

# SECTION 42A REPORT

Closing Statement

## Enabling Housing Supply

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# I Introduction and Purpose

1. This closing statement has been prepared by Fiona Hill and Karin Lepoutre. We are the authors of the original s42A report, the addendums and rebuttal statement. This closing statement is in response to the evidence presented by submitters at the Variation 3 hearing held between 26 July and 2 August 2023. This statement should be read in conjunction with the further rebuttal statements of evidence from:
  - i. David Mead in relation to building heights within the Huntly Commercial Precinct and Town Centre Zone and minimum vacant lot sizes.
  - ii. Susan Fairgray in relation to minimum vacant lot sizes.
  - iii. Andrew Boldero in relation to stormwater management and flood risks.
2. This statement supported by a track-changed set of updated PDP provisions contained in Appendix A with amendments shown as follows:
  - i. Amendments proposed at the Variation 3 Notification stage are shown in green.
  - ii. Amendments proposed by the s42A reporting officers on 19 July 2023 are shown in red.
  - iii. Amendments proposed by the s42A reporting officers in response to evidence and ongoing submitter discussions (rebuttal) are shown in blue.
  - iv. Amendments proposed by the s42A reporting officers in response to evidence presented at the hearing (closing) are shown purple.
3. For completeness a full set of untracked PDP provisions with all recommended amendments incorporated is included in Appendix B.
4. The statement is addressed by topic with Karin Lepoutre authoring sections 2-9 and Fiona Hill authoring sections 10-22.

## 2 PDP Amendments

5. Appendix A and B contain tracked and untracked versions of the recommended amendments to the PDP provisions respectively. The table below provides a summary of the chapters and the recommended amendments.

Part/Chapter	Detail of the recommended amendment
<b>Part I: Introduction and General Provisions</b>	
Chapter 5: Definitions	Include definitions for: <ul style="list-style-type: none"> <li>• Landscaped area</li> <li>• MDRS</li> <li>• Qualifying matters</li> <li>• Servicing area</li> </ul>
Chapter 6: Abbreviations	Include abbreviation for: <ul style="list-style-type: none"> <li>• MDRS</li> </ul>

Part/Chapter	Detail of the recommended amendment
<b>Part 2: District-wide matters</b>	
Chapter 1: SD – Strategic directions	Add the following: <ul style="list-style-type: none"> <li>• Objective SD-O14</li> <li>• Policy SD-P2</li> </ul>
Chapter 12: WWS – Water, wastewater and stormwater	Add the following: <ul style="list-style-type: none"> <li>• New Rule WWS-RIA relating to stormwater management plans for development of 4 or more residential units.</li> <li>• New Rules WWS-RIB relating to services for more than one residential unit per site in the MRZ2.</li> </ul>
Chapter 15: NH – Natural hazards and climate change	Add the following: <ul style="list-style-type: none"> <li>• Explanatory notes above the Rules tables to cross reference to the additional rules for sites located within the Flood density QM.</li> <li>• Tables containing the rules applying to land within the Flood density QM</li> </ul> Amend the following: <ul style="list-style-type: none"> <li>• Overview (4) – to include the Flood density QM as a natural hazard (flood) overlay.</li> </ul>
Chapter 25: SUB – Subdivision	Add the following: <ul style="list-style-type: none"> <li>• Policy SUB-P3 (3) to provide for MRZ2.</li> <li>• Policy SUB-P23 regarding subdivision in the MRZ2.</li> <li>• Rule preamble in relation to section 106 of the RMA.</li> <li>• Table with MRZ2 Rules.</li> </ul> Amend the following: <ul style="list-style-type: none"> <li>• SUB-P3 (1) to exclude MRZ2.</li> <li>• SUB-R19 in relation to subdivision in the Havelock Precinct.</li> <li>• SUB-R22, SUB-R23, SUB-R24, SUB-R25 to include reference to MRZ2 (in addition to GRZ).</li> </ul>
<b>Part 3: Area-specific matters</b>	
Chapter 2: GRZ – General residential zone	Delete the following provisions: <ul style="list-style-type: none"> <li>• GRZ-R15 - Huntly North Westland specific control (and include in MRZ instead).</li> <li>• PREC4-S1 – Havelock Precinct standard (included in MRZ instead)</li> <li>• GRZ-S21 – Amenity Setback specific control (included in MRZ instead).</li> <li>• PREC4-S2 - Havelock Precinct standard (included in MRZ instead)</li> <li>• PREC4-S3 - Havelock Precinct standard (included in MRZ instead)</li> </ul>



Part/Chapter	Detail of the recommended amendment
Chapter 3: MRZ – Medium density residential zone	<p>Add the following:</p> <ul style="list-style-type: none"> <li>• Explanatory not which outlines areas 1 and 2</li> <li>• Part 2: Medium Density Residential zone areas (MRZ2) which includes the following: <ul style="list-style-type: none"> <li>- Purpose statement for MRZ area 2</li> <li>- Seven objectives, including one mandatory objective</li> <li>- Fifteen policies, including four mandatory policies</li> <li>- Land use rules which are generally consistent with the rules of MRZ area 1 except for the rules relating to educational facilities, the Huntly North Wetland specific control, the National Grid<sup>1</sup> and neighbourhood centres<sup>2</sup>.</li> <li>- Land use standards which include the MDRS, general development standards and standards that give effect to qualifying matters.</li> <li>- Precinct standards for the Havelock Precinct<sup>3</sup></li> </ul> </li> </ul> <p>Amend the following:</p> <ul style="list-style-type: none"> <li>• References from MRZ to MRZ I</li> <li>• Prefix text to the Purpose of the MRZ I</li> </ul>
Chapter 9: COMZ – Commercial zone	<p>Add the following:</p> <ul style="list-style-type: none"> <li>• COMZ-O4 – Huntly Commercial Precinct</li> <li>• COMZ-O5 - Outlook from Tuurangawaewae Marae.</li> <li>• COMZ-P6 – Huntly Commercial Precinct – Multi unit development</li> </ul> <p>Amend the following:</p> <ul style="list-style-type: none"> <li>• COMZ-P9 to include policies relating to outlook from Tuurangawaewae Marae.</li> <li>• COMZ-R19 to include additional standards and matters of discretion within the Huntly Commercial Precinct.</li> <li>• COMZ-S5 to include an addition standard for building height within the Huntly Commercial Precinct and two additional matters of discretion relating to the outlook from the Tuurangawaewae Marae.</li> </ul>

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<sup>1</sup> The provisions relating to the National Grid are under appeal and may be further amended. An update to the Panel regarding the status of the appeal and the final wording of the rule is proposed to be provided at the November 2023 Variation 3 hearing.

<sup>2</sup> The provisions relation to neighbourhood centres have been carried over from the General Residential Zone,

<sup>3</sup> It is understood that the precinct standards for the Havelock Precinct may be removed from the MRZ and be contained within a specific precinct chapter as part of the PDP appeal process. The precinct standards included in the MRZ are those that are currently included in the General Residential Zone.

Part/Chapter	Detail of the recommended amendment
	<ul style="list-style-type: none"> <li>COMZ-S6 to include an additional matter of discretion relating to the outlook from the Tuurangawaewae Marae.</li> </ul>
Chapter 10: TCZ – Town Centre Zone	<p>Add the following:</p> <ul style="list-style-type: none"> <li>TCZ-O4 - Outlook from Tuurangawaewae Marae.</li> </ul> <p>Amend the following:</p> <ul style="list-style-type: none"> <li>TCZ-PI6 to include policies relating to outlook from Tuurangawaewae Marae.</li> </ul>

### 3 Havelock Precinct

6. At the commencement of the hearing the planning experts for Havelock Villages Limited (HVL) and Hynds filed Joint Witness Statements and supporting evidence outlining an agreed position regarding the management of Area I of the Havelock Precinct. The agreed position was for the removal of the EPA from Area I and a height restriction of 5m in that area instead. The reduction in height from the MDRS standard is justified due to reverse sensitivity.
7. In the s42A report<sup>4</sup> I stated that I did not consider it appropriate to determine the outcome of Area I through an IPI process due to the PDP appeals by HVL and Hynds relating to Area I. Given that both the appellants have now come to an agreed outcome, I no longer hold that view.
8. I support the recommended approach for Area I as agreed by Hynds and HVL. In my view the height restriction is suitable to manage reverse sensitivity while at the same time still enabling residential development to occur within that area.
9. I reviewed the HVL response to questions that was circulated on 1 August 2023 which includes the additional amendments to the Havelock Precinct Provisions as agreed with Hynds. In my view those provisions reflect the agreed approach to Area I. To support these provisions, Council has prepared an updated Havelock Precinct Plan which is included within Appendix B to this statement.
10. Given that a reduction in height is now proposed to address reverse sensitivity, I am of the view that the MRZ2 Objective 6 and Policy 11 for reverse sensitivity should be modified to reflect this change. Specifically, those provisions should be amended to include 'building heights' as a method of managing potential reverse sensitivity (in addition to building setbacks). These amendments are shown in Appendix A to this statement.
11. I understand that Council is currently undertaking additional discussions with the s274 parties to the appeals for the Havelock Precinct. Those discussions include presenting the agreed position between HVL and Hynds. If any additional matters can be agreed as related provisions through those discussions, an update can be provided to the Panel at the November hearing.

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<sup>4</sup> Refer to paragraphs 116-117 of the s42A Rebuttal Report dated 19 July 2023

## 4 Retirement Villages

12. Retirement villages are permitted in the MRZ2. The proposed amended rule (MRZ2-R2) included in my rebuttal statement clearly identifies which MDRS do and do not apply to retirement villages. These standards were identified in discussion with Ms Williams (planner for RVA and Ryman).
13. In evidence and through legal submissions, the RVA and Ms Williams referred to their suggested/alternative and preferred approach as more nuanced than the proposed amendments included in my rebuttal statement. The RVA approach would:
  - i. Require a new definition for a retirement unit to be included in the PDP. Retirement unit is not a defined term in the National Planning Standards.
  - ii. Require all the MDRS standards to be amended to specifically exclude retirement units or provide for them in a slightly different way; and
  - iii. It would require the existing rule for retirement villages to be amended.
14. By contrast, the approach put forward in the s42A rebuttal statement requires a change to the rule for retirement villages only and keeps it a permitted activity and all the relevant standards in one place. In my view this is the more efficient and effective approach to dealing with these provisions.
15. On 22 August 2023, the RVA circulated an updated version of the MRZ2 provisions with Council's rebuttal version as the base of the document. The 22 August RVA provisions are more closely aligned with the s42A rebuttal statement provisions, specifically in relation to the proposed rule framework. I have assessed the provisions and accept the following additional amendments proposed by the RVA:
  - i. The exclusion of the MRZ2 minimum residential unit size standard for retirement villages.
  - ii. The inclusion of the MRZ2 impervious surfaces standard for retirement villages.

Ms Williams outlined in evidence that she does not agree that the matters of discretion put forward in the s42A rebuttal statement reflect the relevant considerations for breaches in the standards. In my view, the matter of discretion outlined in MRZ2-R2 (2)(a) adequately enables Council to assess such breaches. Specifically, that matter of discretion provides for the:

*Consideration of the effects of the activity-specific standard not met.*

16. Ms Williams outlined in evidence that she does not consider that Council can adequately consider the operational needs for retirement villages under the proposed MRZ2-R2 matters of discretion. While no such matter of discretion was proposed within the 22 August 2023 provisions, I agree that the ability for Council to consider operational needs could be useful. An amendment to this effect is included within the provisions in Appendix A.
17. In relation to the policy change included in the 22 August provisions, in my view the existing (s42A rebuttal) policy reflects the rules that would apply to retirement villages.
18. I have not changed my position about rejecting the relief relating to retirement village provisions in all other zones.

## 5 Supported Residential Accommodation in the MRZ2

19. Mr Grace presented planning evidence on behalf of Ara Poutama regarding Supported Residential Accommodation in the MRZ2. In my previous role at Beca, I was a planning advisor to Oranga Tamariki who face similar challenges in establishing community homes in residential areas and often have to rely on the same definitions. I am therefore familiar with the of reasoning put forward by Mr Grace in relation to supported living accommodation. Further, I do not disagree with the challenges outlined by Mr Grace relating to the interpretation of these type of uses and the inconsistent approach that Councils adopt across the country.
20. Despite this, I do not consider that the IPI is the right process for addressing the amendments requested by Ara Poutama.
21. The result of implementing the changes requested by Ara Poutama would be that supported residential accommodation in any residential zone or at above ground floor level in the commercial zones could be considered a permitted activity. The changes could provide for three individual units of supported residential accommodation on a site.
22. In principle, I do not disagree that this type of use should be a permitted activity, however, there should be some standards around it such as the number of residents per unit or site. In my view, any such standards and the change in the activity status from discretionary to permitted should be tested through the Schedule 1 process, and not the IPI.

## 6 Amendments to the setback rule supported by WEL Networks

23. Ms Sara Brown presented planning evidence on behalf of WEL Networks and outlined the safety concerns regarding potential encroachments into the required safe setbacks to their lines network. The evidence provided stated that a setback of 8.5m from 33kV lines and 5.5m from 11kV lines would generally be required to comply with the Code of Practice.
24. Given that the MDRS requires a setback of 1.5m, the relief that WEL Networks is seeking is likely to restrict density at least in some locations and therefore requires a qualifying matter. Because WEL Networks is a regional and not a national infrastructure provider, the IPI cannot be used to impose this additional restriction. For that reason, my recommendation to include an advice note remains unchanged.

## 7 Matters of discretion regarding cultural effects supported by Waikato -Tainui

25. Mr Giles Boundy presented planning evidence on behalf of Waikato -Tainui and included his support for certain rules<sup>5</sup> to an additional matter of discretion relating to the effects on values

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<sup>5</sup>MRZ2-S1, MRZ2-S2 and MRZ2-S3

held by mana whenua. The matters of discretion would apply if the standards for the number of residential units per site, height, and height in relation to boundary are not met. I support this intent and have amended the provisions in response to Mr Boundy's evidence which recommended that the matter of discretion only apply to sites that:

- i. 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. Are adjacent to marae or an Open Space Zone.
26. The amended provisions are included in Appendix A to this statement.

## 8 Climate change and Transport provisions supported by Waikato Regional Council

27. Katrina Andrews presented planning evidence on behalf of Waikato Regional Council. Ms Andrews acknowledged that there may be some overlap between the outcomes promoted by the recommended WRC provisions regarding climate change and transport and the existing PDP provisions. Regardless, Ms Andrews is of the view that the inclusion of more specific objectives and policies are warranted (as outlined in her primary evidence statement).
28. Ms Andrews provided a section 32AA analysis and proposed the following alternative/simplified objective relating to on-site amenity in paragraph 16 of her supplementary evidence (27 July 2023):

*Recognise amenity values and enhance safety for the transport corridor and public open spaces in the Medium Density Residential Zone 2.*

29. I accept Ms Andrews' position that there is a gap within the MRZ2 policy framework that addresses public realm outcomes and for that reason I recommend that the amended objective outlined above is included. This amendment is included in Appendix A.

## 9 Combined MRZI and MRZ2 Chapters

30. In response to the request from Kainga Ora, a combined Medium Density Residential Zone MRZ which encompasses MRZI and MRZ2 has been developed and is included in Appendix XX. The MRZ includes two separate parts to provide for the two different areas:
- i. Area 1 towns: Te Kauwhata and Raglan (i.e. areas that do not include relevant residential zones).
  - ii. Area 2 towns: Pokeno, Huntly, Tuakau and Ngaaruawaahia (i.e. areas that include relevant residential zones).
31. To make it clear to plan users, all provisions relating to Area 1 have a MRZI prefix and all provisions relating to Area 2 have a MRZ2 prefix. This also enables the district wide provisions to cross-reference the correct/relevant provision.

32. While the MRZ in both Areas 1 and 2 ultimately provides for medium density residential outcomes, it does so at different scales and the provisions applying in each area are different. Specifically, Area 1 and Area 2 towns have:
- i. A different purpose.
  - ii. One objective in common and six different objectives.
  - iii. Four policies in common and ten different policies.
  - iv. Eight rules in common and six different rules
  - v. Two standards in common and thirteen different standards.
33. Based on the above, I do not consider it practical to merge the provisions for both Area 1 and Area 2 without it becoming overly confusing for plan users, or without going through a Schedule 1 process. For these reasons, providing for these two separate geographical areas as two parts within the same chapter provides for the most plan-user friendly and efficient approach in my view.
34. Based on my discussion with Kainga Ora's planner, Mr Campbell, at the hearing, I understand that he supports this approach for combining the MRZ1 and MRZ2.

## 10 Huntly Commercial Precinct

### Height

35. In my rebuttal evidence I accepted the evidence of Ms. Fairgray for Council that if increased height was to be provided in the Waikato District, then Huntly is the correct place; as it is the location in the District with the widest range of activities and services. I also accepted the points raised by Mr. Wallace for Kāinga Ora, being Huntly's proximity to transport nodes and the development at Ohinewai. I also accepted Mr. Mead's urban planning rebuttal evidence for Council that careful consideration needs to be given to the location of any areas of increased height. Based on his analysis Mr. Mead recommends the COMZ as the most appropriate location, provided careful consideration is given to the design and form of the building. In his first rebuttal evidence Mr. Mead recommends a restricted discretionary activity status is required.
36. At the hearing Kāinga Ora accepted a restricted discretionary activity status for increased height in the Huntly COMZ but considered the additional height should also be provided for in the TCZ. Mr. Osborne for Kainga Ora was concerned development could be redirected from the TCZ to the COMZ because of increased development opportunity in the COMZ. At the hearing no person presented evidence against an increase in height, but questions were raised by the Panel as to whether there are any cultural viewshafts in Huntly that could be affected by the increased height. Mr. Wallace for Kainga Ora also questioned the standards to be applied in the Commercial Zone, in particular the standard requiring compliance with a 60 degree recession plane where buildings are greater than 12m in height.
37. In respect of the issues raised at the hearing by Mr. Osborne, these have been responded to in the second rebuttal statement by Mr. Mead. I agree with the points raised by Mr. Mead and I would like to highlight the following key point made in his paragraph 14:

- i. Retail developments less than 350m<sup>2</sup> gross floor require a resource consent for a full discretionary activity in the COMZ (COMZ-RI).
38. In addition the relevant policy COMZ-P3 specifically states the role of the COMZ is 'complementary to' the TCZ by:
- 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.*
39. Consequently, small scale retail development is generally discouraged, and if an application were to be lodged an assessment would need to be included as to whether the development would complement the TCZ. Furthermore, the amended provisions submitted as part of this reply only apply the additional height to multi-unit development which is a defined term in the PDP and relates to residential development only. For any commercial development, the same standards as currently exist in the PDP will continue to apply. For the above reasons I do not agree with the concerns raised by Mr. Osborne.

## **Height in relation to Boundary**

40. I now turn to the matter raised by Mr. Wallace in respect of the height in relation to boundary standard recommended to apply to side and rear boundaries within the Commercial Zone. I understand Mr. Wallace's analysis was based on the application of a recession plane that started at 4m high, reflecting the Plan provisions at the time of the V3 hearing. In the amended Plan provisions attached to this reply, this rule has been amended for the recession plane to start at 12m, recognising the current height standard. From my analysis this means that a building would need to be set back approximately 6m to 7m from site boundaries to meet the maximum height of 22m. I note the rules in the PDP do not currently apply a recession plane between COMZ sites and are instead applied at the zone boundary. I consider applying the recession plane at the current maximum height is important to ensure a greater degree of access to sunlight and daylight for residents and adjoining neighbours than would otherwise be the case. Mr. Wallace also makes comment the rule will encourage a 'wedding cake' approach to building mass requiring buildings to be setback in layers / floors. In my opinion this is not so much of an issue with the revised starting height for the recession plane. I also note as multi-unit developments are a RDIS activity, the overall design of the building can be considered as a matter of discretion. I consider this rule is appropriate within the context of the Waikato towns.

## **Cultural Viewshafts**

41. In respect of the issue raised by the Panel as to whether there are any cultural viewshafts in this location. The only comment I would like to make is that this matter has not been raised in submissions or assessed as part of this hearing process. I note this is different in Ngaaruawaahia where submissions have been lodged seeking to maintain viewshafts / outlook from Tuarangawaewae Marae.

## Recommended provisions for Huntly Commercial Precinct

43. Since the hearing further work has been carried out on the Plan provisions and the Huntly Commercial Precinct has been mapped. In the S42A Rebuttal report it was stated additional provisions are required to ensure appropriate control of buildings between 12m and 22m in height. On reflection it is considered these provisions are best located within the existing rules in the COMZ rather than creating separate rules for the Precinct. The recommended changes are as follows:
- i. The addition of a new objective and policy related to the Huntly Commercial Precinct
  - ii. The amendment COMZ-S5 Height to identify a maximum height of 22m for multi unit development in the Huntly Commercial Precinct.
  - iii. The amendment of COMZ-R17 Multi unit development to incorporate two new standards for development over 12m in the Huntly Commercial Precinct. The standards relate to a new height in relation to boundary standard on side and rear boundaries for buildings above 12m and a rule requiring an outlook space from residential units which will assist in maintaining access to light from the unit's principal living room window and other habitable rooms.
  - iv. The addition of new assessment criteria for the Huntly Commercial Precinct
44. At the hearing a map of the Huntly Commercial Precinct was not produced. It was however suggested in the 19 July 2023 rebuttal evidence of Mr Mead at para 41 that that the area east of the railway line was the most appropriate location for the Huntly Commercial Precinct and would be the most attractive for redevelopment. As a result of that advice, a map of the Huntly Commercial Precinct has now been prepared and is attached as Appendix B.

## II Minimum Lot Sizes

45. At the hearing a range of opinions were provided as to what the vacant minimum lot size should be. Evidence on this topic was presented by economic, planning and urban design experts. In Addendum I to the S42A rebuttal report, I supported a minimum net lot area of 300m<sup>2</sup> with an average lot size of 450m<sup>2</sup>. I consider the setting of the vacant lot size is an important issue as it provides the overall land pattern for future development.
46. At the hearing urban planning evidence was presented by Mr. Wallace and Mr. Campbell for Kainga Ora, Mr. Tollemache for Havelock Village Limited and Mr. Ian Munro and Mr. Oakley for Pokeno West.
47. The experts updated positions can be summarised as follows:
- i. In his summary statement, Mr. Wallace supports a shape factor only approach. He now recommends an increase to 10m x 17m (over the 8m x 15m he initially recommended) to take into account topography and site orientation. Mr. Wallace appears to disagree with Mr. Munro's focus on parking being a determinant of the shape factor. Mr. Campbell in his EIC supports a shape factor of 8m x 15m with no minimum net site area.
  - ii. Mr. Munro supports a different shape factor size based on whether a site is a front or rear site, and whether a single or double access driveway is proposed. Mr. Munro



considers it is important in the context of the Waikato District to take into account the need for driveways.

iii. Mr. Tollemache presented two options at the hearing:

- a) A minimum net site area of 300m<sup>2</sup>; or
- b) A minimum net site of 250m<sup>2</sup> for a front lot and 300m<sup>2</sup> for a rear lot with requirements for minimum road frontage requirements and shape factors (Option 2).

48. The detailed wording of Option 2 offered at the hearing is set out below:

*(ii) in the minimum lot size restrictions area proposed vacant lots must have a minimum net site area (excluding access legs) of:*

*(a) For a front lots 250m<sup>2</sup> provided that:*

- *There is a minimum road frontage width of 9.5m; and*
- *For road frontage width of between 9.5m and 12.5m there is a single width vehicle crossing and future garaging is restricted to a single garage width*

*(b) For a rear lot net 300m<sup>2</sup> (excluding an access strip) provided that:*

- *It contains a shape factor of 19.5m (minimum) X 13m (minimum) excluding where the area required for any access strip.*

*except where the proposed lot is an access lot utility allotment or reserve to vest.*

49. Mr. Oakley for Pookeno West supports the second option suggested by Mr. Tollemache which provides for a different size for a front lot with the associated shape factors.

## **Council's response to workability of Option 2**

50. Mr. Mead for Waikato District Council, in his second rebuttal statement, has assessed the workability of Option 2 and considers the minimum frontage requirement of 9.5m needs to be increased to 11m to take into account the changes in topography, and an allowance for retaining walls and batter slopes. Mr. Mead has also provided an analysis of a 9.5m wide lot and considers it does not provide sufficient width to contain a dwelling permitted by the MDRS as there would be limited occupiable space in the third storey. Mr. Mead also agrees with Mr. Munro that lots with frontages less than 12.5m should be restricted to a single driveway and garage.

## **Economic evidence**

51. Economic evidence was presented by Mr. Thomson for Pookeno West and , Ms. Fairgray for Council. The evidence presented by Mr. Thomson considered the economic benefits of applying the MDRS to the CSL/TOP End/Pokeno West and West Pokeno Land. He concludes there are significant benefits for housing affordability in applying the MDRS to this land particularly for dwellings in the sub \$730,000 price bracket. Ms. Fairgray for the Council supports a minimum together with a average lot size. Ms Fairgray at para 24 of her second rebuttal statement considers an average lot size is important “to help ensure the initial subdivision of land for housing provides for a mix of lot sizes, and consequently a mix of dwellings (type, size, value) in order to better meet the needs and preferences of households.”. Since the hearing Ms. Fairgray I has tested a minimum net site area of 300m<sup>2</sup> with a range of different averages. After undertaking this

detailed analysis Ms. Fairgray considers there are benefits in reducing the average lot size to 375m<sup>2</sup>. Her evidence (Second Rebuttal Statement, paragraph 60) is that the reduced average lot size means a significant portion of the lots will be able to be delivered at the minimum of 300m<sup>2</sup> to meet the short-term market whilst ensuring a range of lot sizes are available to be developed at higher densities to meet the medium- and long-term market.

## Statutory requirements

52. In my opinion, the evidence presented at the time of the hearing by submitters focused on the minimum land area required to support one dwelling that complied with the MDRS standards. The submitters consider this approach supports Schedule 3A Cl 7 General Subdivision Requirements. Cl 7 requires subdivision provisions to be consistent with the level of development permitted under other clauses of that schedule.
53. I acknowledge Cl 7 does not require the vacant lot size to be set at a level where 3 complying dwellings can be achieved on every site. For this reason, in my s42A rebuttal report, I set out my support for a minimum net site area of 300m<sup>2</sup>. I consider a minimum net site area of 300m<sup>2</sup> does provide the opportunity for a single stand-alone dwelling that meets the MDRS and it is significantly more enabling than the current 450m<sup>2</sup> vacant minimum net site area. I also note a vacant minimum site area of 300m<sup>2</sup> is supported by Mr. Mead and is consistent with the first option put forward by Mr. Tollemache. In my opinion it would also be possible to construct two smaller attached dwellings on 300m<sup>2</sup>, but construction of 3 dwellings on a such a site is less likely.
54. Whilst it may be possible to achieve a dwelling that complies with the MDRS on a smaller site area, I consider that in the context of the Waikato towns, a lot size of 300m<sup>2</sup> is necessary. In coming to this conclusion, I am relying on the evidence by Ms Fairgray that in the Waikato towns there is less integration between the land development and property markets. This means, unlike other places such as Auckland, there is less certainty about the type of dwelling to be constructed on a site at the time of subdivision (Second Rebuttal Statement paragraph 91 - 92). I also note the evidence of Mr. Mead who concludes a minimum vacant net lot area of 300m<sup>2</sup> provides flexibility of layout within a vacant lot as well as providing some allowance for different topographical conditions (Second rebuttal statement, para 39). I agree with both Mr. Mead and Ms. Fairgray and in summary consider the vacant minimum net site area needs to be established at a level where there is some flexibility over how a house is designed. I consider this approach is consistent with Schedule 3A Policy 4 '*enable housing to be designed to meet the day-to-day needs of residents*'. I also note, in the event a developer chooses to apply for a concurrent subdivision and land use consent under SUB-R154, that no minimum net lot area is required.
55. Additionally, like Mr. Mead and Mr. Munro I consider it is important to have a minimum frontage requirement to, ensure there is sufficient width in a site to achieve a dwelling that complies with the standards. I agree with the analysis conducted by Mr. Mead that a road frontage width of 11m is required. I understand Mr. Munro also agrees with the revised standard. Mr. Mead also comments in para 29 of his second rebuttal statement regarding shape factors and notes in his para 30 that the proposed shape factor for rear lots is not dissimilar to the PDP General Residential Zone that requires a rectangle of 200m<sup>2</sup> with a minimum dimension of 12m exclusive of yards. I agree with Mr. Mead and consider that if there is minimal difference it would be useful to apply the same shape factor. I note in paragraph 39 Mr. Mead concludes that he would support a minimum vacant front lot of 300m<sup>2</sup> with a minimum frontage width of 11m. I consider that there is an advantage in providing more flexibility for front lots. I have also recommended

an amendment to the assessment criteria to make it clear that all lots are required to provide a practical building platform including geotechnical stability.

56. Whilst I agree that under CI7 there is no need for the minimum net site area to be established at a level that enables 3 houses, I agree with Ms. Fairgray that it is important to ensure there is a mix of lots to achieve the range of house types provided for under the MDRS. In my opinion, such an approach is 'consistent with' the level of development permitted under the MDRS. Schedule 3A also contains the relevant objectives and policies that territorial authorities must include in their district plans. This includes Objective 2 which seeks to 'provide for a variety of housing types that responds to – (i) housing needs and demands'. As well as Policy I that outlines housing types that are to be enabled as '3 storey attached and detached dwellings and low-rise apartments'.

57. Variation 3 is also required to give effect to the NPS-UD. Policy I(a) and I(b) of the NPS-UD is relevant to the issue of minimum vacant lot sizes and reflects Policy I in Schedule 3A:

*Policy I: Planning decisions contribute to well-functioning urban environments, which are urban environments that are at a minimum:*

- (a) *Have or enable a variety of homes that:*
  - (i) *Meet the needs, in terms of type, price and location, of different households; and*
  - (ii) *Enable Māori to express their cultural traditions and norms; and*
- (b) *Have or enable a variety of sites that are suitable for different business sectors in terms of location and site size*
- (c) *...*
- (d) *Support, and limit as much as possible adverse impacts on, the competitive operation of the land and property development markets*

58. In my opinion an average lot size is an appropriate mechanism to ensure the range of housing types envisaged by the MDRS are enabled in a way that implements Policy I (a), (b) and (d) of the NPS-UD. I rely on the evidence of Ms. Fairgray who has assessed the land and property development market within the Waikato District with a focus on Tuakau and Pookeno. From this work Ms. Fairgray has concluded at paragraph 94 of her Second Rebuttal Statement that an average lot size mechanism is likely to be required to provide a range of initial lot sizes that provide options for attached dwellings and low rise apartments, and to ensure there is a balance between the land and property development markets. I note Ms. Fairgray as part of her second rebuttal statement has undertaken additional analysis of the land and property development markets and dwelling development patterns and has concluded an average lot size of 375m<sup>2</sup> would be appropriate. There are a range of options open to developers to meet the 375m<sup>2</sup> average. From the work carried out by Ms. Fairgray, a significant proportion of the lots in any subdivision can be provided at the 300m<sup>2</sup> minimum. Ms. Fairgray has also demonstrated how the range of lots can be developed into a range of housing types. I note this work assumes that the detached housing typology will continue to predominant along with a mixture of lower intensity and a smaller proportion of higher intensity residential units. In undertaking this analysis Ms. Fairgray concludes at para 79 that "there are important differences in development patterns between attached and detached dwellings, where attached dwellings rely on a range of lots sizes".

## Proposed rule requirements

59. Within the Addendum to the rebuttal s42A report I recommended the average lot size apply where there are three or more lots. I have reconsidered this approach and now recommend this figure is increased. I note Ms. Fairgray has recommended in her second rebuttal statement that the average apply where there are 5 or more lots. Ms Fairgray states in paragraph 30 that five or more lots provides a distinction between larger scale developments in greenfield areas and smaller scale developments.
60. Since Ms. Fairgray's second rebuttal statement I have reviewed this rule requirement and had further discussions with Ms. Fairgray. I recommend the average lot requirement could be increased to 9 lots before it applies. I think 9 lots provides a great deal of flexibility to establish lots at the minimum level. I also note where there are more than 8 lots a road is required. I think the requirement for a road provides a useful distinction and is consistent with the outcome Ms. Fairgray describes in paragraph 30. I also consider with the revised average lot requirement being set at 375m<sup>2</sup>, is not significantly different from the minimum (than what was originally proposed) but has the added benefit of providing a range of lot sizes in larger subdivisions that will be important for the provision of attached dwellings. I consider this is important both within the existing developed urban area and greenfield situations.
61. I have also reconsidered the size of lot that should be excluded from the average calculation. The purpose of having a lot area that is excluded from the calculation is to ensure a large lot is not created which would then significantly increase the number of lots that can be established at the minimum. In the Addendum to the rebuttal, it was recommended that lots greater than 2,500m<sup>2</sup> be excluded from the calculation. On reflection it is considered this figure can be significantly increased to 5,000m<sup>2</sup>, to ensure the creation of super lots are not disincentivised. I have discussed this amendment with Ms. Fairgray who agrees with this amendment.

## My Recommendation

62. In summary, as a result of the further work carried out by Mr. Mead and Ms. Fairgray on the minimum vacant lot size, it is recommended in the Outer Intensification Area to:
  - i. Retain the 300m<sup>2</sup> minimum net lot area
  - ii. Decrease the average lot area to 375m<sup>2</sup>
  - iii. Increase the number of lots required to 9, before the average net lot area rule applies
  - iv. Increase the area of the lot to be excluded from the average calculation to 5,000m<sup>2</sup>
  - v. Include a building platform requirement for rear lots of a rectangle of at least 200m<sup>2</sup> with a minimum dimension of 12m excluding setback.
  - vi. Amend assessment criteria (3) to insert the word all make it clear all lots are required to be accommodate a practical building platform including geotechnical stability
  - vii. Amend SUB-R158 to increase the minimum frontage area requirement to 11m as recommended by Mr. Mead and to require a single driveway width for lots with a minimum frontage between 11m and 12.5m

## 12 Management of flooding hazards - Stormwater Constraints Overlay

63. After listening to the evidence at the hearing I remain of the opinion that the issues raised by submitters about the stormwater constraints overlay have been addressed in the evidence of Ms. Katja Huls and Mr. Andrew Boldero. Mr. Boldero is undertaking further quality assurance refinements of the model identifying flood affected properties, as outlined in para 23 of his second rebuttal statement. The revised overlay maps will be provided to the Panel prior to the final Variation 3 hearing in November. I have only a few further points to make, but I will start with a summary of how the existing hazard provisions work and what the new overlay seeks to provide.
64. In general the existing flood layers seek to manage floor levels, subdivision and establish permitted activity standards relating to earthworks. These current layers do not manage the density of residential units per site, the default rules in each zone apply. Under the MDRS, the default position is that all sites in the relevant residential zones will be allowed three units as a permitted activity. I consider it is appropriate to manage intensification on sites that are subject to natural hazard risk. The proposed overlay seeks to manage intensification within the scope available, acknowledging that there are sites within the MRZ as included in the PDP that already have right to three units as a permitted activity. In addition to the areas mapped in the PDP (flood plain management area, flood ponding area and the defended area) the modelling undertaken by Te Miro Water has identified other sites that are subject to the 1% AEP floodplain. I consider that density controls should also apply to these sites in the Outer Intensification Area where there is scope to do so.

### Statutory or non-statutory information

65. During the hearing there was discussion about the advantages and disadvantages of including the new flood hazard modelling in the PDP as a mapped overlay or including provisions that refer to the 1% AEP flood plain with supporting mapping sitting outside the PDP. In my verbal reply at the end of the hearing I stated I support the stormwater constraints overlay as proposed, being including in the PDP.
66. Subsequent, to the hearing I have thought further about this issue and whilst it is finely balanced, I agree with the points raised in paras 33 to 38 of the rebuttal evidence of Ms. Katja Huls. In these paras Ms. Huls acknowledges the benefits of 'out of plan approach' which I agree with but concludes at this time the mapped overlay is the most appropriate method.
67. In summary whilst the non-statutory layer is a pragmatic approach and does enable changes to the flood plain to be updated in an effective manner there are difficulties in applying it in the PDP at this time. A key reason for this is that it would only apply to the new flood modelled areas and only in a limited physical location due to scope issues. I agree with Ms. Huls that using two approaches to flood management within the PDP would lead to confusion for users and has the potential to result in inconsistent administration.
68. I also note this approach is a significant shift from the way in which the Council currently manages flood hazards and time will be required to develop new tools and systems. There is an outstanding PDP appeal on the application of the flood plain management area within the PDP

(and extending this to unmapped sites within the 1% AEP floodplain) and in my view, it would be helpful if the comprehensive variation or plan change was progressed once the outcome of that appeal is known. For these reasons I consider the non-statutory approach should be considered as part of a further variation or plan change process.

69. Noting the finely balanced nature of this issue, I have prepared some alternative Natural Hazard chapter provisions in the event the Commissioners decide the 'out of plan' approach is more appropriate. In addition to these amendments, I consider it would be beneficial for plan users if a new definition of 1% AEP Floodplain was added. A new definition, for the purpose of the new rules would, in my opinion, assist users to understand that the extent of the 1% AEP Floodplain is found both in the Planning Maps (as defined as the Flood plain management area) and other areas within the Outer Intensification Area where non-mapped areas may still fall within the Floodplain.

### **Name of the overlay**

70. Submitters commented at the hearing as to whether the name of the overlay should be changed to a Flood Hazards Overlay. I agree that the 'Stormwater Constraints' name was not the most appropriate description for the overlay. I have amended the name to Flood density QM. I consider that this name more accurately reflects that within the mapped area there are density controls relating to potential flooding effects.

### **Wait for a comprehensive plan change or variation**

71. An issue raised at the hearing is whether it is more efficient and effective for the additional modelling undertaken during the Variation 3 process to be added to the PDP as part of a comprehensive future variation. Submitters have raised this issue particularly in the context of only having the scope to apply the overlay in what is now called the 'Outer Intensification Area'.

72. I do not agree with the submitters that consider the Flood density QM should not apply until a comprehensive variation or plan change is undertaken. In my opinion this approach does not implement Policy 1(f) of the NPS UD:

*Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- 1. Are resilient to the likely current and future effects of climate change*

73. Furthermore, I note the comment by Mr. Boldero at the time of the hearing that one house in the wrong location can cause significant issues. In summary, I acknowledge the Flood density QM is a 'stop gap' measure until a more comprehensive plan change or variation process is undertaken, however I consider a 'stop gap' is appropriate in the context of an IPI process which has mandatory intensification standards which can only be varied through qualifying matters. I consider it is important for the Council to progress the comprehensive plan change or variation in a timely manner.

74. In coming to this conclusion, I do agree with the potential issue identified by Mr. Jaggard in his Starr Road example where he was concerned that a site within the Flood density QM would potentially trigger a resource consent firstly at subdivision stage and secondly at residential unit

stage. I considered whether it was possible to add exemptions to rules where consents are already held, but overall, I felt this was confusing and created the potential for unintended consequences. If a subdivision consent has been obtained within the Flood density QM, a single residential unit will still be a permitted activity within each subsequent lot, it is only where multiple units are constructed that an additional consent will be required, and if technical information can be provided to show that the 1% AEP floodplain has been altered from the proposed building platforms, I consider the resource consent process will be straightforward. The issue identified by Mr Jaggard will not be relevant to comprehensive developments that seek subdivision and building consents contemporaneously.

75. If the Commissioners decide not to include the additional flood modelling areas in the PDP then I recommend retaining Rules-NH- 26A-C and Rule NH-26-E, for the reason that these rules assist in limiting risk in the existing mapped flood plain, flood ponding and defended areas already identified in the PDP. These rules limit density in the existing mapped areas to what is currently permitted in the GRZ in the PDP. If these rules are not included then there is the potential for additional houses to be exposed to natural hazard risk, as well as the associated loss of flood plain storage.

### **Including the flood modelling as information only**

76. At the hearing a question was raised by the Panel as to whether it would be possible to include the areas identified in the modelled floodplain for information purposes only outside the Outer Intensification Area. In that way it would show the full extent of the flood plain rather than appearing artificially 'cut off' because of the scope issue. I consider this is possible and I have been in discussions with the Council's GIS team. Attached as Appendix D is an example map showing the full extent of the flood modelling. Te Miro Water is still completing the quality assurance work on the maps, and the final versions will be provided before the close of the November hearing.
77. To avoid confusion by including the information within the PDP maps, it would also be possible, and my preference, to include the full modelling results in the Council's Data Service a GIS database anyone can access that shows a variety of PDP information and other information.

## **13 Stormwater Management**

### **Rule wording and assessment criteria**

78. Separate to the flood modelling, the stormwater provisions that apply to all sites within the MRZ2 were discussed at the hearing, and in response to written questions from the Panel. Many of these have issues have been addressed by Mr. Boldero in his second rebuttal statement.
79. In summary, I have reviewed the chapters relating to Water, Wastewater and Stormwater (WWS), Subdivision, MRZ and Natural Hazards to ensure the appropriate standards and criteria are in the right location, and are consistent across the chapters. It has been necessary to repeat some of the criteria across the chapters, acknowledging that in some development scenarios a subdivision consent will be a controlled activity, and residential units may be a permitted activity. The provisions I recommend are shown in Appendix A and B.

## Regional consent triggers

80. I understand at the hearing the Panel asked a question about the Regional Council triggers for stormwater consents. I note the relevant rule is 3.5.11.4 Permitted Activity Rule – Discharge of Stormwater to Water. I have included the rule below:

### 3.5.11.4 Permitted Activity Rule – Discharge of Stormwater to Water

#### **Exception**

These Standards do not apply to:

Plantation forestry activities as from 1 May 2018 these activities are regulated under the National Environmental Standards for Plantation Forestry Regulations 2017.

The discharge of stormwater to surface water (including geothermal water) is a **permitted activity** subject to the following conditions:

- a) The discharge shall not originate from a catchment that includes any high risk facility<sup>25</sup>, contaminated land<sup>26</sup>, operating quarry or mineral extraction site unless there is an interceptor system<sup>27</sup> in place.
- b) Any erosion occurring as a result of the discharge shall be remedied as soon as practicable.
- c) The catchment shall not exceed one hectare for discharges that originate from urban areas.
- d) There shall be no adverse increase in water levels downstream of the discharge point which causes flooding on neighbouring properties, as a result of the discharge.
- e) The discharge shall comply with the suspended solids standards in Section 3.2.4.6.
- f) The discharge shall not contain any material which will cause the production of conspicuous oil or grease films, scums or foams, or floatable suspended materials at any point downstream that is a distance greater than three times the width of the stream at the point of discharge.
- g) The discharge shall not contain concentrations of hazardous substances that may cause significant adverse effects on aquatic life or the suitability of the water for human consumption after treatment.
- h) There shall be no discharge to any Significant Geothermal Feature.

For the purposes of conditions a) and g) levels of hazardous substances in stormwater or sediments that comply with the following guidelines and standards, in relation to the substances that they address will be deemed to be complying with the conditions:

- i) Licences under the Hazardous Substances and New Organisms Act 1996 for the use of the substance in New Zealand specifying discharge and receiving water standards for the substance.
- ii) Health and Environmental Guidelines for Selected Timber Treatment Chemicals (Ministry for the Environment, Ministry of Health, 1997).
- iii) Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand (Ministry for the Environment, 1998).
- iv) Guidelines for Assessing and Managing Contaminated Gasworks Sites in New Zealand (Ministry for the Environment, August 1997).
- v) Australian/New Zealand Water Quality Guidelines For Fresh And Marine Waters, (Australian & New Zealand Environment & Conservation Council, 2001).

For the purposes of this Rule, 'urban area' includes the inner city or town and built up environments, irrespective of local body administrative boundaries, that are serviced by roads where the speed limit is 80 kilometres an hour or less.

81. Of note within this rule is (c) which means any urban catchments greater than 1 hectare do not comply with the permitted activity rule. The proviso to this would be if the area is covered by a comprehensive stormwater discharge consent.

## 14 Tuurangawaeawe Marae Viewshafts / Outlook

82. In my opinion it is clear from the evidence presented at the hearing that Tuurangawaeawe Marae is a significant site. I refer to the information presented by Ms. Hinerangi Raumati and the evidence of Karu Kukutai on the significance of the Marae. I note this evidence was not



questioned by any other submitter. There are 3 outstanding matters in relation to this topic relevant to the V3 process:

- i. Clarity around the location of the Tuurangawaewae Marae Surrounds QM
- ii. The Plan provisions that apply to buildings that exceed height, height in relation to boundary and building coverage that are located outside the QM that may affect the outlook from the Marae.
- iii. Additional amendments suggested by Mr. Giles Boundy in his evidence

83. Turning to the first matter, I have included in Figure I below the summary plan Mr. Dave Mansergh presented at the hearing. This plan identifies Area D as the area where the QM would apply. Area D is the location where the effects on the outlook of the Marae, if developed to the maximum allowable height, will have the most effect. The provisions related to the QM are in the MRZ Chapter and in summary include new standard MRZ2- S2A. Height, MRZ2-S3A – Height in relation to boundary, and MRZ2-S5A Building Coverage. These standards maintain the provisions of the existing MRZ in this location. The evidence presented by Mr. Mansergh which I accept considered the existing MRZ provisions will provide some benefit in terms of maintaining existing outlook / viewshaft when compared to the MDRS. However, I also note these standards will **not** maintain the full outlook or its values and provisions. I understand from the evidence of Mr. Mansergh that the Operative Plan provisions are required to achieve this outcome. Because these provisions are more restrictive, a future plan change is required to achieve this outcome.

