

SECTION 42A REPORT

Report on submissions and further submissions – Variation 3 to
the Proposed Waikato District Plan

Enabling Housing Supply

Report prepared by: Karin Lepoutre

Date: 15 September



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List of submitters and further submitters addressed in this report

Submitter Names	Submission Number	Submission Type
Horotiu Farms Limited	49	Original
KiwiRail*	54	Original
Waka Kotahi*	29	Original
Craig Merritt	212	Further submission
Hugh Green Limited	204	Further submission
Kāinga Ora	217	Further submission
Korris Limited	201	Further submission
Pareoranga Te Kata	225	Further submission
Ports of Auckland	214	Further submission
Retirement Villages Association	220	Further submission
Ryman Healthcare Limited	219	Further submission
Te Whakakitenga o Waikato Incorporated	213	Further submission
Transpower NZ Ltd*	209	Further submission
Waka Kotahi*	216	Further submission
Warren and Heather Parker	207	Further submission

* Submitters who have appealed the PDP decision to the Environment Court.

I Introduction and Overview

1. This report has been prepared by Karin Lepoutre. I am one of the authors of the original Variation 3 s42A report and subsequent s42A rebuttal and s42A closing statement. My qualifications and experience, Code of Conduct acknowledgements and conflicts of interests are outlined in Section I of the s42A report dated 15 June 2023.
2. This report addresses the submissions received by Waikato District Council (WDC or Council) to Variation 3 to the Proposed District Plan (PDP) that were not addressed at the substantive hearing held from 26 July – 2 August 2023. The report also provides additional updates to matters that were addressed at the substantive hearing and required additional consideration.
3. Specifically, this report addresses the following:
 - i. The submissions by Horotiu Farms Limited (HFL) to rezone land within Horotiu from GRZ to MRZ2.¹
 - ii. The submissions by KiwiRail and Waka Kotahi in relation to nationally significant infrastructure, qualifying matters (including reverse sensitivity) and the PDP appeals process.
 - iii. The rules relating to the national grid within the MRZ2.
 - iv. Relevant appeal topics that overlap with Variation 3.
 - v. An update on flood mapping.
4. This report includes the following appendices:
 - i. Appendix A – Recommended PDP amendment text and planning maps.
 - ii. Appendix B – Acoustic assessment prepared by Malcolm Hunt Associates.
 - iii. Appendix C – Supplementary 32AA evaluation for three water servicing by Ms Katja Huls.
 - iv. Appendix D – Draft Flood Maps for Horotiu prepared by Te Miro Water.
5. Where amendments to plan text are recommended, the relevant text is presented after the recommendations with new text in **red underline and grey shading**, and deleted text in **red-strike through and grey shading**. Shading is used to distinguish between the recommendations made in the previous s42A reports for Variation 3 and this report. All recommended amendments and planning maps are brought together in Appendix A.
6. I generally rely on the detailed overview of Variation 3, including its statutory context, expert evidence and assessment of submissions outlined in the 15 June 2023 s42A report and state where there are exceptions.

¹ Section 9 of the s42A closing statement recommends that the MRZ1 and MRZ2 Chapters are combined into a single MRZ. For consistency within the s42A reports, I continue to distinguish between the two areas within the MRZ as MRZ1 or MRZ2 (as relevant).

2 Background and Context

2.1 Horotiu Farms Limited

7. Variation 3 was limited to implementing the MDRS in Ngaaruawaahia, Tuakau, Huntly and Pookeno. Council submitted that Horotiu Farm Limited (submitter #49) request to implement the MDRS on a site in Horotiu was out of scope as outlined in Council's legal submissions dated 24 March 2023. The IHP considered Council's legal submissions and HFL's response² and subsequently determined on 11 April 2023³ that the submission was allowed to continue through the substantive hearing process with both scope and merits considerations to be addressed as part of that process. Section 3 of this report addresses the submission by HFL.

2.2 Waka Kotahi and KiwiRail

8. Both Waka Kotahi (submitter #29) and KiwiRail (submitter #49) requested that the proposed Variation 3 provisions relating to state highway and railway corridor setbacks (respectively) are consistent with the outcomes of their respective PDP appeals. Given the overlaps between the PDP appeals process and Variation 3 and the ongoing progress made towards resolving the appeals, Waka Kotahi, KiwiRail and Council submitted a joint memorandum of counsel to the IHP that stated⁴:

Waka Kotahi, KiwiRail and Council have met several times to discuss the key issues relating to the appeals and are making progress on some updated provisions. A meeting is scheduled for 28 June 2023 with all the parties to the appeals (including 274 parties) to discuss the updated provisions. The parties have been working hard to expediate the appeals process with the timing of the Variation 3 hearing in mind, but cannot be certain that the appeals will be resolved before the Variation 3 hearing in late July/early August.

For that reason, the parties respectfully request that all Waka Kotahi and KiwiRail's relief elements for noise and vibration controls and setbacks in relation to Variation 3 is postponed until the end of the hearing process to enable time and resources to be put into resolving the PDP appeals.

9. The request was accepted by the IHP on 12 June 2023 and section 4 of this report addresses the outstanding submission points from Waka Kotahi and KiwiRail.

² 30 March 2023

³ IHP Direction #12

⁴ Paragraphs 6-7 of the joint memorandum to the IPH, 9 June 2023

3 Horotiu Farms Limited

3.3 Introduction

10. Horotiu Farms Limited (submitter #49) (HFL) submitted to Variation 3 seeking to rezone approximately 34 hectares of GRZ land to MRZ2. The land subject to the submission is shown in red outline in Figure 1 below and is referred to from hereon as the Horotiu West land.

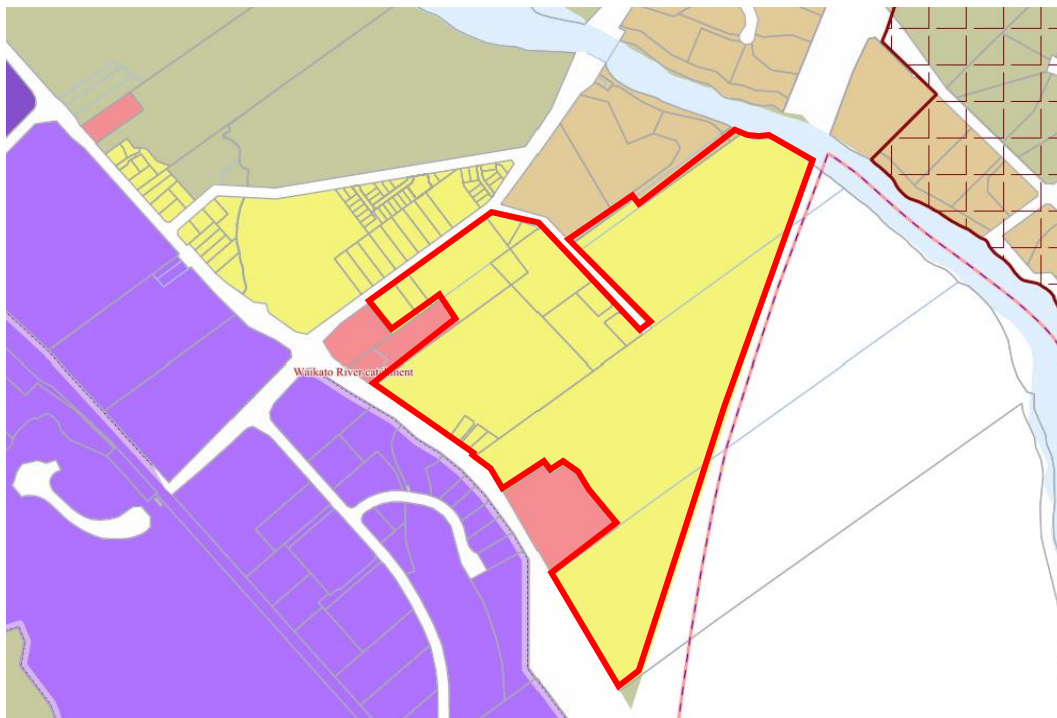


Figure 1: Land subject to HFL rezoning submission shown in red outline (the Horotiu West Land)

11. The Horotiu West land forms part of the wider Te Awa Lakes master planned development at Horotiu. HFL states that Te Awa Lakes has been developed by a number of companies including HFL under the umbrella of the Perry Group of companies. The Te Awa Lakes development includes the Horotiu West land within the WDC boundary and the Horotiu East land within the Hamilton City Council (HCC) boundary.
12. The Horotiu West land is subject to the following PDP overlays/features:
- i. GRZ – General residential zone.
 - ii. Acoustic area – Horotiu.
 - iii. Flood plain management area and High risk flood area (both limited to the northern-most part of the site).
 - iv. Gas transmission line.
 - v. Outstanding natural landscape (limited to the northern-most part of the site – the Waikato River).

- vi. Designations: MEDU-21 (Horotiu Primary School), NZTA-1 (State Highway 1), NZTA-6 (Waikato Expressway - State Highway 1 (Ngaaruawaahia section)), NZTA-7 (Waikato Expressway – State Highway 1 (Te Rapa section)).
13. The HFL submission states that the Te Awa Lakes development consists of tourism, commercial, residential community, and transportation infrastructure at the northern end of Hamilton City, with a focus on providing additional housing capacity and infrastructure.
14. In their original submission, HFL submits that:
- i. The rezoning of the Horotiu West land is aligned with the outcomes promoted by objectives 2, 3 and 6 and policies 1, 8 and 10 of the NPS-UD. Specifically, HFL submit that the Horotiu West land provides an opportunity to provide a more intensive medium density development within an area that is well serviced by existing or planned public transport services and where there is a high demand for housing relative to other urban environments within the district.
 - ii. The rezoning of the Horotiu West land is consistent with the proposed zoning of the balance of the Te Awa Lakes land within Hamilton City boundary and would provide a strengthened and integrated approach to residential development within this area.
 - iii. With the National Policy Statement for Highly Productive Land (NPS-HPL) coming into force there is an increased importance for the efficient use of green-field land that is already zoned for urban use.
 - iv. The Perry Group has a willingness and expertise to develop Horotiu West as a master planned medium density development.
15. In the reply legal submissions on scope dated 30 March 2023 it was further submitted by HFL that the Horotiu West land is part of an urban environment and within a relevant residential zone⁵.
16. Two further submissions in support of the rezoning request were received from Korris Limited (further submitter #201) and Warren and Heather Parker (further submitter #212).
17. In addition to their support for the HFL submission, Korris Limited sought that the land at 6257 Great South Road be rezoned from GRZ to MRZ. Figure 2 below shows the land subject to the further submission and identifies that it is included within the Horotiu West land. The further submission from Korris Limited is therefore generally considered as part of the HFL submission.

⁵ Paragraph 3 Reply Submissions on Scope for Horotiu Farms Limited, 30 March 2023

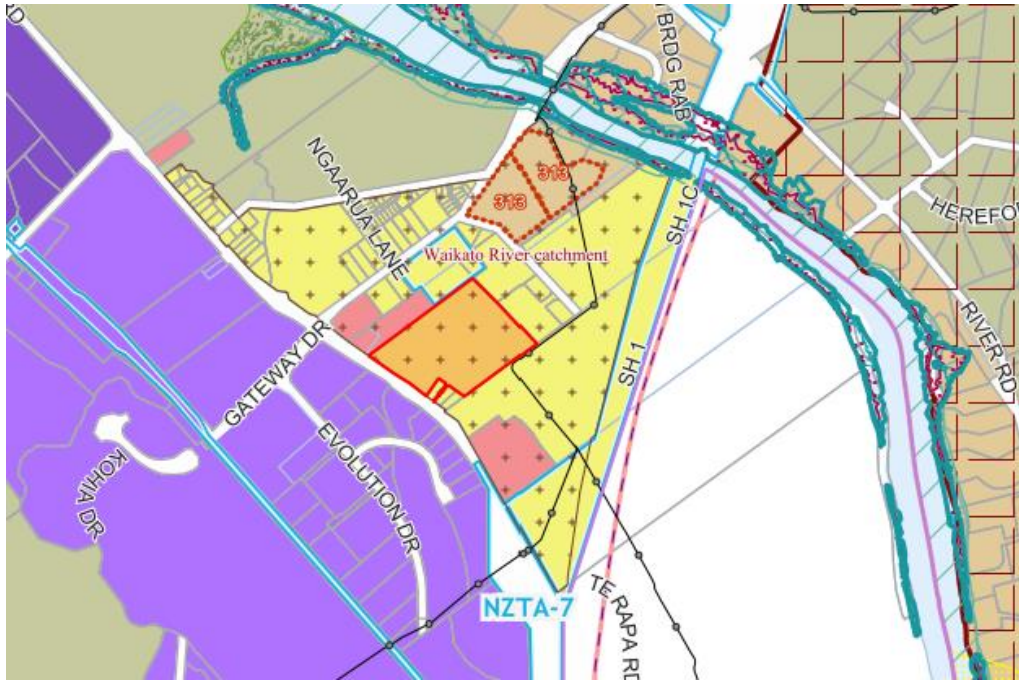


Figure 2: 6257 Great South Road, Horotiu shown in red outline (subject to further submission from Korris Limited (#201))

18. Two further submissions in opposition of the rezoning request were received from Craig Merritt (further submitter #212) and Ports of Auckland Limited (further submitter #214). Craig Merritt raises concerns relating to traffic and the cultural significance of the Horotiu West land. Ports of Auckland submit that the Horotiu West land is not within an urban environment and that residential intensification is inappropriate in the context of a strategic industrial node (as identified within the Waikato Regional Policy Statement).

3.4 Analysis

Statutory Requirements

19. Section 77G (1) of the RMA requires every relevant residential zone of a specified territorial authority⁶ to have the MDRS incorporated into that zone. “Relevant residential zone” is defined in the RMA as:
- (a) all residential zones; but
 - (b) does not include—
 - i. a large lot residential zone;
 - ii. an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment;
 - iii. an offshore island;

⁶ Specified territorial authorities is defined in the RMA as including tier 1 territorial authorities which includes WDC.

iv. to avoid doubt, a settlement zone

20. The definition of “urban environment” referenced in b(ii) above is defined in s77F of the RMA as:

any area of land (regardless of size, and irrespective of territorial authority or statistical boundaries) that—

- (a) is, or is intended by the specified territorial authority to be, predominantly urban in character; and*
- (b) is, or is intended by the specified territorial authority to be, part of a housing and labour market of at least 10,000 people.*

21. Ms Fiona Hill is preparing evidence to assess whether the Horotiu West land meets the definition of a ‘relevant residential zone’ or if it is excluded under clause (b)ii above. Based on my discussions with Ms Hill, I understand that, in her view, Horotiu meets the definition of an ‘urban environment’ because:

- i. Horotiu is an area that is predominately urban in character; and
- ii. There is an intention for Horotiu to become part of the Hamilton housing and labour market (which has at least 10,000 people).

22. Based on the above, I understand that Ms Hill is of the view that the Horotiu West land is a relevant residential zone and therefore the MDRS must be incorporated under Section 77G(1) of the RMA.

23. I accept Ms Hill’s interpretation and specifically note the following regarding the intention for Horotiu to become part of an urban environment:

- i. Policy UFD-P11 of the RPS states that:

Within the Future Proof area (1) new urban development within... Horotiu... shall occur within the Urban Limits indicated on Map 43 (5.2.10 Future Proof Map).

- ii. Proposed Change 1 to the RPS amends Policy UFD-P11 to state:

Within the Future Proof area (1) new urban development shall occur within the Urban and Village Enablement Areas indicated on Map 43 (5.2.10 Future Proof Map).

The operative Urban Limits Future Proof map included in the RPS is shown in Figures 3 below and shows Horotiu within the urban limit. Change 1 to the RPS proposes to replace the map with Map-6-2 which continues to show Horotiu as being located within an urban enablement area and shows the Horotiu West land for short-medium term development.

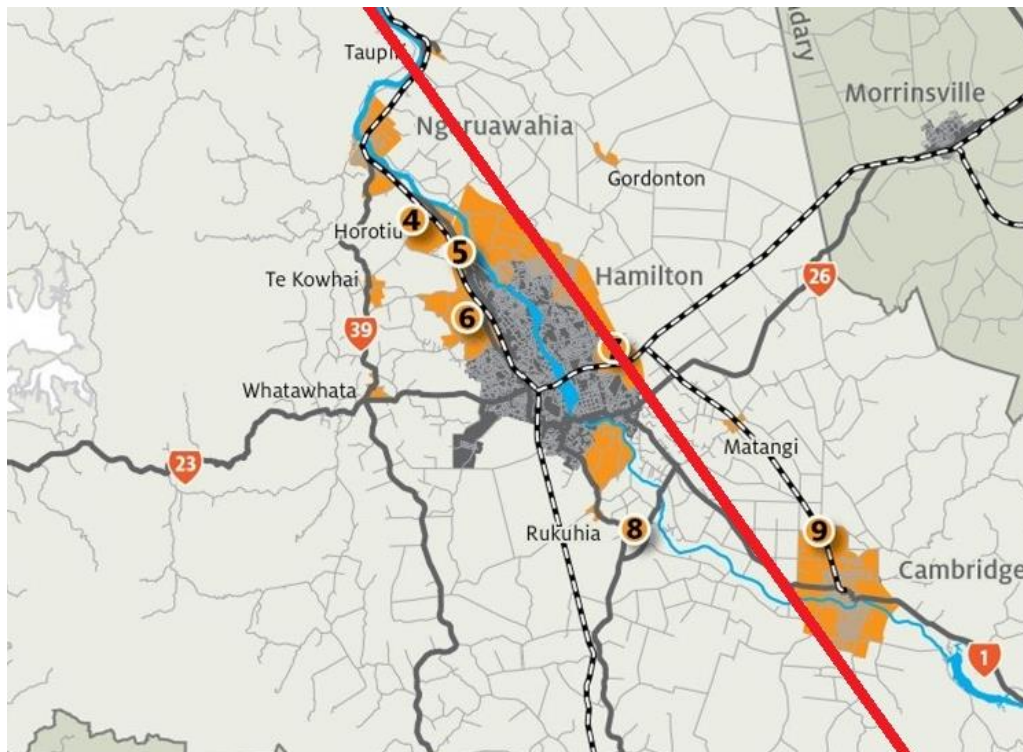


Figure 3: RPS Map 5.2.10 - Urban Limits (shown in part)

- iii. Table 35 in Appendix 12 of the RPS (operative and proposed through Change I) allocates a staged industrial land allocation across the region’s strategic industrial nodes⁷. While the exact figures within the tables of the proposed and operative RPS vary, it is clear that there is an expectation for industrial land growth and demand in Horotiu over the next 30 years.
- iv. Future Proof 2022 Map 1 (Settlement pattern) shows Horotiu as an ‘Urban Enablement Area’ and located along the ‘Metropolitan Economic Corridor’. Urban Enablement Areas are defined⁸ as:

“key locations for growth, with the focus being on locations within urban environments which are able to be serviced by a range of transport modes, including rapid and frequent public transport in the future”.

Metropolitan Economic Corridor is broadly defined as areas specific areas that have a higher concentration of economic activity than others and areas⁹.

- v. Future Proof 2022 Map 4 (Metro public transport schematics) identifies a ‘Key Frequent PT Enabled Growth Node’ within Horotiu providing for frequent network, future inter-regional network and rapid network connections. In my view, the envisaged high level of public transport connectivity of Horotiu contributes to the broader intention for the area to form part of an urban environment.

⁷ Noting that Horotiu is identified as a strategic industrial node both in Future Proof and in the Proposed RPS through Change I.

⁸ Page 60 of Future Proof 2022.

⁹ Page 71 of Future Proof 2022.

- vi. Future Proof 2022 Map 6 - Current and future urban areas (Figure 3 below) shows Horotiu (including the Horotiu West land) as an urban area with medium term development areas identified to the western side of the railway.

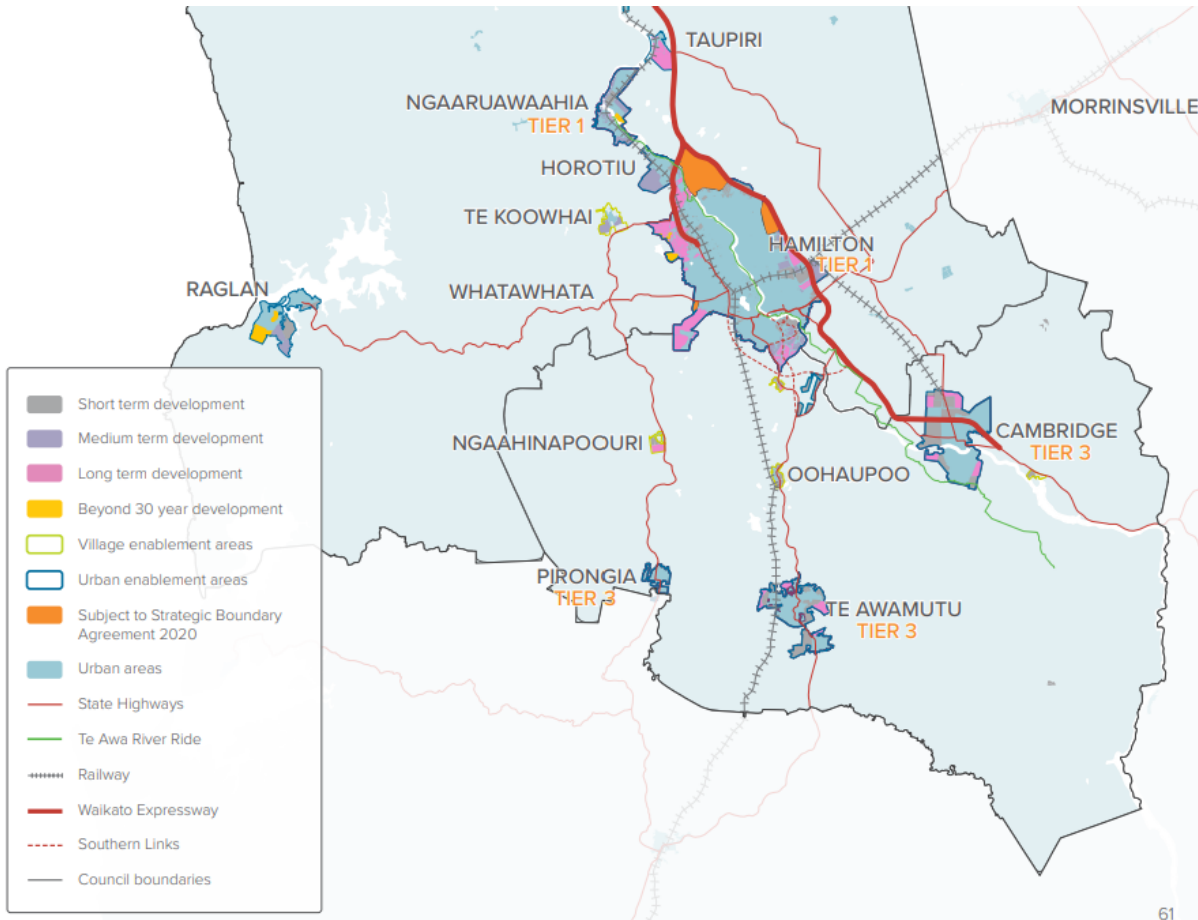


Figure 4: Future Proof Map 6 - Current and future urban areas (shown in part)

- vii. Figure 5 below shows the development plan for Horotiu that is included in Waikato 2070¹⁰ (Council’s Growth and Economic Development Strategy). The development plan shows that standalone residential development (low density) is envisaged within a 1-3 year timeframe within the area that encompasses the Horotiu West land. Irrespective of the density, it is clear that residential growth within this part of Horotiu is envisaged within Waikato 2070.

¹⁰ Prepared under the Local Government Act 2002 and adopted by WDC in May 2020.

