

Agenda for an extraordinary meeting of the Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngāruawāhia on **FRIDAY, 16 SEPTEMBER 2022** commencing at **9.30am**.

Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute Council's decision or policy until considered.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

4. REPORTS

4.1	Notification of Intensification Planning Instrument Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan (decisions version)	4
	Enabling Housing Supply Variation 3 changes to the Proposed Waikato District Plan (decisions version):	
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5. EXCLUSION OF THE PUBLIC

It is intended to discuss this matter in the open section of the meeting, however should in depth legal advice be requested from the Council a resolution may be passed to exclude the public to hold these discussions.

GJ Ion
CHIEF EXECUTIVE

TERMS OF REFERENCE AND DELEGATION

Chairperson:	His Worship the Mayor
Deputy Chairperson:	Deputy Mayor
Membership:	The Mayor and all Councillors
Meeting frequency:	Six weekly – or as required
Quorum:	Half of the members (including vacancies)

Purpose

1. To provide leadership to, and advocacy on behalf of, the people of the Waikato District.
2. To define and represent the total communities' interests, ensuring ongoing community and economic development, the effective stewardship of existing assets, sustainable management of the environment, and the prudent management of the communities' financial resources.

Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan.
4. The power to adopt a Long-Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long-term Plan or developed for the purpose of the local governance statement, including the Council's Infrastructure Strategy.
7. The power to adopt a remuneration and employment policy.
8. The power to approve or amend the Council's Standing Orders.
9. The power to approve or amend the Code of Conduct for elected members, and consider any recommendations made in relation to a complaint lodged under the Code.
10. The power to appoint and discharge:
 - a. members (including chairpersons) of Council committees and subordinate decision-making bodies, subject to the Mayor's powers under section 41A Local Government Act 2002; and
 - b. elected member representatives on external organisations.
11. The power to establish a joint committee with another local authority or other public body, and appoint elected members as representatives on such committees or bodies.

12. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the Ombudsman's recommendation.
13. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
14. The power to amend or replace the delegations in Council's Delegations Register (except where expressly permitted in the Delegations Register).

To exercise the following powers and responsibilities of Council, which the Council chooses to retain:

1. To approve a proposed policy statement or plan under the Resource Management Act 1991.
2. To approve changes to boundaries of the District under the Resource Management Act 1991 or any other legislation.
3. In respect of District Plan decisions:
 - a. To appoint independent commissioners to a panel for hearings of a Proposed District Plan;
 - b. To approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change); and
 - c. To approve a proposed plan or a change to a district plan under Clause 17, Schedule 1 of the Resource Management Act 1991.
4. To adopt governance level strategies, plans and policies which advance Council's vision and strategic goals (e.g. Hamilton to Auckland rail), other than where expressly delegated to a committee.
5. To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.
6. To approve the Triennial Agreement.
7. To approve resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
8. To approve any changes to the nature and delegations of any Council committees or subordinate-decision making bodies.
9. To approve the Local Governance Statement.
10. To approve any additional funding decisions required for the Watercare Services contract.
11. To receive six-monthly reports from each Community Board on its activities and projects.

To	Waikato District Council
Report title	Notification of Intensification Planning Instrument: Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan (decisions version)
Date:	13 September 2022
Report Author:	Keri Davis-Miller, Resource Management Policy Team Leader
Authorised by:	Clive Morgan, General Manager Community Growth

1. Purpose of the report

Te Take moo te puurongo

The purpose of this report is to seek Council resolution to publicly notify the proposed changes to the Proposed Waikato District Plan (PDP) as contained in 'Enabling Housing Supply Variation 3' (attached) as required under the amendments to the Resource Management Act (RMA).

2. EXECUTIVE SUMMARY

WHAKARAAPOTOTANGA MATUA

The purpose of this report is to seek approval to notify the proposed changes to the Proposed Waikato District Plan (decisions version) (PDP) as required by s80F of the Resource Management Act 1991 (RMA).

The Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act (RMA-EHS) was passed into law on 20 December 2021 and now forms part of the RMA. The amendments require Waikato District Council (Council) to notify a variation to the PDP to incorporate the Medium Density Residential Standards (MDRS), as provided in Schedule 3 A of the RMA. The MDRS may be modified to accommodate a qualifying matter.

Public notification of the proposed changes to the PDP, being the 'Enabling Housing Supply Variation 3' (Variation 3), is to take place on or before 19 September 2022. An extended submission period will close on 28 October.

Variation 3 will apply MDRS to the townships of Huntly, Ngāruawāhia, Tuakau and Pōkeno, and will enable housing intensification, except where a qualifying matter applies. Variation 3 does this by creating a new zone called “Medium density residential zone 2” (MRZ2) which only applies to the four towns. The existing Medium density residential zone (MDZ) in the PDP will continue to apply unchanged to Raglan and Te Kauwhata, other than a name change to “Medium density residential zone 1” (MRZ1).

The Plan may be less enabling of development than the MDRS if there are qualifying matters. A qualifying matter is a matter identified in s771 of the RMA that makes the required higher density inappropriate in an area. Significant factors or values, such as high hazard risk, have been identified as qualifying matters. Development of the sites where the qualifying matter applies will be constrained.

The physical extent of the new MRZ2 is limited to approximately the 800m walkable catchment of each of the four towns. This is in response to the qualifying matter: urban fringe. While the 800m walkable catchment mostly aligns with the extent of the MRZ already in the PDP, a small number of properties in the four townships are proposed to be rezoned to MZR2 where they are located within the walkable catchment. The outer fringe of the four towns will remain as General residential zone (GRZ).

Variation 3 will also amend the district-wide chapter relating to subdivision (SUB) to make subdivision within the MRZ2 a controlled activity in accordance with the requirements of the RMA-EHS.

3. Staff recommendations Tuutohu-aa-kaimahi

That Waikato District Council:

- a. **approves to notify the Intensification Planning Instrument (IPI): Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan (decisions version) for notification on 19 September 2022 pursuant to Section 73 of the Resource Management Act 1991 (“RMA) and Clause 5 of Part 1 of Schedule 1 of the RMA; and**
 - b. **approves the Chief Executive to approve any amendments to correct any minor errors, including numbering, grammar, cross referencing, hyperlinking, and mapping, prior to notification on 19 September 2022, subject to:**
 - i. **the changes being minor corrections that do not change the effect and/or meaning of any provisions; and**
 - ii. **a record of all changes and the reason for the change is kept and is to be made available on request.**
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4. Background

Koorero whaimaarama

The National Policy Statement on Urban Development (NPS-UD) was gazetted in July 2020, and further updated in May 2022. The objectives and policies in the NPS-UD focus on urban environments (as defined in the RMA) and enabling more people to live in areas in or near a centre with many employment opportunities.

The urban environments should be well-serviced by existing or planned public transport and have a high demand for housing in the area, relative to other areas. Planning decisions are to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and urban development is to be integrated with infrastructure.

The RMA-EHS was enacted on 20 December 2021 and requires territorial authorities identified as Tier 1 to amend their district plans using an Intensification Planning Instrument (IPI) and the Intensification Streamlined Planning Process (ISPP) to give effect to Policy 3, 4 or 5 of the NPS-UD (depending on which policies are relevant to the territorial authority). The ISPP shortens the usual Schedule 1 process required for amendments to district plans and removes the right of appeal.

Waikato District is identified as a Tier 1 Territorial Authority and must amend the PDP so that any residential zone within an urban area (with a population of over 5000 people in 2018 or is planned to be part of a housing and labour market of 10,000) has the MDRS applied to it. The MDRS may be modified if there is a qualifying matter.

These changes were directed to be notified by 20 August 2022; however Council communicated the need for an extension of time to the Minister for the Environment to delay notification until 19 September 2022. This was acknowledged by the Minister. The letter from the Minister is attached.

Variation 3 is Council's response to the RMA-EHS, and forms its IPI. The changes contained in Variation 3 must achieve the purpose of the RMA and give effect to the relevant higher-order planning instruments. In particular, there is a requirement to apply the MDRS to relevant residential zones unless there are qualifying matters, and to give effect to the NPS-UD.

5. Discussion and analysis

Taataritanga me ngaa tohutohu

The purpose of this section of the report is to inform Council of the requirements of the IPI and understand how Variation 3 responds to those requirements.

Towns affected Variation 3

The RMA-EHS imparts a duty on local authorities to incorporate MDRS and give effect to Policy 3 or 5 of the NPS-UD in relevant residential zones. Of relevance to Waikato District, Policy 3 of the NPS-UD requires that in Tier 1 urban environments, district plans enable:

(d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

In order to give effect to Policy 3 of the NPS-UD, Section 77G of the RMA-EHS requires MDRS to be incorporated into every relevant residential zone of a specified territorial authority. "Relevant residential zone" is defined in the RMA-EHS as:

(a) means 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:

(iv) to avoid doubt, a settlement zone

Using the metric of population as at 2018 Census, three of the towns within Waikato District qualify – being Huntly, Ngāruawāhia and Tuakau. Clause (b)(ii) of the definition of "relevant residential zones" also enables inclusion of those areas which are intended to become part of an urban environment. The NPS-UD provides the following definition of "urban environment":

means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

(a) is, or is intended to be, predominantly urban in character; and

(b) is, or is intended to be, part of a housing and labour market of at least 10,000 people

Pōkeno meets the criteria of being an urban environment as it is "part of a housing and labour market of at least 10,000 people" and therefore is included in Variation 3 as one of the four towns.

Creation of a new zone

The PDP has the benefit of already having the MDZ which is applied to the centre of six towns being;

- Tuakau
- Pōkeno
- Te Kauwhata
- Huntly
- Ngāruawāhia
- Raglan

The complexity is that Variation 3 is only intended to apply to four of those towns which means that a global change to the existing MDZ to insert the MDRS was not appropriate. For this reason, a new zone called “Medium density Residential Zone 2” (MRZ2) has been created. This enables the provisions that apply to Raglan and Te Kauwhata to remain unchanged (called “Medium density residential zone 1”), while the new MRZ2 applies to the other four towns.

The new MRZ2 incorporates all of the MDRS in accordance with the RMA-EHS, however the provisions in the Act are not a complete suite. The rest of the provisions for the new zone largely mirror those of the MRZ1. The MRZ2 enables subdivision for residential development as a controlled activity in accordance with RMA-EHS.

Qualifying Matters

Section 77G (6) of the RMA-EHS enables the modification of the MDRS to accommodate a qualifying matter. Qualifying matters have the effect of limiting development of the sites on which they appear. Qualifying matters include features such as the presence of nationally significant infrastructure, matters in section 6 of the RMA and matters required to give effect to Te Ture Whaimana.

The PDP currently manages a number of the qualifying matters through District-wide chapters such as:

- NFL - Natural Features and Landscapes;
- ECO - Ecosystems and Indigenous Biodiversity;
- SASM - Sites and Areas of Significance to Māori;
- HH - Historic Heritage; and
- NH - Natural Hazards and Climate Change

Variation 3 proposes to rely on these existing provisions to limit development where an overlay is mapped on the planning maps.

The other qualifying matters listed in section 771 of the RMA-EHS are addressed by Variation 3 in the following ways:

Qualifying matter	Response of Variation 3
Te Ture Whaimana o Te Awa o Waikato	Setbacks from waterbodies Impervious surface standard Standards requiring subdivision to be able to connect to public-reticulated water supply and wastewater Matters of control / discretion for subdivision regarding servicing
Safe and efficient operation of nationally significant infrastructure	Setbacks from state highways, railway corridor and the gas transmission line
Matters required to give effect to the National Policy Statement on Electricity Transmission	National Grid Yard which limits sensitive activities National Grid Subdivision Corridor which applies to subdivision

The most significant qualifying matter is the urban fringe. This qualifying matter seeks to consolidate intensification opportunities around the services and amenities provided in the centre of each of the four towns. Centres with greater population density show greater vibrancy and intensity of commercial land use, while local amenities such as open space will see more use and, subsequently, investment over time. Concentrating development into a smaller catchment surrounding centres and public transport nodes is more likely to result in the full benefits of these centres and public transport infrastructure being realised. It also enables a shift to active transport modes by providing more intensive development within walking distance of commercial and community facilities, while discouraging intensive development on the edges of the urban environment.

This qualifying matter enables higher densities and building heights adjacent to the centre of the four towns by applying a new zone MRZ2 to the 800m walkable catchment from the Town Centre Zone. This zone will apply the MDRS.

In the four towns, outside the 800m walkable catchment, the GRZ will be retained. This will have the effect of creating walkable, compact towns and support building heights and densities of urban form commensurate with the level of commercial activity and community services in accordance with Policy 4(d) of the NPS-UD. It will also support well-functioning urban environments in accordance with Objective 1 of the NPS-UD.

The existing MRZ in the PDP is already based on the walking catchment around the towns. There are however a modest number of sites that are proposed to be rezoned from GRZ to MRZ2. These sites are located within the approximate 800m walking catchment area of the four towns.

There are different tests for the qualifying matters as required by sections 77J and 77L of the Act, and these are contained in Volume 2 of the section 32 report.

Variation 3

Key parts of Variation 3 are summarised below in terms of the PDP chapters:

		Proposal
Part 2: District Wide Matters	Strategic Direction	<ul style="list-style-type: none"> Amend the strategic direction objectives and policies to incorporate a mandatory objective and policy relating to residential development.
	Subdivision	<ul style="list-style-type: none"> Amend the policies to provide for residential subdivision in accordance with the MDRS. Incorporate the MDRS and related changes.
Part 3: Area Specific Matters	New Medium Density Residential Zone 2	<ul style="list-style-type: none"> Rename the Medium Density Residential Zone in Huntly, Tuakau, Ngāruawāhia and Pōkeno to MRZ2. Amend the objectives and policies to incorporate a mandatory objective and policies relating to residential development. Amend the policies to provide for residential development in accordance with the MDRS, except where qualifying matters apply. Incorporate the MDRS, provisions for assessing proposals that do not comply with MDRS and other related changes. Incorporate rules that modify the MDRS where necessary to accommodate qualifying matters.
	General Residential Zone	<ul style="list-style-type: none"> Retain the existing GRZ provisions in Huntly, Tuakau, Ngāruawāhia and Pōkeno to accommodate a qualifying matter: Urban Fringe.
	Medium Density Residential Zone	<ul style="list-style-type: none"> Rename to Medium density residential zone 1 (MDR1)
	Consequential changes	<ul style="list-style-type: none"> Consequential changes to other chapters to amend references to Medium density residential zones 1 and 2.
Maps	Maps	<ul style="list-style-type: none"> Amend the planning maps to replace the MRZ in Huntly, Tuakau, Ngāruawāhia and Pōkeno with the MRZ2. Amend the planning maps to replace the MRZ in Te Kauwhata and Raglan to the MRZ1. Amend the extent of the MRZ2 and the GRZ.

Conversely, there are number of matters proposed to be unchanged by Variation 3:

- The provisions of the GRZ;
- The provisions and zoning pattern for Te Kauwhata and Raglan;
- The provisions relating to the District-wide chapters of the PDP (other than updating references to zone names and the SUB Subdivision chapter);
- No down-zoning of any sites; and
- Does not expand the urban area.

Immediate legal effect

The rules of Variation 3 will have immediate legal effect if they permit a residential unit in the MRZ2 in accordance with the MDRS. Put differently, a residential unit that complies in all respects with the MDRS may be a permitted activity following notification of Variation 3 on 19 September 2022.

This will not apply if the site:

- Is subject to a qualifying matter; or
- Is located within a new residential zone.

As a qualifying matter (Urban Fringe) is proposed to apply to the GRZ, there will be no rules having immediate legal effect in that zone.

In respect of the MRZ2, a table of the qualifying matters has been included in the explanatory note for the new chapter and is set out below.

Qualifying matters	
A matter of national importance under s6 of the Resource Management Act 1991 (Section 771(a))	<ul style="list-style-type: none"> • Natural character of lakes and rivers and their margins (MRZ2-S13) • Outstanding natural features and landscapes (NFL-R2, NFL-R3) • Significant indigenous vegetation (ECO-R3, ECO-R8, ECO-R11) • Relationship of Maori with ancestral land, sites etc (SASM-R4, SASM-R5) • Historic heritage (HH-R2, HH-R4, HH-R5, HH-R7, HH-R8, HH-R9) • Natural hazards (NH-R10, NH-R19, NH-R20, NH-R24, NH-R25, NH-R72, NH-R73, NH-R74)

A matter required to give effect to a national policy statement (s77I(b))	<ul style="list-style-type: none"> National Grid Yard and Corridor (EW-R2, MRZ2-R9, MRZ2-R10, MRZ2-R11, SUB-R164)
A matter required to give effect to Te Ture Whaimana (s77I(c))	<ul style="list-style-type: none"> Building setback – water bodies (MRZ2-S13)
A matter required to ensure the safe or efficient operation of nationally significant infrastructure (s77I(e))	<ul style="list-style-type: none"> Building setback – sensitive land use (MRZ2-S14)
Other matters (s77I(j))	<ul style="list-style-type: none"> Reverse sensitivity (MRZ2-S14) Notable trees (TREE-R1, TREE-R3, TREE-R4)

New residential zones will include those parts of the MRZ2 which were not within a residential zone in the Operative Waikato District Plan.

5.1 Options

Ngaa koowhiringa

Option 1: Limit the development on the urban fringe (four towns)

This option is the preferred option. This option concentrates residential development in the 800m walkable catchment around the Town centre zone in the four towns, comprising Tuakau, Pōkeno, Huntly, and Ngāruawāhia. This option achieves a compact walkable urban form by applying a qualifying matter which retains the GRZ on sites further than 800m from the town centre.

The areas within 800m walking distance of the town centre would be MRZ2. Concentrating intensification around the town centre is more likely to support the creation of walkable compact towns and a well-functioning urban environment. The provisions and zoning of Te Kauwhata and Raglan are unchanged by Variation 3.

Option 2: Limit the development on the urban fringe (6 towns)

This option concentrates residential development in the 800m walkable catchment around the Town centre zone in the six towns, comprising Tuakau, Pōkeno, Huntly, Ngāruawāhia, Te Kauwhata and Raglan. It achieves a compact walkable urban form by applying a qualifying matter which retains GRZ further than 800m from the town centre.

The areas within 800m walking distance of the town centre would be MRZ2. This option was rejected as Te Kauwhata and Raglan do not meet the criteria for having more than 5,000 people as at the 2018 Census.

Option 3: Apply the MDRS to all urban areas

This option would involve applying the MDRS and controlled activity subdivision rules set out in RMA Schedule 3A to both the GRZ and the MRZ. This would have the effect of enabling three dwellings as a permitted activity on every residential zoned site in the District. It would enable a significant level of development in all of the District's urban areas.

It would result in a more uniform level of development across both zones, somewhat negating the need for two zones. While this option gives full effect to the RMA-EHS, this option was rejected as it will not result in a well-functioning urban environment in accordance with Objective 1 of the NPS-UD. This approach does not support the creation of compact and walkable towns.

Option 4: Modify the MDRS outside the 800m walkable catchment

This option is somewhat of an intermediary whereby the GRZ is modified to enable more development than the current rules provide, but to a lesser level than the MDRS would allow. This option was rejected as it made the zone framework unnecessarily complex, particularly for consenting.

Option 5: Do not notify a plan change

A number of councils have signalled their concern with the requirements of the RMA-EHS and the fact it will substantially change the character and amenity of their urban areas. All councils have now notified an IPI apart from Waikato District Council and Christchurch City Council. A failure to notify a plan change, or variation, could result in the Minister for the Environment engaging intervention powers if councils are not adequately performing their role.

The "Regulatory Impact Statement: Bringing Forward the Upzoning of land for Housing" dated 20 May 2021 prepared by the Ministry for Housing and Ministry for Environment states that there are general options under the RMA available to the Minister for the Environment to:

- a. investigate the performance of local authorities in giving effect to the MDRS;
- b. provide recommendations to local authorities on improving their performance;
- c. direct plan changes; and
- d. as a last resort, apply residual powers to appoint someone to carry out the local authority's functions and duties.

If Council does not notify a variation to implement the MDRS, there appears to be a cascading response from investigate to appointing someone to prepare the variation for Council. If the later occurs, the variation may be notified without any qualifying matters as qualifying matters are discretionary. This option is not recommended.

5.2 Financial considerations

Whaiwhakaaro puutea

There will be costs associated with the Schedule 1 processes of the RMA.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Legal is satisfied that the s32 Report addresses all the legal tests as required. Legal is also satisfied that all qualifying matters (including the 'Urban Fringe Qualifying Matter') meet the legal tests as set out in sections 77I, 77J and 77L of the RMA.

However, it remains unclear as to whether the Urban Fringe Qualifying Matter which seeks to retain the GRZ unmodified from that which is contained in the PDP is in accordance with the purpose or intent of the RMA-EHS.

The wording of the legislation does not appear to provide for a Qualifying Matter to apply across an entire zone which is the approach in the Waikato district. On the contrary, section 77I of the RMA clearly states that the MDRS is to be modified only to the extent necessary to accommodate the qualifying matters that are present.

The approach of Council has been to limit the application of the MDRS to the MRZ only. This may not achieve the direction requiring the modification to be only to the extent necessary and therefore adopts the risk of Council being subject to judicial review proceedings in the High Court. However, this risk is considered to be low as Variation 3 is being publicly notified with the ability for submissions to be made and an opportunity to be heard at a hearing by an independent hearings panel.

Council was advised of the risks of the proposed approach during the briefing of 31 August 2022 but determined to continue the limited application on the basis that the limitation of application would meet the approach of the PDP which was the subject of significant analysis and consultation.

5.4 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

5.5 Māori and cultural considerations

Whaiwhakaaro Māori me oona tikanga

Engagement with iwi Māori commenced in June 2022.

JMA partners, Te Whakakitenga o Waikato on behalf of Waikato-Tainui and Maniapoto Māori Trust Board on behalf of Maniapoto, various iwi, hapū, marae representatives, and trusts with interests within the Waikato District boundaries, a total of 54 parties, were sent correspondence seeking interest in engagement on 21 June 2022.

Further correspondence seeking confirmation of any interest in engagement was sent to these parties on 19-21 July 2022, along with several telephone communications confirming receipt of the information. Council staff also attended hui with parties who requested them, commencing 26 July 2022. Engagement on-line and in person is ongoing and provided where there is interest.

Tuurangawaewae Marae

A presentation to the Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee was made on 10 August 2022 and consequential hui held with representatives of Te Whakakitenga o Waikato.

This engagement has led to a request for further information on how Council intends to address related issues such as infrastructure capacity, loss of amenity, urban design, and exacerbation of natural hazards. The identification of Qualifying Matters was also raised in relation to addressing Te Ture Whaimana o te Awa o Waikato and protecting the amenity and character of areas such as sites of significance and marae. There was also support for extending the notification period to provide quality engagement and feedback.

Communication received on August 17, specifically supported limiting building heights around Tuurangawaewae marae and along Waikato and Waipaa riverbanks. Additionally, support to provide input into which areas, (recorded and not recorded) that have historical and cultural importance to Tuurangawaewae.

The project team has advised Tuurangawaewae Marae Trust Board, that limiting building height on the sites around the marae that are already zoned Medium density residential under the PDP has not been addressed in this proposed Variation 3. The existing zoning is currently under review through the appeals process, and we did not undertake a planning assessment to support down-zoning of the MRZ sites to GRZ as part of the Variation 3 process. Council staff recommended that a submission be made to support downzoning of the sites of concern so that the project team could investigate the potential options of rezoning through a future plan change. The preparation of a submission can be assisted by the Friend of Submitter Service provided by the Ministry for the Environment.

Ongoing engagement is planned, in anticipation of addressing the issues raised. Council staff intend to support iwi Māori through the submissions process.

5.6 Climate response and resilience considerations

Whaiwhakaaro-aa-taiao

The MDRS have been applied within towns where the standards will support concentrated development in close proximity to public transport, and commercial and community facilities.

This enables transport options, and supports active transport options such as walking and cycling. Such a mode shift will contribute to reducing greenhouse gas emissions.

Natural hazards are a qualifying matter and the mapping of them through the PDP process, as well as the provisions, takes into account the effects of climate change. Of particular relevance is the effect of increased significant rainfall events.

5.7 Risks Tuuraru

The decisions recommended in this report are of low risk on the basis that there is a statutory requirement for notification of Variation 3 to occur on 19 September 2022.

There is a risk that the proposed Variation will draw negative scrutiny from those that would like the MDRS applied in other locations within the district. There is also a reputational risk that Council will face criticism for allowing any intensification beyond what is permitted in the PDP decisions. This will be worked through during the submissions process.

As with all Plan Changes, and Variations, there is an inherent financial risk due to ongoing legal costs if a party decides to challenge the proposed Variation. The cost may be required also by additional engagement, communication, and publicity costs.

6. Significance and engagement assessment Aromatawai paahekoheko

6.1 Significance Te Hiranga

The decisions and matters in this report are assessed to be of moderate significance, in accordance with the Council's [Significance and Engagement Policy](#).

The following criteria are particularly relevant in determining the level of significance for this matter:

- The proposal or decision will affect a large portion of the community.
 - The likely impact on present and future interests of the community, recognising Māori Tikanga (culture values) and their relationship to land and water.
 - The effect on the character and amenity of the urban areas
 - The community interest is likely to be high.
 - There is more than one viable option.
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6.2 Engagement

Te Whakatuutakitaki

Information in relation to the requirements of the RMA and the proposed amendments to the PDP was provided to Councillors at a workshop on 20 June 2022. This was followed by an extraordinary meeting of the Policy and Regulatory Committee on July 12 2022, where it was resolved to conduct early consultation with the following statutory parties, as required by the RMA:

- Iwi, hapū, and marae representatives,
- Waipa District Council,
- Hamilton City Council
- Waikato Regional Council
- Minister for the Environment; and
- Minister of Housing.

Highest levels of engagement	Inform ✓	Consult <input type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>					

The following engagement has been undertaken with external stakeholders:

Planned	In Progress	Complete	
	✓		<p>Onewhero-Tuakau, Ngāruawāhia, Raglan, Taupiri, Huntly Community Boards, Pōkeno and Te Kauwhata Community Committees.</p> <p>Main discussion points related to key dates, provision of infrastructure and supporting facilities, where and how provisions would apply.</p> <p>Presentations commenced 19 July 2022, and due to complete 2 August 2022.</p>

		✓	<p>Local government: Hamilton City Council, Waipa District Council, Waikato Regional Council</p> <p>Formal notice for consultation on draft provisions and qualifying matters was emailed. Receipt of notice was received.</p> <p>Commenced 19 July 2022 and completed on 27 July 2022.</p>
		✓	<p>Minster for the Environment and Minister of Housing were emailed formal notice for consultation and summary of changes.</p> <p>Receipt of notice was received.</p>
	✓		<p>Engagement has been undertaken with Waikato-Tainui and Maniapoto as JMA partners, iwi, hapū, marae representatives, and trusts with interests within the Waikato District boundaries.</p> <p>Email, postal and telephone communication has been made to provide information on the proposed changes.</p> <p>Engagement commenced 21 June 2022. Hui were undertaken from 26 July, and are ongoing as required. JMA presentation was made on 10 August 2022.</p> <p>Council staff will continue support iwi Māori through the submissions process.</p>
	✓		<p>Public engagement commenced with a public notice sent out in the rates notice on August 19th.</p>
✓			<p>Business engagement commences with a public notice, sent out in the rates notice on August 19.</p>
✓			<p>Other Please Specify: the changes to the PDP will be notified, and any organisation or person can make a submission and be heard at a hearing. There is no right of appeal.</p> <p>Notification of proposed changes to the PDP on 19 September 2022.</p>

7. Next steps Ahu whakamua

The proposed changes to the PDP will raise some issues that will attract submissions that oppose and support the approach. It is the view of Council staff that those issues can be addressed by submitters in their evidence at the hearings, with the final decision being made by the Independent Hearing Panel.

It is recommended that the Council resolve to notify the Intensification Planning Instrument (IPI): Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan (decisions version) on 19 September 2022.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably-practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	Moderate
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>).	Confirmed
The report considers impact on Māori (<i>Section 5.5</i>)	Confirmed
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>).	Confirmed

9. Attachments

Nga taapirihanga

Enabling Housing Supply Variation 3 changes to the Proposed Waikato District Plan (decisions version):

Attachment 1 – Letter from Minister

Attachment 2 - Intensification Planning Instrument (3 parts)

Attachment 3 - s32 Report for Variation 3

Hon David Parker BCom, LLB

Attorney-General

Minister for the Environment

Minister for Oceans and Fisheries

Minister of Revenue

Associate Minister of Finance



COR3341

29 AUG 2022

Gavin Ion
Chief Executive
Waikato District Council
info@waidc.govt.nz

Dear Gavin Ion

Thank you for your letter of 18 August 2022 outlining that while the Waikato District Council (Council) will not be able to notify its Intensification Planning Instrument by 20 August 2022, as is required by the Resource Management Act 1991 (RMA) it intends to notify by 19 September 2022.

Officials at the Ministry for the Environment (MfE) have spoken with Council staff and advise me that the delay in notifying the Intensification Planning Instrument will not impact on Council's ability to notify decisions on the independent hearings panel's recommendations by 31 March 2024 (as directed by New Zealand Gazette notice 2022-sl2034).

I appreciate Council's work to date in implementing the National Policy Statement on Urban Development and the work to progress the Intensification Planning Instrument. MfE and Ministry of Housing and Urban Development officials have noted the constructive working relationship with Council staff.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Parker'.

Hon David Parker
Minister for the Environment

Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan

Amendments to Proposed Waikato District Plan – Decisions Version

Notified 19 September 2022

Enabling Housing Supply

Variation 3 to the Proposed Waikato District Plan

The provisions in the Intensification Planning Instrument (IPI) that are the basis for this Variation apply to the relevant residential zones in Huntly, Ngāruawāhia, Pōkeno and Tuakau.

Detailed below are the alterations to the proposed Waikato District Plan to incorporate changes to meet the requirements of section 77G of the Resource Management Act 1991 that requires Waikato District Council, as a Tier 1 territorial authority, to incorporate the Medium Density Residential Standards (MDRS), set out in schedule 3A, into all relevant residential zones. A territorial authority may amend the requirements to be less enabling if a Qualifying Matter applies.