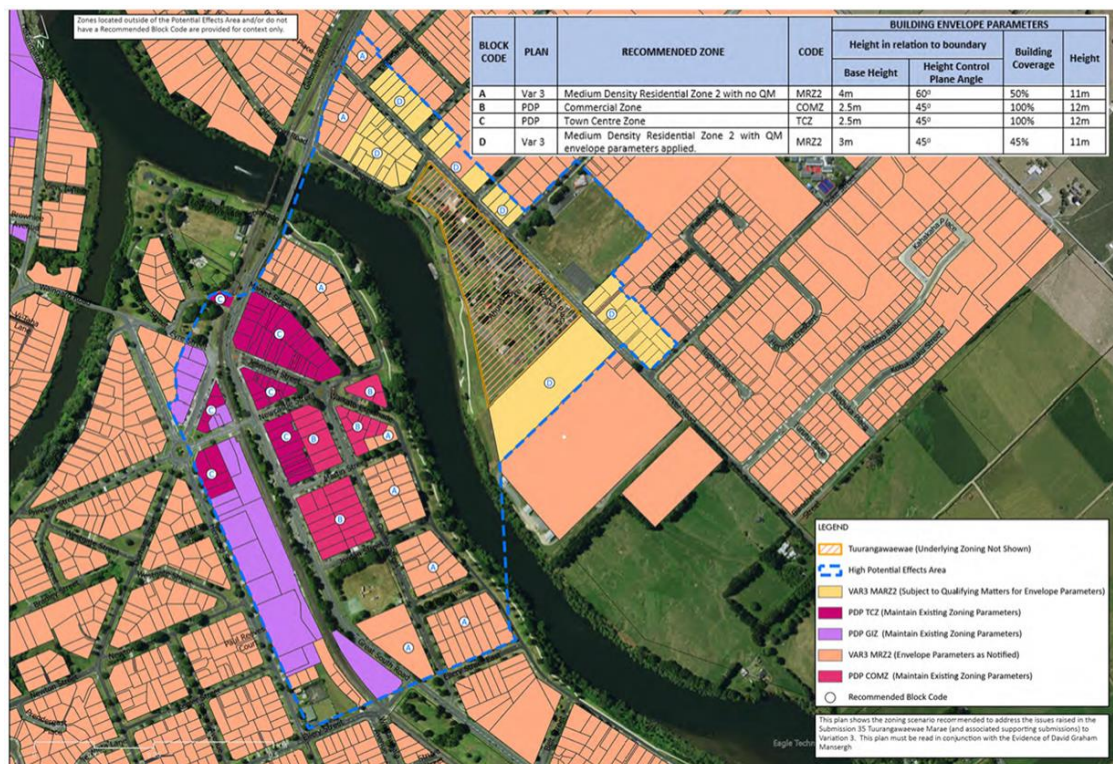


Figure I – Recommendations from Mr. Mansergh's View Shaft Work

84. The second matter is the Plan provisions that apply to buildings that exceed standards outside of the QM area and may affect the outlook from the Marae. I note this matter was not addressed in the S42A report but was addressed in para 76 of the S42A rebuttal hearing report. In this para it is recommended an assessment criteria be added to MRZ2-S2 -Height, MRZ-S3 Height in Relation to Boundary and MRZ2-S5 Building Coverage, together with a new policy. After further discussion with Mr. Mansergh, it is considered a more nuanced approach could be adopted whilst still managing the effects on the Marae. This new approach focuses the application of the assessment criteria related to Height in Relation to Boundary and Building Coverage Standards to the 'High Potential Effects Area' identified on the Plan in Figure 1 with the Height Standard applying inside and outside of this area. This would mean assessment of effects, would only need to occur to the extent necessary to maintain the outlook from the Marae.
85. At the time of the hearing the Panel asked whether a map or plan could be included in the Proposed Plan to assist with the implementation of the assessment criteria and policy. I consider a map which identifies the High Potential Effects Area' shown in Figure 1 will be required, if my recommendations are accepted. I have also considered whether there is merit in providing a plan or diagram which defines where there will be an infringement of the viewshaft and have discussed the matter with Mr. Mansergh. This plan / diagram would be of particular assistance for applicants whose property / site is located outside the 'High Potential Effects Area'. From this discussion 2 options have been identified:
1. A generic fan from the Marae could be drawn which would show the area of Ngaaruwaahia where an over height building could affect the viewshaft from the Marae. The benefit of the fan would be it would identify those areas that will not affect the viewshaft (Option 1).
  2. A detailed block by block plan/diagram be prepared by Mr Mansergh which identifies the maximum height on the block before the viewshaft was infringed. The maximum height would be based on the maps included in Annexure 9 of his evidence in chief (Option 2).
86. In my opinion, there are advantages and disadvantages of both options. I note on most sites the buildings would have to be significantly over height to have an effect on the viewshaft. This is demonstrated by the heights included in Annexure 9 of Mr. Mansergh's evidence. Whilst I accept an application for such a building is very unlikely the consequences could be significant. Given it is unlikely an application will be received that will cause an effect, in my view it is not necessary to have a block-by-block analysis (Option 2). However, I consider it is also not appropriate for the policy to apply to sites where there will be no effect. For this reason I consider there are benefits associated with Option 1. I have attached as Appendix E a plan which identifies the Building Height Assessment Overlay, being the area within the view/outlook fan from Tuurangawae Marae. If the Panel considered it has merit could be added as an Appendix to the PDP.
87. The remaining matter to be considered for this topic is the amendments contained in the evidence of Mr. Giles Boundy. I note Mr. Boundy recommends some changes but is generally supportive of the approach taken in the S42A report. In para 10.12 of his EIC Mr. Boundy recommends that the words "and the Waikato Awa" are added to the assessment criteria for the Tuurangawae Marae surrounds QM. I agree with Mr. Boundy and the recommended changes are included in Appendix A and B. I have recommended making these changes for all relevant assessment criteria.

88. In para 10.21 Mr. Boundy recommends assessment criteria be added to the Plan for the area outside the QM. Mr. Boundy suggests the following words: *“The effects on the cultural values informed by the outlook of the Waikato River, Hakarimata Range and Taupiri Maunga when viewed from Tuurangawaewae Marae”* In his supplementary statement dated 1 August Mr. Boundy considers the words recommended in Para 76 of the S42A rebuttal statement to be an improvement and instead supports those. Based on the previous analysis I consider it would be useful to clarify where these criteria apply. It is therefore recommended that the assessment criteria for height in relation to boundary and building coverage apply within the ‘High Potential Effects Area’, and the height criteria apply both within the ‘High Potential Effects Area’ and ‘Building Height Assessment Overlay’ shown in Appendix E.
89. At paragraph 3.6 of Mr. Boundy’s supplementary evidence he also recommends the same provisions apply within the TCZ and COMZ. These zones are located within the ‘High Potential Effects Area’ and the ‘Building Height Assessment Overlay’ and have the potential to result in a similar level of effect, for this reason it is recommended the same assessment criteria is added to TCZ-S3 (Building Height), TCZ-S4 (Height in Relation to Boundary) and COMZ-S5 (Building Height), COMZ-S6 (Height in relation to zone boundary) and the same policy. The amended provisions are shown in Appendix A and B.
90. Mr. Boundy also recommends removing the word ‘heritage’ from the associated policy and I agree with the amendment. A new objective is also recommended to be added. The amended policy is shown in Appendix A and B
91. In summary the recommended changes in association with the topic are:
- i. New objective and policy in MRZ, TCZ and COMZ
  - ii. New assessment criteria in height, height in relation to boundary and building coverage rules in the TCZ, MRZ and COMZ. Noting the ‘High Potential Effects Area’ only applies to the height in relation to boundary and building coverage rules whereas the ‘Building Height Assessment Overlay’ and the ‘High Potential Effects Area’ both apply to the height standard.
  - iii. New Appendices identifying the ‘Building Height Assessment Overlay’ and the ‘High Potential Effects Area’

## 15 Queen’s Redoubt

92. At the hearing Jennifer Hayman and Dr. Neville Ritchie represented the Queen’s Redoubt Trust. They expressed frustration that the provisions of the Operative District Plan (Franklin Section) had not been carried over to the Proposed District Plan. I note in the Operative District Plan (Franklin Section) there are specific provisions and a specific zone. The zone is called the ‘*Queen’s Redoubt Heritage Zone*’. I have reviewed the provisions of the Zone and note the only activity provided for is farming with buildings and heritage centre activities listed as restricted discretionary activities.
93. In my S42A report I accepted the advice from Dr. Ann McEwan and agreed that the scheduling of the site should be added to the District Plan’s forward work program. I also consider the evidence presented at the hearing was clear that the archaeological site extended onto adjoining

properties in Selby Street. I think it would be prudent for the Council and Heritage New Zealand to write to the adjoining landowners to make them aware of this situation.

94. I note the Queen's Redoubt Trust in its submission sought to apply a QM on adjoining properties in Selby Street, the QM would relate to height. I noted in the S42A report these properties are already zoned MRZ in the PDP and I identified a QM on this matter would not be appropriate under Waikanae as it would mean the Plan provisions would be more restrictive.
95. In summary I consider there are two actions the Council can take on the matters raised by the Queen's Redoubt Trust:
  - i. Council staff in collaboration with HNZPT write to the landowners in Selby Street informing the landowners of the archaeological site on their property and what their obligations are under the HNZPT Act.
  - ii. Add the Queen's Redoubt site to the District Plan forward work program. The priority given to matters on the program is a matter that is directed by the elected Council.

## 16 Simon Upton

96. Mr. Grant Eccles presented planning evidence for Mr. S. Upton and Ms B Millar. Ms Millar also appeared at the hearing. Mr. Eccles outlines in para 5 of his statement that the purpose of the evidence is to ensure that the relationship between increased urban development enabled through Variation 3 and the geographical extent of the residential zoning around the towns is taken into account. Mr. Eccles notes some rezoning decisions are still under appeal. Mr Eccles refers to Ms. Fairgray's Technical Report and concludes there is enough capacity enabled through any modelled scenario. In paragraph 9 he questions whether the same amount of greenfield land needs to be rezoned in light of Variation 3.. Mr. Eccles disagrees with the S42A report which in paragraph 159 identifies that a review of greenfield zoning is beyond the scope of Variation 3. He argues in paragraph 11 that with the removal of the urban fringe, the extent to which the zoning of the Variation 3 densities matches the residential zone extents in the PDP is a matter that can be considered. Mr. Eccles invites the Commissioners to make comment on this matter through a direction or other means.
97. I commented on this submission in paragraphs 158 to 159 of the S42A report. My opinion that the submission is beyond the scope of Variation 3 has not changed. I would like to note it is the duty of specified territorial authorities to apply the MDRS to relevant residential zones (S77G(1)). In the Waikato District the final extent of the relevant residential zones is not certain as there are outstanding appeals. In my opinion whether any of the outstanding appeals result in land being rezoned is a matter for the Environment Court. I note the jurisdiction between the Court and the IPI panel in relation to outstanding zoning appeals was addressed in detail in the legal submissions at the February hearing.

## 17 Ngaati Naho

98. Haydn Solomon presented a verbal submission at the hearing on behalf of Ngaati Naho. He reiterated key points in the Ngaati Naho submission. He discussed the importance of protecting

“Manawa-ā- whenua” the heart of the land. Mr. Solomon explained this refers to the water table in the North Waikato which is part of the Waikato catchment. I note Ngaati Naho have requested that Manawa-ā -whenua is added to the PDP as a qualifying matter.

99. The Section 42A report considered the submission raised by Mr. Solomon in Section 4 of Addendum I. This section of the report refers to the request by Ngaati Naho for ‘Manawa-ā-whenua’ to be added to the PDP as a qualifying matter. It notes the matter raised is not able to be implemented as a QM as it would be more restrictive than the PDP provisions. It also refers to the Te Mana o Te Wai assessment undertaken by Mr. Boldero and notes that a number of the matters raised by Mr. Boldero are not able to be implemented through Variation 3 at this time.
100. I note Waikato Regional Council are currently consulting on Te Mana o Te Wai provisions as part of their freshwater review under the NPS-FM. I note it is the regional council’s function to give effect to Te Mana o Te Wai. I have encouraged Ngaati Naho and Waikato Regional Council to engage on this matter.
101. Since the hearing I have considered groundwater issues further and now believe it would be appropriate to specifically recognise groundwater as a hydrological feature that must be included in a stormwater management plan, where groundwater is relevant to or will be impacted by the stormwater management proposed for the site. The amendment is shown in W. The reason for this amendment is to recognise that groundwater may need to be considered as part of developing a stormwater management regime for the site. The recommended text changes are included in Appendix A and B .
102. I continue to believe that the Regional Council is best placed to assess effects on and discharges to groundwater. Those activities are within the Regional Council’s RMA functions.

## 18 Dominion Development

103. James Whetu presented planning evidence on behalf of the submission lodged by Dominion Developments. The submission is considered in paragraph 162 of the S42A report. Mr. Whetu outlined in para 2.1 his evidence that the submission relates to properties which Dominion Developments owns at 26 King Street and 24 and 32A Saalbrey Road. Me Whetu states in paragraph 2.2 that the primary matter outlined in the submission was to contest the creation and implementation of the urban fringe. He states in paragraph 5.1 Dominion Development supports the direction in Interim Guidance #1 and agrees with the recommendation in the S42A report relating to the submission and the urban fringe qualifying matter. I have no further comment to make.

## 19 Jeremy Duncan

104. Jeremy Duncan appeared at the hearing in respect of his submission to rezone 14 Herschel Street from Commercial zone to MRZ2. He explained he was wanting to develop the site with

more residential units. My response to Mr. Duncan's submission is contained in paragraphs 152 to 155 of the S42A report. In the report I recommended rejecting the submission. My position remains the same. I consider Mr. Duncan does have the option of redeveloping the site with commercial activities on the ground floor and residential units above. This option was discussed at the hearing.

## 20 John Boyson

105. John Boyson appeared at the hearing. Mr. Boyson stated he does not support MDRS. He raised concerns about the application of the MDRS, in particular he spoke about the effect of having reduced setbacks and what that means for fire safety between buildings.

106. Mr. Boyson's submission is included in the table in paragraph 722 of the S42A report. I note the only way the MDRS can be amended is by way of a Qualifying Matter. Fire safety is not a listed Qualifying Matter under S771 so an assessment would need to be undertaken pursuant to S77L. I consider this assessment would be difficult as a site by site assessment would be required. I do acknowledge Mr. Boyson's concerns but I consider there is not the ability to address these concerns through an IPI process. I do note however that fire safety is an issue that is considered as part of the building consent process. FENZ tabled a letter at the time of the hearing and were generally accepting of the recommendations in the S42A report subject to some additional considerations. These included a request to add an additional matter of discretion to MRZ2-S4 this has recommended to be accepted and is included below:

*(i) The extent to which the non-compliance compromises the ability for emergency services to access the property in an emergency.*

107. This amendment may go some way to addressing Mr. Boyson's concerns.

## 21 Rezoning request 99A Ngaaruawaahia Road and 18 Rangimarie Road

108. At the time of the hearing, Andrew Woods provided planning evidence and rebuttal evidence for Next Construction Ms. Charlotte Muggeridge also presented legal submissions. The evidence and submissions relate to the rezoning of land at 99A Ngaaruawaahia Road and 18 Rangimarie Road in Ngaaruawaahia from GRUZ to MRZ. I note at the time of the hearing Ms. Katrina Andrews also presented evidence on behalf of Waikato Regional Council. Waikato Regional Council lodged a further submission in opposition to this submission. Ms. Andrews spoke about the NPS-HPL and how it relates to the rezoning of the land subject to the submission. A map identifying the location of the land is identified below:





109. Mr. Woods outlines in his evidence from paragraph 17 the key reasons he supports the land being rezoned. In summary these are:
- i. The properties are split zoned. Mr. Woods states the split zoning is a result of the timing of the development of the PDP with the natural hazards chapter being notified in a separate variation.
  - ii. Mr. Woods notes that significant information was developed as part of the 2017 Ngaaruawaahia Structure Plan which provides the basis of the zoning. The reports are listed in paragraph 21 of his EIC.
  - iii. In paragraph 23 Mr. Wood refers to the master plan attached to his evidence. Mr. Woods states the master plan demonstrates a comprehensive approach has been taken to urbanisation factors in the 100 year flood plain.
110. At the time of the hearing I recommended rejecting the rezoning request. The reasons are contained in paragraph 7 of Addendum 1 to the Section 42A report and have been included below:
- i. The General Rural Zone area of the site is located within the High Risk Flood Zone and Flood Plain Management Area.
  - ii. No additional information is provided with the submission that supports the rezoning of the site.
  - iii. If this area was to be rezoned I consider a comprehensive approach is required given the presence of the flood hazard in this location.
111. In the S42A rebuttal report I agreed with Mr. Woods that rezoning the flood area of the property was not out of the question given that was the approach the PDP appears to have adopted for other properties. On reviewing the zoning of the properties within the floodplain again I consider this conclusion needs to be reviewed. I say that because at the time I had not realised that many of the properties within the flood plain that have had the MDZ apply to them were already zoned for urban development and had been for some time. An example being 99

Ngaaruawaahia Road, the property located adjacent to the area which was zoned for residential purposes in the Operative District Plan (refer to the map below)



112. After reading Mr. Wood's evidence I reviewed the technical reports attached to the 2017 Structure Plan and identified in paragraph 31 of the rebuttal evidence a number of constraints I considered should be resolved prior to rezoning. These include: archaeological sites and cultural effects, flood issues as identified in the Catchment Management Plan, and the identification of the roading network for the rest of the growth cell. On this I note the 2017 Ngaaruawaahia Structure Plan identified a potential through road in the vicinity of this property. Mr. Woods does not agree with the points raised in the rebuttal evidence and instead states they can be considered at the time of subdivision.
113. I do not agree with Mr. Wood's opinion. I consider the issues raised are required to be addressed as part of the rezoning. By way of an example, depending on the outcome of an archaeological and/ or cultural assessment, part of the site may not be appropriate for development and a QM may be required.
114. Additionally, regarding the NPS-HPL it was raised at the time of the hearing and in legal submissions by Ms. Muggeridge but was not addressed in the S42A report and S42A rebuttal. I note Ms. Muggeridge in her legal submissions considers the NPS-HPL is met because the area is identified in the Ngaaruawaahia Structure Plan 2017, Future Proof and Ngaaruawaahia Structure Plan 2023.
115. My understanding of the NPS-HPL is that until highly productive land is mapped by the regional council, then Class 1, 2, or 3 land can only be considered for rezoning if the land is identified for future urban development; or is subject to a Council initiated notified plan change to rezone it from general rural to urban. (NPSHPL 3.5(7)). It is my understanding from reviewing the Landcare LUC Map that the land does fall into the land use class 1 – 3 category. The NPS-HPL defines "identified for future urban development" as including land identified in a strategic



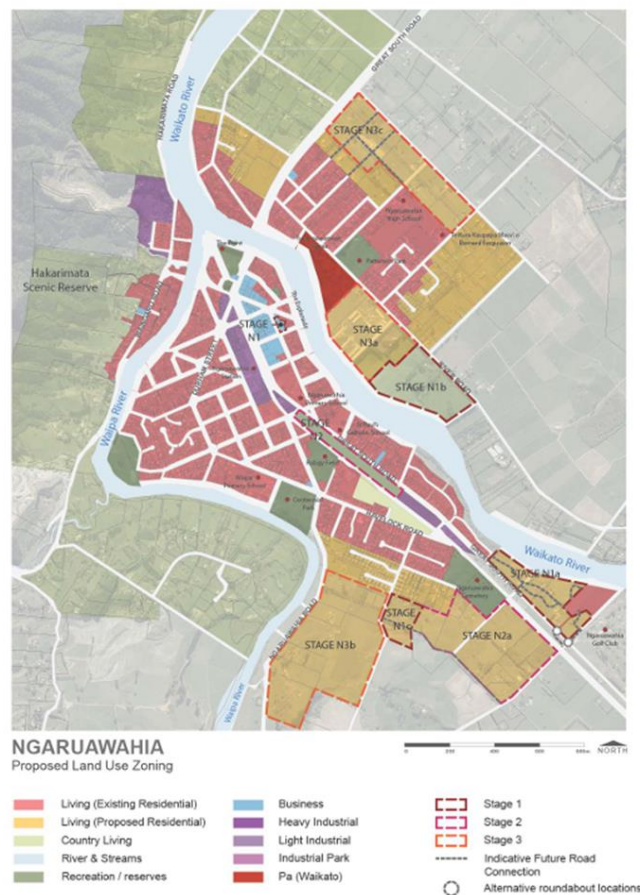
planning document as an area suitable for commencing urban development over the next 10 years (by 2032). I have included the full definition of future urban development below:

**identified for future urban development** means:

- (a) identified in a published Future Development Strategy as land suitable for commencing urban development over the next 10 years; or
- (b) identified:
  - (i) in a strategic planning document as an area suitable for commencing urban development over the next 10 years; and
  - (ii) at a level of detail that makes the boundaries of the area identifiable in practice

116. A “strategic planning document” is defined to mean any non-statutory growth plan or strategy adopted by local authority resolution. I have reviewed the documents that Ms. Muggeridge identifies in her legal submissions against the definition in the NPS-HPL. In respect of the 2017 Ngaruawaahia Structure Plan I note the land is identified in Figure 21 on page 44 as being part of growth cell N3b (refer to the Figure below).

**Figure 21. Development Staging Plan for Ngaruawaahia**



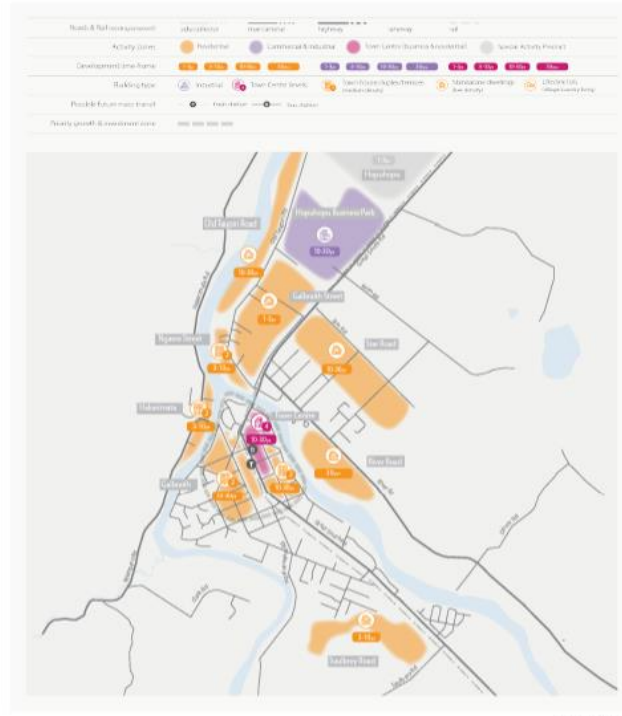
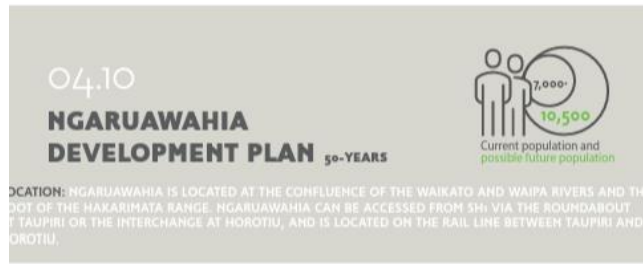
117. The staging plan is set out on page 52 and identifies the timing of Stage 3 as being between 2036 to 2046. This is outside the 10 year timeframe in the NPS-HPL.

Cell No	Area	Proposed Zone	Net Developable Area and Density in dwelling units per ha	Average Household size/ Lots yielded	Population Yield
Stage 3 – 2036- 2046				2.5 people per household	
<b>Ngaaruwaahia</b>					
Area N3a	17.3ha	Residential	75% developable 12.97ha x 12du/ha	155 lots	387 people
Area N3b	41.0ha	Residential	65% developable 26.6ha x 12du/ha	319 lots	797 people
Area N3c	23.3ha	Residential	75% developable 17.4 ha x 12 du/ha	209 lots	522 people
<b>Ngaaruwaahia Stage3. Subtotal</b>	<b>81.6ha</b>	<b>Residential</b>	<b>56.9ha x 12du/ha</b>	<b>683lots</b>	<b>1,706 people</b>
<b>Te Kowhai</b>					

118. Turning to Future Proof Strategy 2022. Ngaaruwaahia is identified as a Tier I urban environment and an urban enablement area. The maps included within the Future Proof Strategy are at a high level. It is difficult to tell at a property level where site boundaries are. In my view, the maps do not meet clause (b)(ii) of the definition of “identified for future urban development” as they are not at a level of detail that makes the boundaries of the area identifiable in practice.

119. Whilst Ms Muggeridge also refers to the 2023 Ngaaruwaahia Structure Plan, I note that does not meet the definition of “strategic planning document” because it has not yet been adopted by Council resolution. It is still in the early stages of a draft working plan. Accordingly, the 2023 structure plan does not meet the definition for “identified for future urban development.”

120. In addition to the three documents Ms. Muggeridge refers to, I have also looked at Waikato 2070. I have included below the Ngaaruwaahia Development Plan from Waikato 2070. The plan does identify land around Saalbrey Road, but does not identify land extending to Ngaaruwaahia Road. In my opinion, the land subject to this submission is not identified for urban development in Waikato 2070.



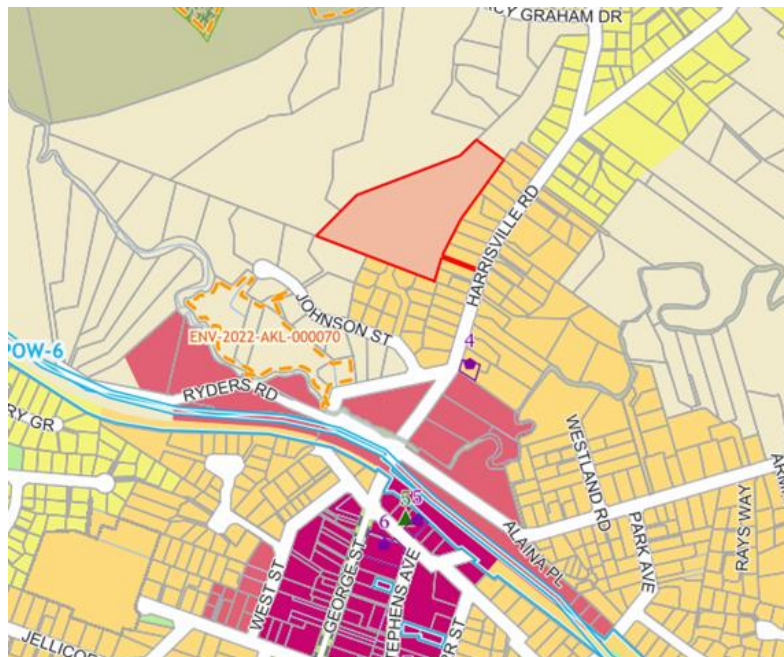
121. As the land meets the transitional definition for highly productive land under clause 3.5(7), council may allow rezoning of the land only if the land meets all of the tests in clause 3.6 of the NPS-HPL. The submitter has not undertaken an assessment to establish the land meets the tests under clause 3.6. Further, based on Ms Fairgray’s evidence in chief relating to development capacity in the district, I do not believe the first test under clause 3.6(1)(a) can be met. The rezoning of this land is not required to provide sufficient development capacity to meet the demand for housing to give effect to the NPS-UD. It is not necessary to undertake the further tests as all tests must be met. In summary, for the reasons contained in this closing statement and S42A Addendum 1 and S42A rebuttal, my opinion has not changed. I do not support the rezoning.

## 22 Harrisville 23 Limited

122. At the time of the hearing Harrisville Twenty Three Limited presented legal submissions and evidence in respect of their rezoning request at 23A Harrisville Road. The request is to rezone the land from Large Lot Residential to MRZ2. Technical evidence was presented on: Three

Waters, Ecology, Traffic, Landscape, Economics and Geotechnical. Planning evidence was also presented.

123. The location of the site is shown below:



124. The site is zoned Large Lot Residential in the PDP and Rural Residential in the ODP (Franklin Section). I understand because of the existing urban zoning, the NPS-HPL does not apply to the land (it is not rural zoned land). I also note that no further submissions were lodged to this submission.

125. In paragraphs 4.2 to 4.5 of her EIC, Ms. Addy provides a description of the site and outlines the key features of the site which I have summarised below:

- i. 2.6 ha in area and located within walking distance of the town centre of Tuakau (350m - 450m).
- ii. Property contains a stream along the northwestern boundary of the property to a wetland located in the western corner of the site.
- iii. The site is surrounded to the east, north and south with residential housing.

126. Ms. Addy notes in paragraph 4.6 that resource consents to subdivide the site have been lodged with Waikato District Council and Waikato Regional Council including earthworks/land disturbance and stormwater discharge consents. In paragraph 5.2 Ms. Addy outlines in her opinion the compelling reasons for the site to be rezoned:

- i. The ability to connect to full urban services;
- ii. Location close to Tuakau town centre;
- iii. Surrounding activities being residential; and
- iv. Housing demand in Tuakau.

127. Ms. Addy provides an assessment against the NPS-UD and the Waikato Regional Policy Statement and also provides a S32AA assessment. Ms Addy also makes reference to Future Proof 2022 and considers the rezoning aligns with the outcomes in Future Proof as it promotes a more compact urban form around existing centres. In paragraphs 18 and 19 of the S42A rebuttal evidence I questioned whether the rezoning did give effect to the Waikato Regional Policy Statement and referred to UFD-PI Planned and Co-ordinated subdivision, use and development and the associated principles in Appendix 11, in particular principles E and M. I note Waikato 2070 (2020) does not identify residential development in this location. I also note the area is not identified for residential development in the Tuakau Structure Plan 2014. I acknowledge Waikato 2070 and Tuakau Structure Plan are not required to be given effect to in terms of their statutory weighting.

128. In respect of the issue as to whether the area is intended for more intensive development. I acknowledge the reference in Section 4.5 of the submitter's legal submissions to policy SUB-PI4 in the PDP. This policy envisages the potential for more intensive development in the Large lot residential zones in identified towns, including Tuakau. The policy is included below:

*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.*

129. Attached to Ms. Addy's evidence is an Archaeological Assessment which recommends that no archaeological conditions are required on the subdivision consent other than an advice note relating to an accidental discovery protocol. A letter from Ngati Tamaoho Trust submitted for the subdivision application states the Trust is not opposed to the application as long as the recommendations and requirements in the letter are taken into account.

130. I understand from the technical evidence that:

- i. The ecological review undertaken by Kelly Hayhurst of Ecology New Zealand Limited and dated 31 July 2023 identifies the ecological features on the site noting vegetation types, the potential for fauna, and the presence of the stream and wetland. The conclusion reached by Ms. Hayhurst is that there is no significant ecological restraint.
- ii. Mr. Tilsley submitted geotechnical evidence. He states he can support the rezoning. A preliminary geotechnical assessment is attached to his evidence. He states that the ground is safe and stable within the lots identified as part of the subdivision consent. He notes there is potential for slope instability on the site and because of that recommendations are made in respect of foundation design and development.
- iii. Mr. Boag has provided evidence on 3 waters infrastructure. In paragraph 2.6 he states with the change in subdivision consent resulting in approximately 25 lots, he understands it is possible to connect and run off the existing infrastructure, as there appears to be sufficient capacity within their infrastructure networks.
- iv. Mr. Hunter has provided a traffic assessment and concludes with the rezoning to MR22 that the change in traffic volume will be minimal and unlikely to have any noticeable impact on the safe and efficient operation of the local road network.

131. In paragraph 14 of the S42A rebuttal evidence I did not support the rezoning and listed a number of reasons. In summary these reasons are whether or not:
- i. The traffic effects of 3 dwellings per site have been considered. I also noted the roading layout submitted for the subdivision consent is not likely to be acceptable to the Council's roading team depending on how many lots / residential units are submitted as part of a future subdivision consent, if the site is rezoned to MRZ2.
  - ii. The change in zoning and increased site coverage will result in any difference in effects on the natural features of the site.
  - iii. Three dwellings on the site will have a marked effect on land stability. I noted the geotechnical report prepared for the Tuakau Structure Plan identifies the presence of geohazards. I also stated that although a building line restriction is identified on the subdivision plan, no QM is proposed.
  - iv. The site is able to connect to water and wastewater infrastructure. On this matter I referred to the evidence of Mr. Telfer who in referring to Mr. Boag's evidence in paragraph 17 states *"The report attached to his evidence is dated November 2022 but it is my understanding that it has not been shared or discussed with Watercare to date. I note that Appendix A Engineering Plans is missing from the report attached to Mr Boag's evidence. It would assist us to see these plans and, in order to undertake a proper assessment of their proposal, we would require more information. Based on the information we have on water and wastewater capacity in Tuakau, a 25 lot subdivision is unlikely to have a significant impact on the 150mm pipe they want to connect to. However I am aware of other developments and PDP appeals requesting residential zoning in the vicinity of the site, and depending on the outcome of those appeals, pipe capacity may need to be reassessed. Stormwater impacts would also require further assessment"*.
132. In paragraph 20 of the rebuttal evidence, I agreed with Mr. Addy that whilst the site is ideally located, I considered there are a number of constraints associated with the site that need to be fully understood prior to the rezoning of the site.
133. Considering the evidence presented and further discussions with Ms Addy I now consider:
- i. The proximity of the site to the town centre of Tuakau means it is ideally situated for more intensive development. Although the area is not identified in Waikato 2070 or 2014 Tuakau Structure Plan, the policies in the PDP do envisage further development in the Large lot residential zones in specified towns including Tuakau. I have also reviewed Future Proof 2022 and from this review I note there are no maps for Tuakau that identify any urban boundaries. In any event I note the Large lot residential zone is not considered to be rural under both the NPS-HPL and the NPS-UD. I also note Objective UFD-O1 in the PDP: *A compact urban form that provides for connected, liveable communities.*
  - ii. I do note there is no structure plan and / or the identification of indicative roads in this location which guides redevelopment of the area. It is therefore unclear as to whether roading connections to adjoining land should be provided. I consider this is a relevant consideration under Policy UFD-PI Planned and Co-ordinated Development in the RPS. I have raised this issue with Ms. Addy who has advised it is not feasible to extend the road to the west because of the existing stream and topography. The property to the north is also smaller in size and has access to Harrisville Road albeit through a narrow access strip.

- iii. I note the advice from Mr. Telfer that whilst there is a network available further information is required in order to form a view. After speaking with Ms. Addy I now have a copy of the engineering plans and I have sent these plans through to Mr. Telfer. Mr. Telfer has not had the opportunity to review these plans in time for this closing statement. I also note Mr. Telfer's comments about more detail being needed about stormwater impacts. I consider this review should occur and can be reported back to the Commissioners prior to the November hearing. I note this approach is consistent with *SD-05 New development is integrated with the development of infrastructure*. I note a stormwater discharge consent will be required from the Waikato Regional Council (WRC). Given the presence of the wetland on the site, design of the stormwater system will need to be carefully considered.
  - iv. I remain of the opinion that it is unclear whether the traffic assessment has fully taken into account the potential for 3 residential units on the site. I do understand the site has a number of constraints and it will not be fully developed MDRS. I also note that the owners of 23A Harrisville Road also own 23 Harrisville Road. I understand from the Council's Roading team that there are issues with the present road layout and it will not be adequate under a medium density development. Ms. Addy advises that there is sufficient space on site to comply with the full public road standards in the ODP and PDP if that is required. On this basis I therefore consider this matter can be considered further at the time of subdivision once there is more certainty about the lot layout and traffic generation.
  - v. Whether the change in zoning will have effects on the natural features of the site. I have reviewed the ecological assessment presented with the evidence. I understand from this evidence that effects from a MDRS development on the site are able to be managed. I note there are no SNAs identified on the property and the ecologist considers the existing setback rules are sufficient to manage effects on the stream and wetland. The only point I would like to make in respect of this relates to the stormwater and the issue raised previously.
  - vi. In respect of the geotechnical restraints on the site I note there is a building line restriction identified on the subdivision. I understand in this area it is not feasible to construct any buildings. The technical reports attached to the 2014 Tuakau Structure Plan identify the presence of geohazards in this location. I raised the issue as to whether a QM should be located on this area for the site for this reason. I note this is consistent with the approach for the Havelock Precinct Slope Residential Area. I consider if the land is to be rezoned then this matter should be considered further particularly given there is a known issue on the site not only in the information in the subdivision plan but also in the 2014 Tuakau Structure Plan.
  - vii. Iwi I noted previously that attached to Ms. Addy's evidence was a letter from Ngati Tamaoho relating to the subdivision application. I noted it was not clear whether Ngati Tamaoho had been consulted on the zone change. I remain of the opinion that this consultation should occur. I also mentioned in paragraph 15 of my S42A rebuttal report that Ngaati Ngaho have identified an interest in this area and it is my understanding no consultation has been undertaken with Ngaati Naho. I note Ngaati Naho have not lodged a further submission.
134. On a principled basis, I support the rezoning subject to the following matters being addressed by the submitter and Watercare:

(a) *Infrastructure capacity*



- (b) A qualifying matter related to the geotechnical constraints on the site*
- (c) Consultation with Ngati Tamaoho on the rezoning of the site.*



# **Appendix A**

## Tracked 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 <del>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.</del></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

<b>Abbreviation</b>	<b>Full term</b>
CPTED	Crime prevention through environmental design
GFA	Gross floor area
<a href="#">MDRS</a>	<a href="#">Medium Density Residential Standard</a>
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

### 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.

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.

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

- 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

<b>WWS-RI</b>	Stormwater systems for new development or subdivision	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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"> <li>(1) Retention of rainwater/stormwater for reuse;</li> <li>(2) Soakage techniques;</li> <li>(3) Infiltration rate of a minimum of 7mm/hour;</li> <li>(4) Treatment, detention and gradual release to a watercourse;</li> <li>(5) Treatment, detention and gradual release to a piped stormwater system.</li> <li>(6) Stormwater treatment shall address water quality; downstream erosion and scour effects; and cumulative volume effects.</li> </ol> <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><b><u>WWS-RIA</u></b></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><b><u>(1) Activity Status: RDIS</u></b>  <b><u>Activity specific standards:</u></b></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><b><u>(2) Activity status where compliance not achieved: DIS</u></b></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><b><u>Council’s discretion is restricted to the following matters:</u></b></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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	<p><a href="#">Stormwater Discharge Consent, Catchment Management Plan and Waikato Regional Council Stormwater Guidelines; and</a></p> <p>(e) <a href="#">The extent to which low impact design principles and approaches are used for stormwater management.</a></p>	
<b>WWS-R1B</b>	<a href="#">Services for more than one residential unit per site in the MRZ2.</a>	
<a href="#">MRZ (Area 2)</a>	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p><a href="#">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.</a></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) <a href="#">The provision of infrastructure.</a></p>
<b>WWS-R2</b>	Wastewater servicing for new development or subdivision	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>WWS-R3</b>	Below ground pipelines for the conveyance of water, wastewater and stormwater	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>WWS-R4</b>	Below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>WWS-R5</b>	Pump stations for the conveyance of water, wastewater and stormwater	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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 10m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>WWS-R6</b>	Stormwater treatment, detention and retention facilities or devices	

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All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) Stormwater treatment, detention and retention facilities or devices, excluding stormwater wetlands or ponds.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>WWS-R7</b>	Stormwater ponds or wetlands	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>WWS-R8</b>	Ventilation facilities, drop shafts and manholes	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>WWS-R9</b>	Below ground reservoirs	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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.
<b>WWS-R10</b>	Water supply servicing for new development or subdivision	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Health and safety of the occupants; and</p> <p>(b) Sufficiency of supply for fire-fighting.</p>
<b>WWS-R11</b>	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><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p>(iv) Within the flood channel (between a stopbank and river bank); and</p> <p>(v) Within a 20m radius of a pump station or floodgate.</p>	
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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           |   |

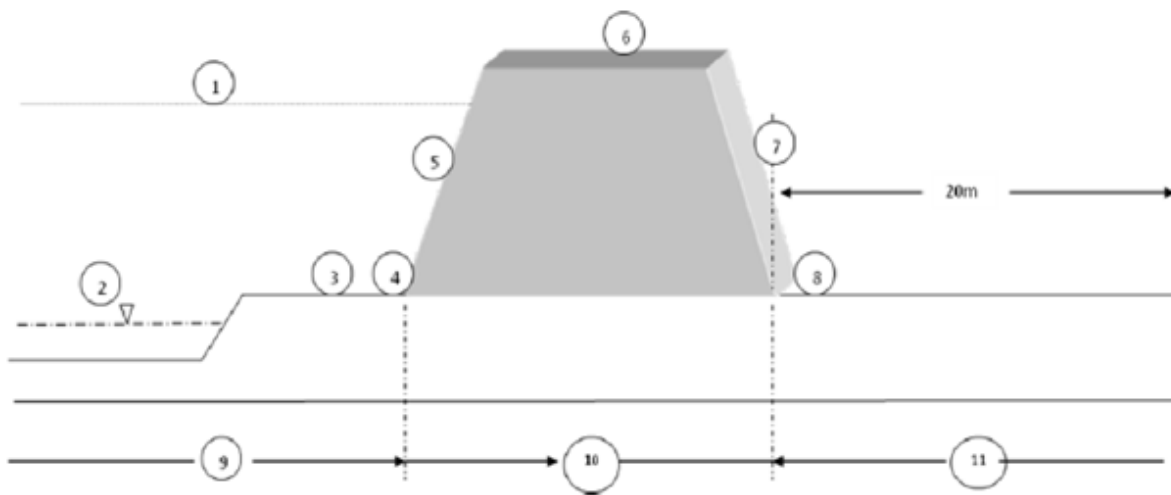


Figure 5 – Stopbank diagram

<b>WWS-R12</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-R13</b>	In close proximity to existing flood management infrastructure: <ul style="list-style-type: none"> <li>(a) The maintenance of existing stock-proof fences;</li> <li>(b) Grazing of animals;</li> <li>(c) Any farming activity other than the grazing of animals;</li> <li>(d) Planting of trees;</li> <li>(e) The construction of any road or race for the passage of stock or vehicles;</li> <li>(f) The erection of any new fence, shelter, building or structure;</li> <li>(g) The excavation or the digging of any drain; and</li> </ul>	

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	(h) 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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-RI 4</b>	Stormwater ponds or wetlands, that serve more than one site, located within: (a) GRZ – General residential zone; (b) MRZ – Medium density residential zone; (c) RPZ – Rangitahi Peninsula zone; (d) SETZ – Settlement zone; (e) LLRZ – Large lot residential zone; (f) RLZ – Rural lifestyle zone; (g) Road and unformed road; and (h) Identified Areas.	
All specified in rule	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil.  <b>Council's discretion is restricted to the following matters:</b> (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.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-RI 5</b>	Outfall structures located within an Identified Area	
All zones	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil.  <b>Council's discretion is restricted to the following matters:</b> (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;	<b>(2) Activity status where compliance not achieved: n/a</b>

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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>	
<b>WWS-R16</b>	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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) The extent to which adverse effects are avoided, remedied or mitigated.</p>	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-R17</b>	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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></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>	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-R18</b>	Water treatment plants not located within road or unformed road	



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

## 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
<b>Flood hazards</b>	
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>
<b>Coastal hazards</b>	

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.
<b>Subsidence risk</b>	
Mine subsidence risk area	Identifies an area where subsidence has occurred at Huntly due to former underground coal mining.

## Objectives

NH-O1 High risk natural hazards areas.

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

NH-O2 Areas at risk from natural hazards.

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

NH-O3 Awareness of natural hazard risks.

Ensure communities respond effectively and efficiently to natural hazards.

NH-O4 Climate change.

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

## Policies

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

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

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

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

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

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

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

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

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 rainfall<sup>1</sup> and RCP 8.5H+ for sea level rise<sup>2</sup>;
- (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.

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<sup>1</sup> 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.