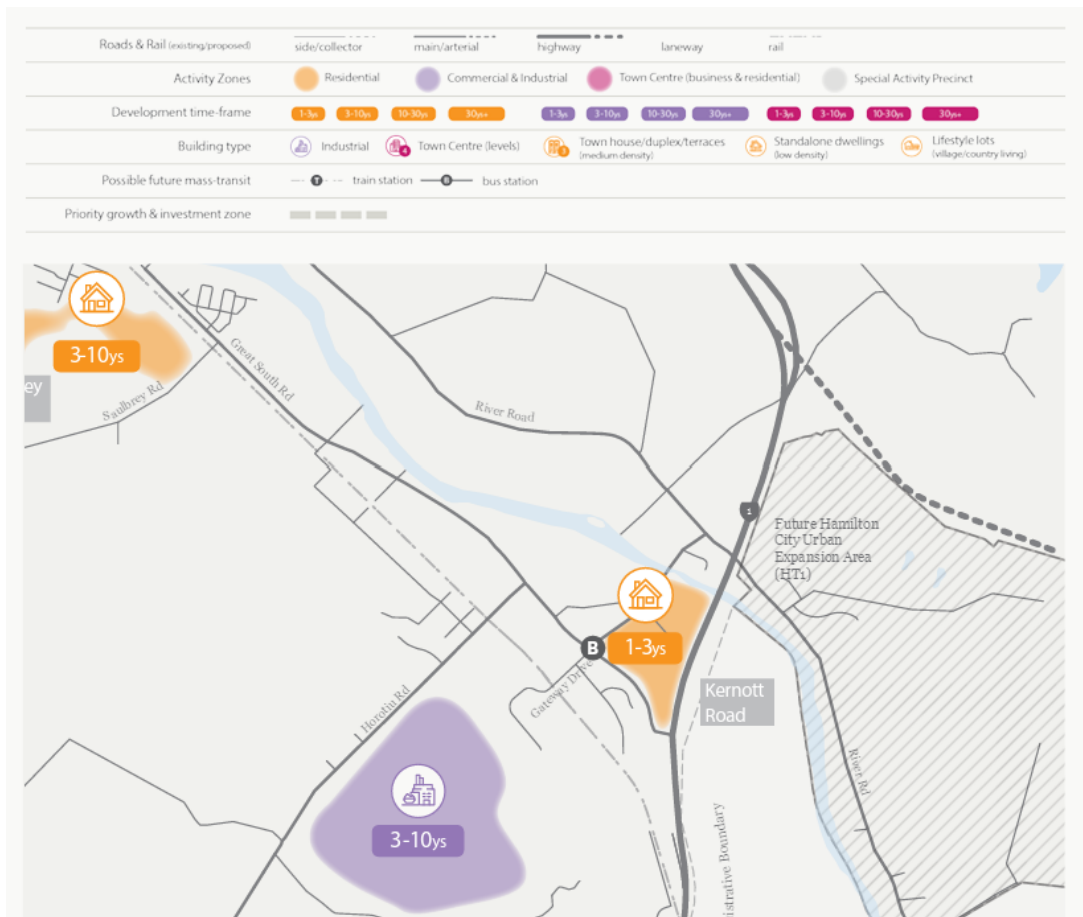


Figure 5: Waikato 2070 Development Plan for Horotiu

24. For the reasons outlined above, I am of the view that, while Horotiu has a resident population of less than 5,000, there is a clear intention by Council together with its Future Proof partners for it to form part of an urban environment. This intention is embedded within the RPS and further demonstrated in Future Proof 2022 and Waikato 2070. For that reason, I agree with Ms Hill’s assessment that Horotiu is not exempt under clause (b)ii of the relevant residential zone definition of the RMA and must therefore have the MDRS incorporated.
25. Despite Ms Hill’s analysis determining that all residential zones in Horotiu should have the MDRS incorporated, the scope of this s42A report is limited to the change in zoning requested by the HFL submission (Horotiu West). Given that the remaining GRZ land in Horotiu is not subject to a submission, a separate variation or plan change will be required to amend the zoning of the remaining GRZ land to MRZ and comply with the requirements of s77G of the RMA.
26. The following sections of this report consider whether there are any qualifying matters that should apply to the Horotiu West land and the wider implications for the other relevant residential zones within Horotiu that are not subject to the rezoning request by HFL.

Qualifying Matters

27. Section 77I of the RMA enables territorial authorities to make the MDRS less enabling of development within a relevant residential zone to the extent necessary to accommodate a qualifying matter¹¹.
28. Volume 2 of the s32 report outlines and evaluates the proposed qualifying matters introduced as part of Variation 3. The table below describes the extent to which the proposed qualifying matters would apply to the Horotiu West land.

Qualifying Matter	Density Effect on Horotiu West
Natural Character of the waterbodies and their margins (Section 6(a).	MRZ2-S14 proposes a 26.5m setback from the margin of the Waikato River, a 20m setback from the margin of any wetland and a 21.5m setback from the bank of any other river ¹² . These setback requirements will apply to land adjacent to the Waikato River and to the stream/s and wetland/s on the site ¹³ .
Natural hazards (Section 6(h) ¹⁴	A small proportion of the Horotiu West land adjoining the Waikato River is mapped within the PDP Flood plain management area and the High risk flood area (refer to Figure 6 below). The PDP approach within high risk flood areas is to avoid development and within flood plains is to manage minimum floor levels, earthworks and subdivision.
Safe and efficient operation of nationally significant infrastructure (Section 77I(e) ¹⁵	MRZ2-S15 ¹⁶ proposes a 15m setback from the boundary of a national route or regional arterial. Figure 7 below shows three state highway designations applying to and adjacent to the Horotiu West land ¹⁷ . The proposed setback requirements would be for 15 metres from these designations. MRZ2-S15 (as notified) included a 6m setback to gas transmission line. The gas transmission lines in Horotiu West are shown in Figure 7 below. In paragraph 569 of the 19 June s42A report I recommended that this setback be removed due to offending the <i>Waikanae</i> principle. If the Panel did not apply the <i>Waikanae</i> principle, I would recommend a 6m setback to the mapped gas transmission lines be included.

¹¹ Qualifying matter is defined in the RMA as a matter referred to in s77I or 77O.

¹² The RMA definition of 'river' includes a stream.

¹³ The setback requirements to wetlands and rivers in the GRZ are 23 metres.

¹⁴ Flood risks are discussed further in from paragraph below.

¹⁵ Setback requirement from national and regional arterials is discussed further in Section 8 below.

¹⁶ This standard was notified as MRZ2-S14.

¹⁷ I understand that Waka Kotahi intends to consolidate the three designations into a single designation to cover the same extent.

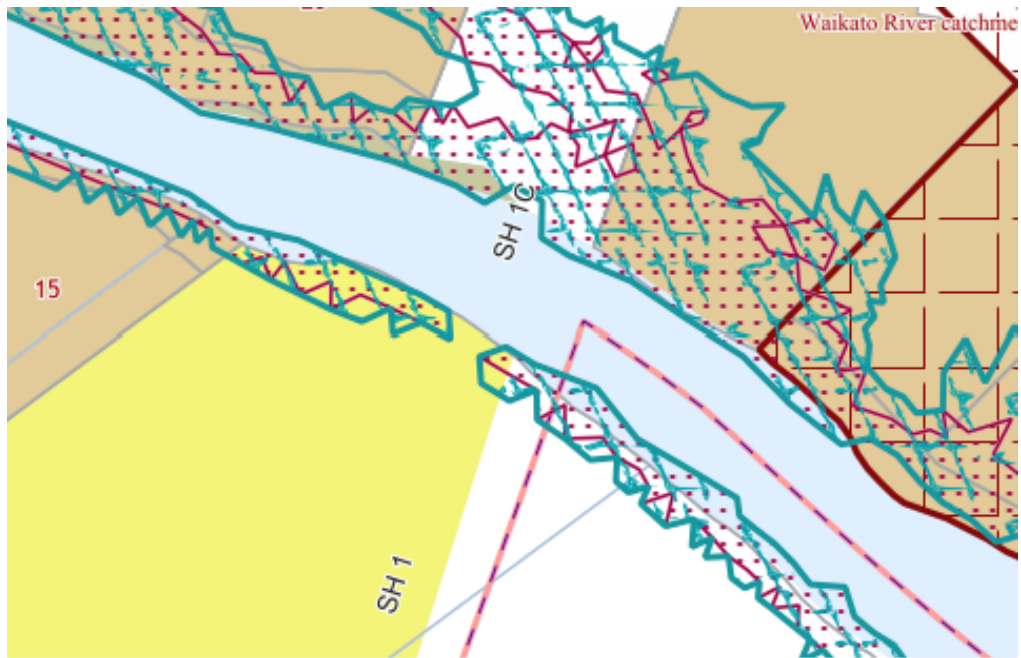


Figure 6: The northern part of the Horotiu West land (shown in yellow) has a mapped High risk flood area (red dots) and Flood plan management areas (turquoise hatching)

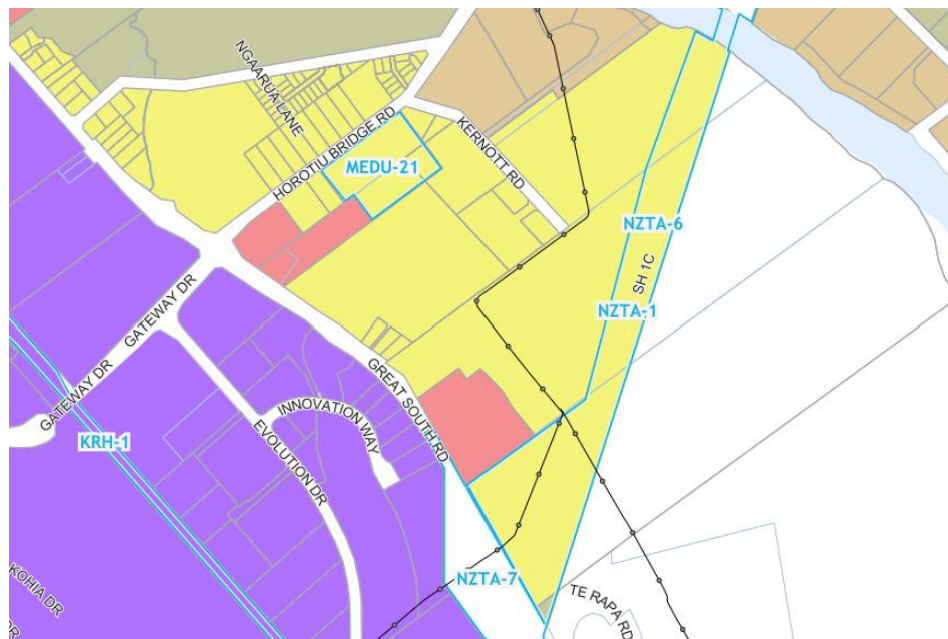


Figure 7: NZTA (Waka Kotahi) designations and gas transmission line shown on and adjacent to the Horotiu West land

29. In addition to the qualifying matters outlined in the table above, I am of the view that the following potential qualifying matters should be further considered to apply to the Horotiu West land:
- i. The potential for reverse sensitivity effects arising from existing industrial operations in Horotiu;

- ii. The potential for flooding effects to affect residential development; and
 - iii. The relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (Section 6(e) of the RMA).
30. These potential qualifying matters are assessed in more detail below.

Reverse sensitivity qualifying matter

31. In the s42A¹⁸ report I recommended that reverse sensitivity is included as a qualifying matter¹⁹ to avoid potential reverse sensitivity effects of residential activities on industrial operations in the following locations:
- i. Within the Havelock Industry Buffer in Pookeno; and
 - ii. Within the Amenity Setback specific control in Tuakau.
32. Both locations identified above had existing PDP provisions that restrict density through building setbacks. I recommended that the existing PDP provisions be retained and the resulting restrictions on density justified with a reverse sensitivity qualifying matter.
33. Given that Horotiu is recognised as an industrial node that is of regional importance in the RPS and Future Proof²⁰, the potential for reverse sensitivity effects and potential qualifying matters should similarly be considered. Of relevance to this assessment are the following:
- i. There are no existing PDP provisions that affect density outcomes to protect potential reverse sensitivity effects within the Horotiu West land.
 - ii. The Horotiu West land is included within the Acoustic Area – Horotiu PDP overlay. The Horotiu Acoustic Area provisions require residential units to achieve specified internal sound levels and include mechanical ventilation systems²¹.
 - iii. Most of the General Industrial Zoned land to the south and south-west of the Horotiu West land is within the PREC6 overlay. The precinct includes provisions that seek to maintain the amenity of the General residential zone to the north of Horotiu Road through height restrictions and landscaping requirements along Horotiu Road. PREC6 does not appear to have specific provisions relating to the amenity of the residential land on the east of Great south Road (including the Horotiu West land).
34. Council engaged Macolm Hunt Associates to assess potential reverse sensitivity noise effects as a result of rezoning the Horotiu West land from GRZ to MRZ2 with specific reference to the appropriateness of the existing Horotiu Acoustic Area provisions to manage the effects of intensification. The technical assessment dated 14 September 2023 is included in Appendix B to this s42A report and concludes that:

¹⁸ 19 June 2023.

¹⁹ Under 771(j) of the RMA (as ‘any other matter’).

²⁰ As is outlined in paragraph 23 of this report.

²¹ PDP Part 4, APPI – Horotiu Acoustic Area.

- i. The existing noise standards included in the PDP are sufficient to avoid potentially significant reverse sensitivity noise effect on permitted activities. NOISE-R19 should be amended to make reference to the MRZ.
35. Based on the advice received from Malcolm Hunt Associates, I recommend that the existing noise standards be applied as related provisions. Specifically, I recommend that:
- i. The following GRZ rule is duplicated in the MRZ for buildings within the Horotiu Acoustic Area:

GRZ-S24	Building – Horotiu Acoustic Area (identified on the planning maps)	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Construction, addition to or alteration of a building for a noise sensitive activity within the Horotiu Acoustic Area shall be designed and constructed to achieve the internal design sound level specified in APP1 – Acoustic insulation, Table 22 – Internal design sound levels</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) On-site amenity values;</p> <p>(b) Noise levels received at the notional boundary of the building;</p> <p>(c) Timing and duration of noise received at the notional boundary of the building; and</p> <p>(d) Potential for reverse sensitivity effects.</p>	

- ii. Consequential amendments to Part 2: Noise and Part 4: Schedules and appendices / APP1 – Acoustic insulation (4: Horotiu Acoustic Area) are made to include reference to the MRZ in addition to the GRZ, COMZ, LCZ and RLZ.
36. The recommended amendments are related provisions under section 80E(2) rather than qualifying matters under section 77I as they do not limit the ability to achieve the MDRS densities.
37. I attended a meeting with representatives from Ports of Auckland on 24 August 2023. From that meeting, I understood that, if Horotiu was identified as containing relevant residential zones, Ports of Auckland would seek for the Horotiu Acoustic Area provisions to be retained across the Horotiu West land. I therefore understand that my recommended relief is consistent with the outcome sought by Ports of Auckland.

Water and Wastewater Servicing

38. Ms Katja Huls prepared a s32AA addendum to support the review of existing water, wastewater and stormwater infrastructure assessment processes for Horotiu (included in Appendix B to this report). Specifically, Ms Huls considered whether a different approach should be taken for Horotiu (including the Horotiu West land) compared to the recommended approach for Huntly, Ngaaruawaahia, Tuakau and Pokeno. In understanding the water and wastewater demands and capacities Ms Huls relied on the water and wastewater technical assessment prepared to support the Ngaaruawaahia Structure Plan prepared by Beca²². Ms Huls concludes that:

As was the case for Ngaaruawahia, Huntly, Pokeno and Tuakau, the three waters infrastructure has varying levels of capacity and readiness for growth. However, there are clear plans in place to provide

²² Ngaaruawaahia Structure Plan – Water and Wastewater Technical Assessment, Beca (Draft 2 March 2023)

upgrades to provide for the expected population growth. Watercare can work with developers to provide appropriate infrastructure to support their development...

Should the Medium Density Residential Zone be applied to Horotiu there is no apparent reason to apply different planning controls to those that are applied to Ngaaruawahia, Pookeno, Tuakau and Huntly.

The assessment identified a number of upgrades that are required to service current development and future growth including pipe replacements, a reservoir storage upgrade and operational changes. However, overall the network performed well for existing and future growth scenarios.

39. Based on the above advice, I recommend adopting Ms Huls' approach and do not recommend further changes to the PDP.

Flooding Effects

40. Paragraphs 492-493 of the 15 June 2023 s42A report detail the existing PDP framework for managing flood hazards across the district. In response to submissions received on Variation 3 relating to flood management, Council engaged Te Miro Water to model and map flood plains in Huntly, Tuakau, Pookeno and Ngaaruawahia. The additional flood plain models were then used to develop an amended approach to flood management in urban intensification areas. The approach recommended in the original s42A and subsequently refined in the s42A rebuttal and s42A closing statement respond to expert conferencing²³ and expert evidence.
41. Te Miro Water have now also modelled and mapped the flood plains in Horotiu (refer to Appendix D). The model is for Horotiu in its entirety, rather than specifically for the Horotiu West land. Ms Huls recommends that the flood management approach for Horotiu (including the Horotiu West land) should be consistent with the proposed approach for Ngaaruawahia, Pookeno, Tuakau and Huntly. Applying the same rule framework would mean that the areas identified by the model as subject to the 1% AEP flood plain would be shown on the Horotiu West land in the PDP maps as the Flood density QM area, and the rules for the QM area would apply.
42. I understand that Te Awa Lakes has already undertaken substantial technical investigations and have developed engineering solutions for flood and stormwater management on the Horotiu West land. I further understand that a comprehensive stormwater discharge consent application has been submitted to the Waikato Regional Council. I expect that HFL will address these matters in their evidence.
43. I briefly discussed the proposed flood management approach with Mr Aaron Collier (consultant planner to Te Awa Lakes) on 12 September 2023 and subsequently provided the Te Miro maps. In principle, he considered that the approach was acceptable however he had not yet had the opportunity to review the flood maps or undertake a detailed assessment of the provisions. Given the detailed information and knowledge available for the site by HFL and Te Awa Lakes, I would be open to considering alternative approaches to flood management on a site-specific basis, if appropriate.

²³ Expert conferencing relating to flood management was undertaken on 11 July 2023

Cultural effects

44. Craig Merrit (further submitter #212) raised concerns relating to the cultural significance of the Horotiu West land. Part 2 of the s32 report identifies the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (Section 6(e) of the RMA as a qualifying matter that is largely given effect to through:
- i. The identification of sites and areas of significance to Maaori in Schedule 3 of the PDP and the planning maps and associated provisions relating to earthworks and subdivision; and
 - ii. Enabling the development of Maori owned land.
45. Figure 8 below shows that there are two mapped Schedule 3 sites located adjacent to the Horotiu West Land (bounded by the Waikato River to the North, Horotiu Bridge Road to the West and Kernott Road to the south/south-west). The sites are described as ‘Maaori Gardens – Totality Kernott Road (1) Kernott Road (2), Horotiu’²⁴.



Figure 8: Mapped SAASMs shown on the land adjacent to the Horotiu West land

46. The PDP does not include a scheduled site or area of significance to Maaori within the Horotiu West land²⁵. While I acknowledge that not all sites are mapped, I do not consider it appropriate

²⁴ Schedule 3 of the PDP, ID313, NZAA numbers SS54 and SS62

²⁵ Despite this I note that borrow pits have previously been identified on the Horotiu West land as is shown on page 31 of this the June 2020 Technical Report on Maori Sites of significance however were subject to an ‘area of borrow pit attrition affected by intensive land use’: https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-20/council-section-42a-reports/proposed-district-plan-hearing-20---appendix-2a-wdc-report.pdf?sfvrsn=93fc8bc9_2

to provide specially for the cultural significance of the Horotiu West land as a qualifying matter for the following reasons:

- i. No evidence is provided to support the inclusion of the Horotiu West land within schedule 3 to the PDP as part of the Variation 3 process.
 - ii. The GRZ already provides for a substantial level of residential development on the Horotiu West land (subject to resource consents).
 - iii. The limitations established by the *Waikanae* decision do not allow for more restrictive provisions to be introduced through the IPI process.
47. I further note that the PDP has embedded objectives and policies relating to tangata whenua's relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga²⁶. These objectives and policies would need to be considered as part of any discretionary²⁷ or non-complying resource consent application. In addition, the Heritage New Zealand Pouhere Taonga Act 2014 requires archaeological authorities for the modification or destruction of archaeological sites (regardless of whether these are identified in district plans or otherwise).

3.5 Related Provisions (the Outer Intensification Area)

48. In paragraph 62 of the s42A closing statement Ms Fiona Hill recommended that an Outer Intensification Area overlay be applied to all GRZ land that is proposed to be rezoned to MRZ through the Variation 3 process²⁸. The proposed rules that apply in the Outer Intensification Area relate to minimum vacant lot subdivision requirements, building platform requirements and minimum frontage area requirements²⁹. Given that Ms Hill recommended that the overlay should apply to all land subject to a zone change from GRZ to MRZ, for consistency I recommend that the same overlay should similarly apply to the Horotiu West land.

3.6 Recommendations

49. I recommend that:
- i. The HFL submission be accepted in its entirety on the basis that the Horotiu West land is a relevant residential zone.
 - ii. Council prepares a separate variation or plan change to incorporate the MDRS into the remaining relevant residential zones within Horotiu in accordance with section 77G of the RMA.

²⁶ Including SD-O2, MV-O1-O5, MW-PI-P8, EW-P2(2)

²⁷ Noting that the subdivision of land containing an ONL as is the case for Horotiu West requires a discretionary resource consent under NFL-R3, however, this provision is under appeal.

²⁸ The land formerly included within the urban fringe qualifying matter

²⁹ Refer to Paragraph 62 of the s42A closing statement

3.7 Recommended amendments

50. I recommend that the following amendments are made:

- i. The Horotiu West land be rezoned to MRZ2 on the basis that it is a relevant residential zone.
- ii. That the Outer Intensification Area overlay be applied to the Horotiu West land.
- iii. The Flood density QM area is included for the Horotiu West land in the PDP, unless a more appropriate site-specific alternative approach for flood management is agreed.
- iv. Consequential amendments to the referencing of MRZ2 and GRZ are made to NOISE-R19(b), GRZ-S24 and Part 4: APPI, Area 4 to ensure that the existing Horotiu Acoustic Area provisions continue to apply to the Horotiu West land.

3.8 Section 32AA evaluation

51. A supplementary section 32AA evaluation for three waters provisions in Horotiu was undertaken by Ms Katja Huls and is included in Appendix C to this s42A report.
52. Given that the implementation of the MDRS into relevant residential zones is mandatory, I do not consider it necessary to consider the alternative zoning options for the land.

4 Waka Kotahi and KiwiRail

4.1 Introduction

53. Variation 3 proposes building setbacks for sensitive land uses (MRZ2-S14) of:

- i. 15m from the boundary of a national or regional arterial
- ii. 25m from the designated boundary of the Waikato Expressway
- iii. 5m from the designated boundary of the railway corridor.

54. These provisions are consistent with the PDP setbacks included within the GRZ (GRZ-S20) which have been appealed by Waka Kotahi and KiwiRail (separately) to the Environment Court³⁰. The relief sought by Waka Kotahi and KiwiRail in their submissions to Variation 3 is consistent with their respective reliefs sought through the Environment Court appeals.

55. Subsequent to the IHP's directions³¹ to defer the submission points from Waka Kotahi and KiwiRail relating to noise, vibration and setback controls I identified that submission points #54.2, #54.11, #54.12, #54.13, #54.14, #54.15 and #29.4 related to overlapping issues³². All other

³⁰ KiwiRail reference ENV-2022-AKL-000044 and Waka Kotahi reference ENV-2022-AKL-000048

³¹ 12 June 2023

³² Paragraph 559 15 June 2023 s42A report.

submission points were assessed in the 15 June 2023 s42A report as is shown in the summary of submission tables below.