To assist the understanding of the new provisions, the following is an annotated copy of the proposed Waikato District Plan chapters. Text that is underlined is new or amended as part of this Variation. Text that has a ~~strikethrough~~ is deleted or replaced as part of this Variation. Submissions can only be made on the changes to the district plan that from part of Variation 3 (these are marked in green and underlined, or red as a ~~strikethrough~~).



The rules that have a gavel shown (as shown in the margin of this paragraph) will have immediate legal effect from the date of notification of this variation.

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

Table 1 below lists the provisions that are proposed to be added or amended by the variation.

Table 1: List of provisions subject to Variation 3

Part/Chapter	Proposed amendment
Part 1: Introduction and General Provisions	
Chapter 5: Definitions	Include definitions for: <ul style="list-style-type: none"> - Landscaped area - MDRS - Qualifying matters - Servicing area
Chapter 6: Abbreviations	Include abbreviation for: <ul style="list-style-type: none"> - MDRS
Part 2: District-wide matters	
Chapter 1: Strategic directions	Add the following: <ul style="list-style-type: none"> - Objective SD-O14 - Policy SD-P2
Chapter 2: Transportation	Amend the following to include reference to the MRZ2: <ul style="list-style-type: none"> - TRPT-R2 - TRPT-R3 - TRPT-R4 - Table 12

Part/Chapter	Proposed amendment
	Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 6: Electricity Generation	Amend the following to include reference to the MRZ2: - EGEN-R1 - EGEN-R2 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 10 – Telecommunications and radiocommunications	Amend the following to include reference to the MRZ2: - TEL-R4 - TEL-R5 - TEL-R9 - TEL-R15 - TEL-R17 - TEL-R18 - TEL-R19 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 12: Water, wastewater and stormwater	Amend the following to include reference to the MRZ2: - WWS-R14 - WWS-R22 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 14: Hazardous substances	Amend the following to include reference to the MRZ2: - HAZS-R3 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 15: Natural hazards and climate change	Amend the following to include reference to the MRZ2: - NH-R9 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 25: Subdivision	Add the following: - Policy SUB-P3 (3) - Policy SUB-P23 - Rule preamble in relation to section 106 of the RMA - Table with MRZ2 Rules: SUB-R152 to SUB-R163. Amend the following: - SUB-P3 (1) Amend references from MRZ – Medium density residential zone to MRZI – Medium density residential zone I throughout chapter.
Chapter 29: Earthworks	Amend the following to include reference to the MRZ2: - Objective EW-02

Part/Chapter	Proposed amendment
	<ul style="list-style-type: none"> - Policy EW-PI - Table with MRZ2 Rules: EW-R13 to EW-R16 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 30: Light	Amend the following to include reference to the MRZ2: <ul style="list-style-type: none"> - LIGHT-R1 - LIGHT-R2 - LIGHT-R3 - LIGHT-R5 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 31: Noise	Amend the following to include reference to the MRZ2: <ul style="list-style-type: none"> - Policy NOISE-PI (a) - NOISE-R3 - Table with MRZ2 Rule: NOISE-R7 - NOISE-R9 - NOISE-R10 - NOISE-R14 - NOISE-R15 - NOISE-R16 - NOISE-R22 - NOISE-R28 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 32: Signs	Amend the following to include reference to the MRZ2: <ul style="list-style-type: none"> - Table with MRZ2 Rules: SIGN-R8 to SIGN-R10 - SIGN-R20 - SIGN-R23 - SIGN-R26 - SIGN-R32 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 33: Temporary Activities	Amend the following to include reference to the MRZ2: <ul style="list-style-type: none"> - Policy TEMP-PI - TEMP-R1 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Part 3: Area-specific matters	
New Chapter within Residential Zones	Add the following: <ul style="list-style-type: none"> - New Chapter MRZ2 – Medium density residential zone 2
Chapter 2: General Residential Zone	Amend the following to include reference to the MRZ2: <ul style="list-style-type: none"> - GRZ-PI2 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.

Part/Chapter	Proposed amendment
Chapter 4: General Rural Zone	Amend the following to include reference to the MRZ2: - GRUZ-R34 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 8: Local Centre Zone	Amend the following to include reference to the MRZ2: - LCZ-P10 - LCZ-S1 - LCZ-S5 - LCZ-S6 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 9: Commercial Zone	Amend the following to include reference to the MRZ2: - COMZ-P11 - COMZ-S1 - COMZ-S5 - COMZ-S6 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 10: Town Centre Zone	Amend the following to include reference to the MRZ2: - TCZ-P18 - TCZ-S1 - TCZ-S4 - TCZ-S8 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.
Chapter 11: General Industrial Zone	Amend the following to include reference to the MRZ2: - GIZ-S1 Amend references from MRZ – Medium density residential zone to MRZI - Medium density residential zone I throughout chapter.

Interpretation

Definitions

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

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

Term	Definition
<u>Landscaped area</u>	<u>Means any part of the site that is grassed and/or planted in trees, shrubs, or ground cover and may include ancillary water, rocks, paved areas or amenity features.</u>
<u>MDRS</u>	<p><u>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</u></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p><u>Means the requirements, conditions, and permissions set out in Schedule 3A.</u></p> </div>
<u>Qualifying matters</u>	<p><u>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</u></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p><u>Means a matter referred to in section 77I or 77O of the Resource Management Act 1991</u></p> </div>
<u>Servicing area</u>	<u>Means the use of land for services, storage or waste management to serve a dwelling or residential activity.</u>

Interpretation

Abbreviations

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

SD – Strategic directions

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

Standard text is used for existing provisions contained in the Proposed WDP Decision Version.

Green underline text is used for new provisions.

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

Introduction

This chapter:

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

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

Objectives

SD-O1 Socio-economic advancement.

The District has a thriving economy.

SD-O2 Tangata whenua.

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

SD-O3 Growth targets.

The following growth targets are planned for:

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

SD-O4 Housing variety.

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

SD-O5 Integration of infrastructure and land use.

New development is integrated with the provision of infrastructure.

SD-O6 Hamilton's urban expansion area.

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

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

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

SD-O14 Well-functioning urban environment.

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

Policy

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

SD-P2 Medium Density Residential Standards

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

SUB – Subdivision

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

Standard text is used for existing provisions contained in the Proposed WDP Decision Version.

Green underline text is used for new provisions.

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

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

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

Objective

SUB-O1 Subdivision.

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

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

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

Policies

SUB-PI Subdivision location and design.

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

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

SUB-P2 Residential subdivision.

(I) Promote residential subdivision and development that:

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

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

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

SUB-P3 Lot sizes.

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

SUB-P4 Servicing requirements.

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

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

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

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

- (c) Enabling pedestrian and/or cycle linkages.

SUB-PI0 Reverse sensitivity

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

SUB-PI1 Boundary adjustments and relocations.

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

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

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

SUB-PI3 Structure and master planning.

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

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

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

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

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

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

- (1) Protect the productive capacity of land and soils.
- (2) Maintain an open and spacious rural character.
- (3) Minimise adverse effects on the safe and efficient operation of infrastructure; by:
- (a) Avoiding subdivision that creates lots smaller than 0.8ha;

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

- (b) Avoiding the creation of new lots that are wholly located on high class soils. For sites that are partially located on high class soils, new lots are to be located primarily on that part of the site that does not include high class soils;
 - (c) Limiting potential reverse sensitivity effects on productive rural activities, intensive farming, rural industry, infrastructure, or extractive activities by ensuring new lots provide adequate setbacks from potential sensitive activities;
 - (d) Ensuring that the subdivision does not compromise public access to rivers and water bodies or the quality of these environments; and
- (4) Make only limited provision for small rural lifestyle lots, where in addition to the matters set out in (1), (2), and (3), the subdivision:
- (a) Provides public parks and reserves, located in accordance with a Council Parks Strategy; or
 - (b) Provides a balance lot greater than 40ha; or
 - (c) Involves a boundary relocation to create the same number of lots formed as a large balance lot greater than 40ha and a number of small rural lifestyle lots that are clustered to form a hamlet; and
 - (d) Where (4)(b) and (c) applies, avoids ribbon development and the cumulative effects of multiple small rural residential lots locating on the same road frontage.

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

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

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

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

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

- (1) Manage activities to ensure that the ability to develop the area for urban purposes is not compromised; and
- (2) Manage subdivision to ensure that future urban development is not compromised. This can include:

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

- (a) Avoiding the creation of additional lots that are smaller than 40ha, except where directly associated with utilities, network infrastructure, or a development consolidation lot;
- (b) Enabling subdivision boundary adjustments and relocations; and
- (c) Encouraging the consolidation of landholdings into single ownership to facilitate long-term comprehensive urban development by enabling the subdivision of an existing Record of Title to create one new title around an existing dwelling where the balance of the existing lot is subject to a consent notice on the Record of Title preventing further dwellings until such time as the FUZ – Future urban zone is rezoned to a long-term urban zoning.

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

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

SUB-P21 Subdivision in the HOPZ – Hopuhopu zone.

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

- SUB-P22 Subdivision development and design in the MTZ – Matangi zone.
- (1) Avoid subdivision that does not connect to public reticulated services;
 - (2) Ensure subdivision and development provides integrated three waters infrastructure and services to each allotment;
 - (3) Ensure subdivision and development maintains the setting of heritage items; and
 - (4) Adverse effects of subdivision, use and development activities on the transport network are minimised with particular regard to:
 - (a) Reverse sensitivity effects of land uses sensitive to adverse transport effects (e.g. noise);
 - (b) Protecting strategic and arterial transport networks, rail crossings and associated intersections; and
 - (c) Maintaining the safety of pedestrians and cyclists.
- SUB-P23 Subdivision in the MRZ2 – Medium density residential zone 2
- (1) Provide for subdivision that supports the development of medium density residential development as a controlled activity within the MRZ2 – Medium density zone 2 except where:
 - (a) There is a relevant qualifying matter; or
 - (b) The proposed subdivision does not comply with the relevant subdivision standards.
 - (2) Require subdivision within the MRZ2 – Medium density residential zone 2 to not compromise any qualifying matters applied to the site.

Rules

All applications for subdivision consent, including controlled activities, are subject to section 106 of the RMA.

Subdivision (zone specified in first column)

MRZ₁ – Medium density residential zone ₁

SUB-R30	Subdivision – general	
MRZ ₁ – Medium density residential zone ₁	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent. <p>Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout; (c) Compliance with the approved land use consent; and (d) Provision of infrastructure. 	<p>(2) Activity status where compliance not achieved: n/a</p>

SUB-R31	Subdivision – general	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Subdivision must comply with all of the following standards: <ul style="list-style-type: none"> (i) Proposed vacant lots must have a minimum net site area (excluding access legs) of 200m², except where the proposed lot is an access allotment, utility allotment or reserve to vest; and (ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; (b) Shape of lots and variation in lot sizes; (c) Ability of lots to accommodate a practical building platform including geotechnical stability for building; (d) Likely location of future buildings and their potential effects on the environment; (e) Avoidance or mitigation of natural hazards; (f) Opportunities for streetscape landscaping; (g) Vehicle and pedestrian networks; (h) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and (i) Provision of infrastructure. 	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R32	Subdivision – general	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Every proposed vacant lot, other than one designed specifically for access or a utility allotment, must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within the following dimension: <ul style="list-style-type: none"> (i) A rectangle of at least 100m² with a minimum dimension of 6m, exclusive of yards. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout; (c) Shape of allotments; 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (d) Ability of allotments to accommodate a practical building platform; (e) Likely location of future buildings and their potential effects on the environment; (f) Avoidance or mitigation of natural hazards; (g) Geotechnical suitability for building; and (h) Ponding areas and primary overland flow paths. 	
SUB-R33	Subdivision – boundary adjustments	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Boundary adjustments must comply with all of the following standards: (b) The standards specified in: <ul style="list-style-type: none"> (i) Rules SUB-R31 to SUB-R32 Subdivision - General; (c) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (d) Subdivision layout; and (e) Shape of titles and variation in lot sizes. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; and (b) Shape of titles and variation in lot sizes.
SUB-R34	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Conversion of a cross lease flats plan to a fee simple title. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (b) Effects on existing buildings; (c) Site layout and design; and (d) Compliance with permitted building rules. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R35	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Amendment or update of a cross lease flats plan. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (b) Effects on existing buildings; (c) Site layout and design of cross lease or flats plan; and 	<p>(2) Activity status where compliance not achieved: n/a</p>

	(d) Compliance with permitted building rules.	
SUB-R36	Title Boundaries – contaminated land	
MRZ <u>1</u> – Medium density residential zone <u>1</u>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use) must comply with all of the following standards:</p> <p>(i) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the subdivision), compliance is required with the following building rules relating to:</p> <ol style="list-style-type: none"> (1) Height in relation to boundary (MRZ-S4); (2) Building coverage (MRZ-S6 – MRZ-S7); and (3) Building setbacks (MRZ-S11 – MRZ-S12). <p>(b) Where any proposed subdivision contains one or more of the features listed in 1 – 2, the subdivision must not divide the following:</p> <ol style="list-style-type: none"> (1) A natural hazard area; (2) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1 – 3 below, must provide the following setbacks:</p> <ol style="list-style-type: none"> (1) 300m from any intensive farming activity; (2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and (3) 200m from the boundary of an Aggregate Extraction Area for sand excavation. <p>Council’s discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> (c) Landscape values; (d) Amenity values and character; (e) Reverse sensitivity effects; (f) Effects on existing buildings; (g) Effects on natural hazard areas; 	<p>(2) Activity status where compliance not achieved: DIS</p>

	(h) Effects on contaminated land; (i) Effects on an intensive farming activity.	
SUB-R37	Subdivision – road frontage	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg, must have a width along the road boundary of at least 10m.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) Safety and efficiency of vehicle access and road network.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R38	Subdivision creating reserves	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) The extent to which the proposed reserve aligns with the principles of Council’s Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy;</p> <p>(c) Consistency with any relevant structure plan or master plan;</p> <p>(d) Reserve size and location;</p> <p>(e) Proximity to other reserves;</p> <p>(f) The existing reserve supply in the surrounding area;</p> <p>(g) Whether the reserve is of suitable topography for future use and development;</p> <p>(h) Measures required to bring the reserve up to Council standard prior to vesting; and</p> <p>(i) The type and standard of boundary fencing.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-R39	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ1 – Medium density residential zone 1	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>required to be created shall vest in Council where the following situations apply:</p> <ul style="list-style-type: none"> (i) The proposed lot is less than 4ha and within 20m of: (ii) mean high water springs; (iii) the bank of any river whose bed has an average width of 3m or more; or (iv) a lake whose bed has an area of 8ha or more; or (v) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas. <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) The type of esplanade provided - reserve or strip; (c) Width of the esplanade reserve or strip; (d) Provision of legal access to the esplanade reserve or strip; (e) Matters provided for in an instrument creating an esplanade strip or access strip; and (f) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris. 	
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MRZ2 – Medium density residential zone 2

SUB-RI52	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent. <p>Council’s control is reserved over the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout; (c) Compliance with the approved land use consent; and (d) Provision of infrastructure. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-RI53	Subdivision – general	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) <u>Except where Sub-RI 54 (Subdivision – residential) applies, s</u>Subdivision must comply with all of the following standards: 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(i) Proposed vacant lots must have a minimum net site area (excluding access legs) of 200m², except where the proposed lot is an access allotment, utility allotment or reserve to vest; and</p> <p>(ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Subdivision layout;</p> <p>(b) Shape of lots and variation in lot sizes;</p> <p>(c) Ability of lots to accommodate a practical building platform including geotechnical stability for building;</p> <p>(d) Likely location of future buildings and their potential effects on the environment;</p> <p>(e) Avoidance or mitigation of natural hazards;</p> <p>(f) Opportunities for streetscape landscaping;</p> <p>(g) Vehicle and pedestrian networks;</p> <p>(h) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and</p> <p>(i) Provision of infrastructure.</p>	
<p>SUB-RI54</p>	<p><u>Subdivision - residential</u></p>	
<p><u>MRZ2 – Medium density residential zone 2</u></p>	<p>(I) Activity status: CON</p> <p><u>Activity specific standards:</u></p> <p>(a) <u>Any subdivision around either existing (constructed or approved) residential units or proposed residential units where the subdivision application is accompanied by a land use application that will be determined concurrently.</u></p> <p>(b) <u>Any allotments created under SUB-RI52 (1a) must have a minimum net site area (excluding access legs) of 200m² except where:</u></p> <p>(i) <u>The subdivision does not increase the degree of non compliance of the residential units with the standards in MRZ2-S2 to S9, or land use consent has been granted, or a concurrent land use application shows that it is practicable to construct on every allotment within the proposed subdivision a residential unit which complies with the standards in MRZ2-S2 to S9; and</u></p>	<p><u>Activity status where compliance not achieved: n/a</u></p>

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

	(h) Ponding areas and primary overland flow paths.	
SUB-R156	Subdivision – boundary adjustments	
MR22 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Boundary adjustments must comply with all of the following standards: (b) The standards specified in: <ul style="list-style-type: none"> (i) Rules in SUB-R31 to SUB-R32 SUB-R153 (c) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment. <p>Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; and (b) Shape of titles and variation in lot sizes. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Subdivision layout; and (b) Shape of titles and variation in lot sizes.
SUB-R157	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MR22 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Conversion of a cross lease flats plan to a fee simple title. <p>Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (a) Effects on existing buildings; (b) Site layout and design; and (c) Compliance with permitted building rules. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R158	Subdivision – amendments and updates to Cross Lease Flats Plans and Conversion to Freehold	
MR22 – Medium density residential zone 2	<p>(1) Activity status: CON</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Amendment or update of a cross lease flats plan. <p>Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (a) Effects on existing buildings; (b) Site layout and design of cross lease or flats plan; and (c) Compliance with permitted building rules. 	<p>(2) Activity status where compliance not achieved: n/a</p>
SUB-R159	Title Boundaries – contaminated land	
MR22 – Medium density residential zone 2	<p>(3) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being 	<p>(4) Activity status where compliance not achieved: DIS</p>

	<p>contaminated land for its intended use) must comply with all of the following standards:</p> <p>(i) Where an existing building is to be contained within the boundaries of any proposed lot (other than where any non-compliance existed lawfully prior to the subdivision), compliance is required with the following building rules relating to:</p> <ul style="list-style-type: none"> (1) Height in relation to boundary (MRZ-S4); (2) Building coverage (MRZ-S6-S7); and (3) Setbacks (MRZ-S10). <p>(b) Where any proposed subdivision contains one or more of the features listed in 1—2, the subdivision must not divide the following:</p> <ul style="list-style-type: none"> (1) A natural hazard area; (2) Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); and <p>(ii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in 1—3 below, must provide the following setbacks:</p> <ul style="list-style-type: none"> (1) 300m from any intensive farming activity; (2) 550m from the boundary of an Aggregate Extraction Area for rock extraction; and (3) 200m from the boundary of an Aggregate Extraction Area for sand excavation. <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Landscape values; (b) Amenity values and character; (c) Reverse sensitivity effects; (d) Effects on existing buildings; (e) Effects on natural hazard areas; (f) Effects on contaminated land; (g) Effects on an intensive farming activity. 	
<p>SUB-RI59</p>	<p>Subdivision – road frontage</p>	
<p>MR22 – Medium density residential zone 2</p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>containing a ROW or access leg, must have a width along the road boundary of at least 10m.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) Safety and efficiency of vehicle access and road network.</p>	
SUB-RI60	Subdivision creating reserves	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The extent to which the proposed reserve aligns with the principles of Council's Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy;</p> <p>(b) Consistency with any relevant structure plan or master plan;</p> <p>(c) Reserve size and location;</p> <p>(d) Proximity to other reserves;</p> <p>(e) The existing reserve supply in the surrounding area;</p> <p>(f) Whether the reserve is of suitable topography for future use and development;</p> <p>(g) Measures required to bring the reserve up to Council standard prior to vesting; and</p> <p>(h) The type and standard of boundary fencing.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
SUB-RI61	Subdivision of Esplanade Reserves and Esplanade Strips	
MRZ2 – Medium density residential zone 2	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p>(a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in APP7 – Esplanade priority areas) that is required to be created shall vest in Council where the following situations apply:</p> <p>(i) The proposed lot is less than 4ha and within 20m of:</p> <p>(ii) mean high water springs;</p> <p>(iii) the bank of any river whose bed has an average width of 3m or more; or</p> <p>(iv) a lake whose bed has an area of 8ha or more; or</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(v) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in APP7 – Esplanade priority areas.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The type of esplanade provided - reserve or strip; (b) Width of the esplanade reserve or strip; (c) Provision of legal access to the esplanade reserve or strip; (d) Matters provided for in an instrument creating an esplanade strip or access strip; and (e) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris. 	
<p>SUB-RI 62</p>	<p><u>Subdivision within the National Grid Corridor</u></p>	
<p><u>MRZ2 – Medium density residential zone 2</u></p>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <ul style="list-style-type: none"> (a) <u>The subdivision of land in any zone within the National Grid Subdivision Corridor that complies with all of the following standards:</u> <ul style="list-style-type: none"> (i) <u>All resulting allotments must be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</u> (ii) <u>The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</u> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) <u>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the National Grid;</u> (b) <u>The ability to provide a complying building platform outside of the National Grid Yard;</u> (c) <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</u> 	<p>(2) Activity status where compliance not achieved: NC</p>

	<p>(d) <u>The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;</u></p> <p>(e) <u>The risk to the structural integrity of the National Grid;</u></p> <p>(f) <u>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.</u></p>	
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MRZ2 – Medium density residential zone 2

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

The provisions in this chapter are based on the provisions of the MRZ – Medium density residential zone of the PWDP – Decision version.

Standard text is used for existing provisions contained in the PWDP Decision Version.

Green underline text is used for new provisions.

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

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



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

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

Qualifying matters	
A matter of national importance under s6 of the Resource Management Act 1991 (Section 771(a))	<ul style="list-style-type: none"> - Natural character of lakes and rivers and their margins (MRZ2-S13) - Outstanding natural features and landscapes (NFL-R2, NFL-R3) - Significant indigenous vegetation (ECO-R3, ECO-R8, ECO-R11) - Relationship of Maori with ancestral land, sites etc (SASM-R4, SASM-R5) - Historic heritage (HH-R2, HH-R4, HH-R5, HH-R7, HH-R8, HH-R9) - Natural hazards (NH-R10, NH-R19, NH-R20, NH-R24, NH-R25, NH-R72, NH-R73, NH-R74)
A matter required to give effect to a national policy statement (s771(b))	<ul style="list-style-type: none"> - National Grid Yard and Corridor (EW-R2, MRZ2-R9, MRZ2-R10, MRZ2-R11, SUB-R164)
A matter required to give effect to Te Ture Whaimana (s771(c))	<ul style="list-style-type: none"> - Building setback – water bodies (MRZ2-S13)
A matter required to ensure the safe or efficient operation of nationally significant infrastructure (s771(e))	<ul style="list-style-type: none"> - Building setback – sensitive land use (MRZ2-S14)
Other matters (s771(j))	<ul style="list-style-type: none"> - Reverse sensitivity (MRZ2-S14) - Notable trees (TREE-R1, TREE-R3, TREE-R4)

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

Purpose

The purpose of the Medium Density Residential Zone 2 (MRZ2) is to enable the most efficient use of residentially zoned land and infrastructure within the suite of Waikato District Plan residential zones. The zone provides for this form of development within a walkable catchment of the town centres of Huntly, Ngāruawāhia, Pōkeno and Tuakau.

The zone:

- Provides housing at increased densities with three residential units per lot and buildings up to three storeys in height being permitted.
- Provides for the development of more than 3 residential units per lot, albeit subject to a more intensive design assessment process with matters of discretion to provide for appropriate design outcomes.
- Encourages a variety of housing types and sizes that respond to housing needs and demands of the district and its planned urban built character.
- Will accommodate the highest level of residential growth within the district.
- Reduces pressure for residential development on the urban fringe and beyond.
- Relieves 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.
- Provides the highest capacity, diversity and choice of housing.
- Coordinates delivery of infrastructure and services.

Objectives

MRZ2-O1 Housing typology.

Provides for a variety 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 3-storey buildings.

MRZ2-O2 Efficient use of land and infrastructure.

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

MRZ2-O3 Residential amenity.

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

MRZ2-O4 Activities.

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

MRZ2-O5 Qualifying matters.

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

MRZ2-O6 Reverse sensitivity.

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

Policies**MRZ2-P1 Housing Typology.**

Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.

MRZ2-P2 Residential Amenity.

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

MRZ2-P3 Housing Design.

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

MRZ2-P4 Enabling Housing Development.

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

MRZ2-P5 Streetscape, yards and outdoor living spaces.

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

- (a) Providing for passive surveillance to public open spaces and streets through the siting of dwellings and rooms, façade design and fencing / landscaping;
 - (b) Incorporating front yard landscaping that will enhance streetscape amenity; and
 - (c) Minimising the prevalence of garage doors, carparking and driveways fronting the street.
- (2) Require development to have sufficient side yard setbacks to provide for:
- (a) Landscaping and permeable surfaces;
 - (b) Privacy to adjoining sites;
 - (c) Sunlight and daylight; and
 - (d) Driveways and accessways.
- (3) Require the provision of outdoor living spaces that:
- (a) Are attractive, functional and accessible; and
 - (b) Provide a reasonable standard of privacy for residents and to adjoining sites.
- (4) Enable flexibility and innovation in the provision of outdoor living spaces by recognising the varying means by which suitable spaces can be provided for a particular form of development; including shared outdoor spaces, roof terraces or other communal outdoor living spaces.

MRZ2-P6 Qualifying Matters

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

MRZ2-P7 Efficient use of land and infrastructure.

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

MRZ2-P8 Changes to amenity values.

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

MRZ2-P9 Home businesses.

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

MRZ2-P10 Non-residential activities.