<sup>2</sup> 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 \(see NH-R26A-E\)](#)*

<b>NH-RI</b>	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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>NH-R2</b></p>	<p>Additions to an existing building that does not increase the ground floor area of the building by more than 15m<sup>2</sup></p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R3</b></p>	<p>Standalone garage with a gross floor area not exceeding 40m<sup>2</sup></p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R4</b></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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R5</b></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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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<b>NH-R6</b>	Construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R7</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R8</b>	Earthworks to create a building platform for residential purposes	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Filling height is only to the extent necessary to achieve compliance with Rule NH-RI(1)(a).	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.
<b>NH-R9</b>	Earthworks not provided for under Rules NH-R7 or NH-R8	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) Timing, location and scale of earthworks; (b) Adverse effects on:

	<p>volume of filling above natural ground level of 10m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 20m<sup>3</sup>; or</p> <p>(b) In the GRUZ – General rural zone – a maximum volume of filling above natural ground level of 100m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 200m<sup>3</sup> per site; or</p> <p>(c) All other zones – a maximum volume of filling above natural ground level of 20m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 50m<sup>3</sup> 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>
<b>NH-R10</b>	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	<b>(1) Activity status: DIS</b>	

*High risk flood area*

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

	<ul style="list-style-type: none"> <li>(a) Functional and operational requirements to be located in the High risk flood area;</li> <li>(b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area;</li> <li>(c) The potential for the development to transfer/increase flood risk to neighbouring properties;</li> <li>(d) Consideration of alternative locations;</li> <li>(e) Consideration of the projected effects of climate change;</li> <li>(f) Any mitigation measures to reduce the risk to people's safety, well-being and property.</li> </ul>	
<b>NH-R18</b>	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 <sup>2</sup> , unless provided for in Rules NH-R17 or NH-R18	
High risk flood area across all zones	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions;</li> <li>(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;</li> <li>(c) Any mitigation measures to reduce the risk to people's safety, well-being and property.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R19</b>	<p>Subdivision that creates one or more additional vacant lot(s) where:</p> <ul style="list-style-type: none"> <li>(a) The additional lot(s) are located entirely outside the High risk flood area; or</li> <li>(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.</li> </ul> <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	<b>(1) Activity status: DIS</b>
<b>NH-R20</b>	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	<b>(1) Activity status: NC</b>
<b>NH-R21</b>	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	<b>(1) Activity status: NC</b>
<b>NH-R22</b>	Emergency service facilities and hospitals
High risk flood area across all zones	<b>(1) Activity status: NC</b>

Defended area (Residual risk)

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

<b>NH-R23</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R24</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil.  <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) The impact of any planned improvements, maintenance or upgrading on the residual risk;</li> </ul>	<b>(2) Activity status where compliance not achieved: n/a</b>



	<ul style="list-style-type: none"> <li>(c) The effect of groundwater levels and variability in ground conditions on stop-bank security at and adjacent to the site to be subdivided;</li> <li>(d) The likely depth and duration of flooding as a result of a breach or overtopping event or flood ponding;</li> <li>(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);</li> <li>(f) The adverse effects on:             <ul style="list-style-type: none"> <li>(i) People and property,</li> <li>(ii) Historic heritage and Sites and Areas of Significance to Maaori, and</li> <li>(iii) Overall vulnerability from potential failure or overwhelming of the structural defences and associated flood protection works relevant to the proposed new lot(s);</li> </ul> </li> <li>(g) Potential for the development to transfer/increase flood risk/residual risk to neighbouring properties;</li> <li>(h) Any additional mitigation measures proposed or site features which reduce residual risk (e.g., natural high ground; evacuation plan).</li> </ul>	
<b>NH-R25</b>	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	<b>(I) Activity status: DIS</b>	
<b>NH-R26</b>	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	<b>(I) Activity status: DIS</b>	

[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.*

<p><b>NH-R26A</b></p> <p>Flood density QM (Higher risk area) in the MRZ (Area 2)</p>	<p>Residential unit</p> <p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) <u>One residential unit within a site;</u></li> <li>(b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u></li> <li>(c) <u>buildings must be set back a minimum of:</u> <ul style="list-style-type: none"> <li>(i) <u>23m from the margin of any lake;</u></li> <li>(ii) <u>23m from the margin of any wetland;</u></li> <li>(iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u></li> <li>(iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<p><b>NH-R26B</b></p> <p>Flood density QM (outside the Higher risk area) in the MRZ (Area 2)</p>	<p>Residential unit</p> <p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) <u>One residential unit within a site;</u></li> <li>(b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u></li> <li>(c) <u>buildings must be set back a minimum of:</u> <ul style="list-style-type: none"> <li>(i) <u>23m from the margin of any lake;</u></li> <li>(ii) <u>23m from the margin of any wetland;</u></li> <li>(iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u></li> <li>(iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is limited to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) <u>In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</u></li> <li>(b) <u>Flooding effects including safe access and egress;</u></li> <li>(c) <u>Stormwater management and Low Impact Design methods;</u></li> <li>(d) <u>Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</u></li> <li>(e) <u>Adequacy of erosion and sediment control measures;</u></li> <li>(f) <u>The functional or operational need for the building to be located close to the waterbody;</u></li> </ul>

		<p>(g) <u>Effects on public access to the waterbody;</u></p> <p>(h) <u>Effects on the amenity of the locality; and</u></p> <p>(i) <u>Effects on natural character values.</u></p>
<b>NH-R26C</b>	Minor residential unit	
<u>Flood density QM in the MRZ (Area 2).</u>	<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>One minor residential unit contained within a site must comply with all of the following standards:</u></p> <p>(i) <u>The net site area is 600m<sup>2</sup> or more; and</u></p> <p>(ii) <u>The gross floor area shall not exceed 70m<sup>2</sup>; and</u></p> <p>(b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u></p> <p>(c) <u>buildings must be set back a minimum of:</u></p> <p>(i) <u>23m from the margin of any lake;</u></p> <p>(ii) <u>23m from the margin of any wetland;</u></p> <p>(iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u></p> <p>(iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>NH-R26D</b>	<u>Subdivision that creates one or more vacant lot other than a utility allotment, access allotment or subdivision to create a reserve allotment.</u>	
<u>Flood density QM (excluding the Flood plain management area, Flood ponding area, and Defended area) in the MRZ (Area 2)</u>	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) <u>each vacant lot includes an area capable of containing a building platform of 8m x 15m (exclusive of setbacks) entirely outside the Flood density QM</u></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) <u>Avoidance or mitigation of natural hazards;</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p>(b) <u>In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</u></p> <p>(c) <u>The effectiveness of the stormwater system to manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment;</u></p> <p>(d) <u>The capacity of the stormwater system and ability to manage stormwater;</u></p> <p>(e) <u>The potential for adverse effects to the environment in terms of stormwater volume including downstream channel erosion and stormwater quality, taking into account the requirements or recommendations of the relevant Comprehensive Stormwater Discharge Consent, Catchment Management Plan and Waikato Regional Council Stormwater Guidelines; and</u></p> <p>(f) <u>Extent to which low impact design principles and approaches are used for stormwater management.</u></p>	
<p><b><u>NH-R26E</u></b></p>	<p><b><u>Earthworks for two or more residential units (excluding a minor residential unit)</u></b></p>	
<p><u>Flood density QM in the MRZ (Area 2).</u></p>	<p><b><u>(1) Activity status: RDIS Council's discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Timing, location and scale of earthworks;</u></p> <p>(b) <u>Adverse effects on:</u></p> <p>(i) <u>Existing overland flow paths and surface drainage patterns;</u></p> <p>(ii) <u>Flood storage capacity;</u></p> <p>(iii) <u>Runoff volumes;</u></p> <p>(iv) <u>Adjoining properties, including the transfer of risk; and</u></p>	<p><b><u>(2) Activity status where compliance not achieved: DIS</u></b></p>

	<p>(v) <a href="#">Infrastructure and flood protection works;</a></p> <p>(c) <a href="#">Consideration of soil types and potential for erosion; and</a></p> <p>(d) <a href="#">Mitigation including compensatory storage, or other flood management measures proposed.</a></p>	
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*Coastal sensitivity areas*

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

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		(h) Any mitigation measures to reduce risk; and (i) Whether there is any suitable alternative location for the activity to locate within the site.
<b>NH-R28</b>	Construction of an accessory building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R29</b>	Construction of a farm building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R30</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R31</b>	Maintenance or repair of an existing lawfully established hard protection structure	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R32</b>	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)	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Compliance with the requirements of any consent notice for the certificate of title pursuant to section 221 of the	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) The ability to manage coastal hazard risk through appropriate

<p>across all zones</p>	<p>Resource Management Act 1991 containing specific design or location requirements for buildings.</p>	<p>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>
<p><b>NH-R33</b></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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></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</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

	<p>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>	
<p><b>NH-R34</b></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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></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>(2) Activity status where compliance not achieved: n/a</b></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>(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>	
<b>NH-R35</b>	Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Whether structures have primarily a public and/or environmental benefit when located on public land;</p> <p>(b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

	<p>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>	
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*High risk coastal erosion area*

<b>NH-R36</b>	Construction of an accessory building without a floor	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) The gross floor area of the building does not exceed 40m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>NH-R37</b>	Construction of a farm building without a floor	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) The gross floor area of the building does not exceed 40m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>NH-R38</b>	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R39</b>	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal erosion area	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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across all zones	Nil.	
<b>NH-R40</b>	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal erosion area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R41</b>	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal erosion area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R42</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The maximum volume of filling does not exceed 10m <sup>3</sup> per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	<b>(2) Activity status where compliance not achieved: DIS</b>
<b>NH-R43</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil  <b>Council's discretion is restricted to the following matters:</b> (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	<b>(2) Activity status where compliance not achieved: n/a</b>

	<p>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>	
<b>NH-R44</b>	Earthworks not provided for in Rule NH-42	
High risk coastal erosion area across all zones	<b>Activity status: DIS</b>	
<b>NH-R45</b>	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	<b>Activity status: DIS</b>	
<b>NH-R46</b>	Replacement of an existing building within the same site where:	
	<p>(a) The replacement building is located landward of the existing building that it replaces;</p> <p>(b) The replacement building is relocatable on a suspended timber floor; and</p> <p>(c) 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	<b>Activity status: DIS</b>	
<b>NH-R47</b>	Construction of new utilities not provided for in Rules NH-R39 and NH-R40	
High risk coastal erosion area across all zones	<b>Activity status: DIS</b>	
<b>NH-R48</b>	Upgrading of existing utilities not provided for in Rules NH-R38 and NH-R39	
High risk coastal erosion area	<b>Activity status: DIS</b>	

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across all zones	
<b>NH-R49</b>	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	<b>Activity status: DIS</b>
<b>NH-R50</b>	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	<b>Activity status: NC</b>
<b>NH-R51</b>	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	<b>Activity status: NC</b>
<b>NH-R52</b>	Emergency service facilities and hospitals
High risk coastal erosion area across all zones	<b>Activity status: NC</b>

*High risk coastal inundation area*

<b>NH-R53</b>	Construction of an accessory building without a floor	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The gross floor area of the building does not exceed 40m <sup>2</sup> .	<b>(2) Activity status where compliance not achieved: NC</b>
<b>NH-R54</b>	Construction of a farm building without a floor	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The gross floor area of the building does not exceed 40m <sup>2</sup> .	<b>(2) Activity status where compliance not achieved: NC</b>

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<b>NH-R55</b>	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R56</b>	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R57</b>	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R58</b>	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R59</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The maximum volume of filling does not exceed 10m <sup>3</sup> per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	<b>(2) Activity status where compliance not achieved: DIS</b>
<b>NH-R60</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil  <b>Council's discretion is restricted to the following matters:</b> (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,	<b>(2) Activity status where compliance not achieved: n/a</b>

	<p>considering a range of coastal hazard events including the 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>	
<b>NH-R61</b>	Earthworks not provided for in Rule NH-59	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R62</b>	Construction of new utilities not provided for in Rules NH-R56 and NH-R57	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R63</b>	Upgrading of existing utilities not provided for in Rules NH-R55 and NH-R56	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R64</b>	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.	

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	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	<b>Activity status: DIS</b>
<b>NH-R65</b>	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	<b>Activity status: DIS</b>
<b>NH-R66</b>	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	<b>Activity status: NC</b>
<b>NH-R67</b>	Emergency service facilities and hospitals
High risk coastal inundation area across all zones	<b>Activity status: NC</b>

*Mine subsidence risk area*

<b>NH-R68</b>	Additions to an existing building	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) Additions do not increase the gross floor area of the building by more than 15m<sup>2</sup>; and</li> <li>(b) Additions do not result in the length of any wall of the building exceeding 20m.</li> </ul>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> <li>(b) Suitability of the site for development; and</li> <li>(c) The potential effects on health and safety.</li> </ul>
<b>NH-R69</b>	Standalone garage	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) The gross floor area of the building does not exceed 55m<sup>2</sup>; and</li> <li>(b) The maximum length of any wall does not exceed 20m.</li> </ul>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> </ul>



		(b) Suitability of the site for development; and (c) The potential effects on health and safety.
<b>NH-R70</b>	Construction, replacement, repair, minor upgrading, upgrading or maintenance of utilities and associated earthworks	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R71</b>	Earthworks	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The maximum volume of filling does not exceed 20m <sup>3</sup> per site; and (b) The maximum depth of any excavation or filling does not exceed 1m above or below ground level.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.
<b>NH-R72</b>	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	<b>(1) Activity status: CON</b> <b>Activity-specific standards:</b> Nil.  <b>Council's control is reserved to the following matters:</b> (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 (b) Whether confirmation is provided from a suitably experienced and qualified geotechnical engineer that confirms the proposed building development is consistent with	<b>(2) Activity status where compliance not achieved: n/a</b>

	the recommendations and requirements of the geotechnical report approved at the time of subdivision.	
<b>NH-R73</b>	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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> <li>(b) Suitability of the site for development; and</li> <li>(c) The potential effects on health and safety.</li> </ul>	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R74</b>	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	<b>Activity status: DIS</b>	

*Liquefaction*

<b>NH-R75</b>	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>
<b>NH-R76</b>	Additional matters of restricted discretion for subdivision to create one or more additional vacant lots – liquefaction risk
All zones	(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

	<p>discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):</p> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) Measures proposed to mitigate the effects of liquefaction hazard if present including: <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) Location, timing, scale and nature of earthworks;</li> <li>(iii) Provision for ground strengthening and foundation design;</li> <li>(iv) Provision for resilient services and infrastructure, including wastewater, water supply, roads and access;</li> <li>(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</li> <li>(vi) Effects on adjoining properties.</li> </ul> </li> </ul>
<b>NH-R77</b>	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> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) Measures proposed to mitigate the effects of liquefaction hazard, if present, including: <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) Location, timing, scale and nature of earthworks;</li> <li>(iii) Provision for ground strengthening and foundation design;</li> <li>(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);</li> <li>(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and</li> <li>(vi) Effects on adjoining properties.</li> </ul> </li> </ul>

Advice note:

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

## **Information Requirements for all resource consent applications addressing natural hazards**

### **NH-INFO1 – General**

- (1) The following documents, to the extent relevant to the proposal:
  - (a) Geotechnical assessment, including identification and assessment of any potentially liquefaction prone land and land subject to slope instability;
  - (b) An assessment of natural hazard risk, including the type of natural hazards present, such as flooding, slope stability, liquefaction, subsidence and coastal hazards. The assessment shall include the level of risk and any increase in risk as a result of the proposal associated with each hazard. Where applicable, the projected effects of climate change over the period to 2120 must be included;
  - (c) Remediation and mitigation measures necessary to make the site and any proposed buildings suitable for the proposed use, such as minimum floor levels, foundation design for relocatability, and appropriate time limits and/or triggers for the removal of any building and onsite wastewater disposal systems.
- (2) Plans identifying:
  - (a) Topographical features within the site and surrounding area; and
  - (b) The location of natural hazards on all or part of the site.
- (3) Consideration of the information contained in the following stormwater catchment management plans, or any approved updated version, where relevant:
  - (a) Ngaruawahia Catchment Management Plan, March 2015;
  - (b) Tamahere Stormwater Catchment Management Plan and Report, 2011
  - (c) Port Waikato Stormwater Catchment Management Plan and Report, 2004;
  - (d) Pokeno Catchment Management Plan, 2010;
  - (e) Te Kauwhata Catchment Management Plan, 2009; or
  - (f) Tuakau Catchment Management Plan, Draft 2014.

### **NH-INFO2 – Liquefaction potential**

- (1) For land use resource consent applications where the additional matters the Council will restrict its discretion to include liquefaction, as per Rule NH-R77, the following information is required:
  - (a) A preliminary geotechnical assessment in sufficient detail to determine:
    - (i) The liquefaction vulnerability category, being either “liquefaction damage is unlikely” or “liquefaction damage is possible”, as shown in Table 4.4 in “Preliminary Document: Planning and engineering guidance for potentially liquefaction prone land – Resource Management Act and Building Act aspects. Pub MfE and MBIE, September 2017”; or
    - (ii) Whether or not the site is susceptible to liquefaction using an alternative accepted method, observation, or desktop study.
  - (b) Where a “liquefaction damage is possible” category has been identified for the site as per NH-INFO2(1)(a)(i) above, or an alternative accepted method, observation or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii) above,

the assessment will be required to determine the liquefaction vulnerability in more detail, and in proportion to the scale and significance of the liquefaction hazard, and must:

- (i) Identify any areas which require particular ground strengthening or other mitigation measures, and recommendations for such mitigation; and
  - (ii) Identify areas to be excluded from built development, due to liquefaction hazard constraints (which includes lateral spread), or which require geotechnical setbacks; and
  - (iii) Indicate options and recommended locations for the proposed activities and infrastructure recommended by the geotechnical engineer.
- (c) All geotechnical assessments in respect of liquefaction risk are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered).
- (2) For subdivision consent applications that create one or more additional vacant lots as per Rule NH-R76:
- (a) An assessment in accordance with NH-INFO2(1)(a) above will be required to be provided.
  - (b) Where a “liquefaction damage is possible” category has been identified for the site as per 15.13.2(1)(a)(i) above, or an alternative accepted method, observation, or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii) above, the subdivision application will be required to include sufficient information and proposed measures to satisfy that liquefaction risk can be adequately avoided, remedied or mitigated, including the potential effects of lateral spread.
  - (c) Subdivision plans shall show, to the extent relevant or appropriate to the scale and significance of the liquefaction hazard identified:
    - (i) Any areas which require particular ground strengthening or other mitigation
    - (ii) Measures, and recommendations for such mitigation; and
    - (iii) Any areas which should be excluded from built development due to geotechnical constraints, or which require geotechnical setbacks; and
    - (iv) Any features of subdivision layout recommended by the geotechnical engineer, for example any recommended locations for proposed activities and other infrastructure as a result of geotechnical constraints.
  - (d) All geotechnical reports in respect of liquefaction potential are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ registered).

### **NH-INFO3 – RLZ – Rural lifestyle zone in Tamahere**

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

### **NH-INFO3 – Defended areas**

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

## 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 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)

MRZ<sub>1</sub> – Medium density residential zone (Area 1)

<b>SUB-R1</b>	Subdivision – general	
MRZ <sub>1</sub> – Medium density residential zone	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.</li> </ul> <p><b>Council’s control is reserved over the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Subdivision layout;</li> <li>(c) Compliance with the approved land use consent; and</li> <li>(d) Provision of infrastructure.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>SUB-R2</b>	Subdivision – general	
MRZ <sub>1</sub> – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Subdivision must comply with all of the following standards:                             <ul style="list-style-type: none"> <li>(i) Proposed vacant lots must have a minimum net site area (excluding access legs) of 200m<sup>2</sup>, except where the proposed lot is an access allotment, utility allotment or reserve to vest; and</li> <li>(ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</li> </ul> </li> </ul> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Subdivision layout;</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

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	<ul style="list-style-type: none"> <li>(c) Shape of lots and variation in lot sizes;</li> <li>(d) Ability of lots to accommodate a practical building platform including geotechnical stability for building;</li> <li>(e) Likely location of future buildings and their potential effects on the environment;</li> <li>(f) Avoidance or mitigation of natural hazards;</li> <li>(g) Opportunities for streetscape landscaping;</li> <li>(h) Vehicle and pedestrian networks;</li> <li>(i) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and</li> <li>(j) Provision of infrastructure.</li> </ul>	
<b>SUB-R3</b>	Subdivision – general	
MRZ1 – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(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"> <li>(i) A rectangle of at least 100m<sup>2</sup> with a minimum dimension of 6m, exclusive of yards.</li> </ul> </li> </ul> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Subdivision layout;</li> <li>(c) Shape of allotments;</li> <li>(d) Ability of allotments to accommodate a practical building platform;</li> <li>(e) Likely location of future buildings and their potential effects on the environment;</li> <li>(f) Avoidance or mitigation of natural hazards;</li> <li>(g) Geotechnical suitability for building; and</li> <li>(h) Ponding areas and primary overland flow paths.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R4</b>	Subdivision – boundary adjustments	
MRZ1 – Medium density	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p>

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

residential zone	<p>(i) Boundary adjustments must comply with all of the following standards:</p> <p>(j) The standards specified in:</p> <p>(i) Rules SUB-R31 to SUB-R32 Subdivision - General;</p> <p>(k) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p><b>Council's control is reserved over the following matters:</b></p> <p>(b) Subdivision layout; and</p> <p>(c) Shape of titles and variation in lot sizes.</p>	<p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Subdivision layout; and</p> <p>(b) Shape of titles and variation in lot sizes.</p>
<b>SUB-R5</b>	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ – Medium density residential zone	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Conversion of a cross lease flats plan to a fee simple title.</p> <p><b>Council's control is reserved over the following matters:</b></p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design; and</p> <p>(d) Compliance with permitted building rules.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>SUB-R6</b>	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ <sub>1</sub> – Medium density residential zone	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Amendment or update of a cross lease flats plan.</p> <p><b>Council's control is reserved over the following matters:</b></p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design of cross lease or flats plan; and</p> <p>(d) Compliance with permitted building rules.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>SUB-R7</b>	Title Boundaries – contaminated land	
MRZ <sub>1</sub> – Medium density	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Subdivision of land containing contaminated land (other than where the contaminated</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<p>residential zone</p>	<p>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> <ol style="list-style-type: none"> <li>(1) Height in relation to boundary (MRZ-S4);</li> <li>(2) Building coverage (MRZ-S6 – MRZ-S7); and</li> <li>(3) Building setbacks (MRZ-S11 – MRZ-S12).</li> </ol> <p>(b) Where any proposed subdivision contains one or more of the features listed in 1 – 2, the subdivision must not divide the following:</p> <ol style="list-style-type: none"> <li>(4) A natural hazard area;</li> <li>(5) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and</li> </ol> <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1 – 3 below, must provide the following setbacks:</p> <ol style="list-style-type: none"> <li>(1) 300m from any intensive farming activity;</li> <li>(2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and</li> <li>(3) 200m from the boundary of an Aggregate Extraction Area for sand excavation.</li> </ol> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ol style="list-style-type: none"> <li>(c) Landscape values;</li> <li>(d) Amenity values and character;</li> <li>(e) Reverse sensitivity effects;</li> <li>(f) Effects on existing buildings;</li> <li>(g) Effects on natural hazard areas;</li> <li>(h) Effects on contaminated land;</li> <li>(i) Effects on an intensive farming activity.</li> </ol>	
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<b>SUB-R8</b>	Subdivision – road frontage	
MRZ1 – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 10m.</p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(b) Safety and efficiency of vehicle access and road network.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R9</b>	Subdivision creating reserves	
MRZ1 – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></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><b>Council’s discretion is restricted to the following matters:</b></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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R10</b>	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ1 – Medium density	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>



<p>residential zone</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> <ul style="list-style-type: none"> <li>(i) The proposed lot is less than 4ha and within 20m of:</li> <li>(ii) mean high water springs;</li> <li>(iii) the bank of any river whose bed has an average width of 3m or more; or</li> <li>(iv) a lake whose bed has an area of 8ha or more; or</li> <li>(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.</li> </ul> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) The type of esplanade provided - reserve or strip;</li> <li>(c) Width of the esplanade reserve or strip;</li> <li>(d) Provision of legal access to the esplanade reserve or strip;</li> <li>(e) Matters provided for in an instrument creating an esplanade strip or access strip; and</li> <li>(f) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris.</li> </ul>	
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*MRZ2 – Medium density residential zone 2*

<p><b>SUB-R152</b></p> <p>MRZ2 – Medium density residential zone 2</p>	<p>Subdivision – general</p> <p><b>(1) Activity status: CON</b></p> <p><b>Where no vacant lots are created:</b></p> <ul style="list-style-type: none"> <li>(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></li> <li>(b) <u>Any subdivision where a land use consent for residential units has been granted or applied for concurrently; or</u></li> <li>(c) <u>Any subdivision that demonstrates it is practicable to construct on every allotment</u></li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
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	<p><u>within the proposed subdivision a residential unit which complies with the standards in MRZ2-S2 to S9.</u></p> <p><u>Note:</u> <u>For the purpose of SUB-R152(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><b><u>Council's control is reserved over the following matters:</u></b></p> <ul style="list-style-type: none"> <li>(d) <u>Subdivision layout including a range of lot sizes; and</u></li> <li>(e) <u>Provision of infrastructure;</u></li> <li>(f) <u>Vehicles and pedestrian networks; and-</u></li> <li>(g) <u>The design and capacity of the stormwater system and ability to manage stormwater; and</u></li> <li>(h) <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></li> <li>(i) <u>The extent to which low impact design principles and approaches are used for stormwater management.</u></li> </ul> <p><b><u>Notification</u></b> <u>Any application for a subdivision consent for a controlled activity under this rule will be considered without public or limited notification in the following circumstances:</u></p> <ul style="list-style-type: none"> <li>(j) 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</li> <li>(k) A subdivision associated with the construction of four or more residential units that comply with the standards in MRZ2-S2 to S9; and</li> <li>(l) provided that other standards in the district plan are met.</li> </ul>	
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	<p><u>Advice Notes:</u></p> <p><u>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.</u></p> <p><u>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><b>SUB-RI53</b></p>	<p>Subdivision – general</p>	
<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Subdivision must comply with all of the following standards:</p> <p><u>(i) In the Outer Intensification Area shown on the planning maps in Ngaaruawaahia, Huntly, Tuakau and Pookeno, proposed vacant lots must have a minimum net site area of 300m<sup>2</sup> (excluding access legs and access lot, utility allotment, or reserve to vest) provided for any subdivision of more than 9 lots:</u></p> <p><u>(1) there must be an average minimum net site area of 375m<sup>2</sup>; and</u></p> <p><u>(2) lots of more than 5,000m<sup>2</sup> 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 200m<sup>2</sup> with a minimum dimension of 12m exclusive of setbacks</u></p> <p><u>(ii) In all other areas – Proposed vacant lots must have a minimum net site area of 200m<sup>2</sup> (excluding access legs and access allotment, utility allotment or reserve to vest;) and</u></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 2,500m<sup>2</sup>, (except where the proposed lot is an access allotment, utility allotment or reserve to vest)</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p>(b) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"><li>(c) <a href="#">Subdivision</a> layout;</li><li>(d) Shape of lots and variation in lot sizes;</li><li>(e) Ability of <a href="#">all</a> lots to accommodate a <a href="#">practical</a> building platform including geotechnical stability for building;</li><li>(f) <del>Likely location of future buildings and their potential effects on the environment;</del></li><li>(g) <a href="#">Avoidance</a> or mitigation of natural hazards;</li><li>(h) <a href="#">Opportunities</a> for streetscape landscaping;</li><li>(i) <a href="#">Vehicle</a> and pedestrian networks;</li><li>(j) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; <del>and</del></li><li>(k) <a href="#">Provision</a> of infrastructure;-</li><li>(l) <a href="#">In the Waikato River Catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries;</a></li><li>(m) <a href="#">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;</a></li><li>(n) <a href="#">The design and capacity of the stormwater system and ability to manage stormwater;</a></li><li>(o) <a href="#">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;</a></li><li>(p) <a href="#">Extent to which low impact design principles and approaches are used for stormwater management.</a></li></ul> <p><i><a href="#">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.</a></i></p>	
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<b>SUB-R154</b>	Subdivision—general	
MRZ— Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></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 100m<sup>2</sup> with a minimum dimension of 6m, exclusive of yards.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(b) Subdivision layout;</p> <p>(c) Shape of allotments;</p> <p>(d) Ability of allotments to accommodate a practical building platform;</p> <p>(e) Likely location of future buildings and their potential effects on the environment;</p> <p>(f) Avoidance or mitigation of natural hazards;</p> <p>(g) Geotechnical suitability for building; and</p> <p>(h) Ponding areas and primary overland flow paths.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R154</b>	Subdivision – boundary adjustments	
MRZ2 – Medium density residential zone 2	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Boundary adjustments must comply with all of the following standards:</p> <p>(b) The standards specified in:</p> <p>(i) Rules in <del>SUB-R31 to SUB-R32</del> <a href="#">SUB-R153</a></p> <p>(c) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p><b>Council's control is reserved over the following matters:</b></p> <p>(d) Subdivision layout; and</p> <p>(e) Shape of titles and variation in lot sizes.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(f) Subdivision layout; and</p> <p>(g) Shape of titles and variation in lot sizes.</p>
<b>SUB-R155</b>	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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

residential zone 2	<p>(a) Conversion of a cross lease flats plan to a fee simple title.</p> <p><b>Council’s control is reserved over the following matters:</b></p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design; and</p> <p>(d) Compliance with permitted building rules.</p>	
<b>SUB-R156</b>	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ2 – Medium density residential zone 2	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Amendment or update of a cross lease flats plan.</p> <p><b>Council’s control is reserved over the following matters:</b></p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design of cross lease or flats plan; and</p> <p>(d) Compliance with permitted building rules.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>SUB-R159</b>	Title Boundaries – contaminated land	
MRZ2 – Medium density residential zone 2	<p><b>(3) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) <del>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:</del></p> <p><del>(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:</del></p> <p><del>(1) Height in relation to boundary (MRZ-S4);</del></p> <p><del>(2) Building coverage (MRZ-S6-S7);</del></p> <p><del>and</del></p> <p><del>(3) Setbacks (MRZ-S10).</del></p> <p><del>(b) Where any proposed subdivision contains one or more of the features listed in 1 – 2, the subdivision must not divide the following:</del></p> <p><del>(1) A natural hazard area;</del></p> <p><del>(2) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and</del></p>	<p><b>(4) Activity status where compliance not achieved: DIS</b></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> <ul style="list-style-type: none"> <li>(1) 300m from any intensive farming activity;</li> <li>(2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and</li> <li>(3) 200m from the boundary of an Aggregate Extraction Area for sand excavation.</li> </ul> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(c) Landscape values;</li> <li>(d) Amenity values and character;</li> <li>(e) Reverse sensitivity effects;</li> <li>(f) Effects on existing buildings;</li> <li>(g) Effects on natural hazard areas;</li> <li>(h) Effects on contaminated land;</li> <li>(i) Effects on an intensive farming activity.</li> </ul>	
<b>SUB-R157</b>	Subdivision – road frontage	
MRZ2 – Medium density residential zone 2	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(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></li> </ul> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Safety and efficiency of vehicle access and road network.</li> <li>(c) <u>Amenity of the street environment</u></li> </ul>	<b>(2) Activity status where compliance not achieved: DIS</b>
<b>SUB-R158</b>	Subdivision creating reserves	
MRZ2 – Medium density residential zone 2	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(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.</li> </ul>	<b>(2) Activity status where compliance not achieved: DIS</b>

	<p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(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;</li> <li>(c) Consistency with any relevant structure plan or master plan;</li> <li>(d) Reserve size and location;</li> <li>(e) Proximity to other reserves;</li> <li>(f) The existing reserve supply in the surrounding area;</li> <li>(g) Whether the reserve is of suitable topography for future use and development;</li> <li>(h) Measures required to bring the reserve up to Council standard prior to vesting; and</li> <li>(i) The type and standard of boundary fencing.</li> </ul>	
<b>SUB-R159</b>	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ2 – Medium density residential zone 2	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(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"> <li>(i) The proposed lot is less than 4ha and within 20m of: <ul style="list-style-type: none"> <li>(ii) mean high water springs;</li> <li>(iii) the bank of any river whose bed has an average width of 3m or more; or</li> <li>(iv) a lake whose bed has an area of 8ha or more; or</li> </ul> </li> <li>(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.</li> </ul> </li> </ul> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) The type of esplanade provided - reserve or strip;</li> <li>(c) Width of the esplanade reserve or strip;</li> <li>(d) Provision of legal access to the esplanade reserve or strip;</li> <li>(e) Matters provided for in an instrument creating an esplanade strip or access strip; and</li> <li>(f) Works required prior to vesting any reserve in the Council, including pest plant control,</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>



	boundary fencing and the removal of structures and debris.	
<b>SUB-RI60</b>	<u>Subdivision within the National Grid Corridor</u>	
<u>MRZ2 – Medium density residential zone 2</u>	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></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>(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><b><u>Council’s discretion is restricted to the following matters:</u></b></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>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>

*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.]

<b>SUB-R19</b>	Subdivision – building platform within PREC – Havelock precinct	
PREC4 – Havelock Precinct	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Subdivision within PREC4 – Havelock precinct where every proposed lot, other than one designed specifically for access, or is a utility allotment, is capable of containing a building platform complying with SUBR18(1) located outside the Pōkeno Industry Buffer illustrated on the planning maps.</p> <p><b>Council’s discretion is restricted to the following matters:</b></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 <a href="#">within and adjoining the precinct</a>.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></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.

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.

<b>MRZI-RI</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>MRZI-R2</b>	A new retirement village or alterations to an existing retirement village
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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 <sup>2</sup> area with a minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m <sup>2</sup> 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 <sup>2</sup> 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).	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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.
<b>MRZI-R3</b>	Home business

<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) The home business is wholly contained within a building;</li> <li>(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;</li> <li>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and</li> <li>(e) Machinery may only be operated between 7:30am and 9pm on any day.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZI-R4</b>   Community facilities</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 200m<sup>2</sup> GFA.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZI-R5</b>   Neighbourhood park</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>MRZI-R6</b>   Home stay</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 4 temporary residents.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZI-R7</b>   Boarding houses/boarding establishments</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 10 people per site inclusive of staff and residents.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></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.
<b>MRZI-R8</b>	Construction or alteration of a building for a sensitive land use	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.	
<b>MRZI-R9</b>	Construction, demolition, addition, and alteration of a building or structure	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>	
<b>MRZI-R10</b>	Any activity that is not listed as permitted, restricted discretionary or prohibited, <b>Activity status: DIS</b>	
<b>MRZI-R11</b>	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). <b>Activity status: PR</b>	

*Land use – building*

<b>MRZI-S1</b>	Residential unit	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) Up to three residential units per site.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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>
<b>MRZI-S2</b>	Minimum residential unit size	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Residential units must have a minimum net internal floor area of:</p> <p>(i) 35m<sup>2</sup> for studio dwellings; and</p> <p>(ii) 45m<sup>2</sup> for one or more bedroom dwellings.</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) The functionality of the residential unit; and</p> <p>(b) Internal residential amenity.</p>
<b>MRZI-S3</b>	Height – building general	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</p> <p>(c) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.</p> <p>(d) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure;</p> <p>(e)</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>MRZI-S4</b>	Fences or walls – road boundaries	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p>

<p>(a) Fences and walls between the applicable building setbacks under MRZ1-S10 and MRZ1-11 on a site and any road boundaries, must comply with all of the following standards:</p> <p>(i) Be no higher than 1.5m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(1) Visually permeable for the full 1.8m height of the fence or wall; or</p> <p>(2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; and</p> <p>(c) Public space visibility.</p>
<p><b>MRZ1-S5</b>   Height in relation to boundary</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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><b>MRZ1-S6</b>   Building coverage</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The total building coverage must not exceed 45%.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p>

<p>(b) MRZ1-S6(1)(a) does not apply:</p> <ul style="list-style-type: none"> <li>(i) To a structure that is not a building; or</li> <li>(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Design, scale and location of the building;</li> <li>(b) Provision for outdoor living space and service courts; and</li> <li>(c) Effects on the planned urban built character of the surrounding residential area.</li> </ul>
<p><b>MRZ1-S7</b>   Impervious surfaces</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) The impervious surfaces of a site must not exceed 70%.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Site design, layout and amenity; and</li> <li>(b) The risk of flooding, nuisance or damage to the site or other buildings and sites.</li> </ul>
<p><b>MRZ1-S8</b>   Outdoor living space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(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"> <li>(i) It is for the exclusive use of the occupants of the residential unit;</li> <li>(ii) It is readily accessible from a living area of the residential unit;</li> <li>(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 20m<sup>2</sup> and a minimum dimension of 4m in any direction; and</li> <li>(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 5m<sup>2</sup> for studio and one-bedroom dwellings, or 8m<sup>2</sup> for two or more bedroom dwellings and a minimum dimension of 1.5m.</li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Design and location of the building;</li> <li>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</li> <li>(c) Privacy and overlooking on adjoining sites; and</li> <li>(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.</li> </ul>
<p><b>MRZ1-S9</b>   Ground floor internal habitable space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(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</li> </ul>

		(b) The design and location of garaging as viewed from streets or public open spaces.
<b>MRZ1-S10</b>	Building setbacks – all boundaries	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>	
<b>MRZ1-S11</b>	Building setbacks – water bodies	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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 25m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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 Ngaaruawaahia.

### **Purpose**

The purpose of the MRZ2 – Medium density residential zone in area 2 is to enable the most efficient use of residentially zoned land and infrastructure within the suite of Waikato District Plan residential zones. The MRZ2 – Medium density residential zone in area 2 provides for this form of development within ~~a walkable catchment of the town centres of~~ Huntly, Ngaaruawaahia, Pookeno and Tuakau. 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 building heights; and
- (b) The design of subdivisions and development.

### 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

## Policies

### MRZ2-P1 Housing Typology.

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

### MRZ2-P2 Residential Amenity.

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

MRZ2-P3 Housing Design.

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

MRZ2-P4 Enabling Housing Development.

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

MRZ2-P5 Streetscape, yards and outdoor living spaces.

- (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
  - (b) Integrated into master-planned growth areas in close proximity to neighbourhood centres or publicly accessible open space.



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

- (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 restricting building heights within the Area 1 height restriction area in the Havelock Precinct.

MRZ2-P12 Building form, massing and coverage.

- (1) Enable medium density residential development that:

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

MRZ2-P13 Retirement villages.

- (1) Provide for the establishment of new retirement villages and care facilities that:
  - (a) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
  - (b) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
  - (c) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
  - (d) Recognise that housing and care facilities for older people can require higher densities;
  - (e) Provide high quality on-site amenity;
  - (f) Integrate with local services and facilities, including public transport; and
  - (g) Connect to alternative transport modes to the LLRZ – Large lot residential zone, SETZ – Settlement zone, 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-P14 Outlook from Tuurangawaewae Marae

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

MRZ2-P15 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.](#)

## 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.

<b>MRZ2-R1</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>	
<b>MRZ2-R2</b>	A new retirement village or alterations to an existing retirement village	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) The site is connected to public water and wastewater infrastructure; <del>(b) The minimum living space or balcony area and dimensions are:</del> (i) <del>Apartment—10m<sup>2</sup> area with a minimum dimension horizontal and vertical of 2.5m;</del> (ii) <del>Studio unit or 1 bedroom unit—12.5m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or</del> (iii) <del>2 or more bedroomed unit—15m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m.</del> <del>(c) The minimum service court is either:</del> (i) <del>Apartment—Communal outdoor space (i.e. no individual service courts required); or</del> (ii) <del>All other units—10m<sup>2</sup> for each unit.</del> (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) MRZ2-S1 (Residential unit (per unit)); (ii) MRZ2-S6 (Outdoor living space); and (iii) <a href="#">MRZ2-S7 (Outlook space)</a>	(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; <del>and</del> (c) Cumulative effects; <a href="#">and</a> (d) <a href="#">Whether the non-compliance with the activity standard is required for the operational needs of the retirement village.</a>	

<ul style="list-style-type: none"> <li>(iv) <a href="#">MRZ2-S10 (Minimum residential unit size); and</a></li> <li>(v) <a href="#">MRZ2-S12 Ground floor internal habitable space.</a></li> <li>(f) <a href="#">All other Land Use – Building standards apply, including the following MDRS standards:</a> <ul style="list-style-type: none"> <li>(i) <a href="#">MRZ2-S2 (Height – building general)</a></li> <li>(ii) <a href="#">MRZ2-S3 (Height in relation to boundary)</a></li> <li>(iii) <a href="#">MRZ2-S4 (Setbacks)</a></li> <li>(iv) <a href="#">MRZ2-S5 (Building coverage)</a></li> <li>(v) <a href="#">MRZ2-S8 (Windows to the street)</a></li> <li>(vi) <a href="#">MRZ2-S9 (Landscaped areas).</a></li> </ul> </li> <li>(g) The following infrastructure and energy rule does not apply:             <ul style="list-style-type: none"> <li>(i) Rule TRPT-R4(1)(a) (Traffic generation).</li> </ul> </li> </ul>	
<p><b>MRZ2-R3</b></p>	<p>Home business</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) The home business is wholly contained within a building;</li> <li>(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;</li> <li>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and</li> <li>(e) Machinery may only be operated between 7:30am and 9pm on any day.</li> </ul>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZ2-R4</b></p>	<p>Community facilities</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 200m<sup>2</sup> GFA.</li> </ul>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZ2-R5</b></p>	<p>Neighbourhood park</p>

<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p>(2) <b>Activity status where compliance not achieved: n/a</b></p>
<p><b>MRZ2-R6</b></p>	<p>Home stay</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) No more than 4 temporary residents.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>MRZ2-R7</b></p>	<p>Boarding houses/boarding establishments</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) No more than 10 people per site inclusive of staff and residents.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><del><b>MRZ2-R8</b></del></p>	<p><del>Construction or alteration of a building for a sensitive land use</del></p>
<p><del>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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.</del></p>	<p><del>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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.</del></p>
<p><b>MRZ2-R8</b></p>	<p>Construction, demolition, addition, and alteration of a building or structure</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p>(2) <b>Activity status where compliance not achieved: n/a</b></p>
<p><b>MRZ2-R9</b></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) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) <u>Within the National Grid Yard:</u></p>	<p>(2) <b>Activity status where compliance not achieved: NC</b></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>	
<b>MRZ2-R10</b>	<u>The establishment of any new sensitive land use within the National Grid Yard</u>
<b>Activity status: NC</b>	
<b>MRZ2-R11</b>	Any activity that is not listed as permitted, restricted discretionary or prohibited,
<b>Activity status: DIS</b>	

<b>MRZ-R13</b>	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).	
<b>Activity status: PR</b>		
<b>MRZ2-R12</b>	Any new building within the Huntly North Wetland specific control identified on the planning maps	
<b>Activity status: NC</b>		
<b>MRZ2-R13</b>	Educational facilities This excludes childcare facilities	
(1) <b>Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil <b>Council's discretion is restricted to the following matters:</b> (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.	(2) <b>Activity status where compliance not achieved: n/a</b>	
<b>MRZ2-R14</b>	Neighbourhood centre	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Must be within an area identified in a Council approved Structure Plan or Master Plan.	(2) <b>Activity status where compliance not achieved: DIS</b>	

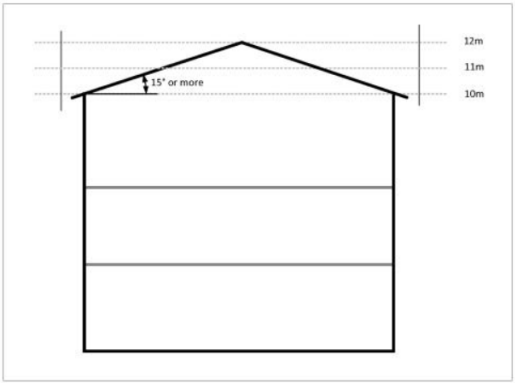
Land use

<b>MRZ2-S1</b>	Residential unit	
(1) <b>Activity status: PER</b> <b>Where:</b> (a) Up to three residential units per site.  <a href="#">Note: This standard does not apply to 5851 Great South Road Ngaaruwaaahia.</a>  <a href="#">Advice Notes:</a>	(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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	

<p>1. <u>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</u></p> <p>(a) <u>Water, Wastewater and Stormwater chapter</u></p> <p>(b) <u>Earthworks chapter</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>(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) <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><b>Notification</b>  <u>Any application for resource consent for four or more dwellings per site that comply with all of the standards in (MRZ2-S2 to MRSZ-S9) will be considered without public or limited notification.</u></p>
<p><b>MRZ2-S1A</b></p>	<p>Residential unit within the QM for 5851 Great South Road</p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>Up to one residential unit per site.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>

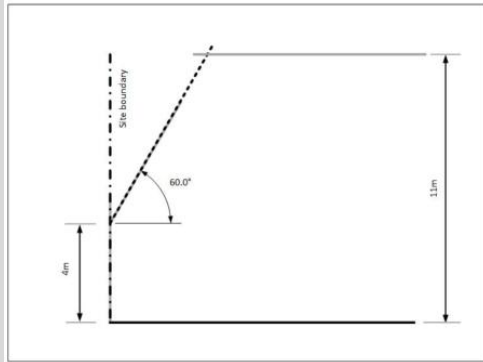


	<ul style="list-style-type: none"><li>(f) <a href="#"><u>The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and</u></a></li><li>(g) <a href="#"><u>Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces.</u></a></li><li>(h) <a href="#"><u>Within QM 5851 Great South Road effects on the values associated with the Site or Area of Significance to Maaori.</u></a></li></ul>
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<b>MRZ2-S2</b>	Height – building general
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram (enlarged as Figure 1 at the conclusion of this Chapter).</p> <p><i>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</i></p>  <p>(b) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(c) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</p> <p>(d) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.</p> <p>(e) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure;</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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 Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa;</u></p> <p>(h) <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; and</u></p> <p>(i) <u>The effects on values held by mana whenua where:</u></p> <ol style="list-style-type: none"> <li><u>Sites contain or are adjacent to mapped arcahaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</u></li> <li><u>Sites are adjacent to marae or an Open Space Zone.</u></li> </ol> <p><b>Notification</b></p> <p><u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S2 will be considered without public notification.</u></p>
<b>MRZ2-S2A</b>	Height within the Tuurangawaewae Marae Surrounds QM
<b>(1) Activity status: PER</b>	<b>(2) Activity status where compliance not achieved: RDIS</b>

<p><b>Where:</b></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><b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Height of the building or structure;</u></p> <p>(b) <u>Design, scale and location of the building;</u></p> <p>(c) <u>Extent of shading on adjacent sites;</u></p> <p>(d) <u>Privacy and overlooking on adjoining sites;</u></p> <p>(e) <u>The visual dominance effects on adjoining sites;</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</u></p> <p>(g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga; and</u></p> <p>(h) <u>The effects on values held by mana whenua where:</u></p> <p>i. <u>Sites contain or are adjacent to mapped archaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</u></p> <p>ii. <u>Sites are adjacent to marae or an Open Space Zone.</u></p>
<p><b>MRZ2-S3</b></p>	<p>Height in relation to boundary</p>
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></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) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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; <del>and</del></p> <p>(d) Privacy on adjoining sites.</p> <p>(e) <u>The visual dominance effects on adjoining sites; and</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping.</u></p> <p>(g) <u>In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa</u></p>

trance strip, access site, or pedestrian access way.



