reverse sensitivity effects
MRZ2-RI7	<u>Any building within the Geotechnical limitation QM identified on the planning maps.</u>	
	Activity status: NC	

Land use

MRZ2-SI	Residential unit
(1) Activity status: PER Where: (a) Up to three residential units per site. <u>Note: This standard does not apply to the QM in 5851 5837 Great South Road Ngaaruawaahia.</u> <u>Advice Notes:</u> <i>1. <u>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</u></i>	(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;

<p>(a) Water, Wastewater and Stormwater chapter</p> <p>(b) Earthworks chapter</p> <p>2. 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.</p>	<p>(c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</p> <p>(d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and</p> <p>(e) Provision of 3-waters infrastructure to individual units; and</p> <p>(f) The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and</p> <p>(g) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces; and</p> <p>(h) The effects on values held by mana whenua where:</p> <p>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</p> <p>ii. Sites are adjacent to marae or an Open Space Zone.</p> <p>Notification 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.</p>
<p>MRZ2-SIA</p>	<p>Residential unit within the QM for 5837 5851 Great South Road</p>
<p>(1) Activity status: PER Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>(a) <u>Up to one residential unit per site.</u></p> <p>Advice Notes:</p> <p>1. <u>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</u></p> <p>(c) <u>Water, Wastewater and Stormwater chapter</u></p> <p>(d) <u>Earthworks chapter</u></p> <p>(e) <u>Sites and areas of significance to Maaori</u></p> <p>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>	<p><u>Council's discretion is restricted to the following matters:</u></p> <p>(a) <u>Intensity of the development; and</u></p> <p>(b) <u>Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone;</u></p> <p>(c) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</u></p> <p>(d) <u>Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and</u></p> <p>(e) <u>Provision of 3-waters infrastructure to individual units; and</u></p> <p>(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></p> <p>(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></p> <p>(h) <u>Within QM 5851 5837 Great South Road effects on the values associated with the Site or Area of Significance to Maaori.</u></p>
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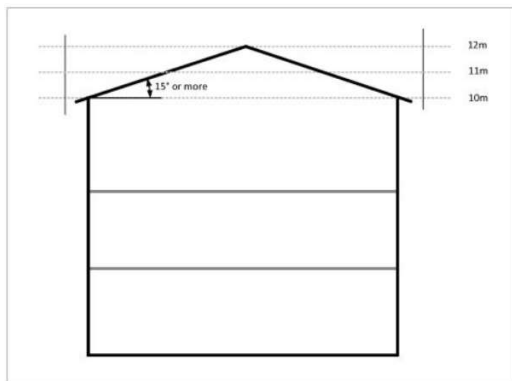
MRZ2-S2	Height – building general This excludes land within the Tuurangawaewae Marae Surrounds QM
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(1) Activity status: PER

Where:

- (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).

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



- (b) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;
- (c) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;
- (d) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.
- (e) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure;

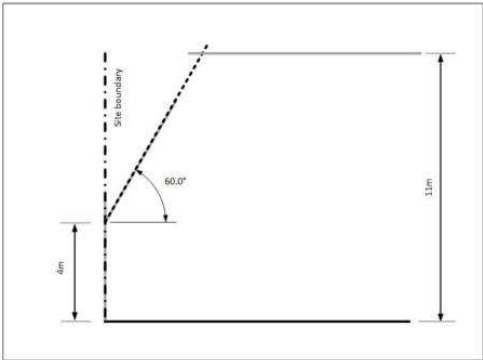
(2) Activity status where compliance not achieved: RDIS

Council's discretion is restricted to the following matters:

- (a) Height of the building or structure;
- (b) Design, scale and location of the building;
- (c) Extent of shading on adjacent sites;
- (d) Privacy and overlooking on adjoining sites;
- (e) The visual dominance effects on adjoining sites;
- (f) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;
- (g) In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely affect the outlook from Tuurangawaewae Marae to Haka-rimata Ranges, Taupiri Maunga, and Waikato Awa;
- (h) In Ngaaruawaahia in the Tuurangawaewae Marae Building Height Assessment Overlay the potential to adversely affect the outlook from Tuurangawaewae Marae to Haka-rimata Ranges and Taupiri Maunga; and
- (i) 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.

Notification

	<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>
<p>MRZ2-S2A</p>	<p>Height within the Tuurangawaewae Marae Surrounds QM</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (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> (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>(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) <u>Height of the building or structure;</u> (b) <u>Design, scale and location of the building;</u> (c) <u>Extent of shading on adjacent sites;</u> (d) <u>Privacy and overlooking 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;</u> (g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range, and Taupiri Maunga and the Waikato Awa; and</u> (h) <u>The effects on values held by mana whenua where:</u> <ul 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>MRZ2-S3</p>	<p>Height in relation to boundary</p> <p>This excludes land within the Tuurangawaewae Marae Surrounds QM</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, entrance strip, access site, or pedestrian access way.</u></p>  <p>(b) <u>Standard (a) above does not apply to:</u></p> <ul style="list-style-type: none"> (i) <u>a boundary with a road</u> (ii) <u>existing or proposed internal boundaries within a site;</u> (iii) <u>site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u> <p><u>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</u></p> <p>(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></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent sites; and (d) Privacy on adjoining sites. (e) <u>The visual dominance effects on adjoining sites; and</u> (f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping.</u> (g) <u>In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hahakirimata Ranges, Taupiri Maunga, and Waikato Awa</u> (h) <u>The effects on values held by mana whenua where:</u> <ul 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> (i) <u>In Ngaaruawaahia the potential to adversely effect the outlook from Tuurangawaewae Marae to Hahakirimata Ranges, Taupiri Maunga, and Waikato Awa</u>