Table 1: Summary of Waka Kotahi submission points and recommendations

Submission point #	Summary	Recommendation	Paragraph reference
29.1	General support for urban fringe	Reject	586-592
29.2	Support for proposed MRZ2-O3 regarding residential amenity.	Accept	176
29.3	Evaluate greater options for greater densities with the inclusion of the urban fringe.	Reject	586-592
29.4	Defer any decision on MRZ2-S14 until the Environment Court mediated process assigned for Topic 5 Infrastructure OR delete MRZ2-S14 and replace with Waka Kotahi preferred noise provisions.	Accept	559
29.5	Amend the assessment criteria under TRPT-R4(2) to include a specific requirement for traffic assessments to demonstrate how the proposal mitigates operational greenhouse gas effects.	Reject	371

Table 2: Summary of KiwiRail submission points and recommendations

Submission point #	Summary	Recommendation	Paragraph reference
54.1	Retain rail as a qualifying matter pursuant to s771(e) and s770(e) of the Resource Management Act 1991	Accept	560
54.2	<ul style="list-style-type: none"> - Apply a 5m setback to all buildings, not just buildings containing sensitive land uses; - Require acoustic insulation and ventilation standards be applied to all (new and altered) noise sensitive activities within 100m of the railway corridor; and 	Defer decision until the end of the V3 hearing process.	559

Submis- sion point #	Summary	Recom- mendation	Paragraph reference
	- Apply a vibration standard applied to all (new and altered) noise sensitive activities within 60m of the rail corridor.		
54.3	Supports for urban development around transport nodes.	Noted	734
54.4	Retain the definition of “Qualifying Matters”.	Accept	252
54.5	Retain SD-O14 Well-functioning urban environment.	Accept	176
54.6	Retain SD-P2 Medium Density Residential Standards.	Accept	176
54.7	Retain MRZ2-O5 Qualifying matters	Accept	180
54.8	Amend MRZ2-O6 Reverse sensitivity	Reject	189-190
54.9	Amend MRZ2-P6 Qualifying matters	Reject	200-201
54.10	Amend MRZ2-P11 Reverse sensitivity	Reject	208-209
54.11	Amend GRZ-S20 Building setbacks to apply consistently across all zones and to apply to all new buildings (not just sensitive land uses).	Defer decision until the end of the V3 hearing process.	559
54.12	Amend MRZ2-S14 Building setbacks to apply consistently across all zones and to apply to all new buildings (not just sensitive land uses).	Defer decision until the end of the V3 hearing process.	559
54.13	Add a new permitted activity standard into the GRZ and MRZ2 (and all relevant zones adjoining the rail corridor affected by Variation 3) regarding 5m building setbacks.	Defer decision until the end of the V3 hearing process.	559
54.14	Add a new rule RX- Indoor railway noise into the GRZ and MRZ2 (and all relevant zones affected by	Defer decision until	559

Submission point #	Summary	Recommendation	Paragraph reference
	Variation 3) for sensitive land uses within 100m of the legal boundary of the rail corridor.	the end of the V3 hearing process.	
54.15	Add a new rule into the GRZ and MRZ2 (and all relevant zones adjoining the rail corridor) regarding rail vibration. (relief, as may be necessary, to fully give effect to the relief sought.	Defer decision until the end of the V3 hearing process.	559

4.2 PDP Appeals Update

56. I understand that Waka Kotahi, KiwiRail, Council and Kāinga Ora have agreed the following through ongoing PDP appeals negotiations:

- i. A 2.5m setback to apply from the designated boundary of the railway in the GRZ and MRZ.
- ii. A 3m setback to apply from the designated boundary of the railway in all other zones.
- iii. The identification of a state highway or rail corridor noise effects area which requires:
 1. New buildings containing sensitive land uses to be designed, constructed and a maintained to comply with specified noise and ventilation requirements; or
 2. New buildings containing sensitive land uses to be setback 50m from formed carriageway or railway track; or
 3. New buildings containing sensitive land uses to demonstrate that noise levels would be no more than 15dB above the relevant noise standard; or
 4. New buildings containing sensitive land uses to demonstrate that specified construction and ventilation standards can be met.
 5. Alterations, additions or changes in uses for exiting buildings to add or increase a sensitive land use to comply with standards relating to increases in gross floor areas.
- iv. That a vibration alert layer should be applied to land within 60m of a rail corridor.
- v. That no vibration alert layer should apply to land along state highways.

57. I understand that further communication with s274 parties regarding the above position needs to occur before consent orders can be drafted however, that no further required amendments are expected.

4.3 Analysis and Recommendations

58. Evidence to support the agreed provisions for state highway and railway corridors has not been provided. It is therefore not possible to assess their appropriateness or necessity to provide for the safe or efficient operation of the network and/or manage potential reverse sensitivity effects. Despite this, I understand that the agreed position was established through ongoing assessments and technical evaluations from expert planners and acoustic specialists representing the relevant parties. While this evidence is yet to be provided, I support the agreed approach of a combination of setback and acoustic requirements in principle.
59. The setback requirement for railway corridors outlined above will make development less enabling within the MRZ2 and must therefore be provided for as a qualifying matter under section 77I(e) of the RMA. For that reason, and based on the above agreed position, I recommend that:
- i. MRZ2-S15 (Building setback-sensitive land use) is amended to:
 1. Delete the setbacks to national routes, regional arterials and the Waikato Expressway.
 2. Amend the railway corridor setback requirement from 5 metres to 2.5 metres.
 3. Include a matter of discretion relation to rail network safety and efficiency.
 4. Delete the matter of discretion relating to road network safety and efficiency.
60. In my view, the agreed provisions for the highway and rail corridor noise effects areas and vibration alert areas do not need to be implemented through the IPI on the basis that:
- i. They do not affect density and therefore do not need to be provided for as a qualifying matter.
 - ii. They do not support or are not consequential on the MDRS or Policy 3 of the NPS-UD and are therefore not considered to be a related provision under s80E(i)(b)(iii) of the RMA.
61. For the above reasons I recommend that the provisions relating to the highway and rail corridor noise effects areas and the noise and vibration area are implemented through the PDP appeals process.

4.4 Recommended Amendments

62. I recommend that MRZ2-S15 is amended as follows:

MRZ2-S15	Building setback – sensitive land use
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</p> <p>(i) 2.5m 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>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Rail-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>(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 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>	
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4.5 Section 32AA Evaluation

63. I recommend that a section 32AA evaluation is provided by the relevant parties in support of the proposed change to MRZ2-S15.

5 Relevant Appeals

5.1 Transpower NZ Limited

64. I addressed the Transpower appeal and Variation 3 submission in section 11.1 of the s42A rebuttal statement. Transpower requested that any national grid provisions agreed through the PDP appeals process should consistently be applied across all zones, including the MRZ2.
65. I have been advised that agreement between Transpower, Council and all s274 parties has been reached regarding the national grid provisions and that a consent order has been drafted. The agreement was reached on a confidential and without prejudice basis and approval from all parties was requested on 6 September 2023 to share the provisions with the Panel. This approval has not been provided by all parties.
66. I understand that both the approval and the signed consent orders are imminent and will defer recommending amendments to the national grid provisions in the MRZ2 until this time. I have been advised that this will be prior to the December 2023 hearing.

5.2 Havelock Precinct

67. The Havelock Precinct has been assessed in detail through the Variation 3 process. Subsequent to the agreements reached between HVL and Hynds prior to the July hearing, the Havelock Precinct appeals process has further progressed. I understand that there may be additional related provisions that could be implemented through the IPI process. If so, evidence from HVL will be required to support the approach and detail the provisions.

5.3 Other Zoning Appeals

68. As discussed at the July hearing, there are two appeals to the PDP seeking rezoning to GRZ in Tuakau: the Grieg Holding sites on Johnston Street; and the GDP Development site (Aarts appeal)

at 111 Harrisville Road. Legal submissions for this hearing will provide an update for the Panel on the progress with the resolution of those appeals and the role of the Panel to rezone them subsequently to incorporate the MDRS.

6 Flood Maps

69. Additional work is being carried out on the flood model to address the matters raised by the Panel regarding sensitivity testing and quality assurance. The work being undertaken is outlined in Mr Andrew Boldero's second statement of rebuttal evidence dated 25 August 2023. This work will result in a revised set of flood maps which will also identify the additional areas of high risk. I have been advised that the maps will be available at least 5 working days before submitter evidence is due on 20 October 2023.

Appendix A – Recommended PDP amendment text and planning maps

MRZ - Medium density residential zone

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

Explanatory note:

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

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

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

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

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

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

Purpose of the MRZI

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

- Provide greater housing supply to respond to anticipated growth;
- Reduce pressure for residential development on the urban fringe and beyond;
- Relieve anticipated pressures on the road transport network (which are exacerbated by adopting sprawl to accommodate urban growth). This will be achieved by providing housing close to town and business centres where the use of both public and active modes of transport to access places of employment, retail and entertainment is readily achievable and/or viable;
- Provide greater diversity / choice of housing; and
- Coordinate delivery of infrastructure and services.

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

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

Objectives

MRZI-O1 Housing typology.

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

MRZI-O2 Efficient use of land and infrastructure.

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

MRZI-O3 Residential amenity.

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

MRZI-O4 Activities.

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

Policies

MRZI-P1 Housing typology and type.

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

MRZI-P2 Efficient use of land and infrastructure.

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

MRZI-P3 Building form, massing and coverage.

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

MRZI-P4 Streetscape, yards and outdoor living spaces.

- (1) Enable residential development that contributes to attractive and safe streets and public open spaces by:
 - (a) Providing for passive surveillance to public open spaces and streets through the siting of dwellings and rooms, façade design and fencing / landscaping;
 - (b) Incorporating front yard landscaping that will enhance streetscape amenity; and
 - (c) Minimising the prevalence of garage doors, carparking and driveways fronting the street.
- (2) Require development to have sufficient side yard setbacks to provide for:

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

MRZI-P5 Changes to amenity values.

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

MRZI-P6 Home businesses.

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

MRZI-P7 Non-residential activities.

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

Rules

Land use – activities

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

MRZI-RI	Residential activity, unless specified below This includes occupation of a single residential unit for short term rental.
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
MRZI-R2	A new retirement village or alterations to an existing retirement village
(1) Activity status: PER Activity-specific standards: (a) The site is connected to public water and wastewater infrastructure; (b) The minimum living space or balcony area and dimensions are: (i) Apartment – 10m ² area with a minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m ² area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m ² area with minimum dimension horizontal and vertical of 2.5m. (c) The minimum service court is either: (i) Apartment – Communal outdoor space (i.e. no individual service courts required); or (ii) All other units – 10m ² for each unit. (d) The following land use – effects standard does not apply: (i) SIGN-R1, SIGN-R8 – SIGN-R10 (Signs). (e) The following Land Use – Building standards do not apply: (i) MRZ1-S1 (Residential unit); (ii) MRZ1-S8 (Outdoor living space); and (f) The following infrastructure and energy rule does not apply: (i) Rule TRPT-R4(1)(a) (Traffic generation).	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
MRZI-R3	Home business

<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The home business is wholly contained within a building; (b) The storage of materials or machinery associated with the home business are wholly contained within a building or are screened so as not to be visible from a public road or neighbouring residential property; (c) No more than 2 people who are not permanent residents of the site are employed at any one time; (d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and (e) Machinery may only be operated between 7:30am and 9pm on any day. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
<p>MRZI-R4 Community facilities</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) No more than 200m² GFA. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
<p>MRZI-R5 Neighbourhood park</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZI-R6 Home stay</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) No more than 4 temporary residents. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
<p>MRZI-R7 Boarding houses/boarding establishments</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) No more than 10 people per site inclusive of staff and residents. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p>

		(a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
MRZI-R8	Construction or alteration of a building for a sensitive land use	
(1) Activity status: PER Activity-specific standards: (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: (i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or (ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people; (c) The risk of damage to property; and (d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.	
MRZI-R9	Construction, demolition, addition, and alteration of a building or structure	
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a	
MRZI-R10	Any activity that is not listed as permitted, restricted discretionary or prohibited, Activity status: DIS	
MRZI-R11	Any building, structure, objects or vegetation that obscures the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon). Activity status: PR	

Land use – building

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

		<p>including the provision of landscaping; and</p> <p>(d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and</p> <p>(e) Provision of 3-waters infrastructure to individual units; and</p> <p>(f) The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and</p> <p>(g) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces.</p>
MRZI-S2	Minimum residential unit size	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Residential units must have a minimum net internal floor area of:</p> <p>(i) 35m² for studio dwellings; and</p> <p>(ii) 45m² for one or more bedroom dwellings.</p>		<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The functionality of the residential unit; and</p> <p>(b) Internal residential amenity.</p>
MRZI-S3	Height – building general	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</p> <p>(c) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.</p> <p>(d) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure;</p> <p>(e)</p>		<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Height of the building or structure;</p> <p>(b) Design, scale and location of the building;</p> <p>(c) Extent of shading on adjacent sites; and</p> <p>(d) Privacy and overlooking on adjoining sites.</p>
MRZI-S4	Fences or walls – road boundaries	
<p>(1) Activity status: PER</p> <p>Where:</p>		<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>(a) Fences and walls between the applicable building setbacks under MRZ1-S10 and MRZ1-11 on a site and any road boundaries, must comply with all of the following standards:</p> <p>(i) Be no higher than 1.5m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(1) Visually permeable for the full 1.8m height of the fence or wall; or</p> <p>(2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p>Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; and</p> <p>(c) Public space visibility.</p>
<p>MRZ1-S5 Height in relation to boundary</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Buildings and structures must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3m above natural ground level at every point of the site boundary, except</p> <p>(i) Where the boundary forms part of a legal right of way, entrance strip or access site; the standard applies from the farthest boundary of that legal right of way, entrance strip or access site;</p> <p>(ii) This standard does not apply to existing or proposed internal boundaries within a site;</p> <p>(iii) Where a site in the MRZ1 – Medium density residential zone 1 adjoins a site in the GRZ – General residential zone, LLRZ – Large lot residential or SETZ – Settlement zone, then buildings must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above natural ground level at every point of the site boundary abutting that GRZ – General residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone;</p> <p>(iv) Where the boundary adjoins a legal road.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Height of the building;</p> <p>(b) Design and location of the building;</p> <p>(c) Extent of shading on adjacent sites; and</p> <p>(d) Privacy on adjoining sites.</p>
<p>MRZ1-S6 Building coverage</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The total building coverage must not exceed 45%.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p>

<p>(b) MRZ1-S6(1)(a) does not apply:</p> <ul style="list-style-type: none"> (i) To a structure that is not a building; or (ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building. 	<ul style="list-style-type: none"> (a) Design, scale and location of the building; (b) Provision for outdoor living space and service courts; and (c) Effects on the planned urban built character of the surrounding residential area.
<p>MRZ1-S7 Impervious surfaces</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The impervious surfaces of a site must not exceed 70%. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Site design, layout and amenity; and (b) The risk of flooding, nuisance or damage to the site or other buildings and sites.
<p>MRZ1-S8 Outdoor living space</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) An outdoor living space must be provided for each residential unit that meets all of the following standards: <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the residential unit; (ii) It is readily accessible from a living area of the residential unit; (iii) Where the residential unit contains an internal habitable space (excluding garages, bathrooms, laundries, and hall or stairways) on the ground floor, an outdoor living court shall be provided and shall have a minimum area of 20m² and a minimum dimension of 4m in any direction; and (iv) Where the residential unit has its principal living area at first floor level or above, a balcony shall be provided and shall have a minimum area of 5m² for studio and one-bedroom dwellings, or 8m² for two or more bedroom dwellings and a minimum dimension of 1.5m. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Design and location of the building; (b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed; (c) Privacy and overlooking on adjoining sites; and (d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
<p>MRZ1-S9 Ground floor internal habitable space</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The visual dominance of garaging, parking, and vehicle manoeuvring areas and the balance across the site of internal habitable space, outdoor living courts, and landscaping at ground level; and

		(b) The design and location of garaging as viewed from streets or public open spaces.
MRZI-S10	Building setbacks – all boundaries	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The finished external walls (excluding eaves) of a building must be set back a minimum of:</p> <p>(i) 3m from the road boundary;</p> <p>(ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps);</p> <p>(iii) 1m from every boundary other than a road boundary; and</p> <p>(b) Balconies greater than 1.5m above ground level shall be set back a minimum of 4m from every boundary other than a boundary to a road or public open space;</p> <p>(c) MRZ1-S10(1)(a) and (b) do not apply to structures that are not buildings.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Road network safety and efficiency;</p> <p>(b) Potential to mitigate adverse effects on the streetscape through use of other design features;</p> <p>(c) Daylight admission to adjoining properties; and</p> <p>(d) Privacy overlooking on adjoining sites.</p>	
MRZI-S11	Building setbacks – water bodies	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building must be set back a minimum of:</p> <p>(i) 20m from the margin of any lake;</p> <p>(ii) 20m from the margin of any wetland;</p> <p>(iii) 23m from the bank of any river (other than the Waikato River and Waipa River);</p> <p>(iv) 38m from the margin of either the Waikato River and the Waipa River</p> <p>(v) 23m from mean high water springs</p> <p>(b) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ1-S12(1)(a);</p> <p>(c) MRZ1-S11(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</p> <p>(b) Adequacy of erosion and sediment control measures;</p> <p>(c) The functional or operational need for the building to be located close to the waterbody;</p> <p>(d) Effects on public access to the waterbody;</p> <p>(e) Effects on the amenity of the locality; and</p> <p>(f) Effects on natural character values.</p>	

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

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

Purpose

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

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

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

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

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

Objectives

MRZ2-O1 Housing typology.

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

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

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.

- (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-PI3 Retirement villages.

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

MRZ2-PI4 Outlook from Tuurangawaewae Marae

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

MRZ2-PI5 Neighbourhood centres in structure plan areas.

- (1) Provide for new neighbourhood centres within structure plan areas or master plan areas, that:

- (a) [Are for the daily retail and service needs of the community; and](#)
- (b) [Are located within a walkable catchment.](#)

Rules

Land use – activities

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

MRZ2-R1	Residential activity, unless specified below This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a	
MRZ2-R2	A new retirement village or alterations to an existing retirement village	
(1) Activity status: PER Activity-specific standards: (a) The site is connected to public water and wastewater infrastructure; (b) The minimum living space or balcony area and dimensions are: (i) Apartment—10m² area with a minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit—12.5m² area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit—15m² area with minimum dimension horizontal and vertical of 2.5m. (c) The minimum service court is either: (i) Apartment—Communal outdoor space (i.e. no individual service courts required); or (ii) All other units—10m² for each unit. (d) The following land use – effects standard does not apply: (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) MRZ2-S7 (Outlook space)	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects; and (d) Whether the non-compliance with the activity standard is required for the operational needs of the retirement village.	

<ul style="list-style-type: none"> (iv) MRZ2-S10 (Minimum residential unit size); and (v) MRZ2-S12 Ground floor internal habitable space. (f) All other Land Use – Building standards apply, including the following MDRS standards: <ul style="list-style-type: none"> (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). (g) The following infrastructure and energy rule does not apply: <ul style="list-style-type: none"> (i) Rule TRPT-R4(1)(a) (Traffic generation). 	
<p>MRZ2-R3</p>	<p>Home business</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The home business is wholly contained within a building; (b) The storage of materials or machinery associated with the home business are wholly contained within a building or are screened so as not to be visible from a public road or neighbouring residential property; (c) No more than 2 people who are not permanent residents of the site are employed at any one time; (d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and (e) Machinery may only be operated between 7:30am and 9pm on any day. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
<p>MRZ2-R4</p>	<p>Community facilities</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) No more than 200m² GFA. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
<p>MRZ2-R5</p>	<p>Neighbourhood park</p>

<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZ2-R6</p>	<p>Home stay</p>
<p>(1) Activity status: PER Activity-specific standards: (a) No more than 4 temporary residents.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
<p>MRZ2-R7</p>	<p>Boarding houses/boarding establishments</p>
<p>(1) Activity status: PER Activity-specific standards: (a) No more than 10 people per site inclusive of staff and residents.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
<p>MRZ2-R8</p>	<p>Construction or alteration of a building for a sensitive land use</p>
<p>(1) Activity status: PER Activity-specific standards: (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: (i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or (ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people; (c) The risk of damage to property; and (d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>
<p>MRZ2-R8</p>	<p>Construction, demolition, addition, and alteration of a building or structure</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZ2-R9</p>	<p><u>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</u></p>
<p>(1) Activity status: PER Activity-specific standards: (a) <u>Within the National Grid Yard:</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>

<p>(i) <u>Building alterations and additions to an existing building or structure for a sensitive land use that does not involve an increase in the building height or footprint</u></p> <p>(ii) <u>New, or additions to existing buildings or structures that are not for a sensitive land use;</u></p> <p>(iii) <u>Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991;</u></p> <p>(iv) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below.</u></p> <p>(b) <u>All buildings or structures permitted by Rule GMRZ2-R10(1)(a) must:</u></p> <p>(i) <u>Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</u></p> <p>(ii) <u>Locate a minimum of 12m from the outer visible foundation of any National Grid support structure and associated stay wire, unless it is one of the following:</u></p> <p>(2) <u>A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP34:2001 ISSN 0114-0663;</u></p> <p>(3) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below, and located a minimum of 5m from the nearest National Grid support structure foundation;</u></p> <p>(4) <u>Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</u></p> <p>(i) <u>Not permanently physically impede existing vehicular access to a National Grid support structure.</u></p>	
<p>MRZ2-R10</p>	<p><u>The establishment of any new sensitive land use within the National Grid Yard</u></p>
<p>Activity status: NC</p>	
<p>MRZ2-R11</p>	<p>Any activity that is not listed as permitted, restricted discretionary or prohibited,</p>
<p>Activity status: DIS</p>	

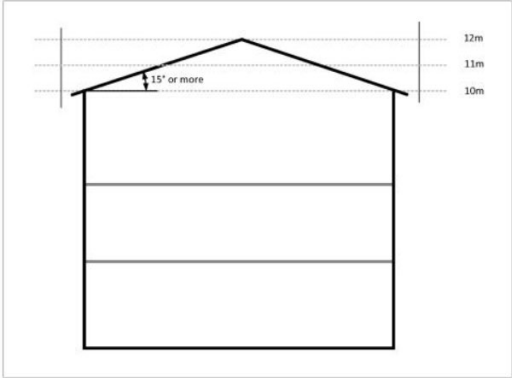
MRZ-R13	Any building, structure, objects or vegetation that obscures the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).	
Activity status: PR		
MRZ2-R12	Any new building within the Huntly North Wetland specific control identified on the planning maps	
Activity status: NC		
MRZ2-R13	Educational facilities This excludes childcare facilities	
(1) Activity status: RDIS Activity-specific standards: Nil Council's discretion is restricted to the following matters: (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) Activity status where compliance not achieved: n/a	
MRZ2-R14	Neighbourhood centre	
(1) Activity status: PER Activity-specific standards: Must be within an area identified in a Council approved Structure Plan or Master Plan.	(2) Activity status where compliance not achieved: DIS	

Land use

MRZ2-S1	Residential unit	
(1) Activity status: PER Where: (a) Up to three residential units per site. Note: This standard does not apply to 5851 Great South Road Ngaaruwaaahia. Advice Notes:	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Intensity of the development; and (b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone; (c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and	

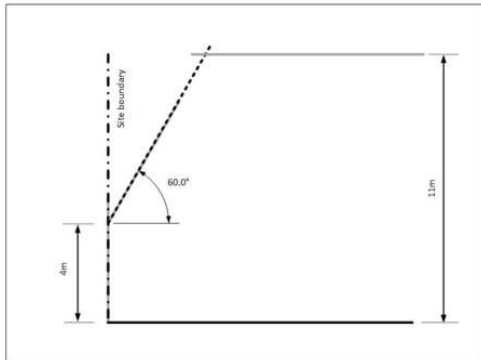
<p>1. <u>The relevant district-wide chapter provisions apply in addition to this chapter. Of particular relevance are the:</u></p> <p>(a) <u>Water, Wastewater and Stormwater chapter</u></p> <p>(b) <u>Earthworks chapter</u></p> <p>2. <u>A water, wastewater and/or stormwater connection approval from the 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>Notification <u>Any application for resource consent for four or more dwellings per site that comply with all of the standards in (MRZ2-S2 to MRSZ-S9) will be considered without public or limited notification.</u></p>
<p>MRZ2-S1A</p>	<p>Residential unit within the QM for 5851 Great South Road</p>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Up to one residential unit per site.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) <u>Intensity of the development; and</u></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">(f) <u>The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and</u>(g) <u>Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces.</u>(h) <u>Within QM 5851 Great South Road effects on the values associated with the Site or Area of Significance to Maaori.</u>
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MRZ2-S2	Height – building general
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram (enlarged as Figure 1 at the conclusion of this Chapter).</p> <p><i>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</i></p>  <p>(b) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</p> <p>(c) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</p> <p>(d) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure.</p> <p>(e) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Height of the building or structure;</p> <p>(b) Design, scale and location of the building;</p> <p>(c) Extent of shading on adjacent sites;</p> <p>(d) Privacy and overlooking on adjoining sites;</p> <p>(e) <u>The visual dominance effects on adjoining sites;</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</u></p> <p>(g) <u>In 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;</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"> <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> <u>Sites are adjacent to marae or an Open Space Zone.</u> <p>Notification</p> <p><u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S2 will be considered without public notification.</u></p>
MRZ2-S2A	Height within the Tuurangawaewae Marae Surrounds QM
(1) Activity status: PER	(2) Activity status where compliance not achieved: RDIS

<p>Where:</p> <p>(a) <u>The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure;</u></p> <p>(b) <u>Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure;</u></p>	<p><u>Council’s discretion is restricted to the following matters:</u></p> <p>(a) <u>Height of the building or structure;</u></p> <p>(b) <u>Design, scale and location of the building;</u></p> <p>(c) <u>Extent of shading on adjacent sites;</u></p> <p>(d) <u>Privacy and overlooking on adjoining sites;</u></p> <p>(e) <u>The visual dominance effects on adjoining sites;</u></p> <p>(f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping;</u></p> <p>(g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga; and</u></p> <p>(h) <u>The effects on values held by mana whenua where:</u></p> <p>i. <u>Sites contain or are adjacent to mapped archaeological sites, Sites and Areas of Significance to Maaori, Significant Natural Areas, Outstanding Natural Features or Outstanding Natural Landscapes; and/or</u></p> <p>ii. <u>Sites are adjacent to marae or an Open Space Zone.</u></p>
<p>MRZ2-S3</p>	<p>Height in relation to boundary</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram (enlarged as Figure 2 at the conclusion of this Chapter). Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, en-</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Height of the building;</p> <p>(b) Design and location of the building;</p> <p>(c) Extent of shading on adjacent sites; and</p> <p>(d) Privacy on adjoining sites.</p> <p>(e) 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>

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

Notification

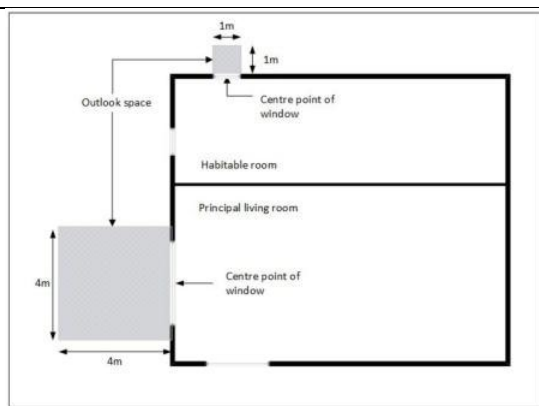
Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S3 will be considered without public notification.