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

MRZ2-P11 Reverse Sensitivity

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

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:	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:

<ul style="list-style-type: none"> (a) The site is connected to public water and wastewater infrastructure; (b) The minimum living space or balcony area and dimensions are: <ul style="list-style-type: none"> (i) Apartment – 10m² area with a minimum dimension horizontal and vertical of 2.5m; (ii) Studio unit or 1 bedroom unit – 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or (iii) 2 or more bedroomed unit – 15m² area with minimum dimension horizontal and vertical of 2.5m. (c) The minimum service court is either: <ul style="list-style-type: none"> (i) Apartment – Communal outdoor space (i.e. no individual service courts required); or (ii) All other units – 10m² for each unit. (d) The following land use – effects standard does not apply: <ul style="list-style-type: none"> (i) SIGN-R1, SIGN-R8 – SIGN-R10 (Signs). (e) The following Land Use – Building standards do not apply: <ul style="list-style-type: none"> (i) MRZ2-S1 (Residential unit (per unit)); (ii) MRZ2-S6 (Outdoor living space); and (f) The following infrastructure and energy rule does not apply: <ul style="list-style-type: none"> (i) Rule TRPT-R4(1)(a) (Traffic generation). 	<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-R3</p>	<p>Home business</p>
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The home business is wholly contained within a building; (b) The storage of materials or machinery associated with the home business are wholly contained within a building or are screened so as not to be visible from a public road or neighbouring residential property; (c) No more than 2 people who are not permanent residents of the site are employed at any one time; (d) Unloading and loading of vehicles, the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day; and (e) Machinery may only be operated between 7:30am and 9pm on any day. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
<p>MRZ2-R4</p>	<p>Community facilities</p>

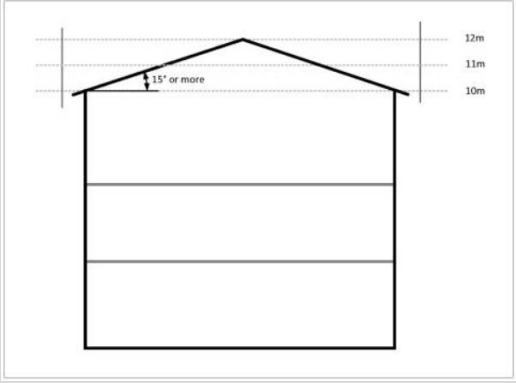
<p>(1) Activity status: PER Activity-specific standards: (a) No more than 200m² GFA.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
<p>MRZ2-R5</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 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 (a) Council's discretion is restricted to the following matters: (b) Effects on the amenity values of the site; (c) The risk of electrical hazards affecting the safety of people; (d) The risk of damage to property; and (3) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>

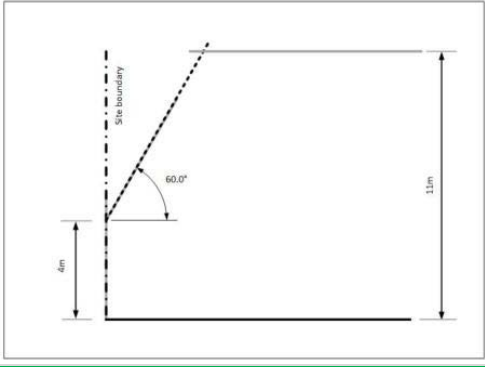
MRZ2-R9	Construction, demolition, addition, and alteration of a building or structure
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
MRZ2-R10	<u>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</u>
(1) Activity status: PER Activity-specific standards: (a) <u>Within the National Grid Yard:</u> (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> (ii) <u>New, or additions to existing buildings or structures that are not for a sensitive land use;</u> (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> (iv) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below.</u> (b) <u>All buildings or structures permitted by Rule GRZ2-R10(1)(a) must:</u> (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> (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> (c) <u>A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP34:2001 ISSN 0114-0663;</u> (d) <u>Fences less than 2.5m in height, measured from the natural ground level immediately below, and located a minimum of 5m from the nearest National Grid support structure foundation;</u> (e) <u>Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the</u>	(2) Activity status where compliance not achieved: NC

<p><u>Resource Management Act 1991, that connects to the National Grid; and</u></p> <p>(f) <u>Not permanently physically impede existing vehicular access to a National Grid support structure.</u></p>	
MRZ2-R11	<u>The establishment of any new sensitive land use within the National Grid Yard</u>
Activity status: NC	
MRZ2-R12	Any activity that is not listed as permitted, restricted discretionary or prohibited,
Activity status: DIS	
MRZ-R13	Any building, structure, objects or vegetation that obscures the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
Activity status: PR	

Land use – building


MRZ2-S1	Residential unit
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Up to three residential units per site.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Intensity of the development; and (b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone; (c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and (d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and (e) Provision of 3-waters infrastructure to individual units; and (f) The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and (g) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces. <p><u>Notification</u></p> <p>Any application for resource consent for four or more dwellings per site that comply with all of the standards in (MRZ2-S2 to MRSZ-S9) will</p>

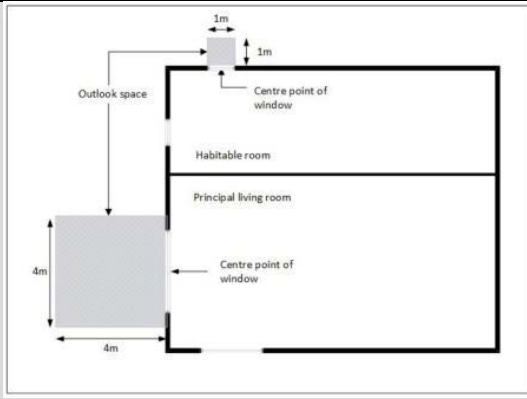
	<p>be considered without public or limited notification.</p>
<p>MRZ2-S2</p>	<p>Height – building general</p>
<p>(1) Activity status: PER Where:</p> <p>(a) <u>Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram (enlarged as Figure 1 at the conclusion of this Chapter).</u></p>  <p>(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>(2) Activity status where compliance not achieved: RDIS 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> <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-S3	Height in relation to boundary
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram (enlarged as Figure 2 at the conclusion of this Chapter). Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p>  <p>(b) <u>Standard (a) above does not apply to:</u></p> <ul style="list-style-type: none"> (i) <u>a boundary with a road</u> (ii) <u>existing or proposed internal boundaries within a site:</u> (iii) <u>site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u> <p>(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> <ul style="list-style-type: none"> (i) Where the boundary forms part of a legal right of way, entrance strip or access site; the standard applies from the farthest boundary of that legal right of way, entrance strip or access site; (ii) This standard does not apply to existing or proposed internal boundaries within a site; 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent sites; and (d) Privacy on adjoining sites. <p>Notification</p> <p><u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S3 will be considered without public notification.</u></p>

<p>(iii) Where a site in the MRZ—Medium density residential zone adjoins a site in the GRZ—General residential zone, LLRZ—Large lot residential or SETZ—Settlement zone, then buildings must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above natural ground level at every point of the site boundary abutting that GRZ—General residential zone, LLRZ—Large lot residential zone or SETZ—Settlement zone;</p> <p>(iv) Where the boundary adjoins a legal road.</p>									
<p>MRZ2-S4 Setbacks</p>									
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <table border="1" data-bbox="284 1120 782 1339"> <thead> <tr> <th><u>Yard</u></th> <th><u>Minimum depth</u></th> </tr> </thead> <tbody> <tr> <td><u>Front</u></td> <td><u>1.5m</u></td> </tr> <tr> <td><u>Side</u></td> <td><u>1m</u></td> </tr> <tr> <td><u>Rear</u></td> <td><u>1m (excluded on corner sites)</u></td> </tr> </tbody> </table> <p>(b) <u>This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u></p> <p>(a) The finished external walls (excluding eaves) of a building must be set back a minimum of:</p> <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</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</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> <p><u>Notification</u></p> <p>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>
<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>of 4m from every boundary other than a boundary to a road or public open space; (c) MRZ-S10(1)(a) and (b) do not apply to structures that are not buildings.</p>	
MRZ2-S5	Building coverage
<p>(1) Activity status: PER Where:</p> <p>(a) <u>The maximum building coverage must not exceed 50% of the net site area.</u></p> <p>(b) The maximum building coverage must not exceed 45% of the net site area.</p> <p>(c) MRZ-S6(1)(a) does not apply:</p> <p>(i) To a structure that is not a building; or</p> <p>(ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(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> <p>Notification</p> <p>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-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 style="padding-left: 20px;">(1) <u>grouped cumulatively by area in one communally accessible location; or</u></p> <p style="padding-left: 20px;">(2) <u>located directly adjacent to the unit; and</u></p> <p>(v) <u>is free of buildings, parking spaces, and servicing and manoeuvring areas.</u></p>	<p>(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; (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> <p>Notification</p> <p>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S6 will be considered without public notification.</p>

<p>(b) <u>A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—</u></p> <p>(i) <u>is at least 8m² and has a minimum dimension of 1.8m; and</u></p> <p>(ii) <u>is accessible from the residential unit; and</u></p> <p>(iii) <u>may be—</u></p> <p style="padding-left: 40px;">(1) <u>grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or</u></p> <p style="padding-left: 40px;">(2) <u>located directly adjacent to the unit.</u></p> <p>(a) An outdoor living space must be provided for each residential unit that meets all of the following standards:</p> <p>(i) It is for the exclusive use of the occupants of the residential unit;</p> <p>(ii) It is readily accessible from a living area of the residential unit;</p> <p>(iii) 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</p> <p>(iv) Where the residential unit has its principal living area at first floor level or above, a balcony shall be provided and shall have a minimum area of 5m² for studio and one bedroom dwellings, or 8m² for two or more bedroom dwellings and a minimum dimension of 1.5m.</p>	
<p>MRZ2-S7</p>	<p><u>Outlook space (per unit)</u></p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>An outlook space must be provided for each residential unit as outlined below.</u></p> <p>(b) <u>An outlook space must be provided from habitable room windows as shown in the diagram below (enlarged as Figure 3 at the conclusion of this Chapter):</u></p> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Measures to ensure that outlook spaces shall remain unobstructed, while providing an open outlook with access to daylight from the windows of habitable rooms;</p> <p>(b) The nature of the occupation of the room without the required outlook;</p>



- (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

	<p>areas that is visible and prominent from the street;</p> <p>(b) Whether the majority of the glazing provided on the street facing façade of the unit is clear glazing to habitable spaces within the unit;</p> <p>(c) The level of passive surveillance from the residential unit to the street; and</p> <p>(d) Any other building features such as porches or gables that will add visual interest.</p> <p>Notification</p> <p><u>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S8 will be considered without public notification.</u></p>
<p>MRZ2-S9</p>	<p>Landscaped area</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.</u></p> <p>(b) <u>The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The on-site and/or neighbouring amenity provided by the proposed landscaping;</p> <p>(b) The extent of landscaping between the buildings and road boundary to soften and integrate the development into the surrounding area;</p> <p>(c) The extent to which the breach is necessary to enable more efficient, cost effective and/or practical use of the remainder of the site;</p> <p>(d) The additional accessibility and safety benefits of providing less landscaped area; and</p> <p>(e) The effect of any reduction in landscaping on adjoining properties, including the street or other public open spaces.</p> <p>Notification</p> <p>Any application for resource consent for one to three dwellings that does not meet the standard of MRZ2-S9 will be considered without public notification.</p>
<p>MRZ-S2</p>	<p>Minimum residential unit size</p>

<p>(3) Activity status: PER Where: (a) Residential units must have a minimum net internal floor area of: (i) 35m² for studio dwellings; and (ii) 45m² for one or more bedroom dwellings.</p>	<p>(4) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) The functionality of the residential unit; and Internal residential amenity.</p>
<p>MRZ2-S10 Impervious surfaces</p>	
<p>(1) Activity status: PER Where: (a) The impervious surfaces of a site must not exceed 70%.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Site design, layout and amenity; and (b) The risk of flooding, nuisance or damage to the site or other buildings and sites.</p>
<p>MRZ2-S11 Ground floor internal habitable space</p>	
<p>(1) Activity status: PER Where: (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 Council's discretion is restricted to the following matters: (a) The visual dominance of garaging, parking, and vehicle manoeuvring areas and the balance across the site of internal habitable space, outdoor living courts, and landscaping at ground level; and (b) The design and location of garaging as viewed from streets or public open spaces.</p>
<p>MRZ2-S12 Fences or walls</p>	
<p>(1) Activity status: PER Where: (a) Boundary fences and walls between properties and any road boundaries, must comply with all of the following standards: (i) Be no higher than 1.5m if solid; (ii) Be no higher than 1.8m if: (1) Visually permeable for the full 1.8m height of the fence or wall; or (2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Building materials and design; (b) Effects on streetscape amenity; and (c) Public space visibility.</p>
<p>MRZ2-S13 Building setbacks – water bodies</p>	
<p>(1) Activity status: PER Where: (a) A building must be set back a minimum of:</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p>

<ul style="list-style-type: none"> (i) 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) 25.5m38m from the margin of either the Waikato River and the Waipa River (v) 23m from mean high water springs (b) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ2-SI 3(1)(a); (c) This standard does not apply to a structure which is not a building. 	<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.
<p>MRZ2-SI 4 <u>Building setback – sensitive land use</u></p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) <u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u> <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> (v) <u>30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and</u> (vi) <u>300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia.</u> (vii) <u>6m from the centre of a gas transmission line identified on the planning maps</u> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p><u>Council’s discretion is restricted to the following matters:</u></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>

Medium Density Residential Standard Figures

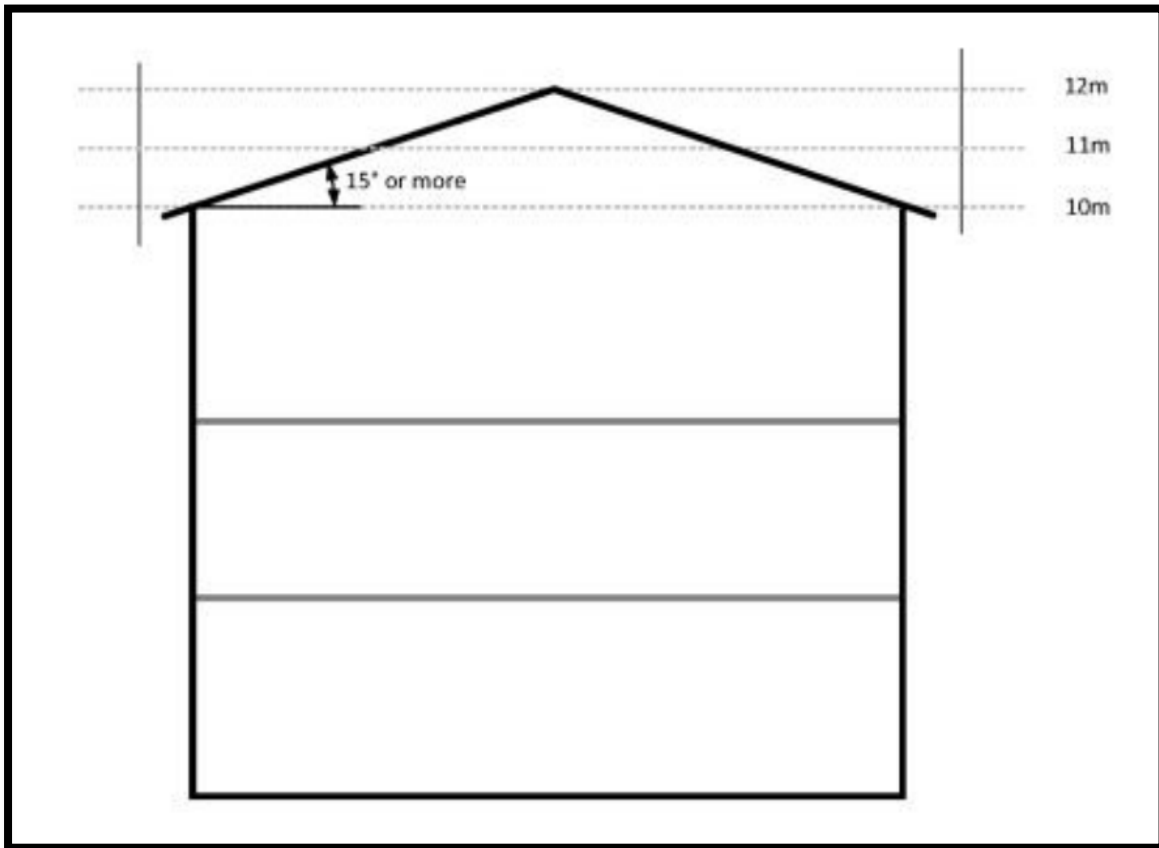


Figure 1: Building Height (refer to MRZ2-S2)

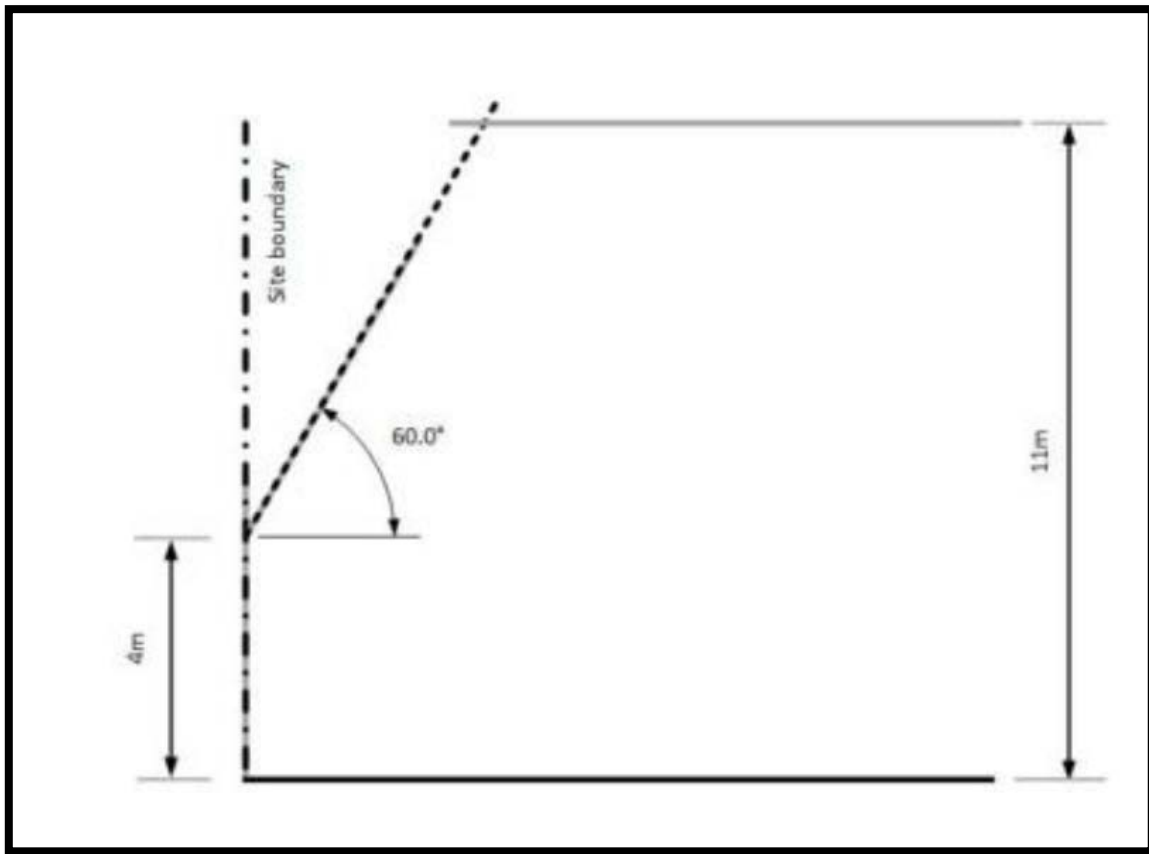


Figure 2: Height in relation to boundary (refer to MRZ2-S3)

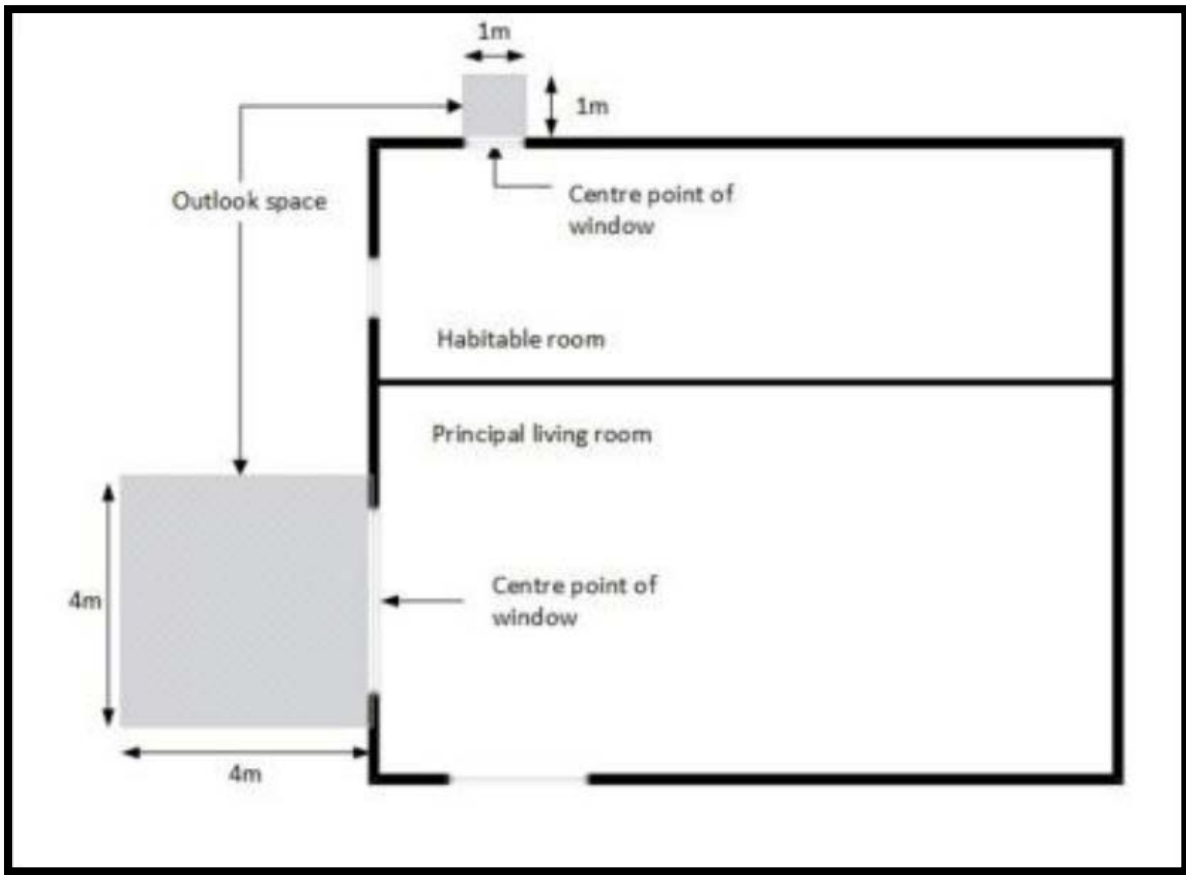


Figure 3: Outlook space per unit (refer to MRZ2-S7)

EGEN – Electricity generation

Rules

EGEN-RI	Small-scale electricity generation	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Small-scale electricity generation and community-scale electricity generation that comply with each of the following standards, where applicable: <ul style="list-style-type: none"> (i) Is not located within an Identified Area; (ii) Is not located on unformed road; (iii) Maximum one wind turbine per site in the GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, RPZ - Rangitahi Peninsula zone, LLRZ – Large lot residential zone and SETZ – Settlement zone; (iv) Freestanding wind turbines must not exceed the building height limit of the zone in which they are located by more than 3m; (v) Freestanding wind turbines have a maximum blade diameter of 2.5m; (vi) Roof-mounted wind turbines must not exceed the building height limit of the zone in which they are located by more than 3m; (vii) Roof-mounted wind turbines have a maximum blade diameter of 2.5m; (viii) Any wind turbine on a site adjoining GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, RPZ - Rangitahi Peninsula zone, LLRZ – Large lot residential zone or SETZ – Settlement zone must meet 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The functional and operational needs of, and benefits derived from, the infrastructure; (b) Visual, landscape, streetscape and amenity effects, including noise; (c) Shadow flicker effects; (d) The risk of hazards affecting public or individual safety, and risk of property damage; (e) Effects on the values, qualities and characteristics of any Identified Area; and (f) Ecology and biodiversity effects.

	<p>the height in relation to boundary limits on the boundary with that adjoining zone;</p> <p>(ix) Solar panels on the roof of a building must not exceed 1.5m in height above the existing roof; or attached to a ground mounted frame;</p> <p>(x) Wind turbine noise must:</p> <p>(1) Not exceed the background sound level (L95) by more than 5dBA, or a level of 40dBA (L95), whichever is the greater, when measured at operational wind speeds, and for properties located adjacent to the facility when measured at:</p> <p>(a) Any existing building or structure for sensitive land uses; and</p> <p>(b) Any potential building site where a building or structure for sensitive land uses could be located as a permitted activity; and</p> <p>(2) Be measured and assessed in accordance with NZS6808: 2010 Acoustics – Wind Farm Noise; and</p> <p>(xi) All other structures not listed above must not be higher than the maximum building height limit of the zone in which they are located.</p>	
EGEN-R2	Community-scale electricity generation	
GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Small-scale electricity generation and community-scale electricity generation that comply with each of the following standards, where applicable:</p> <p>(i) Is not located within an Identified Area;</p> <p>(ii) Is not located on unformed 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) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, landscape, streetscape and amenity effects, including noise;</p> <p>(c) Shadow flicker effects;</p>

	<ul style="list-style-type: none"> (iii) Maximum one wind turbine per site in the GRZ – General residential zone, MRZ<u>1</u> – Medium density residential zone <u>1</u>, <u>MRZ2 – Medium density residential zone 2</u>, RPZ - Rangitahi Peninsula zone, LLRZ – Large lot residential zone and SETZ – Settlement zone; (iv) Freestanding wind turbines must not exceed the building height limit of the zone in which they are located by more than 3m; (v) Freestanding wind turbines have a maximum blade diameter of 2.5m; (vi) Roof-mounted wind turbines must not exceed the building height limit of the zone in which they are located by more than 3m; (vii) Roof-mounted wind turbines have a maximum blade diameter of 2.5m; (viii) Any wind turbine on a site adjoining GRZ – General residential zone, MRZ<u>1</u> – Medium density residential zone <u>1</u>, <u>MRZ2 – Medium density residential zone 2</u>, RPZ - Rangitahi Peninsula zone, LLRZ – Large lot residential zone or SETZ – Settlement zone must meet the height in relation to boundary limits on the boundary with that adjoining zone; (ix) Solar panels on the roof of a building must not exceed 1.5m in height above the existing roof; or attached to a ground mounted frame; (x) Wind turbine noise must: <ul style="list-style-type: none"> (1) Not exceed the background sound level (L95) by more than 5dBA, or a level of 40dBA (L95), whichever is the greater, when measured at operational wind speeds, 	<ul style="list-style-type: none"> (d) The risk of hazards affecting public or individual safety, and risk of property damage; (e) Effects on the values, qualities and characteristics of any Identified Area; and (f) Ecology and biodiversity effects.
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	<p>and for properties located adjacent to the facility when measured at:</p> <ul style="list-style-type: none"> (a) Any existing building or structure for sensitive land uses; and (b) Any potential building site where a building or structure for sensitive land uses could be located as a permitted activity; and <p>(2) Be measured and assessed in accordance with NZS6808: 2010 Acoustics – Wind Farm Noise; and</p> <p>(xi) All other structures not listed above must not be higher than the maximum building height limit of the zone in which they are located.</p>	
<p>EGEN-R3</p>	<p>Research and exploratory-scale investigations for renewable electricity generation activities</p>	
<p>All zones</p>	<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following: <ul style="list-style-type: none"> (i) The noise limits that are applicable to the zone; (ii) The height of any equipment must not exceed the building height limit of the zone in which they are located by more than 3m, or within the GRUZ – General rural zone must not exceed 20m total height measured from the natural ground level immediately below the structure; (iii) The size and location of any equipment must not exceed height in relation to boundary relevant to the zone in which it is located; (iv) Setbacks relevant to the zone in which it is located; 	<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 functional and operational needs of, and benefits derived from, the infrastructure; (b) Visual, landscape, streetscape and amenity effects, including noise; (c) Shadow flicker effects; (d) The risk of hazards affecting public or individual safety, and risk of property damage; (e) Effects on the values, qualities and characteristics of any Identified Area; and (f) Ecology and biodiversity effects.

	(v) Is not located within an identified area; and (vi) Is not located on a road, or unformed road.	
EGEN-R4	Temporary diesel-fuelled electricity generation activities	
All zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: DIS
EGEN-R5	Electricity generation within the Huntly Power Station site in the HIZ – Heavy industrial zone	
HIZ – Heavy industrial zone	(1) Activity status: PER Activity-specific standards: (a) Electricity generation within the Huntly Power Station site in the HIZ – Heavy industrial zone that complies with the HIZ – Heavy industrial zone rules.	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) The extent of effects associated with the HIZ – Heavy industrial zone rules that the activity does not comply with.
EGEN-R6	Large-scale wind farms located within the GRUZ – General rural zone, not within an Identified Area. Wind turbine noise must be measured and assessed in accordance with NZS6808:2010 Acoustics – Wind Farm Noise	
GRUZ – General rural zone	(1) Activity status: DIS	
EGEN-R7	Large-scale wind farms located in a zone other than the GRUZ – General rural zone. Wind turbine noise must be measured and assessed in accordance with NZS6808:2010 Acoustics – Wind Farm Noise	
All zones	(1) Activity status: NC	
EGEN-R8	Large-scale wind farm located within any Identified Area in the GRUZ – General rural zone. Wind turbine noise must be measured and assessed in accordance with NZS6808:2010 Acoustics – Wind Farm Noise	
GRUZ – General rural zone	(1) Activity status: NC	

TEL – Telecommunications and radiocommunications

Rules

Advice note: +¹ Means activities not provided as a permitted activity under the Resource Management (National Environmental Standards for Telecommunication Facilities (“NESTF”)) Regulations 2016.