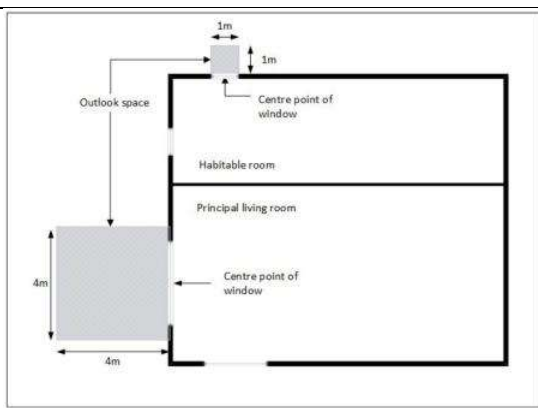
<p>(iv) Where the boundary forms part of a legal right of way, entrance strip or access site; the standard applies from the farthest boundary of that legal right of way, entrance strip or access site;</p> <p>(v) This standard does not apply to existing or proposed internal boundaries within a site;</p> <p>(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, LLRZ— Large lot residential zone or SETZ— Settlement zone;</p> <p>(vii) Where the boundary adjoins a legal road.</p>	<p>Notification <u>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.</u></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></p> <p>(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></p> <p>(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></p> <p>(ii) <u>This standard does not apply to existing or proposed internal boundaries within a site;</u></p> <p>(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:</p> <p>(a) <u>Height of the building;</u></p> <p>(b) <u>Design and location of the building;</u></p> <p>(c) <u>Extent of shading on adjacent sites;</u></p> <p>(d) <u>Privacy 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; and</u></p> <p>(g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range, and Taupiri Maunga, and the Waikato Awa.</u></p>

MRZ2-S4	Setbacks								
<p>(1) Activity status: PER Where:</p> <p>(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="284 432 783 651"> <thead> <tr> <th><u>Yard</u></th> <th><u>Minimum depth</u></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></p> <p>(a) The finished external walls (excluding eaves) of a building must be set back a minimum of:</p> <ul style="list-style-type: none"> (i) 3m from the road boundary; (ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps); (iii) 1m from every boundary other than a road boundary; and <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>	<u>Yard</u>	<u>Minimum depth</u>	<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:</p> <ul style="list-style-type: none"> (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 services to access the property in an emergency.</u> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S4 will be considered without public notification.</u></p> <p>Advice note <u>Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</u></p>
<u>Yard</u>	<u>Minimum depth</u>								
<u>Front</u>	<u>1.5m</u>								
<u>Side</u>	<u>1m</u>								
<u>Rear</u>	<u>1m (excluded on corner sites)</u>								

<p>MRZ2-S5</p>	<p>Building coverage</p> <p>This excludes land within the Tuurangawaewae Marae Surrounds QM</p>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>The maximum building coverage must not exceed 50% of the net site area.</u></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 style="padding-left: 20px;">(i) To a structure that is not a building; or</p> <p style="padding-left: 20px;">(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</p> <p><u>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design, 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 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.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S5 will be considered without public notification.</u></p>
<p>MRZ2-S5A</p>	<p>Building Coverage within the Tuurangawaewae Marae surrounds QM</p>
<p>(1) Activity status: PER Where:</p> <p>(a) the maximum building coverage must not exceed 45% of the net site area.</p> <p>(b) MRZ-S5A(1(a)) does not apply:</p>	<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"> (i) <u>To a structure that is not a building; or</u> (ii) <u>Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</u> 	<ul style="list-style-type: none"> (a) <u>Design, scale and location of the building;</u> (b) <u>Provision for outdoor living space and service courts;</u> (c) <u>Effects on the planned urban built character and any qualifying matter on the surrounding residential area ;</u> (d) <u>The visual dominance effects on adjoining sites;</u> (e) <u>The effect on cultural viewshafts from Turangawaewae Marae to Haurimata Range, and Taupiri Maunga, and the Waikato Awa.</u> (f) <u>Flooding effects including safe access and egress; and</u> (g) <u>Stormwater management and the use of Low Impact Design methods.</u>
<p>MRZ2-S6</p>	<p>Outdoor living space (per unit)</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (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> <ul style="list-style-type: none"> (i) <u>where located at ground level, has no dimension less than 3m; and</u> (ii) <u>where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and</u> (iii) <u>is accessible from the residential unit; and</u> (iv) <u>may be—</u> <ul style="list-style-type: none"> (1) <u>grouped cumulatively by area in one communally accessible location; or</u> (2) <u>located directly adjacent to the unit; and</u> (v) <u>is free of buildings, parking spaces, and servicing and manoeuvring areas.</u> (b) <u>A residential unit located above ground floor level must have an outdoor living</u> 	<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>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;



- (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.

- (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.

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

	<p>is visible and prominent from the street;</p> <p>(b) Whether the majority of the glazing provided on the street facing façade of the unit is clear glazing to habitable spaces within the unit;</p> <p>(c) The level of passive surveillance from the residential unit to the street; and</p> <p>(d) Any other building features such as porches or gables that will add visual interest.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S8 will be considered without public notification.</u></p>
MRZ2-S9	Landscaped area
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.</u></p> <p>(b) <u>The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The on-site and/or neighbouring amenity provided by the proposed landscaping;</p> <p>(b) The extent of landscaping between the buildings and road boundary to soften and integrate the development into the surrounding area;</p> <p>(c) The extent to which the breach is necessary to enable more efficient, cost effective and/or practical use of the remainder of the site;</p> <p>(d) The additional accessibility and safety benefits of providing less landscaped area; and</p> <p>(e) The effect of any reduction in landscaping on adjoining properties, including the street or other public open spaces.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of</u></p>