<p>LLRZ – Large lot residential zone or SETZ – Settlement zone; (vii) Where the boundary adjoins a legal road.</p>									
<p>MRZ2-S3A</p>	<p><u>Height in relation to boundary in the Tuurangawaewae Marae surrounds QM</u></p>								
<p>(1) Activity status: PER Where: <u>Within the Tuurangawaewae Marae Surrounds QM:</u> (a) <u>Buildings and structures must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3m above natural ground level at every point of the site boundary, except</u> (i) <u>Where the boundary forms part of a legal right of way, entrance strip or access site; the standard applies from the farthest boundary of that legal right of way, entrance strip or access site;</u> (ii) <u>This standard does not apply to existing or proposed internal boundaries within a site;</u> (iii) <u>Where the boundary adjoins a legal road.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) <u>Height of the building;</u> (b) <u>Design and location of the building;</u> (c) <u>Extent of shading on adjacent sites;</u> (d) <u>Privacy on adjoining sites.</u> (e) <u>The visual dominance effects on adjoining sites.</u> (f) <u>The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and</u> (g) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</u></p>								
<p>MRZ2-S4</p>	<p>Setbacks</p>								
<p>(1) Activity status: PER Where: (a) <u>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <table border="1" data-bbox="284 1406 783 1626"> <thead> <tr> <th><u>Yard</u></th> <th><u>Minimum depth</u></th> </tr> </thead> <tbody> <tr> <td><u>Front</u></td> <td><u>1.5m</u></td> </tr> <tr> <td><u>Side</u></td> <td><u>1m</u></td> </tr> <tr> <td><u>Rear</u></td> <td><u>1m (excluded on corner sites)</u></td> </tr> </tbody> </table> <p>(b) <u>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u> (a) <u>The finished external walls (excluding eaves) of a building must be set back a minimum of:</u></p>	<u>Yard</u>	<u>Minimum depth</u>	<u>Front</u>	<u>1.5m</u>	<u>Side</u>	<u>1m</u>	<u>Rear</u>	<u>1m (excluded on corner sites)</u>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Road network safety and efficiency; (b) Potential to mitigate adverse effects on the streetscape through use of other design features; (c) Daylight admission to adjoining properties; (d) Privacy overlooking on adjoining sites; (e) <u>The visual dominance effects on adjoining sites;</u> (f) <u>Flooding effects including safe access and egress;</u> (g) <u>Stormwater management and the use of Low Impact Design methods;</u> (h) <u>Consistency with the relevant stormwater catchment management plan; and</u> (i) <u>The extent to which the non-compliance compromises the ability for emergency</u></p>
<u>Yard</u>	<u>Minimum depth</u>								
<u>Front</u>	<u>1.5m</u>								
<u>Side</u>	<u>1m</u>								
<u>Rear</u>	<u>1m (excluded on corner sites)</u>								

<p>(i) 3m from the road boundary;</p> <p>(ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps);</p> <p>(iii) 1m from every boundary other than a road boundary; and</p> <p>(c) Balconies greater than 1.5m above ground level shall be set back a minimum of 4m from every boundary other than a boundary to a road or public open space;</p> <p>(d) MRZ-S10(1)(a) and (b) do not apply to structures that are not buildings.</p>	<p>services to access the property in an emergency.</p> <p>Notification Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S4 will be considered without public notification.</p> <p>Advice note Compliance with the Code of Practice for Electrical Safe Distances (NZECP 34:2001) may require increased setbacks to electrical infrastructure.</p>
<p>MRZ2-S5</p>	<p>Building coverage</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum building coverage must not exceed 50% of the net site area.</p> <p>(b) The maximum building coverage must not exceed 45% of the net site area.</p> <p>(c) MRZ-S6(1)(a) does not apply:</p> <p>(i) To a structure that is not a building; or</p> <p>(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</p> <p>Note: This standard does not apply to land within the Tuurangawaewae Marae Surrounds QM.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design, scale and location of the building;</p> <p>(b) Provision for outdoor living space and service courts; and</p> <p>(c) Effects on the planned urban built character and any qualifying matter on of the surrounding residential area;</p> <p>(d) The visual dominance effects on adjoining sites;</p> <p>(e) Whether there is sufficient space on site for a stormwater treatment device and infrastructure;</p> <p>(f) Flooding effects including safe access and egress;</p> <p>(g) Stormwater management and the use of Low Impact Design methods; and</p> <p>(h) In Ngaaruwaahia in the Tuurangawaewae Marae High Potential Effects Area the potential to adversely effect the outlook from Tuurangawaewae Marae to Hakarimata Ranges, Taupiri Maunga, and Waikato Awa.</p> <p>Notification Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S5 will be considered without public notification.</p>

MRZ2-S5A	<u>Building Coverage within the Tuurangawaewae Marae surrounds QM</u>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>The maximum building coverage must not exceed 45% of the net site area.</u></p> <p>(b) <u>MRZ-S5A(1(a)) does not apply:</u></p> <p>(i) <u>To a structure that is not a building; or</u></p> <p>(ii) <u>Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) <u>Design, scale and location of the building;</u></p> <p>(b) <u>Provision for outdoor living space and service courts;</u></p> <p>(c) <u>Effects on the planned urban built character and any qualifying matter on the surrounding residential area ;</u></p> <p>(d) <u>The visual dominance effects on adjoining sites;</u></p> <p>(e) <u>The effect on cultural viewshafts from Tuurangawaewae Marae to Hakarimata Range and Taupiri Maunga.</u></p> <p>(f) <u>Flooding effects including safe access and egress; and</u></p> <p>(g) <u>Stormwater management and the use of Low Impact Design methods.</u></p>
MRZ2-S6	Outdoor living space (per unit)
<p>(1) Activity status: PER Where:</p> <p>(a) <u>A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that meets all of the following standards:</u></p> <p>(i) <u>where located at ground level, has no dimension less than 3m; and</u></p> <p>(ii) <u>where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and</u></p> <p>(iii) <u>is accessible from the residential unit; and</u></p> <p>(iv) <u>may be—</u></p> <p>(1) <u>grouped cumulatively by area in one communally accessible location; or</u></p> <p>(2) <u>located directly adjacent to the unit; and</u></p> <p>(v) <u>is free of buildings, parking spaces, and servicing and manoeuvring areas.</u></p> <p>(b) <u>A residential unit located above ground floor level must have an outdoor living</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <p>(a) Design and location of the building;</p> <p>(b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed;</p> <p>(c) Privacy and overlooking on adjoining sites; and</p> <p>(d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S6 will be considered without public notification.</u></p>

<p><u>space in the form of a balcony, patio, or roof terrace that—</u></p> <ul style="list-style-type: none"> (i) <u>is at least 8m² and has a minimum dimension of 1.8m; and</u> (ii) <u>is accessible from the residential unit; and</u> (iii) <u>may be—</u> <ul style="list-style-type: none"> (1) <u>grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or</u> (2) <u>located directly adjacent to the unit.</u> <p>(a) An outdoor living space must be provided for each residential unit that meets all of the following standards:</p> <ul style="list-style-type: none"> (iv) It is for the exclusive use of the occupants of the residential unit; (v) It is readily accessible from a living area of the residential unit; (vi) Where the residential unit contains an internal habitable space (excluding garages, bathrooms, laundries, and hall or stairways) on the ground floor, an outdoor living court shall be provided and shall have a minimum area of 20m² and a minimum dimension of 4m in any direction; and (vii) Where the residential unit has its principal living area at first floor level or above, a balcony shall be provided and shall have a minimum area of 5m² for studio and one bedroom dwellings, or 8m² for two or more bedroom dwellings and a minimum dimension of 1.5m. 	
<p>MRZ2-S7</p>	<p><u>Outlook space (per unit)</u></p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) <u>An outlook space must be provided for each residential unit as outlined below.</u> (b) <u>An outlook space must be provided from habitable room windows as shown in the diagram below (enlarged as Figure 3 at the conclusion of this Chapter):</u> 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Measures to ensure that outlook spaces shall remain unobstructed, while providing an open outlook with access to daylight from the windows of habitable rooms; (b) The nature of the occupation of the room without the required outlook; (c) The effects on amenity of future occupants from a reduced outlook; and



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

Notification

Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S7 will be considered without public notification.

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

MRZ2-S8

Windows to the street

(1) Activity status: PER

Where:

- (a) Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.

(2) Activity status where compliance not achieved: RDIS

Council's discretion is restricted to the following matters:

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

	<p>(b) Whether the majority of the glazing provided on the street facing façade of the unit is clear glazing to habitable spaces within the unit;</p> <p>(c) The level of passive surveillance from the residential unit to the street; and</p> <p>(d) Any other building features such as porches or gables that will add visual interest.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S8 will be considered without public notification.</u></p>
MRZ2-S9	Landscaped area
<p>(1) Activity status: PER Where:</p> <p>(a) <u>A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.</u></p> <p>(b) <u>The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) The on-site and/or neighbouring amenity provided by the proposed landscaping;</p> <p>(b) The extent of landscaping between the buildings and road boundary to soften and integrate the development into the surrounding area;</p> <p>(c) The extent to which the breach is necessary to enable more efficient, cost effective and/or practical use of the remainder of the site;</p> <p>(d) The additional accessibility and safety benefits of providing less landscaped area; and</p> <p>(e) The effect of any reduction in landscaping on adjoining properties, including the street or other public open spaces.</p> <p>Notification <u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S9 will be considered without public notification.</u></p>
MRZ2-S10	<u>Minimum residential unit size</u>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Residential units must have a minimum net internal floor area of:</u></p> <p>(i) <u>35m² for studio dwellings; and</u></p> <p>(ii) <u>45m² for one or more bedroom dwellings.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) <u>The functionality of the residential unit; and</u></p> <p>(b) <u>Internal residential amenity.</u></p>

MRZ2-S11	Impervious surfaces
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The impervious surfaces of a site must not exceed 70%.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Site design, layout and amenity; and</p> <p>(b) <u>The effectiveness of the stormwater system to manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment</u></p> <p>(c) <u>Stormwater management and the use of Low Impact Design methods; and</u></p> <p>(d) <u>Whether there is sufficient space on site for a stormwater treatment device and infrastructure.</u></p>
MRZ2-S12	Ground floor internal habitable space
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The visual dominance of garaging, parking, and vehicle manoeuvring areas and the balance across the site of internal habitable space, outdoor living courts, and landscaping at ground level; and</p> <p>(b) The design and location of garaging as viewed from streets or public open spaces.</p>
MRZ2-S13	Fences or walls
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Boundary fences and walls:</u></p> <p>(i) adjacent to between properties and any road boundaries;</p> <p>(ii) <u>Adjoining any OSZ - open space zone; or:</u></p> <p>(iii) <u>Between properties within the first 1.5m of the front yard</u></p> <p>(b) <u>Boundary fences and walls within (a)</u> must comply with all of the following standards:</p> <p>(i) Be no higher than 1.5m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(1) Visually permeable for the full 1.8m height of the fence or wall; or</p> <p>(2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Building materials and design;</p> <p>(b) Effects on streetscape amenity; and</p> <p>(c) Public space visibility</p> <p>(d) <u>Amenity effects associated with access to sunlight.</u></p> <p><u>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below</u></p>

(c) Boundary fences and walls between properties further than 1.5m into the site must not exceed 2m.	
MRZ2-S14	Building setbacks – water bodies
<p>(1) Activity status: PER Where:</p> <p>(a) A building must be set back a minimum of:</p> <ul style="list-style-type: none"> (i) 20m from the margin of any lake; (ii) 20m from the margin of any wetland; (iii) 21.5m23m from the bank of any river (other than the Waikato River and Waipa River); (iv) 26.5m38m from the margin of either the Waikato River and the Waipa River (v) 23m from mean high water springs <p>(b) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ2-S13(1)(a);</p> <p>(c) This standard does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values including hydrology and flooding. (g) <u>In the Waikato River catchment, the extent to which the application enhances or benefits the Waikato River and its tributaries including groundwater resources.</u> (h) <u>Effects on cultural values identified in Maori Values and Maatauranga Maori Chapter; and</u> (i) <u>The objectives and policies in Chapter 2-20 Te Ture Whaimana -Vision and Strategy.</u>
MRZ2-S15	Building setback – sensitive land use
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u></p> <ul style="list-style-type: none"> (i) <u>5m from the designated boundary of the railway corridor;</u> (ii) <u>15m from the boundary of a national route or regional arterial;</u> (iii) <u>25m from the designated boundary of the Waikato Expressway;</u> (iv) <u>300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;</u> 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) <u>Road network safety and efficiency;</u> (b) <u>On-site amenity values;</u> (c) <u>Odour, dust and noise levels received at the notional boundary of the building;</u> (d) <u>Mitigation measures; and</u> (e) <u>Potential for reverse sensitivity effects.</u>

<p>(v) <u>30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and</u></p> <p>(vi) <u>300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaaruawaahia.</u></p> <p>(vii) <u>6m from the centre of a gas transmission line identified on the planning maps</u></p>	
MRZ2-S16	<u>Building setback – Environmental Protection Area</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A building shall be set back a minimum of 3m from an Environmental Protection Area.</u></p>	<p>(3) Activity status where compliance not achieved: DIS</p>
MRZ2-S17	<u>Building – Horotiu Acoustic Area (identified on the planning maps)</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Construction, addition to or alteration of a building for a noise sensitive activity within the Horotiu Acoustic Area shall be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) <u>On-site amenity values;</u></p> <p>(b) <u>Noise levels received at the notional boundary of the building;</u></p> <p>(c) <u>Timing and duration of noise received at the notional boundary of the building; and</u></p> <p>(d) <u>Potential for reverse sensitivity effects.</u></p>

Additional provisions applying to the Havelock Precinct

PREC4-S1	<u>Height – Havelock industry buffer height restriction areas</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(e) <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>(2) Activity status where compliance not achieved: DIS</p>
PREC4-S2	<u>Building setback – sensitive land use within PREC4 – Havelock precinct</u>

<p>(1) Activity status: PER Where: (a) <u>Any new building or alteration to an existing building for a sensitive land use within the PREC4 – Havelock precinct that is located outside the Havelock Pōkeno Industry Buffer identified on the planning maps.</u></p>	<p>(2) Activity status where compliance not achieved: NC</p>
<p>PREC4-S3 Building design – sensitive land use with PREC4 – Havelock precinct</p>	
<p>(1) Activity status: PER Where: (a) <u>A building or structure with a maximum height not exceeding 8m, measured from the ground level immediately below that part of the structure, where it is located outside the Havelock Industry Buffer and the 'Height Restriction Area' but within the 40 dB LAeq noise contour shown on the planning maps.</u> (b) <u>Any new building or alteration to an existing building for a sensitive land use located outside the Pōkeno Havelock Industry Buffer but within the 40 dB LAeq noise contour shown on the planning maps that is designed and constructed so that internal noise levels do not exceed 25 dB LAeq in all habitable rooms.</u> (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> (i) <u>Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C.</u> (ii) <u>Includes either of the following for all habitable rooms on each level of a dwelling:</u> (1) <u>Mechanical cooling installed; or</u> (2) <u>A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</u> i) <u>6 air changes per hour for rooms with less than 30% of the façade area glazed;</u> ii) <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u> iii) <u>3 air changes per hour for rooms with facades only facing south (be-</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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

<p><u>tween 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</u></p> <p><u>(iii) Provides relief for equivalent volumes of spill air.</u></p> <p><u>All is certified by a suitably qualified and experienced person.</u></p>	
<p>PREC4-S4</p>	<p><u>Residential unit within the Slope Residential Area</u></p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>One residential unit per site.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>PREC4-S5</p>	<p><u>Building coverage within the Slope Residential Area</u></p>
<p>(1) Where:</p> <p>(a) <u>The maximum building coverage must not exceed 40% of the net site area.</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

Medium Density Residential Standard Figures

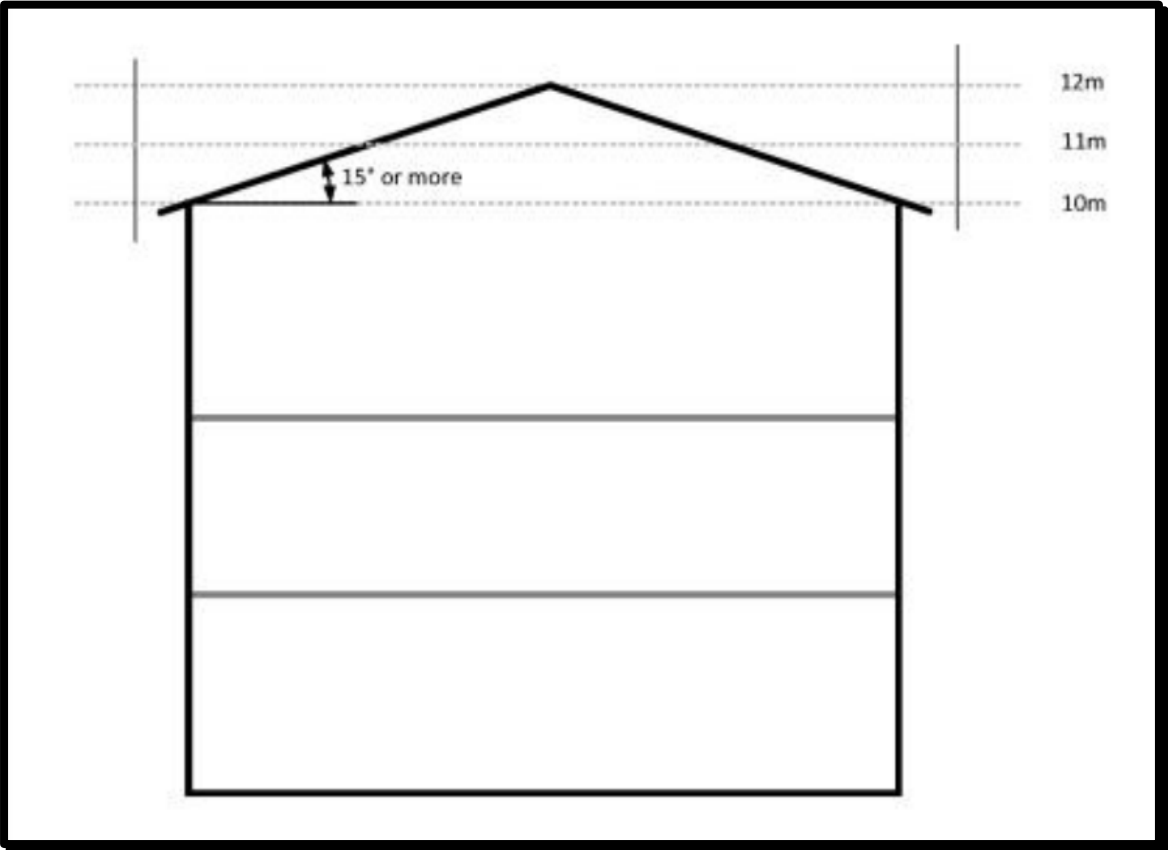


Figure 1: Building Height (refer to MRZ2-S2)