TEL-R1	Ancillary equipment	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Ancillary equipment that complies with the following:</p> <p>(i) It is not connected to an area, façade or item specifically listed in SCHED 1 – Historic heritage items.</p> <p>(ii) Not exceed 10m² in area above-ground; and</p> <p>(iii) Not exceed 2.5m in height measured from the natural ground level immediately below the structure.</p>	<p>(2) Activity status where compliance not achieved: CON</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(b) The location of the proposed facility, equipment or structure;</p> <p>(c) The ability to provide screening or landscaping; and</p> <p>(d) Effects on the values, qualities and characteristics of the site and/or items in SCHED 1 – Historic heritage items.</p>
TEL-R2	Below ground telecommunications and radiocommunications facilities, lines, cables and ducts	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
TEL-R3	Cabinets+ ¹	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Cabinets that comply with the following standards:</p> <p>(i) Are not located within an Identified Area.</p> <p>(ii) Not exceed 10m² in area above-ground; and</p> <p>(iii) Not exceed 2.5m in height measured from the natural ground level immediately below the structure.</p>	<p>(2) Activity status where compliance not achieved: CON</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(b) The location of the proposed facility, equipment or structure;</p> <p>(c) The ability to provide screening or landscaping; and</p> <p>(d) Effects on the values, qualities and characteristics of the site and/or items in SCHED 1 – Historic heritage items.</p>
TEL-R4	Antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road+ ¹	

<p>All zones</p>	<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) Antennas that comply with all of the following standards:</p> <p>(i) Do not connect to an area, façade or item specifically listed in SCHED I – Historic heritage items;</p> <p>(ii) Panel antenna do not exceed 0.7m in width;</p> <p>(iii) Dish antenna do not exceed 0.6m in diameter within the GRZ – General residential zone, and MRZ <u>1</u> – Medium density residential zone <u>1</u> and <u>the MRZ2 – Medium density residential zone 2</u>; and</p> <p>(iv) Within the GRZ – General residential zone, and MRZ <u>1</u> – Medium density residential zone <u>1</u>, and <u>the GRZ2 – Medium density residential zone 2</u>, the maximum number of antennas per site is 4.</p> <p>(b) Rule TEL-R4(1)(a) does not apply a face-mounted panel antenna located within the fascia and below the roof line of an existing building, except where the area, façade or item is specifically listed in SCHED I – Historic heritage items.</p>	<p>Activity status where compliance not achieved: DIS</p>
<p>TEL-R5</p>	<p>Antennas⁺ attached to a building and/or structure</p>	
<p>All zones</p>	<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) Antennas attached to a building and/or structure that comply with all of the following conditions standards:</p> <p>(i) Do not connect to an area, façade or item specifically listed in SCHED I – Historic heritage items;</p> <p>(ii) The building and/or structure is not located within:</p> <p>(1) GRZ – General residential zone;</p> <p>(2) MRZ <u>1</u> – Medium density residential zone <u>1</u>;</p>	<p>(2) Activity status: CON Where:</p> <p>(a) Antennas attached to a building that do not comply with the standards of Rule TEL-R4(1) and are located not within:</p> <p>(i) GRZ – General residential zone;</p> <p>(ii) MRZ – Medium density residential zone;</p> <p>(iii) LLRZ – Large lot residential zone; and</p> <p>(iv) SET – Settlement zone; <u>and</u></p> <p>(v) <u>GRZ2 – Medium density residential zone 2</u></p>

	<p>(3) LLRZ – Large lot residential zone; and</p> <p>(4) SET – Settlement zone; <u>and</u></p> <p>(5) <u>MRZ2 – Medium density residential zone</u></p> <p>(iii) The face of the antenna does not exceed 1.5m² or 1.2m in diameter for dish antennas, or 1.6m in length for Yagi antenna on an existing pole.</p> <p>(b) Rule TEL-R5(1)(a) does not apply to private television antennas and satellite dishes +1</p>	<p>Council’s control is reserved over the following matters:</p> <p>(b) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(c) The location of the proposed facility, equipment or structure;</p> <p>(d) The ability to provide screening or landscaping; and</p> <p>(e) Effects on the values, qualities and characteristics of the site and/or items in SCHED I – Historic heritage items.</p> <p>(3) Activity status: RDIS</p> <p>Where:</p> <p>(a) Antennas attached to a building and/or structure that comply with all of the following standards:</p> <p>(i) Are located within:</p> <p>(1) GRZ – General residential zone;</p> <p>(2) <u>MRZ1</u> – Medium density residential zone <u>1</u>;</p> <p>(3) RPZ – Rangitahi Peninsula zone;</p> <p>(4) LLRZ – Large lot residential zone;</p> <p>(5) SETZ – Settlement zone; or</p> <p>(6) Road and unformed road; <u>or</u></p> <p>(7) <u>GRZ2 – Medium density residential zone 2</u></p> <p>(ii) The face of the antenna does not exceed 1.5m² or 1.2m in diameter for dish antennas.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(c) The bulk, form, scale, location of the structure;</p> <p>(d) Visual, landscape, streetscape and amenity effects;</p>
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Part 2: District-wide matters / Energy, infrastructure and transport / TEL – Telecommunications and radiocommunications

		<p>(e) Where located within a road, the operation and function of road network activities; and</p> <p>(f) Effects on the values, qualities and characteristics of the site, heritage item or area.</p> <p>(4) Activity status: DIS</p> <p>Where:</p> <p>(a) Antennas attached to a building and/or structure do not comply with TEL-R5(3)(a)</p>
TEL-R6	Antennas inside new or existing buildings	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
TEL-R7	Other antennas	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Antennas that comply with all of the following standards are excluded from any height standards in Rules TEL-R4(1), TEL-R5(1), and TEL-R9(1):</p> <p>(i) GPS Antennas that do not exceed the following dimensions:</p> <p>(1) 300mm high: and</p> <p>(2) 130mm in diameter.</p> <p>(ii) Omni-directional 'whip' or di-pole type antennas that do not exceed the following dimensions:</p> <p>(1) 1.6m high;</p> <p>(2) 1.5m horizontal length whip or rod; or</p> <p>(3) Cross section element no more than 60mm in diameter.</p> <p>(iii) Are not located within an Identified Area; and</p> <p>(iv) Do not connect to an area, façade or item specifically listed in SCHED 1 – Historic heritage items.</p>	<p>(2) Activity status: CON</p> <p>Where:</p> <p>(a) Antennas located within an Identified Area that comply with the following:</p> <p>(i) GPS antennas that do not exceed the following dimensions:</p> <p>(1) 300mm high: and</p> <p>(2) 130mm in diameter.</p> <p>(ii) Omni-directional 'whip' or di-pole type antennas that do not exceed the following dimensions:</p> <p>(1) 1.6m high;</p> <p>(2) 1.5m horizontal length whip or rod; or</p> <p>(3) Cross section element no more than 60mm in diameter.</p> <p>Council's control is reserved over the following matters:</p> <p>(b) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(c) The location of the proposed facility, equipment or structure;</p> <p>(d) The ability to provide screening or landscaping; and</p> <p>(e) Effects on the values, qualities and characteristics of the site</p>

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		and/or items in SCHED I – Historic heritage items.		
TEL-R8	Small cell units exceeding the permitted volumetric dimension of 0.1 l m ³ regulated in the NESTF			
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Small cell units exceeding the permitted volumetric dimension of 0.1 l m³ regulated in the NESTF that comply with all of the following standards:</p> <p>(i) Do not exceed a maximum volume of 0.25m³;</p> <p>(ii) Are not located within an Identified Area; and</p> <p>(iii) Do not connect to an area, façade or item specifically listed in SCHED I – Historic heritage items.</p>	<p>(2) Activity status: CON</p> <p>Where:</p> <p>(a) Small cell units are located in an Identified Area exceeding the maximum volumetric dimension volume of 0.1 l m³ regulated in the NESTF, up to a maximum volume of 0.25m³.</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(b) The location of the proposed facility, equipment or structure;</p> <p>(c) The ability to provide screening or landscaping; and</p> <p>(d) Effects on the values, qualities and characteristics of the site and/or items in SCHED I – Historic heritage items.</p>		
TEL-R9	Poles, antennas and headframes+ ¹			
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Any poles and attached antenna that comply with the following standards:</p> <p>(i) Are not located within an Identified Area;</p> <p>(ii) Do not connect to an area, façade or item specifically listed in SCHED I – Historic heritage items;</p> <p>(iii) Comply with the height in relation to boundary limits for the zone in which it is located; and</p> <p>(iv) Not exceed the height limits set out in the following table:</p> <table border="1" data-bbox="411 1832 885 2033"> <tr> <td style="text-align: center;">Zone</td> <td style="text-align: center;">Permitted height measured from the natural ground level immediately below the structure</td> </tr> </table>	Zone	Permitted height measured from the natural ground level immediately below the structure	<p>(2) Activity status: RDIS</p> <p>Where:</p> <p>(a) Poles, antennas and headframes located in an Identified Area that comply with Rule TEL-R9(1).</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(c) The bulk, form, scale, location of the structure;</p> <p>(d) Visual, landscape, streetscape and amenity effects;</p> <p>(e) Where located within a road, the operation and function of road network activities; and</p> <p>(f) Effects on the values, qualities and characteristics of the site, heritage item or area.</p> <p>(3) Activity status: DIS</p>
Zone	Permitted height measured from the natural ground level immediately below the structure			

Part 2: District-wide matters / Energy, infrastructure and transport / TEL – Telecommunications and radiocommunications

GRUZ – General rural zone; RLZ - Rural lifestyle zone	25m (and 30m for co-location of at least two operators)	<p>Where:</p> <p>(a) Poles, antennas and headframes located in an Identified Area that do not comply with the regulations 26-35 of the NESTF or Rule TEL-R9(1).</p>
GIZ – General industrial zone; HIZ – Heavy industrial zone and MSRZ – Motor sport and recreation zone	25m (and 30m for co-location of at least two operators)	
COMZ – Commercial zone; TCZ – Town centre zone; LCZ – Local centre zone; BTZ – Business Tamahere zone; TKAZ – Te Kowhai airpark zone	20m	
OSZ – Open space zone	20m	
GRZ – General residential zone; MRZ <u>1</u> – Medium density residential zone <u>1</u> , GRZ2 – <u>Medium density residential zone 2</u> , RPZ – Rangitahi Peninsula zone; LLRZ – Large lot residential zone; SETZ – Settlement zone and Special purpose zones not otherwise listed.	15m	
Road or unformed road	That of the adjoining zone	
<p>(b) Headframes that comply with the following conditions standards:</p> <p>(i) Comply with the height in relation to boundary limits for the zone in which it is located;</p> <p>(ii) Within the GRZ – General residential zone, and MRZ<u>1</u> – Medium density residential zone <u>1</u> and the GRZ2 – <u>Medium density residential zone 2</u> do not exceed 1.0m diameter; or</p> <p>(iii) Within all other zones and unformed roads do not exceed 6.0m diameter; and</p>		

	<p>(iv) Within the road do not exceed 0.7m diameter.</p> <p>(c) Rule TELR9(1)(a) does not apply to lightning rods and GPS antennas, omni directional whip antenna, ancillary telecommunication devices and earth peaks.</p>	
TEL-R10	Externally-mounted telecommunication satellite dishes and ancillary components	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Externally-mounted telecommunication satellite dishes and ancillary components that comply with the following standards:</p> <p>(i) Do not exceed 1.0m in diameter, or 1.8m in diameter in GIZ – General industrial zone, HIZ – Heavy industrial zone, RLZ – Rural lifestyle zone and GRUZ – General rural zone;</p> <p>(ii) Are attached to existing buildings; and/or including a pole or structure other than a building when located in the RLZ – Rural lifestyle zone and GRUZ – General rural zone;</p> <p>(iii) Do not connect to an area, façade or item specifically listed in SCHED I – Historic heritage items; and</p> <p>(iv) Are not located within an Identified Area</p>	<p>(2) Activity status: CON</p> <p>Where:</p> <p>(a) Externally-mounted telecommunication satellite dishes and ancillary components that:</p> <p>(i) Do not exceed 1.0m in diameter;</p> <p>(ii) Are attached to existing buildings; and</p> <p>(iii) Are not located within an Identified Area.</p> <p>Council’s control is reserved over the following matters:</p> <p>(b) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(c) The location of the proposed facility, equipment or structure;</p> <p>(d) The ability to provide screening or landscaping; and</p> <p>(e) Effects on the values, qualities and characteristics of the site.</p> <p>(3) Activity status: RDIS</p> <p>Where:</p> <p>(a) Externally-mounted telecommunication satellite dishes and ancillary components that</p> <p>(i) Are located within an Identified Area.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(c) The bulk, form, scale, location of the structure;</p>

		<p>(d) Visual, landscape, streetscape and amenity effects;</p> <p>(e) Where located within a road, the operation and function of road network activities and</p> <p>(f) Effects on the values, qualities and characteristics of Identified Area.</p>
TEL-R11	Telecommunication kiosk	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Telecommunication kiosks that comply with all of the following standards:</p> <p>(i) Are not located within road or unformed road located adjacent to an Identified Area;</p> <p>(ii) Do not connect to an area, façade or item specifically listed in SCHED1 – Historic heritage items; and</p> <p>(iii) Are not located within an Identified Area; and</p> <p>(iv) Not exceed 10m² in area above-ground; and</p> <p>(v) Not exceed 2.5m in height measured from the natural ground level immediately below the structure.</p>	<p>(2) Activity status: CON</p> <p>Where:</p> <p>(a) Telecommunication kiosks, located within road or unformed road adjacent to an Identified Area, that comply with the standards for a new infrastructure activity and associated structures under Rule AINF-R1.</p> <p>Council’s control is reserved over the following matters:</p> <p>(b) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(c) The location of the proposed facility, equipment or structure;</p> <p>(d) The ability to provide screening or landscaping; and</p> <p>(e) Effects on the values, qualities and characteristics of the site.</p> <p>(3) Activity status: RDIS</p> <p>Where:</p> <p>(a) Telecommunication kiosks that do not comply with one or more standards of Rules TEL-R11(1) or TEL-R11(2).</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(c) The bulk, form, scale, location of the structure;</p> <p>(d) Visual, landscape, streetscape and amenity effects;</p>

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		<p>(e) Where located within a road, the operation and function of road network activities; and</p> <p>(f) Effects on the values, qualities and characteristics of the site, heritage item or area.</p>
TEL-R12	Self-contained power units	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Self-contained power units that comply with all of the following conditions standards:</p> <p>(i) Do not connect to an area, façade or item specifically listed in SCHED 1 – Historic heritage items;</p> <p>(ii) Are not located within an Identified Area.</p> <p>(iii) Not exceed 10m² in area above-ground; and</p> <p>(iv) Not exceed 2.5m in height measured from the natural ground level immediately below the structure.</p>	<p>(2) Activity status: RDIS</p> <p>Where:</p> <p>(a) Self-contained power units that do not comply with the standards for a new infrastructure activity and associated structures under Rule under Rule AINF-R1.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(b) The bulk, form, scale, location of the structure;</p> <p>(c) Visual, landscape, streetscape and amenity effects;</p> <p>(d) Where located within a road, the operation and function of road network activities; and</p> <p>(e) Effects on the values, qualities and characteristics of the site, heritage item or area.</p> <p>(3) Activity status: DIS</p> <p>Where:</p> <p>(a) Self-contained power units are located within an Identified Area</p>
TEL-R13	Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF, that comply with all of the following conditions standards:</p> <p>(i) Do not exceed 20m in height measured from the natural</p>	<p>(2) Activity status: RDIS</p> <p>Where:</p> <p>(a) Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF, that:</p> <p>(i) Do not comply with one or more standards of Rule TEL-R13(1); and</p> <p>(ii) Are not located within an Identified Area.</p>

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	<p>ground level immediately below the structure; and</p> <p>(ii) Are located within the GRUZ – General rural zone; or</p> <p>(iii) Are located within road or unformed road located adjacent to the GRUZ – General Rural Zone.</p>	<p>Council’s discretion is restricted to the following matters:</p> <p>(b) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(c) The bulk, form, scale, location of the structure;</p> <p>(d) Visual, landscape, streetscape and amenity effects;</p> <p>(e) Where located within a road, the operation and function of road network activities; and</p> <p>(f) Effects on the values, qualities and characteristics of the site, heritage item or area.</p>
TEL-R14	Lightning rods	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Lightning rods that comply with all of the following conditions standards:</p> <p>(i) Do not exceed 1.8m in height;</p> <p>(ii) Do not connect to an area, façade or item specifically listed in SCHED I – Historic heritage items.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
TEL-R15	<p>Cabinets not meeting the NESTF regulations 19, 20, and 21 that are not located within:</p> <p>(a) GRZ – General residential zone;</p> <p>(b) MRZ1 – Medium density residential zone <u>1</u>;</p> <p>(a) RPZ – Rangitahi Peninsula zone;</p> <p>(b) LLRZ – Large lot residential zone;</p> <p>(c) SETZ – Settlement zone; or</p> <p>(d) Road and unformed road; or</p> <p>(e) <u>GRZ2 – Medium density residential zone 2</u></p>	
All zones	<p>(1) Activity status: CON</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(b) The location of the proposed facility, equipment or structure;</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

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	<p>(c) The ability to provide screening or landscaping; and</p> <p>(d) Effects on the values, qualities and characteristics of the site and/or items in SCHED I – Historic heritage items.</p>	
TEL-R16	Antennas attached to an existing pole in the road reserve that do not comply with Regulations 26 and 27 of the NESTF and antennas attached to an existing pole in unformed road	
All zones	<p>(1) Activity status: CON</p> <p>Activity-specific standards: Nil.</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(b) The location of the proposed facility, equipment or structure;</p> <p>(c) The ability to provide screening or landscaping; and</p> <p>(d) Effects on the values, qualities and characteristics of the site and/or items in SCHED I – Historic heritage items.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
TEL-R17	Dish antennas not complying with regulations 26-35 of the NESTF that are not located within:	
	<p>(f) GRZ – General residential zone;</p> <p>(g) MRZ<u>1</u> – Medium density residential zone <u>1</u>;</p> <p>(h) RPZ – Rangitahi Peninsula zone;</p> <p>(i) LLRZ – Large lot residential zone;</p> <p>(j) SETZ – Settlement zone; or</p> <p>(k) Road and unformed road, or</p> <p>(l) <u>GRZ2 – Medium density residential zone 2</u></p>	
All zones	<p>(1) Activity status: CON</p> <p>Activity-specific standards: Nil.</p> <p>Council’s control is reserved over the following matters:</p> <p>(a) The size, colour and design of the proposed facility, equipment or structure;</p> <p>(b) The location of the proposed facility, equipment or structure;</p> <p>(c) The ability to provide screening or landscaping; and</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

	(d) Effects on the values, qualities and characteristics of the site and/or items in SCHED I – Historic heritage items.	
TEL-R18	Cabinets not meeting the NESTF regulations 19, 20, and 21 that are located within: (m) GRZ – General residential zone; (n) MRZ <u>1</u> – Medium density residential zone <u>1</u> ; (o) RPZ – Rangitahi Peninsula zone; (p) LLRZ – Large lot residential zone; (q) SETZ – Settlement zone; or (r) Road and unformed road; <u>or</u> (s) <u>GRZ2 – Medium density residential zone 2</u>	
All zones	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters: (a) The functional and operational needs of, and benefits derived from, the infrastructure; (b) The bulk, form, scale, location of the structure; (c) Visual, landscape, streetscape and amenity effects; (d) Where located within a road, the operation and function of road network activities; and (e) Effects on the values, qualities and characteristics of the site, heritage item or area.	(2) Activity status where compliance not achieved: n/a
TEL-R19	Dish antennas not complying with regulations 26-35 of the NESTF that are located within: (a) GRZ – General residential zone; (b) MRZ <u>1</u> – Medium density residential zone <u>1</u> ; (c) RPZ – Rangitahi Peninsula zone; (d) LLRZ – Large lot residential zone; (e) SETZ – Settlement zone; or (f) Road and unformed road; <u>or</u> (g) <u>GRZ2 – Medium density residential zone 2</u>	
All zones	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters:	(2) Activity status: n/a

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	<ul style="list-style-type: none"> (a) The functional and operational needs of, and benefits derived from, the infrastructure; (b) The bulk, form, scale, location of the structure; (c) Visual, landscape, streetscape and amenity effects; (d) Where located within a road, the operation and function of road network activities; and (e) Effects on the values, qualities and characteristics of the site, heritage item or area. 	
TEL-R20	Poles, antennas and headframes not complying with regulations 26-35 of the NESTF	
All zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The functional and operational needs of, and benefits derived from, the infrastructure; (b) The bulk, form, scale, location of the structure; (c) Visual, landscape, streetscape and amenity effects; (d) Where located within a road, the operation and function of road network activities; and (e) Effects on the values, qualities and characteristics of the site, heritage item or area. 	(2) Activity status: n/a
TEL-R21	Poles, antennas and headframes not complying with regulations 26-35 of the NESTF	
All zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The functional and operational needs of, and benefits derived from, the infrastructure; (b) The bulk, form, scale, location of the structure; (c) Visual, landscape, streetscape and amenity effects; 	(2) Activity status: n/a

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	(d) Where located within a road, the operation and function of road network activities; and (e) Effects on the values, qualities and characteristics of the site, heritage item or area.	
TEL-R22	Cabinets not meeting the NESTF regulations 19, 20, and 21 that are located within an Identified Area	
All zones	(I) Activity status: DIS	
TEL-R23	Antennas attached to a building and/or structure located within an Identified Area	
All zones	(I) Activity status: DIS	
TEL-R24	Dish antennas not complying with regulations 26-35 of the NESTF that are located within an Identified Area.	
All zones	(I) Activity status: DIS	
TEL-R25	Poles, antennas and headframes located within an Identified Area not complying with regulations 26-35 of the NESTF	
All zones	(I) Activity status: DIS	
TEL-R26	Aerial telecommunication lines and associated support structures located within an Identified Area	
All zones	(I) Activity status: DIS	

TRPT – Transportation

Rules

TRPT-RI	Vehicle access for all activities	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) All activities must comply with the following vehicle access standards:</p> <p>(i) The site has legal physical access to a formed road that is maintained by a road controlling authority;</p> <p>(ii) The site has a vehicle access that is constructed to comply with the relevant requirements of Table 1 – Separation distances, Figure 6 – Separation distances, Table 2 – Minimum sight distances and Figure 8 – Minimum sight distances, Tables 12 and 13 except:</p> <p>(1) Rule TRPT-RI(1)(a)(ii) does not apply where the separation distance requirements of Table 1 – Separation distances and Figure 6 – Separation distances cannot be achieved on a site’s road frontage due to existing vehicle accesses on adjacent sites;</p> <p>(iii) No new vehicle access shall be created from Newell Road (south of Birchwood Lane);</p> <p>(iv) No access, access leg or right-of-way shall run parallel to any road within 30m of the road, except:</p> <p>(1) Rule TRPT-RI(1)(a)(iv) does not apply to farm races, or unsealed internal rural accesses in sites within the Rangitahi Peninsula Structure Plan Area and Oporu Road;</p> <p>(v) On a site with legal access to two roads, the activity only</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Traffic generation by the activities to be served by the access;</p> <p>(b) Location, design, construction and materials of the vehicle access;</p> <p>(c) Safety for all users of the access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians;</p> <p>(d) Road network safety and efficiency;</p> <p>(e) Mitigation to address safety and/or efficiency, including access clearance requirements for firefighting purposes;</p> <p>(f) The foreseeable needs for access by emergency services and their vehicles;</p> <p>(g) The extent to which the safety and efficiency of rail and road operations will be adversely affected, including:</p> <p>(h) The outcome of any consultation with KiwiRail; NZTA; Waikato District Council, as the rail or road controlling authority; and</p> <p>(i) Any characteristics of the proposed use that will make compliance unnecessary; and</p> <p>(i) Management of effects on the values of the Identified Area.</p>

	<p>accesses the road with the lower classification in the road hierarchy in Table 4 – Functions of roads within the Road Hierarchy and Table 5 – Road Hierarchy list (where the roads have the same classification, access is only to the road with the lower average daily traffic movements) except in the KLZ – Kimihia Lakes zone where this rule does not apply;</p> <p>(vi) New vehicle accesses/entrances are not to be constructed to any site from the following roads:</p> <ul style="list-style-type: none"> (1) Main Street, Huntly; (2) Jesmond Street, Ngaruawahia; (3) Bow Street, Raglan (James Street to Cliff Street); (4) George Street, Tuakau (Gibson Road to Liverpool Street); (5) Great South Road, Pokeno (Selby Street to Market Street); and (6) Main Street, Te Kauwhata (Saleyard Road to Baird Avenue); and <p>(vii) No new vehicle access shall be created within 30 metres of a railway level crossing;</p> <p>(viii) All existing and new accesses and roads that cross an operational rail network via a level crossing must be maintained in accordance with the sight line triangles provided in Table 14 – Required restart sight distances for Figure 18; and</p> <p>(ix) New vehicle access shall not be located within an Identified Area, with the exception of a Significant Natural Area which is addressed in the ECO –</p>	
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	<p>Ecosystems and indigenous biodiversity chapter.</p> <p>Advice note:</p> <p>Any new vehicle access (or additional land use utilising an existing vehicle entrance) on a highway will require the approval of the NZTA, as the road controlling authority, and on a limited access road will require the approval of the road controlling authority.</p>	
<p>TRPT-R2</p>	<p>On-site parking and loading</p>	
<p>All zones</p>	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) All activities must comply with the following on-site parking and loading standards:</p> <p>(i) The loading space requirements, manoeuvring and parking space dimensions in Table 6 – Required loading bays, and Table 9 – Car manoeuvring and parking space dimensions, noting:</p> <p>(1) When calculating the requirements for loading on the basis of the prescribed floor area, the area for parking, loading and manoeuvring shall be excluded;</p> <p>(2) If the calculation results in a fraction, then that figure shall be rounded to the nearest whole number;</p> <p>(3) 90 percentile car dimensions in Figure 9 – 90th Percentile car tracking curve minimum radius apply;</p> <p>(4) The requirements of Table 6 – Required loading bays do not apply to residential and rural activities;</p> <p>(5) Accessible parking spaces must comply with the New Zealand Building Code DI/AS1 New Zealand Standard for</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 area, type, location and marking of parking spaces;</p> <p>(b) The area, design, gradient, stormwater management, construction and materials of parking and loading spaces,</p> <p>(c) Accessibility of parking areas from on-site activities;</p> <p>(d) Safety for all users of the access and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</p> <p>(e) Mitigation to address amenity and connectivity.</p> <p>(f) The foreseeable needs for access by emergency services and their vehicles; and</p> <p>(g) Management of effects on the values of the Identified Area.</p>

	<p>Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) and Table 7 – Accessible parking spaces; and</p> <p>(ii) On-site bicycle space requirements in Table 8 – Required bicycle spaces, except:</p> <p>(I) The requirements of Table 8 – Required bicycle spaces do not apply to residential and rural activities;</p> <p>(iii) Where parking is provided any on-site car parking spaces for non-residential activities within the GRZ – General residential zone, and MRZ1 – Medium density residential zone 1, and <u>the MRZ2 – Medium density residential zone 2</u>, must be set back at least 3m from the road boundary of the site and screened by planting or fencing from being viewed from the road;</p> <p>(iv) On-site car parking spaces (where provided) and loading bays comply with the requirements of Table 9 – Car manoeuvring and parking space dimensions and Figure 9 – 90th Percentile car tracking curve minimum radius and be located on the same site as the activity;</p> <p>(v) On-site car parking spaces and loading bays are to be sealed if five or more parking spaces are provided;</p> <p>(vi) On-site car parking spaces and loading bays are to be permanently marked if five or more parking spaces are provided;</p> <p>(vii) On-site car parking spaces and loading bays are not to be located on any shared access or residential living court;</p>	
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	<p>(viii) Vehicles occupying any on-site car parking or loading spaces must have ready access to the road (or relevant access or right of way) at all times, without needing to move any other vehicle occupying other on-site car parking or loading spaces;</p> <p>(ix) Loading bays are not required on sites with sole frontages to the following:</p> <ol style="list-style-type: none"> (1) Main Street, Huntly; (2) Jesmond Street, Ngaruawahia; (3) Bow Street, Raglan (James Street to Cliff Street); (4) George Street, Tuakau (Gibson Road to Liverpool Street); (5) Great South Road, Pokeno (Selby Street to Market Street); or (6) Main Street, Te Kauwhata (Saleyard Road to Baird Avenue); and <p>(x) New on-site parking and loading bays shall not be located within an Identified Area, with the exception of a Significant Natural Area which is addressed in the ECO – Ecosystems and indigenous biodiversity chapter.</p>	
<p>TRPT-R3</p>	<p>On-site manoeuvring and queuing</p>	
<p>All zones</p>	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ol style="list-style-type: none"> (a) All activities must comply with the following on-site manoeuvring and queuing standards: <ol style="list-style-type: none"> (i) On-site manoeuvring space shall be provided to ensure that no vehicle is required to reverse onto from or to a road except; <ol style="list-style-type: none"> (1) Rule TRPT-R3(1)(a)(i) does not apply to Local Roads within the GRZ – 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> (a) Location, area, design, construction and materials of the manoeuvring and queuing space; (b) Type and frequency of use; (c) The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but

	<p>General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone and SETZ – Settlement zone with a posted speed limit of less than 60 km/h;</p> <p>(ii) A 90th percentile car, as defined in Figure 9 – 90th Percentile car tracking curve minimum radius, can enter and exit all parking spaces without making more than one reverse movement, excluding spaces required for a dwelling;</p> <p>(iii) On-site manoeuvring space for any heavy vehicle shall comply with the tracking curve (relevant for the type of activities to be carried out on the site and the largest combination standard configuration heavy vehicle permitted on the road(s) to which the site has frontage trucks to be used)</p> <p>(iv) On-site manoeuvring space shall be formed;</p> <p>(v) On-site queuing space shall be provided in accordance with Table 10 – Queuing space for vehicles entering and exiting any on-site car parking, loading or manoeuvring space, where:</p> <p>(1) Length is measured from the road boundary where vehicles first enter the site; and</p> <p>(2) On-site queuing above must not encroach into the required on-site manoeuvring area;</p> <p>(vi) On-site manoeuvring and queuing spaces are not required on sites with vehicle accesses/entrances to the following:</p> <p>(1) Main Street, Huntly;</p>	<p>not limited to vehicle occupants, vehicle riders and pedestrians;</p> <p>(d) Road network safety and efficiency; and</p> <p>(e) Management of effects on the values of the Identified Area.</p>
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	<p>(2) Jesmond Street, Ngaruawahia;</p> <p>(3) Bow Street, Raglan (James Street to Cliff Street);</p> <p>(4) George Street, Tuakau (Gibson Road to Liverpool Street);</p> <p>(5) Great South Road, Pokeno (Selby Street to Market Street);</p> <p>(6) Main Street, Te Kauwhata (Saleyard Road to Baird Avenue); and</p> <p>(vii) New on-site manoeuvring shall not be located within an Identified Area, with the exception of a Significant Natural Area which is addressed in the ECO – Ecosystems and indigenous biodiversity chapter.</p>	
<p>TRPT-R4</p>	<p>Traffic generation</p>	
<p>All zones</p>	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Where any site gains access from an arterial or regional arterial (including state highway) road, there is a maximum of 50 Equivalent Car Movements (ECM) per day.</p> <p>Note: ECM – 1 car movement is equivalent to 1 car movement / 1 truck movement is equivalent to 3 car movements / 1 truck and trailer movement is equivalent to 5 car movements.</p> <p>Any other site must comply with the following traffic generation conditions standards:</p> <p>(i) Within the GRZ – General residential zone, MRZ₁ – Medium density residential zone <u>1</u>, MRZ₂ – Medium density residential zone <u>2</u>, or RLZ – Rural lifestyle zone there is a maximum of 100 vehicle movements per site per day, and no more than 15% of these vehicle</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 trip characteristics of associated with the proposed activity;</p> <p>(b) The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</p> <p>(c) Land transport network safety and efficiency, particularly at peak traffic times (of both the activity and road network); and</p> <p>(d) Mitigation to address adverse effects, such as:</p> <p>(i) Travel planning;</p> <p>(ii) Providing alternatives to private vehicle trips; including accessibility to public transport;</p> <p>(iii) Staging development; and</p> <p>(iv) Contributing to improvements to the road network.</p>