		MRZ2-S9 will be considered without public notification.
MRZ2-S10	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 ability to meet the day to day needs of residents; functionality of the residential unit; and Internal residential amenity.</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) 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</p> <p>(c) Stormwater management and the use of Low Impact Design methods; and</p> <p>(d) Whether there is sufficient space on site for a stormwater treatment device and infrastructure.</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>	

		(b) The design and location of garaging as viewed from streets or public open spaces.
MRZ2-SI3	Fences or walls	
<p>(1) Activity status: PER Where: (a) <u>Boundary Fences and walls:</u> (i) <u>adjacent to between-properties-and</u> any road boundaries; (ii) <u>Adjoining any OSZ - open space zone;</u> <u>or:</u> (iii) <u>Between properties within the first 1.5m of the front yard</u> (b) <u>Boundary fences and walls within (a)</u> must comply with all of the following standards: (i) Be no higher than 1.5m if solid; (ii) Be no higher than 1.8m if: (1) Visually permeable for the full 1.8m height of the fence or wall; or (2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m. (c) <u>Boundary fences and walls between properties further than 1.5m into the site must not exceed 2m.</u></p>		<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Building materials and design; (b) Effects on streetscape amenity; and (c) Public space visibility (d) <u>Amenity effects associated with access to sunlight.</u> <u>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below</u></p>
MRZ2-SI4	Building setbacks – water bodies	
<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 (g) <u>including Effects on hydrology and flooding.</u></p>

	<p>(h) <u>In the Waikato River catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries including ground-water resources.</u></p> <p>(i) <u>Effects on cultural values identified in Maaori Values and Maatauranga Maaori Chapter; and</u></p> <p>(j) <u>The objectives and policies in Chapter 2-20 of the District Plan- Te Ture Whaimana -Vision and Strategy.</u></p>
MRZ2-SI5	Building setback – sensitive land use
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u></p> <p>(i) <u>5m from the designated boundary of the railway corridor;</u></p> <p>(ii) <u>15m from the boundary of a national route or regional arterial;</u></p> <p>(iii) <u>25m from the designated boundary of the Waikato Expressway;</u></p> <p>(iv) <u>300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</u></p> <p>(v) <u>30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and</u></p> <p>(vi) <u>300m from the property boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaaruawaahia.</u></p> <p>(vii) <u>6m from the centre of a gas transmission line identified on the planning maps</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) <u>Road network safety and efficiency;</u></p> <p>(b) <u>On-site amenity values;</u></p> <p>(c) <u>Odour, dust and noise levels received at the notional boundary of the building;</u></p> <p>(d) <u>Mitigation measures; and</u></p> <p>(e) <u>Potential for reverse sensitivity effects.</u></p>
MRZ2-SI6	Building setback – Environmental Protection Area
<p>(1) Activity status: PER 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-SI7	Building and structure setback – rail corridor
<p>(1) Activity status: PER</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>Where:</p> <p>(a) 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.</p> <p>(b) Standard MRZ2-SI7(1)(a) does not apply to fences or structures less than 2m in height, poles or aerals.</p> <p>(c) Standard MRZ2-SI7(1)(a) does not apply to retaining walls, which must be setback a minimum of 1.5m from the destinated boundary of the railway corridor.</p>	<p>Council's discretion is restricted to the following matters:</p> <p>(a) 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.</p> <p><i>Notification: Any restricted discretion activity under MRZ2-SI 7 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>
<p>MRZ-SI8</p>	<p>Building – Horotiu Acoustic Area (identified on the planning maps)</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Construction, addition to or alteration of a building for a noise sensitive land use activity within the Horotiu Acoustic Area shall be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) On-site amenity values;</p> <p>(b) Noise levels received at the notional boundary of the building;</p> <p>(c) Timing and duration of noise received at the notional boundary of the building; and</p> <p>(d) Potential for reverse sensitivity effects.</p>

Additional provisions applying to the Havelock Precinct

<p>PREC4-SI</p>	<p>Height – Havelock industry buffer height restriction areas</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building or structure with a maximum height not exceeding 5m, measured from the natural ground level, where it is located within the any of the following height restriction areas identified on the planning maps:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<ul style="list-style-type: none"> (i) <u>Havelock industry buffer height restriction area; and/or</u> (ii) <u>Havelock hilltop park height restriction area; and/or</u> (iii) <u>Havelock ridgeline height restriction area; and/or</u> (iv) <u>Area I Height Restriction area</u> 	
PREC4-S2	Building restriction– sensitive land use within PREC4 – Havelock Precinct
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (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 Pōkero Industry Buffer identified on the planning maps.</u> 	<p>(2) Activity status where compliance not achieved: NC</p>
PREC4-S3	Building design – sensitive land use within PREC4 – Havelock Precinct
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (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' (Rule-PREC4-S1) but within the 40 dB LAeq noise contour shown on the planning maps. (8m height 40dBa Noise Countour).</u> (b) <u>Any new building or alteration to an existing building for a sensitive land use located outside the Pōkero 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> (c) <u>Provided that if compliance with clause (ab) 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> <ul style="list-style-type: none"> (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> (ii) <u>Includes either of the following for all habitable rooms on each level of a dwelling:</u> <ul style="list-style-type: none"> (1) <u>Mechanical cooling installed; or</u> 	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>(2) <u>A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</u></p> <ul style="list-style-type: none"> (a) <u>6 air changes per hour for rooms with less than 30% of the façade area glazed;</u> (b) <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u> (c) <u>3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</u> <p>(iii) <u>Provides relief for equivalent volumes of spill air.</u></p> <p>(iv) <u>All is certified by a suitably qualified and experienced person.</u></p>	
<p>PREC4-S4 Landscape Plantings - Havelock Precinct (Slope Residential Area)</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) <u>Any new building or alteration to an existing building within the Slope Residential Area that is landscaped to the following minimum standards:</u> <ul style="list-style-type: none"> (i) <u>25% of the site area; and</u> (ii) <u>Comprises locally appropriate, eco sourced indigenous vegetation planted a maximum of 1.5m apart.</u> 	<p>(2) Activity status where compliance not achieved: RDIS <u>Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> (a) <u>Type, density and scale of indigenous vegetation; and</u> (b) <u>The extent to which the vegetated character of Slope Residential Area is achieved and buildings are located within a revegetated landform.</u>
<p>PREC4-S5 Building Reflectivity - Havelock Precinct</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) <u>Any new building or alteration to an existing building that is designed to the following minimum standards:</u> <ul style="list-style-type: none"> (i) <u>The exterior finish of any building has a light reflectance value of no more than 20% for roofs and no more than 30% for exterior walls; and</u> (ii) <u>All glazing on the elevations of any building shall be low reflectivity glass having a reflectivity of less than 16 per cent.</u> 	<p>(2) Activity status where compliance not achieved: RDIS <u>Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> (a) <u>Effects on landscape values and visual amenity of views from public places; and</u> (b) <u>Mitigation of effects including through plantings.</u>
<p>PREC4-S6 Residential unit within the Slope Residential Area</p>	