(b) Standard (a) above does not apply to:

- (i) a boundary with a road
- (ii) existing or proposed internal boundaries within a site;
- (iii) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

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

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

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

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

**Notification**

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

<p>LLRZ— Large lot residential zone or SETZ— Settlement zone; (vii) Where the boundary adjoins a legal road.</p>									
<p><b>MRZ2-S3A</b></p>	<p><u>Height in relation to boundary in the Tuurangawaewae Marae surrounds QM</u></p>								
<p>(1) <b>Activity status: PER</b> <b>Where:</b> <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) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) <u>Height of the building;</u> (b) <u>Design and location of the building;</u> (c) <u>Extent of shading on adjacent sites;</u> (d) <u>Privacy on adjoining sites.</u> (e) <u>The visual dominance effects on adjoining sites.</u> (f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</u> (g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</u></p>								
<p><b>MRZ2-S4</b></p>	<p>Setbacks</p>								
<p>(1) <b>Activity status: PER</b> <b>Where:</b> (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 780 1626"> <thead> <tr> <th><b>Yard</b></th> <th><b>Minimum depth</b></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>	<b>Yard</b>	<b>Minimum depth</b>	<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) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Road network safety and efficiency; (b) Potential to mitigate adverse effects on the streetscape through use of other design features; (c) Daylight admission to adjoining properties; (d) Privacy overlooking on adjoining sites; (e) <u>The visual dominance effects on adjoining sites;</u> (f) <u>Flooding effects including safe access and egress;</u> (g) <u>Stormwater management and the use of Low Impact Design methods;</u> (h) <u>Consistency with the relevant stormwater catchment management plan; and</u> (i) <u>The extent to which the non-compliance compromises the ability for emergency</u></p>
<b>Yard</b>	<b>Minimum depth</b>								
<u>Front</u>	<u>1.5m</u>								
<u>Side</u>	<u>1m</u>								
<u>Rear</u>	<u>1m (excluded on corner sites)</u>								

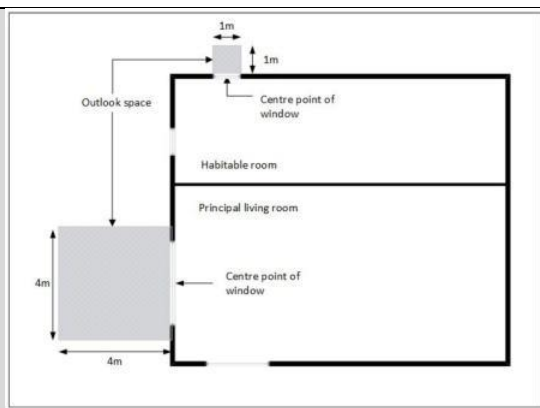
<p>(i) 3m from the road boundary;</p> <p>(ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps);</p> <p>(iii) 1m from every boundary other than a road boundary; and</p> <p>(c) Balconies greater than 1.5m above ground level shall be set back a minimum of 4m 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><a href="#">services to access the property in an emergency.</a></p> <p><b>Notification</b>  <a href="#">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.</a></p> <p><b>Advice note</b>  <a href="#">Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</a></p>
<p><b>MRZ2-S5</b></p>	<p>Building coverage</p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <a href="#">The maximum building coverage must not exceed 50% of the net site area.</a></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><a href="#">Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</a></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design, scale and location of the building;</p> <p>(b) Provision for outdoor living space and service courts; <b>and</b></p> <p>(c) Effects on the planned urban built character <b>and any qualifying matter on</b> <del>of</del> the surrounding residential area;</p> <p>(d) <a href="#">The visual dominance effects on adjoining sites;</a></p> <p>(e) <a href="#">Whether there is sufficient space on site for a stormwater treatment device and infrastructure;</a></p> <p>(f) <a href="#">Flooding effects including safe access and egress;</a></p> <p>(g) <a href="#">Stormwater management and the use of Low Impact Design methods;</a> <b>and</b></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><b>Notification</b>  <a href="#">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.</a></p>

<b>MRZ2-S5A</b>	<u>Building Coverage within the Tuurangawaewae Marae surrounds QM</u>
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) <del>The</del> maximum building coverage must not exceed 45% of the net site area.</p> <p>(b) <u>MRZ-S5A(1(a))</u> does not apply:</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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) <u>Design, scale and location of the building;</u></p> <p>(b) <u>Provision for outdoor living space and service courts;</u></p> <p>(c) <u>Effects on the planned urban built character and any qualifying matter on the surrounding residential area ;</u></p> <p>(d) <u>The visual dominance effects on adjoining sites;</u></p> <p>(e) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</u></p> <p>(f) <u>Flooding effects including safe access and egress; and</u></p> <p>(g) <u>Stormwater management and the use of Low Impact Design methods.</u></p>
<b>MRZ2-S6</b>	Outdoor living space (per unit)
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) <u>A residential unit at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> 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 8m<sup>2</sup> 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 style="padding-left: 20px;">(1) <u>grouped cumulatively by area in one communally accessible location; or</u></p> <p style="padding-left: 20px;">(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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design and location of the building;</p> <p>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</p> <p>(c) Privacy and overlooking on adjoining sites; and</p> <p>(d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</p> <p><b>Notification</b>  <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"> <li>(i) <u>is at least 8m<sup>2</sup> and has a minimum dimension of 1.8m; and</u></li> <li>(ii) <u>is accessible from the residential unit; and</u></li> <li>(iii) <u>may be—</u> <ul style="list-style-type: none"> <li>(1) <u>grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or</u></li> <li>(2) <u>located directly adjacent to the unit.</u></li> </ul> </li> </ul> <p>(a) <del>An outdoor living space must be provided for each residential unit that meets all of the following standards:</del></p> <ul style="list-style-type: none"> <li>(iv) <del>It is for the exclusive use of the occupants of the residential unit;</del></li> <li>(v) <del>It is readily accessible from a living area of the residential unit;</del></li> <li>(vi) <del>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 20m<sup>2</sup> and a minimum dimension of 4m in any direction; and</del></li> <li>(vii) <del>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 5m<sup>2</sup> for studio and one bedroom dwellings, or 8m<sup>2</sup> for two or more bedroom dwellings and a minimum dimension of 1.5m.</del></li> </ul>	
<p><b>MRZ2-S7</b></p>	<p><u>Outlook space (per unit)</u></p>
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) <u>An outlook space must be provided for each residential unit as outlined below.</u></li> <li>(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></li> </ul>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) The nature of the occupation of the room without the required outlook;</li> <li>(c) The effects on amenity of future occupants from a reduced outlook; and</li> </ul>





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

<b>MRZ2-SI1</b>	Impervious surfaces
<p>(1) <b>Activity status: PER</b>  <b>Where:</b>  (a) The impervious surfaces of a site must not exceed 70%.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>  (a) Site design, layout and amenity; <del>and</del>  (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>  (c) <u>Stormwater management and the use of Low Impact Design methods; and</u>  (d) <u>Whether there is sufficient space on site for a stormwater treatment device and infrastructure.</u></p>
<b>MRZ2-SI2</b>	Ground floor internal habitable space
<p>(1) <b>Activity status: PER</b>  <b>Where:</b>  (a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>  (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>
<b>MRZ2-SI3</b>	Fences or walls
<p>(1) <b>Activity status: PER</b>  <b>Where:</b>  (a) <u>Boundary fences and walls:</u>  (i) <del>adjacent to between properties and</del> any road boundaries;  (ii) <u>Adjoining any OSZ - open space zone; 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.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>  (a) Building materials and design;  (b) Effects on streetscape amenity; <del>and</del>  (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>

<a href="#">(c) Boundary fences and walls between properties further than 1.5m into the site must not exceed 2m.</a>	
<b>MRZ2-SI4</b>	Building setbacks – water bodies
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) A building must be set back a minimum of:</p> <ul style="list-style-type: none"> <li>(i) 20m from the margin of any lake;</li> <li>(ii) 20m from the margin of any wetland;</li> <li>(iii) <del>21.5m</del><sup>23m</sup> from the bank of any river (other than the Waikato River and Waipa River);</li> <li>(iv) <del>26.5m</del><sup>38m</sup> from the margin of either the Waikato River and the Waipa River</li> <li><del>(v) 23m from mean high water springs</del></li> </ul> <p>(b) A public amenity of up to 25m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</li> <li>(b) Adequacy of erosion and sediment control measures;</li> <li>(c) The functional or operational need for the building to be located close to the waterbody;</li> <li>(d) Effects on public access to the waterbody;</li> <li>(e) Effects on the amenity of the locality; <b>and</b></li> <li>(f) Effects on natural character values <b>including hydrology and flooding.</b></li> <li>(g) <b><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></b></li> <li>(h) <b><u>Effects on cultural values identified in Maori Values and Maatauranga Maori Chapter; and</u></b></li> <li>(i) <b><u>The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy.</u></b></li> </ul>
<b>MRZ2-SI5</b>	Building setback – sensitive land use
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) <b><u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u></b></p> <ul style="list-style-type: none"> <li>(i) <b><u>5m from the designated boundary of the railway corridor;</u></b></li> <li>(ii) <b><u>15m from the boundary of a national route or regional arterial;</u></b></li> <li>(iii) <b><u>25m from the designated boundary of the Waikato Expressway;</u></b></li> <li>(iv) <b><u>300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</u></b></li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) <b><u>Road network safety and efficiency;</u></b></li> <li>(b) <b><u>On-site amenity values;</u></b></li> <li>(c) <b><u>Odour, dust and noise levels received at the notional boundary of the building;</u></b></li> <li>(d) <b><u>Mitigation measures; and</u></b></li> <li>(e) <b><u>Potential for reverse sensitivity effects.</u></b></li> </ul>

<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) <u>6m from the centre of a gas transmission line identified on the planning maps</u></p>	
<p><b>MRZ-S16</b>    <u>Building setback – Environmental Protection Area</u></p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) <u>A building shall be set back a minimum of 3m from an Environmental Protection Area.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

Additional provisions applying to the Havelock Precinct

<p><b>PREC4-S1</b>    <u>Height – Havelock industry buffer height restriction areas</u></p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) <u>A building or structure with a maximum height not exceeding 5m, measured from the natural ground level, where it is located within the any of the following height restriction areas identified on the planning maps the:</u></p> <p>(i) <u>Havelock industry buffer height restriction area; and/or</u></p> <p>(ii) <u>Havelock hilltop park height restriction area; and/or</u></p> <p>(iii) <u>Havelock ridgeline height restriction area.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>PREC4-S2</b>    <u>Building setback – sensitive land use within PREC4 – Havelock precinct</u></p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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 Pōkero Industry Buffer identified on the planning maps.</u></p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<p><b>PREC4-S3</b>    <u>Building design – sensitive land use with PREC4 – Havelock precinct</u></p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<p><u>Havelock Industry Buffer and the 'Height Restriction Area' but within the 40 dB LAeq noise contour shown on the planning maps.</u></p> <p>(b) <u>Any new building or alteration to an existing building for a sensitive land use located outside the <del>Pōkero</del> Havelock Industry Buffer but within the 40 dB LAeq noise contour shown on the planning maps that is designed and constructed so that internal noise levels do not exceed 25 dB LAeq in all habitable rooms.</u></p> <p>(c) <u>Provided that if compliance with clause (a) above requires all external doors of the building and all windows of these rooms to be closed, the building design and construction as a minimum:</u></p> <p>(i) <u>Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C.</u></p> <p>(ii) <u>Includes either of the following for all habitable rooms on each level of a dwelling:</u></p> <p>(1) <u>Mechanical cooling installed; or</u></p> <p>(2) <u>A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</u></p> <p>i) <u>6 air changes per hour for rooms with less than 30% of the façade area glazed;</u></p> <p>ii) <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u></p> <p>iii) <u>3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</u></p> <p>(iii) <u>Provides relief for equivalent volumes of spill air.</u></p> <p><u>All is certified by a suitably qualified and experienced person.</u></p>	
<p><b>PREC4-S4</b></p>	<p><u>Residential unit within the Slope Residential Area</u></p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>One residential unit per site.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>PREC4-S5</b></p>	<p><u>Building coverage within the Slope Residential Area</u></p>

<p><b>(1) Where:</b></p> <p>(a) <u>The maximum building coverage must not exceed 40% of the net site area.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
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### Medium Density Residential Standard Figures

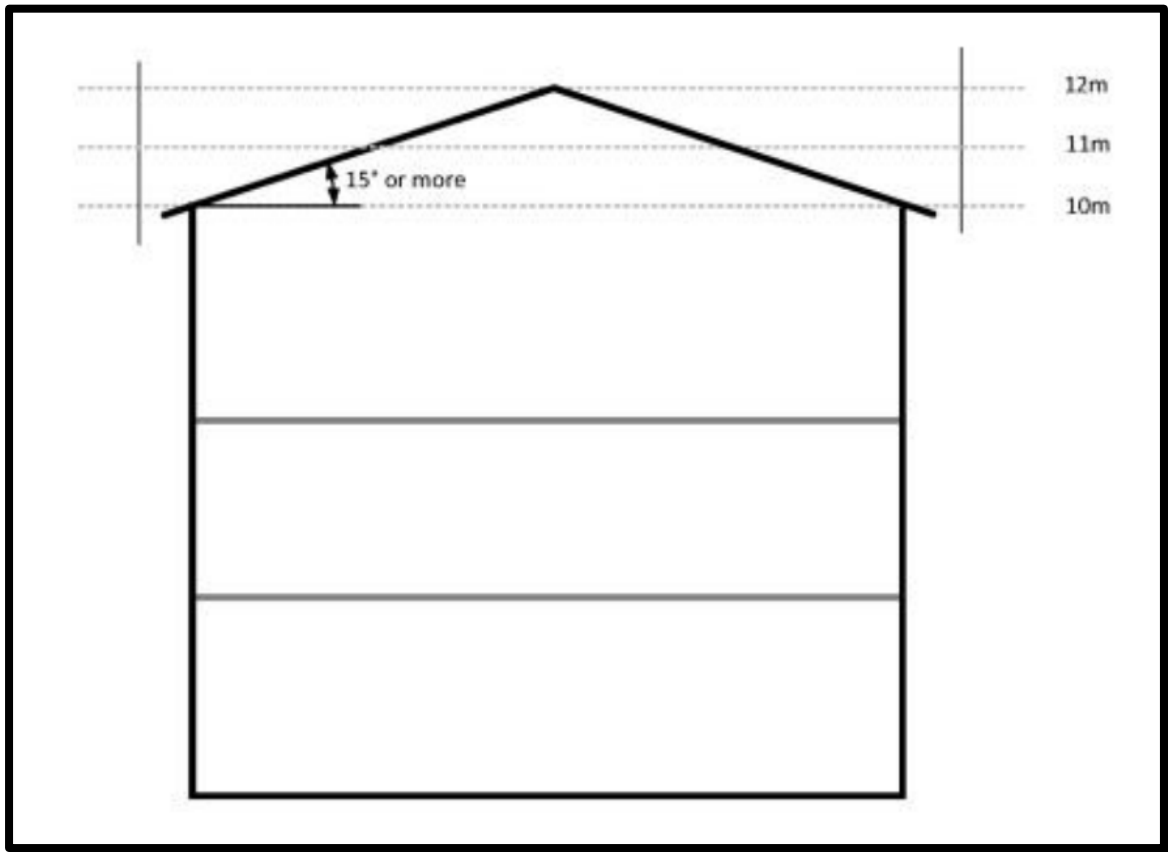


Figure 1: Building Height (refer to MRZ2-S2)



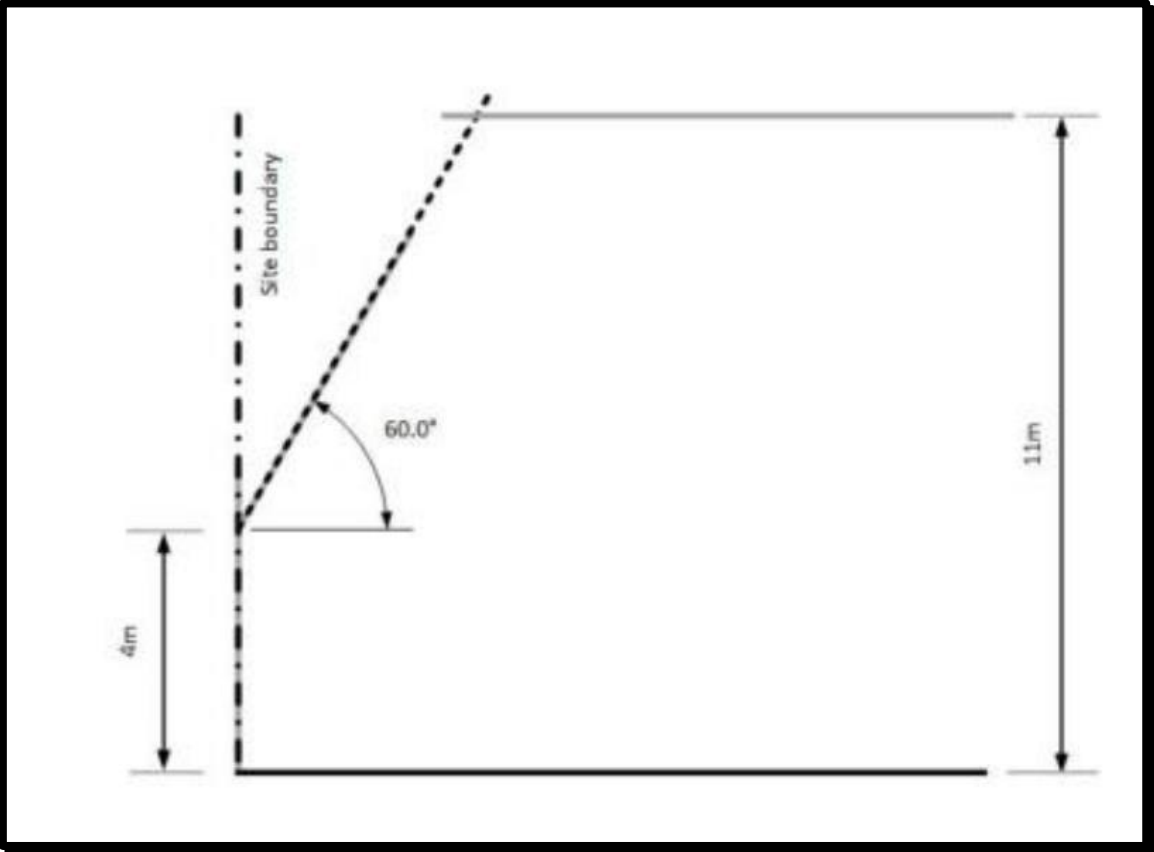


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

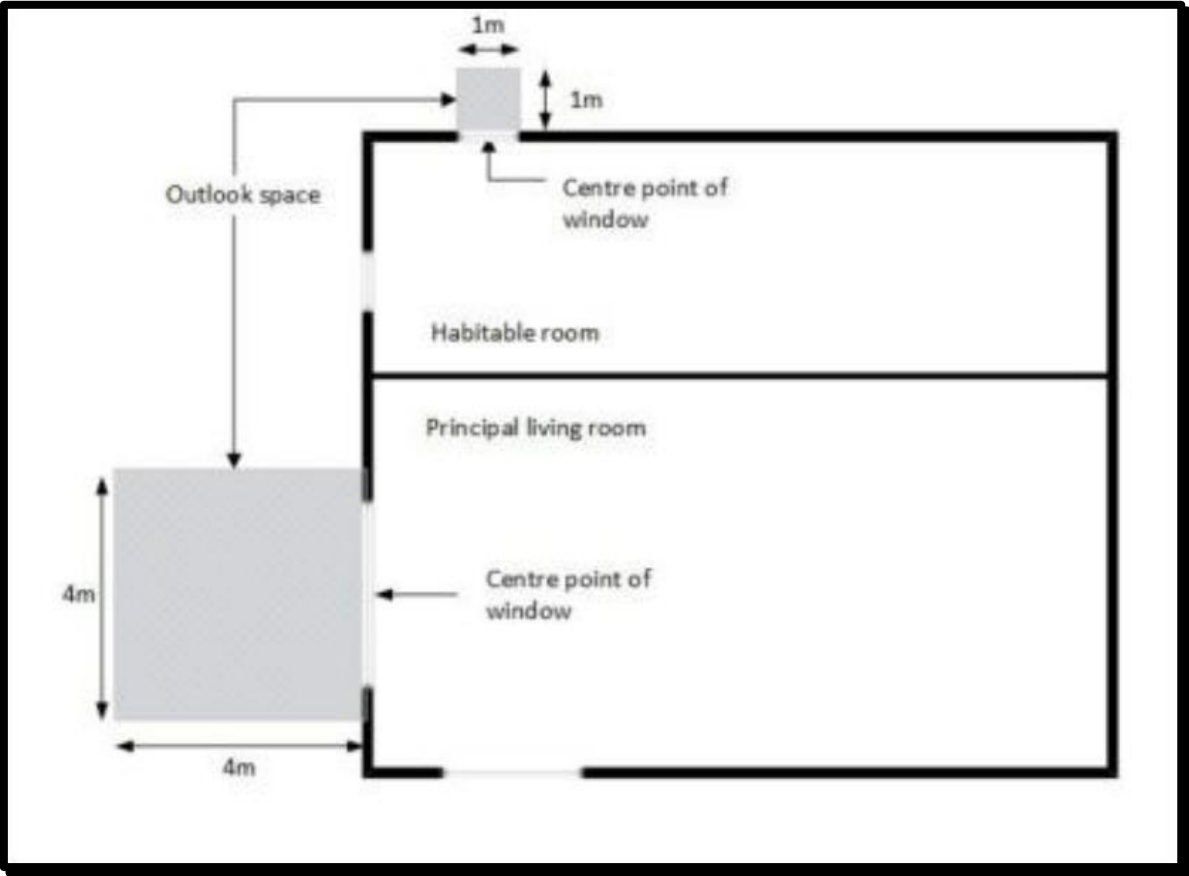


Figure 3: Outlook space per unit (refer to MRZ2-S7)

## 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.

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

- (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.

<b>GRZ-RI</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.		<b>(2) Activity status where compliance not achieved: n/a</b>
<b>GRZ-R2</b>	A new retirement village or alterations to an existing retirement village	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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 <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; (e) Minimum service court is either:		<b>(2) Activity status where compliance not achieved: DIS</b>

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

<ul style="list-style-type: none"> <li>(i) Apartment – Communal outdoor space (ie no individual service courts required); or</li> <li>(ii) All other units – 10m<sup>2</sup> for each unit;</li> <li>(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</li> <li>(g) The following land use – building standards do not apply:             <ul style="list-style-type: none"> <li>(i) GRZ-S2 (Residential units);</li> <li>(ii) GRZ-S4 – GRZ-S6 (Building Height);</li> <li>(iii) GRZ-S14 – GRZ-S15 (Outdoor living space);</li> <li>(iv) GRZ-S16 (Service Court).</li> </ul> </li> </ul>	
<b>GRZ-R3</b>	Home business
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) It is wholly contained within a building;</li> <li>(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;</li> <li>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(d) Unloading and loading of vehicles or the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day;</li> <li>(e) Machinery may only be operated between 7:30am and 9pm on any day.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>GRZ-R4</b>	Community facility
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R5</b>	Neighbourhood park
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R6</b>	Home stay
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          (a) No more than 4 temporary residents.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>GRZ-R7</b>	Neighbourhood centre



<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Must be within an area identified in a Council approved Structure Plan or Master Plan.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-R8</b></p>	<p>Commercial activity</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Must be within the Bankart Street and Wainui Road Business Overlay Area.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-R9</b></p>	<p>Childcare facility</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) For up to 4 children that are not permanent residents of the household unit.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-R10</b></p>	<p>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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><b>(2) Activity status where compliance not achieved: NC</b></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>	
<b>GRZ-R11</b>	Construction or alteration of a building for a sensitive land use	
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>GRZ-R12</b>	Construction, demolition, addition, and alteration of a building or structure	
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil</p>		<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R13</b>	<p>Educational facilities</p> <p>This excludes childcare facilities.</p>	

<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) The extent to which it is necessary to locate the activity in the GRZ - General residential zone;</li> <li>(b) Reverse sensitivity effects of adjacent activities;</li> <li>(c) The extent to which the activity may adversely impact on the transport network;</li> <li>(d) The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood;</li> <li>(e) The extent to which the activity may adversely impact on the noise environment.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R14</b>	The establishment of any new sensitive land use within the National Grid Yard
<b>(1) Activity status: NC</b>	
<b>GRZ-R15-</b>	<i>Any new building within the Huntly North Wetland specific control identified on the planning maps</i>
<b>(1) Activity status: NC</b>	
<b>GRZ-R16</b>	Any activity that is not listed as prohibited, permitted, restricted discretionary or discretionary.
<b>(1) Activity status: NC</b>	
<b>GRZ-R17</b>	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).
<b>(1) Activity status: PR</b>	

*Land use – effects*

<b>GRZ-S1</b>	Servicing and hours of operation – Bankart Street and Wainui Road Business Overlay Area	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(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.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>	

*Land use – building*

<b>GRZ-S2</b>	Residential unit
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<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) One residential unit within a site.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-S3</b>   Minor residential unit</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) One minor residential unit contained within a site must comply with all of the following standards:                  (i) The net site area is 600m<sup>2</sup> or more; and                  (ii) The gross floor area shall not exceed 70m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-S4</b>   Height – building general</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>                  (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><b>GRZ-S5</b>   Height – building and vegetation in a battlefield view shaft area</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-S6</b>   Height – buildings, structures or vegetation – Raglan Navigation Beacon Height Restriction Plane</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: n/a</b></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>	
<p><b>PREC4-S1</b></p>	<p><del>Height – buildings or structures adjoining Hilltop parks within PREC4 – Havelock precinct</del></p>
<p><b>(3) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <del>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.</del></p>	<p><del><b>(4) Activity status where compliance not achieved: DIS</b></del></p>
<p><b>GRZ-S7</b></p>	<p>Fences or walls – road boundaries and OSZ – Open space zone boundaries</p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Effects on amenity; and</p> <p>(c) Public space visibility.</p>
<p><b>GRZ-S8</b></p>	<p>Fences or walls – road boundaries and OSZ – Open space zone boundaries</p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Effects on amenity; and</p> <p>(c) Public space visibility.</p>
<p><b>GRZ-S9</b></p>	<p>Height in relation to boundary</p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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><b>GRZ-S10</b>   Building coverage</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>GRZ-S11</b>   Building coverage</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) Within the Te Kauwhata Ecological Residential Area as identified on the planning maps, the total building coverage shall not exceed 35%.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>GRZ-S12</b>   Building coverage</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>GRZ-S13</b>   Impervious surfaces</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) The impervious surfaces of a site shall not exceed 70%.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (a) Site design, layout and amenity; and</p>

		(b) The risk of flooding, nuisance or damage to the site or other buildings and sites.
<b>GRZ-S14</b>	Outdoor living space	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></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 80m<sup>2</sup> 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 15m<sup>2</sup> and a minimum dimension of 2m in any direction.</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></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>
<b>GRZ-S15</b>	Outdoor living space	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></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 40m<sup>2</sup> 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 15m<sup>2</sup> and a minimum dimension of 2m in any direction.</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></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>
<b>GRZ-S16</b>	Service court	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <p>(a) The convenience and accessibility of the spaces for building occupiers;</p>

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



<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><del>GRZ-S21</del></p>	<p><del>Building setback—sensitive land use located outside the Amenity Setback-specific control in Tuakau</del></p>
<p><del>(1) Activity status: PER</del>  <del>Where:</del>                  (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><del>(2) Activity status where compliance not achieved: RDIS</del>  <del>Council's discretion is restricted to the following matters:</del>                  (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><del>PREC4-S2</del></p>	<p><del>Building setback—sensitive land use within PREC4—Havelock precinct</del></p>
<p><del>(3) Activity status: PER</del>  <del>Where:</del>                  (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><del>(4) Activity status where compliance not achieved: NC</del></p>
<p><del>GRZ-S22</del></p>	<p><del>Building setback – water bodies</del></p>
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) Any building must shall be setback a minimum of:</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p>

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

<p><del>(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.</del></p> <p><del>(ii) Includes either of the following for all habitable rooms on each level of a dwelling:</del></p> <p><del>(1) Mechanical cooling installed; or</del></p> <p><del>(2) A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</del></p> <p><del>(a) 6 air changes per hour for rooms with less than 30% of the façade area glazed;</del></p> <p><del>(b) 15 air changes per hour for rooms with greater than 30% of the façade area glazed;</del></p> <p><del>(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.</del></p> <p><del>(iii) Provides relief for equivalent volumes of spill air.</del></p> <p><del>(iv) All is certified by a suitably qualified and experienced person.</del></p>	
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## 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.

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 I (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 I 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 I provides for this form of development within a walkable catchment of town centres, strategic transport corridors and community facilities. Within Area I 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.

<b>MRZI-RI</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>MRZI-R2</b>	A new retirement village or alterations to an existing retirement village
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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 <sup>2</sup> area with a minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m <sup>2</sup> 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 <sup>2</sup> 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).	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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.
<b>MRZI-R3</b>	Home business



<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) The home business is wholly contained within a building;</li> <li>(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;</li> <li>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and</li> <li>(e) Machinery may only be operated between 7:30am and 9pm on any day.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZI-R4</b>   Community facilities</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 200m<sup>2</sup> GFA.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZI-R5</b>   Neighbourhood park</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>MRZI-R6</b>   Home stay</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 4 temporary residents.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZI-R7</b>   Boarding houses/boarding establishments</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 10 people per site inclusive of staff and residents.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></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.
<b>MRZI-R8</b>	Construction or alteration of a building for a sensitive land use	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.	
<b>MRZI-R9</b>	Construction, demolition, addition, and alteration of a building or structure	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>	
<b>MRZI-R10</b>	Any activity that is not listed as permitted, restricted discretionary or prohibited, <b>Activity status: DIS</b>	
<b>MRZI-R11</b>	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). <b>Activity status: PR</b>	

*Land use – building*

<b>MRZI-S1</b>	Residential unit	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) Up to three residential units per site.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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>
<b>MRZI-S2</b>	Minimum residential unit size	
<b>(1) Activity status: PER</b> <b>Where:</b>		<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b>
<p>(a) Residential units must have a minimum net internal floor area of:</p> <p>(i) 35m<sup>2</sup> for studio dwellings; and</p> <p>(ii) 45m<sup>2</sup> for one or more bedroom dwellings.</p>		<p>(a) The functionality of the residential unit; and</p> <p>(b) Internal residential amenity.</p>
<b>MRZI-S3</b>	Height – building general	
<b>(1) Activity status: PER</b> <b>Where:</b>		<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b>
<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>(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>
<b>MRZI-S4</b>	Fences or walls – road boundaries	
<b>(1) Activity status: PER</b> <b>Where:</b>		<b>(2) Activity status where compliance not achieved: RDIS</b>

<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><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; and</p> <p>(c) Public space visibility.</p>
<p><b>MRZ1-S5</b>   Height in relation to boundary</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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><b>MRZ1-S6</b>   Building coverage</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The total building coverage must not exceed 45%.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p>

<p>(b) MRZ1-S6(1)(a) does not apply:</p> <ul style="list-style-type: none"> <li>(i) To a structure that is not a building; or</li> <li>(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Design, scale and location of the building;</li> <li>(b) Provision for outdoor living space and service courts; and</li> <li>(c) Effects on the planned urban built character of the surrounding residential area.</li> </ul>
<p><b>MRZ1-S7</b>   Impervious surfaces</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) The impervious surfaces of a site must not exceed 70%.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Site design, layout and amenity; and</li> <li>(b) The risk of flooding, nuisance or damage to the site or other buildings and sites.</li> </ul>
<p><b>MRZ1-S8</b>   Outdoor living space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(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"> <li>(i) It is for the exclusive use of the occupants of the residential unit;</li> <li>(ii) It is readily accessible from a living area of the residential unit;</li> <li>(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 20m<sup>2</sup> and a minimum dimension of 4m in any direction; and</li> <li>(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 5m<sup>2</sup> for studio and one-bedroom dwellings, or 8m<sup>2</sup> for two or more bedroom dwellings and a minimum dimension of 1.5m.</li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Design and location of the building;</li> <li>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</li> <li>(c) Privacy and overlooking on adjoining sites; and</li> <li>(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.</li> </ul>
<p><b>MRZ1-S9</b>   Ground floor internal habitable space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(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</li> </ul>

		(b) The design and location of garaging as viewed from streets or public open spaces.
<b>MRZ1-S10</b>	Building setbacks – all boundaries	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>	
<b>MRZ1-S11</b>	Building setbacks – water bodies	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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 25m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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 Ngaaruawaahia.

### **Purpose**

The purpose of the MRZ2 – Medium density residential zone in area 2 is to enable the most efficient use of residentially zoned land and infrastructure within the suite of Waikato District Plan residential zones. The MRZ2 – Medium density residential zone in area 2 provides for this form of development within ~~a walkable catchment of the town centres of~~ Huntly, Ngaaruawaahia, Pookeno and Tuakau. 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 building heights; and
- (b) The design of subdivisions and development.

#### 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

## Policies

#### MRZ2-P1 Housing Typology.

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

#### MRZ2-P2 Residential Amenity.

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



MRZ2-P3 Housing Design.

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

MRZ2-P4 Enabling Housing Development.

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

MRZ2-P5 Streetscape, yards and outdoor living spaces.

- (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
  - (b) Integrated into master-planned growth areas in close proximity to neighbourhood centres or publicly accessible open space.

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

- (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 restricting building heights within the Area 1 height restriction area in the Havelock Precinct.

MRZ2-P12 Building form, massing and coverage.

- (1) Enable medium density residential development that:

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

MRZ2-P13 Retirement villages.

- (1) Provide for the establishment of new retirement villages and care facilities that:
  - (a) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
  - (b) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
  - (c) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
  - (d) Recognise that housing and care facilities for older people can require higher densities;
  - (e) Provide high quality on-site amenity;
  - (f) Integrate with local services and facilities, including public transport; and
  - (g) Connect to alternative transport modes to the LLRZ – Large lot residential zone, SETZ – Settlement zone, 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-P14 Outlook from Tuurangawaewae Marae

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

MRZ2-P15 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.](#)

## 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.

<b>MRZ2-R1</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>	
<b>MRZ2-R2</b>	A new retirement village or alterations to an existing retirement village	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) The site is connected to public water and wastewater infrastructure; <del>(b) The minimum living space or balcony area and dimensions are:</del> (i) <del>Apartment—10m<sup>2</sup> area with a minimum dimension horizontal and vertical of 2.5m;</del> (ii) <del>Studio unit or 1 bedroom unit—12.5m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or</del> (iii) <del>2 or more bedroomed unit—15m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m.</del> <del>(c) The minimum service court is either:</del> (i) <del>Apartment—Communal outdoor space (i.e. no individual service courts required); or</del> (ii) <del>All other units—10m<sup>2</sup> for each unit.</del> (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) MRZ2-S1 (Residential unit (per unit)); (ii) MRZ2-S6 (Outdoor living space); and (iii) <a href="#">MRZ2-S7 (Outlook space)</a>	(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; <del>and</del> (c) Cumulative effects; <a href="#">and</a> (d) <a href="#">Whether the non-compliance with the activity standard is required for the operational needs of the retirement village.</a>	

<ul style="list-style-type: none"> <li>(iv) <a href="#">MRZ2-S10 (Minimum residential unit size); and</a></li> <li>(v) <a href="#">MRZ2-S12 Ground floor internal habitable space.</a></li> <li>(f) <a href="#">All other Land Use – Building standards apply, including the following MDRS standards:</a> <ul style="list-style-type: none"> <li>(i) <a href="#">MRZ2-S2 (Height – building general)</a></li> <li>(ii) <a href="#">MRZ2-S3 (Height in relation to boundary)</a></li> <li>(iii) <a href="#">MRZ2-S4 (Setbacks)</a></li> <li>(iv) <a href="#">MRZ2-S5 (Building coverage)</a></li> <li>(v) <a href="#">MRZ2-S8 (Windows to the street)</a></li> <li>(vi) <a href="#">MRZ2-S9 (Landscaped areas).</a></li> </ul> </li> <li>(g) The following infrastructure and energy rule does not apply:           <ul style="list-style-type: none"> <li>(i) Rule TRPT-R4(1)(a) (Traffic generation).</li> </ul> </li> </ul>	
<p><b>MRZ2-R3</b></p>	<p>Home business</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) The home business is wholly contained within a building;</li> <li>(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;</li> <li>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and</li> <li>(e) Machinery may only be operated between 7:30am and 9pm on any day.</li> </ul>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZ2-R4</b></p>	<p>Community facilities</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 200m<sup>2</sup> GFA.</li> </ul>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZ2-R5</b></p>	<p>Neighbourhood park</p>

<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p>(2) <b>Activity status where compliance not achieved: n/a</b></p>
<p><b>MRZ2-R6</b></p>	<p>Home stay</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) No more than 4 temporary residents.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>MRZ2-R7</b></p>	<p>Boarding houses/boarding establishments</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) No more than 10 people per site inclusive of staff and residents.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><del><b>MRZ2-R8</b></del></p>	<p><del>Construction or alteration of a building for a sensitive land use</del></p>
<p><del>(1) <b>Activity status: PER</b></del>  <del><b>Activity-specific standards:</b></del>                  (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><del>(2) <b>Activity status where compliance not achieved: RDIS</b></del>  <del><b>Council's discretion is restricted to the following matters:</b></del>                  (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><b>MRZ2-R8</b></p>	<p>Construction, demolition, addition, and alteration of a building or structure</p>
<p>(1) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p>(2) <b>Activity status where compliance not achieved: n/a</b></p>
<p><b>MRZ2-R9</b></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) <b>Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) <u>Within the National Grid Yard:</u></p>	<p>(2) <b>Activity status where compliance not achieved: NC</b></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>	
<b>MRZ2-R10</b>	<u>The establishment of any new sensitive land use within the National Grid Yard</u>
<b>Activity status: NC</b>	
<b>MRZ2-R11</b>	Any activity that is not listed as permitted, restricted discretionary or prohibited,
<b>Activity status: DIS</b>	

<b>MRZ-R13</b>	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).	
<b>Activity status: PR</b>		
<b>MR22-R12</b>	Any new building within the Huntly North Wetland specific control identified on the planning maps	
<b>Activity status: NC</b>		
<b>MR22-R13</b>	Educational facilities This excludes childcare facilities	
(1) <b>Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil <b>Council's discretion is restricted to the following matters:</b> (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.	(2) <b>Activity status where compliance not achieved: n/a</b>	
<b>MR22-R14</b>	Neighbourhood centre	
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Must be within an area identified in a Council approved Structure Plan or Master Plan.	(2) <b>Activity status where compliance not achieved: DIS</b>	

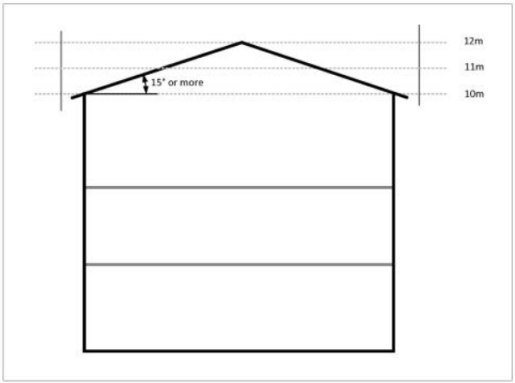
Land use

<b>MR22-S1</b>	Residential unit	
(1) <b>Activity status: PER</b> <b>Where:</b> (a) Up to three residential units per site.  <a href="#">Note: This standard does not apply to 5851 Great South Road Ngaaruwaaahia.</a>  <a href="#">Advice Notes:</a>	(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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	



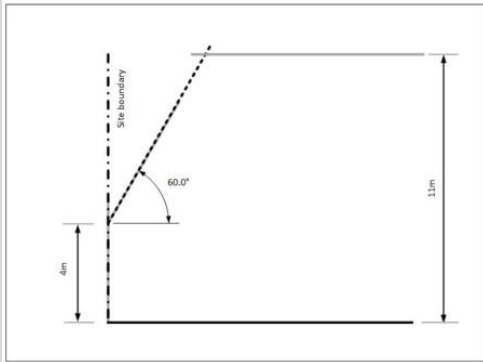
<p>1. <u>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</u></p> <p>(a) <u>Water, Wastewater and Stormwater chapter</u></p> <p>(b) <u>Earthworks chapter</u></p> <p>2. <u>A water, wastewater and/or stormwater connection approval from the 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>(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) <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><b>Notification</b>  <u>Any application for resource consent for four or more dwellings per site that comply with all of the standards in (MRZ2-S2 to MRSZ-S9) will be considered without public or limited notification.</u></p>
<p><b>MRZ2-S1A</b></p>	<p>Residential unit within the QM for 5851 Great South Road</p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>Up to one residential unit per site.</u></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>

	<ul style="list-style-type: none"><li>(f) <a href="#"><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></a></li><li>(g) <a href="#"><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></a></li><li>(h) <a href="#"><u>Within QM 5851 Great South Road effects on the values associated with the Site or Area of Significance to Maaori.</u></a></li></ul>
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<b>MRZ2-S2</b>	Height – building general
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram (enlarged as Figure 1 at the conclusion of this Chapter).</p> <p><i>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</i></p>  <p>(b) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(c) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</p> <p>(d) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.</p> <p>(e) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure;</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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 affect 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"> <li>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></li> <li>ii. <u>Sites are adjacent to marae or an Open Space Zone.</u></li> </ol> <p><b>Notification</b>  <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>
<b>MRZ2-S2A</b>	Height within the Tuurangawaewae Marae Surrounds QM
<b>(1) Activity status: PER</b>	<b>(2) Activity status where compliance not achieved: RDIS</b>

<p><b>Where:</b></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><b><u>Council’s discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Height of the building or structure;</u></p> <p>(b) <u>Design, scale and location of the building;</u></p> <p>(c) <u>Extent of shading on adjacent sites;</u></p> <p>(d) <u>Privacy and overlooking on adjoining sites;</u></p> <p>(e) <u>The visual dominance effects on adjoining sites;</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</u></p> <p>(g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga; and</u></p> <p>(h) <u>The effects on values held by mana whenua where:</u></p> <p>i. <u>Sites contain or are adjacent to mapped archaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</u></p> <p>ii. <u>Sites are adjacent to marae or an Open Space Zone.</u></p>
<p><b>MRZ2-S3</b></p>	<p>Height in relation to boundary</p>
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></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) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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; <del>and</del></p> <p>(d) Privacy on adjoining sites.</p> <p>(e) <u>The visual dominance effects on adjoining sites; and</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping.</u></p> <p>(g) <u>In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa</u></p>

trance strip, access site, or pedestrian access way.