	<p>movements are heavy vehicle movements; or</p> <p>(ii) Within the RPZ – Rangitahi Peninsula zone there is a maximum of 200 vehicle movements per site per day, and no more than 5% of these vehicle movements are heavy vehicle movements; or</p> <p>(iii) Within the BTZ – Business Tamahere zone, COMZ – Commercial zone, TCZ – Town centre zone or LCZ – Local centre zone there is a maximum of 300 vehicle movements per site per day, and no more than 15% of these vehicle movements are heavy vehicle movements; or</p> <p>(iv) Within the GRUZ – General rural zone:</p> <p>(1) There is maximum 200 vehicle movements per site per day and no more than 15% of these vehicle movements are heavy vehicle movements;</p> <p>(2) For activities directly associated with horticulture harvesting, a maximum of 300 vehicle movements per site per day for up to a month, once in a 12-month period and no more than 33% of these vehicle movements are heavy vehicle movements; or</p> <p>(3) Within the Agricultural Research Centres identified on the planning maps as a specific controls there is maximum 3000 vehicle movements per site per day; or</p> <p>(v) Within the GIZ – General industrial zone and HIZ – Heavy industrial zone (excluding the Huntly Power Station and Huntly Quarry site):</p>	
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	<p>(1) Maximum 250 vehicle movements per site per day and no more than 15% of these vehicle movements are heavy vehicle movements; or</p> <p>(vi) From the Huntly Power Station site as shown as the HIZ – Heavy industrial zone on the planning maps:</p> <p>(1) All vehicle movements generated from all activities on the site combined (including those movements which were lawfully established prior to 5 December 2012), there is a maximum 750 vehicle movements per site per day; and</p> <p>(2) Maximum 300 of these vehicle movements are heavy vehicle movements; or</p> <p>(vii) From the Huntly Quarry site:</p> <p>(1) All vehicle movements generated from all activities on the site combined (excluding those movements which were lawfully established prior to 5 December 2012), there is maximum 350 vehicle movements per site per day; and</p> <p>(2) No more than 150 of these vehicle movements are heavy vehicle movements, increasing to 200 once the Huntly Bypass section of the Waikato Expressway is open for public use. Or</p> <p>(viii) Within PREC27 and PREC28 of the TKAZ – Te Kowhai airpark zone there is a maximum 250 vehicle movements per site per day and no more than 15% of these vehicle movements are heavy vehicle movements; or</p>	
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	<p>(ix) Within PREC29 and PREC30 of the TKAZ – Te Kowhai airpark zone there is a maximum of 30 vehicle movements per site per day and no more than 4 of these vehicle movements are heavy vehicle movements except:</p> <p>(x) Movement restrictions do not apply if the activity is an event or promotion (including temporary events) in PREC29 or a community facility in PREC29; or</p> <p>(xi) From the Horotiu Industrial Park does not exceed 15.4 trips/ha gross land area/peak hour;</p> <p>(xii) Within the KLZ – Kimihia Lakes zone there is a maximum of 850 vehicle movements per hour and no more than 15% of these vehicle movements are heavy vehicle movements</p> <p>Advice Note:</p> <p>Where the likely vehicle movement rates or the actual generation rates of the actual activity are unknown, Table 11 – Vehicle movement rates provides indicative traffic generation rates for various activities.</p>	
TRPT-R5	Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Operation, maintenance and minor upgrading of existing public roads, State Highways, rail corridors and associated rail network and road network activities must comply with the following standards:</p> <p>(i) The works occur within the road reserve or railway corridor;</p> <p>(ii) Works within the road or railway corridor must be for the purpose of:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Adverse effects on amenity values, including construction effects such as vibration and noise;</p> <p>(b) Adverse operational effects, particularly on residential or other sensitive land uses, including effects of vibration, noise, glare and vehicle emissions;</p> <p>(c) Severance and changes to drainage patterns;</p>

	<p>(1) Maintaining or improving effectiveness or efficiency consistent with the function of the existing public road or railway corridor; or</p> <p>(2) Maintaining or improving safety for road users or adjacent properties; and</p> <p>(iii) Lighting shall be designed and located to comply with the Australia New Zealand Roadway Lighting Standard 1158, (series) – Lighting for Roads and Public Spaces: 2005; and</p> <p>(iv) Any earthworks must comply with Rule AINF-R8.</p>	<p>(d) The benefits provided by the activity, including safety and efficiency of the road network;</p> <p>(e) Management of sediment and dust, including the staging of works;</p> <p>(f) The volume, extent and depth of the earthworks activities; and</p> <p>(g) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site.</p>
TRPT-R6	New public roads, including where the road has been identified on the planning maps as an indicative road, and associated road network activities	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) New public roads, including where the road has been identified on the planning maps as an indicative road, and associated road network activities must comply with the following standards:</p> <p>(i) The public road is located within road or unformed road as shown on the planning maps;</p> <p>(ii) The public road is not located within an Identified Area;</p> <p>(iii) The design requirements of Tables 12 or 13 based on their function within the Road Hierarchy as set out in Table 4 – Functions of roads within the Road Hierarchy, except:</p> <p>(1) Any National routes or Regional arterial roads shall be subject to Rule TRPT-R6(2);</p> <p>(2) The specified minimum Road/right of way reserve widths in Tables 12 or 13 do not include any</p>	<p>(2) Activity status: RDIS</p> <p>Where:</p> <p>(a) New public roads, including where the road has been identified on the planning maps as an indicative road, and associated road network activities that</p> <p>(i) Are not located within an Identified Area; and</p> <p>(ii) Do not comply with one or more of the standards of Rule TRPT-R6(1)</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(b) Adverse effects on amenity values, including construction effects such as vibration and noise;</p> <p>(c) Adverse operational effects, particularly on residential or other sensitive land uses, including effects of vibration, noise, glare and vehicle emissions;</p> <p>(d) Severance and changes to drainage patterns;</p> <p>(e) The benefits provided by the activity, including safety and efficiency of the road network;</p>

	<p>additional width required for a turning head;</p> <p>(3) Any private access, right of way or access allotment over 70m in length must be constructed to be in accordance with the highest dimensions required for an access allotment in Tables 12 or 13; and</p> <p>(4) The requirements of Tables 12 or 13 shall not apply to taxiways within the TKAZ – Te Kowhai airpark zone;</p> <p>(iv) Within road or unformed road located within the Tamahere RLZ – Rural lifestyle zone, all roads must:</p> <p>(v) Comply with the minimum widths specified in Figure 12; and</p> <p>(vi) Have swale drains on both sides of the carriageway capable of collecting all road runoff and overland flow towards the road or right of way from a 20% Annual Exceedance Probability event; and</p> <p>(vii) In areas of poorly-drained soils, either the stormwater is to be directed to areas with higher infiltration, or infiltration systems are to be constructed.</p> <p>(viii) Within road or unformed road located within the RPZ – Rangitahi peninsula zone, the relevant access and road requirements of the Rangitahi Structure Plan take priority over the standards in Table 12 or 13 in the event of any conflict;</p> <p>(ix) The road connection between Wayside Road and Travers Road comprising the extension of Bragato Way, Te Kauwhata:</p>	<p>(f) Management of sediment and dust, including the staging of works;</p> <p>(g) The volume, extent and depth of the earthworks activities; and</p> <p>(h) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site</p> <p>(3) Activity status: DIS</p> <p>Where:</p> <p>(a) New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities that are located within an Identified Area</p>
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	<p>(x) All roads and vehicle accesses shall be constructed in accordance with Table 12 and Figures 14, 15 and 16; and</p> <p>(xi) Stormwater collection must be through grassed swales prior to reaching reticulated systems; and</p> <p>(xii) Any earthworks must comply with Rule AINF-R8.</p> <p>Advice note:</p> <p>Where the standards of Table 12 or 13 do not specify a specific dimension and instead state this aspect is subject to a specific design; this aspect of the road is considered to be exempt when determining a permitted activity under Rule TRPT-R6(1). The design of that specific aspect of the road is therefore subject to a separate certification process by the relevant road controlling authority.</p>	
<p>TRPT-R7</p>	<p>Access and new roads in the TKAZ – Te Kowhai airpark zone</p>	
<p>TKAZ – Te Kowhai airpark zone</p>	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Airpark roads which are to be vested in Council must comply with the following conditions standards:</p> <p>(i) The design requirements of Table 12 or 13, based on their function within the Road Hierarchy as set out in Table 4 – Functions of roads within the Road Hierarchy, except:</p> <p>(1) The requirements of Table 12 or 13 shall not apply to taxiways within Te Kowhai airpark.</p> <p>(ii) Road alignment and the taxiway network within the TKAZ – Te Kowhai airpark zone shall be in general accordance with APP10 – Te Kowhai Aerodrome.</p> <p>(iii) The western boundary of the TKAZ – Te Kowhai airpark zone shall provide for</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 the Te Kowhai airpark zone Framework Plan is not complied with;</p> <p>(b) The extent to which connectivity can safely and practically be achieved between Te Kowhai aerodrome and Te Kowhai village;</p> <p>(c) Adverse effects on amenity values, including construction effects such as vibration and noise;</p> <p>(d) Adverse operational effects, particularly on residential or other sensitive land uses, including effects of vibration, noise, glare and vehicle emissions;</p> <p>(e) Severance and changes to drainage patterns;</p>

	<p>future connectivity options (vehicular and / or pedestrian) in general accordance with the location identified in APP10 – Te Kowhai Aerodrome.</p> <p>(iv) Any earthworks must comply with Rule AINF-R8.</p>	<p>(f) The benefits provided by the activity, including safety and efficiency of the road network;</p> <p>(g) Management of sediment and dust, including the staging of works;</p> <p>(h) The volume, extent and depth of the earthworks activities;</p> <p>(i) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area; and</p> <p>(j) adverse effects on the safety and efficiency of the land transport network.</p>
TRPT-R8	Off-road pedestrian walkways and cycleways, being sections of the public walkway and cycleway network that are not located within the road network	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Off-road pedestrian walkways and/or cycleways, that comply with all of the following standards:</p> <p>(i) Have a minimum 2.0m width or 2.5m where alongside an arterial road or forming a shared path;</p> <p>(ii) Are formed;</p> <p>(iii) Any earthworks must comply with Rule AINF-R8; and</p> <p>(iv) Are not located within an Identified Area.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design, construction and materials;</p> <p>(b) Safety for cyclists and pedestrians;</p> <p>(c) Connectivity with other off-road pedestrian and cycle facilities and the road network; and</p> <p>(d) Visual and amenity effects; and</p> <p>(e) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area</p>
TRPT-R9	Stock underpasses located within:	
	<p>(a) Road and unformed road;</p> <p>(b) GRUZ – General rural zone</p>	
GRUZ – General rural zone, road and unformed road	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Stock underpasses in the GRUZ – General rural zone located in the road and unformed road that comply with all of the following standards:</p> <p>(i) Any earthworks must comply with Rule AINF-R8; and</p> <p>(ii) Are not located within an Identified Area.</p>	<p>(2) Activity status: DIS</p> <p>Where:</p> <p>(a) Stock underpasses not provided for under Rule TRPT-R9(1)</p>
TRPT-R10	Esplanade reserves and strips where a road is stopped	

All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Where land comprising a stopped road or any part of a stopped road adjoins:</p> <p>(i) The mark of mean high water springs of the sea; or</p> <p>(ii) The bank of any river with an average width of 3m or more; or</p> <p>(iii) The margin of any lake with an area of 8 hectares or more Section 345(3) of the Local Government Act 1974 and section 118 of the Public Works Act 1981 will apply only where the land comprising the stopped road or part of the stopped road is identified:</p> <p>(iv) In APP7 – Esplanade priority areas; or</p> <p>(v) On the planning maps as requiring an esplanade reserve, esplanade strip or access strip to be set aside.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
TRPT-R11	Buildings and structures within a road/rail level crossing sight triangle	
All zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The extent to which the safety and efficiency of rail and road operations will be adversely affected;</p> <p>(b) The outcome of any consultation with KiwiRail; and</p> <p>(c) Any characteristics of the proposed use that will make compliance unnecessary.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

Table I – Separation distances

Separation distance of an access onto a road from an intersection or between accesses									
Posted speed	Design speed	Distance (m)							
		P		K		M		N	
		National Regional Arterial and Arterial	Collector Road and Local Road	National Regional Arterial and Arterial	Collector Road and Local Road	National Regional Arterial and Arterial	Collector Road and Local Road	National Regional Arterial and Arterial	Collector Road and Local Road
100 km/h	110 km/h	800	500	500	100	60		200	100
80 km/h	100 km/h	550	305	305	80			100	80
70 km/h	80 km/h	220	200	220	30		45	40	30
60 km/h	70 km/h						20	20	
50 km/h or less	60 km/h						20	15	

Advice note: The references P, K, M and N are illustrated in Figure 6 – Separation distances

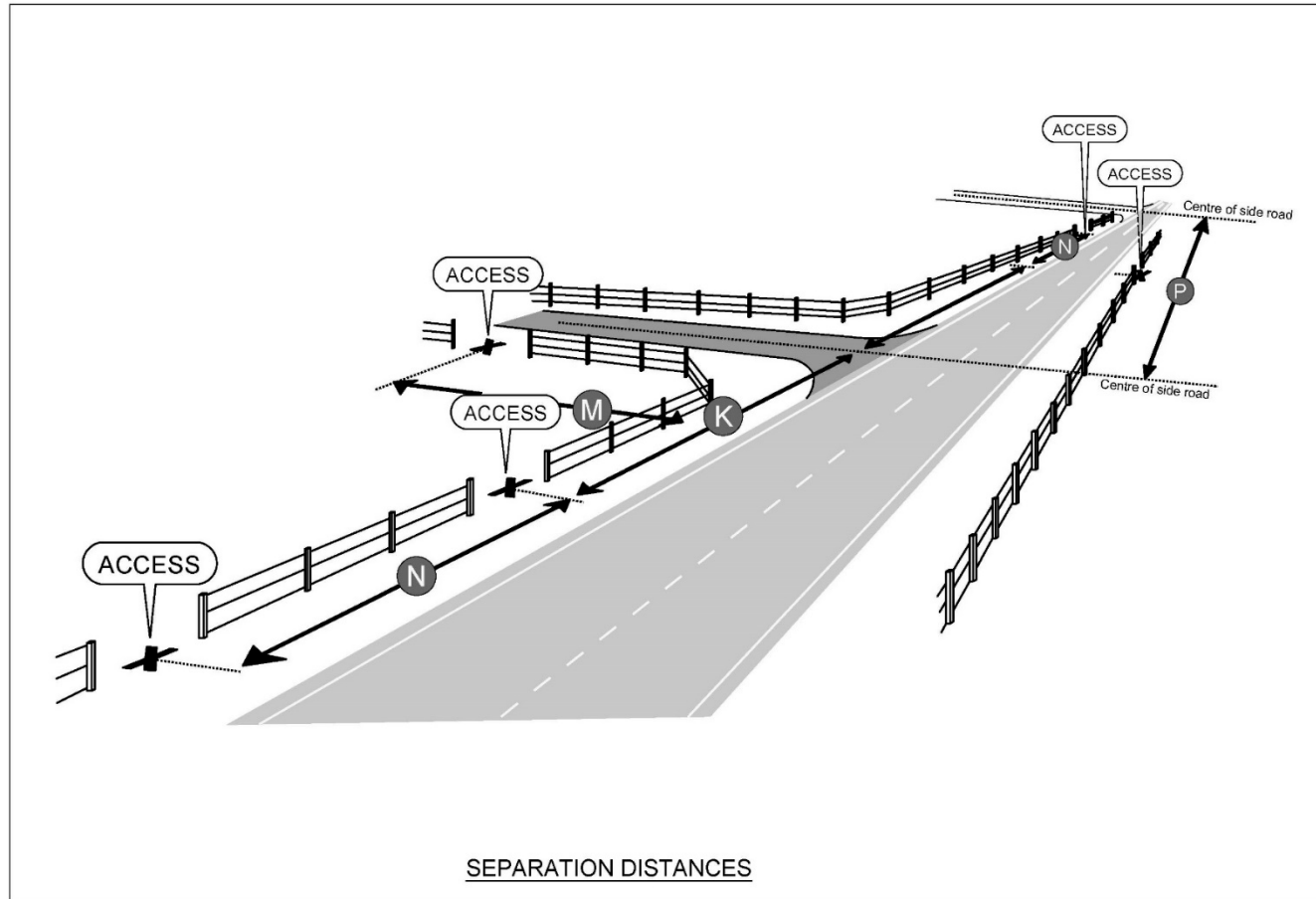


Figure 6 – Separation distances

Table 2 – Minimum sight distances

Design speed (km/h)	From a vehicle entrance generating up to and including 40 vehicle movements per day	From a vehicle entrance generating more than 40 vehicle movements per day	
		Rural areas	Urban areas
40	65m	75m	65m
50	90m	100m	90m
60	115m	125m	115m
70	140m	150m	140m
80	180m	180m	170m
90	215m	215m	-
100	250m	250m	-
110	290m	290m	-

Advice notes:

(1) Sight distances are measured as illustrated in Figure 8 – Minimum sight distances

(2) Urban areas being those with a posted speed limit of 70 km/h or below.

Table 3 – Road centreline radius

Road centreline Radius	Approx. design speed
0 – 45m	50 km/h
45 – 60m	60 km/h
60 – 80m	65 km/h
80 – 100m	70 km/h
100 – 120m	75 km/h
120 – 150m	80 km/h

150 – 200m	85 km/h
200 – 300m	95 km/h
300 – 400m	100 km/h
>400m	110km/h

Advice note: curve radius can be determined using the following formula in Figure 7 – Curve radius formula.

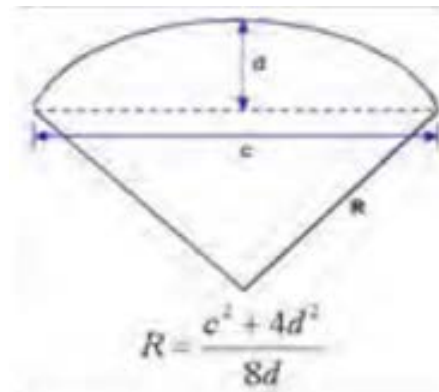


Figure 7 – Curve radius formula

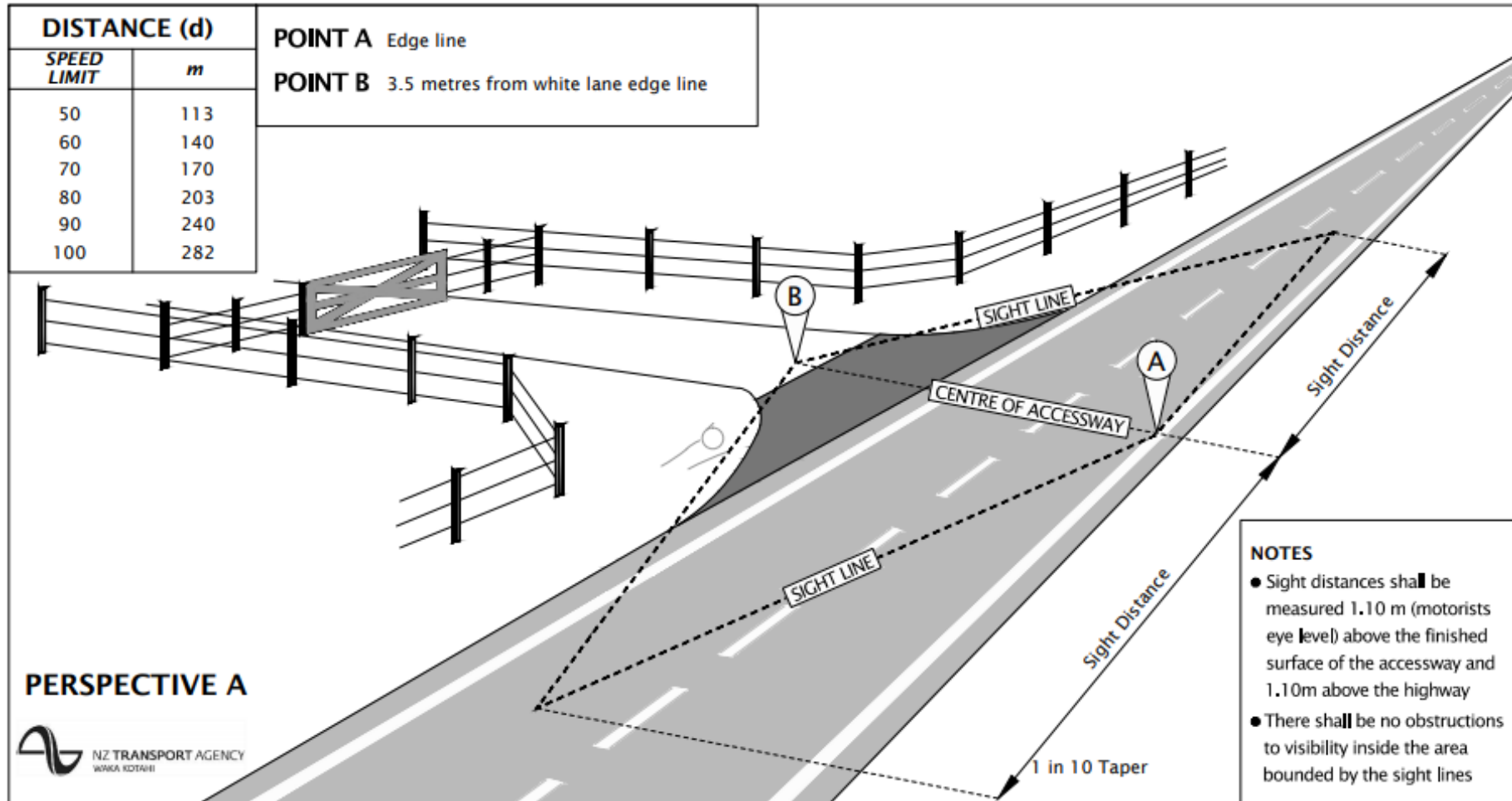


Figure 8 – Minimum sight distances

Table 4 – Functions of roads within the Road Hierarchy

Category	Function
National routes	Motorways, expressways and state highways that: <ul style="list-style-type: none"> • form a strategic network of national importance • provide for the collection and distribution of goods significant to the national economy • the through traffic function predominates.
Regional arterial roads: <ul style="list-style-type: none"> • state highways not included in National Routes category • roads giving access to important tourist areas or centres of large populations • roads linking different transport modes • roads providing significant intra-urban links. 	State highways and roads that: <ul style="list-style-type: none"> • form a strategic network of regional importance • provide for the collection and distribution of goods significant to the regional economy • rural roads that typically provide for more than 6,000 vehicle movements per day (vmpd) • include rest areas • the through-traffic function predominates.
Arterial roads: <ul style="list-style-type: none"> • links between residential, commercial, industrial or recreational land use activities • provide alternative links between centres of population or are significant for the movement of goods or produce within the district. 	Roads that: <ul style="list-style-type: none"> • form a strategic network of district importance • provide for the collection and distribution of goods significant to the district's economy • rural roads that typically provide for less than 6,000 vehicle movements per day (vmpd) • the through traffic function needs to be balanced against the property access function.
Collector roads: <ul style="list-style-type: none"> • provide links between local roads and arterials. 	Roads that: <ul style="list-style-type: none"> • provide locally-preferred routes between or within areas of population or activities • provide alternative routes to arterials • are sealed and are of road geometry aligned with operational safety standards required for the traffic volumes on each section

	the through traffic function needs to be balanced against the property access function.
Local roads	Roads whose primary function is property access.
Cul-de-sacs and no-exit roads	Roads that do not provide a vehicular thoroughfare between roads, and whose primary function is property access.

Advice note: Corridor widths, road standards and the location of structures and services will vary for each road category, in accordance with Tables 12 and 13.

Table 5 – Road Hierarchy list

National Routes		
<i>Road Name</i>	<i>Start</i>	<i>Finish</i>
State Highway 1	North district boundary	Hamilton City boundary
State Highway 1	Hamilton City boundary	South district boundary
State Highway 2	State Highway 1	East district boundary
State Highway 26	Hamilton City boundary	East district boundary

Regional Arterial		
<i>Road Name</i>	<i>Start</i>	<i>Finish</i>
State Highway 1B (Gordonton Road)	State Highway 1	Taylor Road
State Highway 1B (Taylor Road)	Gordonton Road	Puketaha Road
State Highway 1B (Puketaha Road)	Taylor Road	Telephone Road
State Highway 1B (Telephone Rd)	Puketaha Road	Holland Road
State Highway 1B (Marshmeadow Road)	Holland Road	State Highway 26
State Highway 1B (Hoeka Road)	State Highway 26	Tauwhare Road

Regional Arterial		
<i>Road Name</i>	<i>Start</i>	<i>Finish</i>
State Highway 1B (Marychurch Road)	Tauwhare Road	Southeast district boundary
Gordonton Road	Taylor Road	Hamilton City boundary
State Highway 23	Hamilton City boundary	Manukau Road, Raglan
State Highway 21 (Airport Road)	Tamahere interchange	West district boundary
State Highway 39 (Koura Drive)	State Highway 1	State Highway 39 (Limmer Road)
State Highway 39 (Te Kowhai Road)	State Highway 39 (Koura Drive)	State Highway 39 (Limmer Road)
State Highway 39 (Limmer Road)	State Highway 39 (Limmer Road)	State Highway 39 (Horotiu Road)
State Highway 39 (Horotiu Road)	State Highway 39 (Limmer Road)	State Highway 39 (Whatawhata Road)
State Highway 39 (Kakaramea Road)	State Highway 23	South district boundary
Great South Road	Gordonton Road	State Highway 1 (Waikato Expressway)

Arterial		
<i>Road Name</i>	<i>Start</i>	<i>Finish</i>
Buckland Road	Tuakau Road	George Street
George Street (Tuakau)	Buckland Road	Whangarata Road
Glen Murray Road	Te Ohaki Road	Marshall Road
Gordonton Road	Borman Road/Hamilton City boundary	State Highway 1B/Taylor Road
Great South Road	Gordonton Road	State Highway 1 (Waikato Expressway)

Arterial		
<i>Road Name</i>	<i>Start</i>	<i>Finish</i>
Hetherington Road	Te Ohaki Road	State Highway 22
Holland Road	Ruakura Road	Waverley Road
Horotiu Bridge Road	River Road	Great South Road
Horotiu Road	Ngaruawahia Road	State Highway 39
Ngaruawahia Road	Havelock Road	Horotiu Road
Okaeria Road	Cozen Road	State Highway 2
Piako Road	State Highway 1B	Valentine Road
Puketaha Road	Gordonton Road	Piako Road
River Road (Ngaruawahia)	Kay Road	Great South Road
River Road (Tuakau)	Whangarata Road	Tuakau Bridge
Ruakura Road	State Highway 26	District boundary
Tahuna Road	Ohinewai South Road	District boundary
Tauwhare Road	State Highway 21	State Highway 26
Te Kauwhata Road	State Highway 1	Mahi Road
Victoria Road	Tauwhare Road	Bellevue Road
Waerenga Road	Wira Street	Cozen Road
Waverley Road	Holland Road	Piako Road
Whatawhata Avenue	Ellery Street	Havelock Road
Whitikahu Road	State Highway 1B	Orini Road

Collector		
<i>Road Name</i>	<i>Start</i>	<i>Finish</i>
Aka Aka Road	Waiuku Road	Otaua Road
Bankier Road	Horsham Downs Road	State Highway 1B/Gordonton Road
Dean Road	Great South Road	State Highway 1
George Street (Tuakau)	Dominion Road	Buckland Road
Great South Road (Huntly)	State Highway 1	Rayner Road
Great South Road (Pokeno)	State Highway 1	State Highway 1
Hakanoa Street	Onslow Street	Fletcher Street
Harris Street	Rotowaro Road	Te Ohaki Road
Harrisville Road	Mill Road	Dominion Road
State Highway 22	Tuakau Bridge	Hetherington Road
Horace Russell Road	Riverbank Road	State Highway 1
Kaiaua Road	Mangatangi Road	District boundary
Lake Road	River Road	State Highway 1B
Lyons Road	Mangatawhiri Road	Paparimu Road
Mangatangi Road	Mangatawhiri Road	Kaiaua Road
Mangatawhiri Road	State Highway 2	Mangatangi Road
Matangi Road	District boundary	Tauwhare Road
Mercer Ferry Road	Riverbank Road	Murray Road
Mile Bush Road	State Highway 22	Murray Road
Newell Road	State Highway 1	Devine Road
Onewhero-Tuakau Bridge Road	State Highway 22	Speed restriction
Onslow Street	Cul-de-sac west end	William Street

Collector		
<i>Road Name</i>	<i>Start</i>	<i>Finish</i>
Otaua Road	Aka Aka Road	Waiuku-Otaua Road
Paparimu Road	Lyons Road	District boundary
Platt Road	State Highway 26	Tauwhare Road
Pokeno Road	Great South Road	Ridge Road
Rawiri Road	Mangatangi Road	State Highway 2
Rayner Road	Main Street	William Street
Rotowaro Road	Harris Street	Waingaro Road
State Highway 22	Tuakau Bridge	Hetherington Road
Tainui Bridge Road	State Highway 1	Harris Street
Te Mata Road	State Highway 23	Ruapuke Road
Te Pahu Road	State Highway 23	District boundary
Tuakau Bridge-Port Waikato Road	State Highway 22	Maunsell Road
Waingaro Road	Great South Road	Ohautira Road
Wainui Road	Bow Street	Whaanga Road
Wainui Road/Bankart Street	Wainui Road (north)	Wainui Road (north)
Waiuku-Otaua Road	Otaua Road	Misa Road
Wallis Street	Bow Street	End of kerb and channel
Whangarata Road	River Road	Ridge Road
William Street	Rayner Road	Onslow Street

Table 6 – Required loading bays

Activity	Minimum Required Loading Bays
Bulk retail and car yards	1 heavy goods vehicle
Early childhood education and day care facility	Nil
Clubrooms at sports facilities	1 heavy goods vehicle
Community facilities, conference facilities and place of assembly	1 heavy goods vehicle
Marae complex	1 heavy goods vehicle
Papakaainga building	Nil
Dairies, takeaway food, bottle stores	1 heavy goods vehicle, except that in the RPZ – Rangitahi Peninsula zone 1 heavy goods vehicle per 1000m ² of GFA of Rangitahi commercial activity is required
Minor residential unit	Nil
Residential unit	Nil
Retirement village	Nil
Te Kauwhata Lakeside Retirement Village Retirement villages located within the Lakeside Te Kauwhata Precinct	Nil
Multi-unit development	Nil
Boarding houses / boarding establishments	Nil
Emergency service facilities	Nil
Garden centres	1 heavy goods vehicle
Health facility, veterinary and personal services	Nil
Home businesses	Nil
Hospitality services (e.g. cafés, taverns)	1 heavy goods vehicle, except that in the RPZ – Rangitahi Peninsula zone 1 heavy goods vehicle per 1000m ² GFA of Rangitahi commercial activity is required.
Housing for the elderly/ residential care	Nil

Activity	Minimum Required Loading Bays
Indoor sports facilities	Nil
Industrial activity	1 heavy goods vehicle
Infrastructure sites and activities	Nil
Office	Nil
Outdoor sports field	Nil
Hospital or care facilities associated with retirement village	1 heavy goods vehicle
Retail activity	Nil
School	1 bus space per 200 students where school bus services are provided
Service stations	Nil
Supermarket activity	Under 2500m ² GFA – 1 heavy goods vehicle Over 2500m ² GFA – 2 heavy goods vehicles
Tertiary education facilities	1 heavy goods vehicle
Visitor accommodation	1 heavy goods vehicle

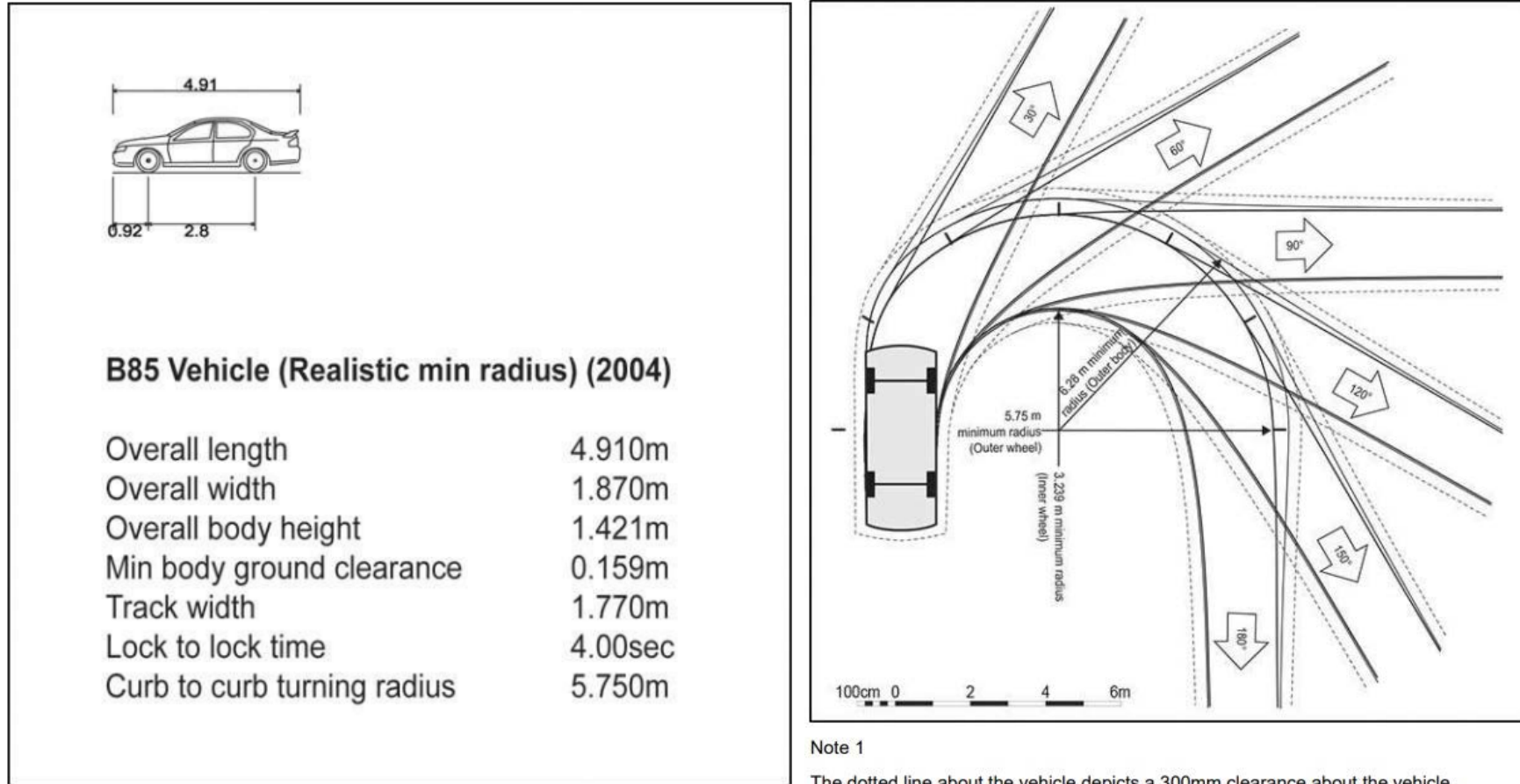


Figure 9 – 90th Percentile car tracking curve minimum radius

Table 7 – Accessible parking spaces

Parking spaces are to be provided for people with disabilities and accessible routes from the parking spaces to the associated activity or road as required by the New Zealand Building Code D1/AS1. The dimensions and accessible route requirements are detailed in the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121- 2001).