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<p>(1) Activity status: PER Where: (a) <u>One residential unit per site.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>PREC4-S7</p>	<p><u>Building coverage within the Slope Residential Area</u></p>
<p>(1) Where: (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

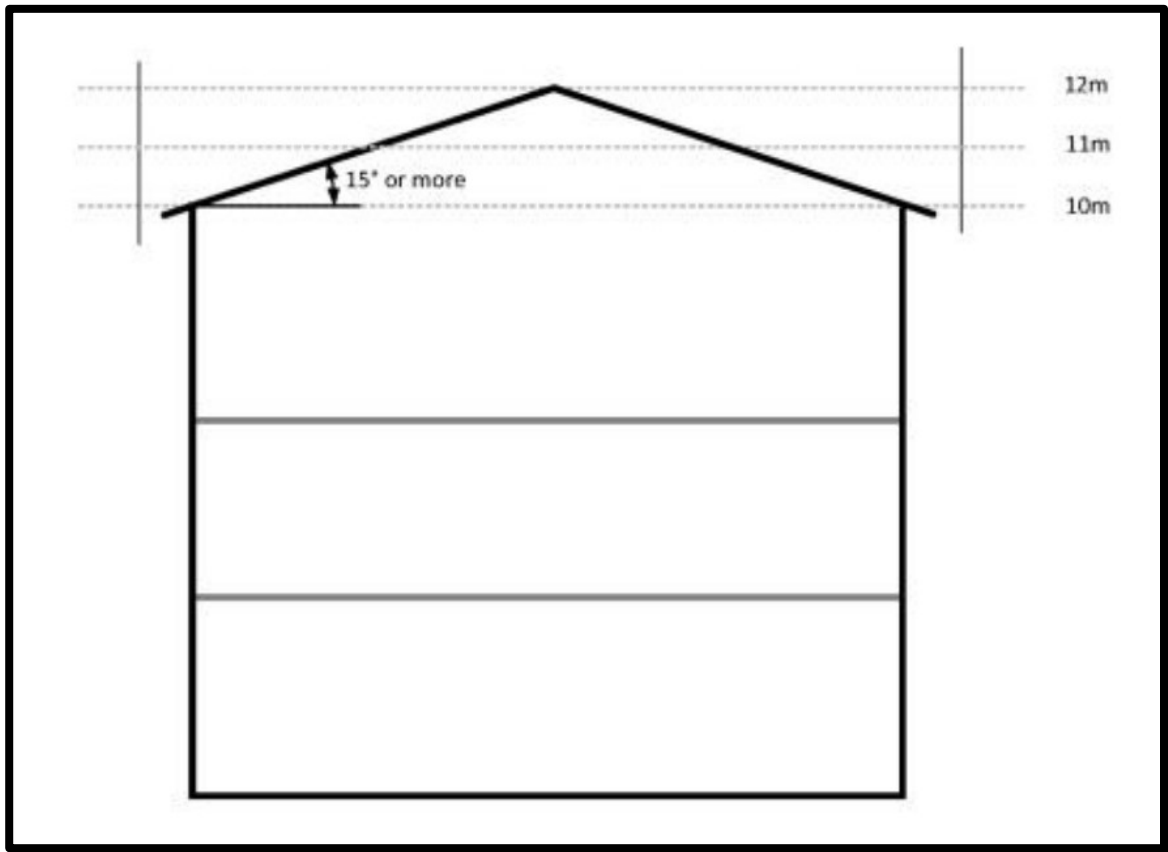


Figure 1: Building Height (refer to MRZ2-S2)