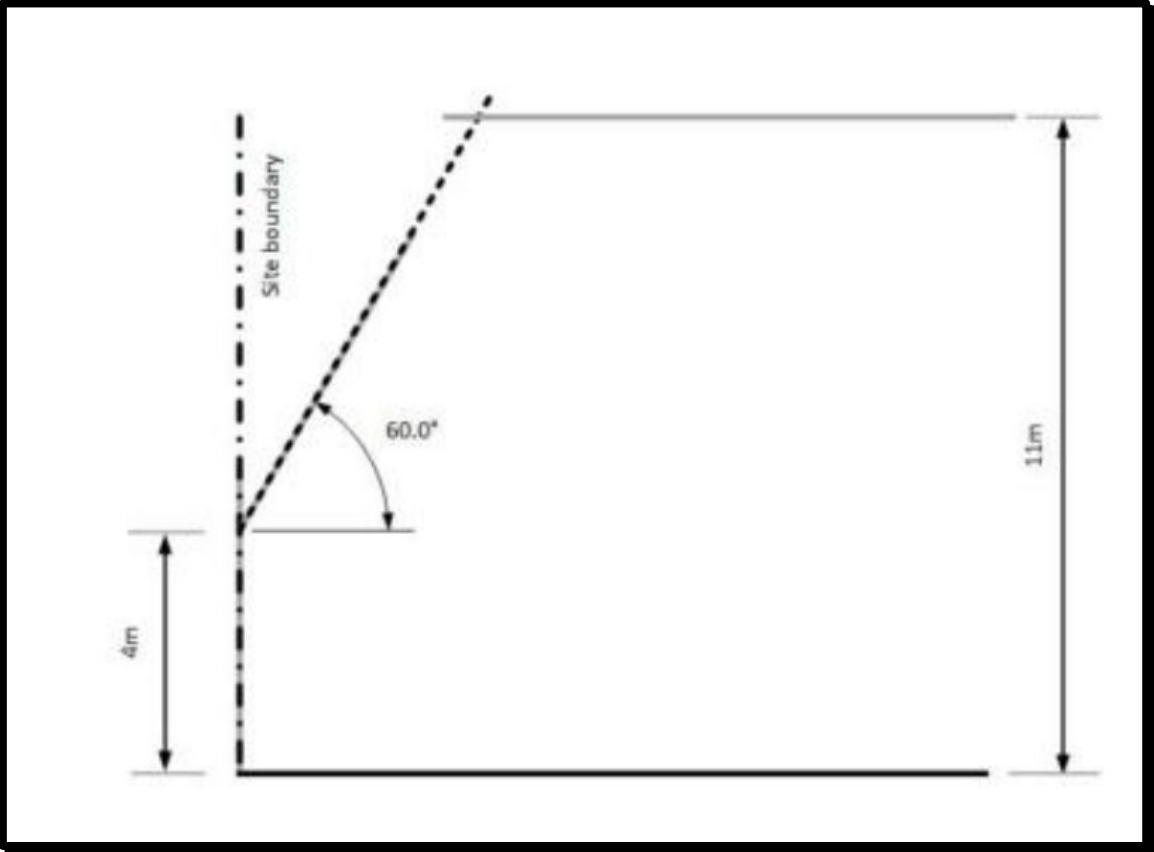


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

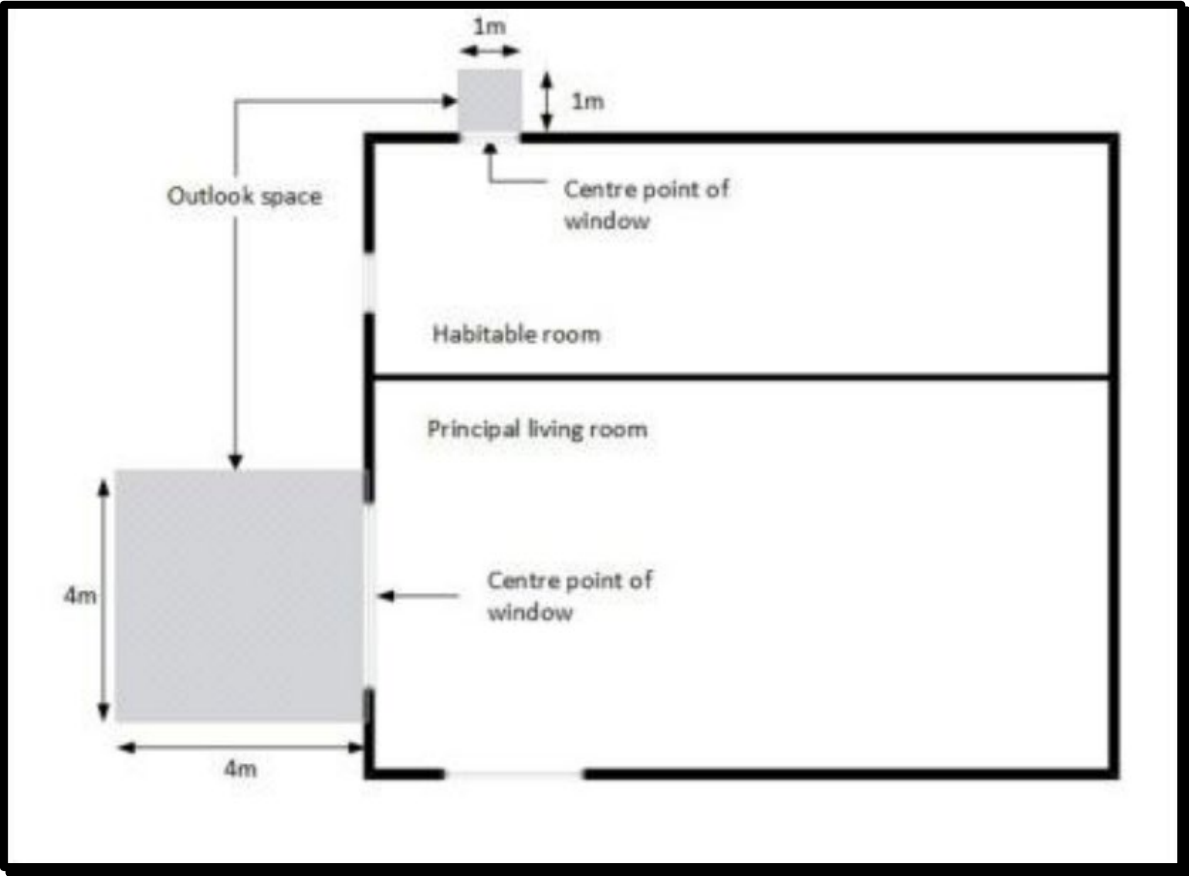


Figure 3: Outlook space per unit (refer to MRZ2-S7)

NOISE – Noise

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

Policies

NOISE-PI Noise.

- (I) Adverse effects of noise generated within the zone on sensitive land uses are minimised by:
- (a) In the GRZ – General residential zone, LLRZ – Large lot residential zone, SETZ – Settlement zone, TCZ – Town centre zone, LCZ – Local centre zone and COMZ – Commercial zone:
 - (i) Ensuring that the maximum sound levels are compatible with the amenity values of any adjacent GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone;
 - (ii) Limiting the timing and duration of noise-generating activities, including construction and demolition activities;
 - (iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses; and
 - (b) In **MRZ – Medium density residential zone**, GRZ – General residential zone, LLRZ – Large lot residential zone, SETZ – Settlement zone and RLZ – Rural lifestyle zone:
 - (i) Managing the location of sensitive land uses, particularly in relation to lawfully established high noise generating activities; and
 - (ii) Requiring acoustic insulation where sensitive land uses and noise-sensitive activities are located within high noise environments.
 - (c) In the TCZ – Town centre zone, LCZ – Local centre zone and COMZ – Commercial zone:
 - (i) Limiting the timing and duration of servicing and operation of commercial activities; and
 - (ii) Requiring acoustic insulation for dwellings within the zone.

NOISE-P2 Noise in the RLZ – Rural lifestyle zone.

- (I) The adverse effects of noise on the character and amenity of the RLZ – Rural lifestyle zone are minimised by:
- (a) Ensuring that the maximum sound levels are compatible with the surrounding land uses;
 - (b) Limiting the timing and duration of noise-generating activities, including construction and demolition activities;
 - (c) Maintaining appropriate setback distances between high noise environments and noise-sensitive activities.

NOISE-P3 Noise and vibration in the GRUZ – General rural zone.

- (1) Manage the adverse effects of noise and vibration by:
- (a) Ensuring that noise and vibration levels do not compromise rural amenity;
 - (b) Limiting the timing and duration of noise-generating activities to the extent practicable and appropriate;
 - (c) Maintaining appropriate separation between high noise environments and noise sensitive activities;
 - (d) Ensuring frost fans are located and operated to minimise to the extent practicable noise effects on other sites;
 - (e) Managing the location of sensitive land uses, particularly in relation to lawfully-established activities;
 - (f) Requiring acoustic insulation where sensitive land uses are located within high noise environments, including the Airport Noise Outer Control Boundary, Huntly Power Station, and the Gun Club Noise Control Boundary;
 - (g) Managing the adverse effects of vibration from quarrying activities by limiting the timing and duration of blasting activities and maintaining sufficient setback distances from residential units or identified building platforms on another site; and
 - (h) Managing noise to minimise as far as practicable effects on existing noise sensitive activities.

NOISE-P4 Noise in the BTZ – Business Tamahere zone.

- (1) Adverse effects of noise on sensitive land uses are minimised by:
- (a) Ensuring that the maximum sound levels are compatible with activities permitted in the BTZ – Business Tamahere zone and the adjacent RLZ – Rural lifestyle zone;
 - (b) Limiting the timing and duration of noise-generating activities, including construction and demolition activities; and
 - (c) Limiting the timing and duration of servicing and operation of commercial activities.

Rules

Land use – activities (zones specified in first column)

NOISE-RI	Noise – general	
<ul style="list-style-type: none"> • LLRZ – Large lot residential zone; • GRZ – General residential zone; • RLZ – Rural lifestyle zone (including the Tamahere Commercial Areas A and B); • SETZ – Settlement zone; and • RPZ – Rangitahi Peninsula zone. 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Farming noise, and noise generated by emergency generators and emergency sirens. 	<p>(2) Activity status where compliance not achieved: n/a</p>

Part 2: District-wide matters / General district-wide matters / NOISE – Noise

NOISE-R2	Noise – general	
<ul style="list-style-type: none"> • GRUZ – General rural zone; • CORZ – Corrections zone; and • FUZ – Future urban zone. 	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Farming noise, and noise generated by hunting, emergency generators and emergency sirens.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NOISE-R3	Noise – general	
<ul style="list-style-type: none"> • MRZ – Medium density residential zone ; • LCZ – Local centre zone; • COMZ – Commercial zone; • TCZ – Town centre zone; • GIZ – General industrial zone (including PREC6 – Horotiu industrial park precinct); • HIZ – Heavy industrial zone (including Huntly Power Station); • BTZ – Business Tamahere zone; • MTZ – Matangi zone; and • TKAZ – Te Kowhai Airpark zone. 	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise generated by emergency generators and emergency sirens.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NOISE-R4	Noise – construction	
All zones	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise from any construction, maintenance, or demolition activity that is measured, assessed and managed in accordance with the requirements of NZS6803:1999 ‘Acoustics – Construction Noise’.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>(a) Effects on amenity values;</p> <p>(b) Hours and days of construction;</p> <p>(c) Noise levels;</p> <p>(d) Timing and duration; and</p> <p>(e) Methods of construction.</p>

LLRZ – Large lot residential zone

NOISE-R5	Noise – general	
LLRZ – Large lot residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site in the LLRZ – Large lot residential zone must not exceed:</p> <p>(i) 50dB (L_{Aeq}), 7am to 7pm, every day;</p> <p>(ii) 45dB (L_{Aeq}), 7pm to 10pm, every day; and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

Part 2: District-wide matters / General district-wide matters / NOISE – Noise

	<p>(iii) 40dB (L_{Aeq}) and 65dB (L_{Amax}), 10pm to 7am the following day.</p> <p>(b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics Measurement of Environmental Sound”; and</p> <p>(c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic Environmental noise”.</p>	
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GRZ – General residential zone

NOISE-R6	Noise – general	
GRZ – General residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site in the GRZ – General residential zone must not exceed:</p> <p>(i) 50dB L_{Aeq(15min)}, 7am to 7pm, every day;</p> <p>(ii) 45dB L_{Aeq(15min)}, 7pm to 10pm, every day; and</p> <p>(iii) 40dB L_{Aeq(15min)}, 10pm to 7am the following day; and</p> <p>(iv) 65dB L_{Amax}, 10pm to 7am the following day.</p> <p>(b) Noise levels shall be measured in accordance with the requirements of NZS6801:2008 “Acoustics - Measurement of Environmental Sound”; and</p> <p>(c) Noise levels shall be assessed in accordance with the requirements of NZS6802:2008 “Acoustic - Environmental noise”.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

MRZ – Medium density residential zone

NOISE-R7	Noise – general	
MRZ– Medium density residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site in the MRZ – Medium</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>density residential zone must not exceed:</p> <ul style="list-style-type: none"> (i) 50dB L_{Aeq(15min)}, 7am to 7pm, every day; (ii) 45dB L_{Aeq(15min)} 7pm to 10pm every day; (iii) 40dB L_{Aeq(15min)} 10pm to 7am the following day; and (iv) 65dB L_{Amax(15min)}, 10pm to 7am the following day. <p>(b) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 ‘Acoustics Measurement of Environmental Sound’; and</p> <p>(c) Noise levels shall be assessed in accordance with the requirements of NZS6802:2008 ‘Acoustics – Environmental Noise’.</p>	
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GRUZ – General rural zone

NOISE-R8	Noise – general	
GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Noise measured at the notional boundary on any other site in the GRUZ – General Rural Zone must not exceed: <ul style="list-style-type: none"> (i) 50dB L_{Aeq}, 7am to 7pm every day; (ii) 45dB L_{Aeq}, 7pm to 10pm every day; (iii) 40dB L_{Aeq} and 65dB L_{Amax}, 10pm to 7am the following day. (b) Noise measured within any site in any zone, other than the GRUZ – General rural zone, must meet the permitted noise levels for that zone. (c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics – Measurement of Environmental Sound”. (d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 	<p>(2) Activity status where compliance not achieved: DIS</p>

	“Acoustic – Environmental noise”.	
NOISE-R9	Frost fans	
GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise generated by a frost fan must not exceed 55dB L_{Aeq} when measured at the notional boundary on any site in the GRUZ – General rural zone and within any site in the MRZ – Medium density residential zone, LLRZ – Large lot residential zone, RLZ – Rural lifestyle zone, SETZ - Settlement zone or GRZ – General residential zone.</p> <p>(b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 Acoustic- Environmental noise.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values;</p> <p>(b) The location and proximity of the fans to sensitive activities;</p> <p>(c) Noise levels;</p> <p>(d) The adequacy of any mitigation.</p>
NOISE-R10	Noise – extractive activity	
GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise generated by extractive activity from a facility existing or operating under resource consent at 17 January 2022, shall be measured at the notional boundary of any residential unit existing at 25 September 2004, or at any site in a GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone, SETZ – Settlement zone or RLZ – Rural lifestyle zone;</p> <p>(b) Noise generated by new extractive activity located within a Coal Mining Area, Aggregate Extraction Area, or Extractive Resource Area shall be measured at the notional boundary of any residential, or at any site in a GRZ – General</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone, SETZ – Settlement zone or RLZ – Rural lifestyle zone;</p> <p>(c) Noise generated from extractive activity subject to clause (a) or (b) shall not exceed:</p> <p>(i) 55dB L_{Aeq}, 7am to 7pm Monday to Friday;</p> <p>(ii) 55dB L_{Aeq}, 7am to 6pm Saturday;</p> <p>(iii) 50dB L_{Aeq}, 7pm to 10pm Monday to Friday;</p> <p>(iv) 50dB L_{Aeq}, 7am to 6pm Sundays and Public Holidays;</p> <p>(v) 45dB L_{Aeq} and 70dB L_{AFmax} at all other times including Public Holidays;</p> <p>(d) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics – Measurement of Environmental Sound”;</p> <p>(e) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic – Environmental noise”.</p>	
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RLZ – Rural lifestyle zone

NOISE-R11	Noise – general	
RLZ – Rural lifestyle zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed the following noise limits at any point within a notional boundary on any other site in the RLZ – Rural lifestyle zone:</p> <p>(i) 50dB L_{Aeq (15min)}, 7am to 7pm every day;</p> <p>(ii) 45dB L_{Aeq (15min)}, 7pm to 10pm every day;</p> <p>(iii) 40dB L_{Aeq (15min)} 10pm to 7am the following day;</p>	<p>(2) Activity status: DIS</p> <p>Where:</p> <p>(a) Noise that is outside the scope of NZS 6802:2008; or</p> <p>(b) A permitted activity standard; or</p> <p>(c) Does not comply with NOISE-R11(1)(a)</p>

Part 2: District-wide matters / General district-wide matters / NOISE – Noise

	(iv) 65dB L _{AFmax} , 10pm to 7am the following day.	
	(b) The permitted activity noise limits for the zone of any other site where sound is received.	
NOISE-R12	Noise – Tamahere Commercial Areas A and B	
RLZ – Rural lifestyle zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:</p> <p>(i) The following noise limits at any point within any other site in Tamahere Commercial Areas A and B:</p> <p>(1) 65dB L_{Aeq(15min)}, 7am to 10pm;</p> <p>(2) (ii)50dB L_{Aeq(15min)}, 10pm to 7am;</p> <p>(3) (iii)75 dB L_{AFmax}, 10pm to 7am the following day.</p> <p>(ii) The following noise limits at any point within any site outside the Tamahere Commercial Areas A and B:</p> <p>(1) 55dB L_{Aeq(15min)}, 7am to 10pm;</p> <p>(2) 40dB L_{Aeq(15min)}, 10pm to 7am;</p> <p>(3) 70dB L_{AFmax}, 10pm to 7am the following day.</p>	<p>(2) Activity status: DIS</p> <p>Where:</p> <p>(a) Noise that is outside the scope of NZS 6802:2008; or</p> <p>(b) A permitted activity standard; or</p> <p>(c) Does not comply with NOISE-R12(1)(a)</p>

SETZ – Settlement zone

NOISE-R13	Noise – general	
SETZ – Settlement zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site in the SETZ – Settlement zone must not exceed:</p> <p>(i) 50dB (L_{Aeq}), 7am to 7pm, every day;</p> <p>(ii) 45dB (L_{Aeq}), 7pm to 10pm, every day; and</p> <p>(iii) 40dB (L_{Aeq}) and 65dB (L_{Amax}), 10pm to 7am the following day.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics Measurement of Environmental Sound”; and</p> <p>(c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic Environmental noise”.</p>	
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LCZ – Local centre zone rules

NOISE-RI4	Noise – general	
LCZ – Local centre zone rules	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any:</p> <p>(i) In the LCZ – Local centre zone must not exceed:</p> <p>(1) 65dB $L_{Aeq(15min)}$, 7am to 11pm every day; and</p> <p>(2) 55dB $L_{Aeq(15min)}$, 11pm to 7am the following day; and</p> <p>(3) 85dB L_{Amax}, 11pm to 7am the following day; or</p> <p>(ii) In the GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone and SETZ - Settlement Zone must not exceed:</p> <p>(1) 55dB $L_{Aeq(15min)}$, 7am to 7pm; and</p> <p>(2) 50dB $L_{Aeq(15min)}$, 7pm to 10pm; and</p> <p>(3) 40dB $L_{Aeq(15min)}$, 10pm to 7am the following day; and</p> <p>(4) 65dB L_{Amax}, 10pm to 7am the following day.</p> <p>(iii) Noise measured within any site in any zone other than the LCZ – Local centre zone, GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ - Settlement Zone</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>must meet the permitted noise levels for that zone.</p> <p>(b) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(c) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 Acoustics - Environmental.</p>	
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COMZ – Commercial zone

NOISE-R15	Noise – general	
COMZ – Commercial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any:</p> <p>(i) In the COMZ – Commercial zone must not exceed:</p> <p>(1) 65dB $L_{Aeq(15min)}$, 7am to 11pm every day; and</p> <p>(2) 55dB $L_{Aeq(15min)}$, 11pm to 7am the following day; and</p> <p>(3) 85dB L_{Amax}, 11pm to 7am the following day; or</p> <p>(ii) In the GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone and SETZ - Settlement Zone must not exceed:</p> <p>(1) 55dB $L_{Aeq(15min)}$, 7am to 7pm; and</p> <p>(2) 50dB $L_{Aeq(15min)}$, 7pm to 10pm; and</p> <p>(3) 40dB $L_{Aeq(15min)}$, 10pm to 7am the following day; and</p> <p>(4) 65dB L_{Amax}, 10pm to 7am the following day.</p> <p>(iii) Noise measured within any site in any zone other than the LCZ – Local centre zone, GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ - Settlement Zone</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>must meet the permitted noise levels for that zone.</p> <p>(b) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(c) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 Acoustics - Environmental.</p>	
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TCZ – Town centre zone

NOISE-RI6	Noise – general	
TCZ – Town centre zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any</p> <p>(i) In the TCZ – Town Centre zone must not exceed:</p> <p>(1) 65dB $L_{Aeq(15min)}$, 7am to 11pm every day; and</p> <p>(2) 55dB $L_{Aeq(15min)}$, 11pm to 7am the following day; and</p> <p>(3) 85dB L_{Amax}, 11pm to 7am the following day; or</p> <p>(ii) In the GRZ – General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone and SETZ – Settlement zone must not exceed:</p> <p>(1) 55dB $L_{Aeq(15min)}$, 7am to 7pm; and</p> <p>(2) 50dB $L_{Aeq(15min)}$, 7pm to 10pm; and</p> <p>(3) 40dB $L_{Aeq(15min)}$, 10pm to 7am the following day; and</p> <p>(4) 65dB L_{Amax}, 10pm to 7am the following day.</p> <p>(iii) Noise measured within any site in any zone other than the TCZ – Town Centre zone, GRZ – General Residential Zone, MRZ – Medium density residential zone, LLRZ – Large Lot Residential Zone or SETZ - Settlement Zone must meet</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

Part 2: District-wide matters / General district-wide matters / NOISE – Noise

	<p>the permitted noise levels for that zone.</p> <p>(iv) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(v) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 Acoustics - Environmental.</p>	
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GIZ – General industrial zone

NOISE-R17	Noise – general	
GIZ – General industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site:</p> <p>(i) In a GIZ – General industrial zone or HIZ – Heavy industrial zone that does not exceed 75dB L_{Aeq} at any time.</p> <p>(b) Noise measured within any site in any zone, other than the General Industrial Zone and the Heavy Industrial Zone, that does not exceed the permitted noise levels for that zone.</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 “Acoustics - Measurement of Environmental Sound”.</p> <p>(d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 “Acoustics - Environmental noise”.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values</p> <p>(b) Hours and days of operation</p> <p>(c) Location of noise sources in relation to any boundary</p> <p>(d) Frequency or other special characteristics of noise</p> <p>(e) Mitigation measures</p> <p>(f) Noise levels and duration.</p>
NOISE-R18	Noise in Pokeno	
GIZ – General industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site:</p> <p>(i) In the HIZ – Heavy industrial zone in Pokeno that does not exceed:</p> <p>(I) 70dB L_{Aeq} at any time</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values;</p> <p>(b) Hours and days of operation;</p> <p>(c) Location of noise sources in relation to any boundary;</p>

	<p>(ii) In the GIZ – General industrial zone in Pokeno that does not exceed:</p> <p>(1) 65dB L_{Aeq} at any time.</p> <p>(b) Noise measured within any site in any zone, other than the GIZ – General industrial zone and HIZ – Heavy industrial zone, that does not exceed the permitted noise limits for that zone. For sites adjoining PREC4 – Havelock precinct (refer APP14 – Havelock precinct plan), the noise rating level from any activity must not exceed:</p> <p>(i) 55dB L_{Aeq} 7am to 10pm every day, 45 dB L_{Aeq} 10pm to 7am the following day and 75 dB L_{AFmax} from 10pm to 7am the following day measured from any site outside of the Pokeno Industry Buffer illustrated on the planning maps (compliance with the noise standard must not be measured from the GRZ – General residential zone boundary for PREC4 – Havelock precinct).</p> <p>(ii) Until the acoustic barrier has been constructed and made acoustically effective in accordance with Rule SUB-R21(1)(a)(v), the noise rating level from activities on Lots 3 and 4 DP 492007 must not exceed 55dB L_{Aeq} 7am to 10pm every day, 45 dB L_{Aeq} 10pm to 7am the following day and 75 dB L_{AFmax} from 10pm to 7am the following day measured from the unmitigated 45 dB L_{Aeq} noise contour illustrated in APP14 – Havelock precinct plan. When Rule SUB-R21(1)(a)(v) has been satisfied, clause (b)(i) above applies.</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008</p>	<p>(d) Frequency or other special characteristics of noise;</p> <p>(e) Mitigation measures; and</p> <p>(f) Noise levels and duration.</p>
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	<p>“Acoustics Measurements of Environmental Sound”;</p> <p>(d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 “Acoustics Environmental Noise”.</p>	
NOISE-RI9	Noise – general in PREC6 – Horotiu industrial park precinct	
PREC6 – Horotiu industrial park precinct	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise from an activity in the Horotiu Industrial Park that does not exceed:</p> <p>(i) 75dBA L_{Aeq} at any time measured within any other site.</p> <p>(b) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within a MRZ – Medium density residential zone or a GRZ – General residential zone:</p> <p>(i) 55dBA L_{Aeq} 7am to 10pm; or</p> <p>(ii) 45dBA L_{Aeq} and 70dBA L_{Amax} 10pm to 7am the following day.</p> <p>(c) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within the notional boundary of any building containing a noise-sensitive activity existing at 17 January 2022 within any zone outside of the Horotiu Industrial Park and HIZ – Heavy industrial zone (except the GRZ – General residential zone and the MRZ – Medium density residential zone):</p> <p>(i) 55dBA L_{Aeq} 7am to 10pm;</p> <p>(ii) 45dBA L_{Aeq} and 70dBA L_{Amax} 10pm to 7am the following day.</p> <p>(d) Noise levels that is measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics - Measurement of Environmental Sound”.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values;</p> <p>(b) Hours of operation;</p> <p>(c) Location of noise sources in relation to boundaries;</p> <p>(d) Frequency or other special characteristics of noise;</p> <p>(e) Noise levels and duration; and</p> <p>(f) Mitigation measures.</p>