Table 8 – Required bicycle spaces

Activity	Required number of bicycle spaces
Bulk retail and car yards	GFA less than or equal to 1,500 m ² = No bicycle space required; For GFA greater than 1,500 m ² = 1 bicycle space for every 1,500m ² GFA or part thereof
Early Childhood Education and day care facility	Less than or equal to 4 classroom equivalents = No bicycle space required; Greater than 4 classroom equivalents = 1 bicycle space for every 4 classroom equivalents or part thereof
Clubrooms and sports facilities	GFA less than or equal to 3,500 m ² = No bicycle space required; For GFA greater than 3,500 m ² = 1 bicycle space for every 3,500 m ² GFA or part thereof
Community facilities, conference facilities and place of assembly	GFA less than or equal to 1,500 m ² = No bicycle space required; For GFA greater than 1,500 m ² = 1 bicycle space for every 1,500m ² GFA or part thereof
Marae complex	GFA less than or equal to 1,500 m ² = No bicycle space required; For GFA greater than 1,500 m ² = 1 bicycle space for every 1,500m ² GFA or part thereof
Papakaainga building	GFA less than or equal to 3,000 m ² = No bicycle space required; For GFA greater than 3,000 m ² = 1 bicycle space for every 3,000 m ² GFA or part thereof
Dairies, takeaway food, bottle stores	GFA less than or equal to 3,000 m ² = No bicycle space required; For GFA greater than 3,000 m ² = 1 bicycle space for every 3,000 m ² GFA or part thereof

Activity	Required number of bicycle spaces
	Except that in the RPZ – Rangitahi Peninsula zone the following applies: GFA less than or equal to 5,000 m ² = No bicycle space required; For GFA greater than 5,000 m ² = 1 bicycle space for every 5,000 m ² GFA or part thereof
Minor residential unit	Less than or equal to 10 minor residential units = No bicycle space required; For greater than 10 minor residential units = 1 bicycle space for every 10 minor residential units or part thereof
Residential unit	Less than or equal to 10 residential units = No bicycle space required; For greater than 10 residential units = 1 bicycle space for every 10 residential units or part thereof
Retirement village	Less than or equal to 10 residential units = No bicycle space required; For greater than 10 residential units = 1 bicycle space for every 10 residential units or part thereof
Multi-unit development	Less than or equal to 10 residential units = No bicycle space required; For greater than 10 residential units = 1 bicycle space for every 10 residential units or part thereof
Boarding houses / boarding establishments	Less than or equal to 30 units = No bicycle space required; For greater than 30 units = 1 bicycle space for every 30 units or part thereof
Emergency service facilities	Less than or equal to 10 on-duty staff = No bicycle space required; For greater than 10 on-duty staff = 1 bicycle space for every 10 on-duty staff or part thereof
Garden centres	GFA less than or equal to 1,000 m ² = No bicycle space required; For GFA greater than 1,000 m ² = 1 bicycle space for every 1,000m ² GFA or part thereof
Health facility, veterinary and personal services	Less than or equal to 4 on-duty staff = No bicycle space required; For greater than 4 on-duty staff = 1 bicycle space for every 4 on-duty staff or part thereof
Home occupations	In addition to residential requirements: Less than or equal to 10 employees = No bicycle space required; For greater than 10 employees = 1 bicycle space for every 10 employees or part thereof

Activity	Required number of bicycle spaces
Hospitality services (e.g. cafés, taverns)	<p>Net public floor area less than or equal to 100 m² = No bicycle space required; Net public floor area greater than 100 m² = 1 bicycle space for every 100m² net public floor area or part thereof</p> <p>Except that in the RPZ – Rangitahi Peninsula zone the following applies: Net public floor area less than or equal to 150 m² = No bicycle space required; Net public floor area greater than 150 m² = 1 bicycle space for every 150m² net public floor area or part thereof</p>
Housing for the elderly / residential care	<p>Less than or equal to 40 occupants = No bicycle space required; For greater than 40 occupants = 1 bicycle space for every 40 occupants or part thereof</p>
Indoor sports facilities	<p>Less than or equal to 40 persons provided for in the design = No bicycle space required; For greater than 40 persons provided for in the design = 1 bicycle space for every 40 persons provided for in the design or part thereof</p>
Industrial activity	<p>GFA less than or equal to 1,000 m² = No bicycle space required; For GFA greater than 1,000 m² = 1 bicycle space for every 1,000m² GFA or part thereof</p>
Infrastructure sites and activities	<p>Less than or equal to 10 on-duty staff = No bicycle space required; For greater than 10 on-duty staff = 1 bicycle space for every 10 on-duty staff or part thereof</p>
Office	<p>GFA less than or equal to 350 m² = No bicycle space required; For GFA greater than 350 m² = 1 bicycle space for every 350m² GFA or part thereof</p>
Outdoor sports field	<p>Less than or equal to 6,600 m² of sports field = No bicycle space required; Greater than 6,600 m² of sports field = 1 bicycle space for every 6,600 m² of sports field or part thereof</p>
Hospital or care facilities associated with retirement village	<p>Less than or equal to 20 full-time staff equivalents = No bicycle space required; For greater than 20 full-time staff equivalents = 1 bicycle space for every 20 full-time staff equivalents or part thereof</p>
Retail activity	<p>GFA (including indoor and outdoor retail area) less than or equal to 300 m² = No bicycle space required;</p>

Activity	Required number of bicycle spaces
	For GFA (including indoor and outdoor retail area) greater than 300 m ² = 1 bicycle space for every 300 m ² GFA (including indoor and outdoor retail area) or part thereof
School	Less than or equal to 10 full-time staff equivalents = No bicycle space required; For greater than 10 full-time staff equivalents = 1 bicycle space for every 10 full-time staff equivalents or part thereof
Service stations	GFA (excluding car washes and canopies over petrol pumps) less than or equal to 450 m ² = No bicycle space required; For GFA (excluding car washes and canopies over petrol pumps) greater than 450 m ² = 1 bicycle space for every 450m ² GFA (excluding car washes and canopies over petrol pumps) or part thereof
Supermarket activity	GFA less than or equal to 250 m ² = No bicycle space required; For GFA greater than > 250 m ² = 1 bicycle space for every 250m ² or part thereof
Tertiary education facilities	Less than or equal to 10 full-time staff equivalents = No bicycle space required; For greater than 10 full-time staff equivalents = 1 bicycle space for every 10 full-time staff equivalents or part thereof
Visitor accommodation	Less than or equal to 40 persons to be accommodated = No bicycle space required; For greater than 40 persons to be accommodated = 1 bicycle space for every 40 persons to be accommodated or part thereof

Table 9 – Car manoeuvring and parking space dimensions

Type of parking		Stall width (a)	Stall depth		Aisle width (d)	Total depth (c)	
Parking angle	Type		From wall (b)	From kerb (c)		One row	Two rows
All measurements are in metres							
0°	Parallel	2.5	See Note 1		3.5	5.9	8.3
30°	Nose in	2.5	4.2	4.0	3.5	7.7	11.9
45°	Nose in	2.5	4.9	4.5	3.5	8.4	13.3
60°	Nose in	2.5	5.4	4.9	4.1	9.5	14.9
		2.6			3.5	8.9	14.3
		2.7			3.5	8.9	14.3
75°	Nose in	2.5	5.4	4.9	6.3	11.7	17.1
		2.6			5.2	10.6	16.0
		2.7			4.6	10.0	15.4
90°	Nose in	2.5	5.1	4.6	7.7	12.8	17.9
		2.6			7.0	12.1	17.2
		2.7			6.8	11.9	17.0

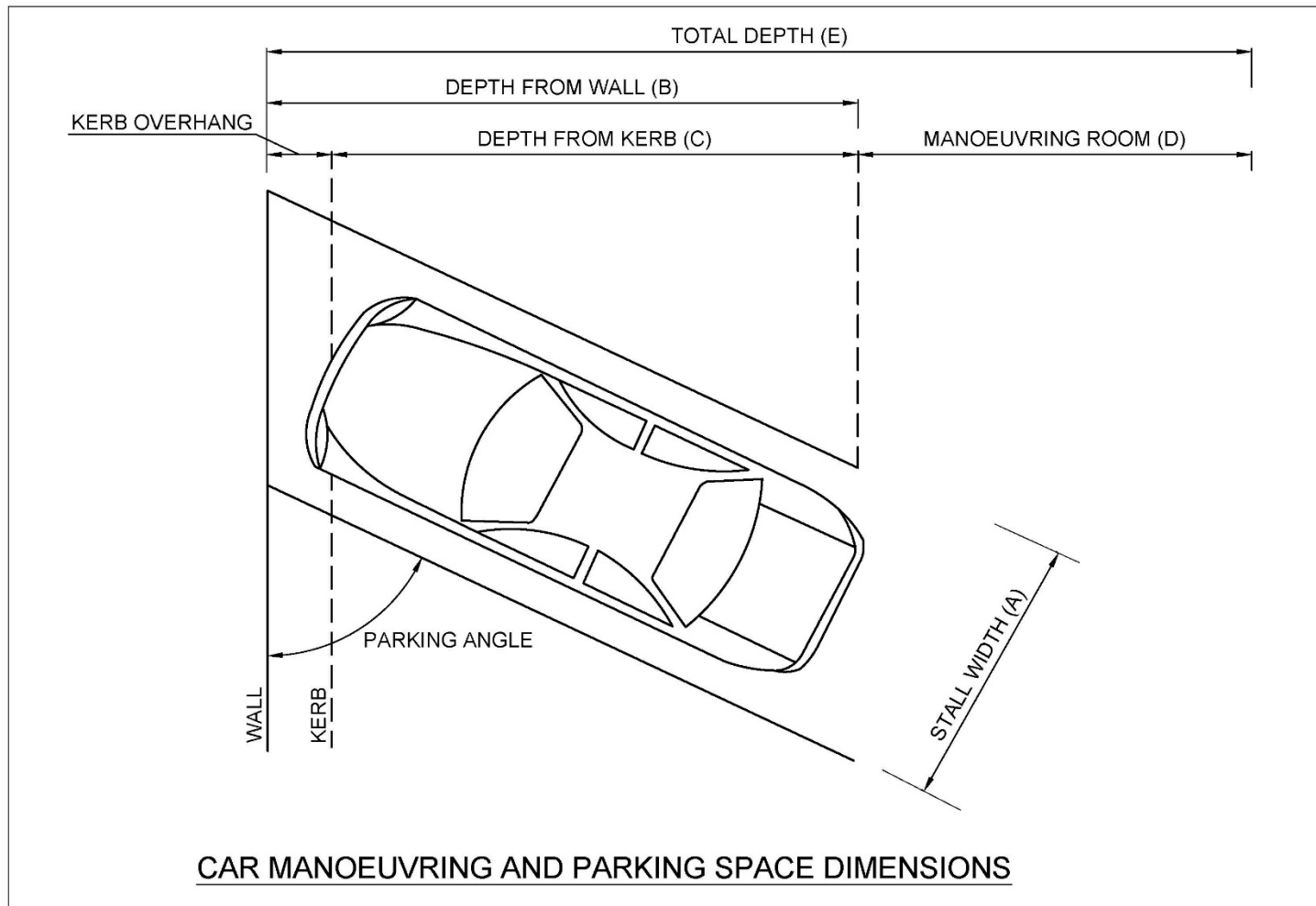


Figure 10 – Car manoeuvring and parking space dimensions

Table 10 – Queuing space

Number of parking spaces	Minimum queuing length at each vehicle entrance
Less than 3	No queuing space required.
Residential activities	
3 – 20	5.5m
21 – 50	10.5m
51 – 100	15.5m
101 – 150	20.5m
151 or over	25.5m
Drive-through facilities with access from an arterial road	50m

Table 11 – Vehicle movement rates

Activity	Indicative daily vehicle movements*
Bulk retail and car yards	45 per 100m ² gross floor area (GFA)
Early childhood education and day care facility	4 per child the facility is designed to accommodate
Dairies, bottle stores	100 per 100m ² GFA
Takeaway food	360 per 100m ² GFA
Residential units	10 per residential unit
Garden centres	100 per 100m ² GFA
Health facility veterinary, and personal services	79.4 per professional the facility is designed to accommodate
Hospitality services (e.g. cafés, bars)	90 per 100m ² GFA

Activity	Indicative daily vehicle movements*
Housing for the elderly/residential care	2 per resident the facility is designed to accommodate
Industrial activities	Manufacturing 30 per 100m ² GFA Warehouse 2.4 per 100m ² GFA
Offices	25 per 100m ² GFA
Hospital	15 per patient bed the facility is designed to accommodate
Retail activity	130 per 100m ² GFA
School	2 per student the primary school is designed to accommodate, or 1 per student the secondary school is designed to accommodate
Service stations	700 per 100m ² GFA
Supermarket activity	130 per 100m ² GFA
Tertiary education facilities	2 per student the facility is designed to accommodate
Visitor accommodation	3 per bed the facility is designed to accommodate

*Advice note: * Based on Trips and parking related to land use - NZ Transport Agency research report 453, November 2011*

Table 12 – Access and road standards (GRZ – General residential zone, MRZ₁ – Medium density residential zone 1, MRZ₂ – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone, LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone, HIZ – Heavy industrial zone, TKAZ – Te Kowhai Airpark zone, RPZ – Rangitahi Peninsula zone and MSRZ – Motorsport and recreation zone)

Road Type	General				Seal Width				Berms		General	
	Number of Allotments or Activities	Design Speed (km/h)	Design Vehicle (RTS 18 Vehicle)	*Minimum Road/ROW Reserve Width (m)	Minimum Trafficable Carriageway (m)	Minimum Median Provision (m)	Parking Provision	Minimum Total Seal Width (m) Does not include concrete kerb width	Minimum Services (m)	Minimum Footpath / Shared path (m)	Kerb and Channel / Water-table	Turning Area for no exit roads (RTS 18 Vehicle)
Access and road standards (GRZ – General residential zone, MRZ₁ – Medium density residential zone 1, MRZ₂ – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone, LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone and HIZ – Heavy industrial zone)												
Access leg to an allotment (GRZ – General residential zone, MRZ ₁ – Medium density residential zone 1, MRZ ₂ – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone)	1	N/A	8m Rigid	4	N/A							
Access leg to an allotment (LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone and HIZ – Heavy industrial zone)	1	N/A		6	N/A							
Private access, including ROWs and access allotments (GRZ – General residential zone, MRZ ₁ – Medium density residential zone 1, MRZ ₂ – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone)	2 to 4	N/A		8	5	N/A	N/A	4	Unsealed 1.2m on at least one side	N/A	Nib on one side, mountable on other	Subject to specific design that has been certified
Private access, including ROWs and access allotments (LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone and HIZ – Heavy industrial zone)	2 to 8	N/A		10	6		N/A	6			Mountable	Subject to specific design that has been certified
Access allotment (GRZ – General residential zone, MRZ ₁ – Medium density residential zone 1, MRZ ₂ – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone)	5 to 8	N/A		8	5		Optional	5			Mountable	Yes
Service Lane (LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone and HIZ – Heavy industrial zone)	N/A	N/A	Subject to specific design that has been certified	8	6		No parking	6	Subject to specific design that has been certified	Optional	Non-mountable	Subject to specific design that has been certified
Local Road (GRZ – General residential zone, MRZ ₁ – Medium density residential zone)	>8	50	8m Rigid	20	6	None	1m on each side	8		1.8m on each side		8m Rigid

residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone)												
Local Road (LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone and HIZ – Heavy industrial zone)			19m Semi		9		Optional	9				19m Semi
Collector Road (GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone)	>100	50	8m Rigid	22	6	Subject to specific design that has been certified	2.5m on each side	11		1.8m on each side		8m Rigid
Collector Road (LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone and HIZ – Heavy industrial zone)			19m Semi		7			12				19m Semi
Arterial Road (GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone)	N/A	60	19m Semi	30	10	3	Recessed 2.5m on each side	13		1.8m on each side		N/A
Arterial Road (LCZ – Local centre zone, COMZ – Commercial zone, TCZ – Town centre zone, GIZ – General industrial zone and HIZ – Heavy industrial zone)												
Local roads in Lorenzen Bay Structure Plan Area	>8	50-80 (max)	N/A	17 (Complies with Figure 13)	6		2.5 metres on alternative sides	11	Subject to specific design that has been certified	1.5 metres on one side of the road	Subject to specific design that has been certified	Yes
Roads in Te Kauwhata Structure Plan area	>1	50-80 (max)	N/A	20	Refer to Figures 14 -16 (cross-sections)							

Advice notes:

The Regional Infrastructure Technical Specifications May 2018 contains further details on road width/design requirements.

Figure 11 illustrates the various parts of the road (seal width, berm etc.) defined in Tables 12 and 13.

*Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8) except where the access terminates less than 135m from the nearest road that has reticulated water supply (included hydrants).

Table 13 – Access and road standards (GRUZ – General rural zone and RLZ – Rural lifestyle zone)

Road Type	General				Seal Width				Berms		General	
	Number of Allotments or Activities	Design Speed (km/h)	Design Vehicle (RTS 18 Vehicle)	*Minimum Road/ROW Reserve Width (m)	Minimum Trafficable Carriageway (m)	Minimum Median Provision (m)	Parking Provision	Minimum Total Seal Width (m) Does not include concrete kerb width	Minimum Services (m)	Minimum Footpath / Shared path (m)	Kerb and Channel / Water-table	Turning area for no exit roads (RTS 18 Vehicle)
GRUZ – General rural zone and RLZ – Rural lifestyle zone												
Access leg to an allotment	1	N/A	8m Rigid	6	N/A							
Private access, including ROWs and access allotments	2 to 3	N/A		6	3	N/A	N/A	3	Subject to specific design that has been certified	N/A	Optional	Subject to specific design that has been certified
Access allotment	4 to 8	N/A		10	5		5	Yes				
Local	>8	Subject to specific design	Subject to specific design that has been certified	20	6	No	6	Subject to specific design that has been certified			RLZ – Rural lifestyle zone - nibs along seal edge. All others to specific design that has been certified.	8m Rigid
Collector <1000 adt	>100		19m Semi	20	7	Subject to specific design that has been certified	8.5					
Collector >1000 adt or Arterial	N/A	110	20	7	10		N/A					

Advice note: *Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8)

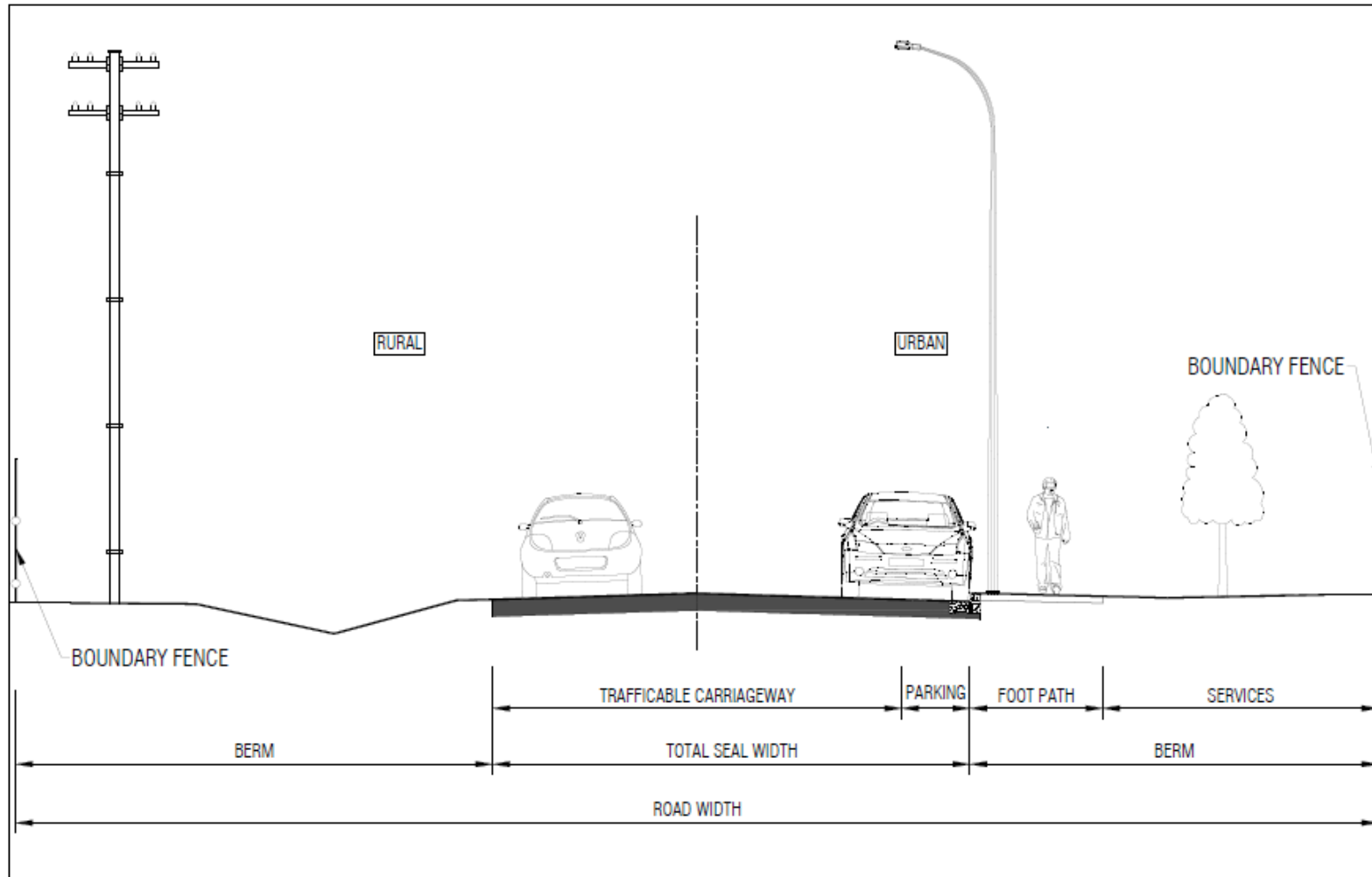
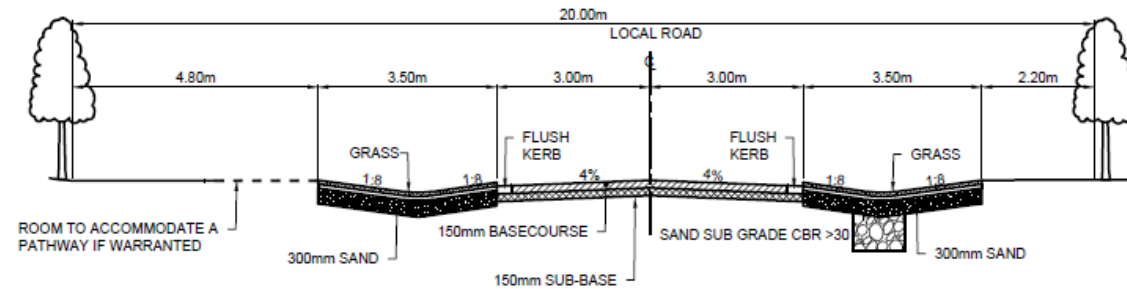


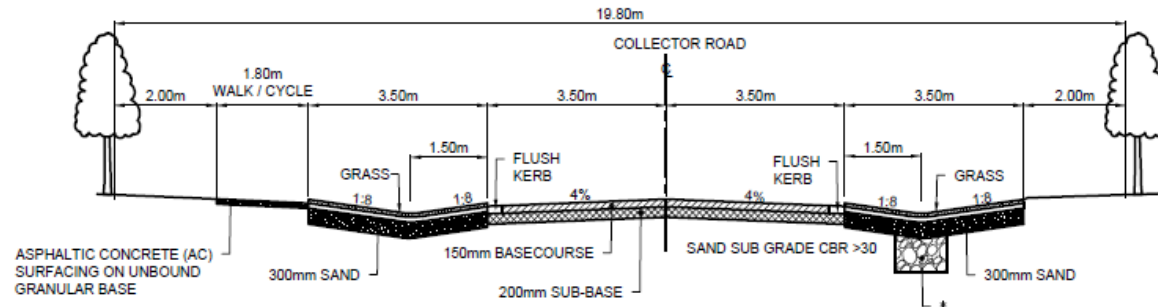
Figure 11 – Attachment to Tables 12 and 13

Advice note: The purpose of Figure 11 is to define the various aspects of the road as set out in Tables 12 and 13. Figure 11 is not intended to prescribe a preferred road layout.