(b) Standard (a) above does not apply to:

- (i) a boundary with a road
- (ii) existing or proposed internal boundaries within a site;
- (iii) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

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

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

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

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

**Notification**

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

<p>LLRZ— Large lot residential zone or SETZ— Settlement zone; (vii) Where the boundary adjoins a legal road.</p>									
<p><b>MRZ2-S3A</b></p>	<p><u>Height in relation to boundary in the Tuurangawaewae Marae surrounds QM</u></p>								
<p>(1) <b>Activity status: PER</b> <b>Where:</b> <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) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) <u>Height of the building;</u> (b) <u>Design and location of the building;</u> (c) <u>Extent of shading on adjacent sites;</u> (d) <u>Privacy on adjoining sites.</u> (e) <u>The visual dominance effects on adjoining sites.</u> (f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</u> (g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</u></p>								
<p><b>MRZ2-S4</b></p>	<p>Setbacks</p>								
<p>(1) <b>Activity status: PER</b> <b>Where:</b> (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 780 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) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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>								

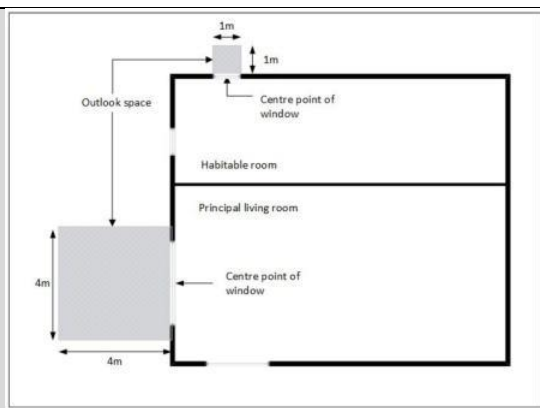
<p>(i) 3m from the road boundary;</p> <p>(ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps);</p> <p>(iii) 1m from every boundary other than a road boundary; and</p> <p>(c) Balconies greater than 1.5m above ground level shall be set back a minimum of 4m 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><a href="#">services to access the property in an emergency.</a></p> <p><b>Notification</b>  <a href="#">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.</a></p> <p><b>Advice note</b>  <a href="#">Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</a></p>
<p><b>MRZ2-S5</b></p>	<p>Building coverage</p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <a href="#">The maximum building coverage must not exceed 50% of the net site area.</a></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><a href="#">Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</a></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design, scale and location of the building;</p> <p>(b) Provision for outdoor living space and service courts; <b>and</b></p> <p>(c) Effects on the planned urban built character <b>and any qualifying matter on</b> <del>of</del> the surrounding residential area;</p> <p>(d) <a href="#">The visual dominance effects on adjoining sites;</a></p> <p>(e) <a href="#">Whether there is sufficient space on site for a stormwater treatment device and infrastructure;</a></p> <p>(f) <a href="#">Flooding effects including safe access and egress;</a></p> <p>(g) <a href="#">Stormwater management and the use of Low Impact Design methods;</a> <b>and</b></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><b>Notification</b>  <a href="#">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.</a></p>



<b>MRZ2-S5A</b>	<u>Building Coverage within the Tuurangawaewae Marae surrounds QM</u>
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) <del>The</del> maximum building coverage must not exceed 45% of the net site area.</p> <p>(b) <u>MRZ-S5A(1(a))</u> does not apply:</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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) <u>Design, scale and location of the building;</u></p> <p>(b) <u>Provision for outdoor living space and service courts;</u></p> <p>(c) <u>Effects on the planned urban built character and any qualifying matter on the surrounding residential area ;</u></p> <p>(d) <u>The visual dominance effects on adjoining sites;</u></p> <p>(e) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</u></p> <p>(f) <u>Flooding effects including safe access and egress; and</u></p> <p>(g) <u>Stormwater management and the use of Low Impact Design methods.</u></p>
<b>MRZ2-S6</b>	Outdoor living space (per unit)
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) <u>A residential unit at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> 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 8m<sup>2</sup> 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 style="padding-left: 20px;">(1) <u>grouped cumulatively by area in one communally accessible location; or</u></p> <p style="padding-left: 20px;">(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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design and location of the building;</p> <p>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</p> <p>(c) Privacy and overlooking on adjoining sites; and</p> <p>(d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</p> <p><b>Notification</b>  <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"> <li>(i) <u>is at least 8m<sup>2</sup> and has a minimum dimension of 1.8m; and</u></li> <li>(ii) <u>is accessible from the residential unit; and</u></li> <li>(iii) <u>may be—</u> <ul style="list-style-type: none"> <li>(1) <u>grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or</u></li> <li>(2) <u>located directly adjacent to the unit.</u></li> </ul> </li> </ul> <p>(a) <del>An outdoor living space must be provided for each residential unit that meets all of the following standards:</del></p> <ul style="list-style-type: none"> <li>(iv) <del>It is for the exclusive use of the occupants of the residential unit;</del></li> <li>(v) <del>It is readily accessible from a living area of the residential unit;</del></li> <li>(vi) <del>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 20m<sup>2</sup> and a minimum dimension of 4m in any direction; and</del></li> <li>(vii) <del>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 5m<sup>2</sup> for studio and one bedroom dwellings, or 8m<sup>2</sup> for two or more bedroom dwellings and a minimum dimension of 1.5m.</del></li> </ul>	
<p><b>MRZ2-S7</b></p>	<p><u>Outlook space (per unit)</u></p>
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) <u>An outlook space must be provided for each residential unit as outlined below.</u></li> <li>(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></li> </ul>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) The nature of the occupation of the room without the required outlook;</li> <li>(c) The effects on amenity of future occupants from a reduced outlook; and</li> </ul>



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

<b>MRZ2-SI1</b>	Impervious surfaces
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The impervious surfaces of a site must not exceed 70%.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Site design, layout and amenity; <del>and</del></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>
<b>MRZ2-SI2</b>	Ground floor internal habitable space
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>MRZ2-SI3</b>	Fences or walls
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>Boundary fences and walls:</u></p> <p>(i) <del>adjacent to between properties and</del> 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) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; <del>and</del></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>

<a href="#">(c) Boundary fences and walls between properties further than 1.5m into the site must not exceed 2m.</a>	
<b>MRZ2-SI4</b>	Building setbacks – water bodies
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) A building must be set back a minimum of:</p> <ul style="list-style-type: none"> <li>(i) 20m from the margin of any lake;</li> <li>(ii) 20m from the margin of any wetland;</li> <li>(iii) <del>21.5m</del><sup>23m</sup> from the bank of any river (other than the Waikato River and Waipa River);</li> <li>(iv) <del>26.5m</del><sup>38m</sup> from the margin of either the Waikato River and the Waipa River</li> <li><del>(v) 23m from mean high water springs</del></li> </ul> <p>(b) A public amenity of up to 25m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</li> <li>(b) Adequacy of erosion and sediment control measures;</li> <li>(c) The functional or operational need for the building to be located close to the waterbody;</li> <li>(d) Effects on public access to the waterbody;</li> <li>(e) Effects on the amenity of the locality; <b>and</b></li> <li>(f) Effects on natural character values <b>including hydrology and flooding.</b></li> <li>(g) <b><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></b></li> <li>(h) <b><u>Effects on cultural values identified in Maori Values and Maatauranga Maori Chapter; and</u></b></li> <li>(i) <b><u>The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy.</u></b></li> </ul>
<b>MRZ2-SI5</b>	Building setback – sensitive land use
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) <b><u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u></b></p> <ul style="list-style-type: none"> <li>(i) <b><u>5m from the designated boundary of the railway corridor;</u></b></li> <li>(ii) <b><u>15m from the boundary of a national route or regional arterial;</u></b></li> <li>(iii) <b><u>25m from the designated boundary of the Waikato Expressway;</u></b></li> <li>(iv) <b><u>300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</u></b></li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) <b><u>Road network safety and efficiency;</u></b></li> <li>(b) <b><u>On-site amenity values;</u></b></li> <li>(c) <b><u>Odour, dust and noise levels received at the notional boundary of the building;</u></b></li> <li>(d) <b><u>Mitigation measures; and</u></b></li> <li>(e) <b><u>Potential for reverse sensitivity effects.</u></b></li> </ul>

<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) <u>6m from the centre of a gas transmission line identified on the planning maps</u></p>	
<b>MRZ-S16</b>	<b>Building setback – Environmental Protection Area</b>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>A building shall be set back a minimum of 3m from an Environmental Protection Area.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

Additional provisions applying to the Havelock Precinct

<b>PREC4-S1</b>	<b>Height – Havelock <u>industry buffer</u> height restriction areas</b>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>A building or structure with a maximum height not exceeding 5m, measured from the natural ground level, where it is located within the any of the following height restriction areas identified on the planning maps the:</u></p> <p>(i) <u>Havelock industry buffer height restriction area; and/or</u></p> <p>(ii) <u>Havelock hilltop park height restriction area; and/or</u></p> <p>(iii) <u>Havelock ridgeline height restriction area.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>PREC4-S2</b>	<b>Building setback – sensitive land use within PREC4 – Havelock precinct</b>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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 Pōkero Industry Buffer identified on the planning maps.</u></p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>PREC4-S3</b>	<b>Building design – sensitive land use with PREC4 – Havelock precinct</b>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<p><u>Havelock Industry Buffer and the 'Height Restriction Area' but within the 40 dB LAeq noise contour shown on the planning maps.</u></p> <p>(b) <u>Any new building or alteration to an existing building for a sensitive land use located outside the <del>Pōkero</del> Havelock Industry Buffer but within the 40 dB LAeq noise contour shown on the planning maps that is designed and constructed so that internal noise levels do not exceed 25 dB LAeq in all habitable rooms.</u></p> <p>(c) <u>Provided that if compliance with clause (a) above requires all external doors of the building and all windows of these rooms to be closed, the building design and construction as a minimum:</u></p> <p>(i) <u>Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C.</u></p> <p>(ii) <u>Includes either of the following for all habitable rooms on each level of a dwelling:</u></p> <p>(1) <u>Mechanical cooling installed; or</u></p> <p>(2) <u>A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</u></p> <p>i) <u>6 air changes per hour for rooms with less than 30% of the façade area glazed;</u></p> <p>ii) <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u></p> <p>iii) <u>3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</u></p> <p>(iii) <u>Provides relief for equivalent volumes of spill air.</u></p> <p><u>All is certified by a suitably qualified and experienced person.</u></p>	
<p><b>PREC4-S4</b></p>	<p><u>Residential unit within the Slope Residential Area</u></p>
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>One residential unit per site.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>PREC4-S5</b></p>	<p><u>Building coverage within the Slope Residential Area</u></p>

<p><b>(1) Where:</b></p> <p>(a) <u>The maximum building coverage must not exceed 40% of the net site area.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
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### Medium Density Residential Standard Figures

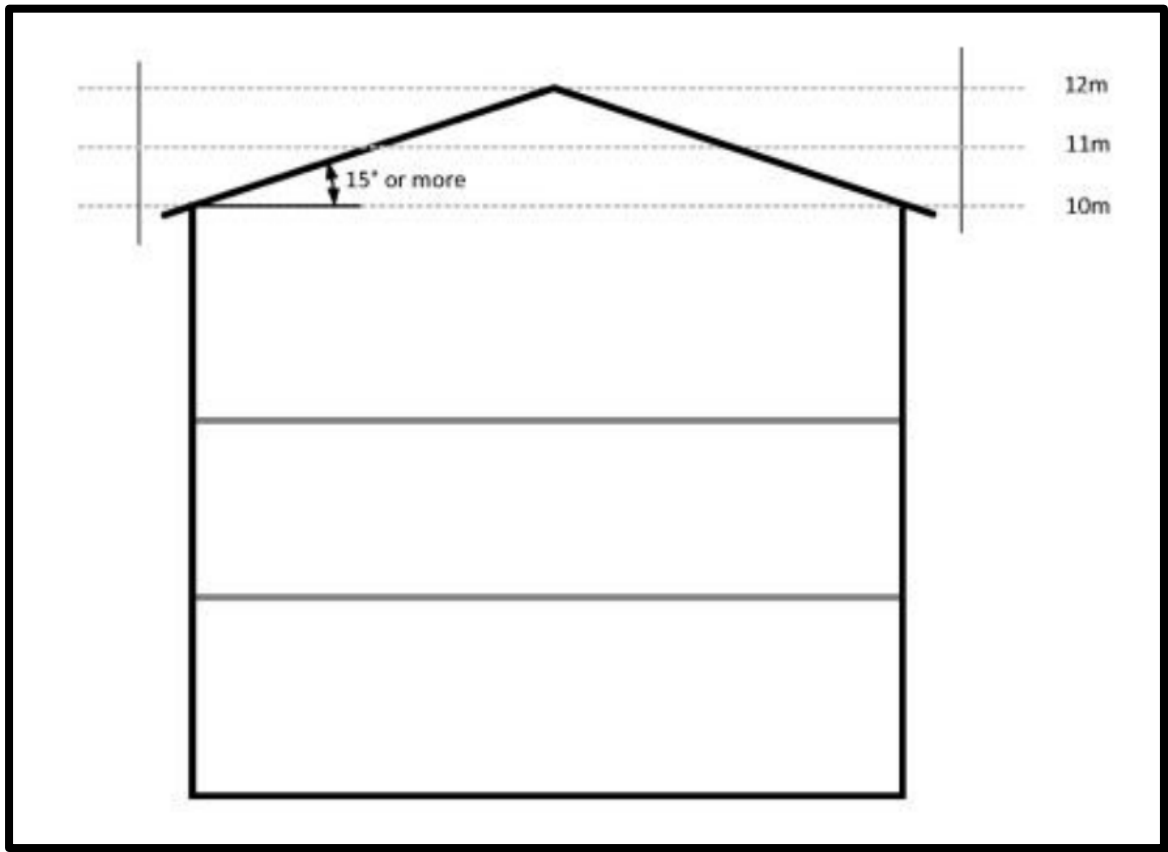


Figure 1: Building Height (refer to MRZ2-S2)

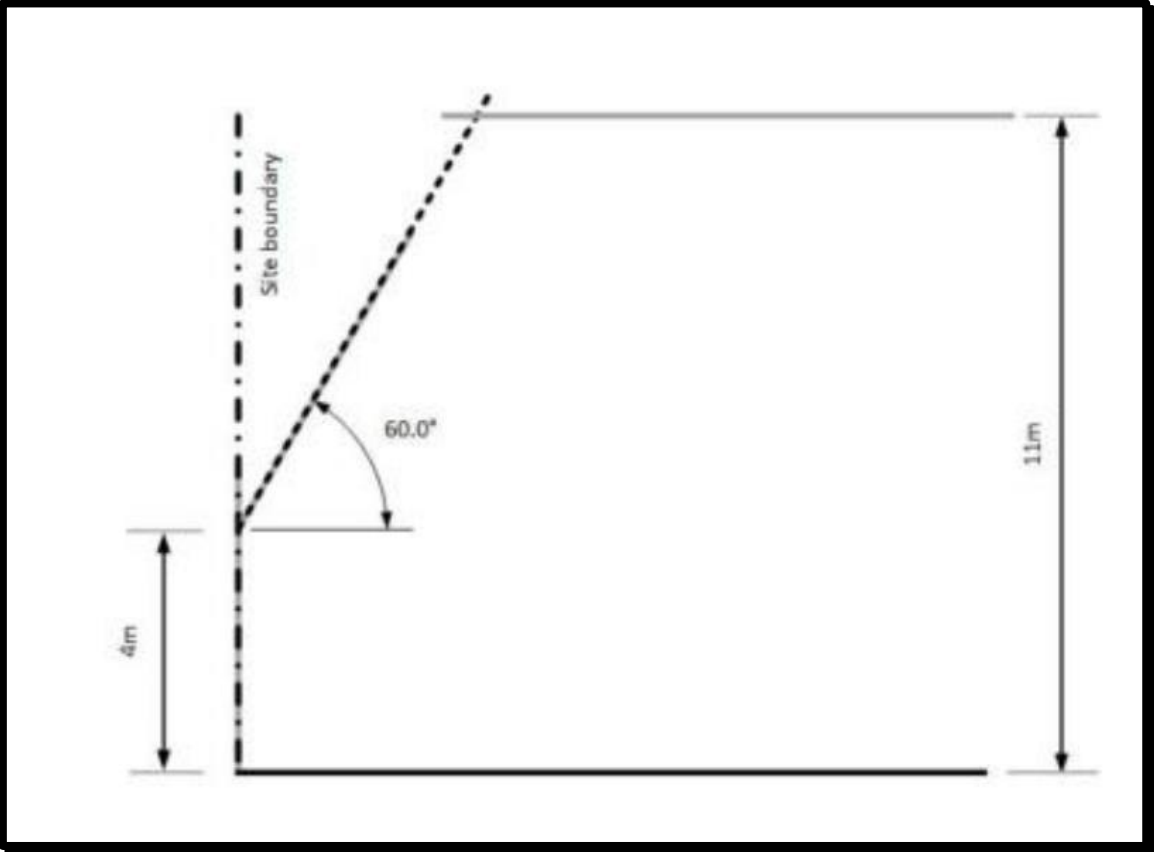


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

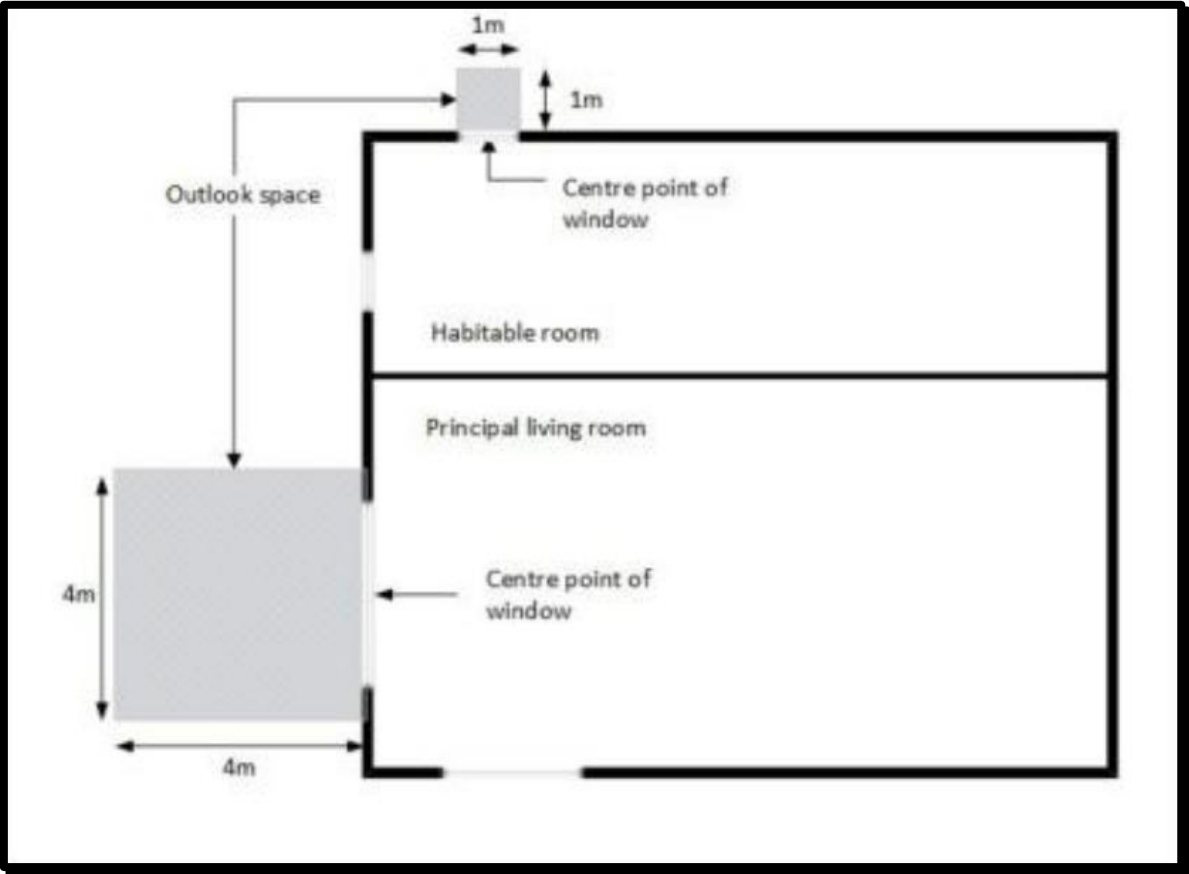


Figure 3: Outlook space per unit (refer to MRZ2-S7)

## 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:

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

- (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.

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

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

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

<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) Within National Grid Yard:</p> <ul style="list-style-type: none"> <li>(i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or</li> <li>(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</li> <li>(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</li> <li>(iv) Non-habitable horticultural buildings; or</li> <li>(v) Artificial crop protection and support structures (excluding commercial greenhouses and <i>Pseudomonas syringae</i> pv. <i>Actinidiae</i> (Psa) disease control structures);</li> <li>(vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and</li> <li>(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.</li> </ul> <p>(b) All buildings or structures permitted by Rule COMZ-R14(1)(a) must:</p> <ul style="list-style-type: none"> <li>(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</li> </ul>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
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Part 3: Area-specific matters / Zones / Commercial and mixed use zones / COMZ – Commercial zone

<p>(1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</p> <p>(2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or</p> <p>(3) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or</p> <p>(ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure;</p> <p>(c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that:</p> <p>(i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor;</p> <p>(ii) Are no higher than 2.5m;</p> <p>(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;</p> <p>(iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.</p>	
<p><b>COMZ-R15</b></p>	<p>Construction or alteration of a building for a sensitive land use</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></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>

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

<ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>	<ul style="list-style-type: none"> <li>(c) The risk of damage to property; and</li> <li>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</li> </ul>
<b>COMZ-R16</b>	Construction or demolition of, or alteration or addition to, a building or structure
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>COMZ-R17</b>	A multi-unit development
<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) A multi-unit development that meets all of the following standards:             <ul style="list-style-type: none"> <li>(i) Land use – effects standards for the zone;</li> <li>(ii) Land use – building standards for the zone, except the following rules do not apply;                 <ul style="list-style-type: none"> <li>(1) COMZ-S9 (Residential units) does not apply;</li> <li>(2) COMZ-S10 (Outdoor living space) does not apply;</li> </ul> </li> </ul> </li> <li>(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);</li> <li>(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;</li> <li>(d) A communal service court is provided comprising;             <ul style="list-style-type: none"> <li>(i) minimum area of 20m<sup>2</sup>; and</li> <li>(ii) minimum dimension of 3m.</li> </ul> </li> <li>(e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

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

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

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

Unit or Apartment Area	Minimum Unit
Studio Unit	35m <sup>2</sup>
1 or more bedroom unit	45m <sup>2</sup>

(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"><li>(a) <u>Sunlight and daylight access to adjoining sites; and</u></li><li>(b) <u>Privacy and overlooking of adjoining sites;</u></li><li>(c) <u>The effects on the heritage values of any scheduled heritage item</u></li><li>(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></li><li>(e) <u>Landscape treatment of yards and frontages, including screening of taller buildings when viewed from adjoining residential zones.</u></li><li>(f) <u>The effectiveness of screening of car parking and service areas from the view of people using public spaces.</u></li><li>(g) <u>The maintenance or enhancement of amenity for pedestrians using public spaces or streets;</u></li></ul> <p><u>On-site amenity:</u></p> <ul style="list-style-type: none"><li>(j) The extent to which the design:<ul style="list-style-type: none"><li>(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.</li><li>(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.</li><li>(iii) Maximises opportunities for passive solar gain within units.</li></ul></li></ul> <p><u>Additional on-site amenity matters within the Huntly Commercial Precinct:</u></p> <ul style="list-style-type: none"><li>(h) <u>Dimensions of outlook area;</u></li><li>(i) <u>Visual privacy and dominance effects on adjoining sites</u></li><li>(j) <u>Internal amenity outcome.</u></li><li>(k) <u>Methods to secure outlook if over adjoining site</u></li></ul>	
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Part 3: Area-specific matters / Zones / Commercial and mixed use zones / COMZ – Commercial zone

<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>	
<b>COMZ-R18</b>	Commercial activities within in the Motorway service centre specific control
<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p> <p><b>Council’s discretion is restricted to the following matters:</b></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><b>(2) Activity status: NC</b></p> <p><b>Where:</b></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>
<b>COMZ-R19</b>	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
<b>(1) Activity status: DIS</b>	
<b>COMZ-R20</b>	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
<b>(1) Activity status: NC</b>	
<b>COMZ-R21</b>	Any change of use of an existing building to a sensitive land use within the National Grid Yard
<b>(1) Activity status: NC</b>	
<b>COMZ-R22</b>	The establishment of any new sensitive land use within the National Grid Yard
<b>(1) Activity status: NC</b>	
<b>COMZ-R23</b>	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
<b>(1) Activity status: NC</b>	
<b>COMZ-R24</b>	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).
<b>(1) Activity status: PR</b>	

Land use – effects

<b>COMZ-S2</b>	Servicing and hours of operation	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>	
<b>COMZ-S3</b>	Onsite parking areas – landscaping	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design and location of the parking area and landscaping strip; and</p> <p>(b) Effects on streetscape amenity.</p>	
<b>COMZ-S4</b>	Outdoor storage	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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

<b>COMZ-S5</b>	Building height
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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) <a href="#">The maximum height of any multi-unit development in the Huntly Commercial Precinct must not exceed 22m.</a></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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) <a href="#">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</a></p> <p>(f) <a href="#">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.</a></p>
<b>COMZ-S6</b>	Height in relation to <a href="#">zone</a> boundary
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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; <del>and</del></p> <p>(e) Amenity values of the locality <del>and</del></p> <p>(f) <a href="#">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.</a></p>
<b>COMZ-S7</b>	Building setbacks – zone boundaries

<p><b>(1) Activity status: PER</b>  <b>Where:</b></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;  (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.</p> <p>(ii) 1.5m from rear and side boundaries adjoining any:</p> <p>(1) GRUZ – General rural zone;  (2) GIZ – General industrial zone; or  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <p>(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><b>COMZ-S8</b>   Building setback – waterbodies</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) A building that is set back a minimum of:</p> <p>(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;</p> <p>(b) A public amenity of up to 25m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <p>(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><b>COMZ-S9</b>   Horotiu acoustic area</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area must</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <p>(a) On-site amenity values;</p>



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<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><b>COMZ-S10</b>   Residential units</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b> (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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>COMZ-S11</b>   Outdoor living space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b> (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 15m<sup>2</sup> and a circle with a diameter of at least 2.4m.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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.

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

<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>TCZ-R5</b>   Community facility</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Excluding a cemetery.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>TCZ-R6</b>   Health facility</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Excluding a hospital.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>TCZ-R7</b>   Office</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Located above ground floor level within the Verandah Line notation on the planning maps.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>TCZ-R8</b>   Public transport facility</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>TCZ-R9</b>   Community corrections activity</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>TCZ-R10</b>   Construction or alteration of a building for a sensitive land use</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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>

<b>TCZ-R11</b>	Demolition of, or alteration or addition to, a building or structure										
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>										
<b>TCZ-R12</b>	A multi-unit development										
<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> (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 <sup>2</sup> ; and (ii) minimum dimension of 3m. (e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:	<b>(2) Activity status where compliance not achieved: DIS</b>										
	<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>10m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>2 or more bedrooms</td> <td>15m<sup>2</sup></td> <td>2m</td> </tr> </tbody> </table>	Residential Unit	Minimum outdoor Living space area	Minimum Dimensions	Studio unit or 1 bedroom	10m <sup>2</sup>	2m	2 or more bedrooms	15m <sup>2</sup>	2m	
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	(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>35m<sup>2</sup></td> </tr> <tr> <td>1 or more bedroom unit</td> <td>45m<sup>2</sup></td> </tr> </tbody> </table>	Unit or Apartment Area	Minimum Unit	Studio Unit	35m <sup>2</sup>	1 or more bedroom unit	45m <sup>2</sup>				
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1 or more bedroom unit	45m <sup>2</sup>										



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

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

<b>Activity status: PR</b>
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Land use – effects

<b>TCZ-S1</b>	Servicing and hours of operation
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>TCZ-S2</b>	Outdoor storage
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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

<b>TCZ-S3</b>	Building height
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The maximum height of any building or structure measured from the</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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; <del>and</del></p> <p>(d) Privacy on adjoining sites;</p> <p>(e) <a href="#">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</a></p> <p>(f) <a href="#">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.</a></p>
<p><b>TCZ-S4</b>   Height in relation to boundary</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></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; <del>and</del></p> <p>(e) Amenity values of the locality; <del>and</del></p> <p>(f) <a href="#">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.</a></p>
<p><b>TCZ-S5</b>   Gross leasable floor area</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) Every individual tenancy (excluding supermarkets) must have a gross leasable floor area of no more than 350m<sup>2</sup></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>TCZ-S6</b>   Display windows and building façades</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></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><b>TCZ-S7</b>   Verandahs</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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><b>TCZ-S8</b>   Building setbacks – zone boundaries</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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) MRZ<sub>1</sub> – Medium density residential zone <sub>1</sub>;</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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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.		
<b>TCZ-S9</b>	Building setback – waterbodies	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) A building must be set back a minimum of: <ul style="list-style-type: none"> <li>(i) 27.5m from the margin of any lake;</li> <li>(ii) 27.5m from the margin of any wetland;</li> <li>(iii) 27.5 from the bank of any river (other than the Waikato River and Waipa River);</li> <li>(iv) 32.5m from the margin of either the Waikato River and the Waipa River;</li> <li>(v) 27.5m from mean high water springs;</li> <li>(vi) 10m from any artificial wetland;</li> </ul> </li> <li>(b) A public amenity of up to 25m<sup>2</sup> or pump shed (private or public) within any building setback identified in Standard TCZ-S9(1)(a);</li> <li>(c) TCZ-S9(1)(a) does not apply to a structure which is not a building.</li> </ul>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</li> <li>(b) Adequacy of erosion and sediment control measures;</li> <li>(c) The functional or operational need for the building to be located close to the waterbody;</li> <li>(d) Effects on public access to the waterbody;</li> <li>(e) Effects on the amenity of the locality; and</li> <li>(f) Effects on natural character values.</li> </ul>
<b>TCZ-S10</b>	Residential units	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) One residential unit on the Record of Title;</li> <li>(b) The residential unit must comply with all of the following standards: <ul style="list-style-type: none"> <li>(i) The residential unit must not be located at ground level;</li> <li>(ii) The entrance lobby, stairwell or lift may be located on the ground floor level;</li> <li>(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.</li> </ul> </li> <li>(c) Standard TCZ-S10(1) does not apply to multi-unit development (refer to Rule TCZ-R12 (Multi-unit development)).</li> </ul>		<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>TCZ-S11</b>	Outdoor living space	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) An outdoor living space must be provided for each residential unit that meets all of the following standards:</li> </ul>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Design and location of the building;</li> </ul>

<ul style="list-style-type: none"><li>(i) It is for the exclusive use of the occupants of the residential unit;</li><li>(ii) It is readily accessible from a living area of the residential unit; and</li><li>(iii) It is located on a balcony containing at least 15m<sup>2</sup> and a circle with a diameter of at least 2.4m.</li></ul>	<ul style="list-style-type: none"><li>(b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed;</li><li>(c) Privacy on adjoining sites;</li><li>(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.</li></ul>
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# **Appendix B**

PDP provisions including recommended amendments (clean)



## Interpretation

### Definitions

Term	Definition
Active transport	<p>Has the same meaning as in the National Policy Statement on Urban Development 2020 (as set out in the box below).</p> <div data-bbox="491 465 1385 577" style="border: 1px solid black; padding: 5px;"> <p>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.</p> </div>
Landscaped area	<p>Means any part of the site that has <del>is</del> grassed and/or plants and can include the canopy of trees regardless of the ground treatment below them.</p>
MDRS	<p>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</p> <div data-bbox="491 801 1385 869" style="border: 1px solid black; padding: 5px;"> <p>Means the requirements, conditions, and permissions set out in Schedule 3A.</p> </div>
Qualifying matters	<p>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</p> <div data-bbox="491 992 1385 1059" style="border: 1px solid black; padding: 5px;"> <p>Means a matter referred to in section 77I or 77O of the Resource Management Act 1991</p> </div>
Servicing area	<p>Means the use of land for services, storage or waste management to serve a dwelling or residential activity.</p>

## Interpretation

### Abbreviations

<b>Abbreviation</b>	<b>Full term</b>
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

### 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.

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.

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

- 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

<b>WWS-RI</b>	Stormwater systems for new development or subdivision	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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"> <li>(1) Retention of rainwater/stormwater for reuse;</li> <li>(2) Soakage techniques;</li> <li>(3) Infiltration rate of a minimum of 7mm/hour;</li> <li>(4) Treatment, detention and gradual release to a watercourse;</li> <li>(5) Treatment, detention and gradual release to a piped stormwater system.</li> <li>(6) Stormwater treatment shall address water quality; downstream erosion and scour effects; and cumulative volume effects.</li> </ol> <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>	
<b>WWS-RIA</b>	Stormwater Management Plan for development of 4 or more residential units or subdivision of 4 or more lots in the MRZ2	
MRZ2	<p><b>(1) Activity Status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) A stormwater management plan must be prepared by a suitably qualified expert to demonstrate how the development or subdivision will comply with:</p> <p>(i) The relevant Waikato District Council Comprehensive Stormwater Discharge Consent and Catchment Management Plan for the applicable catchment; and</p> <p>(ii) Waikato Regional Council Stormwater Guidelines.</p> <p>(b) The stormwater management plan must:</p> <p>(i) Include the location, size and type of any stormwater treatment devices and infrastructure, any proposed ponds or wetlands;</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p>(ii) Demonstrate how the stormwater treatment devices and infrastructure can be accommodated within the subdivision or development layout;</p> <p>(iii) Include an operations and maintenance plan describing how any stormwater treatment devices will be regularly maintained and serviced; and</p> <p>(iv) 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.</p> <p><b>Council's discretion is restricted to the following matters:</b></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) 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) The capacity of the stormwater system and ability to manage stormwater;</p> <p>(d) 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</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>	
<b>WWS-R1B</b>	Services for more than one residential unit per site in the MRZ2.	
MRZ2	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) The provision of infrastructure.</p>
<b>WWS-R2</b>	Wastewater servicing for new development or subdivision	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>WWS-R3</b>	Below ground pipelines for the conveyance of water, wastewater and stormwater	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>

Part 2: District-wide matters / Energy, infrastructure and transport / WWS – Water, wastewater and stormwater

	<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>
<b>WWS-R4</b>	Below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>WWS-R5</b>	Pump stations for the conveyance of water, wastewater and stormwater	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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 10m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>WWS-R6</b>	Stormwater treatment, detention and retention facilities or devices	

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All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) Stormwater treatment, detention and retention facilities or devices, excluding stormwater wetlands or ponds.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>WWS-R7</b>	Stormwater ponds or wetlands	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>WWS-R8</b>	Ventilation facilities, drop shafts and manholes	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>WWS-R9</b>	Below ground reservoirs	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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.
<b>WWS-R10</b>	Water supply servicing for new development or subdivision	
All zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Health and safety of the occupants; and</p> <p>(b) Sufficiency of supply for fire-fighting.</p>
<b>WWS-R11</b>	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><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: DIS</b></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           |   |

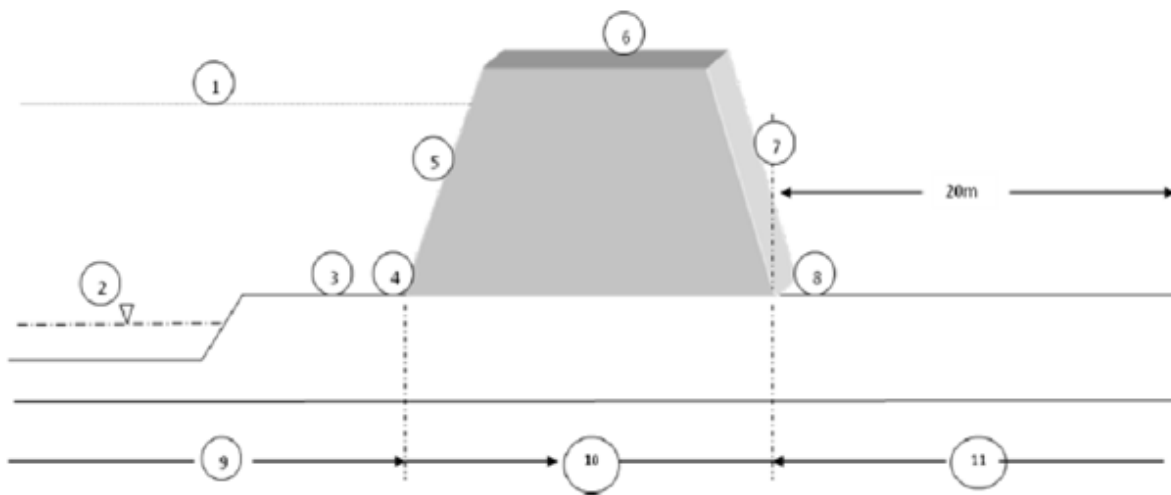


Figure 5 – Stopbank diagram

<b>WWS-R12</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-R13</b>	In close proximity to existing flood management infrastructure: (a) The maintenance of existing stock-proof fences; (b) Grazing of animals; (c) Any farming activity other than the grazing of animals; (d) Planting of trees; (e) The construction of any road or race for the passage of stock or vehicles; (f) The erection of any new fence, shelter, building or structure; (g) The excavation or the digging of any drain; and	

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	(h) 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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-RI 4</b>	Stormwater ponds or wetlands, that serve more than one site, located within: (a) GRZ – General residential zone; (b) MRZ – Medium density residential zone; (c) RPZ – Rangitahi Peninsula zone; (d) SETZ – Settlement zone; (e) LLRZ – Large lot residential zone; (f) RLZ – Rural lifestyle zone; (g) Road and unformed road; and (h) Identified Areas.	
All specified in rule	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil.  <b>Council's discretion is restricted to the following matters:</b> (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.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-RI 5</b>	Outfall structures located within an Identified Area	
All zones	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil.  <b>Council's discretion is restricted to the following matters:</b> (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;	<b>(2) Activity status where compliance not achieved: n/a</b>

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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>	
<b>WWS-R16</b>	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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) The extent to which adverse effects are avoided, remedied or mitigated.</p>	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-R17</b>	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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></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>	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>WWS-R18</b>	Water treatment plants not located within road or unformed road	

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



## 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
<b>Flood hazards</b>	
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.
Flood density QM	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.
<b>Coastal hazards</b>	

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.
<b>Subsidence risk</b>	
Mine subsidence risk area	Identifies an area where subsidence has occurred at Huntly due to former underground coal mining.

## Objectives

NH-O1 High risk natural hazards areas.

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

NH-O2 Areas at risk from natural hazards.

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

NH-O3 Awareness of natural hazard risks.

Ensure communities respond effectively and efficiently to natural hazards.

NH-O4 Climate change.

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

## Policies

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

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

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

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

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

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

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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

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 rainfall<sup>1</sup> and RCP 8.5H+ for sea level rise<sup>2</sup>;
- (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.

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<sup>1</sup> 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.

<sup>2</sup> 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)*

<b>NH-RI</b>	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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>NH-R2</b></p>	<p>Additions to an existing building that does not increase the ground floor area of the building by more than 15m<sup>2</sup></p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R3</b></p>	<p>Standalone garage with a gross floor area not exceeding 40m<sup>2</sup></p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R4</b></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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R5</b></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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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<b>NH-R6</b>	Construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R7</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R8</b>	Earthworks to create a building platform for residential purposes	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Filling height is only to the extent necessary to achieve compliance with Rule NH-RI(1)(a).	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.
<b>NH-R9</b>	Earthworks not provided for under Rules NH-R7 or NH-R8	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) Timing, location and scale of earthworks; (b) Adverse effects on:

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	<p>ground level of 10m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 20m<sup>3</sup>; or</p> <p>(b) In the GRUZ – General rural zone – a maximum volume of filling above natural ground level of 100m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 200m<sup>3</sup> per site; or</p> <p>(c) All other zones – a maximum volume of filling above natural ground level of 20m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 50m<sup>3</sup> 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>
<b>NH-R10</b>	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	<b>(1) Activity status: DIS</b>	

*High risk flood area*

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

	<ul style="list-style-type: none"> <li>(a) Functional and operational requirements to be located in the High risk flood area;</li> <li>(b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area;</li> <li>(c) The potential for the development to transfer/increase flood risk to neighbouring properties;</li> <li>(d) Consideration of alternative locations;</li> <li>(e) Consideration of the projected effects of climate change;</li> <li>(f) Any mitigation measures to reduce the risk to people's safety, well-being and property.</li> </ul>	
<b>NH-R18</b>	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 <sup>2</sup> , unless provided for in Rules NH-R17 or NH-R18	
High risk flood area across all zones	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions;</li> <li>(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;</li> <li>(c) Any mitigation measures to reduce the risk to people's safety, well-being and property.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R19</b>	<p>Subdivision that creates one or more additional vacant lot(s) where:</p> <ul style="list-style-type: none"> <li>(a) The additional lot(s) are located entirely outside the High risk flood area; or</li> <li>(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.</li> </ul> <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	<b>(1) Activity status: DIS</b>
<b>NH-R20</b>	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	<b>(1) Activity status: NC</b>
<b>NH-R21</b>	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	<b>(1) Activity status: NC</b>
<b>NH-R22</b>	Emergency service facilities and hospitals
High risk flood area across all zones	<b>(1) Activity status: NC</b>

*Defended area (Residual risk)*

*Additional rules apply to sites located within the Flood density QM (see NH-R26A-E)*

<b>NH-R23</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R24</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil.  <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) The impact of any planned improvements, maintenance or upgrading on the residual risk;</li> </ul>	<b>(2) Activity status where compliance not achieved: n/a</b>

	<ul style="list-style-type: none"> <li>(c) The effect of groundwater levels and variability in ground conditions on stop-bank security at and adjacent to the site to be subdivided;</li> <li>(d) The likely depth and duration of flooding as a result of a breach or overtopping event or flood ponding;</li> <li>(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);</li> <li>(f) The adverse effects on:             <ul style="list-style-type: none"> <li>(i) People and property,</li> <li>(ii) Historic heritage and Sites and Areas of Significance to Maaori, and</li> <li>(iii) Overall vulnerability from potential failure or overwhelming of the structural defences and associated flood protection works relevant to the proposed new lot(s);</li> </ul> </li> <li>(g) Potential for the development to transfer/increase flood risk/residual risk to neighbouring properties;</li> <li>(h) Any additional mitigation measures proposed or site features which reduce residual risk (e.g., natural high ground; evacuation plan).</li> </ul>	
<b>NH-R25</b>	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	<b>(I) Activity status: DIS</b>	
<b>NH-R26</b>	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	<b>(I) Activity status: DIS</b>	

[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.

<p><b>NH-R26A</b></p> <p>Flood density QM (Higher risk area) in the MRZ (Area 2)</p>	<p>Residential unit</p> <p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) One residential unit within a site;</li> <li>(b) The minimum floor level is at least 0.5m above the 1% AEP flood level; and</li> <li>(c) buildings must be set back a minimum of: <ul style="list-style-type: none"> <li>(i) 23m from the margin of any lake;</li> <li>(ii) 23m from the margin of any wetland;</li> <li>(iii) 23m from the bank of any river (other than the Waikato and the Waipa River);</li> <li>(iv) 28m from the margin of either the Waikato or the Waipa River.</li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<p><b>NH-R26B</b></p> <p>Flood density QM (outside the Higher risk area) in the MRZ (Area 2)</p>	<p>Residential unit</p> <p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) One residential unit within a site;</li> <li>(b) The minimum floor level is at least 0.5m above the 1% AEP flood level; and</li> <li>(c) buildings must be set back a minimum of: <ul style="list-style-type: none"> <li>(i) 23m from the margin of any lake;</li> <li>(ii) 23m from the margin of any wetland;</li> <li>(iii) 23m from the bank of any river (other than the Waikato and the Waipa River);</li> <li>(iv) 28m from the margin of either the Waikato or the Waipa River.</li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is limited to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</li> <li>(b) Flooding effects including safe access and egress;</li> <li>(c) Stormwater management and Low Impact Design methods;</li> <li>(d) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</li> <li>(e) Adequacy of erosion and sediment control measures;</li> <li>(f) The functional or operational need for the building to be located close to the waterbody;</li> </ul>

		<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>
<b>NH-R26C</b>	Minor residential unit	
Flood density QM in the MRZ (Area 2).	<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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 600m<sup>2</sup> or more; and</p> <p>(ii) The gross floor area shall not exceed 70m<sup>2</sup>; 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>(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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>NH-R26D</b>	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 ponding area, and Defended area) in the MRZ (Area 2)	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></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 Flood density QM</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Avoidance or mitigation of natural hazards;</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<ul style="list-style-type: none"> <li>(b) In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</li> <li>(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;</li> <li>(d) The capacity of the stormwater system and ability to manage stormwater;</li> <li>(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 and Waikato Regional Council Stormwater Guidelines; and</li> <li>(f) Extent to which low impact design principles and approaches are used for stormwater management.</li> </ul>	
<p><b>NH-R26E</b></p>	<p><b>Earthworks for two or more residential units (excluding a minor residential unit)</b></p>	
<p>Flood density QM in the MRZ (Area 2).</p>	<p><b>(1) Activity status: RDIS Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Timing, location and scale of earthworks;</li> <li>(b) Adverse effects on: <ul style="list-style-type: none"> <li>(i) Existing overland flow paths and surface drainage patterns;</li> <li>(ii) Flood storage capacity;</li> <li>(iii) Runoff volumes;</li> <li>(iv) Adjoining properties, including the transfer of risk; and</li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></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>	
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*Coastal sensitivity areas*

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

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		(h) Any mitigation measures to reduce risk; and (i) Whether there is any suitable alternative location for the activity to locate within the site.
<b>NH-R28</b>	Construction of an accessory building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R29</b>	Construction of a farm building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R30</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R31</b>	Maintenance or repair of an existing lawfully established hard protection structure	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R32</b>	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)	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Compliance with the requirements of any consent notice for the certificate of title pursuant to section 221 of the	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) The ability to manage coastal hazard risk through appropriate

<p>across all zones</p>	<p>Resource Management Act 1991 containing specific design or location requirements for buildings.</p>	<p>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>
<p><b>NH-R33</b></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><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b>                  Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></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</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

	<p>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>	
<p><b>NH-R34</b></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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></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>(2) Activity status where compliance not achieved: n/a</b></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>(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>	
<b>NH-R35</b>	Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Whether structures have primarily a public and/or environmental benefit when located on public land;</p> <p>(b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>



	<p>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>	
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*High risk coastal erosion area*

<b>NH-R36</b>	Construction of an accessory building without a floor	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) The gross floor area of the building does not exceed 40m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>NH-R37</b>	Construction of a farm building without a floor	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) The gross floor area of the building does not exceed 40m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>NH-R38</b>	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R39</b>	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal erosion area	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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across all zones	Nil.	
<b>NH-R40</b>	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal erosion area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R41</b>	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal erosion area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R42</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The maximum volume of filling does not exceed 10m <sup>3</sup> per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	<b>(2) Activity status where compliance not achieved: DIS</b>
<b>NH-R43</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil  <b>Council's discretion is restricted to the following matters:</b> (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	<b>(2) Activity status where compliance not achieved: n/a</b>

	<p>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>	
<b>NH-R44</b>	Earthworks not provided for in Rule NH-42	
High risk coastal erosion area across all zones	<b>Activity status: DIS</b>	
<b>NH-R45</b>	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	<b>Activity status: DIS</b>	
<b>NH-R46</b>	Replacement of an existing building within the same site where:	
	<p>(a) The replacement building is located landward of the existing building that it replaces;</p> <p>(b) The replacement building is relocatable on a suspended timber floor; and</p> <p>(c) 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	<b>Activity status: DIS</b>	
<b>NH-R47</b>	Construction of new utilities not provided for in Rules NH-R39 and NH-R40	
High risk coastal erosion area across all zones	<b>Activity status: DIS</b>	
<b>NH-R48</b>	Upgrading of existing utilities not provided for in Rules NH-R38 and NH-R39	
High risk coastal erosion area	<b>Activity status: DIS</b>	

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across all zones	
<b>NH-R49</b>	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	<b>Activity status: DIS</b>
<b>NH-R50</b>	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	<b>Activity status: NC</b>
<b>NH-R51</b>	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	<b>Activity status: NC</b>
<b>NH-R52</b>	Emergency service facilities and hospitals
High risk coastal erosion area across all zones	<b>Activity status: NC</b>

*High risk coastal inundation area*

<b>NH-R53</b>	Construction of an accessory building without a floor	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The gross floor area of the building does not exceed 40m <sup>2</sup> .	<b>(2) Activity status where compliance not achieved: NC</b>
<b>NH-R54</b>	Construction of a farm building without a floor	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The gross floor area of the building does not exceed 40m <sup>2</sup> .	<b>(2) Activity status where compliance not achieved: NC</b>

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<b>NH-R55</b>	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R56</b>	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R57</b>	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R58</b>	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R59</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The maximum volume of filling does not exceed 10m <sup>3</sup> per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	<b>(2) Activity status where compliance not achieved: DIS</b>
<b>NH-R60</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil  <b>Council's discretion is restricted to the following matters:</b> (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,	<b>(2) Activity status where compliance not achieved: n/a</b>

	<p>considering a range of coastal hazard events including the 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>	
<b>NH-R61</b>	Earthworks not provided for in Rule NH-59	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R62</b>	Construction of new utilities not provided for in Rules NH-R56 and NH-R57	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R63</b>	Upgrading of existing utilities not provided for in Rules NH-R55 and NH-R56	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R64</b>	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.	