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	<p>(e) Noise levels that is assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustics- Environmental noise”.</p> <p>(f) NOISE-R17 does not apply.</p>	
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HIZ – Heavy industrial zone

NOISE-R20	Noise – general	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site:</p> <p>(i) In the HIZ – Heavy industrial zone or GIZ – General industrial zone must that does not exceed 75dB L_{Aeq} at any time.</p> <p>(b) Noise measured within a site in any zone, other than the HIZ – Heavy industrial zone and the GIZ – General industrial zone, that does not exceed the permitted noise levels for that zone;</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 “Acoustics- Measurement of Environmental Sound”; and</p> <p>(d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 “Acoustics- Environmental Noise”.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values;</p> <p>(b) Hours and days of operation;</p> <p>(c) Location of noise sources in relation to any boundary;</p> <p>(d) Frequency or other special characteristics of noise;</p> <p>(e) Mitigation measures; and</p> <p>(f) Noise levels and duration.</p>
NOISE-R21	Noise – Pokeno	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site:</p> <p>(i) In the HIZ – Heavy industrial zone in Pokeno that does not exceed 70dB L_{Aeq} at any time; or</p> <p>(ii) In the GIZ – General industrial zone in Pokeno that does not exceed 65dB L_{Aeq} at any time.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values;</p> <p>(b) Hours of operation;</p> <p>(c) Location of noise sources in relation to any boundary;</p> <p>(d) Frequency or other special characteristics of noise;</p> <p>(e) Mitigation measures; and</p> <p>(f) Noise levels and duration.</p>

	<p>(b) Noise measured within any site in any zone, other than the GIZ – General industrial zone and HIZ – Heavy industrial zone, that does not exceed the permitted noise limits for that zone. For sites adjoining PREC4 – Havelock precinct (refer APP14 – Havelock precinct plan), the noise rating level from any activity must not exceed:</p> <p>(i) 55dB L_{Aeq} 7am to 10pm every day, 45 dB L_{Aeq} 10pm to 7am the following day and 75 dB L_{AFmax} from 10pm to 7am the following day measured from any site outside of the Pokeno Industry Buffer illustrated on the planning maps (compliance with the noise standard must not be measured from the GRZ – General residential zone boundary for PREC4 – Havelock precinct).</p> <p>(ii) Until the acoustic barrier has been constructed and made acoustically effective in accordance with Rule SUB-R21(1)(a)(v), the noise rating level from activities on Lots 3 and 4 DP 492007 must not exceed 55dB L_{Aeq} 7am to 10pm every day, 45 dB L_{Aeq} 10pm to 7am the following day and 75 dB L_{AFmax} from 10pm to 7am the following day measured from the unmitigated 45 dB L_{Aeq} noise contour illustrated in APP14 – Havelock precinct plan. When Rule SUB-R21(1)(a)(v), has been satisfied, clause (b)(i) above applies.</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZ 6801:2008 “Acoustics Measurements of Environmental Sound”; and</p> <p>(d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008</p>	
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	“Acoustics Environmental Noise”.	
NOISE-R22	Noise – Huntly Power Station	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within the notional boundary of any residential unit that has existed since 25 September 2004 in the General Rural Zone that does not exceed:</p> <p>(i) 55dB L_{Aeq} 7am to 10pm; and</p> <p>(ii) 45dB L_{Aeq} and 75dB L_{Amax} 10pm to 7am the following day.</p> <p>(b) Noise measured within any site in the GRZ – General residential zone, or MRZ – Medium density residential zone, where a residential unit has existed since 25 September 2004, that does not exceed:</p> <p>(i) 50dB L_{Aeq} 7am to 7pm;</p> <p>(ii) 45dB L_{Aeq} 7pm to 10pm; and</p> <p>(iii) 40 dB L_{Aeq} and 65 dB L_{Amax} 10pm to 7am the following day.</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 “Acoustics Measurement of Environmental Sound”; and</p> <p>(d) Noise levels that are assessed in accordance with the requirements of NZS 6802: 2008 “Acoustics Environmental Noise”.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values;</p> <p>(b) Hours and days of operation;</p> <p>(c) Location of noise sources in relation to any boundary;</p> <p>(d) Frequency or other special characteristics of noise;</p> <p>(e) Mitigation measures; and</p> <p>(f) Noise levels and duration.</p>

OSZ – Open space zone

NOISE-R23	Noise – general	
OSZ – Open space zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Crowd noise, noise generated by emergency generator and emergency sirens.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NOISE-R24	Noise – general	
OSZ – Open space zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured in accordance with NZS 6801:2008 and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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	assessed in accordance with NZS 6802:2008 must not exceed the permitted activity noise limits for the zone of any other site where sound is received.	
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BTZ – Business Tamahere zone

NOISE-R25	Noise – general	
BTZ – Business Tamahere zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within the BTZ – Business Tamahere zone must not exceed:</p> <p>(i) 65dB $L_{Aeq(15min)}$, 7am to 11 pm every day; and</p> <p>(ii) 55dB $L_{Aeq(15min)}$, 11pm Friday to 1am Saturday; and</p> <p>(iii) 55dB $L_{Aeq(15min)}$, 11pm Saturday to 1am Sunday; and</p> <p>(iv) 45dB $L_{Aeq(15min)}$ 1am to 7am every day, and</p> <p>(v) 75dB L_{Amax}, 11pm to 7am every day.</p> <p>(b) Noise measured at the notional boundary within any site in the RLZ – Rural lifestyle zone, must not exceed:</p> <p>(c) 50dB $L_{Aeq(15min)}$, 7am to 7pm every day;</p> <p>(d) 45dB $L_{Aeq(15min)}$, 7pm to 10pm every day; and</p> <p>(e) 40dB $L_{Aeq(15min)}$, 10pm to 7am every day; and</p> <p>(f) 65dB L_{Amax}, 10pm to 7am every day.</p> <p>(g) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 ‘Acoustics Measurement of Environmental Sound’; and</p> <p>(h) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 ‘Acoustic Environmental noise’.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

CORZ – Corrections zone

NOISE-R26	Noise – general	
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<p>CORZ – Corrections zone</p>	<p>(1) Activity status: PER Where:</p> <p>(a) Noise measured at the notional boundary on any other site in the CORZ – Corrections zone must not exceed:</p> <p>(i) 50dB L_{Aeq}, 7am to 7pm every day;</p> <p>(ii) 45dB L_{Aeq}, 7pm to 10pm every day;</p> <p>(iii) 40dB L_{Aeq} and 65dB L_{Amax}, 10pm to 7am the following day.</p> <p>(b) Noise measured within any site in any zone, other than the CORZ – Corrections zone, must meet the permitted noise levels for that zone.</p> <p>(c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics – Measurement of Environmental Sound”.</p> <p>(d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic – Environmental noise”.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
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FUZ – Future urban zone

<p>NOISE-R27 FUZ – Future urban zone</p>	<p>Noise – general</p> <p>(1) Activity status: PER Where:</p> <p>(a) Noise measured at the notional boundary on any other site in the FUZ – Future urban zone must not exceed:</p> <p>(i) 50dB L_{Aeq}, 7am to 7pm every day;</p> <p>(ii) 45dB L_{Aeq}, 7pm to 10pm every day;</p> <p>(iii) 40dB L_{Aeq} and 65dB L_{Amax}, 10pm to 7am the following day.</p> <p>(b) Noise measured within any site in any zone, other than the FUZ – Future, urban zone must meet</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
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	<p>the permitted noise levels for that zone.</p> <p>(c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics – Measurement of Environmental Sound”.</p> <p>(d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic – Environmental noise”.</p>	
NOISE-R28	Frost fans	
<p>FUZ – Future urban zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise generated by a frost fan must not exceed 55dB L_{Aeq} when measured at the notional boundary on any site in the FUZ – Future urban zone and within any site in the MRZ – Medium density residential zone, LLRZ – Large lot residential zone, RLZ – Rural lifestyle zone, SETZ - Settlement zone or GRZ – General residential zone.</p> <p>(b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 Acoustic- Environmental noise.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values;</p> <p>(b) The location and proximity of the fans to sensitive activities;</p> <p>(c) Noise levels;</p> <p>(d) The adequacy of any mitigation.</p>

HOPZ – Hopuhopu zone

NOISE-R29	Noise – general	
<p>HOPZ – Hopuhopu zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Farming noise, crowd noise, and noise generated by hunting, emergency generators and emergency sirens.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NOISE-R30	Noise – general	

<p>HOPZ – Hopuhopu zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Noise generated within the HOPZ – Hopuhopu zone when measured at the zone boundary must meet the permitted noise levels for the neighbouring zone. (b) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound; and (c) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 Acoustic- Environmental noise. 	<p>(2) Activity status where compliance not achieved: DIS</p>
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KLZ – Kimihia lakes zone

<p>NOISE-R3I</p>	<p>Noise – general</p>	
<p>KLZ – Kimihia lakes zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) All activities must comply with the following noise standards: <ul style="list-style-type: none"> (i) Noise measured within the notional boundary on any site in the GRZ – General residential zone or the GRUZ - General rural zone must not exceed: <ul style="list-style-type: none"> (1) 55dB L_{Aeq}, 7am to 7pm every day; (2) 45dB L_{Aeq}, 7pm to 10pm every day; and (3) 40dB L_{Aeq} and 65dB L_{Amax}, 10pm to 7am the following day. (b) Noise measured within any site in any other zone not specified above must meet the noise levels permitted for that zone. (c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of environmental sound. (d) Noise levels must be assessed in accordance with the requirements of New Zealand 	<p>(2) Activity status where compliance not achieved: DIS</p>

	Standard NZS 6802:2008 Acoustics - Environmental noise.	
NOISE-R32	Noise – Noise Management Plan	
KLZ – Kimihia lakes zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Prior to development, a Noise Management Plan must be prepared and in place at all times that details the measures to be implemented to ensure that noise within the site does not exceed the limits specified in Rule NOISE-R31.</p> <p>(i) The Noise Management Plan must as a minimum, provide details of the following measures:</p> <p>(ii) Procedures and protocols for the setting up, installation and monitoring responsibilities (including reporting) of the noise monitoring device (microphone) located within the Kimihia Lakes development;</p> <p>(iii) Procedures for the ongoing testing and calibration of the noise monitoring device (microphone);</p> <p>(iv) The erection of any necessary barriers for the purpose of reducing noise emissions;</p> <p>(v) The design and operation of any public address system with respect to management of noise emissions;</p> <p>(vi) Procedures to monitor all activities and events that may meet the noise levels specified in Rule NOISE-31.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

MAZ – Mercer airport zone

NOISE-R33	Noise – non-aviation related	
MAZ – Mercer airport zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise from any non-aviation related activity in the MAZ – Mercer Airport zone must not exceed the following noise limits</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>when measured at the notional boundary of a site within the GRUZ – General Rural zone:</p> <ul style="list-style-type: none"> (i) 55 dB L_{Aeq}, 7am to 10pm every day; and (ii) 40 dB L_{Aeq} and 70 dB L_{afmax}, 10pm to 7am the following day. <p>(b) NOISE-R33(1)(a) does not apply to:</p> <ul style="list-style-type: none"> (i) Construction noise; or (ii) Noise from emergency sirens. 	
<p>NOISE-R34</p>	<p>Noise – aircraft operations</p>	
<p>MAZ – Mercer airport zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Noise from aircraft operations in the MAZ – Mercer Airport zone shall not exceed 65 dBA L_{dn} outside the Air Noise Boundary and 55 dBA L_{dn} outside the Outer Control Boundary as shown on the planning maps. For the purpose of this rule aircraft noise shall be assessed in accordance with NZS6805:1992 “Airport Noise Management and Land Use Planning” and logarithmically averaged over a three month period. The following operations are excluded from the calculation of noise for compliance with noise limits: <ul style="list-style-type: none"> (i) Aircraft engine testing and maintenance; (ii) Aircraft landing or taking off in an emergency; and (iii) Air Show (for one air show per year). (b) Aircraft movements shall be recorded monthly and noise contours for the purpose of assessing compliance with rule NOISE-R34(1)(a) shall be calculated no later than 12 months from the date the rule becomes legally operative and thereafter once every two years. When the calculated noise level is within 1 decibel of the limit noise contours for the purpose 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>of assessing compliance with Rule NOISE-R34(1)(a) shall be calculated annually and verified with infield monitoring once every two years.</p> <p>(i) A report detailing the noise contours and calculations and in-field noise levels in the years that these are monitored, shall be prepared and forwarded to the Council on an annual basis by the airport operator.</p>	
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MSRZ – Motorsport and recreation zone

<p>NOISE-R35 MSRZ – Motorsport and recreation zone</p>	<p>Noise – motor sport and recreation activity in PREC14, PREC17 and PREC18</p>	
	<p>(1) Activity status: PER Where:</p> <p>(a) The noise level from activities within PREC14, PREC17 and PREC18 shall not exceed the following limits measured beyond the ‘Hampton Downs Noise Control Boundary’ shown in APP12 – Hampton Downs motorsport and recreation:</p> <p>(i) 65dBA L_{Aeq} on no more than 27 days per year (with no more than 10 of the 27 days to be on a Sunday or public holiday) between the hours of 9:00am – 6:00pm. Except that in any year where a V8 Supercars event is not held then a noise level of up to 65dBA L_{Aeq} will be permitted between the hours of 9.00am to 6.00pm on up to 30 days per year (not more than 11 days to be on a Sunday or public holiday); and</p> <p>(ii) 55 dBA L_{Aeq} on no more than 40 days per year between the hours of 9:00am – 6:00pm; and</p> <p>(iii) 50 dBA L_{Aeq} between the hours of 7am to 6pm any other days of the year; and</p> <p>(iv) 45 dBA L_{Aeq} between the hours of 6pm to 10pm every day of the year; and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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	<p>(v) 40 dBA L_{Aeq}, and 65dBA L_{max} at all other times</p> <p>(b) The motor racing activities in NOISE-R35(1)(a)(i) and (ii) are exclusive of each other and the activities are considered to be on separate days.</p> <p>(c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802</p>													
NOISE-R36	Noise – motor sport and recreation activity in PREC14, PREC17 and PREC18													
MSRZ – Motorsport and recreation zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The use of a public address system shall only occur between the hours of 7:00am and 7:00pm and shall not exceed a limit of 50dBA L_{Aeq} measured at the zone boundary.</p>	<p>(2) Activity status where compliance not achieved: DIS</p> <p>(a)</p>												
NOISE-R37	Noise – PREC15 and PREC16													
MSRZ – Motorsport and recreation zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The noise level from activities, other than motor racing activities within PREC15 and PREC16, shall not exceed the following limits when measured at the notional boundary of any dwelling:</p> <table border="1" data-bbox="416 1525 887 1823"> <tr> <td>Monday to Friday</td> <td>7:00am to 7:00pm</td> <td>50 dBA L_{Aeq}</td> </tr> <tr> <td>Saturday</td> <td>7:00am to 6:00pm</td> <td>50 dBA L_{Aeq}</td> </tr> <tr> <td>All other times including public holidays</td> <td></td> <td>40 dBA L_{Aeq}</td> </tr> <tr> <td>Monday to Sunday</td> <td>10:00pm to 7:00am</td> <td>75 dBA L_{max}</td> </tr> </table> <p>(b) Noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 'Acoustics - Measurement of environmental</p>	Monday to Friday	7:00am to 7:00pm	50 dBA L_{Aeq}	Saturday	7:00am to 6:00pm	50 dBA L_{Aeq}	All other times including public holidays		40 dBA L_{Aeq}	Monday to Sunday	10:00pm to 7:00am	75 dBA L_{max}	<p>(2) Activity status where compliance not achieved: RDIS</p>
Monday to Friday	7:00am to 7:00pm	50 dBA L_{Aeq}												
Saturday	7:00am to 6:00pm	50 dBA L_{Aeq}												
All other times including public holidays		40 dBA L_{Aeq}												
Monday to Sunday	10:00pm to 7:00am	75 dBA L_{max}												

	sound' and NZS 6802:2008 'Acoustics – environmental noise'.	
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MTZ – Matangi zone rules

NOISE-R38	Noise – general	
MTZ – Matangi zone rules	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Noise generated within the MTZ – Matangi zone when measured at the zone boundary must meet the permitted noise levels for the neighbouring zone; (b) Noise measured within any new or relocated building must not exceed: <ul style="list-style-type: none"> (i) 75dB L_{Aeq}, (7am to 10pm); (ii) 55dB L_{Aeq}, and 85Db L_{Amax} 10pm to 7am the following day; and (iii) Rule NOISE-R38(1)(b) does not apply to buildings within 20m of the Rail Corridor. (c) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound; and (d) Noise levels shall be assessed in accordance with the requirements of NZS 6802:2008 Acoustic- Environmental noise. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on amenity values; (b) Hours and days of operation; (c) Noise levels; (d) Timing and duration; and (e) Methods of construction.

RPZ – Rangitahi Peninsula zone

NOISE-R39	Noise – general	
RPZ – Rangitahi Peninsula zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Noise measured within any other site must not exceed: <ul style="list-style-type: none"> (i) 50dB L_{Aeq (15min)}, 7am to 7pm, every day, and (ii) 45dB L_{Aeq (15min)}, 7pm to 10pm, every day, and (iii) 40dB L_{Aeq (15min)}, 10pm to 7am the following day. and (iv) 65dB (L_{AFmax}), 10pm to 7am the following day. (b) Noise levels must be measured in accordance with the 	<p>(2) Activity status where compliance not achieved: DIS</p>

Part 2: District-wide matters / General district-wide matters / NOISE – Noise

	<p>requirements of NZS 6801:2008 “Acoustics - Measurement of Environmental Sound.</p> <p>(c) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 “Acoustic- Environmental noise”.</p>	
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TKAZ – Te Kowhai airpark zone

NOISE-R40	Noise – other than aircraft operations	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise, other than noise from aircraft operations, measured within any site in any zone, other than the Te Kowhai Airpark Zone, must meet the permitted noise levels for that zone.</p> <p>(b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 Acoustic - Environmental noise.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
NOISE-R41	Noise – aircraft operations	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise from aircraft operations in all precincts, including aircraft movements on taxiways, shall not exceed 65dB L_{dn} outside the Air Noise Boundary and 55dB L_{dn} outside the Outer Control Boundary as shown on the planning maps when assessed in PREC29 and PREC30 and on receiving sites outside of the TKAZ – Te Kowhai Airpark zone. For the purpose of this rule aircraft noise shall be assessed in accordance with NZS6805:1992 "Airport Noise Management and Land Use Planning" and logarithmically</p>	<p>(2) Activity status where compliance not achieved: DIS</p> <p>(a)</p>

	<p>averaged over a three month period. The following operations are excluded from the calculation of noise for compliance with noise limits:</p> <ul style="list-style-type: none"> (i) Aircraft engine testing and maintenance (ii) Aircraft landing or taking off in an emergency (iii) Emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency (iv) Flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Emergency Management Act 2002 (v) Aircraft using the aerodrome due to unforeseen circumstances as an essential alternative to landing at a scheduled airport elsewhere (vi) Aircraft undertaking firefighting duties (vii) Air Show (for one air show per calendar year) <p>(b) Aircraft movements shall be recorded monthly and noise contours for the purpose of assessing compliance with NOISE-R41(1)(a) shall be calculated no later than 12 months from the date when the rule becomes legally operative and thereafter once every two years. When the calculated noise level is within 1 decibel of the 65dB L_{dn} and / or 55dB L_{dn} limit/s, noise contours for the purpose of assessing compliance with NOISE-R41 shall be calculated annually and verified with infield monitoring once every two years.</p>	
NOISE-R42	Noise – aircraft operations	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

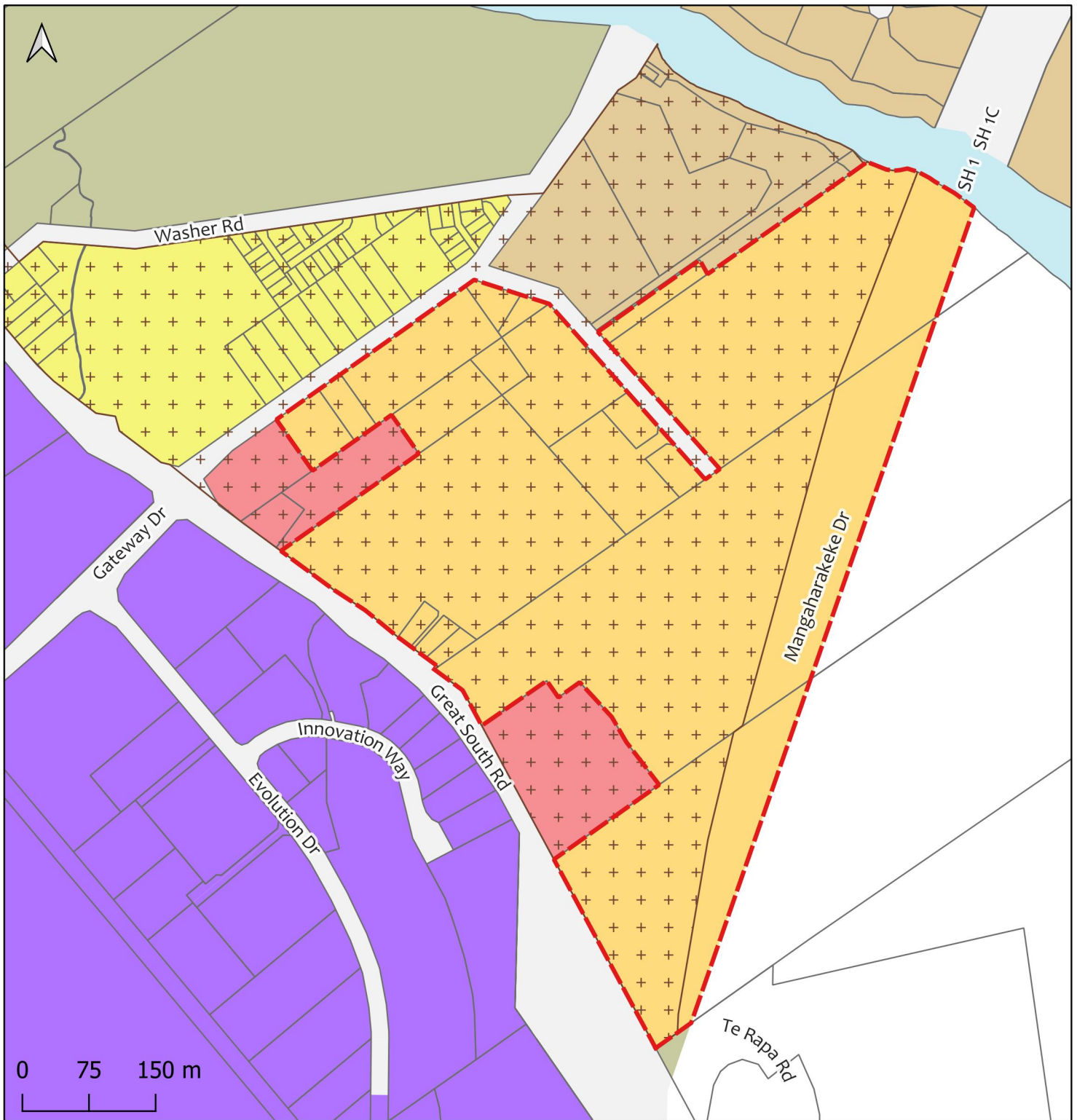
	<p>(a) Aircraft engine testing and maintenance in all precincts must:</p> <p>(i) Take place only between:</p> <p>(1) 0800 hours and 2000 hours in the Summer Period; or</p> <p>(2) 0800 hours and 1900 hours in the Winter Period</p> <p>(b) Meet the receiving site relevant zone permitted noise levels when measured at the notional boundary of any site outside the TKAZ – Te Kowhai Airpark zone.</p> <p>(c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</p> <p>(d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 Acoustic - Environmental noise.</p>	
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TTZ – TaTa Valley zone