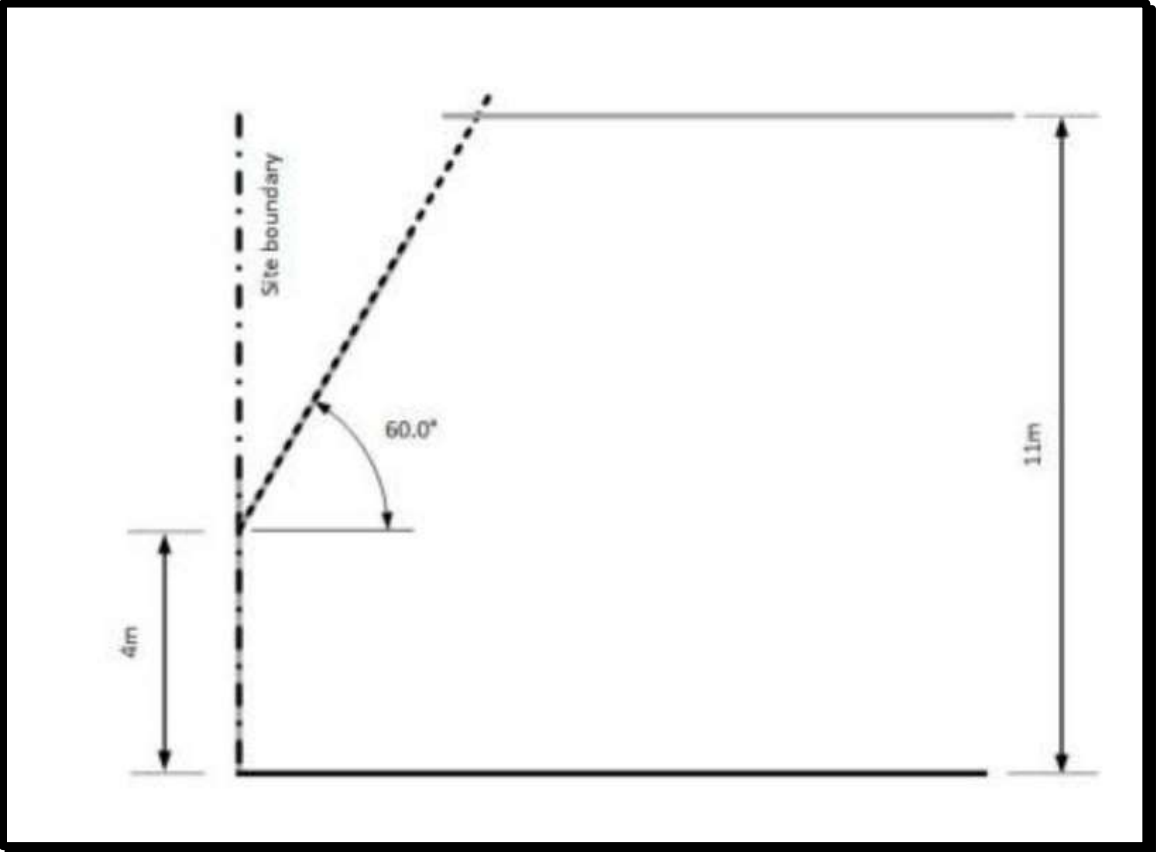


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

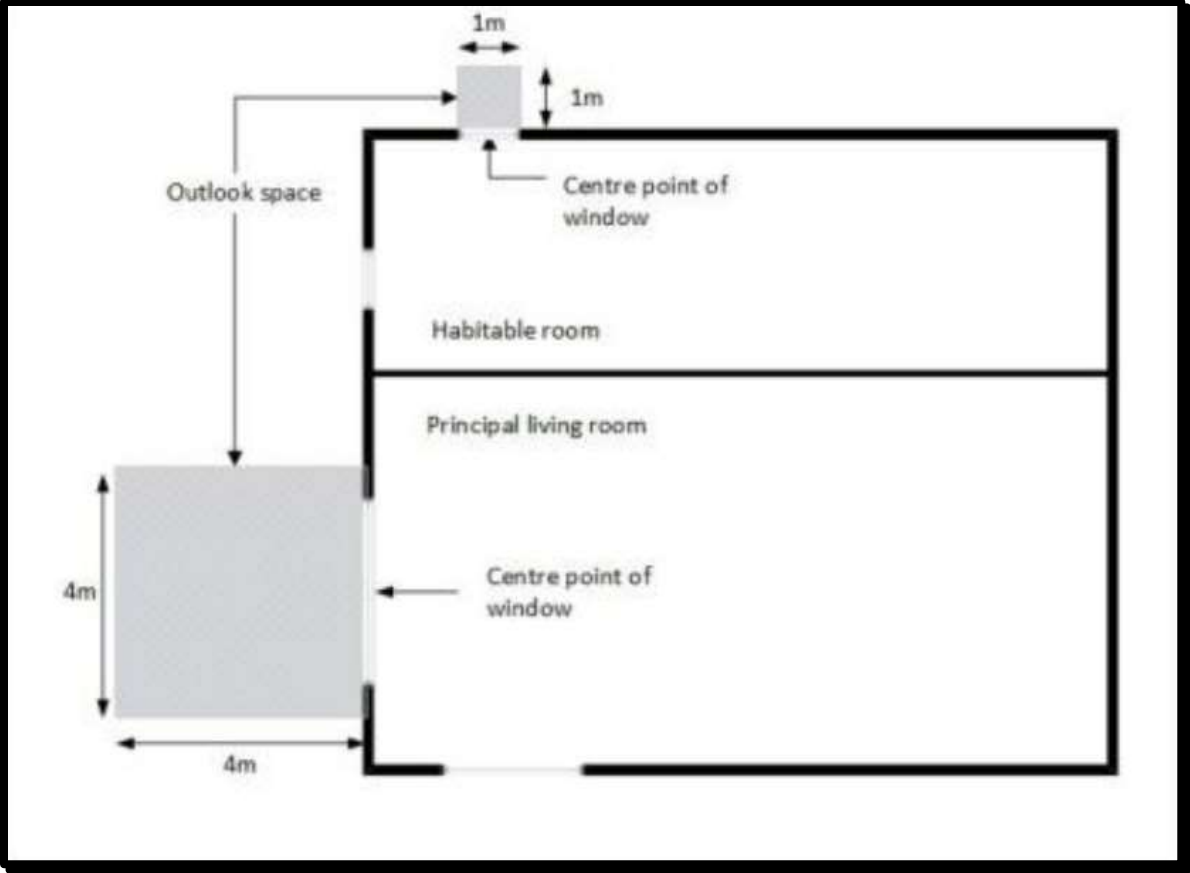


Figure 3: Outlook space per unit (refer to MRZ2-S7)

COMZ – Commercial zone

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

Purpose

The COMZ - Commercial zone identifies areas used predominantly for a range of commercial and community activities.