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	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	<b>Activity status: DIS</b>
<b>NH-R65</b>	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	<b>Activity status: DIS</b>
<b>NH-R66</b>	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	<b>Activity status: NC</b>
<b>NH-R67</b>	Emergency service facilities and hospitals
High risk coastal inundation area across all zones	<b>Activity status: NC</b>

*Mine subsidence risk area*

<b>NH-R68</b>	Additions to an existing building	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) Additions do not increase the gross floor area of the building by more than 15m<sup>2</sup>; and</li> <li>(b) Additions do not result in the length of any wall of the building exceeding 20m.</li> </ul>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> <li>(b) Suitability of the site for development; and</li> <li>(c) The potential effects on health and safety.</li> </ul>
<b>NH-R69</b>	Standalone garage	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) The gross floor area of the building does not exceed 55m<sup>2</sup>; and</li> <li>(b) The maximum length of any wall does not exceed 20m.</li> </ul>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> </ul>

		(b) Suitability of the site for development; and (c) The potential effects on health and safety.
<b>NH-R70</b>	Construction, replacement, repair, minor upgrading, upgrading or maintenance of utilities and associated earthworks	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R71</b>	Earthworks	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The maximum volume of filling does not exceed 20m <sup>3</sup> per site; and (b) The maximum depth of any excavation or filling does not exceed 1m above or below ground level.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.
<b>NH-R72</b>	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	<b>(1) Activity status: CON</b> <b>Activity-specific standards:</b> Nil.  <b>Council's control is reserved to the following matters:</b> (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 (b) Whether confirmation is provided from a suitably experienced and qualified geotechnical engineer that confirms the proposed building development is consistent with	<b>(2) Activity status where compliance not achieved: n/a</b>



	the recommendations and requirements of the geotechnical report approved at the time of subdivision.	
<b>NH-R73</b>	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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> <li>(b) Suitability of the site for development; and</li> <li>(c) The potential effects on health and safety.</li> </ul>	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R74</b>	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	<b>Activity status: DIS</b>	

*Liquefaction*

<b>NH-R75</b>	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>
<b>NH-R76</b>	Additional matters of restricted discretion for subdivision to create one or more additional vacant lots – liquefaction risk
All zones	(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

	<p>discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):</p> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) Measures proposed to mitigate the effects of liquefaction hazard if present including: <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) Location, timing, scale and nature of earthworks;</li> <li>(iii) Provision for ground strengthening and foundation design;</li> <li>(iv) Provision for resilient services and infrastructure, including wastewater, water supply, roads and access;</li> <li>(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</li> <li>(vi) Effects on adjoining properties.</li> </ul> </li> </ul>
<b>NH-R77</b>	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> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) Measures proposed to mitigate the effects of liquefaction hazard, if present, including: <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) Location, timing, scale and nature of earthworks;</li> <li>(iii) Provision for ground strengthening and foundation design;</li> <li>(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);</li> <li>(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and</li> <li>(vi) Effects on adjoining properties.</li> </ul> </li> </ul>

Advice note:

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

## **Information Requirements for all resource consent applications addressing natural hazards**

### **NH-INFO1 – General**

- (1) The following documents, to the extent relevant to the proposal:
  - (a) Geotechnical assessment, including identification and assessment of any potentially liquefaction prone land and land subject to slope instability;
  - (b) An assessment of natural hazard risk, including the type of natural hazards present, such as flooding, slope stability, liquefaction, subsidence and coastal hazards. The assessment shall include the level of risk and any increase in risk as a result of the proposal associated with each hazard. Where applicable, the projected effects of climate change over the period to 2120 must be included;
  - (c) Remediation and mitigation measures necessary to make the site and any proposed buildings suitable for the proposed use, such as minimum floor levels, foundation design for relocatability, and appropriate time limits and/or triggers for the removal of any building and onsite wastewater disposal systems.
- (2) Plans identifying:
  - (a) Topographical features within the site and surrounding area; and
  - (b) The location of natural hazards on all or part of the site.
- (3) Consideration of the information contained in the following stormwater catchment management plans, or any approved updated version, where relevant:
  - (a) Ngaruawahia Catchment Management Plan, March 2015;
  - (b) Tamahere Stormwater Catchment Management Plan and Report, 2011
  - (c) Port Waikato Stormwater Catchment Management Plan and Report, 2004;
  - (d) Pokeno Catchment Management Plan, 2010;
  - (e) Te Kauwhata Catchment Management Plan, 2009; or
  - (f) Tuakau Catchment Management Plan, Draft 2014.

### **NH-INFO2 – Liquefaction potential**

- (1) For land use resource consent applications where the additional matters the Council will restrict its discretion to include liquefaction, as per Rule NH-R77, the following information is required:
  - (a) A preliminary geotechnical assessment in sufficient detail to determine:
    - (i) The liquefaction vulnerability category, being either “liquefaction damage is unlikely” or “liquefaction damage is possible”, as shown in Table 4.4 in “Preliminary Document: Planning and engineering guidance for potentially liquefaction prone land – Resource Management Act and Building Act aspects. Pub MfE and MBIE, September 2017”; or
    - (ii) Whether or not the site is susceptible to liquefaction using an alternative accepted method, observation, or desktop study.
  - (b) Where a “liquefaction damage is possible” category has been identified for the site as per NH-INFO2(1)(a)(i) above, or an alternative accepted method, observation or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii) above,

the assessment will be required to determine the liquefaction vulnerability in more detail, and in proportion to the scale and significance of the liquefaction hazard, and must:

- (i) Identify any areas which require particular ground strengthening or other mitigation measures, and recommendations for such mitigation; and
  - (ii) Identify areas to be excluded from built development, due to liquefaction hazard constraints (which includes lateral spread), or which require geotechnical setbacks; and
  - (iii) Indicate options and recommended locations for the proposed activities and infrastructure recommended by the geotechnical engineer.
- (c) All geotechnical assessments in respect of liquefaction risk are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered).
- (2) For subdivision consent applications that create one or more additional vacant lots as per Rule NH-R76:
- (a) An assessment in accordance with NH-INFO2(1)(a) above will be required to be provided.
  - (b) Where a “liquefaction damage is possible” category has been identified for the site as per 15.13.2(1)(a)(i) above, or an alternative accepted method, observation, or desktop study indicates that the site is susceptible to liquefaction as per NH-INFO2(1)(a)(ii) above, the subdivision application will be required to include sufficient information and proposed measures to satisfy that liquefaction risk can be adequately avoided, remedied or mitigated, including the potential effects of lateral spread.
  - (c) Subdivision plans shall show, to the extent relevant or appropriate to the scale and significance of the liquefaction hazard identified:
    - (i) Any areas which require particular ground strengthening or other mitigation
    - (ii) Measures, and recommendations for such mitigation; and
    - (iii) Any areas which should be excluded from built development due to geotechnical constraints, or which require geotechnical setbacks; and
    - (iv) Any features of subdivision layout recommended by the geotechnical engineer, for example any recommended locations for proposed activities and other infrastructure as a result of geotechnical constraints.
  - (d) All geotechnical reports in respect of liquefaction potential are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ registered).

### **NH-INFO3 – RLZ – Rural lifestyle zone in Tamahere**

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

### **NH-INFO3 – Defended areas**

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

## 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.

(1) 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.

(1) 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:

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- (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)

MRZI – Medium density residential zone (Area 1)

<b>SUB-R1</b>	Subdivision – general	
MRZI – Medium density residential zone	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.</li> </ul> <p><b>Council's control is reserved over the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Subdivision layout;</li> <li>(c) Compliance with the approved land use consent; and</li> <li>(d) Provision of infrastructure.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>SUB-R2</b>	Subdivision – general	
MRZI – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Subdivision must comply with all of the following standards: <ul style="list-style-type: none"> <li>(i) Proposed vacant lots must have a minimum net site area (excluding access legs) of 200m<sup>2</sup>, except where the proposed lot is an access allotment, utility allotment or reserve to vest; and</li> <li>(ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</li> </ul> </li> </ul> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Subdivision layout;</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

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	<ul style="list-style-type: none"> <li>(c) Shape of lots and variation in lot sizes;</li> <li>(d) Ability of lots to accommodate a practical building platform including geotechnical stability for building;</li> <li>(e) Likely location of future buildings and their potential effects on the environment;</li> <li>(f) Avoidance or mitigation of natural hazards;</li> <li>(g) Opportunities for streetscape landscaping;</li> <li>(h) Vehicle and pedestrian networks;</li> <li>(i) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and</li> <li>(j) Provision of infrastructure.</li> </ul>	
<b>SUB-R3</b>	Subdivision – general	
MRZ1 – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(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"> <li>(i) A rectangle of at least 100m<sup>2</sup> with a minimum dimension of 6m, exclusive of yards.</li> </ul> </li> </ul> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Subdivision layout;</li> <li>(c) Shape of allotments;</li> <li>(d) Ability of allotments to accommodate a practical building platform;</li> <li>(e) Likely location of future buildings and their potential effects on the environment;</li> <li>(f) Avoidance or mitigation of natural hazards;</li> <li>(g) Geotechnical suitability for building; and</li> <li>(h) Ponding areas and primary overland flow paths.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R4</b>	Subdivision – boundary adjustments	
MRZ1 – Medium density	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p>

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residential zone	<p>(i) Boundary adjustments must comply with all of the following standards:</p> <p>(j) The standards specified in:</p> <p>(i) Rules SUB-R31 to SUB-R32 Subdivision - General;</p> <p>(k) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p><b>Council's control is reserved over the following matters:</b></p> <p>(b) Subdivision layout; and</p> <p>(c) Shape of titles and variation in lot sizes.</p>	<p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Subdivision layout; and</p> <p>(b) Shape of titles and variation in lot sizes.</p>
<b>SUB-R5</b>	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ – Medium density residential zone	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Conversion of a cross lease flats plan to a fee simple title.</p> <p><b>Council's control is reserved over the following matters:</b></p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design; and</p> <p>(d) Compliance with permitted building rules.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>SUB-R6</b>	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ <sub>1</sub> – Medium density residential zone	<p><b>(1) Activity status: CON</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Amendment or update of a cross lease flats plan.</p> <p><b>Council's control is reserved over the following matters:</b></p> <p>(b) Effects on existing buildings;</p> <p>(c) Site layout and design of cross lease or flats plan; and</p> <p>(d) Compliance with permitted building rules.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>SUB-R7</b>	Title Boundaries – contaminated land	
MRZ <sub>1</sub> – Medium density	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Subdivision of land containing contaminated land (other than where the contaminated</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<p>residential zone</p>	<p>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> <ol style="list-style-type: none"> <li>(1) Height in relation to boundary (MRZ-S4);</li> <li>(2) Building coverage (MRZ-S6 – MRZ-S7); and</li> <li>(3) Building setbacks (MRZ-S11 – MRZ-S12).</li> </ol> <p>(b) Where any proposed subdivision contains one or more of the features listed in 1 – 2, the subdivision must not divide the following:</p> <ol style="list-style-type: none"> <li>(4) A natural hazard area;</li> <li>(5) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and</li> </ol> <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1 – 3 below, must provide the following setbacks:</p> <ol style="list-style-type: none"> <li>(1) 300m from any intensive farming activity;</li> <li>(2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and</li> <li>(3) 200m from the boundary of an Aggregate Extraction Area for sand excavation.</li> </ol> <p><b>Council's discretion is restricted to the following matters:</b></p> <ol style="list-style-type: none"> <li>(c) Landscape values;</li> <li>(d) Amenity values and character;</li> <li>(e) Reverse sensitivity effects;</li> <li>(f) Effects on existing buildings;</li> <li>(g) Effects on natural hazard areas;</li> <li>(h) Effects on contaminated land;</li> <li>(i) Effects on an intensive farming activity.</li> </ol>	
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<b>SUB-R8</b>	Subdivision – road frontage	
MRZ1 – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 10m.</p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(b) Safety and efficiency of vehicle access and road network.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R9</b>	Subdivision creating reserves	
MRZ1 – Medium density residential zone	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></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><b>Council’s discretion is restricted to the following matters:</b></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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R10</b>	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ1 – Medium density	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<p>residential zone</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> <ul style="list-style-type: none"> <li>(i) The proposed lot is less than 4ha and within 20m of:</li> <li>(ii) mean high water springs;</li> <li>(iii) the bank of any river whose bed has an average width of 3m or more; or</li> <li>(iv) a lake whose bed has an area of 8ha or more; or</li> <li>(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.</li> </ul> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) The type of esplanade provided - reserve or strip;</li> <li>(c) Width of the esplanade reserve or strip;</li> <li>(d) Provision of legal access to the esplanade reserve or strip;</li> <li>(e) Matters provided for in an instrument creating an esplanade strip or access strip; and</li> <li>(f) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris.</li> </ul>	
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*MRZ2 – Medium density residential zone 2*

<p><b>SUB-R152</b></p>	<p>Subdivision – general</p>	
<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: CON</b></p> <p><b>Where no vacant lots are created:</b></p> <ul style="list-style-type: none"> <li>(a) 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</li> <li>(b) Any subdivision where a land use consent for residential units has been granted or applied for concurrently; or</li> <li>(c) Any subdivision that demonstrates it is practicable to construct on every allotment</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>



	<p>within the proposed subdivision a residential unit which complies with the standards in MRZ2-S2 to S9.</p> <p><i>Note:</i>  <i>For the purpose of SUB-R152(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><b>Council's control is reserved over the following matters:</b></p> <ul style="list-style-type: none"> <li>(d) Subdivision layout including a range of lot sizes; and</li> <li>(e) Provision of infrastructure;</li> <li>(f) Vehicles and pedestrian networks; and-</li> <li>(g) The design and capacity of the stormwater system and ability to manage stormwater; and</li> <li>(h) 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</li> <li>(i) The extent to which low impact design principles and approaches are used for stormwater management.</li> </ul> <p><b>Notification</b>  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> <ul style="list-style-type: none"> <li>(j) 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</li> <li>(k) A subdivision associated with the construction of four or more residential units that comply with the standards in MRZ2-S2 to S9; and</li> <li>(l) provided that other standards in the district plan are met.</li> </ul>	
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	<p><i>Advice Notes:</i></p> <p><i>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.</i></p> <p><i>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><b>SUB-RI53</b></p>	<p>Subdivision – general</p>	
<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></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, proposed vacant lots must have a minimum net site area of 300m<sup>2</sup> (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 375m<sup>2</sup>; and</p> <p>(2) lots of more than 5,000m<sup>2</sup> are excluded from the average calculation; and</p> <p>(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 200m<sup>2</sup> with a minimum dimension of 12m exclusive of setbacks</p> <p>(ii) In all other areas proposed vacant lots must have a minimum net site area of 200m<sup>2</sup> (excluding access legs and access allotment, utility allotment or reserve to vest;) and</p> <p>(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 2,500m<sup>2</sup>, (except where the proposed lot is an access allotment, utility allotment or reserve to vest)</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p>(b) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(c) Subdivision layout;</p> <p>(d) Shape of lots and variation in lot sizes;</p> <p>(e) Ability of all lots to accommodate a practical building platform including geotechnical stability for building;</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) In the Waikato River Catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries;</p> <p>(l) 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>(m) The design and capacity of the stormwater system and ability to manage stormwater;</p> <p>(n) 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>(o) 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>	
<b>SUB-R154</b>	Subdivision – boundary adjustments	

<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: CON</b>  <b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Boundary adjustments must comply with all of the following standards:</li> <li>(b) The standards specified in: <ul style="list-style-type: none"> <li>(i) Rules in SUB-R153</li> </ul> </li> <li>(c) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</li> </ul> <p><b>Council's control is reserved over the following matters:</b></p> <ul style="list-style-type: none"> <li>(d) Subdivision layout; and</li> <li>(e) Shape of titles and variation in lot sizes.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(f) Subdivision layout; and</li> <li>(g) Shape of titles and variation in lot sizes.</li> </ul>
<p><b>SUB-R155</b> Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold</p>		
<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: CON</b>  <b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Conversion of a cross lease flats plan to a fee simple title.</li> </ul> <p><b>Council's control is reserved over the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Effects on existing buildings;</li> <li>(c) Site layout and design; and</li> <li>(d) Compliance with permitted building rules.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>SUB-R156</b> Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold</p>		
<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: CON</b>  <b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) Amendment or update of a cross lease flats plan.</li> </ul> <p><b>Council's control is reserved over the following matters:</b></p> <ul style="list-style-type: none"> <li>(b) Effects on existing buildings;</li> <li>(c) Site layout and design of cross lease or flats plan; and</li> <li>(d) Compliance with permitted building rules.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>SUB-R157</b> Subdivision – road frontage</p>		
<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: RDIS</b>  <b>Activity specific standards:</b></p> <ul style="list-style-type: none"> <li>(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 1 m, provided that for lots with a frontage</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p>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.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(b) Safety and efficiency of vehicle access and road network.</p> <p>(c) Amenity of the street environment.</p>	
<b>SUB-R158</b>	Subdivision creating reserves	
MRZ2 – Medium density residential zone 2	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></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><b>Council's discretion is restricted to the following matters:</b></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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>SUB-R159</b>	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ2 – Medium density residential zone 2	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is required to be created shall vest in Council where the following situations apply:</p> <p>(i) The proposed lot is less than 4ha and within 20m of:</p> <p>(ii) mean high water springs;</p> <p>(iii) the bank of any river whose bed has an average width of 3m or more; or</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p>(iv) a lake whose bed has an area of 8ha or more; or</p> <p>(v) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas.</p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(b) The type of esplanade provided - reserve or strip;</p> <p>(c) Width of the esplanade reserve or strip;</p> <p>(d) Provision of legal access to the esplanade reserve or strip;</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>	
<p><b>SUB-RI60</b></p>	<p>Subdivision within the National Grid Corridor</p>	
<p>MRZ2 – Medium density residential zone 2</p>	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) The subdivision of land in any zone within the National Grid Subdivision Corridor that complies with all of the following standards:</p> <p>(i) 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</p> <p>(ii) 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.</p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(b) 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;</p> <p>(c) The ability to provide a complying building platform outside of the National Grid Yard;</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>

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	<p>(d) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</p> <p>(e) 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;</p> <p>(f) The risk to the structural integrity of the National Grid;</p> <p>(g) 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.</p>	
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*Precinct Subdivision Provisions*

<b>SUB-R19</b>	Subdivision – building platform within PREC – Havelock precinct	
PREC4 – Havelock Precinct	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity specific standards:</b></p> <p>(a) Subdivision within PREC4 – Havelock precinct where every proposed lot, other than one designed specifically for access, or is a utility allotment, is capable of containing a building platform complying with SUBR18(1) located outside the Pōkeno Industry Buffer illustrated on the planning maps.</p> <p><b>Council’s discretion is restricted to the following matters:</b></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 within and adjoining the precinct.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>

## 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 Ngaruawaahia) and the smaller towns (Meremere, Taupiri, Gordonton, Horotiu, Te Kowhai, Whatawhata, Matangi and Rangiriri).

### **Objectives**

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

### **Policies**

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



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

GRZ-P3 Setback side boundaries.

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

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

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

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

GRZ-P4 Height.

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

GRZ-P5 Site coverage and permeable surfaces.

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

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

GRZ-P6 Building scale.

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

GRZ-P7 Reverse sensitivity.

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

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

GRZ-P8 Daylight and outlook.

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

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

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

- (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.

<b>GRZ-RI</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.		<b>(2) Activity status where compliance not achieved: n/a</b>
<b>GRZ-R2</b>	A new retirement village or alterations to an existing retirement village	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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 <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m <sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; (e) Minimum service court is either:		<b>(2) Activity status where compliance not achieved: DIS</b>

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

<p>(i) Apartment – Communal outdoor space (ie no individual service courts required); or</p> <p>(ii) All other units – 10m<sup>2</sup> for each unit;</p> <p>(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</p> <p>(g) The following land use – building standards do not apply:</p> <p>(i) GRZ-S2 (Residential units);</p> <p>(ii) GRZ-S4 – GRZ-S6 (Building Height);</p> <p>(iii) GRZ-S14 – GRZ-S15 (Outdoor living space);</p> <p>(iv) GRZ-S16 (Service Court).</p>	
<b>GRZ-R3</b>	Home business
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) It is wholly contained within a building;</p> <p>(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;</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 or the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day;</p> <p>(e) Machinery may only be operated between 7:30am and 9pm on any day.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>GRZ-R4</b>	Community facility
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R5</b>	Neighbourhood park
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R6</b>	Home stay
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) No more than 4 temporary residents.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>GRZ-R7</b>	Neighbourhood centre

<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Must be within an area identified in a Council approved Structure Plan or Master Plan.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-R8</b></p>	<p>Commercial activity</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Must be within the Bankart Street and Wainui Road Business Overlay Area.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-R9</b></p>	<p>Childcare facility</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) For up to 4 children that are not permanent residents of the household unit.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-R10</b></p>	<p>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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><b>(2) Activity status where compliance not achieved: NC</b></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>	
<b>GRZ-R11</b>	Construction or alteration of a building for a sensitive land use	
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>GRZ-R12</b>	Construction, demolition, addition, and alteration of a building or structure	
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil</p>		<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R13</b>	<p>Educational facilities</p> <p>This excludes childcare facilities.</p>	

<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b>                  Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) The extent to which it is necessary to locate the activity in the GRZ - General residential zone;</li> <li>(b) Reverse sensitivity effects of adjacent activities;</li> <li>(c) The extent to which the activity may adversely impact on the transport network;</li> <li>(d) The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood;</li> <li>(e) The extent to which the activity may adversely impact on the noise environment.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>GRZ-R14</b>	The establishment of any new sensitive land use within the National Grid Yard
<b>(1) Activity status: NC</b>	
<b>GRZ-R15</b>	Any activity that is not listed as prohibited, permitted, restricted discretionary or discretionary.
<b>(1) Activity status: NC</b>	
<b>GRZ-R16</b>	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).
<b>(1) Activity status: PR</b>	

*Land use – effects*

<b>GRZ-S1</b>	Servicing and hours of operation – Bankart Street and Wainui Road Business Overlay Area	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <ul style="list-style-type: none"> <li>(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.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>	

*Land use – building*

<b>GRZ-S2</b>	Residential unit	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) One residential unit within a site.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>	
<b>GRZ-S3</b>	Minor residential unit	



<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) One minor residential unit contained within a site must comply with all of the following standards:                  (i) The net site area is 600m<sup>2</sup> or more; and                  (ii) The gross floor area shall not exceed 70m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-S4</b>   Height – building general</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>                  (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><b>GRZ-S5</b>   Height – building and vegetation in a battlefield view shaft area</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-S6</b>   Height – buildings, structures or vegetation – Raglan Navigation Beacon Height Restriction Plane</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (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 vegetation does not intrude into the Raglan Navigation Beacon Height Restriction Plane; and</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

GRZ-S6 is Operative

	(ii) This certification is provided to Council prior to the commencement of any works.	
<b>GRZ-S7</b>	Fences or walls – road boundaries and OSZ – Open space zone boundaries	
<b>(1) Activity status: PER</b> <b>Where:</b>	(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: (i) Be no higher than 1.2m if solid; (ii) Be no higher than 1.8m if: (iii) visually permeable for the full 1.8m height of the fence or wall; or (iv) solid up to 1.2m and visually permeable between 1.2 and 1.8m.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Building materials and design; (b) Effects on amenity; and (c) Public space visibility.
<b>GRZ-S8</b>	Fences or walls – road boundaries and OSZ – Open space zone boundaries	
<b>(1) Activity status: PER</b> <b>Where:</b>	(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.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Building materials and design; (b) Effects on amenity; and (c) Public space visibility.
<b>GRZ-S9</b>	Height in relation to boundary	
<b>(1) Activity status: PER</b> <b>Where:</b>	(a) Buildings or structures shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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.
<b>GRZ-S10</b>	Building coverage	
<b>(1) Activity status: PER</b> <b>Where:</b>	(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	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Whether the balance of open space and buildings will maintain the character and amenity values anticipated for the zone;

(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.	(b) Visual dominance of the street resulting from building scale; and (c) Management of stormwater flooding, nuisance or damage to within the site.
<b>GRZ-S11</b>   Building coverage	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) Within the Te Kauwhata Ecological Residential Area as identified on the planning maps, the total building coverage shall not exceed 35%.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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.
<b>GRZ-S12</b>   Building coverage	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) Within the Bankart Street and Wainui Road Business Overlay Area as identified on the planning maps, total building coverage shall not exceed 50%.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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.
<b>GRZ-S13</b>   Impervious surfaces	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) The impervious surfaces of a site shall not exceed 70%.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Site design, layout and amenity; and (b) The risk of flooding, nuisance or damage to the site or other buildings and sites.
<b>GRZ-S14</b>   Outdoor living space	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) An outdoor living space shall 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; (iii) When located on the ground floor, it has a minimum area of 80m <sup>2</sup> and a minimum dimension of 4m in any direction; and	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) The extent to which the space is useable and contributes to the feeling of spaciousness; (b) Access to sunlight; (c) Privacy of adjoining residential sites; (d) Accessibility to and convenience of the space for occupiers; and (e) Whether the size and quality of communal outdoor living space in the

<p>(iv) When located on a balcony of an above ground apartment building, it must have a minimum area of 15m<sup>2</sup> and a minimum dimension of 2m in any direction.</p>	<p>development or other public open space compensates for any reduction in the private space.</p>
<p><b>GRZ-S15</b>   Outdoor living space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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 40m<sup>2</sup> 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 15m<sup>2</sup> and a minimum dimension of 2m in any direction.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></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>
<p><b>GRZ-S16</b>   Service court</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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>(i) Storage of waste and recycling bins – minimum area of 3m<sup>2</sup> and minimum dimension of 1.5m; and</p> <p>(ii) Washing line – minimum area of 5m<sup>2</sup> and minimum dimension of 2m.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) The convenience and accessibility of the spaces for building occupiers;</p> <p>(b) The adequacy of the space to meet the expected requirements of building occupiers; and</p> <p>(c) Adverse effects on the location of the space on visual amenity from the street or adjoining sites.</p>
<p><b>GRZ-S17</b>   Building setbacks – all boundaries</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) The finished external walls (excluding eaves) of a building shall be set back a minimum of:</p> <p>(i) 3m from the road boundary;</p> <p>(ii) 13m from the edge of an indicative road (as demonstrated on a structure plan or planning maps);</p> <p>(iii) 1.5m from every boundary other than a road boundary; and</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Road network safety and efficiency;</p> <p>(b) Reverse sensitivity effects;</p> <p>(c) Adverse effects on amenity;</p> <p>(d) Streetscape;</p> <p>(e) Potential to mitigate adverse effects;</p> <p>(f) Daylight admission to adjoining properties; and</p>

<p>(iv) 1.5m from every vehicle access to another site.</p> <p>(b) GRZ-S17(1)(a) does not apply to a structure which is not a building.</p>	<p>(g) Effects on privacy at adjoining sites.</p>
<p><b>GRZ-S18</b>   Building setbacks – all boundaries</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) The finished external walls (excluding eaves) of a non-habitable building can be set back less than 1.5m from a boundary, where:</p> <p>(i) The total length of all buildings within 1.5m of the boundary does not exceed 6m; and</p> <p>(ii) The building does not have any windows or doors on the side of the building facing the boundary.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Road network safety and efficiency;</p> <p>(b) Reverse sensitivity effects;</p> <p>(c) Adverse effects on amenity;</p> <p>(d) Streetscape;</p> <p>(e) Potential to mitigate adverse effects;</p> <p>(f) Daylight admission to adjoining properties; and</p> <p>(g) Effects on privacy at adjoining sites.</p>
<p><b>GRZ-S19</b>   Building setbacks – all boundaries</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(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>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Road network safety and efficiency;</p> <p>(b) Reverse sensitivity effects;</p> <p>(c) Adverse effects on amenity;</p> <p>(d) Streetscape;</p> <p>(e) Potential to mitigate adverse effects;</p> <p>(f) Daylight admission to adjoining properties; and</p> <p>(g) Effects on privacy at adjoining sites.</p>
<p><b>GRZ-S20</b>   Building setback – sensitive land use</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</p> <p>(i) 5m from the designated boundary of the railway corridor;</p> <p>(ii) 15m from the boundary of a national route or regional arterial;</p> <p>(iii) 25m from the designated boundary of the Waikato Expressway;</p> <p>(iv) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</p> <p>(v) 30m from a municipal wastewater treatment facility where the</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Road network safety and efficiency;</p> <p>(b) On-site amenity values;</p> <p>(c) Odour, dust and noise levels received at the notional boundary of the building;</p> <p>(d) Mitigation measures; and</p> <p>(e) Potential for reverse sensitivity effects.</p>

<p>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><b>GRZ-S21</b> Building setback – water bodies</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b> (a) Any building must shall be setback a minimum of: (i) 23m from the margin of any; (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 25m<sup>2</sup> or a pump shed (public or private), within any building setback identified in GRZ-S22(1)(a).</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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><b>GRZ-S22</b> Building setback – Environmental Protection Area</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b> (a) A building shall be set back a minimum of 3m from an Environmental Protection Area.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>GRZ-S23</b> Building – Horotiu Acoustic Area (identified on the planning maps)</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b> (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>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (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.</p>

## 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.

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 I (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 I 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 I provides for this form of development within a walkable catchment of town centres, strategic transport corridors and community facilities. Within Area I 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.

<b>MRZI-RI</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>MRZI-R2</b>	A new retirement village or alterations to an existing retirement village
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) The site is connected to public water and wastewater infrastructure;</li> <li>(b) The minimum living space or balcony area and dimensions are: <ul style="list-style-type: none"> <li>(i) Apartment – 10m<sup>2</sup> area with a minimum dimension horizontal and vertical of 2.5m;</li> <li>(ii) Studio unit or 1 bedroom unit – 12.5m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m; or</li> <li>(iii) 2 or more bedroomed unit – 15m<sup>2</sup> area with minimum dimension horizontal and vertical of 2.5m.</li> </ul> </li> <li>(c) The minimum service court is either: <ul style="list-style-type: none"> <li>(i) Apartment – Communal outdoor space (i.e. no individual service courts required); or</li> <li>(ii) All other units – 10m<sup>2</sup> for each unit.</li> </ul> </li> <li>(d) The following land use – effects standard does not apply: <ul style="list-style-type: none"> <li>(i) SIGN-R1, SIGN-R8 – SIGN-R10 (Signs).</li> </ul> </li> <li>(e) The following Land Use – Building standards do not apply: <ul style="list-style-type: none"> <li>(i) MRZ1-S1 (Residential unit);</li> <li>(ii) MRZ1-S8 (Outdoor living space); and</li> </ul> </li> <li>(f) The following infrastructure and energy rule does not apply: <ul style="list-style-type: none"> <li>(i) Rule TRPT-R4(1)(a) (Traffic generation).</li> </ul> </li> </ul>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>

<b>MRZI-R3</b>	Home business
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) The home business is wholly contained within a building;</li> <li>(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;</li> <li>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and</li> <li>(e) Machinery may only be operated between 7:30am and 9pm on any day.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<b>MRZI-R4</b>	Community facilities
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 200m<sup>2</sup> GFA.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<b>MRZI-R5</b>	Neighbourhood park
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>MRZI-R6</b>	Home stay
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 4 temporary residents.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<b>MRZI-R7</b>	Boarding houses/boarding establishments
<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 10 people per site inclusive of staff and residents.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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.
<b>MRZI-R8</b>	Construction or alteration of a building for a sensitive land use	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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.		<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.
<b>MRZI-R9</b>	Construction, demolition, addition, and alteration of a building or structure	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.		<b>(2) Activity status where compliance not achieved: n/a</b>
<b>MRZI-R10</b>	Any activity that is not listed as permitted, restricted discretionary or prohibited,	
<b>Activity status: DIS</b>		
<b>MRZI-R11</b>	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).	
<b>Activity status: PR</b>		

*Land use – building*

<b>MRZI-S1</b>	Residential unit	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) Up to three residential units per site.		<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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>
<b>MRZI-S2</b>	Minimum residential unit size	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Residential units must have a minimum net internal floor area of:</p> <p>(i) 35m<sup>2</sup> for studio dwellings; and</p> <p>(ii) 45m<sup>2</sup> for one or more bedroom dwellings.</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) The functionality of the residential unit; and</p> <p>(b) Internal residential amenity.</p>
<b>MRZI-S3</b>	Height – building general	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</p> <p>(c) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.</p> <p>(d) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure;</p> <p>(e)</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>MRZI-S4</b>	Fences or walls – road boundaries	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p>

<p>(a) Fences and walls between the applicable building setbacks under MRZ1-S10 and MRZ1-11 on a site and any road boundaries, must comply with all of the following standards:</p> <p>(i) Be no higher than 1.5m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p style="padding-left: 20px;">(1) Visually permeable for the full 1.8m height of the fence or wall; or</p> <p style="padding-left: 20px;">(2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; and</p> <p>(c) Public space visibility.</p>
<p><b>MRZ1-S5</b>   Height in relation to boundary</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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><b>MRZ1-S6</b>   Building coverage</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The total building coverage must not exceed 45%.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p>

<p>(b) MRZ1-S6(1)(a) does not apply:</p> <ul style="list-style-type: none"> <li>(i) To a structure that is not a building; or</li> <li>(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Design, scale and location of the building;</li> <li>(b) Provision for outdoor living space and service courts; and</li> <li>(c) Effects on the planned urban built character of the surrounding residential area.</li> </ul>
<p><b>MRZ1-S7</b>   Impervious surfaces</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) The impervious surfaces of a site must not exceed 70%.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Site design, layout and amenity; and</li> <li>(b) The risk of flooding, nuisance or damage to the site or other buildings and sites.</li> </ul>
<p><b>MRZ1-S8</b>   Outdoor living space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(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"> <li>(i) It is for the exclusive use of the occupants of the residential unit;</li> <li>(ii) It is readily accessible from a living area of the residential unit;</li> <li>(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 20m<sup>2</sup> and a minimum dimension of 4m in any direction; and</li> <li>(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 5m<sup>2</sup> for studio and one-bedroom dwellings, or 8m<sup>2</sup> for two or more bedroom dwellings and a minimum dimension of 1.5m.</li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Design and location of the building;</li> <li>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</li> <li>(c) Privacy and overlooking on adjoining sites; and</li> <li>(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.</li> </ul>
<p><b>MRZ1-S9</b>   Ground floor internal habitable space</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(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</li> </ul>



		(b) The design and location of garaging as viewed from streets or public open spaces.
<b>MRZ1-S10</b>	Building setbacks – all boundaries	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>	
<b>MRZ1-S11</b>	Building setbacks – water bodies	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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 25m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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 Ngaaruawaahia.

### Purpose

The purpose of the MRZ2 – Medium density residential zone in area 2 is to enable the most efficient use of residentially zoned land and infrastructure within the suite of Waikato District Plan residential zones. The MRZ2 – Medium density residential zone in area 2 provides for this form of development within Huntly, Ngaaruawaahia, Pookeno and Tuakau. 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;
- Provide the highest capacity, diversity and choice of housing; and
- Coordinate delivery of infrastructure and services.

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

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

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

### Objectives

MRZ2-O1 Housing typology.

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

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

MRZ2-O2 Efficient use of land and infrastructure.

Land and infrastructure near the TCZ – Town Centre Zone, LCZ – Local centre zone and COMZ – Commercial zone and close to public transport networks, strategic transport corridors and community facilities is efficiently used for medium density residential living, resulting in a compact urban settlement pattern.

MRZ2-O3 Residential amenity.

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

MRZ2-O4 Activities.

An appropriate mix of complementary and compatible activities, 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 and/or protect one or more qualifying matters.

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 building heights; and
- (b) The design of subdivisions and development.

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

## Policies

MRZ2-P1 Housing Typology.

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

MRZ2-P2 Residential Amenity.

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

MRZ2-P3 Housing Design.

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

MRZ2-P4 Enabling Housing Development.

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

MRZ2-P5 Streetscape, yards and outdoor living spaces.

- (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
  - (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.

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

- (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 restricting building heights within the Area 1 height restriction area in the Havelock Precinct.

MRZ2-P12 Building form, massing and coverage.

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

MRZ2-P13 Retirement villages.

- (1) Provide for the establishment of new retirement villages and care facilities that:
  - (a) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
  - (b) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
  - (c) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
  - (d) Recognise that housing and care facilities for older people can require higher densities;
  - (e) Provide high quality on-site amenity;
  - (f) Integrate with local services and facilities, including public transport; and
  - (g) Connect to alternative transport modes to the LLRZ – Large lot residential zone, SETZ – Settlement zone, 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-P14 Outlook from Tuurangawaewae Marae

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

MRZ2-P15 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.

## 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.

<b>MRZ2-R1</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>	
<b>MRZ2-R2</b>	A new retirement village or alterations to an existing retirement village	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The site is connected to public water and wastewater infrastructure; (b) The following land use – effects standard does not apply: (i) SIGN-R1, SIGN-R8 – SIGN-R10 (Signs). (c) The following Land Use – Building standards do not apply: (i) MRZ2-S1 (Residential unit (per unit)); (ii) MRZ2-S6 (Outdoor living space); and (iii) MRZ2-S7 (Outlook space) (iv) MRZ2-S10 (Minimum residential unit size); and (v) MRZ2-S12 Ground floor internal habitable space. (d) All other Land Use – Building standards apply, including the following MDRS standards: (i) MRZ2-S2 (Height – building general) (ii) MRZ2-S3 (Height in relation to boundary) (iii) MRZ2-S4 (Setbacks) (iv) MRZ2-S5 (Building coverage) (v) MRZ2-S8 (Windows to the street) (vi) MRZ2-S9 (Landscaped areas). (e) The following infrastructure and energy rule does not apply: (i) Rule TRPT-R4(1)(a) (Traffic generation).	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; (c) Cumulative effects; and (d) Whether the non-compliance with the activity standard is required for the operational needs of the retirement village.	
<b>MRZ2-R3</b>	Home business	

<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) The home business is wholly contained within a building;</li> <li>(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;</li> <li>(c) No more than 2 people who are not permanent residents of the site are employed at any one time;</li> <li>(d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and</li> <li>(e) Machinery may only be operated between 7:30am and 9pm on any day.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZ2-R4</b></p>	<p>Community facilities</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 200m<sup>2</sup> GFA.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>
<p><b>MRZ2-R5</b></p>	<p>Neighbourhood park</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>          Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>MRZ2-R6</b></p>	<p>Home stay</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) No more than 4 temporary residents.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Consideration of the effects of the activity-specific standard not met;</li> <li>(b) Measures to avoid, remedy or mitigate adverse effects; and</li> <li>(c) Cumulative effects.</li> </ul>



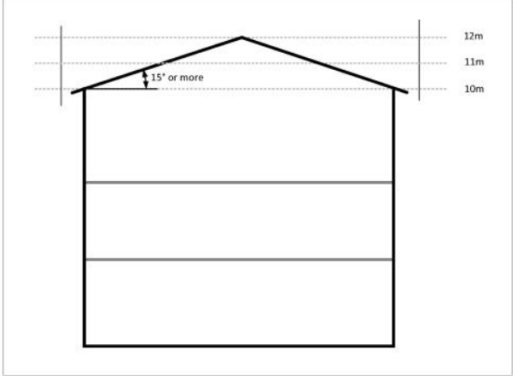
<b>MRZ2-R7</b>	Boarding houses/boarding establishments
<p>(1) <b>Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) No more than 10 people per site inclusive of staff and residents.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>MRZ2-R8</b>	Construction, demolition, addition, and alteration of a building or structure
<p>(1) <b>Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p><b>Nil.</b></p>	<p>(2) <b>Activity status where compliance not achieved: n/a</b></p>
<b>MRZ2-R9</b>	Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018
<p>(1) <b>Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) Within the National Grid Yard:</p> <p>(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</p> <p>(ii) New, or additions to existing buildings or structures that are not for a sensitive land use;</p> <p>(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;</p> <p>(iv) Fences less than 2.5m in height, measured from the natural ground level immediately below.</p> <p>(b) All buildings or structures permitted by Rule GMRZ2-R10(1)(a) must:</p> <p>(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</p> <p>(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) 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) <b>Activity status where compliance not achieved: NC</b></p>

<p>(3) 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>(4) 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>(i) Not permanently physically impede existing vehicular access to a National Grid support structure.</p>	
<b>MRZ2-R10</b>	The establishment of any new sensitive land use within the National Grid Yard
<b>Activity status: NC</b>	
<b>MRZ2-R11</b>	Any activity that is not listed as permitted, restricted discretionary or prohibited,
<b>Activity status: DIS</b>	
<b>MRZ2-R12</b>	Any new building within the Huntly North Wetland specific control identified on the planning maps
<b>Activity status: NC</b>	
<b>MRZ2-R13</b>	Educational facilities This excludes childcare facilities
<p>(1) <b>Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) The extent to which it is necessary to locate the activity in the GRZ - General residential zone;</li> <li>(b) Reverse sensitivity effects of adjacent activities;</li> <li>(c) The extent to which the activity may adversely impact on the transport network;</li> <li>(d) The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood;</li> <li>(e) The extent to which the activity may adversely impact on the noise environment.</li> </ul>	<p>(2) <b>Activity status where compliance not achieved: n/a</b></p>
<b>MRZ2-R14</b>	Neighbourhood centre
<p>(1) <b>Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Must be within an area identified in a Council approved Structure Plan or Master Plan.</p>	<p>(2) <b>Activity status where compliance not achieved: DIS</b></p>

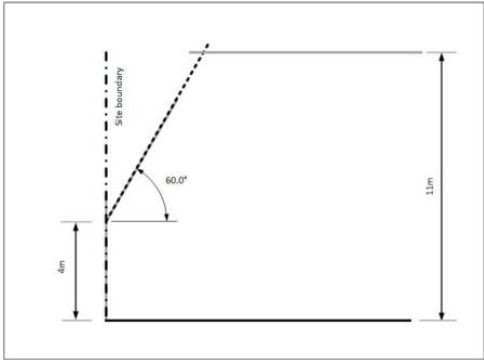
Land use

<b>MRZ2-SI</b>	Residential unit
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Up to three residential units per site.</p> <p><i>Note: This standard does not apply to 5851 Great South Road Ngaaruawahia.</i></p> <p><i>Advice Notes:</i></p> <p>1. <i>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</i></p> <p style="padding-left: 40px;">(a) <i>Water, Wastewater and Stormwater chapter</i></p> <p style="padding-left: 40px;">(b) <i>Earthworks chapter</i></p> <p>2. <i>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.</i></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Intensity of the development; and</p> <p>(b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone;</p> <p>(c) The relationship of the development with adjoining streets or public open 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 style="padding-left: 40px;">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 style="padding-left: 40px;">ii. Sites are adjacent to marae or an Open Space Zone.</p> <p><b>Notification</b></p> <p>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>
<b>MRZ2-SIA</b>	Residential unit within the QM for 5851 Great South Road
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Up to one residential unit per site.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p>

	<ul style="list-style-type: none"><li>(a) Intensity of the development; and</li><li>(b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone;</li><li>(c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</li><li>(d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and</li><li>(e) Provision of 3-waters infrastructure to individual units; and</li><li>(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</li><li>(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.</li><li>(h) Within QM 5851 Great South Road effects on the values associated with the Site or Area of Significance to Maaori.</li></ul>
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<b>MRZ2-S2</b>	Height – building general
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram (enlarged as Figure 1 at the conclusion of this Chapter).</p> <p><i>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</i></p> 	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Height of the building or structure;</li> <li>(b) Design, scale and location of the building;</li> <li>(c) Extent of shading on adjacent sites;</li> <li>(d) Privacy and overlooking on adjoining sites;</li> <li>(e) The visual dominance effects on adjoining sites;</li> <li>(f) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</li> <li>(g) In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa;</li> <li>(h) 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; and</li> <li>(i) The effects on values held by mana whenua where:             <ul style="list-style-type: none"> <li>i. Sites contain or are adjacent to mapped arcahaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</li> <li>ii. Sites are adjacent to marae or an Open Space Zone.</li> </ul> </li> </ul> <p><b>Notification</b></p> <p>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.</p>
<b>MRZ2-S2A</b>	Height within the Tuurangawaewae Marae Surrounds QM
<b>(1) Activity status: PER</b>	<b>(2) Activity status where compliance not achieved: RDIS</b>

<p><b>Where:</b></p> <p>(a) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</p>	<p><b>Council’s discretion is restricted to the following matters:</b></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) The visual dominance effects on adjoining sites;</p> <p>(f) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</p> <p>(g) The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga; 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><b>MRZ2-S3</b></p>	<p>Height in relation to boundary</p>
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) 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-</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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) The visual dominance effects on adjoining sites; and</p> <p>(f) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping.</p> <p>(g) In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa</p>

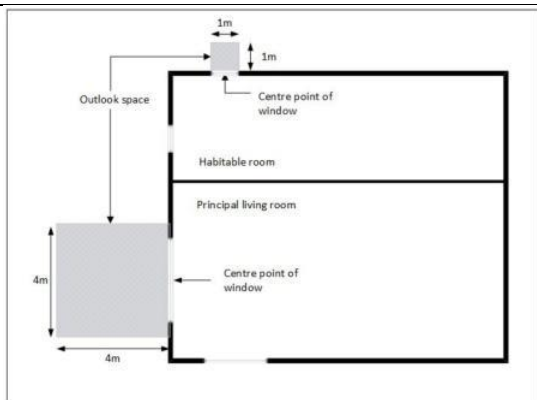
<p>trance strip, access site, or pedestrian access way.</p>  <p>(b) Standard (a) above does not apply to:</p> <ul style="list-style-type: none"> <li>(i) a boundary with a road</li> <li>(ii) existing or proposed internal boundaries within a site:</li> <li>(iii) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</li> </ul> <p><i>Note: This standard does not apply to land within the Tuarangawaewae Marae Surrounds QM.</i></p>	<p>(h) The effects on values held by mana whenua where:</p> <ul style="list-style-type: none"> <li>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</li> <li>ii. Sites are adjacent to marae or an Open Space Zone.</li> </ul> <p>(i) In Ngaaruwaahia the potential to adversely effect the outlook from Tuarangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa</p> <p><b>Notification</b> 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>
<p><b>MRZ2-S3A</b></p>	<p>Height in relation to boundary in the Tuarangawaewae Marae surrounds QM</p>
<p>(1) <b>Activity status: PER</b> <b>Where:</b> Within the Tuarangawaewae Marae Surrounds QM:</p> <ul style="list-style-type: none"> <li>(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             <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) This standard does not apply to existing or proposed internal boundaries within a site;</li> <li>(iii) Where the boundary adjoins a legal road.</li> </ul> </li> </ul>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Height of the building;</li> <li>(b) Design and location of the building;</li> <li>(c) Extent of shading on adjacent sites;</li> <li>(d) Privacy on adjoining sites.</li> <li>(e) The visual dominance effects on adjoining sites.</li> <li>(f) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</li> <li>(g) The effect on cultural viewshafts from Tuarangawaewae Marae to Hakarimata Range and Taupiri Maunga.</li> </ul>