<p>NOISE-R43 TTZ – TaTa Valley zone</p>	<p>Noise – general</p> <p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The noise rating level must not exceed:</p> <p>(i) 50dB L_{Aeq}, 7am to 7pm every day;</p> <p>(ii) 45dB L_{Aeq}, 7pm to 10pm every day;</p> <p>(iii) 40dB L_{Aeq} and 65dB L_{Amax}, 10pm to 7am the following day when measured at or within any Notional Boundary in the GRUZ – General Rural Zone.</p> <p>(b) No noise limits apply between sites in the TTZ – TaTa Valley zone.</p> <p>(c) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The extent to which proposed hours of operation and/or duration (of the activity causing the noise infringement) will give rise to adverse noise effects on the surrounding environment and adequacy of proposed measures to manage these effects.</p>
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Part 2: District-wide matters / General district-wide matters / NOISE – Noise

	<p>“Acoustics – Measurement of Environmental Sound”.</p> <p>(d) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic – Environmental noise”.</p>	
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Legend

Horotiu West land boundary

Recommended zoning

MRZ – Medium density residential zone

Decision zoning

LCZ – Local centre zone

GRUZ – General rural zone

RLZ – Rural lifestyle zone

GRZ – General residential zone

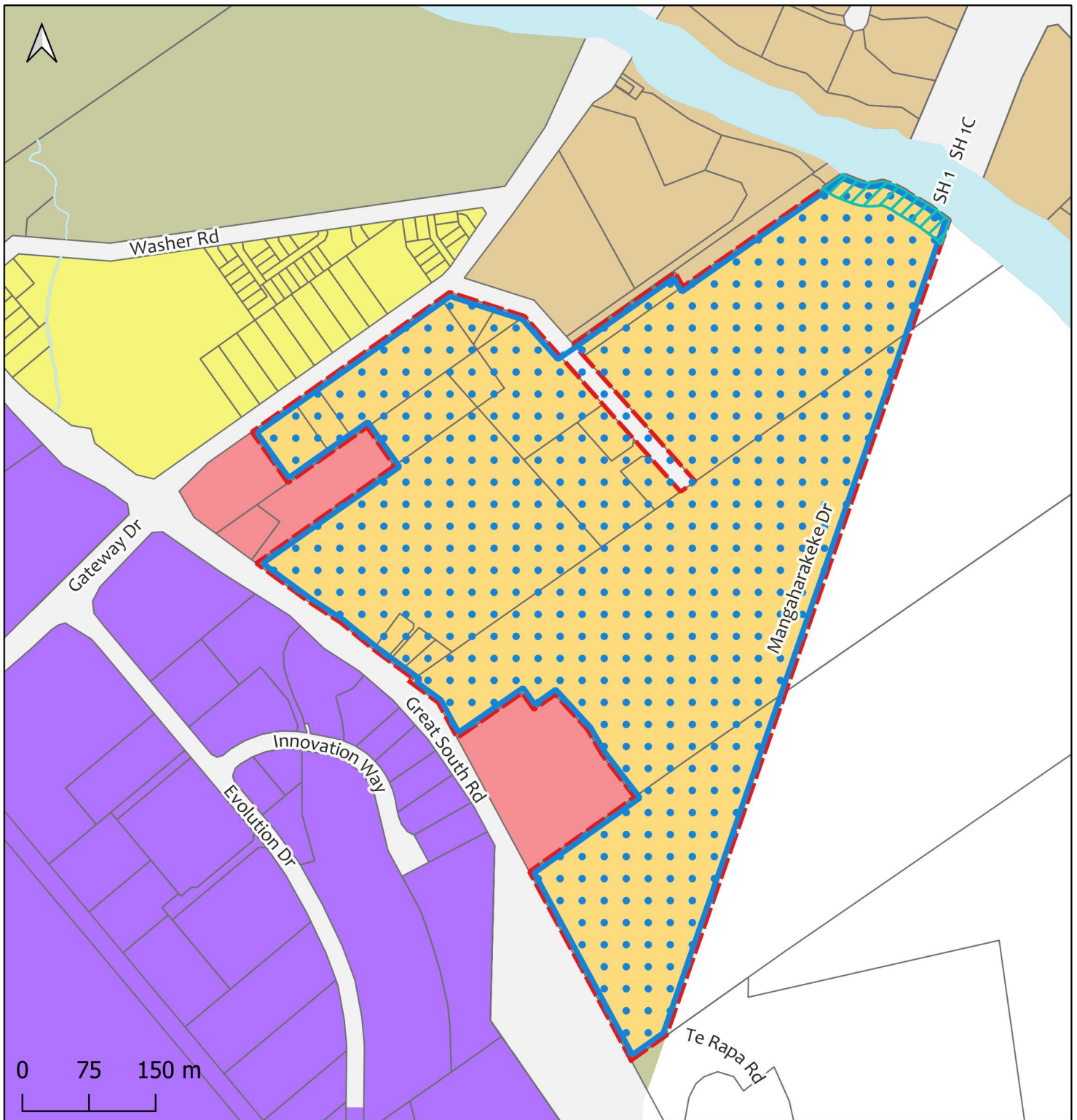
HIZ – Heavy industrial zone

GIZ – General industrial zone

Road

Acoustic area Horotiu

Parcel boundary



Legend

- Horotiu West land boundary
 - Outer intensification area
 - Water setback from Waikato River (26.5m)
- Recommended zoning
- MRZ – Medium density residential zone
- Decision zoning
- LCZ – Local centre zone
- GRUZ – General rural zone
 - RLZ – Rural lifestyle zone
 - GRZ – General residential zone
 - HIZ – Heavy industrial zone
 - GIZ – General industrial zone
 - Road
 - Parcel boundary



Horotiu West Land - Water setback and Outer intensification area

Waikato District Council
 Prepared 12 Sep 2023
 Cadastre Boundaries and addresses - Land
 Information New Zealand
 Projection: NZTM2000
 Ref: ME46635

Appendix B – Acoustic assessment prepared by Malcolm Hunt Associates

MalcolmHuntAssociates



mha@noise.co.nz 04 4762 5689 P O Box 11-294, Wellington

Date of Issue:	14 September 2023
Client:	Fiona Hill Principal Policy Planner Waikato District Council C/- Karin Lepoutre karin@kplp.co.nz KPL Planning Ltd
Project :	Noise & Acoustic Advice - Variation 3 to the Waikato Proposed District Plan Re-zoning of Land at Horotiu West To Medium Density Residential
Prepared By :	Malcolm Hunt, Malcolm Hunt Associates

RE: Noise & Acoustic Advice - Review of Reverse Sensitivity (Noise) Matters Due To Re-zoning of Land at Horotiu West To Medium Density Residential

1. Introduction

As requested, Malcolm Hunt Associate have prepared this assessment of potential reverse sensitivity noise effects under the circumstances whereby land referred to as the Horotiu West residential area is re-zoned from General Residential (GRZ) to Medium Density Residential (MDZ), as sought within the submission on Variation 3 to the proposed Waikato District Plan (WPDP) by Horotiu Farms Limited. An assessment of the proposed re-zoning and implications for assessing noise effects are set out below in Section 4.

In carrying out our assessment, we have considered information from the following sources;

- Noise-related policies, objectives, rules and standards of the PWDP (appeals version) including Part 4: Schedules and appendices / APP1 – Acoustic insulation (4. Horotiu Acoustic Area);
- Notified version of Variation 3 to the PWDP;
- Submissions and further submission dealing with the Horotiu West area received by Waikato District Council (the Council) following notification of Variation 3 to the WPDP;
- Council's Practice Note: *Horotiu Acoustic Amenity Overlay* (Waikato Section) dated 2017 (note, this is related to the operative district plan provisions);
- *Guidelines for Community Noise* edited by Birgitta Berglund, Thomas Lindvall, Dietrich H Schwela, World Health Organization 1999;
- NZS 2107:2016 *Acoustics – Recommended design sound levels and reverberation times for building interiors*; and
- NZS 6802:2008 *Acoustics – Environmental Noise*.

2. The Re-zoning Proposal

Current zoning of the Horotiu West area is indicated in Figure 1 below, being an extract from the WPDP maps (appeals version):

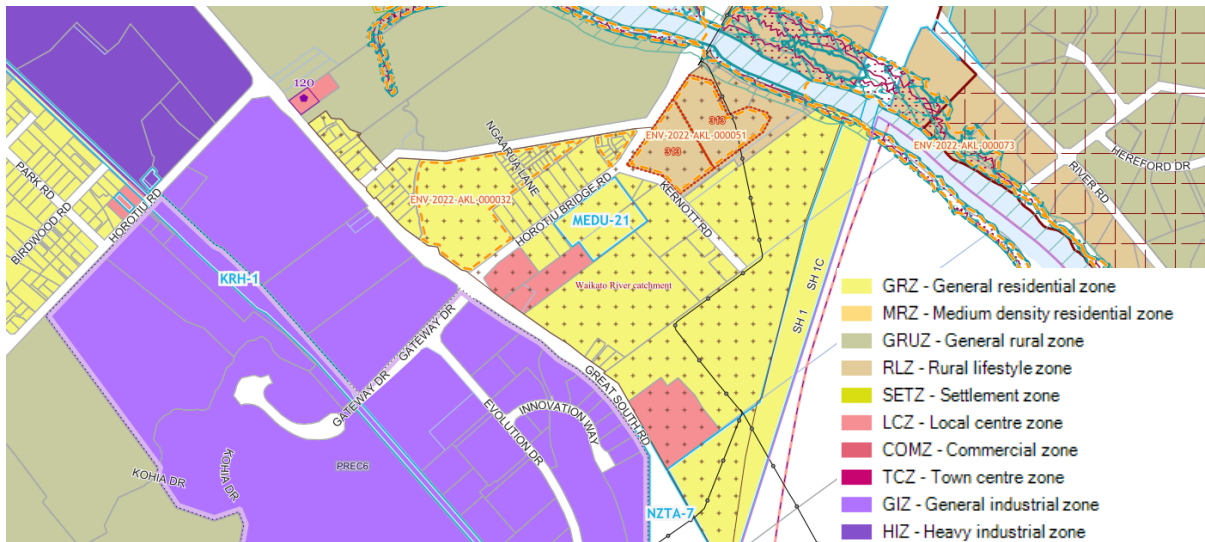



Figure 1 Current zoning of the Horotiu West area under the PWDP (appeals version). Note the Horotiu Acoustic Area shaded as .

The submission of Horotiu Farms Limited (submission no. 49) seeks the re-zoning of GRZ sites in the Horotiu west area to MRZ as set out within their submission. This assessment focusses on the potential environmental noise effects that may be associated with this re-zoning, including potential reverse sensitivity effects on permitted activities within the nearby GIZ (General Industrial Zone) and HIZ (Heavy Industrial Zone).

3. The Horotiu Acoustic Area

The Horotiu Acoustic Area is located as shown in **Figure 1** above and includes land within the COMZ – Commercial zone, LCZ – Local centre zone, GRZ – General residential zone and RLZ – Rural lifestyle zone in Horotiu. Within this area acoustic insulation is required to mitigate noise from the Horotiu industrial zoning. The Horotiu Acoustic Area overlays the GRZ sites requested by Horotiu Farms Ltd to be re-zoned to MDZ and is a relevant consideration regarding reverse sensitivity noise effects experienced indoors.

The Horotiu Acoustic Area imposes acoustic insulation requirements to achieve internal design sound levels for noise sensitive uses listed in WPDP Appendix 1 (Acoustic insulation) section 4. Specific requirements in terms of maximum allowable indoor sound levels are stipulated in Table 22 of Appendix 1 for the following uses;

- Residential bedrooms and other habitable rooms
- Visitors' accommodation/ Home occupation / Home-stays and Papakainga housing (bedrooms only);
- Educational buildings (teaching spaces); and
- Hospitals

The indoor sound level limits prescribed in Table 22 are considered suitable for the protection of indoor spaces used for noise sensitive activities as they fall within the range of indoor sound levels recommended within NZS 2107:2016 *Acoustics – Recommended design sound levels and reverberation times for building*. According to this Standard the interior design criteria will result in conditions within building interiors that ensure 'healthy, comfortable and productive environments for the occupants and end users'¹.

¹ Clause 1, page 4, NZS2107:2016.

In addition to acoustic insulation requirements, Appendix 1 Part 4 stipulates buildings that are required to be acoustic insulated must be fitted with a mechanical ventilation system so that windows can be kept closed. The mechanical ventilation system must achieve certain prescribed requirements in terms of air flow rates, heating and cooling within a prescribed range, operate within a prescribed noise emission levels within the room and be certified in terms of a report submitted to the Council prior to occupation of the building demonstrating compliance with these mechanical ventilation system performance requirements.

These minimum ventilation requirements help ensure adequate indoor comfort levels for room occupants that will minimise the need to open windows (thereby undermining the acoustic protection afforded by the building envelope).

4. Assessment

4.1 Overview

The stated aim of the Horotiu Acoustic Arae is to set out acoustic insulation requirements ‘to mitigate noise from the Horotiu industrial zoning’². A significant area of land zoned General Industrial (GIZ) is located across the Great South Road from the Horotiu West GRZ. The GIZ zone caters for those industrial and other compatible activities, where the significant adverse effects of those activities are confined to locations within the zone, and where the adverse effects of those activities are avoided, remedied, or mitigated. Included within the GIZ is a ‘precinct’ referred to as the Horotiu industrial park precinct (PREC6) which is outlined by a dashed line in **Figure 2** below.

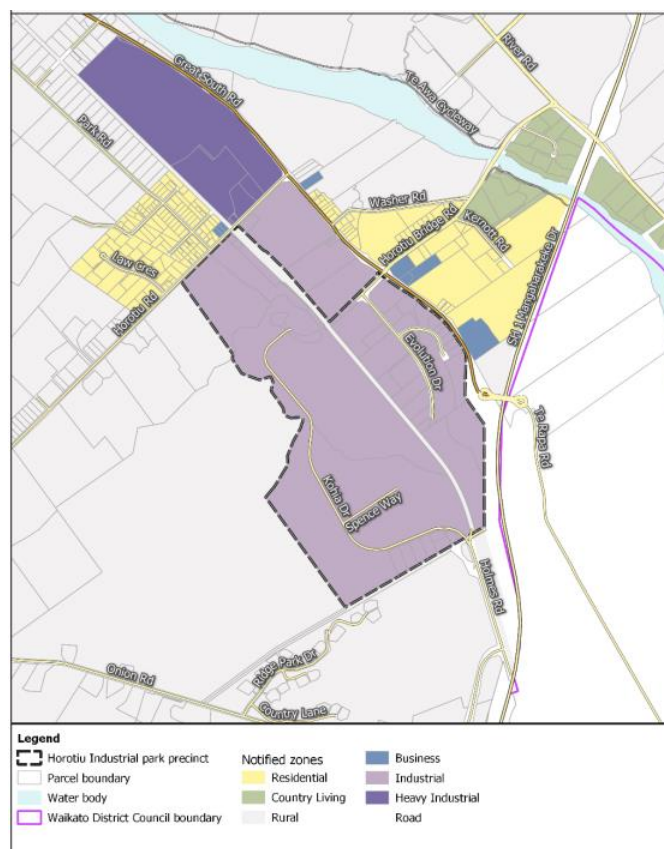


Figure 2 Diagram showing the Horotiu Industrial Precinct (PREC6) located within the GIZ at Horotiu (ref. Decisions Report 26 of the WPDP hearings).

² WPDP Appendix 1 (Acoustic insulation), introduction to Section 4.

APPENDIX A to this report sets out the permitted activity noise standards for industrial activities in the GIZ (NOISE-R17) and, separately for industrial activities located within PREC6 (NOISE-R19). These are summarised as follows;

A. General Industrial Zone

GIZ - NOISE-R17((b) establishes a permitted activity noise standard that limits the emission of noise from GIZ activities received within any site in any zone, other than the General Industrial Zone and the Heavy Industrial Zone, to permitted noise limits for the relevant receiving zone. For both the GRZ and MRZ, the applicable noise limits within each receiving zone must not exceed:

- (i) 50dB LAeq(15min), 7am to 7pm, every day;
- (ii) 45dB LAeq(15min) 7pm to 10pm every day;
- (iii) 40dB LAeq(15min) 10pm to 7am the following day; and
- (iv) 65dB LAmax(15min), 10pm to 7am the following day.

Thus, equivalent noise standards apply to residential receiver sites in the Horotiu West area, whether zoned GRZ as existing or if re-zoned to MRZ.

B. PREC6 – Horotiu Industrial Park Precinct

In terms of noise due to permitted activities in PREC6, other than noise received within any other site in the GIZ, NOISE-R19 only limits noise from GIZ activities when received within any site zoned GRZ. The limits applying under NOISE-R19 within any GRZ site are prescribed as;

- (i) 55dBA LAeq 7am to 10pm; or
- (ii) 45dBA LAeq and 70dBA LAmax10pm to 7am the following day.

Two differences between A and B above are identified. These are:

- Noise limits in B above do not include a separate limit for the evening ‘shoulder period’ (7pm to 10pm); and
- Night time noise limit (10pm to 7am) for A is 40dB LAeq(15min) where as this limit is 5 dB higher at 45dB LAeq(15min) for B.

These two differences are not considered significant as both applicable limits are assessed here as able to provide reasonable protection to sensitive receiving environments as they lie within guideline noise limits for the protection of health and amenity set out in NZS 6802:2008 *Acoustics –Environmental Noise*. In addition, these limits are consistent with the upper limits on outdoor noise received within residential sites recommended within the World Health Organisation *Guidelines for Community Noise*.

It is noted Decisions Report 26 of the WPDP hearings³ includes a statement by Mr Day (noise expert witness for the Ports of Auckland) who considered that an upper night-time noise limit of 45 dB LAeq for permitted activities in the Horotiu Industrial Park would maintain a reasonable level of acoustic amenity for residential zoned properties at Horotiu.

³ <https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/plans/waikato-district-plan/district-plan-review/decisions/proposed-waikato-district-plan>

4.2 Effect Of Re-Zoning

We consider the effects of re-zoning of GRZ residential sites in the Horotiu West Area to MRZ, as requested by Horotiu Farms Ltd, would result in potentially more dwellings of varying topologies and buildings housing sensitive uses being constructed up to 11 metres high in place of the 8 metre height limit currently applying to these sites.

Increasing housing density does not necessarily result in additional reverse-sensitivity noise effects. An information sheet published by the Building Research Association of NZ (BRANZ) reported⁴ the greatest noise issue with medium density housing was in “inter-tenancy” noise associated with sound transmission between adjacent tenancies. BRANZ recommended improved acoustical design and sound isolation between tenancies within the same building to address this. Beyond noise issues associated with medium density housing beyond the minimum standards prescribed with the NZ Building Code intended to control noise transmission within the same building, the next most significant issue identified was outdoor noise from neighbours in adjacent buildings who are located perhaps closer than otherwise found in typical residential zones.

It is recognised that acoustic insulation of buildings housing sensitive activities on its own may not fully address reverse sensitivity effects due to the experience of residents within outdoor noise environments. However, when comparing this effect for persons located within a typical residential zone compared to a medium density residential zone, it is considered the outdoor noise amenity expectations are likely to be lower when the zone has more densely spaced buildings and higher levels of outdoor activity in general, compared to a typical residential setting. We do not consider any increase in reverse sensitivity noise effects due to the outdoor noise experience should residential receiving sites in the Horotiu West area be re-zoned from GRZ to MRZ.

From our investigations we are unable to identify any reliable evidence suggesting re-zoning receiving environments from general residential to medium density residential would give rise to increased reverse sensitivity noise effects due to noise received from nearby commercial or industrial zones. The key is that such ‘cross boundary’ noise effects between zones are usually adequately controlled by permitted activity noise standards applying to ‘noise-making’ activities in activities zones, coupled with the application of suitable acoustic insulation (and ventilation) standards applying within sensitive receiving zones.

While the fore-going analysis of applicable permitted activity noise standards in the WPDP indicates that re-zoning of GRZ residential sites in the Horotiu West Area to MRZ not would result in changes in noise effects from activities in the general industrial zoned sites (GIZ) this is not the case for noise emitted from permitted industrial activities in PREC6.

Without any consequential change to the permitted activity noise emission limits applying to activities within the PREC6 Horotiu Industrial Park Precinct, there can be no certainty that noise from this precinct would be controlled to reasonable levels within received sensitive sites located in the area proposed to be re-zoned MRZ.

⁴ BRANZ FACT Sheet #5, MEDIUM-DENSITY HOUSING – Acoustic Performance. V2 May 2020.

As below, we recommend a consequential amendment to the PREC6 noise standard NOISE-R19(b) and (c) to add a reference to 'MRZ' receiving sites in addition to 'GRZ' receiving sites.

These changes are considered important as the PREC6 precinct may result in significant noise, at times, as it is designed to cater for the Ports of Auckland Freight Hub operating 24 hours per day, 7 days per week. We understand upon completion this hub will have an annual throughput of approximately 300,000 containers that are to be transported by both road and rail which has the potential to generate significant noise in the local area

5. Conclusion & Recommendation

The above assessment finds the proposal to rezone identified sites currently zoned GRZ located in the Horotiu West area to MRZ would not be likely to give rise to any increase in the potential for reverse sensitivity effects on activities taking place in the GIZ sites. However, in order to avoid potentially significant reverse sensitivity noise effects on permitted activities in PREC6 Horotiu industrial park precinct, we recommend the following amendment to NOISE-R19(b) and (c);

(b) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within any site in the GRZ – General residential zone or MRZ – Medium Density residential zone:

(i) 55dBA LAeq 7am to 10pm; or

(ii) 45dBA LAeq and 70dBA L_{max} 10pm to 7am the following day.

(c) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within the notional boundary of any building containing a noise sensitive activity existing at 17 January 2022 within any zone outside of the Horotiu Industrial Park and HIZ – Heavy industrial zone (except the GRZ – General residential zone or MRZ – Medium Density residential zone):

(i) 55dBA LAeq 7am to 10pm;

(ii) 45dBA LAeq and 70dBA L_{max} 10pm to 7am the following day.

These amendments are considered necessary to avoid increased risk of adverse reverse sensitivity effects on permitted activities taking place within the PREC6 precinct and also to ensure a reasonable standard of residential amenity is achieved commensurate with a medium density environment comprised of primarily townhouse and low-rise apartments (MRZ-O3).



Malcolm Hunt

Bachelor of Science [B.Sc.]

Master of Engineering[mech]

Diploma in Public Health

RSH Diploma Noise Control Engineering.