Objectives

COMZ-O1 Economic growth of industry.

Commercial activity is focussed within a differentiation of commercial zones (comprising the TCZ – Town centre zone, LCZ – Local centre zone, COMZ – Commercial zone, and the BTZ – Business Tamahere zone.

COMZ-O2 Commercial zone character.

The commercial scale, form of buildings and character of the zone is maintained.

COMZ-O3 Commercial zone amenity.

The amenity values of residential activities within, and activities in, adjoining zones are protected from the adverse effects of developments and activities in the zone.

COMZ-O4 [Huntly Commercial Precinct](#)

[Land within the Huntly Commercial Precinct is efficiently used to provide for mixed uses, including high-density urban living that increases housing capacity and choice.](#)

COMZ-O5 [Outlook from Tuurangawaewae Marae](#)

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

Policies

COMZ-P1 Commercial function and purpose.

Larger scale commercial activities are provided for within the zone.

COMZ-P2 Commercial purpose.

- (1) The role of the zone is to support the local economy and the needs of businesses by:
- (a) Providing for a wide range of commercial activities; and
 - (b) Providing for commercial activities at a scale that supports the commercial viability of towns and villages; and
 - (c) Ensuring that commercial activities complement and support the role of business town centres.

COMZ-P3 Role and function of the zone.

- (1) Ensure the role of the zone is complementary to the TCZ – Town centre zone by:

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- (a) Enabling a wide range of commercial activities including large format retail activities within the zone; and
- (b) Discouraging small scale retail activities, administration and commercial services within the zone.

COMZ-P4 Employment opportunities.

Commercial development within the zone increases employment opportunities within the district.

COMZ-P5 Retail.

- (1) Locate small scale retail activities within the TCZ – Town centre zone and LCZ – Local centre zone and discourage large scale activities with the exception of supermarkets from establishing within the TCZ – Town centre zone.
- (2) Locate large scale retail and commercial activities within the COMZ – Commercial zone.

COMZ-P6 Residential upper floors.

- (1) Maintain the commercial viability of the zone while:
 - (a) Providing for mixed use developments, ensuring residential activities are preferably located above ground floor; and
 - (b) Avoiding residential activity located at ground level, where it could undermine commercial activity and frontage.

COMZ-P7 Landscaping of onsite parking areas.

Provide a degree of amenity for onsite parking areas within the zone by ensuring a planting strip is established and maintained.

COMZ-P8 Strategic infrastructure setback.

- (1) Ensure buildings within the zone are designed and set back from strategic infrastructure by:
 - (a) Retaining the predominant building setback within the street; and
 - (b) Allowing sufficient space for the establishment of landscaping on the site.

COMZ-P9 Height.

- (1) Ensure the height of new buildings is complementary to, and promotes, the existing character of the zone and adjoining residential zones, [except within the Huntly Commercial Precinct.](#)
- (2) [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.](#)
- (3) [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.](#)

COMZ-PI0 Reverse sensitivity.

Development within the zone is acoustically insulated to mitigate the adverse effects of noise.

COMZ-PI1 Adjoining site amenity.

- (1) Maintain amenity of adjoining GRZ – General residential zone, MRZ – Medium density residential zone, or OSZ – Open space zone by:
- (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ – Medium density residential zone and OSZ – Open space zoned land; and
 - (b) The progressive reduction in the height of buildings in the zone, the closer they are located to boundaries adjoining GRZ – General residential, MRZ – Medium density residential zone and OSZ – Open space zoned land.

COMZ-PI2 Huntly Commercial Precinct – Multi unit development building heights

- (1) Enable a planned built character of up to 6 storeys for multi-unit development provided that:
- (a) Development provides quality on-site residential amenity for residents and supports attractive and safe streets.
 - (b) The bulk, form and appearance of development above 3 storeys is required to mitigate visual dominance and overlooking of adjacent sites.

Rules

Land use – activities

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

COMZ-RI	Commercial activity	
(1) Activity status: PER Activity-specific standards: (a) Any individual tenancy must have a gross floor area of greater than 350m ² .	(2) Activity status where compliance not achieved: DIS	
COMZ-R2	Supermarket	
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a	
COMZ-R3	Community facility	
(1) Activity status: PER Activity-specific standards: (a) Excluding a cemetery.	(2) Activity status where compliance not achieved: DIS	
COMZ-R4	Residential activity, unless specified below	

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	This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level.		(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) The extent to which the residential activity effects the primary purpose of the zone to provide for commercial activities.
COMZ-R5	Educational facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R6	Child care facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R7	Office	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R8	Public amenity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R9	Health facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R10	Visitor accommodation	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R11	Public transport facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R12	Servicing of boats at Raglan Wharf	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R13	Community corrections activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R14	Buildings, structures and sensitive land use within the National Grid Yard on sites existing as of 18 July 2018	