<b>MRZ2-S4</b>	Setbacks								
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table border="1" data-bbox="284 432 782 647"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>1.5m</td> </tr> <tr> <td>Side</td> <td>1m</td> </tr> <tr> <td>Rear</td> <td>1m (excluded on corner sites)</td> </tr> </tbody> </table> <p>(b) 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.</p>	Yard	Minimum depth	Front	1.5m	Side	1m	Rear	1m (excluded on corner sites)	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Road network safety and efficiency;</li> <li>(b) Potential to mitigate adverse effects on the streetscape through use of other design features;</li> <li>(c) Daylight admission to adjoining properties;</li> <li>(d) Privacy overlooking on adjoining sites;</li> <li>(e) The visual dominance effects on adjoining sites;</li> <li>(f) Flooding effects including safe access and egress;</li> <li>(g) Stormwater management and the use of Low Impact Design methods;</li> <li>(h) Consistency with the relevant stormwater catchment management plan; and</li> <li>(i) The extent to which the non-compliance compromises the ability for emergency services to access the property in an emergency.</li> </ul> <p><b>Notification</b>                  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><i>Advice note:</i>                  Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</p>
Yard	Minimum depth								
Front	1.5m								
Side	1m								
Rear	1m (excluded on corner sites)								
<b>MRZ2-S5</b>	Building coverage								
<p><b>(1) Activity status: PER</b>  <b>Where:</b>                  (a) The maximum building coverage must not exceed 50% of the net site area.</p> <p><i>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</i></p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Design, scale and location of the building;</li> <li>(b) Provision for outdoor living space and service courts;</li> <li>(c) Effects on the planned urban built character and any qualifying matter on the surrounding residential area;</li> <li>(d) The visual dominance effects on adjoining sites;</li> </ul>								



	<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; and</p> <p>(g) In Ngaaruawaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa.</p> <p><b>Notification</b> 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>
<b>MRZ2-S5A</b>	Building Coverage within the Tuurangawaewae Marae surrounds QM
<p><b>(1) Activity status: PER</b> <b>Where:</b></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>(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><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design, scale and location of the building;</p> <p>(b) Provision for outdoor living space and service courts;</p> <p>(c) Effects on the planned urban built character and any qualifying matter on the surrounding residential area ;</p> <p>(d) The visual dominance effects on adjoining sites;</p> <p>(e) The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</p> <p>(f) Flooding effects including safe access and egress; and</p> <p>(g) Stormwater management and the use of Low Impact Design methods.</p>
<b>MRZ2-S6</b>	Outdoor living space (per unit)
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) A residential unit at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> and that comprises ground floor, balcony, patio, or roof terrace space that meets all of the following standards:</p> <p>(i) where located at ground level, has no dimension less than 3m; and</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design and location of the building;</p> <p>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</p>

<p>(ii) where provided in the form of a balcony, patio, or roof terrace, is at least 8m<sup>2</sup> and has a minimum dimension of 1.8m; and</p> <p>(iii) is accessible from the residential unit; and</p> <p>(iv) may be—</p> <ol style="list-style-type: none"> <li>(1) grouped cumulatively by area in one communally accessible location; or</li> <li>(2) located directly adjacent to the unit; and</li> </ol> <p>(v) is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <p>(b) A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</p> <ol style="list-style-type: none"> <li>(i) is at least 8m<sup>2</sup> and has a minimum dimension of 1.8m; and</li> <li>(ii) is accessible from the residential unit; and</li> <li>(iii) may be—</li> </ol> <ol style="list-style-type: none"> <li>(1) grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or</li> <li>(2) located directly adjacent to the unit.</li> </ol>	<p>(c) Privacy and overlooking on adjoining sites; and</p> <p>(d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</p> <p><b>Notification</b> 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.</p>
<p><b>MRZ2-S7</b></p>	<p>Outlook space (per unit)</p>
<p>(1) <b>Activity status: PER</b> <b>Where:</b></p> <ol style="list-style-type: none"> <li>(a) An outlook space must be provided for each residential unit as outlined below.</li> <li>(b) 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):</li> </ol>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <ol style="list-style-type: none"> <li>(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;</li> <li>(b) The nature of the occupation of the room without the required outlook;</li> <li>(c) The effects on amenity of future occupants from a reduced outlook; and</li> <li>(d) Any privacy benefits from providing a reduced outlook.</li> </ol> <p><b>Notification</b></p>



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><b>Notification</b> 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.</p>
<b>MRZ2-S9</b>	Landscaped area
<p>(1) <b>Activity status: PER</b> <b>Where:</b></p> <p>(a) 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.</p> <p>(b) The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></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><b>Notification</b> Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S9 will be considered without public notification.</p>
<b>MRZ2-S10</b>	Minimum residential unit size
<p>(1) <b>Activity status: PER</b> <b>Where:</b></p> <p>(a) Residential units must have a minimum net internal floor area of:</p> <p>(i) 35m<sup>2</sup> for studio dwellings; and</p> <p>(ii) 45m<sup>2</sup> for one or more bedroom dwellings.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) The functionality of the residential unit; and</p> <p>(b) Internal residential amenity.</p>

<b>MRZ2-SI1</b>	Impervious surfaces	
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) The impervious surfaces of a site must not exceed 70%.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Site design, layout and amenity;</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>	
<b>MRZ2-SI2</b>	Ground floor internal habitable space	
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</p>	<p>(2) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>	
<b>MRZ2-SI3</b>	Fences or walls	
<p>(1) <b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Boundary fences and walls:</p> <p>(i) adjacent to any road boundaries;</p> <p>(ii) Adjoining any OSZ - open space zone; or:</p> <p>(iii) Between properties within the first 1.5m of the front yard</p> <p>(b) Boundary fences and walls within (a) 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) <b>Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; and</p> <p>(c) Public space visibility</p> <p>(d) Amenity effects associated with access to sunlight.</p> <p>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below</p>	

(c) Boundary fences and walls between properties further than 1.5m into the site must not exceed 2m.	
<b>MRZ2-SI4</b> Building setbacks – water bodies	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) A building must be set back a minimum of:</p> <ul style="list-style-type: none"> <li>(i) 20m from the margin of any lake;</li> <li>(ii) 20m from the margin of any wetland;</li> <li>(iii) 21.5m from the bank of any river (other than the Waikato River and Waipa River);</li> <li>(iv) 26.5m from the margin of either the Waikato River and the Waipa River</li> </ul> <p>(b) A public amenity of up to 25m<sup>2</sup> or pumped 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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</li> <li>(b) Adequacy of erosion and sediment control measures;</li> <li>(c) The functional or operational need for the building to be located close to the waterbody;</li> <li>(d) Effects on public access to the waterbody;</li> <li>(e) Effects on the amenity of the locality;</li> <li>(f) Effects on natural character values including hydrology and flooding.</li> <li>(g) In the Waikato River catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries including groundwater resources.</li> <li>(h) Effects on cultural values identified in Maaori Values and Maatauranga Maaori Chapter; and</li> <li>(i) The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy.</li> </ul>
<b>MRZ2-SI5</b> Building setback – sensitive land use	
<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</p> <ul style="list-style-type: none"> <li>(i) 5m from the designated boundary of the railway corridor;</li> <li>(ii) 15m from the boundary of a national route or regional arterial;</li> <li>(iii) 25m from the designated boundary of the Waikato Expressway;</li> <li>(iv) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Road network safety and efficiency;</li> <li>(b) On-site amenity values;</li> <li>(c) Odour, dust and noise levels received at the notional boundary of the building;</li> <li>(d) Mitigation measures; and</li> <li>(e) Potential for reverse sensitivity effects.</li> </ul>

<p>(v) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and</p> <p>(vi) 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaaruawaahia.</p>	
<b>MRZ2-SI6</b>	Building setback – Environmental Protection Area
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) A building shall be set back a minimum of 3m from an Environmental Protection Area.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

*Additional provisions applying to the Havelock Precinct*

<b>PREC4-SI</b>	Height – Havelock height restriction areas
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(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 the:</p> <p>(i) Havelock industry buffer height restriction area; and/or</p> <p>(ii) Havelock hilltop park height restriction area; and/or</p> <p>(iii) Havelock ridgeline height restriction area.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>PREC4-S2</b>	Building setback – sensitive land use within PREC4 – Havelock precinct
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(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 Havelock Industry Buffer identified on the planning maps.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>PREC4-S3</b>	Building design – sensitive land use with PREC4 – Havelock precinct
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(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' but within the 40 dB LAeq noise contour shown on the planning maps.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<p>(b) Any new building or alteration to an existing building for a sensitive land use located outside the 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.</p> <p>(c) 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> <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>i) 6 air changes per hour for rooms with less than 30% of the façade area glazed;</p> <p>ii) 15 air changes per hour for rooms with greater than 30% of the façade area glazed;</p> <p>iii) 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>All is certified by a suitably qualified and experienced person.</p>	
<p><b>PREC4-S4</b></p>	<p>Residential unit within the Slope Residential Area</p>
<p><b>(1) Activity status: PER</b> <b>Where:</b> (a) One residential unit per site.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>PREC4-S5</b></p>	<p>Building coverage within the Slope Residential Area</p>
<p><b>(1) Where:</b> (a) The maximum building coverage must not exceed 40% of the net site area.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>



### Medium Density Residential Standard Figures

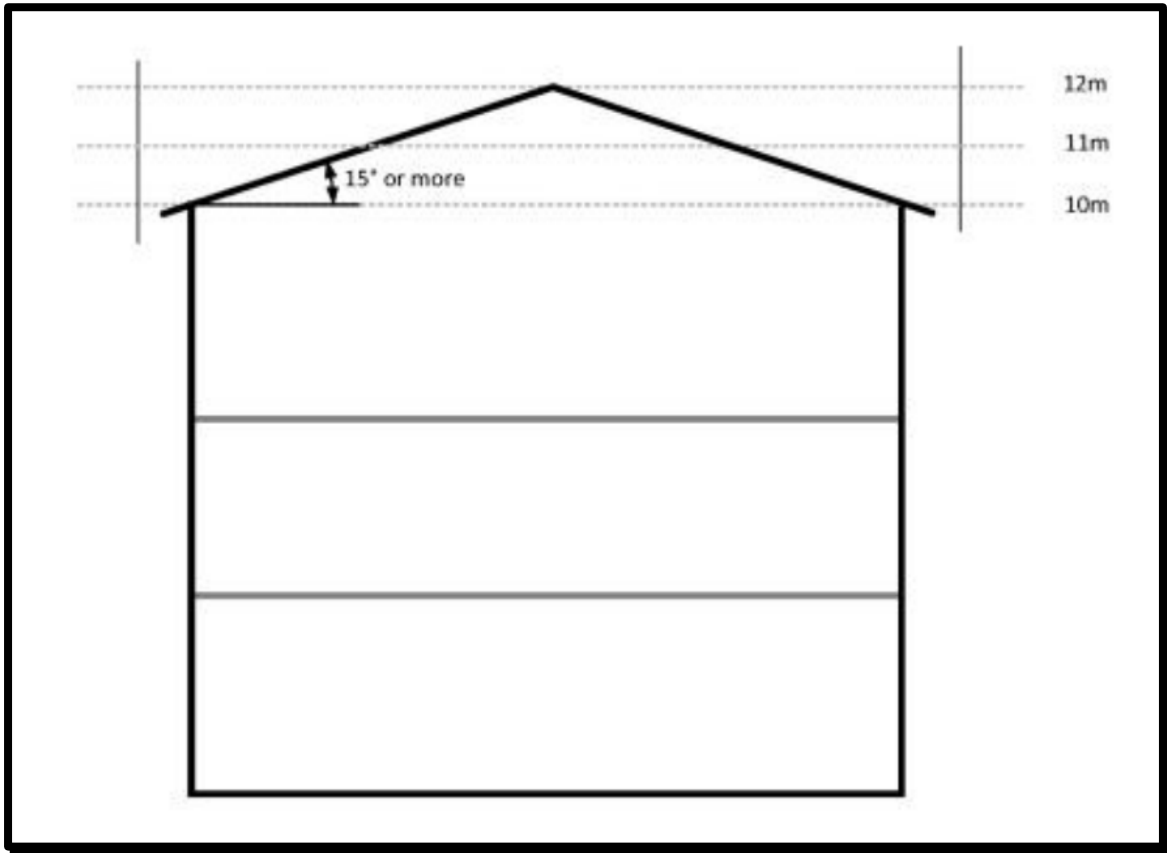


Figure 1: Building Height (refer to MRZ2-S2)

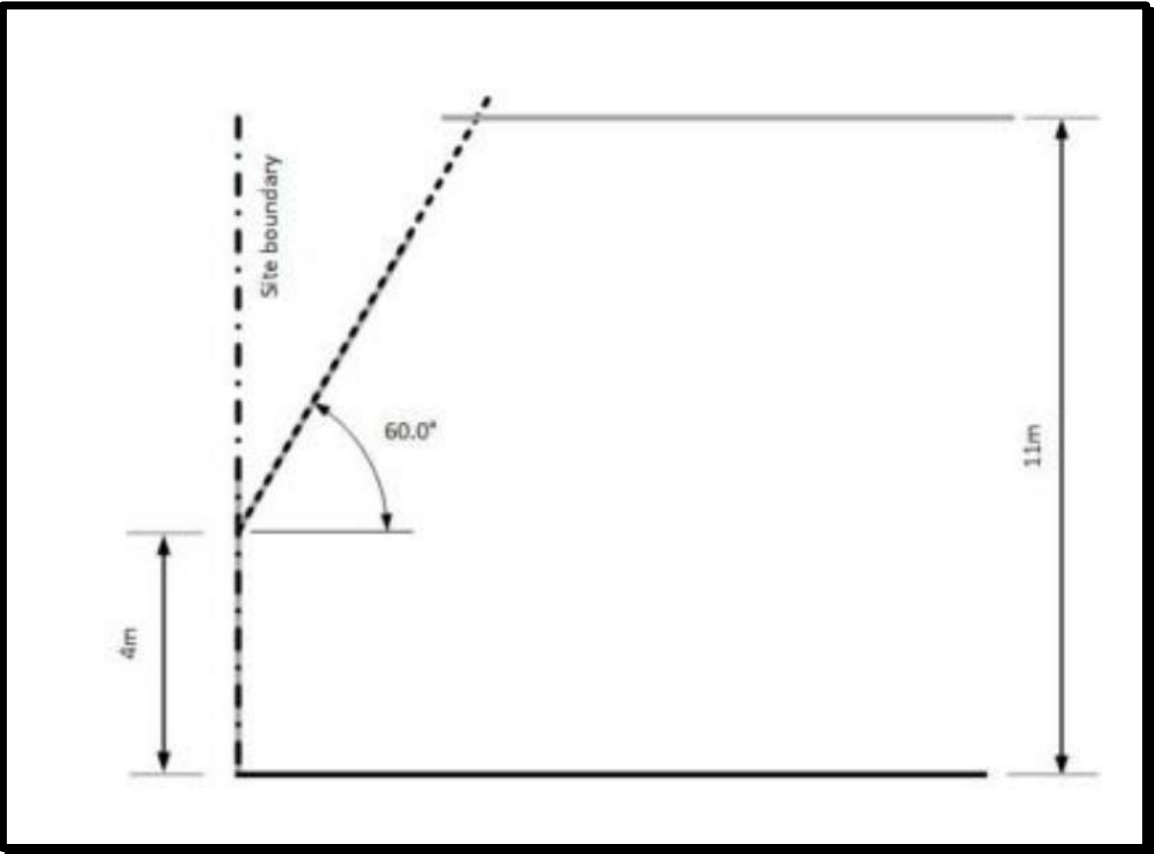


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

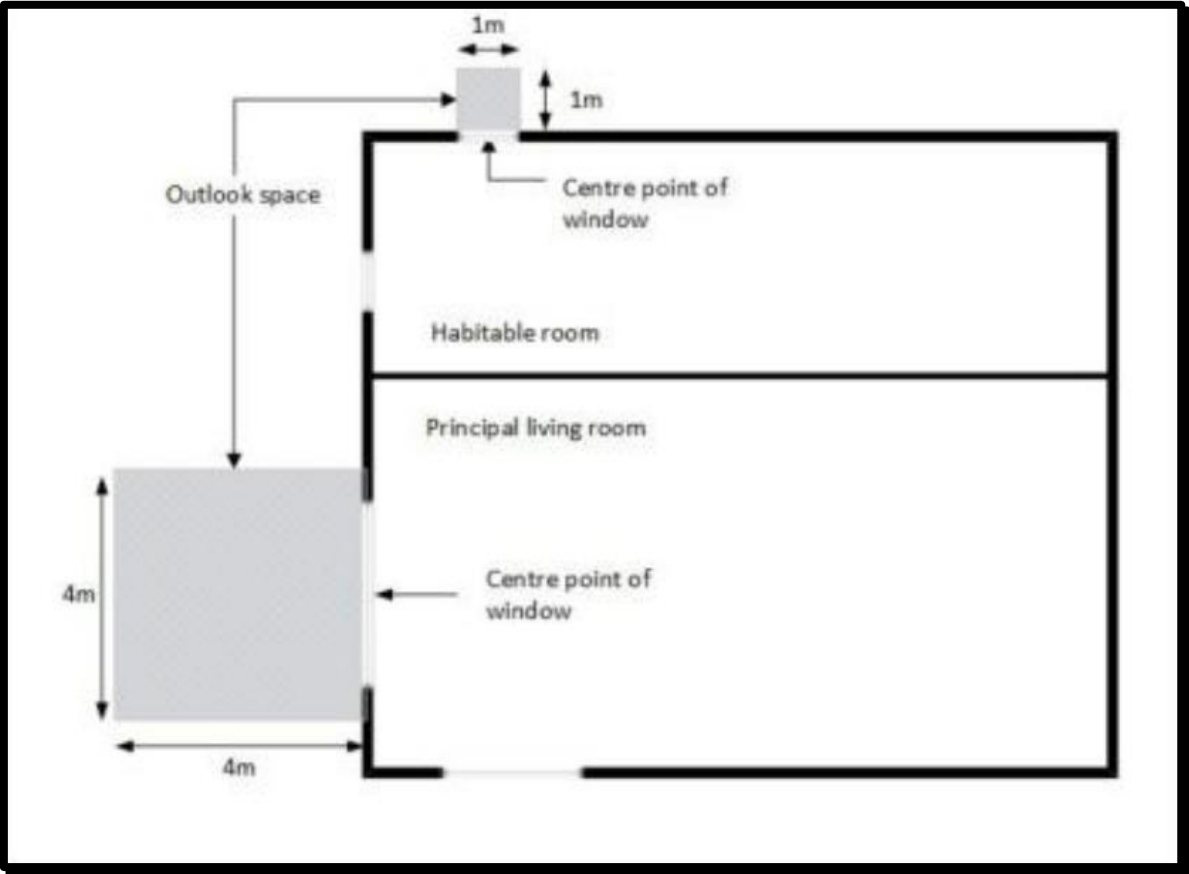


Figure 3: Outlook space per unit (refer to MRZ2-S7)

## 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.

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

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

<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) Within National Grid Yard:</p> <ul style="list-style-type: none"> <li>(i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or</li> <li>(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</li> <li>(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</li> <li>(iv) Non-habitable horticultural buildings; or</li> <li>(v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures);</li> <li>(vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and</li> <li>(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.</li> </ul> <p>(b) All buildings or structures permitted by Rule COMZ-R14(1)(a) must:</p> <ul style="list-style-type: none"> <li>(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</li> </ul>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
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<p>(1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</p> <p>(2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or</p> <p>(3) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or</p> <p>(ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure;</p> <p>(c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that:</p> <p>(i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor;</p> <p>(ii) Are no higher than 2.5m;</p> <p>(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;</p> <p>(iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.</p>	
<p><b>COMZ-R15</b></p>	<p>Construction or alteration of a building for a sensitive land use</p>
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b></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>

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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><b>COMZ-R16</b></p>	<p>Construction or demolition of, or alteration or addition to, a building or structure</p>
<p><b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>COMZ-R17</b></p>	<p>A multi-unit development</p>
<p><b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b></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 20m<sup>2</sup>; 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><b>(2) Activity status where compliance not achieved: DIS</b></p>

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

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

Unit or Apartment Area	Minimum Unit
Studio Unit	35m <sup>2</sup>
1 or more bedroom unit	45m <sup>2</sup>

(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"><li>(a) Sunlight and daylight access to adjoining sites; and</li><li>(b) Privacy and overlooking of adjoining sites;</li><li>(c) The effects on the heritage values of any scheduled heritage item</li><li>(d) The design and appearance of buildings including modulation and articulation of building mass to create visual interest and to break down larger elements;</li><li>(e) Landscape treatment of yards and frontages, including screening of taller buildings when viewed from adjoining residential zones.</li><li>(f) The effectiveness of screening of car parking and service areas from the view of people using public spaces.</li><li>(g) The maintenance or enhancement of amenity for pedestrians using public spaces or streets.</li></ul> <p><u>On-site amenity:</u></p> <ul style="list-style-type: none"><li>(j) The extent to which the design:<ul style="list-style-type: none"><li>(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.</li><li>(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.</li><li>(iii) Maximises opportunities for passive solar gain within units.</li></ul></li></ul> <p><u>Additional on-site amenity matters within the Huntly Commercial Precinct:</u></p> <ul style="list-style-type: none"><li>(h) Dimensions of outlook area.</li><li>(i) Visual privacy and dominance effects on adjoining sites.</li><li>(j) Internal amenity outcome.</li><li>(k) Methods to secure outlook if over adjoining site.</li></ul>	
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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>	
<b>COMZ-R18</b>	Commercial activities within in the Motorway service centre specific control
<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p> <p><b>Council’s discretion is restricted to the following matters:</b></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><b>(2) Activity status: NC</b></p> <p><b>Where:</b></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>
<b>COMZ-R19</b>	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
<b>(1) Activity status: DIS</b>	
<b>COMZ-R20</b>	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
<b>(1) Activity status: NC</b>	
<b>COMZ-R21</b>	Any change of use of an existing building to a sensitive land use within the National Grid Yard
<b>(1) Activity status: NC</b>	
<b>COMZ-R22</b>	The establishment of any new sensitive land use within the National Grid Yard
<b>(1) Activity status: NC</b>	
<b>COMZ-R23</b>	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
<b>(1) Activity status: NC</b>	
<b>COMZ-R24</b>	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).
<b>(1) Activity status: PR</b>	

Land use – effects

<b>COMZ-S2</b>	Servicing and hours of operation	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>	
<b>COMZ-S3</b>	Onsite parking areas – landscaping	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design and location of the parking area and landscaping strip; and</p> <p>(b) Effects on streetscape amenity.</p>	
<b>COMZ-S4</b>	Outdoor storage	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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

<b>COMZ-S5</b>	Building height
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>COMZ-S6</b>	Height in relation to zone boundary
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>COMZ-S7</b>	Building setbacks – zone boundaries

<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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><b>COMZ-S8</b>   Building setback – waterbodies</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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 25m<sup>2</sup> 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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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><b>COMZ-S9</b>   Horotiu acoustic area</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area must</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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><b>COMZ-S10</b>   Residential units</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>  (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><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>COMZ-S11</b>   Outdoor living space</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>  (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 15m<sup>2</sup> and a circle with a diameter of at least 2.4m.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>  (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.

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

<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>TCZ-R5</b>   Community facility</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Excluding a cemetery.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>TCZ-R6</b>   Health facility</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Excluding a hospital.</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>TCZ-R7</b>   Office</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (a) Located above ground floor level within the Verandah Line notation on the planning maps.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>TCZ-R8</b>   Public transport facility</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>TCZ-R9</b>   Community corrections activity</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>TCZ-R10</b>   Construction or alteration of a building for a sensitive land use</p>	
<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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>

<b>TCZ-R11</b>	Demolition of, or alteration or addition to, a building or structure										
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>										
<b>TCZ-R12</b>	A multi-unit development										
<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> (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 <sup>2</sup> ; and (ii) minimum dimension of 3m. (e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:	<b>(2) Activity status where compliance not achieved: DIS</b>										
	<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>10m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>2 or more bedrooms</td> <td>15m<sup>2</sup></td> <td>2m</td> </tr> </tbody> </table>	Residential Unit	Minimum outdoor Living space area	Minimum Dimensions	Studio unit or 1 bedroom	10m <sup>2</sup>	2m	2 or more bedrooms	15m <sup>2</sup>	2m	
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2 or more bedrooms	15m <sup>2</sup>	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>35m<sup>2</sup></td> </tr> <tr> <td>1 or more bedroom unit</td> <td>45m<sup>2</sup></td> </tr> </tbody> </table>	Unit or Apartment Area	Minimum Unit	Studio Unit	35m <sup>2</sup>	1 or more bedroom unit	45m <sup>2</sup>				
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1 or more bedroom unit	45m <sup>2</sup>										



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

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

<b>Activity status: PR</b>
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Land use – effects

<b>TCZ-S1</b>	Servicing and hours of operation
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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>
<b>TCZ-S2</b>	Outdoor storage
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></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

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

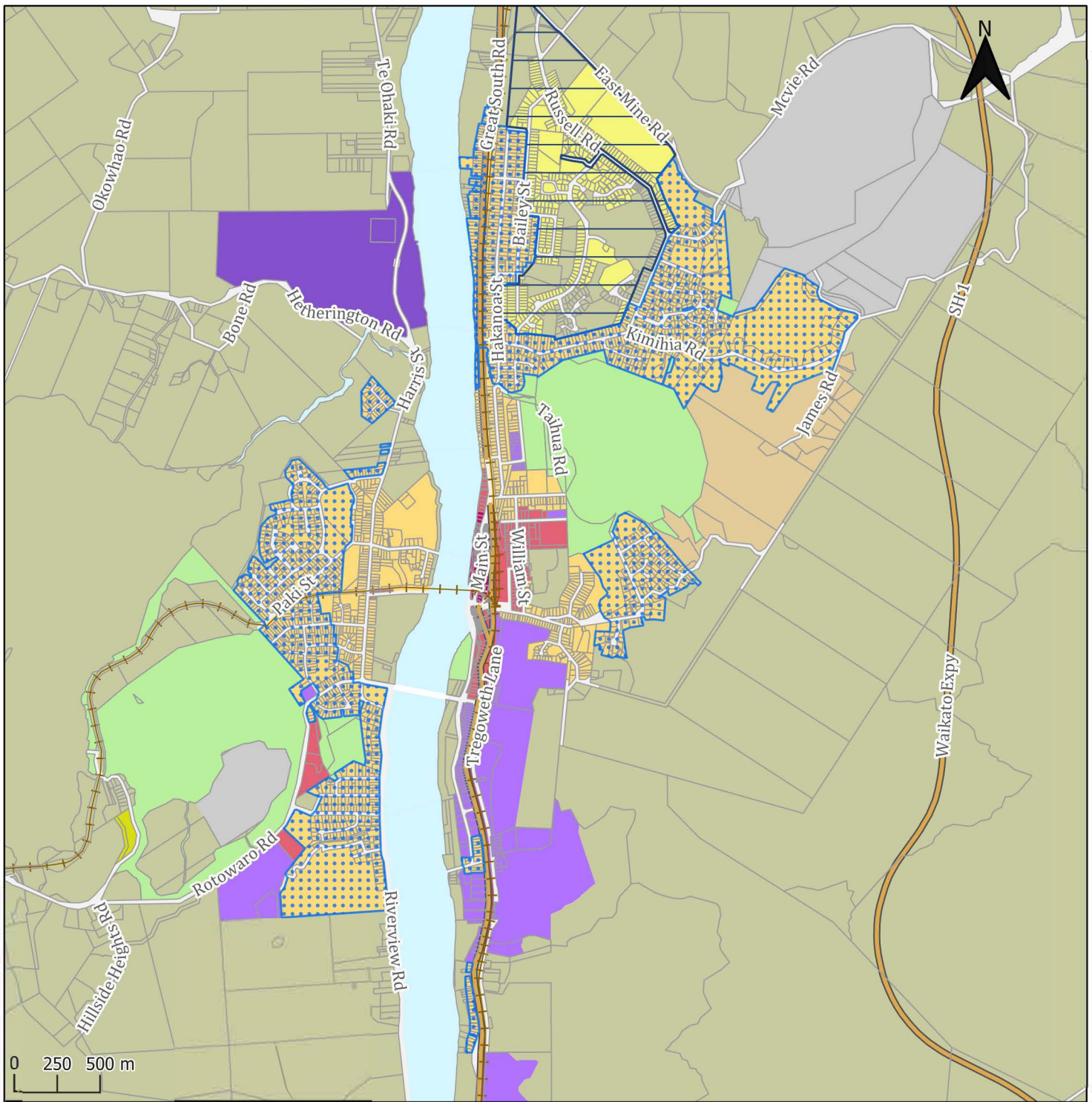
<p>natural ground level immediately below that part of the structure must not exceed 12;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure;</p> <p>(c) The maximum height of hose drying 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; <del>and</del></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><b>TCZ-S4</b>   Height in relation to boundary</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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>1</u> – Medium density residential zone <u>1</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><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></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; <del>and</del></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><b>TCZ-S5</b>   Gross leasable floor area</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></p> <p>(a) Every individual tenancy (excluding supermarkets) must have a gross leasable floor area of no more than 350m<sup>2</sup></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>TCZ-S6</b>   Display windows and building façades</p>	
<p><b>(1) Activity status: PER</b> <b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b></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><b>TCZ-S7</b>   Verandahs</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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><b>TCZ-S8</b>   Building setbacks – zone boundaries</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></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) MRZ<sub>1</sub> – Medium density residential zone <sub>1</sub>;</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><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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.		
<b>TCZ-S9</b>	Building setback – waterbodies	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) A building must be 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 25m<sup>2</sup> or pump shed (private or public) within any building setback identified in Standard TCZ-S9(1)(a);</p> <p>(c) TCZ-S9(1)(a) does not apply to a structure which is not a building.</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></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>
<b>TCZ-S10</b>	Residential units	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) One residential unit on the Record of Title;</p> <p>(b) The residential unit must comply with all of the following standards:</p> <p>(i) The residential unit must not be located at ground level;</p> <p>(ii) The entrance lobby, stairwell or lift may be located on the ground floor level;</p> <p>(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.</p> <p>(c) Standard TCZ-S10(1) does not apply to multi-unit development (refer to Rule TCZ-R12 (Multi-unit development)).</p>		<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>TCZ-S11</b>	Outdoor living space	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) An outdoor living space must be provided for each residential unit that meets all of the following standards:</p>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Design and location of the building;</p>

<ul style="list-style-type: none"><li>(i) It is for the exclusive use of the occupants of the residential unit;</li><li>(ii) It is readily accessible from a living area of the residential unit; and</li><li>(iii) It is located on a balcony containing at least 15m<sup>2</sup> and a circle with a diameter of at least 2.4m.</li></ul>	<ul style="list-style-type: none"><li>(b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed;</li><li>(c) Privacy on adjoining sites;</li><li>(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.</li></ul>
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### Recommendations

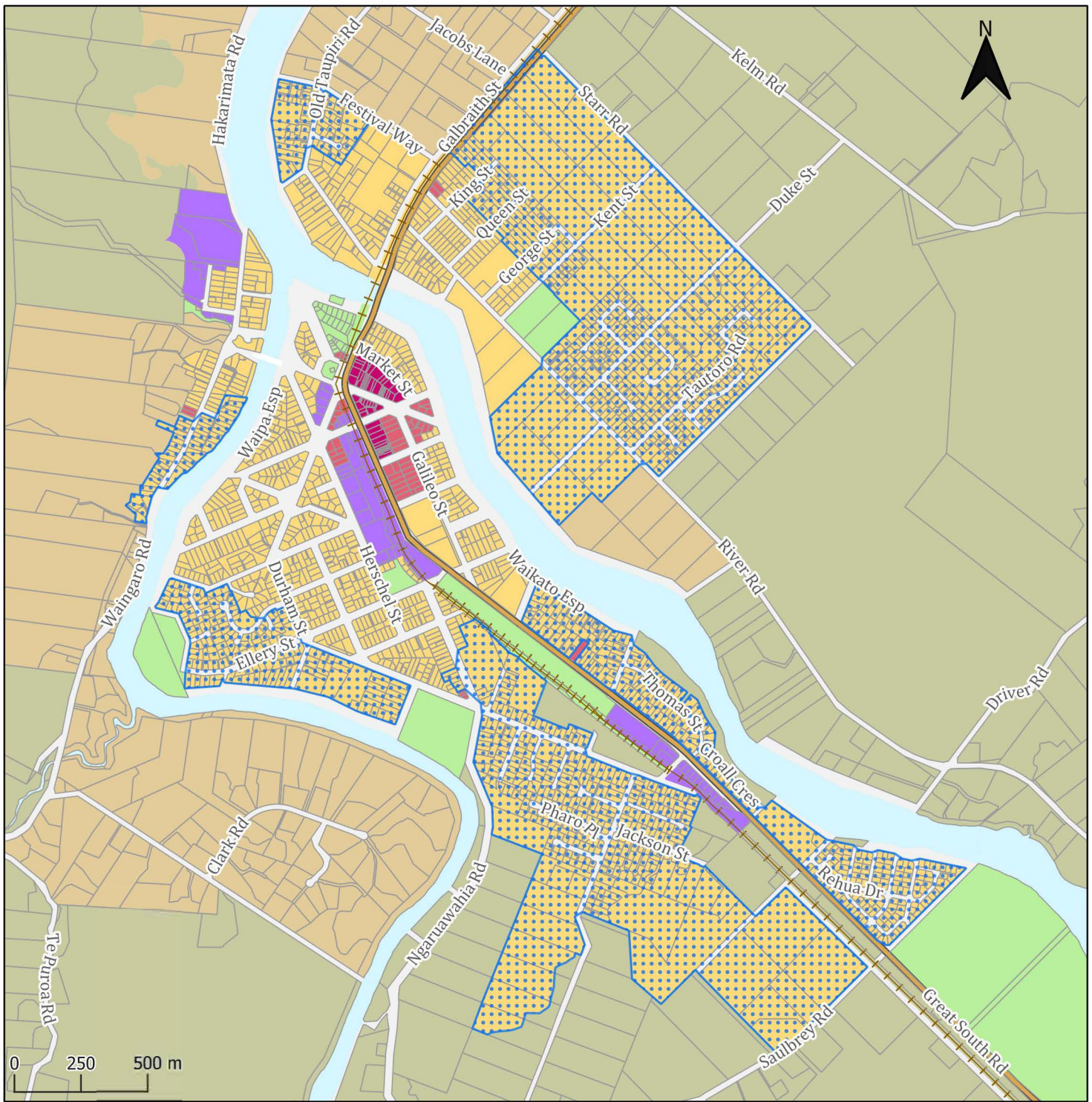
- Outer intensification area
- GRZ - General residential zone
- MRZ - Medium density residential zone

### Decisions version zoning

- COMZ – Commercial zone
- TCZ – Town centre zone
- GRUZ – General rural zone
- RLZ – Rural lifestyle zone
- OSZ – Open space zone

- HIZ – Heavy industrial zone
- GIZ – General industrial zone
- Road
- FUZ – Future urban zone
- KLZ - Kimihia lakes zone
- Mine subsidence risk area
- Major road
- Rail
- Parcel boundary
- Waterbody





**Recommendations**

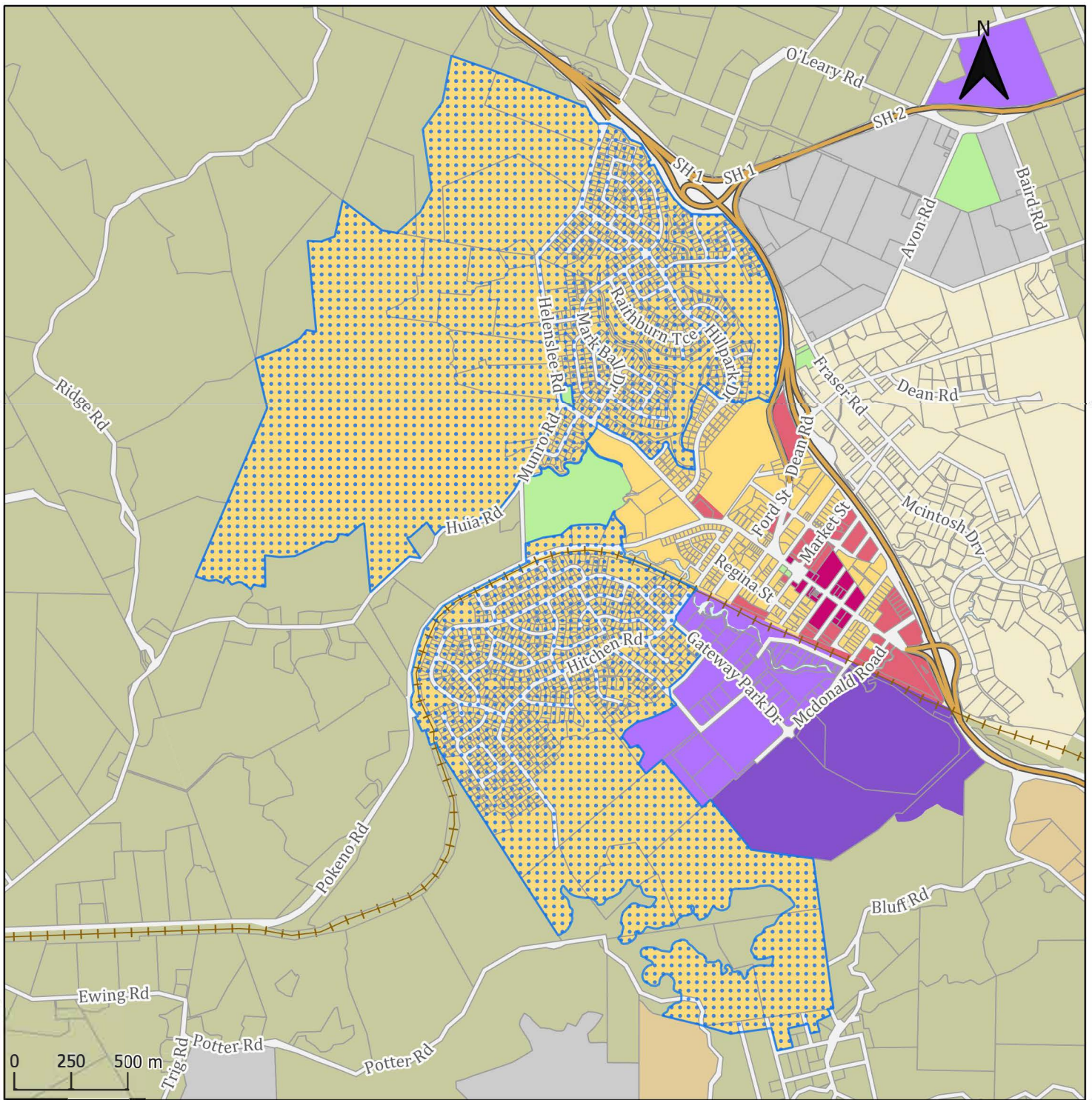
- Outer intensification area
- MRZ - Medium density residential zone

**Decisions version zoning**

- COMZ – Commercial zone
- TCZ – Town centre zone
- GRUZ – General rural zone
- RLZ – Rural lifestyle zone

- OSZ – Open space zone
- GIZ – General industrial zone
- Road
- Major road
- Rail
- Parcel boundary
- Waterbody





**Recommendations**

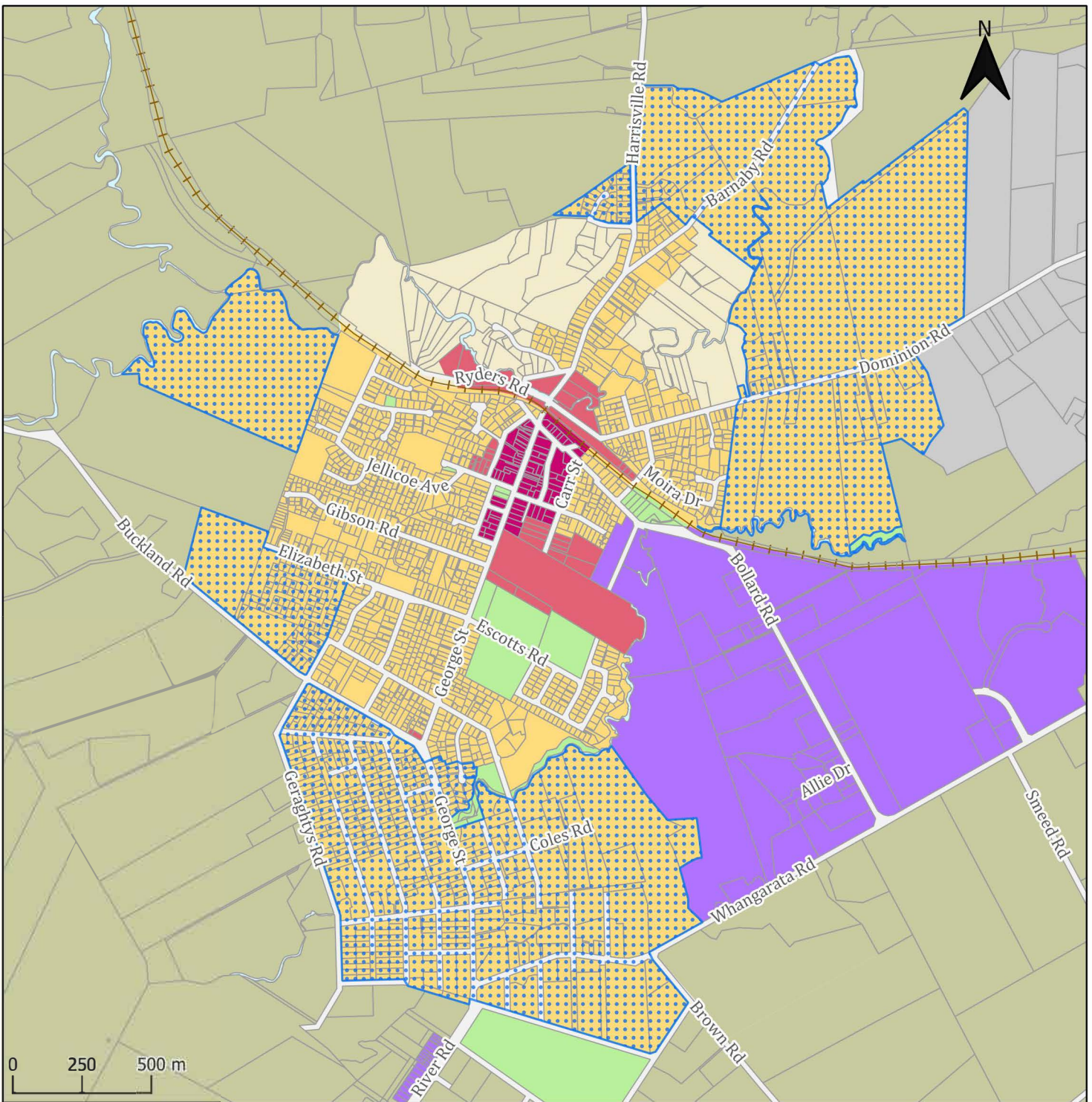
- Outer intensification area
- MRZ - Medium density residential zone

**Decisions version zoning**



- COMZ – Commercial zone
- TCZ – Town centre zone
- GRUZ – General rural zone
- RLZ – Rural lifestyle zone
- LLRZ – Large lot residential zone
- OSZ – Open space zone

- HIZ – Heavy industrial zone
- GIZ – General industrial zone
- Road
- FUZ – Future urban zone
- TTZ - TaTa Valley zone
- Major road
- Rail
- Parcel boundary
- Waterbody
