APPENDIX A – PWDP Permitted Noise Standards

GIZ - General Industrial Zone

NOISE-R17	Noise – general
	<p>(a) Noise measured within any other site:</p> <p>(i) In a GIZ – General industrial zone or HIZ – Heavy industrial zone that does not exceed 75dB LAeq at any time.</p> <p>(b) Noise measured within any site in any zone, other than the General Industrial Zone and the Heavy Industrial Zone, that does not exceed the permitted noise levels for that zone.</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 “Acoustics - Measurement of Environmental Sound”.</p> <p>(d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 “Acoustics - Environmental noise”.</p>

GRZ – General Residential Zone

NOISE-R6	NOISE- general
	<p>(1) Activity status: PER Where:</p> <p>(a) Noise measured within any other site in the GRZ – General residential zone must not exceed:</p> <p>(i) 50dB LAeq(15min), 7am to 7pm, every day;</p> <p>(ii) 45dB LAeq(15min) 7pm to 10pm every day;</p> <p>(iii) 40dB LAeq(15min) 10pm to 7am the following day; and</p> <p>(iv) 65dB LAmx(15min), 10pm to 7am the following day.</p> <p>(b) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 ‘Acoustics Measurement of Environmental Sound’; and</p> <p>(c) Noise levels shall be assessed in accordance with the requirements of NZS6802:2008 ‘Acoustics – Environmental Noise’.</p>

MRZ – Medium Density Residential Zone

NOISE-R7	NOISE- general
	<p>(1) Activity status: PER Where:</p> <p>(d) Noise measured within any other site in the MRZ – Medium density residential zone must not exceed:</p> <p>(v) 50dB LAeq(15min), 7am to 7pm, every day;</p> <p>(vi) 45dB LAeq(15min) 7pm to 10pm every day;</p> <p>(vii) 40dB LAeq(15min) 10pm to 7am the following day; and</p> <p>(viii) 65dB LAmx(15min), 10pm to 7am the following day.</p> <p>(e) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 ‘Acoustics Measurement of Environmental Sound’; and</p> <p>(f) Noise levels shall be assessed in accordance with the requirements of NZS6802:2008 ‘Acoustics – Environmental Noise’.</p>

PREC6 – Horotiu Industrial Park Precinct

[Changes are recommended to the highlighted (existing) wording]

NOISE-R19	NOISE-R19 Noise – general in PREC6 – Horotiu industrial park precinct
	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise from an activity in the Horotiu Industrial Park that does not exceed:</p> <ul style="list-style-type: none"> (i) 75dBA LAeq at any time measured within any other site. <p>(b) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within a GRZ – General residential zone:</p> <ul style="list-style-type: none"> (i) 55dBA LAeq 7am to 10pm; or (ii) 45dBA LAeq and 70dBA LAm_{ax}10pm to 7am the following day. <p>(c) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within the notional boundary of any building containing a noise sensitive activity existing at 17 January 2022 within any zone outside of the Horotiu Industrial Park and HIZ – Heavy industrial zone (except the GRZ – General residential zone):</p> <ul style="list-style-type: none"> (i) 55dBA LAeq 7am to 10pm; (ii) 45dBA LAeq and 70dBA LAm_{ax}10pm to 7am the following day. <p>(d) Noise levels that is measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics - Measurement of Environmental Sound”.</p> <p>(e) Noise levels that is assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustics- Environmental noise”.</p> <p>(f) NOISE-R17 does not apply.</p>

Appendix C – Supplementary 32AA evaluation for three water servicing

Section 32AA Addendum: Infrastructure Memo for Horotiu

Further investigation into three waters infrastructure in Horotiu- Variation 3 to the Proposed Waikato District Plan

Enabling Housing Supply

Report prepared by: Katja Huls

Date: 15th of September 2023

I. Purpose and Statutory Context

The purpose of this report is to expand the s32AA assessment carried in June 2023 of the water, wastewater and stormwater provisions for Variation 3 to address the township of Horotiu. This report does not restate the matters already addressed in the June s32AA report, but will address provisions, submissions, infrastructure planning and flood hazard risks specific to Horotiu. Flood hazard modelling has been carried out and the results will support this report.

The following parts of the PDP are relevant to this report:

- Part 2:
 - Chapter 12 – Water, wastewater and stormwater
 - Chapter 15 – Natural hazards and climate change
 - Chapter 25 – Subdivision
 - Chapter 29 – Earthworks
- Part 3:
 - Chapter 3A – Medium density residential zone 2
- Planning Maps:
 - Horotiu

Scale and significance

The section 32AA evaluation must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the changes.

Table 1 Scale and Significance

Issue	Summary of effects
Reason for the change	There are flood hazard risks that are not currently mapped in the PDP which may cause risk to life, compromise health and safety and damage property.
Degree of shift from the status quo (in the parent s32AA)	None. The planning approach proposed for the other towns with the MRZ2 zone (or equivalent) will also work for Horotiu.
Who and how many will be affected, geographic scale of effects	The sites affected are shown in the maps in Appendix I.
Degree of impact on or interest from Maaori	Three waters infrastructure and flooding are closely tied to Te Ture Whaimana. The degree of interest is high.
Timing and duration of effects	The timing of effects is dependant on weather events and is uncertain. If people's homes are affected by flooding, and that flooding makes insuring their properties impossible, there could be life-long financial impacts. There is also the risk of loss of life if flood risk is not managed.
Type of effect	Flood damage will generate adverse cultural, social, economic and environmental effects.
Degree of risk or uncertainty	The degree of risk is high. The high-risk flood plain definition in the RPS and the PDP is extremely high risk, particularly for children and people with mobility impairments. The degree of effect on individual properties will require site specific modelling and evaluation.

2. Executive Summary

This report assessed the three waters infrastructure and modelled flood hazards for the Horotiu West development area. Horotiu has been the subject of recent three waters assessments and there are planned upgrades to cater for expected growth. There are flood risks present in the residential areas of Horotiu, including planned residential areas, but there are significant areas of land that are not affected by flooding that would be suitable for residential development from a flood risk perspective.

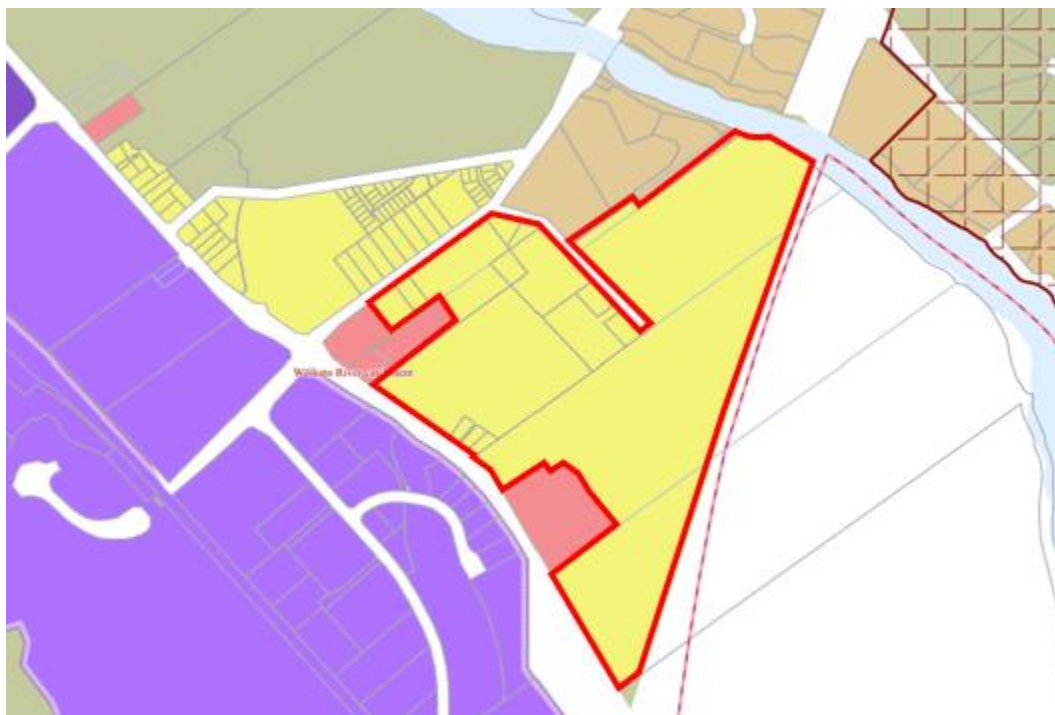
Assuming that actual growth will not significantly depart from the expected growth as a consequence of applying the Medium Density Residential Zone (MRZ2 or equivalent) to Horotiu, there is no need to introduce rules that are specific to Horotiu apart from an additional planning map overlay to manage the effects of flooding, if a planning map overlay is the method chosen to manage flood risks. This is because the three waters issues are the same or similar in nature to those in Ngaaruawahia, Pookeno, Tuakau and Huntly, and the assessments to understand these issues are relatively recent.

3. Project Scope

This s32AA addendum has been prepared to support the review of existing water, wastewater and stormwater infrastructure assessment processes for Horotiu and the effects of intensification on the extent of flooding to determine if additional qualifying matters need to be accommodated to manage flooding and/or stormwater, water and wastewater infrastructure capacity constraints and to determine if a different approach needs to be taken than for Horotiu than the planning approach for other towns affected by Variation 3 being Huntly, Ngaaruawahia, Tuakau and Pokeno.

While this report relates to Horotiu in its entirety, it is acknowledged that the scope for this hearing is limited to the site outlined in Figure 1 below:

Figure 1 The extent of land within scope of the Variation 3 Horotiu hearing.



The planning approach to three waters infrastructure and flooding issues is set out in the s32AA assessment, s42A report and subsequent hearing processes including evidence.

This report is supported by flood modelling carried out by Te Miro Water (September 2023) and a Technical Assessment provided by Watercare Services to support the Ngaaruawahia Structure Plan (Beca Limited, March 2023) which includes Horotiu.

This addendum does not repeat information provided in the s32AA report and identifies where that information is not relevant for Horotiu.

4. Background and Context

Variation 3 to the Waikato District Plan identified four towns as having relevant residential zones for their Intensification and Planning Instrument; Pookeno, Tuakau, Huntly and Ngaruawaahia. Variation 3 is an IPI that, as specified in s80E of the RMA must incorporate the MDRS and give effect to Policy 3 as WDC is identified as a Tier 1 territorial authority in the NPS-UD.

Submissions to Variation 3 have sought that Horotiu have the MDRS applied to specific areas within Horotiu to allow for more housing in Horotiu and to include the large and comprehensively planned greenfield Horotiu West site within the MDRZ. Horotiu West is immediately north of the urban limits of Hamilton.

The Statutory and Policy context for this addendum is the same as that set out in the s32AA report.

5. The Waikato Proposed District Plan – Three Waters Summary for Horotiu

The Waikato Proposed District Plan (Appeals version) has provisions that are specific to Horotiu, PREC6 – Horotiu industrial park precinct; however, the MDRS does not apply to this industrial zone as it only relates to residential zones. The rule framework set out in the main body of the s32AA would apply to Horotiu in the same way if the Medium Density Residential zone (MRZ2 or its replacement) is applied to it.

6. Variation 3 to the Proposed District Plan (Intensification Planning Instrument)

6.1. Submissions

Submitter No. 13, Halm Fan Kong sought to amend Variation 3 to apply the MRZ zone (currently General Rural) to 145 Park Road, Horotiu to provide additional housing in Horotiu. This submission was struck out by the panel on the basis that the General rural zone is not a relevant residential zone.

Submitter No. 49, Horotiu Farms Ltd, sought to apply the MDRZ to the area between Great South Road and State Highway 1 (Horotiu West). Horotiu Farms Limited, seeks that in addition to providing for the four urban areas as notified, the Variation incorporates that land at Horotiu West (shown in figure 4 above) within the MDRZ. Horotiu Farms Limited considers that this presents an excellent opportunity for the Council to supply further land for growth on a Greenfield site which is development ready, and which is part of the wider Te Awa Lakes Master planned community.

The submissions relevant to Horotiu do not raise matters specific to three waters infrastructure although it is understood that substantial preliminary investigations have been undertaken for this site including discussions with Watercare.

7. Locality

Horotiu is a small township on the western side of the Waikato River, approximately 13 km north of Hamilton City. The Hamilton urban area extends to the southern boundary of Horotiu West. The Waikato Expressway and interchange with Great North Road is adjacent to the southeast boundary and the North Island Main Trunk Line railway line runs through Horotiu.

The topography of the catchment comprises a relatively flat terrace falling to the northeast towards the Waikato River and incised by water courses (sourced from the Catchment Management Plan and Ngaruawahia & Surrounds Structure Plan Area, Tonkin & Taylor 2015).

Statistics New Zealand has census data published from 2018 which shows that Horotiu had a population of 624 people at the time of the census.

8. Three Waters Infrastructure Planning for Horotiu

A water and wastewater technical assessment has been prepared to support the Ngaruawahia Structure Plan (Beca Limited, March 2023) which includes Horotiu. The plan provides a 30 year water and wastewater infrastructure planning framework for existing and future development. The plan summarises demand and flow projections to provide high level infrastructure improvements to meet growth to 2050 including indicative timing and cost estimates.

Note that the population growth estimates are not the same for the water and wastewater modelling because the catchment areas are different.

8.1. Water

The Horotiu water supply is a part of the Central District Water Supply Scheme which treats water at the Ngaruawahia Water Treatment Plant. The water supply zone for Horotiu is known as the Horotiu Boosted Zone. This water supply also services the Ngaruawahia Town Centre and uses the following population predictions for the combined Ngaruawahia and Horotiu areas:

- 2025 - 8,348 people
- 2030 – 9,360 people
- 2050 – 12,359 people

Predicted growth projections provided by WDC were refined and upgraded to reflect discussions with developers.

The assessment identified a number of upgrades that are required to service current development and future growth including pipe replacements, a reservoir storage upgrade and operational changes. However, overall the network performed well for existing and future growth scenarios.

8.2. Wastewater

Wastewater from Horotiu is in the central wastewater district and is conveyed to the Ngaaruawahia wastewater treatment plant (WWTP) comprised of oxidation ponds, wetland and a gravel bed.. The Waikato District Three Waters Asset Management Plan 2021 (AMP) states that there are 124 connections in Horotiu. Parts of Horotiu are unreticulated and the AMP proposes that a scheme be developed to service these areas. Recent upgrades have provided additional capacity for flows from the Horotiu area.

A new pump station has been built in Horotiu that will ultimately service the entire Horotiu township, and a second pump station is underway. The next stage of the upgrade is a new gravity sewer and lift pump station.

The wastewater model was based on now outdated population growth estimates. Growth assumptions for the Assessment were derived from the Northern Metro DBC (Beca 2022) and are set out in Table 3-3 of the Assessment. The population predictions for Horotiu were:

- 2021 – 1,309 people
- 2031- 3,135 people
- 3041 – 6,538 people
- 2051 – 6,548 people

The wastewater from Horotiu will eventually be diverted to the Pukete WWTP requiring a new transfer pump station and rising main. A number of other upgrades were identified within the wastewater network including new pump stations and rising mains. Further analysis of the growth numbers is needed to properly take into account future commercial and industrial zones because there has been rapid development of the industrial area in Horotiu, with a further 50ha of industrial land predicted in the Waikato 2070 Growth and Economic Development Strategy (WDC, 2020) and plans to develop and inland port. The AFFCO Freezing Works is located in Horotiu, but it has its own wastewater treatment facility at present.

The discharge consent for the WWTP expires in 2029. The AMP identifies that there are compliance issues associated with wet weather performance and ammonia nitrogen levels in the discharge. The WWTP requires process refinements and inflow and infiltration needs to be addressed and a Closed Circuit Television (CCTV) investigation of the wastewater pipes is in place to address this. Desludging of the ponds, network and pump station upgrades and reticulation extensions are programmed in the Long Term Plan (LTP). Wet weather overflow performance has already been improved by providing storage for pump stations.

There may be an option to divert flows from Horotiu to the Hamilton City network in the future.

8.3. Stormwater

There is a comprehensive stormwater resource consent for the Horotiu urban area (105653) which expires in September 2028. It authorises the diversion and discharge urban stormwater and associated

contaminants at multiple locations to land and a tributary of the Waikato River, and use discharge structures, within the Horotiu urban area.

Appendix B to the Catchment Management Plan Ngaruawahia & Surrounds Structure Plan Area, the Horotiu Catchment Management Plan Horotiu Structure Plan Area (Tonkin & Taylor 2015). The Catchment Management Plan (CMP) explains the hydrodology of the catchment:

- Groundwater mostly recharges the streams.
- There are two main watercourses, the Te Rapa stream and an unnamed tributary of the Te Rapa stream.
- The streams receive flows from Hamilton City, rural, agricultural and industrial land.
- Areas of particular ecological significance were not identified.

The Horotiu Catchment Management Plan (2020) has indicated that work is required to improve the waterways such as riparian planting and the introduction of woody debris for habitat enhancement, but individual projects have not yet been identified. Localised restrictions in the waterways may also need to be addressed to manage flooding at the time of development.

The AMP identifies 128 stormwater connections in Horotiu and three stormwater detention and/or treatment devices.

Flood modelling has been completed by Te Miro Water for the 1% AEP (100 year ARI) + Climate change for the Maximum Probable Development (MPD) scenario and the resulting flood maps are attached as Appendix I. The flood model indicates that there are areas of flooding associated with the tributaries to the Te Rapa, the Te Rapa stream with some localised ponding in areas identified for development. These areas are not mapped in the PDP.

Te Miro notes that sensitivity testing is still required and significant additional asset information for the area has not been received. Consequently, there are significant uncertainties for this model, but these uncertainties are mostly outside of the possible Variation 3 areas.

Te Miro recommends that an asset survey be undertaken and/or ground investigation to enable more confidence in the model. In particular, there are significant outlets to the Waikato River for which only estimated sizing and connectivity are available. Without the detailed outlet data, the flood model may show more flooding in the upper catchment areas than actually exist. In addition, some mid-catchment areas may not be receiving all the upper catchment flows so these could be underestimated.

The Horotiu model will be subject to sensitivity testing along with the other four flood models for Pookeno, Huntly, Ngaruawahia and Pookeno in August and September 2023.

Further, Horotiu receives flows from Te Rapa. Any flood modelling should take into account the maximum probable development in this catchment and development within the resulting flood plain should be avoided. Attenuating flows upstream is technically feasible but carries with it higher risk, less resilience, higher capital cost and much higher operating costs.

As a consequence of these matters, Waikato District Council should ensure that the outstanding matters are addressed before relying on the Horotiu flood model.

9. Findings and Recommendations

Horotiu has been the subject of recent and relatively comprehensive studies for water, wastewater and stormwater infrastructure. The population predictions for the water and wastewater assessments were developed in consultation with developers. Horotiu is a relatively small town and the most significant residential development is part of a master planned development.

An economic assessment specific to Horotiu has not been completed, however the subject sites are within an area that has been master planned. An economic assessment for the wider Horotiu area may be beneficial to better understand additional demand the MRZ is applied across the township in its entirety in the future.

As was the case for Ngaaruawahia, Huntly, Pookeno and Tuakau, the three waters infrastructure has varying levels of capacity and readiness for growth. However, there are clear plans in place to provide upgrades to provide for the expected population growth. Watercare can work with developers to provide appropriate infrastructure to support their development.

The rule framework that has been proposed for Ngaaruawahia, Huntly, Pookeno and Tuakau could also apply to Horotiu without amendment as there are no special circumstances that warrant site specific rules.

The additional work identified by Te Miro Water (an asset survey to obtain information and/or ground investigations) to gain more confidence in the model should be undertaken before using the model to apply planning controls.

10. Conclusion

Should the Medium Density Residential Zone be applied to Horotiu there is no apparent reason to apply different planning controls to those that are applied to Ngaaruawahia, Pookeno, Tuakau and Huntly. Notwithstanding this, if the flood plains are introduced into the PDP using a planning map, then a new planning map will be required to indicate the extent of the flooding in Horotiu and the sites where the controls apply that manage flooding effects. This could be done once there is more confidence in the asset information that informs the flood model.

Appendix I Flood Hazard Maps

Refer to Appendix D of the S42A report.

Appendix D – Draft Flood Maps prepared by Te Miro Water



Project:
Variation 3
Horotiu Flood Model

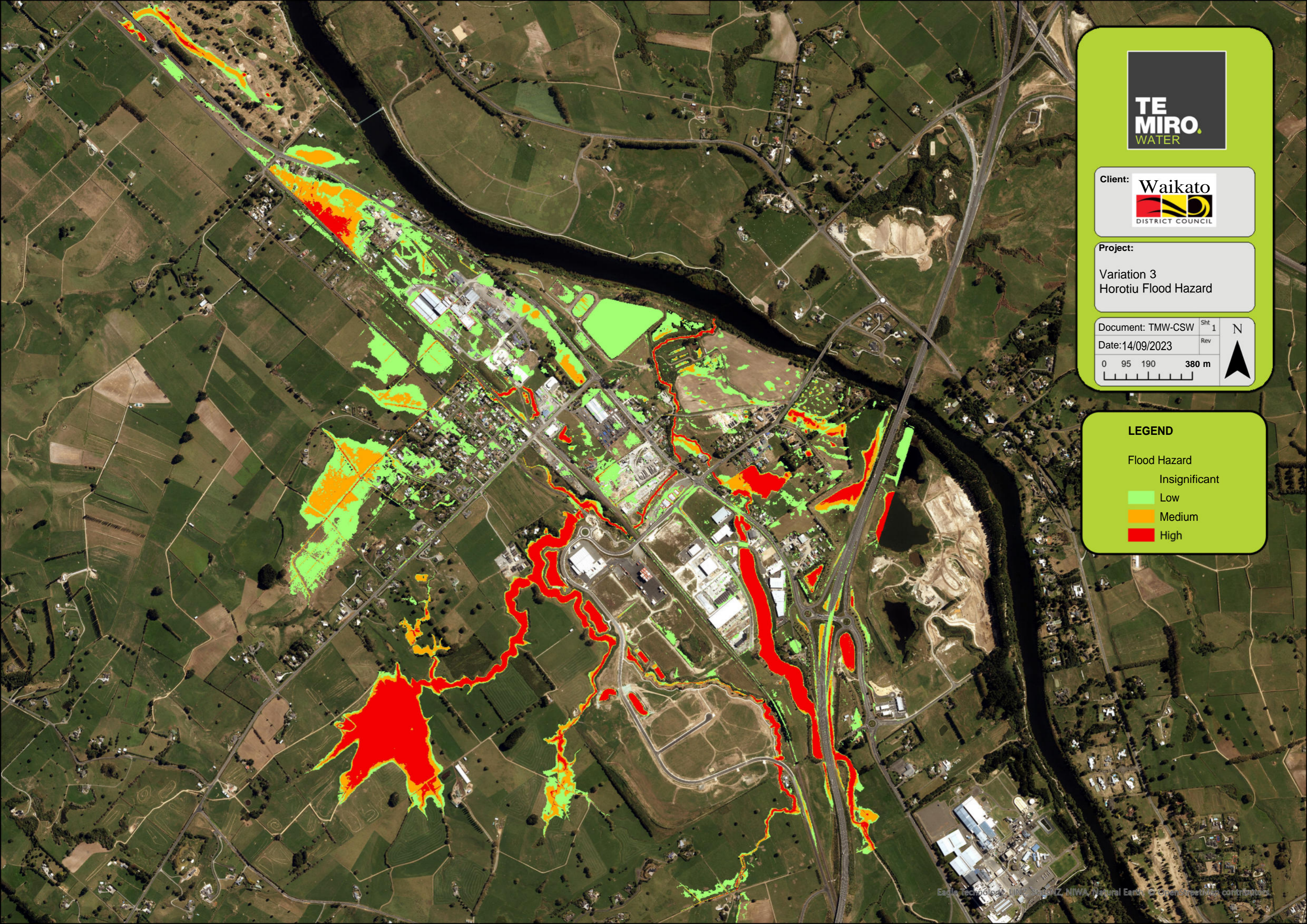
Document: TMW-CSW Sht 1
Date: 14/09/2023 Rev

0 95 190 380 m

LEGEND

MPD Flood Model 1% AEP + CC
Maximum Depth (m)

- <0.10
- 0.10-0.20
- 0.20-0.40
- 0.40-0.60
- 0.60-0.80
- 0.80-1.0
- 1.0-2.0
- >2.0



Project:
Variation 3
Horotiu Flood Hazard

Document: TMW-CSW Sht 1
Date: 14/09/2023 Rev

0 95 190 380 m

A north arrow pointing upwards and a scale bar showing 0, 95, 190, and 380 meters.

LEGEND

- Flood Hazard
- Insignificant
 - Low
 - Medium
 - High