CROSS SECTION OF LOCAL ROAD - TAMAHERE COUNTRY LIVING ZONE

SCALE : 1:50

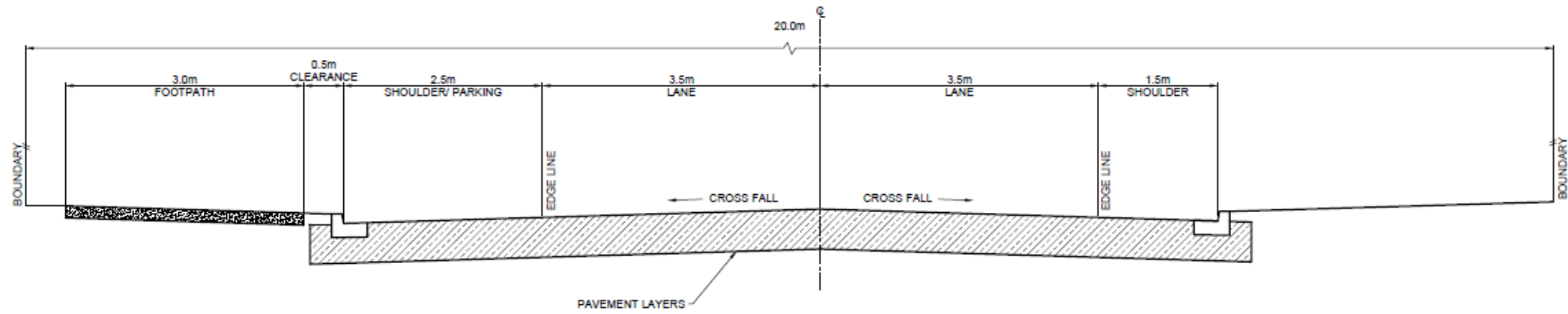


CROSS SECTION OF COLLECTOR ROAD - TAMAHERE COUNTRY LIVING ZONE

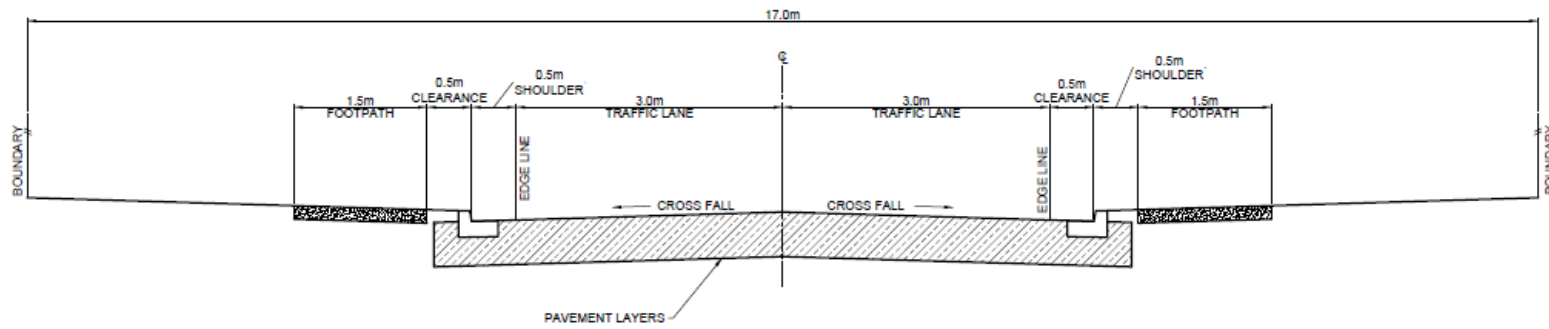
SCALE : 1:50



Figure 12 – Tamahere RLZ – Rural lifestyle zone – road cross sections



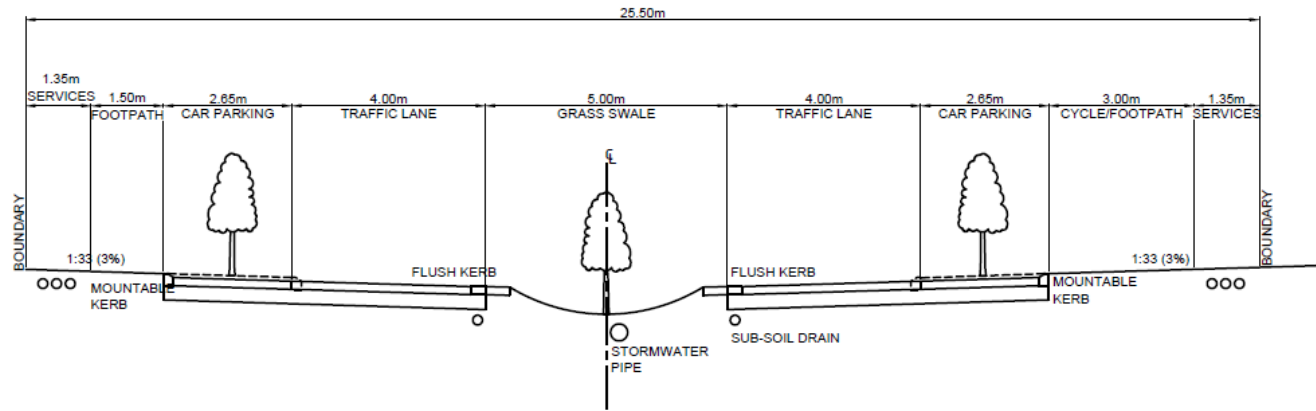
CROSS SECTION THROUGH COLLECTOR ROAD - LORENZEN BAY
SCALE : 1:25



CROSS SECTION THROUGH MINOR ROAD - LORENZEN BAY
SCALE : 1:25



Figure 13 – Lorenzen Bay Structure Plan - road cross sections



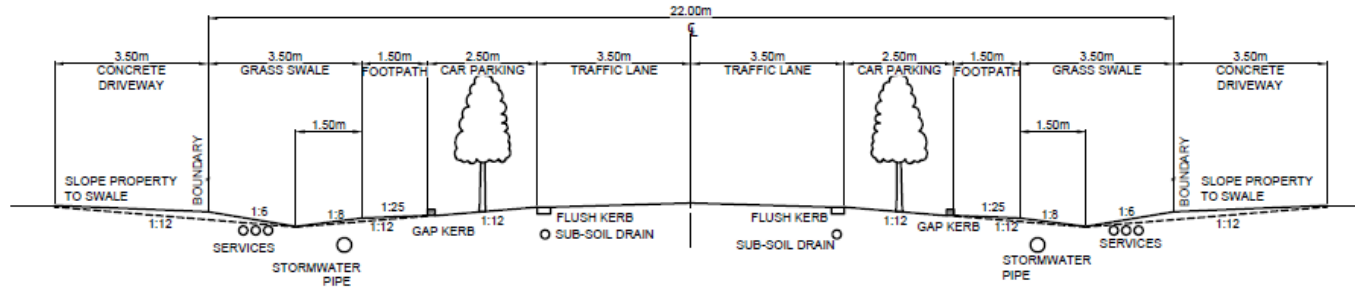
NOTE:
1. SWALE DESIGN TO INCLUDE ANTI-SCOUR MECHANISMS WHERE REQUIRED.

CROSS SECTION THROUGH COLLECTOR ROAD 25.5m (vpd>1500)
SCALE 1:50
TE KAUWHATA STRUCTURE PLAN



Figure I4 – Te Kauwhata Structure Plan – road cross sections – collector roads

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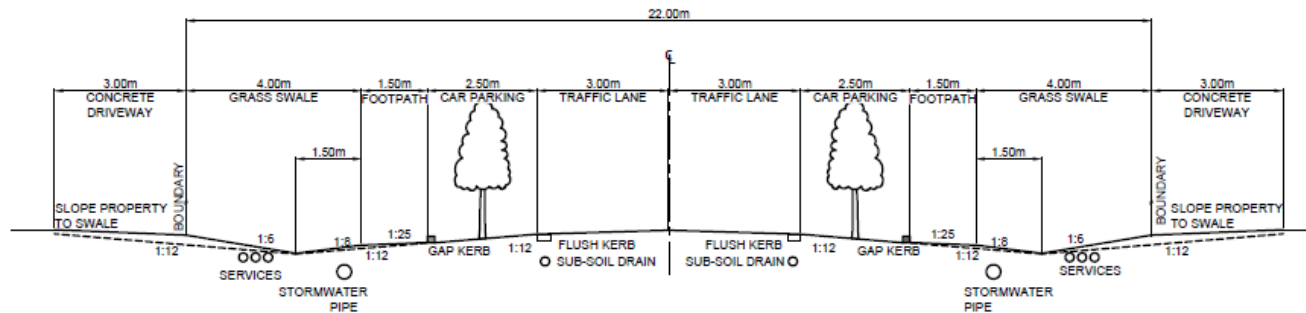
CROSS SECTION THROUGH LOCAL ROAD A (500<vpd<1500)

SCALE : 1:50

TE KAUWHATA STRUCTURE PLAN

NOTE:

1. SWALE DESIGN TO INCLUDE ANTI-SCOUR MECHANISMS WHERE REQUIRED.



CROSS SECTION THROUGH LOCAL ROAD B (vpd<500)

SCALE : 1:50

TE KAUWHATA STRUCTURE PLAN

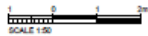
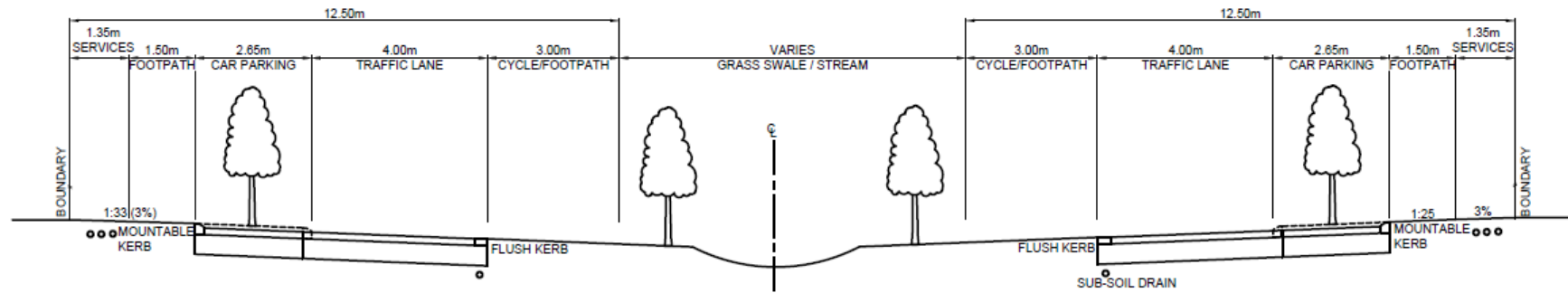


Figure 15 – Te Kauwhata Structure Plan – road cross sections – local roads

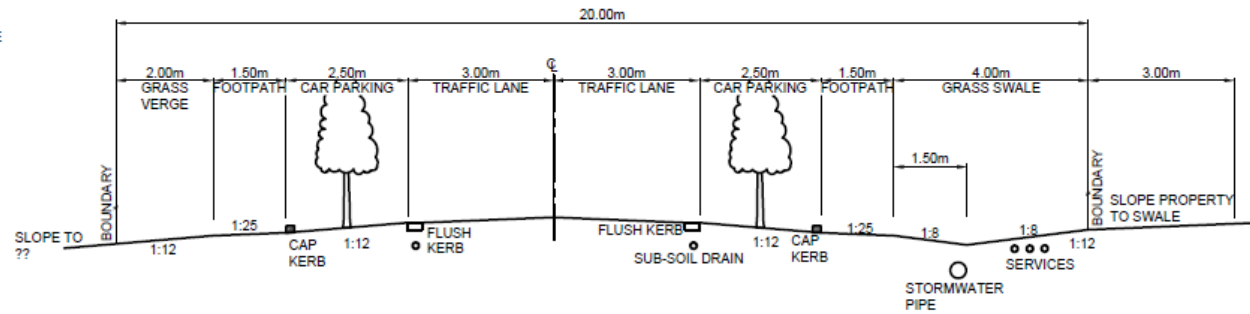


CROSS SECTION THROUGH GREENWAY CORRIDOR 25m

SCALE : 1:50

TE KAUWHATA STRUCTURE PLAN

NOTE:
SWALE DESIGN TO INCLUDE
ANTI-SCOUR MECHANISMS
WHERE REQUIRED



CROSS SECTION THROUGH WHANGAMARINO MARGIN (vpd<500)

SCALE : 1:50

TE KAUWHATA STRUCTURE PLAN



Figure I6 – Te Kauwhata Structure Plan – road cross sections – greenway corridor and Whangamarino margin roads

Railway Level Crossing Sight Explanations

Developments near Existing Level Crossings

It is important to maintain clear visibility around level crossings to reduce the risk of collisions. All the conditions set out in this standard apply during both the construction and operation stages of any development.

Approach sight triangles at level crossings with Give Way signs.

On sites adjacent to rail level crossings controlled by Give Way signs, no building, structure or planting shall be located within the shaded areas shown in Figure 17. These are defined by a sight triangle taken 30 metres from the outside rail and 320 metres along the railway track.

APPROACH SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS

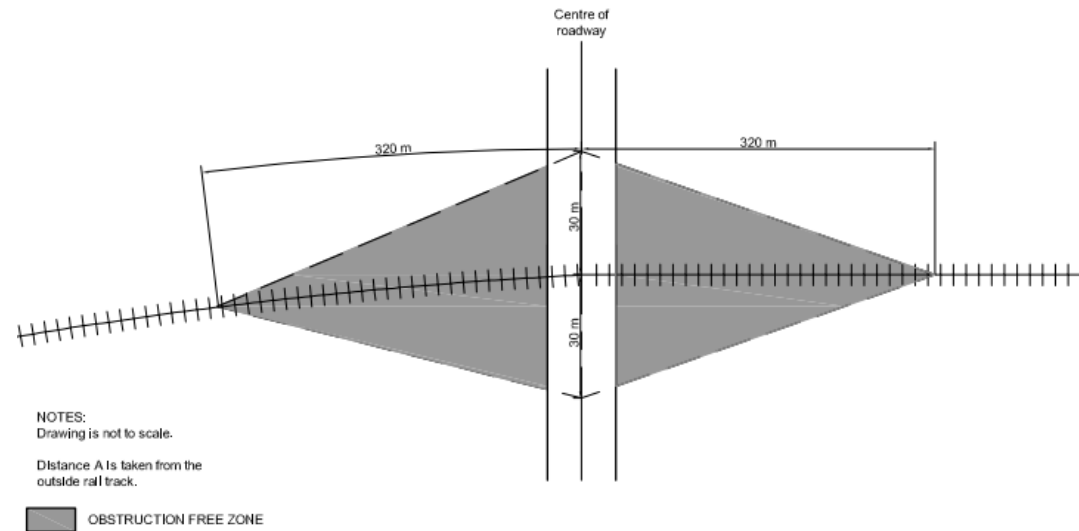


Figure 17 – Approach sight triangles for level crossings with “Give Way” signs

Advice notes: The approach sight triangles ensure that clear visibility is achieved around rail level crossings with Give Way signs so that a driver approaching a rail level can either:

- See a train and stop before the crossing: or*
- Continue at the approach speed and cross the level crossing safely.*

Of particular concern are developments that include shelter belts, tree planting, or series of building extensions. These standards apply irrespective of whether any visual obstructions already exist.

No approach sight triangles apply for level crossings fitted with alarms and/or barrier arms. However, care should be taken to avoid developments that have the potential to obscure visibility of these alarm masts. This is particularly important where there is a curve in the road on the approach to the level crossing, or where the property boundary is close to the edge of the road surface and there is the potential for vegetation growth.

Restart sight triangles at level crossings

On sites adjacent to all rail level crossings, no building, structure or planting shall be located within the shaded areas shown in Figure 18. These are defined by a sight triangle taken 5 metres from the outside rail and distance A along the railway track. Distance A depends on the type of control (Table 14).

RESTART SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS

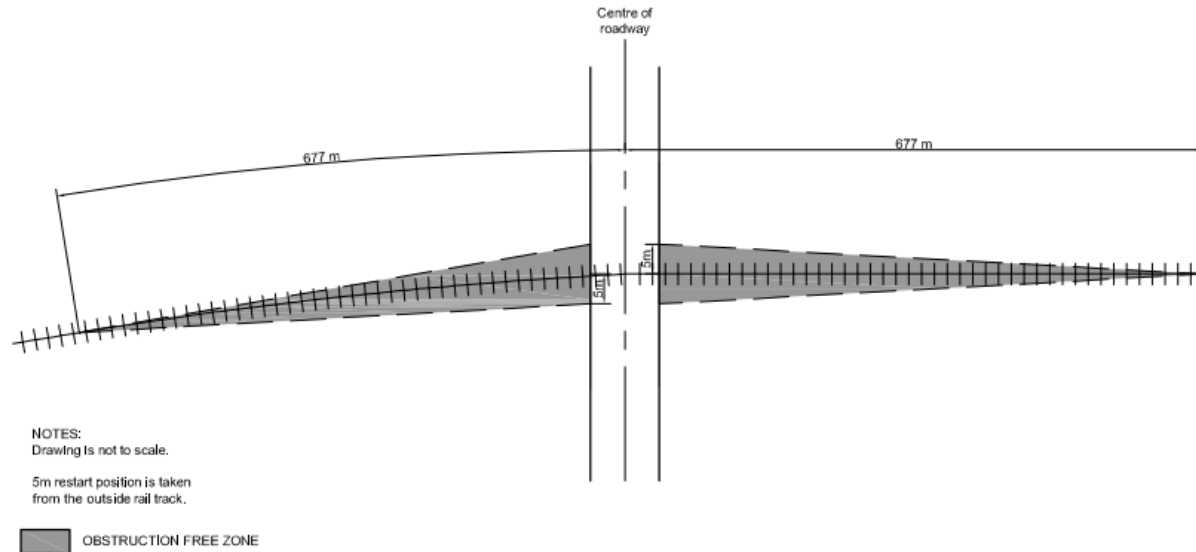


Figure I8 – Restart sight triangles for all level crossings (except those fitted with train activities barriers)

Table I4 – Required restart sight distances for Figure I8

Required approach visibility along tracks A (m)		
Signs only	Alarms only	Alarms and barriers
677 m	677 m	60m

Refer to next page for advice notes.

Advice notes:

The restart sight line triangles ensure that a road vehicle driver stopped at a level crossing can see far enough along the railway to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train. Of particular concern are developments that include shelter belts, tree planting or series of building extensions. These standards apply irrespective of whether any visual obstructions already exist.

Figures 17 and 18 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along-track distance in Figure 17, and 50 m to the along-track distance in Figure 18.

All figures are based on the sighting distance formula used in NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based; however, the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a:

- Train speed of 110 km/h*
- Vehicle approach speed of 20 km/h*
- Fall of 8 % on the approach to the level crossing and a rise of 8 % at the level crossing*
- 25 m design truck length*
- 90° angle between road and rail*

WWS – Water, wastewater and stormwater

Rules

WWS-RI	Stormwater systems for new development or subdivision	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) New development or subdivision must have a stormwater system that complies with all of the following standards:</p> <p>(i) Operates by gravity;</p> <p>(ii) Manages stormwater through a Stormwater Management Plan in the following manner:</p> <p>(1) Primary systems detain or retain runoff from all impervious surfaces during a 10% Annual Exceedance Probability storm event to ensure that the rate of any stormwater discharge off-site is at or below pre-development rates; and</p> <p>(2) Secondary overflows are conveyed to a system or drainage path designed to collect concentrated stormwater during events up to and including a 1% Annual Exceedance Probability; or</p> <p>(3) A controlled discharge to a network or receiving environment that will have equivalent capacity (as in (i) and (ii) above) once the catchment is fully developed.</p> <p>(iii) Stormwater management measures must be in place and operational upon the completion of subdivision and/or development;</p> <p>(iv) Systems must be designed using rainfall data specific to the area in which the property is located and be adjusted for a climate change</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The likely effectiveness of the system to avoid flooding, nuisance or damage to other buildings and sites;</p> <p>(b) The capacity of the system and suitability to manage stormwater;</p> <p>(c) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects; and</p> <p>(d) Extent to which low impact design principles and approaches are used.</p>

	<p>temperature increase of 2.1°C;</p> <p>(v) Stormwater management measures, including low impact design measures, must be implemented as appropriate in accordance with the following drainage hierarchy:</p> <ol style="list-style-type: none"> (1) Retention of rainwater/stormwater for reuse; (2) Soakage techniques; (3) Infiltration rate of a minimum of 7mm/hour; (4) Treatment, detention and gradual release to a watercourse; (5) Treatment, detention and gradual release to a piped stormwater system. (6) Stormwater treatment shall address water quality; downstream erosion and scour effects; and cumulative volume effects. <p>(vi) Where land is subject to instability, stormwater discharges directly to ground occurs only where the ground conditions have been identified as being suitable to absorb such discharges without causing, accelerating or contributing to land instability and downstream effects either on the site or on neighbouring properties;</p> <p>(vii) Connection of new development to any existing stormwater drainage system must not result in the minimum level of service not being met or the minimum level of capacity being exceeded. Alteration of the existing receiving stormwater network drainage system to achieve minimum level of service or additional onsite detention volume to ensure</p>	
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	<p>existing capacity will be required.</p> <p>Advice notes:</p> <p>Acceptable means of compliance for the provision, design and construction of stormwater infrastructure, including low impact design features, are contained within the Regional Infrastructure Technical Specifications (RITS). Refer also to Waikato Stormwater Management Guideline and Waikato Stormwater Run-off Modelling Guideline.</p> <p>A stormwater discharge consent may also be required from the Waikato Regional Council.</p>	
WWS-R2	Wastewater servicing for new development or subdivision	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) New development or subdivision must have a wastewater system that complies with the following standards:</p> <p>(i) Is connected to public, reticulated wastewater network; or</p> <p>(ii) Is connected to a community-scale wastewater system; or</p> <p>(iii) Is provided with a site-contained, alternative method of wastewater disposal that complies with AS/NZS 1547:2012.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Health and safety of the occupants;</p> <p>(b) Capacity of the system;</p> <p>(c) Infiltration capacity of the soil;</p> <p>(d) Location, including proximity to waterways and effects on habitats; and</p> <p>(e) Contamination of downstream properties by wastewater.</p>
WWS-R3	Below ground pipelines for the conveyance of water, wastewater and stormwater	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Pipelines for the conveyance of water, wastewater and stormwater that comply with all of the following:</p> <p>(i) Any aboveground section of a pipeline must comply with the following:</p> <p>(I) Not exceed 25m in length, and</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The functional need and operational need of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, streetscape and amenity effects;</p> <p>(c) Road network safety and efficiency;</p>

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

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

		<ul style="list-style-type: none"> (c) Road network safety and efficiency; (d) The risk of hazards to public or individual safety, and risk of property damage; and (e) Effects on the specific values, qualities and characteristics of any Identified Area.
WWS-R10	Water supply servicing for new development or subdivision	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) New development or subdivision must have a water supply system that complies with the following standards: <ul style="list-style-type: none"> (i) For the GRUZ – General rural zone, RLZ – Rural lifestyle zone, LLRZ – Large lot residential zone and SETZ – Settlement zone, potable water supply must be provided; (b) For all other zones: <ul style="list-style-type: none"> (i) Be connected to any available public, reticulated water supply system nearby; and (ii) In addition to connection to reticulated supply for potable water, may also use rainwater harvesting (installation of rain storage tanks for water conservation) to supplement water supply, but not for potable uses. 	<p>(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) Health and safety of the occupants; and (b) Sufficiency of supply for fire-fighting.
WWS-R11	The construction of new regional flood management infrastructure in close proximity to existing flood management infrastructure, undertaken by or on behalf of the public authority responsible for the regional flood management infrastructure	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) All activities must comply with the following standards: <ul style="list-style-type: none"> (i) Activities are carried out: <ul style="list-style-type: none"> (ii) Within 20m of the landward toe of a stopbank (See Figure 5 below); (iii) On a stopbank; (iv) Within the flood channel (between a stopbank and river bank); and 	<p>(2) Activity status where compliance not achieved: DIS</p>

	(v) Within a 20m radius of a pump station or floodgate.	
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STOPBANK DIAGRAM

Legend

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

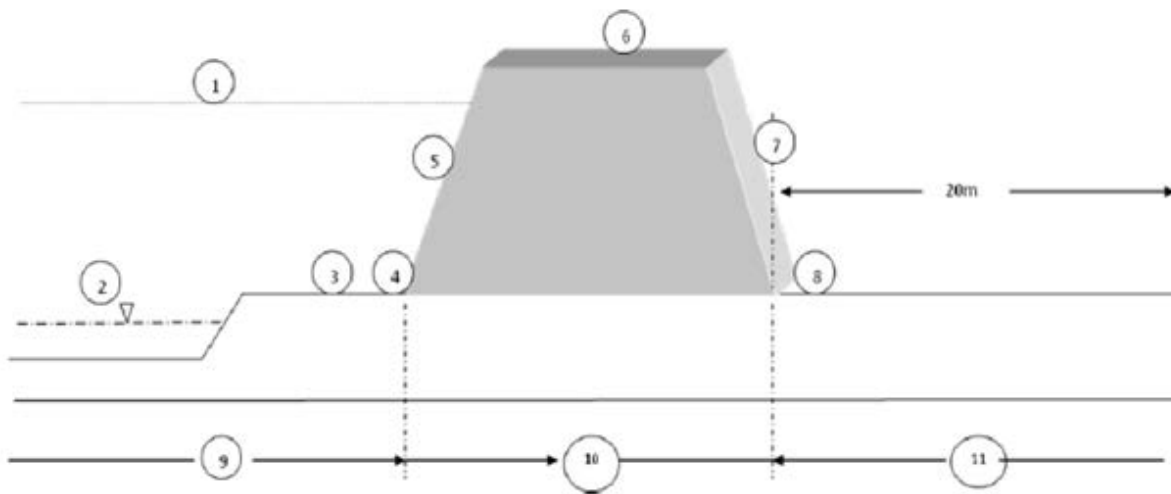


Figure 5 – Stopbank diagram

WWS-RI 2	Flood control, renewal, maintenance, unscheduled, and storm response works undertaken by or on behalf of the public authority responsible for the regional flood management infrastructure	
All zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
WWS-RI 3	In close proximity to existing flood management infrastructure: (a) The maintenance of existing stock-proof fences; (b) Grazing of animals; (c) Any farming activity other than the grazing of animals; (d) Planting of trees; (e) The construction of any road or race for the passage of stock or vehicles; (f) The erection of any new fence, shelter, building or structure; (g) The excavation or the digging of any drain; and (h) A network utility or private infrastructure including underground pipes and cables with written approval from the public authority responsible for the regional flood management infrastructure.	

All zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
WWS-RI 4	Stormwater ponds or wetlands, that serve more than one site, located within: <ul style="list-style-type: none"> (a) GRZ – General residential zone; (b) MRZ1 – Medium density residential zone <u>1</u>; (c) RPZ – Rangitahi Peninsula zone; (d) SETZ – Settlement zone; (e) LLRZ – Large lot residential zone; (f) RLZ – Rural lifestyle zone; (g) Road and unformed road; and (h) Identified Areas; <u>and</u> (i) <u>MRZ2 – Medium density residential zone 2.</u> 	
All specified in rule	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (a) The functional need and operational need of, and benefits derived from, the infrastructure; (b) Visual, streetscape and amenity effects; (c) Road network safety and efficiency; (d) The risk of hazards to public or individual safety, and risk of property damage; and (e) Effects on the specific values, qualities and characteristics of any Identified Area. 	(2) Activity status where compliance not achieved: n/a
WWS-RI 5	Outfall structures located within an Identified Area	
All zones	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (a) The functional need and operational need of, and benefits derived from, the infrastructure; (b) Visual, streetscape and amenity effects; (c) Road network safety and efficiency; 	(2) Activity status where compliance not achieved: n/a

	<p>(d) The risk of hazards to public or individual safety, and risk of property damage; and</p> <p>(e) Effects on the specific values, qualities and characteristics of any Identified Area.</p>	
WWS-RI 6	New capital works relating to regional flood management infrastructure, including but not limited to flood control dams, flood gates, stopbanks, channels, and culverting of waterways	
All zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The extent to which adverse effects are avoided, remedied or mitigated.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
WWS-RI 7	Any other activity that is not permitted under Rules WWS-R11 – WWS-R13 but complies with the activity specific standards in Rule WWS-R11(1)	
All zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The extent to which the activity will affect the integrity of the flood control asset;</p> <p>(b) The extent to which the activity will impede maintenance access;</p> <p>(c) Methods to avoid, remedy, or mitigate adverse effects on the integrity of the flood control assets; and</p> <p>(d) Methods to avoid, remedy, or mitigate adverse effects on maintenance access.</p> <p>Non-notification:</p> <p>Applications utilising Rule WWS-R17 that do not simultaneously trigger other consent requirements shall not be publicly notified and shall not be served on any party other than Council and the public authority responsible for the regional flood management infrastructure.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
WWS-RI 8	Water treatment plants not located within road or unformed road	

All zones	(I) Activity status: DIS
WWS-R19	Wastewater treatment plants located within the following: (a) GIZ – General industrial zone; (b) HIZ – Heavy industrial zone; (c) MSRZ – Motor sport and recreation zone; (d) GRUZ – General rural zone; (e) RLZ – Rural lifestyle zone; (f) OSZ – Open space zone
As specified in rule	(I) Activity status: DIS
WWS-R20	Above ground reservoirs
All zones	(I) Activity status: DIS
WWS-R21	Water treatment plants located within the road and or unformed road
All zones	(I) Activity status: NC
WWS-R22	Wastewater treatment plants located within the following: (a) GRZ – General residential zone; (b) MRZ 1 – Medium density residential zone <u>1</u> ; (c) RPZ – Rangitahi Peninsula zone; (d) LLRZ – Large lot residential zone; (e) SETZ – Settlement zone; (f) COMZ – Commercial zone; (g) TCZ – Town centre zone; (h) LCZ – Local centre zone; (i) BTZ – Business Tamahere zone; (j) Road and unformed road; or (k) Identified Area; or (l) <u>MRZ2 – Medium density residential zone 2</u>
As specified in rule	(I) Activity status: NC

HAZS – Hazardous substances

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

Overview

The use of hazardous substances in New Zealand is primarily managed by the Hazardous Substances and New Organisms Act 1996 (HSNO Act), the Health and Safety at Work Act 2015 (HSW Act) and relevant regulations.

Because the District Plan seeks to avoid duplication of requirements and obligations that arise under other legislation and regulations, the provisions of this chapter are designed to manage the effects of use, storage, or disposal of hazardous substances, only to the extent that those effects are not within the ambit of existing legislation and regulations.

Objectives

HAZS-O1 Manufacture, use and storage of hazardous substances.

To protect the community and natural environment from the adverse effects associated with the manufacture, use and storage of hazardous substances.

HAZS-O2 Use of hazardous substances.

To enable activities to utilise hazardous substances where necessary for their operations, in appropriate locations.

Policies

HAZS-P1 Reverse sensitivity.

Ensure that activities are able to utilise hazardous substances in compliance with relevant regulation as necessary to their operation, without being compromised by 'reverse sensitivity' (that is, by residential or other sensitive activities moving closer and seeking higher amenity levels, including reduced risks from hazardous substances).

HAZS-P2 Significant hazardous facilities.

Ensure that significant hazardous facilities are appropriately sited and managed in order to reduce risks to the environment and community to acceptable levels.

HAZS-P3 Duplication of regulation.

Avoid any unnecessary duplication of regulation between the Hazardous Substances and New Organisms Act 1996, the Health and Safety at Work Act 2015 and relevant regulations, and the District Plan.