<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Within National Grid Yard:</p> <ul style="list-style-type: none"> (i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or (ii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991; or (iii) Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or (iv) Non-habitable horticultural buildings; or (v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures); (vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and (vii) Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks. <p>(b) All buildings or structures permitted by Rule COMZ-R14(1)(a) must:</p> <ul style="list-style-type: none"> (i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and 	<p>(2) Activity status where compliance not achieved: NC</p>
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<ul style="list-style-type: none"> (1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is: (2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or (3) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or (ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and (iii) Not permanently physically impede existing vehicular access to a National Grid support structure; (c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that: <ul style="list-style-type: none"> (i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor; (ii) Are no higher than 2.5m; (iii) Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes; (iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane. 	
<p>COMZ-RI5 Construction or alteration of a building for a sensitive land use</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people;

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<p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p> <p>(ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>
<p>COMZ-R16</p>	<p>Construction or demolition of, or alteration or addition to, a building or structure</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R17</p>	<p>A multi-unit development</p>
<p>(1) Activity status: RDIS Activity-specific standards:</p> <p>(a) A multi-unit development that meets all of the following standards:</p> <p>(i) Land use – effects standards for the zone;</p> <p>(ii) Land use – building standards for the zone, except the following rules do not apply;</p> <p>(1) COMZ-S9 (Residential units) does not apply;</p> <p>(2) COMZ-S10 (Outdoor living space) does not apply;</p> <p>(b) A detailed site plan depicting the proposed Record of Title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule SUB-R93 (Subdivision of multi-unit developments);</p> <p>(c) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels;</p> <p>(d) A communal service court is provided comprising;</p> <p>(i) minimum area of 20m²; and</p> <p>(ii) minimum dimension of 3m.</p> <p>(e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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Residential Unit	Minimum outdoor Living space area	Minimum Dimensions
Studio unit or 1 bedroom	10m ²	2m
2 or more bedrooms	15m ²	2m

(f) Each residential unit must meet the following minimum unit size:

Unit or Apartment Area	Minimum Unit
Studio Unit	35m ²
1 or more bedroom unit	45m ²

(g) In the Huntly Commercial Precinct: For all side and rear boundaries must not protrude through a height control plane rising at an angle of 60 degrees commencing at an elevation of 12m above natural ground level at every point on the side and rear boundary that are not zone boundaries buildings above 12m in height must fit within a height plane of 12m, at the boundary plus 60 degrees.

(h) In the Huntly Commercial Precinct: Residential units must have an outlook space of 6m in depth by 4m in width measured from the exterior of a unit's principal living room window. All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width. This outlook area must be free of buildings and either be contained within the site or extend into public space or road. Outlook areas must not overlap outlook areas for other dwellings.

Council's discretion is restricted to the following matters:

Design:

- (i) The extent to which that portion of the building or site which fronts a road or public space:
 - (i) Provides for passive surveillance of the street from habitable rooms at ground and upper floor levels.
 - (ii) Avoids the use of impermeable screens or fencing that obstruct visual connections.
 - (iii) Avoids unrelieved and blank façades.
 - (iv) Creates visual interest through the use of cladding materials, colour and articulation of the façade.

<p>(v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity.</p> <p>(vi) Minimises vehicle garaging/parking or manoeuvring areas.</p> <p>(vii) Service courts are screened or obscured.</p> <p><u>Additional Design matters within the Huntly Commercial Precinct:</u></p> <p>(a) <u>Sunlight and daylight access to adjoining sites; and</u></p> <p>(b) <u>Privacy and overlooking of adjoining sites;</u></p> <p>(c) <u>The effects on the heritage values of any scheduled heritage item</u></p> <p>(d) <u>The design and appearance of buildings including modulation and articulation of building mass to create visual interest and to break down larger elements;</u></p> <p>(e) <u>Landscape treatment of yards and frontages, including screening of taller buildings when viewed from adjoining residential zones.</u></p> <p>(f) <u>The effectiveness of screening of car parking and service areas from the view of people using public spaces.</u></p> <p>(g) <u>The maintenance or enhancement of amenity for pedestrians using public spaces or streets;</u></p> <p><u>On-site amenity:</u></p> <p>(j) The extent to which the design:</p> <p>(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.</p> <p>(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.</p> <p>(iii) Maximises opportunities for passive solar gain within units.</p> <p><u>Additional on-site amenity matters within the Huntly Commercial Precinct:</u></p> <p>(h) <u>Dimensions of outlook area;</u></p> <p>(i) <u>Visual privacy and dominance effects on adjoining sites</u></p>	
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Part 3: Area-specific matters / Zones / Commercial and mixed use zones / COMZ – Commercial zone

<p>(j) Internal amenity outcome. (k) Methods to secure outlook if over adjoining site</p> <p>Infrastructure: (k) The extent to which the design can be efficiently serviced with 3 waters infrastructure.</p> <p>Natural hazards: (l) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards.</p> <p>Staging: (m) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner.</p>	
COMZ-R18	Commercial activities within in the Motorway service centre specific control
<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) Effects on amenity of the locality; (b) Landscaping; (c) Design and layout; (d) Effects on efficiency and safety of the land transport network, including the Waikato Expressway; (e) Access design; and (f) Potential reverse sensitivity effects. 	<p>(2) Activity status: NC Where:</p> <ul style="list-style-type: none"> (a) Any other activity within the Motorway service centre specific control area. <p>Advice note: The other land-use activities listed within the COMZ – Commercial zone do not apply to the Motorway service centre specific control area, however the land-use effects and land-use standards do apply.</p>
COMZ-R19	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
(1) Activity status: DIS	
COMZ-R20	Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard
(1) Activity status: NC	
COMZ-R21	Any change of use of an existing building to a sensitive land use within the National Grid Yard
(1) Activity status: NC	
COMZ-R22	The establishment of any new sensitive land use within the National Grid Yard
(1) Activity status: NC	
COMZ-R23	Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, Pseudomonas syringae pv. Actinidiae (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard
(1) Activity status: NC	