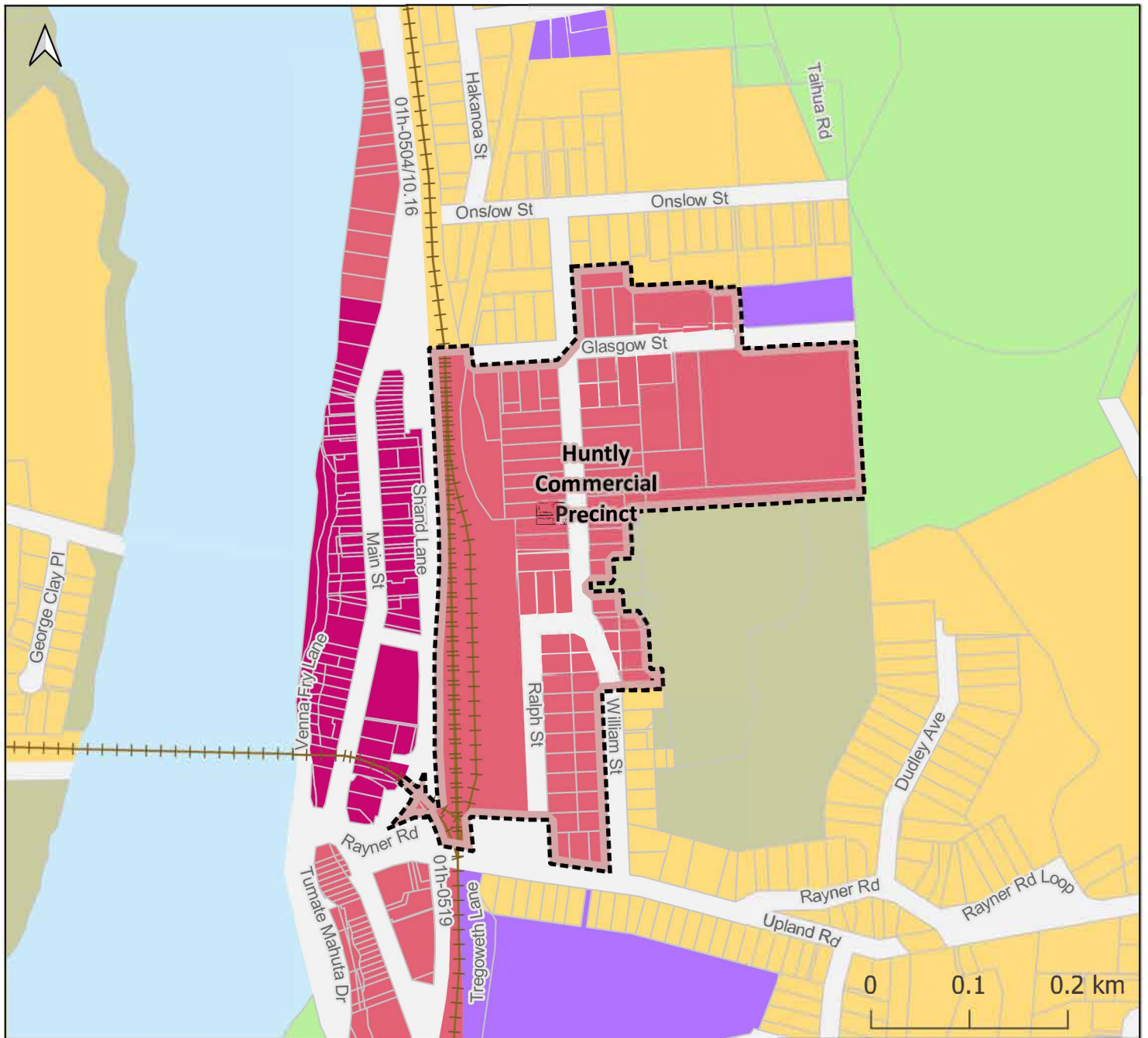
**Recommendations**

-  Outer intensification area
-  MRZ - Medium density residential zone

**Decisions version zoning**



-  COMZ – Commercial zone
-  TCZ – Town centre zone
-  GRUZ – General rural zone
-  LLRZ – Large lot residential zone




-  OSZ – Open space zone
-  GIZ – General industrial zone
-  Road
-  FUZ – Future urban zone
-  Rail
-  Parcel boundary
-  Waterbody



## Legend

### Recommendations

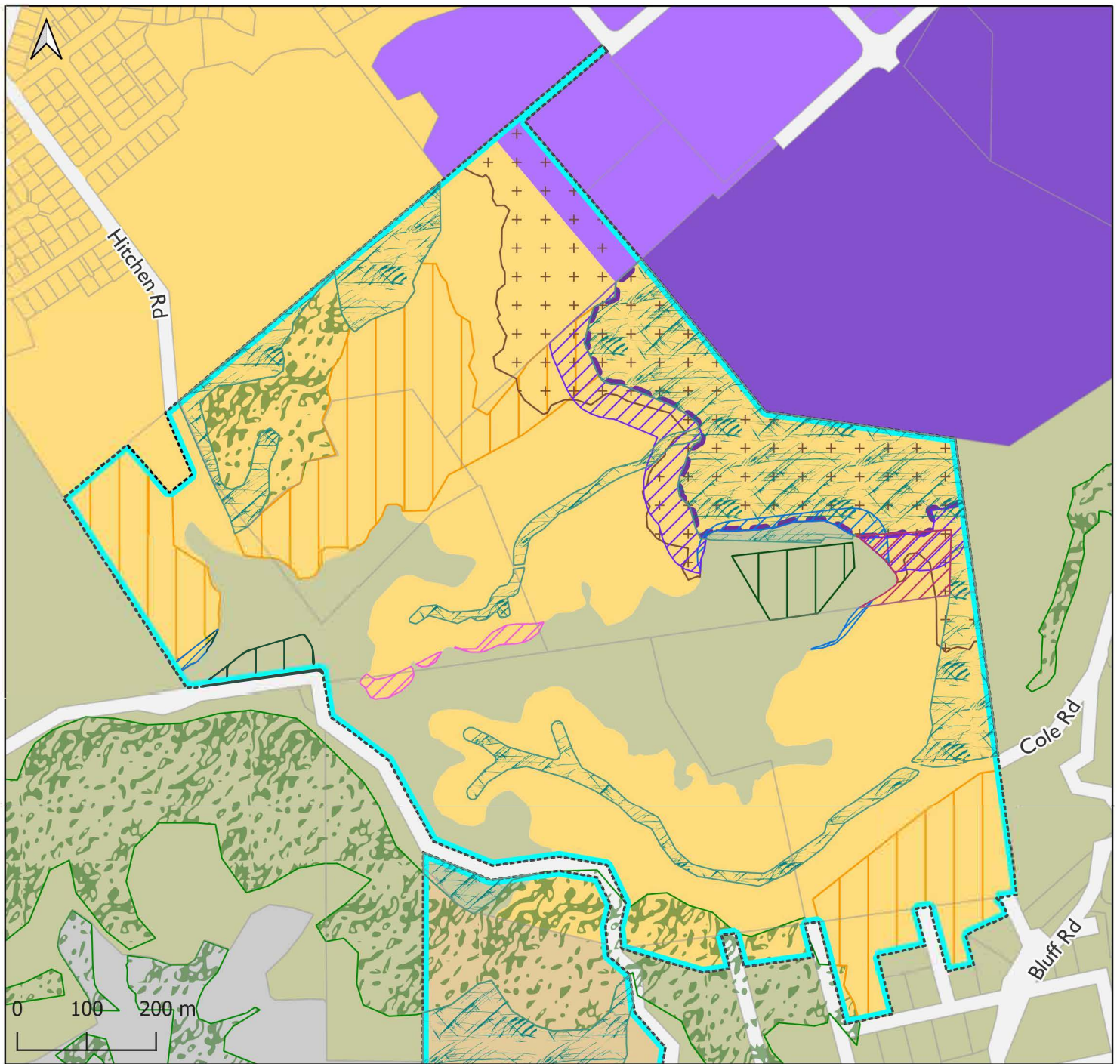
-  Huntly Commercial Precinct
-  MRZ - Medium density residential zone

-  Parcel boundary
-  Waterbody
-  Railway




















### Decision zoning

-  COMZ – Commercial zone
-  TCZ – Town centre zone
-  GRUZ – General rural zone
-  OSZ – Open space zone
-  GIZ – General industrial zone
-  Road



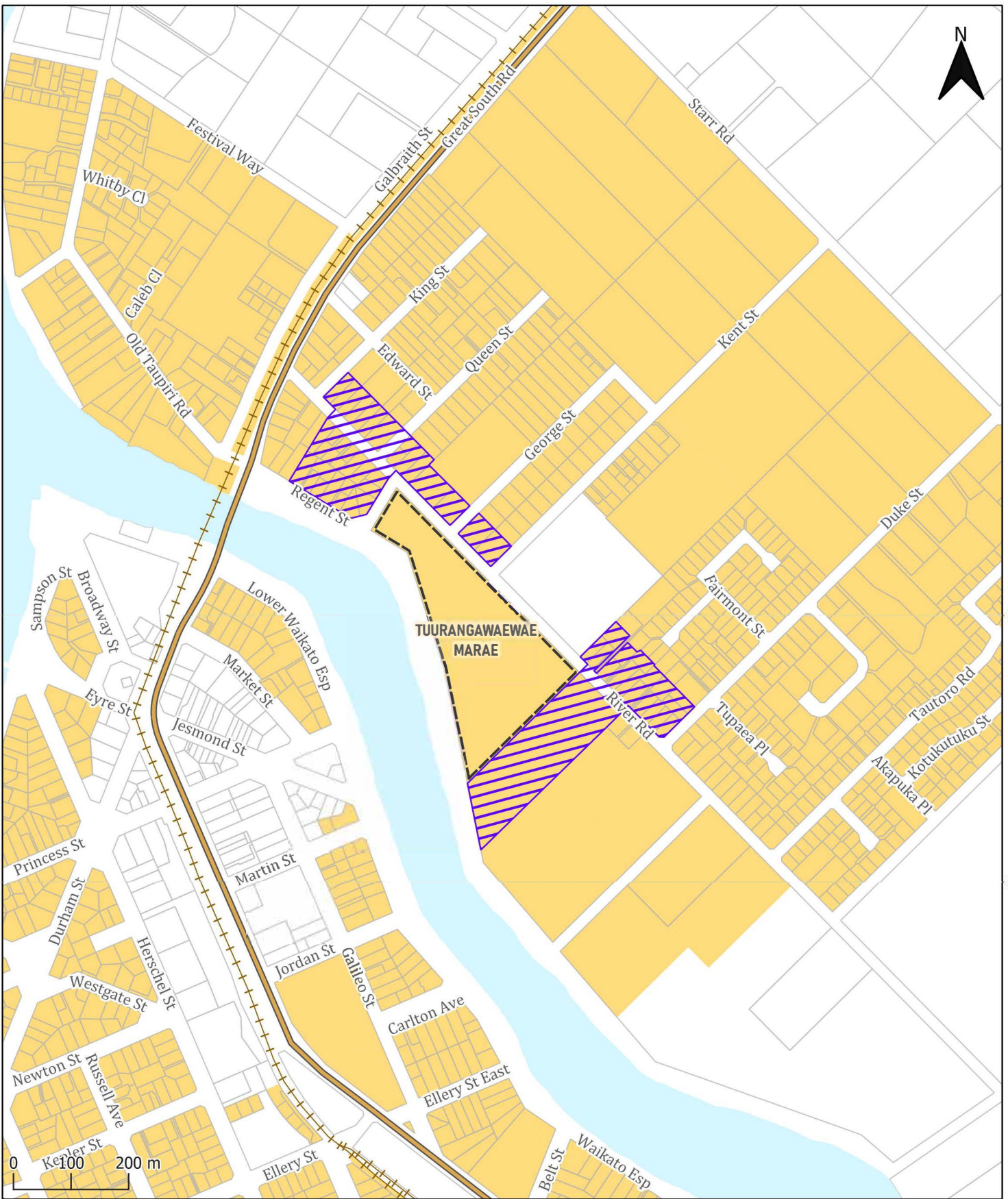


## Legend

- |  |  |   |
|--|--|---|
|  | Area 1 height restriction area                   | <b>Zones</b>  |
|  | Environmental protection area                    |  GRUZ – General rural zone             |
|  | Havelock Precinct                                |  RLZ – Rural lifestyle zone            |
|  | Havelock ridgeline height restriction area       |  MRZ - Medium density residential zone |
|  | Havelock hilltop park height restriction area    |  GIZ – General industrial zone         |
|  | Havelock industry buffer height restriction area |  HIZ – Heavy industrial zone           |
|  | Havelock hilltop park                            |  Road                                  |
|  | Havelock industry buffer                         |  TTZ - TaTa Valley zone                |
|  | Havelock slope residential area                  |  Parcel boundary                       |
|  | Havelock 40 dB LAeq noise contour                |   |
|  | Significant Natural Area                         |   |

Note: Boundary of Area 1 height restriction area and Environmental protection area are draft and may change slightly.





Tuurangawaewae Marae location	<b>Zone</b>	Rail
<b>Qualifying matter</b>	MRZ - Medium density residential zone	Parcel boundary
Tuurangawaewae Marae surrounds	Major road	Waterbody

# **Appendix C**

Alternative Natural Hazard 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
<b>Flood hazards</b>	
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.
<b>Coastal hazards</b>	
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.



<b>Subsidence risk</b>	
Mine subsidence risk area	Identifies an area where subsidence has occurred at Huntly due to former underground coal mining.

- (5) [Within the MRZ2, an Outer Intensification Area has been identified where additional controls apply to residential activities located within the 1% Annual Exceedance Probability \(AEP\) floodplain. The Council holds publicly available information available on the WDC Data Service showing the modelled extent of the 1% AEP floodplain, including a higher risk area 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. The full modelling extent of the 1% AEP floodplain is not part of the District Plan but is information available to the Council and the public to assist in determining whether the applicable rules will apply. The Council will update the flood model maps, including where site specific information becomes available and to account for catchment changes as a result of infrastructure and land development. Council will consider publicly held site-specific information as well as information and technical assessments provided by any person\(s\) when assessing the 1% AEP floodplain on a particular site.](#)

## Objectives

- NH-O1 High risk natural hazards areas.  
In an identified high risk natural hazards area, the risks associated with natural hazards on people, property and infrastructure from subdivision, use and development of land are avoided.
- NH-O2 Areas at risk from natural hazards.  
Subdivision, use and development within areas at risk from natural hazards are managed so that natural hazard risks on people, property and infrastructure are avoided, remedied or mitigated.
- NH-O3 Awareness of natural hazard risks.  
Ensure communities respond effectively and efficiently to natural hazards.
- NH-O4 Climate change.  
Communities are well-prepared to adapt to the effects of climate change.

## Policies

- NH-PI 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.

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- 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.
- (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 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

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- (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

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- (e) Minimise impervious surfaces.

NH-P16 Development in the coastal sensitivity areas.

- (l) 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-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.

- (l) 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

- (l) 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.

- (l) Avoid discharge of stormwater directly to ground on land that is potentially at risk of land instability or subsidence unless:

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- (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.

- (I) 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;

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- (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 rainfall<sup>1</sup> and RCP 8.5H+ for sea level rise<sup>2</sup>;
- (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.

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<sup>1</sup> 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.

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

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

## Rules

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

### *Flood plain management area and Flood ponding area*

<b>NH-RI</b>	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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  (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><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council's discretion is restricted to the following matters:</b>                  (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><b>NH-R2</b></p>	<p>Additions to an existing building that does not increase the ground floor area of the building by more than 15m<sup>2</sup></p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R3</b></p>	<p>Standalone garage with a gross floor area not exceeding 40m<sup>2</sup></p>	
<p>Flood plain management area and Flood ponding area across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R4</b></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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R5</b></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><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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<b>NH-R6</b>	Construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R7</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R8</b>	Earthworks to create a building platform for residential purposes	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Filling height is only to the extent necessary to achieve compliance with Rule NH-RI(1)(a).	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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.
<b>NH-R9</b>	Earthworks not provided for under Rules NH-R7 or NH-R8	
Flood plain management area and Flood ponding area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) In the GRZ – General residential zone, MRZ_Medium density residential zone, LLRZ – Large lot residential zone, SETZ –	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) Timing, location and scale of earthworks; (b) Adverse effects on:

	<p>Settlement zone and RLZ – Rural lifestyle zone, a maximum volume of filling above natural ground level of 10m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 20m<sup>3</sup>; or</p> <p>(b) In the GRUZ – General rural zone – a maximum volume of filling above natural ground level of 100m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 200m<sup>3</sup> per site; or</p> <p>(c) All other zones – a maximum volume of filling above natural ground level of 20m<sup>3</sup> per site, and a maximum cumulative volume of filling and excavation of 50m<sup>3</sup> 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>
<b>NH-R10</b>	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	<b>(1) Activity status: DIS</b>	

*High risk flood area*

<b>NH-R11</b>	Repair, maintenance or minor upgrading of existing utilities	
High risk flood area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b>	<b>(2) Activity status where compliance not achieved: n/a</b>

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

<p>High risk flood area across all zones</p>	<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b>                  Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Functional and operational requirements to be located in the High risk flood area;</li> <li>(b) The adverse effects on people and property from establishing or upgrading the utility in the High risk flood area;</li> <li>(c) The potential for the development to transfer/increase flood risk to neighbouring properties;</li> <li>(d) Consideration of alternative locations;</li> <li>(e) Consideration of the projected effects of climate change;</li> <li>(f) Any mitigation measures to reduce the risk to people's safety, well-being and property.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R18</b></p>	<p>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<sup>2</sup>, unless provided for in Rules NH-R17 or NH-R18</p>	
<p>High risk flood area across all zones</p>	<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b>                  Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions;</li> <li>(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;</li> <li>(c) Any mitigation measures to reduce the risk to people's safety, well-being and property.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R19</b></p>	<p>Subdivision that creates one or more additional vacant lot(s) where:</p> <ul style="list-style-type: none"> <li>(a) The additional lot(s) are located entirely outside the High risk flood area;</li> </ul> <p>or</p>	

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	<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	<b>(1) Activity status: DIS</b>
<b>NH-R20</b>	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	<b>(1) Activity status: NC</b>
<b>NH-R21</b>	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	<b>(1) Activity status: NC</b>
<b>NH-R22</b>	Emergency service facilities and hospitals
High risk flood area across all zones	<b>(1) Activity status: NC</b>

*Defended area (Residual risk)*

<b>NH-R23</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R24</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil.  <b>Council's discretion is restricted to the following matters:</b> (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>(2) Activity status where compliance not achieved: n/a</b>

	<ul style="list-style-type: none"> <li>(b) The impact of any planned improvements, maintenance or upgrading on the residual risk;</li> <li>(c) The effect of groundwater levels and variability in ground conditions on stop-bank security at and adjacent to the site to be subdivided;</li> <li>(d) The likely depth and duration of flooding as a result of a breach or overtopping event or flood ponding;</li> <li>(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);</li> <li>(f) The adverse effects on:             <ul style="list-style-type: none"> <li>(i) People and property,</li> <li>(ii) Historic heritage and Sites and Areas of Significance to Maaori, and</li> <li>(iii) Overall vulnerability from potential failure or overwhelming of the structural defences and associated flood protection works relevant to the proposed new lot(s);</li> </ul> </li> <li>(g) Potential for the development to transfer/increase flood risk/residual risk to neighbouring properties;</li> <li>(h) Any additional mitigation measures proposed or site features which reduce residual risk (e.g., natural high ground; evacuation plan).</li> </ul>	
<b>NH-R25</b>	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	<b>(I) Activity status: DIS</b>	
<b>NH-R26</b>	<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	<b>(1) Activity status: DIS</b>
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Outer Intensification Area

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

<b>NH-R26A</b>	Residential unit in the 1% Annual Exceedance Probability (AEP) floodplain – higher risk area	
<u>Outer Intensification Area</u>	<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) <u>One residential unit within a site;</u></li> <li>(b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u></li> <li>(c) <u>buildings must be set back a minimum of:</u> <ul style="list-style-type: none"> <li>(i) <u>23m from the margin of any lake;</u></li> <li>(ii) <u>23m from the margin of any wetland;</u></li> <li>(iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u></li> <li>(iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>NH-R26B</b>	Residential unit in the 1% Annual Exceedance Probability (AEP) floodplain – outside the higher risk area	
<u>Outer Intensification Area</u>	<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) <u>One residential unit within a site;</u></li> <li>(b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u></li> <li>(c) <u>buildings must be set back a minimum of:</u> <ul style="list-style-type: none"> <li>(i) <u>23m from the margin of any lake;</u></li> <li>(ii) <u>23m from the margin of any wetland;</u></li> <li>(iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u></li> </ul> </li> </ul>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b><u>Council’s discretion is limited to the following matters:</u></b></p> <ul style="list-style-type: none"> <li>(a) <u>In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</u></li> <li>(b) <u>Flooding effects including safe access and egress;</u></li> <li>(c) <u>Stormwater management and Low Impact Design methods;</u></li> <li>(d) <u>Effects on the landscape, ecological, cultural and</u></li> </ul>



	<p>(iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></p>	<p><u>recreational values of the adjacent water body;</u></p> <p>(e) <u>Adequacy of erosion and sediment control measures;</u></p> <p>(f) <u>The functional or operational need for the building to be located close to the waterbody;</u></p> <p>(g) <u>Effects on public access to the waterbody;</u></p> <p>(h) <u>Effects on the amenity of the locality; and</u></p> <p>(i) <u>Effects on natural character values.</u></p>
<b>NH-R26C</b>	Minor residential unit in the 1% Annual Exceedance Probability (AEP) floodplain	
<u>Outer Intensification Area</u>	<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>One minor residential unit contained within a site must comply with all of the following standards:</u></p> <p>(i) <u>The net site area is 600m<sup>2</sup> or more; and</u></p> <p>(ii) <u>The gross floor area shall not exceed 70m<sup>2</sup>; and</u></p> <p>(b) <u>The minimum floor level is at least 0.5m above the 1% AEP flood level; and</u></p> <p>(c) <u>buildings must be set back a minimum of:</u></p> <p>(i) <u>23m from the margin of any lake;</u></p> <p>(ii) <u>23m from the margin of any wetland;</u></p> <p>(iii) <u>23m from the bank of any river (other than the Waikato and the Waipa River);</u></p> <p>(iv) <u>28m from the margin of either the Waikato or the Waipa River.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b>NH-R26D</b>	Residential unit in the Defended Area located further than 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	
<u>Outer Intensification Area</u>	<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) <u>One residential unit within a site.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

<b><u>NH-R26E</u></b>	<u>Minor residential unit in the Defended Area located further than 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</u>	
<u>Outer Intensification Area</u>	<p><b>(1) Activity status: PER</b>  <b>Where:</b></p> <p>(a) <u>One minor residential unit contained within a site must comply with all of the following standards:</u></p> <p>(i) <u>The net site area is 600m<sup>2</sup> or more; and</u></p> <p>(ii) <u>The gross floor area shall not exceed 70m<sup>2</sup>.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<b><u>NH-R26F</u></b>	<u>Subdivision that creates one or more vacant lot where any part of the site is in the 1% Annual Exceedance Probability (AEP) floodplain, other than a utility allotment, access allotment or subdivision to create a reserve allotment.</u>	
<u>Outer Intensification Area (excluding the Flood plain management area, Flood ponding area High risk flood area and Defended area).</u>	<p><b>(1) Activity status: RDIS</b>  <b>Activity specific standards:</b></p> <p>(a) <u>each vacant lot includes an area capable of containing a building platform of 8m x 15m (exclusive of setbacks) entirely outside the 1% Annual Exceedance Probability (AEP) floodplain</u></p> <p><b><u>Council's discretion is restricted to the following matters:</u></b></p> <p>(a) <u>Avoidance or mitigation of natural hazards</u></p> <p>(b) <u>In the Waikato River Catchment the extent to which the application enhances or benefits the Waikato River and its tributaries;</u></p> <p>(c) <u>The effectiveness of the proposed stormwater system to manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment;</u></p> <p>(d) <u>The capacity of the stormwater system and ability to manage stormwater;</u></p> <p>(e) <u>The potential for adverse effects to the environment in terms of stormwater volume including downstream channel erosion and stormwater quality.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

	<p><u>taking into account the requirements or recommendations of the relevant Comprehensive Stormwater Discharge Consent, Catchment Management Plan and Waikato Regional Council Stormwater Guidelines; and</u></p> <p>(f) <u>Extent to which low impact design principles and approaches are used for stormwater management.</u></p>	
<b>NH-R26G</b>	Earthworks associated with two or more residential units (excluding a minor residential unit) within the 1% Annual Exceedance Probability (AEP) floodplain	
<u>Outer Intensification Area</u>	<p><b>(1) Activity status: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) <u>Timing, location and scale of earthworks;</u></p> <p>(b) <u>Adverse effects on:</u></p> <p>(i) <u>Existing overland flow paths and surface drainage patterns;</u></p> <p>(ii) <u>Flood storage capacity;</u></p> <p>(iii) <u>Runoff volumes;</u></p> <p>(iv) <u>Adjoining properties, including the transfer of risk; and</u></p> <p>(v) <u>Infrastructure and flood protection works;</u></p> <p>(c) <u>Consideration of soil types and potential for erosion; and</u></p> <p>(d) <u>Mitigation including compensatory storage, or other flood management measures proposed.</u></p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

*Coastal sensitivity areas*

<b>NH-R27</b>	Additions to an existing lawfully established building	
Coastal sensitivity area (Erosion) and the Coastal	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <p>(a) The gross floor area of all additions to the building from 17</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b></p>

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<p>sensitivity area (Inundation) across all zones</p>	<p>January 2022 do not exceed a total of 15m<sup>2</sup>.</p>	<ul style="list-style-type: none"> <li>(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;</li> <li>(b) The setting of minimum floor levels where appropriate;</li> <li>(c) The application of mitigation through natural features and buffers where appropriate;</li> <li>(d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated;</li> <li>(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;</li> <li>(f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply;</li> <li>(g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building</li> <li>(h) Any mitigation measures to reduce risk; and</li> <li>(i) Whether there is any suitable alternative location for the activity to locate within the site.</li> </ul>
<p><b>NH-R28</b></p>	<p>Construction of an accessory building without a floor</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R29</b></p>	<p>Construction of a farm building without a floor</p>	
<p>Coastal sensitivity area (Erosion) and</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b>                  Nil</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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the Coastal sensitivity area (Inundation) across all zones		
<b>NH-R30</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R31</b>	Maintenance or repair of an existing lawfully established hard protection structure	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R32</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (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.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (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

		<p>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>
<b>NH-R33</b>	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 (Inundation) across all zones	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></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</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

	<p>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>	
<p><b>NH-R34</b></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><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b> Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></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,</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

	<p>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>(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>	
<b>NH-R35</b>	Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil</p> <p><b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Whether structures have primarily a public and/or environmental benefit when located on public land;</p> <p>(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;</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</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>



	<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>	
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*High risk coastal erosion area*

<b>NH-R36</b>	Construction of an accessory building without a floor	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) The gross floor area of the building does not exceed 40m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>NH-R37</b>	Construction of a farm building without a floor	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>(a) The gross floor area of the building does not exceed 40m<sup>2</sup>.</p>	<p><b>(2) Activity status where compliance not achieved: NC</b></p>
<b>NH-R38</b>	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R39</b>	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R40</b>	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R41</b>	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal erosion area across all zones	<p><b>(1) Activity status: PER</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>
<b>NH-R42</b>	Earthworks for an activity listed in Rules NH-R36 – NH-R41, including the maintenance and repair of access tracks	

<p>High risk coastal erosion area across all zones</p>	<p><b>(1) Activity status: PER</b>  <b>Activity-specific standards:</b></p> <ul style="list-style-type: none"> <li>(a) The maximum volume of filling does not exceed 10m<sup>3</sup> per site; and</li> <li>(b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.</li> </ul>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>
<p><b>NH-R43</b></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>High risk coastal erosion area across all zones</p>	<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b>                  Nil</p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Whether structures have primarily a public and/or environmental benefit when located on public land;</li> <li>(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;</li> <li>(c) The extent to which economic, social and environmental benefits outweigh costs;</li> <li>(d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased;</li> <li>(e) The extent to which structures are located as far landward as practicable;</li> <li>(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</li> <li>(g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the</li> </ul>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>

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	structure is consistent with that strategy.	
<b>NH-R44</b>	Earthworks not provided for in Rule NH-42	
High risk coastal erosion area across all zones	<b>Activity status: DIS</b>	
<b>NH-R45</b>	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	<b>Activity status: DIS</b>	
<b>NH-R46</b>	Replacement of an existing building within the same site where: (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	<b>Activity status: DIS</b>	
<b>NH-R47</b>	Construction of new utilities not provided for in Rules NH-R39 and NH-R40	
High risk coastal erosion area across all zones	<b>Activity status: DIS</b>	
<b>NH-R48</b>	Upgrading of existing utilities not provided for in Rules NH-R38 and NH-R39	
High risk coastal erosion area across all zones	<b>Activity status: DIS</b>	
<b>NH-R49</b>	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	<b>Activity status: DIS</b>	

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<b>NH-R50</b>	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	<b>Activity status: NC</b>
<b>NH-R51</b>	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	<b>Activity status: NC</b>
<b>NH-R52</b>	Emergency service facilities and hospitals
High risk coastal erosion area across all zones	<b>Activity status: NC</b>

*High risk coastal inundation area*

<b>NH-R53</b>	Construction of an accessory building without a floor	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The gross floor area of the building does not exceed 40m <sup>2</sup> .	<b>(2) Activity status where compliance not achieved: NC</b>
<b>NH-R54</b>	Construction of a farm building without a floor	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The gross floor area of the building does not exceed 40m <sup>2</sup> .	<b>(2) Activity status where compliance not achieved: NC</b>
<b>NH-R55</b>	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R56</b>	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R57</b>	New electricity lines, poles, cabinets and masts/ poles supporting antennas	

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High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R58</b>	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal inundation area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R59</b>	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	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) The maximum volume of filling does not exceed 10m <sup>3</sup> per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	<b>(2) Activity status where compliance not achieved: DIS</b>
<b>NH-R60</b>	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	<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> Nil  <b>Council's discretion is restricted to the following matters:</b> (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;	<b>(2) Activity status where compliance not achieved: n/a</b>

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	<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>	
<b>NH-R61</b>	Earthworks not provided for in Rule NH-59	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R62</b>	Construction of new utilities not provided for in Rules NH-R56 and NH-R57	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R63</b>	Upgrading of existing utilities not provided for in Rules NH-R55 and NH-R56	
High risk coastal inundation area across all zones	<b>Activity status: DIS</b>	
<b>NH-R64</b>	<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	<b>Activity status: DIS</b>	
<b>NH-R65</b>	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	<b>Activity status: DIS</b>	

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<b>NH-R66</b>	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	<b>Activity status: NC</b>
<b>NH-R67</b>	Emergency service facilities and hospitals
High risk coastal inundation area across all zones	<b>Activity status: NC</b>

*Mine subsidence risk area*

<b>NH-R68</b>	Additions to an existing building	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) Additions do not increase the gross floor area of the building by more than 15m<sup>2</sup>; and</li> <li>(b) Additions do not result in the length of any wall of the building exceeding 20m.</li> </ul>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> <li>(b) Suitability of the site for development; and</li> <li>(c) The potential effects on health and safety.</li> </ul>
<b>NH-R69</b>	Standalone garage	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) The gross floor area of the building does not exceed 55m<sup>2</sup>; and</li> <li>(b) The maximum length of any wall does not exceed 20m.</li> </ul>	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> <ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> <li>(b) Suitability of the site for development; and</li> <li>(c) The potential effects on health and safety.</li> </ul>
<b>NH-R70</b>	Construction, replacement, repair, minor upgrading, upgrading or maintenance of utilities and associated earthworks	
Mine subsidence risk area across all zones	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	<b>(2) Activity status where compliance not achieved: n/a</b>
<b>NH-R71</b>	Earthworks	
Mine subsidence risk area	<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b>	<b>(2) Activity status where compliance not achieved: RDIS</b>

<p>across all zones</p>	<p>(a) The maximum volume of filling does not exceed 20m<sup>3</sup> per site; and                  (b) The maximum depth of any excavation or filling does not exceed 1m above or below ground level.</p>	<p><b>Council's discretion is restricted to the following matters:</b></p> <p>(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.</p>
<p><b>NH-R72</b></p>	<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>	
<p>Mine subsidence risk area across all zones</p>	<p><b>(1) Activity status: CON</b>  <b>Activity-specific standards:</b>                  Nil.</p> <p><b>Council's control is reserved to the following matters:</b></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                  (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><b>(2) Activity status where compliance not achieved: n/a</b></p>
<p><b>NH-R73</b></p>	<p>Construction of a building, or reconstruction of, or accessory building or the reconstruction of or additions to an existing building not provided for in Rules NH-R68 – NH-R70 or NH-R72</p>	
<p>Mine subsidence risk area across all zones</p>	<p><b>(1) Activity status: RDIS</b>  <b>Activity-specific standards:</b>                  Nil.</p> <p><b>Council's discretion is restricted to the following matters:</b></p>	<p><b>(2) Activity status where compliance not achieved: n/a</b></p>



	<ul style="list-style-type: none"> <li>(a) Construction standards and materials;</li> <li>(b) Suitability of the site for development; and</li> <li>(c) The potential effects on health and safety.</li> </ul>	
<b>NH-R74</b>	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	<b>Activity status: DIS</b>	

*Liquefaction*

<b>NH-R75</b>	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>
<b>NH-R76</b>	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> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) Measures proposed to mitigate the effects of liquefaction hazard if present including: <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) Location, timing, scale and nature of earthworks;</li> <li>(iii) Provision for ground strengthening and foundation design;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(iv) Provision for resilient services and infrastructure, including wastewater, water supply, roads and access;</li> <li>(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</li> <li>(vi) Effects on adjoining properties.</li> </ul>
<b>NH-R77</b>	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> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) Measures proposed to mitigate the effects of liquefaction hazard, if present, including: <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) Location, timing, scale and nature of earthworks;</li> <li>(iii) Provision for ground strengthening and foundation design;</li> <li>(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);</li> <li>(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and</li> <li>(vi) Effects on adjoining properties.</li> </ul> </li> </ul>

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 15.1.3.2(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.

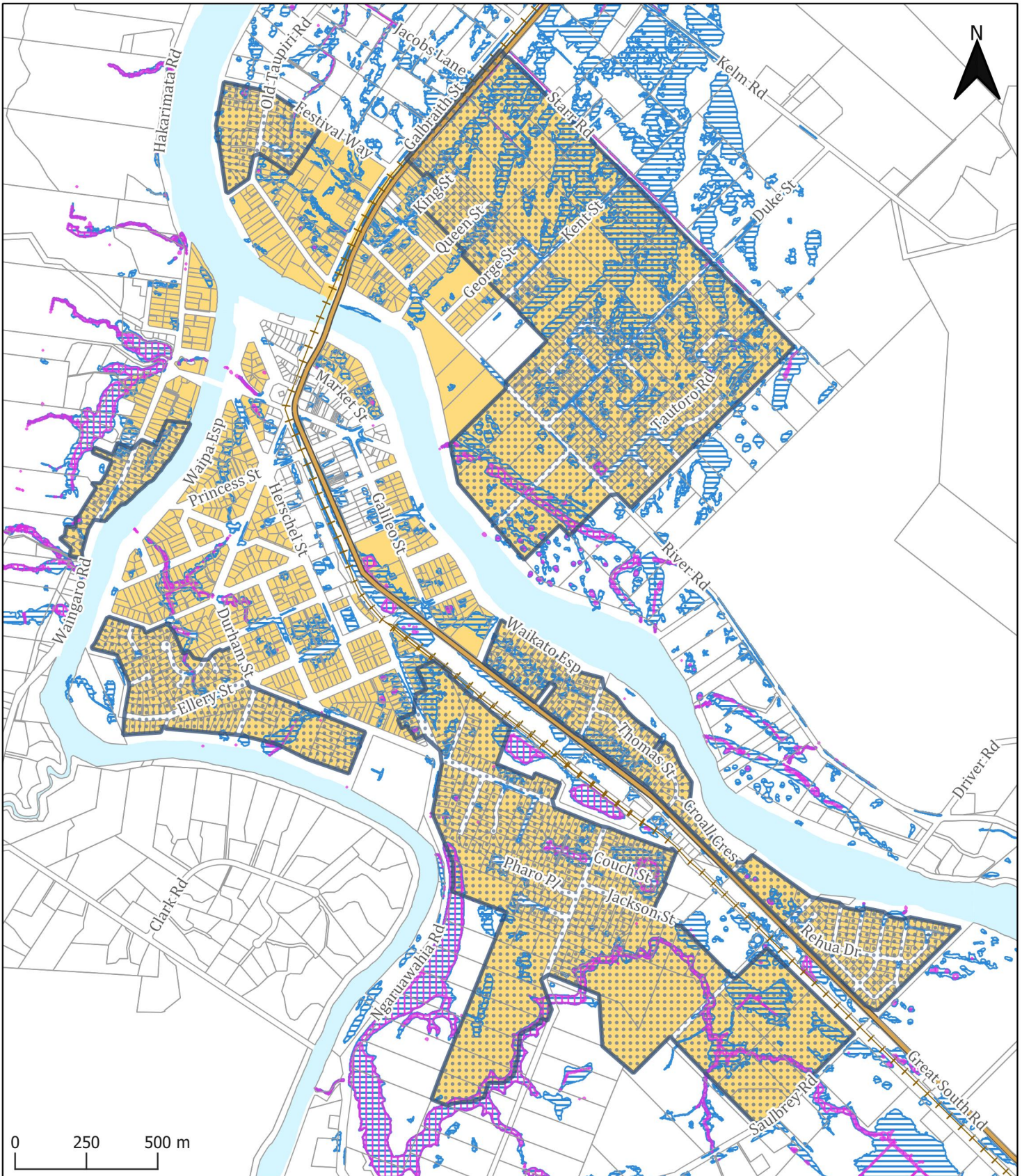
#### **NH-INFO4 – 1% AEP floodplain**

- (1) Unless an applicant provides its own independent technical assessment to confirm that the application site is not within the 1% Annual Exceedance Probability floodplain, the Council will rely on publicly available information in the WDC Data Service showing the modelled extent of the AEP floodplain, including a higher risk area 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.

# Appendix D

Example flood map





- Outer intensification area
- Modelled flood extent\*
- Modelled high hazard area\*
- MRZ - Medium density residential zone
- Major road
- Rail
- Parcel boundary
- Waterbody

**Recommended Variation 3 zoning**

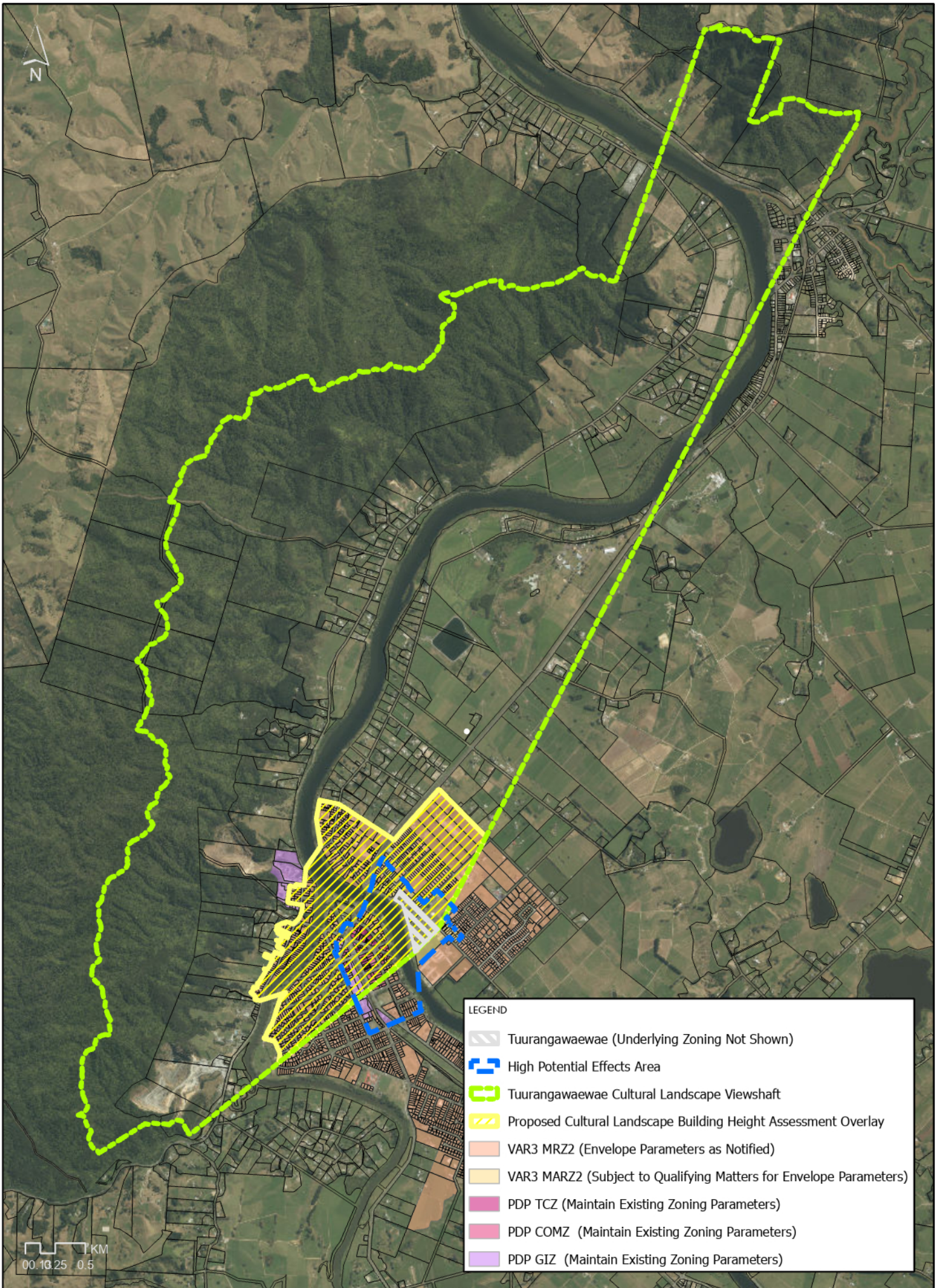
\* Note: Modelled flood data from Te Miro Water. Does not include any other natural hazard layers from the District Plan.

# **Appendix E**










Cultural Landscape Viewshaft

Proposed Building Height Assessment Overlay



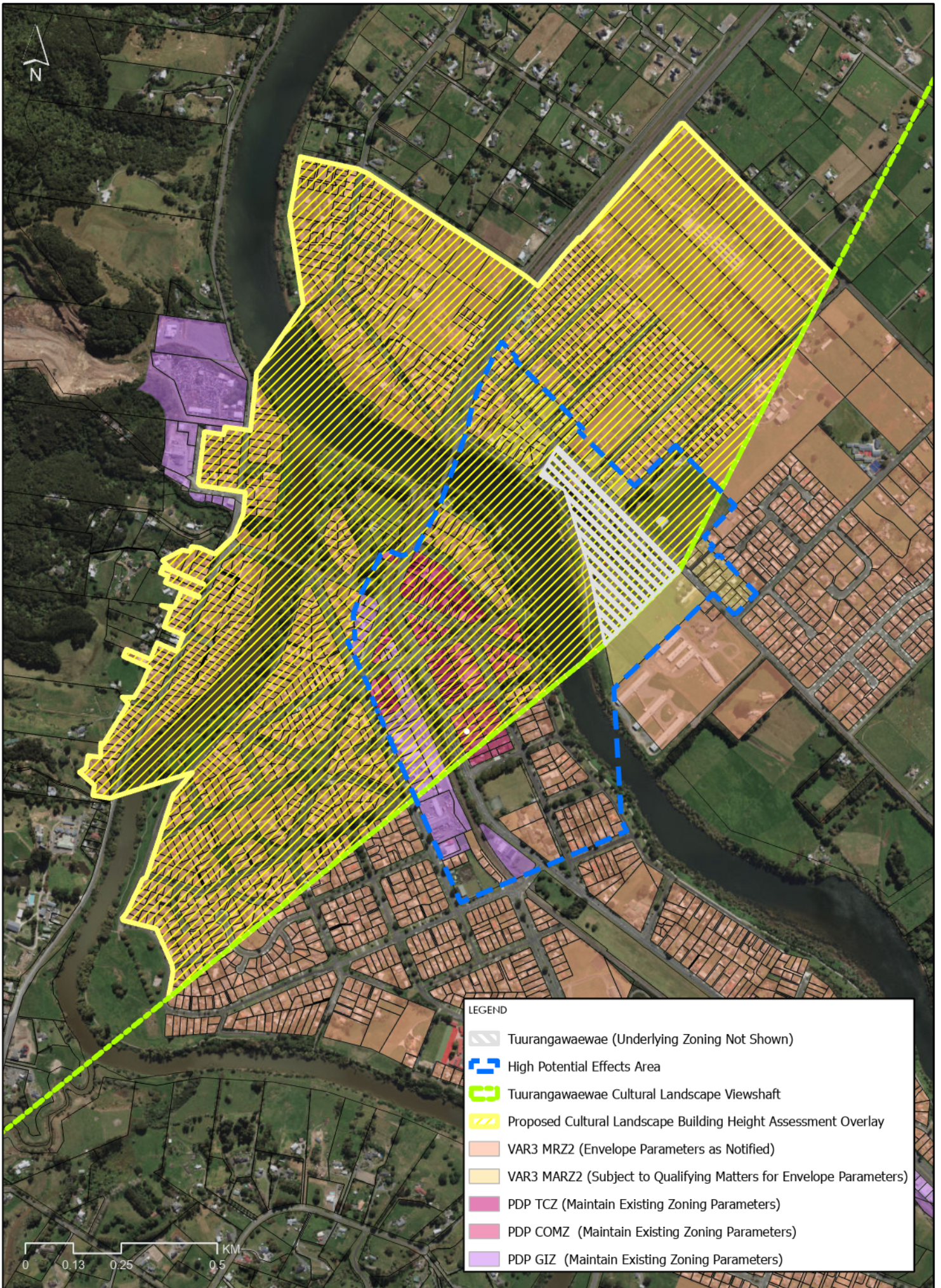


**LEGEND**










-  Tuurangaewae (Underlying Zoning Not Shown)
-  High Potential Effects Area
-  Tuurangaewae Cultural Landscape Viewshaft
-  Proposed Cultural Landscape Building Height Assessment Overlay
-  VAR3 MRZ2 (Envelope Parameters as Notified)
-  VAR3 MARZ2 (Subject to Qualifying Matters for Envelope Parameters)
-  PDP TCZ (Maintain Existing Zoning Parameters)
-  PDP COMZ (Maintain Existing Zoning Parameters)
-  PDP GIZ (Maintain Existing Zoning Parameters)

**TUURANGAWAEWAE CULTURAL LANDSCAPE VIEWSHAFT**





**LEGEND**

-  Tuurangawaewae (Underlying Zoning Not Shown)
-  High Potential Effects Area
-  Tuurangawaewae Cultural Landscape Viewshaft
-  Proposed Cultural Landscape Building Height Assessment Overlay
-  VAR3 MRZ2 (Envelope Parameters as Notified)
-  VAR3 MARZ2 (Subject to Qualifying Matters for Envelope Parameters)
-  PDP TCZ (Maintain Existing Zoning Parameters)
-  PDP COMZ (Maintain Existing Zoning Parameters)
-  PDP GIZ (Maintain Existing Zoning Parameters)

**PROPOSED BUILDING HEIGHT ASSESSMENT OVERLAY**