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COMZ-R24	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
(1) Activity status: PR	

Land use – effects

COMZ-S2	Servicing and hours of operation	
(1) Activity status: PER Where: (a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the GRZ - General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Effects on amenity values on adjoining sites within the GRZ - General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone; (b) Timing, duration and frequency of adverse effects; (c) Location of activity in relation to zone boundary; (d) Location of activity in relation to residential units on adjoining sites; (e) The means to avoid, remedy or mitigate adverse effects on adjoining sites.	
COMZ-S3	Onsite parking areas – landscaping	
(1) Activity status: PER Where: (a) Onsite car parking area for 5 or more parking spaces located adjoining a road, must comply with the following standards: (i) The car parking area must be separated from the road by a 1.5m wide planting strip, with the exception of vehicle access points; and (ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1m.	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Design and location of the parking area and landscaping strip; and (b) Effects on streetscape amenity.	
COMZ-S4	Outdoor storage	
(1) Activity status: PER Where: (a) Outdoor storage of goods or materials must comply with all of the following standards: (i) Be associated with the activity operating from the site; (ii) Not encroach on parking or loading areas;	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Visual amenity; (b) Effects on loading and parking areas; (c) Size and location of storage area; and (d) Measures to mitigate adverse effects.	

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<p>(iii) Standards COMZ-S4 Height and COMZ-S7 Height in relation to boundary; and</p> <p>(iv) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any:</p> <p>(1) Public road;</p> <p>(2) Public reserve; and</p> <p>(3) Adjoining site in another zone.</p>	
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Land use – building

<p>COMZ-S5 Building height</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12m;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure;</p> <p>(c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m.</p> <p>(d) <u>The maximum height of any multi-unit development in the Huntly Commercial Precinct must not exceed 22m.</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 an adjoining site;</p> <p>(d) Privacy on adjoining sites;</p> <p>(e) <u>In Ngaaruawaahia, in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa; and</u></p> <p>(f) <u>In Ngaaruawaahia, in the Tuurangawaewae Marae Building Height Assessment Overlay the potential to adversely affect the outlook from Tuurangawaewae Marae to Hakarimata Ranges and Taupiri Maunga.</u></p>
<p>COMZ-S6 Height in relation to <u>zone</u> boundary</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the:</p> <p>(i) GRZ – General residential zone;</p> <p>(ii) MRZ – Medium density residential zone;</p> <p>(iii) LLRZ – Large lot residential zone;</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) Level of shading on any other adjoining sites;</p> <p>(d) Privacy on other sites; and</p> <p>(e) Amenity values of the locality and</p> <p>(f) <u>In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely affect the outlook from</u></p>

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<p>(iv) SETZ – Settlement zone; (v) RLZ – Rural lifestyle zone; or (vi) OSZ – Open space zone.</p>	<p>Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa.</p>
<p>COMZ-S7 Building setbacks – zone boundaries</p>	
<p>(1) Activity status: PER Where: (a) A building must be set back a minimum of at least: (i) 3.0 m from rear and side boundaries adjoining any: (1) GRZ – General residential zone; (2) MRZ – Medium density residential zone; (3) LLRZ – Large lot residential zone; (4) SETZ - Settlement zone; (5) RLZ – Rural lifestyle zone; or (6) OSZ – Open space zone. (ii) 1.5m from rear and side boundaries adjoining any: (1) GRUZ – General rural zone; (2) GIZ – General industrial zone; or (3) HIZ – Heavy industrial zone. (iii) 15m from SH23 for any site between Greenslade Road and Hills Road, Raglan. (b) COMZ-S6(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Height, design and location of the building relative to the boundary; (b) Impacts on the privacy for adjoining site(s); (c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and (d) Landscaping and/or screening.</p>
<p>COMZ-S8 Building setback – waterbodies</p>	
<p>(1) Activity status: PER Where: (a) A building that is set back a minimum of: (i) 27.5m from the margin of any lake; (ii) 27.5m from the margin of any wetland; (iii) 27.5 from the bank of any river (other than the Waikato River and Waipa River); (iv) 32.5m from the margin of either the Waikato River and the Waipa River; (v) 27.5m from mean high water springs; (vi) 10m from any artificial wetland; (b) A public amenity of up to 25m² or pump shed (private or public) within any building setback identified in Standard COMZ-S7(1)(a); (c) COMZ-S7(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) 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.</p>
<p>COMZ-S9 Horotiu acoustic area</p>	

<p>(1) Activity status: PER Where: (a) Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area must be designed and constructed to achieve the internal design sound level specified in APP1 – Acoustic insulation, Table 22 – Internal design sound levels</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) On-site amenity values; (b) Noise levels received at the notional boundary of the residential unit; (c) Timing and duration of noise received at the notional boundary of the residential unit; (d) Potential for reverse sensitivity effects.</p>
<p>COMZ-S10 Residential units</p>	
<p>(1) Activity status: PER Where: (a) One residential unit on the Record of Title must comply with all of the following standards: (i) The residential unit must not be located at ground level; (ii) The residential unit is designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 22 – Internal design sound levels. (b) Standard COMZ-S9(1)(a) does not apply to multi-unit development (refer to Rule COMZ-R17 (Multi-unit development)).</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>COMZ-S11 Outdoor living space</p>	
<p>(1) Activity status: PER Where: (a) An outdoor living space must be provided for each residential unit that meets all of the following standards: (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; and (iii) It is located on a balcony containing at least 15m² and a circle with a diameter of at least 2.4m.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Design and location of the building; (b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed; (c) Privacy on adjoining sites; (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>