Rules

Land use – activities (zones specified in first column)

HAZS-R1	The storage, handling or use of hazardous substances except where Rule HAZS-R2, HAZS-R3 or HAZS-R4 apply	
All zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
HAZS-R2	The storage, handling or use of hazardous substances in a Significant Hazard Facility	
All zones	<p>(1) Activity status: DIS</p> <p>For discretionary activities, the following criteria identify those matters which Council may assess the activity against. However, for discretionary activities Council’s assessment is not restricted to these matters:</p> <ul style="list-style-type: none"> (a) Risk assessment comprising: <ul style="list-style-type: none"> (i) The probability and potential consequences of an accident leading to the release or loss of control of hazardous substances; (ii) Potential risks and effects on people and neighbouring activities, with an emphasis on sensitive activities such as residential activities, educational facilities and community facilities; (iii) Potential risks and effects on natural ecosystems and the life supporting capacity of land and water, waterbodies and sources of potable water; (iv) Potential risks and effects on sites of significance to tangata whenua, sites of historical or archaeological significance and Outstanding Natural Features and Landscapes; (v) The potential for natural hazards to impact on the operation of the hazardous facility; and (vi) The potential for cumulative adverse effects of hazardous substances. (b) Alternative locations: <ul style="list-style-type: none"> (i) An assessment of alternative locations, having particular regard to locations both within the site and outside the site; (c) Records for existing activity: <ul style="list-style-type: none"> (i) The record of compliance and acceptable risk management of any existing activity where expansion of an existing activity is proposed. 	

Note: Land use activities continue on the next page.

HAZS-R3	Significant hazard facility
<ul style="list-style-type: none"> • LLRZ – Large lot residential zone; • GRZ – General residential zone; • MRZ₁ – Medium density residential zone 1; • <u>MRZ₂ – Medium density residential zone 2;</u> • RLZ – Rural lifestyle zone; • SETZ – Settlement zone; or • RPZ – Rangitahi Peninsula zone 	(1) Activity status: NC
HAZS-R4	Any new storage or use of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line
All zones	(1) Activity status: NC

NH – Natural hazards and climate change

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

Overview

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

Overlay	Description
Flood hazards	
High flood risk area	Identifies areas within the floodplain where the depth of flood water in a 1% AEP flood event exceeds 1 metre and the speed of flood water exceeds 2 metres per second, or the flood depth multiplied by the flood speed exceeds one.
Flood plain management area	Identifies the 1% Annual Exceedance Probability (AEP) floodplain and has been developed through both 1D and 2D modelling, depending on the level of information available.
Flood ponding area	Identifies areas that experience floodwater ponding in a 1% AEP rainfall event.
Residual risk areas / Defended areas	Identifies areas of land that would be at risk from a natural hazard event if it were not for a structural defence such as a stop bank.
Coastal hazards	
High risk coastal inundation area / High risk coastal erosion area	Identify land where there is significant risk from either coastal inundation or coastal erosion with existing sea level and coastal processes.
Coastal sensitivity area (Erosion) / Coastal sensitivity area (Inundation)	Identify land that is potentially vulnerable to either coastal erosion or coastal inundation over a 100 year period to 2120, assuming a sea level rise of 1.0 metre.

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

Objectives

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

Policies

- NH-P1** New development in areas at high risk from natural hazards.
- (I) Avoid subdivision, use and new development in the following high risk natural hazard areas:
- (a) High risk flood area;
 - (b) High risk coastal inundation area;
 - (c) High risk coastal erosion area,
- where there is an increase in risk to people and property.
- NH-P2** Changes to existing land use activities and development in areas at high risk from natural hazards.
In areas of High risk flood, High risk coastal erosion and High risk coastal inundation, ensure that when changes to existing land use activities and development occur, a range of risk reduction options are assessed, and development that would increase risk to people's safety, well-being and property is avoided.
- NH-P3** Small scale non-habitable structures in areas subject to high risk from natural hazards.
Enable small scale accessory and farm buildings to be located within areas at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion, provided the risks to people, property and the environment beyond the site are managed to acceptable levels.

- NH-P4 New emergency services and hospitals in areas at significant high risk from natural hazards.
- Avoid locating new emergency service facilities and hospitals in areas which are at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion, unless, considering engineering and technical constraints or functional and operational requirements, they cannot be reasonably located elsewhere and will not increase the risk to or vulnerability of people or communities.
- NH-P5 New and upgrading of infrastructure and utilities in areas subject to high risk from natural hazards.
- (I) Enable the construction of new infrastructure, utilities and ancillary activities and upgrading of existing infrastructure and utilities, in areas at high risk from natural hazards, including High risk flood, High risk coastal inundation and High risk coastal erosion areas only where:
- (a) The infrastructure and utilities are technically, functionally or operationally required to locate in areas subject to natural hazards, or it is not reasonably practicable to be located elsewhere; and
- (b) Any increased risks to people, property and the environment are mitigated to the extent practicable; and
- (c) The infrastructure and utilities are designed, maintained and managed, including provision of hazard mitigation works where appropriate, to function to the extent practicable during and after natural hazard events.
- NH-P6 Existing infrastructure and utilities in all areas subject to natural hazards.
- Provide for the operation, maintenance and minor upgrading of existing infrastructure and utilities in all areas subject to natural hazards.
- NH-P7 Managing natural hazard risk generally.
- (I) Outside of high risk natural hazard areas, provide for subdivision, use and development where:
- (a) Natural hazard risk has been appropriately identified and assessed;
- (b) The risk can be adequately avoided, remedied or mitigated;
- (c) The risk does not transfer to adjoining sites; and
- (d) The risk is not exacerbated.
- NH-P8 Protection from risks of coastal hazards.
- Recognise the importance of natural features and buffers, and soft hazard protection works, and prefer them wherever practicable over hard protection structures, where new hazard mitigation measures and/or works are required to protect people, property infrastructure and the environment from the risks of coastal hazards.
- NH-P9 Limitations on hard protection works for coastal hazard mitigation.
- (I) Ensure that where hard protection structures and works are proposed to protect existing development on public or privately-owned land from coastal hazards that the following is achieved:

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- (a) The structures have primarily a public and/or environmental benefit when located on public land;
 - (b) The structures are effective considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect;
 - (c) The economic, social and environmental benefits outweigh costs;
 - (d) Risk to people, property, infrastructure, the natural environment, historic heritage or Sites and Areas of Significance to Maaori is not transferred or increased;
 - (e) Structures are located as far landward as practicable; and
 - (f) Public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land
- (2) Ensure that when new hard protection structures are to be located in an area where an adaptive management strategy has been prepared to manage coastal hazards, they are consistent with that strategy.
- (3) Where adaptive management strategies have been prepared, plan change or resource consent processes should have regard to these strategies.

NH-PI0 Natural features and buffers providing natural hazard protection.

- (1) Protect, maintain and, where appropriate, enhance the integrity of natural features and buffers which provide a natural defence against the effects of natural hazards and sea level rise, including natural ponding areas, coastal dunes, intertidal areas, wetlands, waterbody margins, riparian/coastal vegetation and floodways.
- (2) Enable natural systems to adapt and respond to natural coastal processes including the effects of climate change.

NH-PI1 Areas defended by stopbanks adjacent to the Waikato River.

- (1) Control subdivision, use and development in areas identified as Defended Areas adjacent to the Waikato River by:
 - (a) Assessing the potential risk of overtopping or structural failure of the stopbanks, and overwhelming of associated flood protection structures, before subdivision, use and development occurs; and
 - (b) Requiring that consideration be given to appropriate mitigation to reduce any residual risk identified to acceptable levels; and
 - (c) Ensuring that any residual risk is not transferred to neighbouring sites; and
 - (d) Recognising the functional needs and operational needs of the National Grid.
- (2) Specify minimum setbacks for buildings and earthworks from stopbanks to:
 - (a) Protect the structural integrity of the stopbanks; and
 - (b) Provide a buffer to reduce the potential risk to life and damage to property from deep and fast-flowing flood waters in the event of a breach.

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

- NH-P17 Setbacks from the coast.
- Avoid increasing the risk from coastal hazards by requiring new built development to be set back from the coastal edge, unless there is a functional or operational need for facilities to be located at or near the coast.
- NH-P18 Residential development and subdivision potentially subject to fire risk.
- (1) In areas assessed or identified as being potentially subject to elevated fire risk, ensure that an appropriate design and layout, including a buffer area or setback, is provided around for new residential subdivision and development, and the following matters are considered:
- (a) Access for emergency service vehicles;
 - (b) Provision of and access to emergency firefighting water supply;
 - (c) Separation and management of vegetation (with regard to slope, aspect, management regimes and use of less flammable vegetation); and
 - (d) The design and materials of any buildings.
- NH-P19 Development on land subject to instability or subsidence.
- Avoid locating new subdivision, use and development, including rezoning, on land assessed as being subject to, or likely to be subject to, instability or subsidence, unless appropriate mitigation is provided and the activity does not increase the risk to people, property or infrastructure.
- NH-P20 Development of land in the Mine subsidence risk area
- (1) On land identified within the Mine subsidence risk area, ensure that:
- (a) An assessment by an appropriately qualified engineer occurs before subdivision, use or development takes place to confirm that the land is suitable for development; and
 - (b) Buildings are designed and constructed, and uses appropriate materials, to effectively minimise the risk of damage to the buildings from ground subsidence.
- NH-P21 Stormwater management in areas subject to risk of land instability or subsidence.
- (1) Avoid discharge of stormwater directly to ground on land that is potentially at risk of land instability or subsidence unless:
- (a) An assessment has been undertaken by an appropriately qualified geotechnical specialist, indicating that the site is suitable for the proposed discharges; and
 - (b) Any adverse effects on the site and receiving environment can be appropriately mitigated.
- NH-P22 Liquefaction susceptible land risk assessment.
- (1) On land assessed as potentially susceptible to liquefaction, ensure that:
- (a) An assessment by a geotechnical specialist occurs before new subdivision, use or development takes place; and

- (b) The level of assessment reflects the type and scale of the subdivision, use or development and the overall vulnerability of the activity to the effects of liquefaction; and
- (c) The assessment confirms that the land is suitable for the proposed development.

NH-P23 Control activities on land susceptible to damage from liquefaction

Control subdivision, use and development on land assessed as being susceptible to liquefaction induced ground damage, to ensure that appropriate mitigation is provided so that the level of risk to people, property, infrastructure.

NH-P24 Natural hazard risk information.

- (I) Enable people to be informed and have access to information on the natural hazards affecting their properties and surrounding area, including through:
 - (a) Provision of Land Information Memoranda;
 - (b) Natural hazard technical information, including the projected effects of climate change, risk registers and mapping on the Council's website, the Waikato Regional Council Hazards Portal, this district plan and accompanying planning maps;
 - (c) Education, provision of information and community engagement; and
 - (d) Alignment with the work of other agencies including iwi and the Waikato Regional Council.

NH-P25 Awareness of Community Response Plans.

Improve response to and recovery from natural hazard events by encouraging community awareness and use of information and methods contained in Community Response Plans.

NH-P26 Effects of climate change on new subdivision and development.

- (I) Ensure that adequate allowances are made for the projected effects of climate change in the design and location of new subdivision and development including new urban zoning throughout the District, including undertaking assessments where relevant that provide for:
 - (a) The projected increase in rainfall intensity, as determined by national guidance, assuming a temperature increase of not less than 2.3°C by 2120;
 - (b) The projected increase in sea level, where relevant, as determined by national guidance and the best available information, but being not less than 1m by 2120;
 - (c) In respect to new urban zoning, stress testing under the RCP 8.5 scenario for rainfall¹ and RCP 8.5H+ for sea level rise²;

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

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

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- (d) In respect to the coastal environment, increases in storm surge, waves and wind; and
- (e) The ability for natural systems to respond and adapt to the projected changes included in (a) to (d) above.

NH-P27 Future land use planning and climate change.

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

NH-P28 Precautionary approach for dealing with uncertainty.

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

NH-P29 Provide sufficient setbacks for new development.

- (1) Protect people, property and the environment from the projected adverse effects of climate change, including sea level rise, by providing sufficient setbacks from water bodies and the coast when assessing new development.
- (2) Ensure that, in establishing development setbacks for new development, adequate consideration is given to:
 - (a) The protection of natural ecosystems, including opportunities for the inland migration of coastal habitats;
 - (b) The vulnerability of the community;

- (c) The maintenance and enhancement of public access to the coast and public open space;
- (d) The requirements of infrastructure; and
- (e) Natural hazard mitigation provision, including the protection of natural defences.

NH-P30 Assess the impact of climate change on the level of natural hazard risks.

- (1) For all new subdivision, use and development requiring rezoning or a resource consent, ensure that account is taken of the projected effects of climate change over the next 100 years when assessing any identified risks from natural hazards, and their effects on people, property, infrastructure and the environment.
- (2) Ensure that, when assessing the effects of climate change on the level of natural hazard risk in accordance with Policy NH-P30(1) above, the allowances in Policy NH-26(1)(a)-(d) are applied.
- (3) Where the assessment required by Policy NH-P30(1) indicates that natural hazards are likely to be exacerbated by climate change, ensure that subdivision and development are designed and located so that any increased and cumulative risk from natural hazards is managed to acceptable levels and any intolerable risks are avoided or reduced to tolerable or acceptable levels.

Rules

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

Flood plain management area and Flood ponding area

NH-RI	Construction of a new building, or reconstruction of or an addition to an existing building, unless specified in Rules NH-R2 – NH-R6	
Flood plain management area and Flood ponding area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The minimum floor level is at least 0.5m above the 1% AEP flood level; and (b) Compliance with Standard NH-RI(1)(a) shall be demonstrated by a suitably qualified engineer with experience in hydrology. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Assessment of risk from the 1% AEP flood event; (b) Alternative locations within the site outside of the 1% AEP floodplain or flood ponding area; (c) The type of building development proposed and whether it is likely to suffer material damage during a flood;

		<p>(d) Ability to manage risk through building materials, structural or design work, engineering solutions or other appropriate measures; and</p> <p>(e) Other mitigation measures to reduce the potential for flood damage to buildings.</p>
NH-R2	Additions to an existing building that does not increase the ground floor area of the building by more than 15m ²	
Flood plain management area and Flood ponding area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R3	Standalone garage with a gross floor area not exceeding 40m ²	
Flood plain management area and Flood ponding area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R4	Construction of an accessory building without a floor	
Flood plain management area and Flood ponding area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R5	Construction of a farm building without a floor	
Flood plain management area and Flood ponding area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R6	Construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities	
Flood plain management area and Flood ponding area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R7	Earthworks associated with construction, replacement, repair, maintenance, minor upgrading or upgrading of utilities, including the formation and maintenance of access tracks.	

<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R8 Earthworks to create a building platform for residential purposes</p>		
<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: (a) Filling height is only to the extent necessary to achieve compliance with Rule NH-R1(1)(a).</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Timing, location and scale of earthworks; (b) Adverse effects on: (i) Existing overland flow paths and surface drainage patterns; (ii) Flood storage capacity; (iii) Runoff volumes; (iv) Adjoining properties, including the transfer of risk; (v) Infrastructure and flood protection works; (vi) Consideration of soil types and potential for erosion; and (c) Mitigation including compensatory storage, or other flood management measures proposed.</p>
<p>NH-R9 Earthworks not provided for under Rules NH-R7 or NH-R8</p>		
<p>Flood plain management area and Flood ponding area across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: (a) In the GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone and RLZ – Rural lifestyle zone, a maximum volume of filling above natural ground level of 10m³ per site, and a maximum cumulative volume of filling and excavation of 20m³; or (b) In the GRUZ – General rural zone – a maximum volume of filling above natural ground level of 100m³ per site, and a</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Timing, location and scale of earthworks; (b) Adverse effects on: (i) Existing overland flow paths and surface drainage patterns; (ii) Flood storage capacity; (iii) Runoff volumes; (iv) Adjoining properties, including the transfer of risk; (v) Infrastructure and flood protection works;</p>

	<p>maximum cumulative volume of filling and excavation of 200m³ per site; or</p> <p>(c) All other zones – a maximum volume of filling above natural ground level of 20m³ per site, and a maximum cumulative volume of filling and excavation of 50m³ per site; and</p> <p>(d) Height and depth of earthworks in all zones:</p> <p>(i) A maximum height of 0.2m of filling above natural ground level; and</p> <p>(ii) a maximum depth of excavation of 0.5m below natural ground level.</p> <p>Advice note: where a site is located partly within the flood plain management area or flood ponding area this rule only applies to that part of the site within the flood plain management area or flood ponding area.</p>	<p>(vi) Consideration of soil types and potential for erosion; and</p> <p>(c) Mitigation including compensatory storage, or other flood management measures proposed.</p>
NH-R10	Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment.	
Flood plain management area and Flood ponding area across all zones	(1) Activity status: DIS	

High risk flood area

NH-R11	Repair, maintenance or minor upgrading of existing utilities	
High risk flood area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R12	Construction, replacement or upgrading of telecommunication lines, poles, cabinets and masts/poles supporting antennas	
High risk flood area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R13	Construction, replacement or upgrading of electricity lines, poles, cabinets, and supporting structures	
High risk flood area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

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

	<p>transfer/increase flood risk to neighbouring properties;</p> <p>(d) Consideration of alternative locations;</p> <p>(e) Consideration of the projected effects of climate change;</p> <p>(f) Any mitigation measures to reduce the risk to people’s safety, well-being and property.</p>	
NH-R18	One addition to a lawfully established building existing at 17 January 2022, where the addition does not increase the ground floor area of the existing building by more than 15m ² , unless provided for in Rules NH-R17 or NH-R18	
High risk flood area across all zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The ability to manage flood risk through appropriate building materials, structural or design work or other engineering solutions;</p> <p>(b) The setting of an appropriate floor level for the addition, taking into consideration the location of the addition and the floor level of the existing building;</p> <p>(c) Any mitigation measures to reduce the risk to people’s safety, well-being and property.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R19	<p>Subdivision that creates one or more additional vacant lot(s) where:</p> <p>(a) The additional lot(s) are located entirely outside the High risk flood area; or</p> <p>(b) The additional lot(s) are partially within the High risk flood area and each additional lot(s) contains an area capable of containing a complying building platform entirely outside the High risk flood area.</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
High risk flood area across all zones	(1) Activity status: DIS	
NH-R20	Construction of a new building or additions to an existing building, not provided for in Rules NH-R11 – NH-R18	
High risk flood area across all zones	(1) Activity status: NC	
NH-R21	Subdivision that does not comply with Rule NH-R19	

	This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.
High risk flood area across all zones	(1) Activity status: NC
NH-R22	Emergency service facilities and hospitals
High risk flood area across all zones	(1) Activity status: NC

Defended area (Residual risk)

NH-R23	Activities are permitted activities within the Defended area identified on the planning maps, unless specified in Rules NH-R24 to NH-R26 below, or as otherwise specified in the relevant zone chapter or the Part 2 – District-wide matters chapters	
Defended area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R24	Subdivision that creates one or more additional vacant lot(s). This rule does not apply to subdivision for a utility allotment, an access allotment or subdivision to create a reserve allotment.	
Defended area across all zones	(1) Activity status: RDIS Activity-specific standards: Nil. Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (a) The actual level of service provided by the structural defence and associated flood protection works, including any change in the level of service anticipated due to climate change and sea level rise; (b) The impact of any planned improvements, maintenance or upgrading on the residual risk; (c) The effect of groundwater levels and variability in ground conditions on stop-bank security at and adjacent to the site to be subdivided; (d) The likely depth and duration of flooding as a result of a breach or overtopping event or flood ponding; (e) The location of the subdivision, including services such as wastewater, water supply and roading/access (including escape 	(2) Activity status where compliance not achieved: n/a

	<p>routes), in relation to potential breakout points (failure zone);</p> <p>(f) The adverse effects on:</p> <p>(i) People and property,</p> <p>(ii) Historic heritage and Sites and Areas of Significance to Maaori, and</p> <p>(iii) Overall vulnerability from potential failure or overwhelming of the structural defences and associated flood protection works relevant to the proposed new lot(s);</p> <p>(g) Potential for the development to transfer/increase flood risk/residual risk to neighbouring properties;</p> <p>(h) Any additional mitigation measures proposed or site features which reduce residual risk (e.g., natural high ground; evacuation plan).</p>	
NH-R25	Construction of a new building, or reconstruction of, or new accessory building, located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.	
Defended area across all zones	(1) Activity status: DIS	
NH-R26	Earthworks located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.	
	This rule does not apply to earthworks associated with utilities where the written approval of the authority managing the stop-bank has been obtained.	
Defended area across all zones	(1) Activity status: DIS	

Coastal sensitivity areas

NH-R27	Additions to an existing lawfully established building	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) The gross floor area of all additions to the building from 17 January 2022 do not exceed a total of 15m².</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including</p>

		<p>the ability to relocate the building;</p> <p>(b) The setting of minimum floor levels where appropriate;</p> <p>(c) The application of mitigation through natural features and buffers where appropriate;</p> <p>(d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated;</p> <p>(e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;</p> <p>(f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply;</p> <p>(g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building</p> <p>(h) Any mitigation measures to reduce risk; and</p> <p>(i) Whether there is any suitable alternative location for the activity to locate within the site.</p>
NH-R28	Construction of an accessory building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R29	Construction of a farm building without a floor	
Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R30	Construction, upgrading, minor upgrading, replacement, repair or maintenance of utilities excluding hard protection structures.	

<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R31</p>	<p>Maintenance or repair of an existing lawfully established hard protection structure</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>NH-R32</p>	<p>Construction of a new building, or reconstruction of, or additions to existing buildings in the RPZ – Rangitahi Peninsula zone and Coastal sensitivity area (Erosion) on a certificate of title which was created by subdivision consent granted between 28 September 2015 and 17 January 2022</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: PER Activity-specific standards: (a) Compliance with the requirements of any consent notice for the certificate of title pursuant to section 221 of the Resource Management Act 1991 containing specific design or location requirements for buildings.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) The ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including the ability to relocate the building; (b) The setting of minimum floor levels where appropriate; (c) The application of mitigation through natural features and buffers where appropriate; (d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated; (e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment; (f) Suitability of the site for the proposed use, including the provision for servicing such as</p>

		<p>access, wastewater, stormwater, and water supply;</p> <p>(g) Adverse effects to people and property and overall vulnerability from the establishment of the new building or additions to an existing building</p> <p>(h) Any mitigation measures to reduce risk; and</p> <p>(i) Whether there is any suitable alternative location for the activity to locate within the site.</p>
<p>NH-R33</p>	<p>Construction of a new building or additions to an existing building not provided for in Rules NH-R27- NH-R30 and NH-R32</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The ability to manage coastal hazard risk through appropriate building materials, structural or design work, engineering solutions, and other appropriate mitigation measures, including the ability to relocate the building; (b) The setting of minimum floor levels where appropriate; (c) The application of mitigation through natural features and buffers where appropriate; (d) The ability to impose time limits or triggers to determine when the building and services to be removed or relocated; (e) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment; (f) Suitability of the site for the proposed use, including the provision for servicing such as access, wastewater, stormwater, and water supply; (g) Adverse effects to people and property and overall vulnerability from the 	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>establishment of the new building or additions to an existing building</p> <p>(h) Any mitigation measures to reduce risk; and</p> <p>(i) Whether there is any suitable alternative location for the activity to locate within the site.</p>	
<p>NH-R34</p>	<p>Any subdivision to create any additional vacant lots where the additional vacant lot(s) are located partially or entirely within the Coastal sensitivity area (Inundation), Coastal sensitivity area (Erosion).</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision creating a reserve allotment</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Whether the vacant lot(s) are capable of containing a complying building platform entirely outside the Coastal sensitivity area (Inundation), or the Coastal sensitivity area (Erosion); or</p> <p>(b) Where the vacant lot(s) are not capable of containing a complying building platform entirely outside of the Coastal sensitivity area (Inundation), or the Coastal sensitivity area (Erosion):</p> <p>(i) The degree to which coastal hazard risk, including the effects of climate change over a period to 2120, has been assessed in a site specific coastal hazard risk assessment;</p> <p>(ii) Suitability of the vacant lot for the likely future uses, including the provision for servicing such as access, wastewater, stormwater, and water supply;</p> <p>(iii) The degree to which alternative subdivision layout(s) have been investigated to avoid or mitigate coastal hazards;</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>(iv) Adverse effects to people, property and the environment and overall vulnerability from the likely future uses, including any mitigation measures to reduce risk; and</p> <p>(v) The setting of minimum floor levels in areas subject to inundation.</p>	
<p>NH-R35</p>	<p>Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure</p>	
<p>Coastal sensitivity area (Erosion) and the Coastal sensitivity area (Inundation) across all zones</p>	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Whether structures have primarily a public and/or environmental benefit when located on public land; (b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect; (c) The extent to which economic, social and environmental benefits outweigh costs; (d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased; (e) The extent to which structures are located as far landward as practicable; (f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land; and (g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the 	<p>(2) Activity status where compliance not achieved: n/a</p>

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

NH-R36	Construction of an accessory building without a floor	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: (a) The gross floor area of the building does not exceed 40m ² .	(2) Activity status where compliance not achieved: NC
NH-R37	Construction of a farm building without a floor	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: (a) The gross floor area of the building does not exceed 40m ² .	(2) Activity status where compliance not achieved: NC
NH-R38	Repair, maintenance or minor upgrading of existing utilities excluding hard protection structures	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R39	Construction, operation, replacement or upgrading of telecommunications lines, poles, cabinets and masts/poles supporting antennas	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R40	New electricity lines, poles, cabinets and masts/ poles supporting antennas	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R41	Maintenance or repair of an existing lawfully established hard protection structure.	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
NH-R42	Earthworks for an activity listed in Rules NH-R36 – NH-R41, including the maintenance and repair of access tracks	
High risk coastal erosion area across all zones	(1) Activity status: PER Activity-specific standards: (a) The maximum volume of filling does not exceed 10m ³ per site; and	(2) Activity status where compliance not achieved: DIS

	(b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level.	
NH-R43	Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure.	
High risk coastal erosion area across all zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Whether structures have primarily a public and/or environmental benefit when located on public land; (b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect; (c) The extent to which economic, social and environmental benefits outweigh costs; (d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased; (e) The extent to which structures are located as far landward as practicable; (f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the structure is located on public land; and (g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy. 	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R44	Earthworks not provided for in Rule NH-42	
High risk coastal erosion area	Activity status: DIS	

across all zones	
NH-R45	Relocation of an existing building within the same site where the building is relocated landward of its existing position
High risk coastal erosion area across all zones	Activity status: DIS
NH-R46	Replacement of an existing building within the same site where: <ul style="list-style-type: none"> (a) The replacement building is located landward of the existing building that it replaces; (b) The replacement building is relocatable on a suspended timber floor; and (c) The gross floor area of the replacement building is no larger than the existing building that it replaces
High risk coastal erosion area across all zones	Activity status: DIS
NH-R47	Construction of new utilities not provided for in Rules NH-R39 and NH-R40
High risk coastal erosion area across all zones	Activity status: DIS
NH-R48	Upgrading of existing utilities not provided for in Rules NH-R38 and NH-R39
High risk coastal erosion area across all zones	Activity status: DIS
NH-R49	Subdivision that creates one or more additional vacant lot(s) where the additional lot(s) are partially within the High risk coastal erosion area and each additional lot(s) contains a net site area capable of containing a complying building platform entirely outside the High risk coastal erosion area. This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.
High risk coastal erosion area across all zones	Activity status: DIS
NH-R50	Construction of a new building or additions to an existing building, not provided for in Rules NH-R36 – NH-R40, NH-R45 – NH-R48
High risk coastal erosion area across all zones	Activity status: NC

NH-R51	Subdivision to create one or more additional lot(s) that does not comply with Rule NH-R49. This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.
High risk coastal erosion area across all zones	Activity status: NC
NH-R52	Emergency service facilities and hospitals
High risk coastal erosion area across all zones	Activity status: NC

High risk coastal inundation area

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

High risk coastal inundation area across all zones	<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R59	Earthworks for an activity listed in Rules NH-R53 – NH-R57, including the maintenance and repair of access tracks	
High risk coastal inundation area across all zones	<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The maximum volume of filling does not exceed 10m³ per site; and (b) The maximum depth of any excavation or filling does not exceed 0.5m above or below ground level. 	<p>(2) Activity status where compliance not achieved: DIS</p>
NH-R60	Construction of a new hard protection structure, or any extension to, or upgrade or replacement of an existing hard protection structure.	
High risk coastal inundation area across all zones	<p>(1) Activity status: RDIS Activity-specific standards: Nil</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Whether structures have primarily a public and/or environmental benefit when located on public land; (b) The extent to which the structure is effective, considering a range of coastal hazard events including the effects of climate change and the activities or development they are designed to protect; (c) The extent to which economic, social and environmental benefits outweigh costs; (d) Whether risk to people, property, infrastructure, environment, historic heritage or sites and areas of significance to Maaori is not transferred or increased; (e) The extent to which structures are located as far landward as practicable; (f) Whether public access both to and along the coastal area and to the coastal marine area are provided for where the 	<p>(2) Activity status where compliance not achieved: n/a</p>

	<p>structure is located on public land; and</p> <p>(g) Whether an adaptive management strategy has been prepared to manage coastal hazards, and whether the structure is consistent with that strategy.</p>	
NH-R61	Earthworks not provided for in Rule NH-59	
High risk coastal inundation area across all zones	Activity status: DIS	
NH-R62	Construction of new utilities not provided for in Rules NH-R56 and NH-R57	
High risk coastal inundation area across all zones	Activity status: DIS	
NH-R63	Upgrading of existing utilities not provided for in Rules NH-R55 and NH-R56	
High risk coastal inundation area across all zones	Activity status: DIS	
NH-R64	<p>Subdivision that creates one or more additional vacant lot(s) where the additional lot(s) are partially within the High risk coastal inundation area and each additional lot(s) contains a net site area capable of containing a complying building platform entirely outside the High risk coastal inundation area.</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
High risk coastal inundation area across all zones	Activity status: DIS	
NH-R65	Construction of a new building or additions to an existing building, not provided for in Rules NH-R53 – NH-R57, NH-R62 – NH-R63	
High risk coastal inundation area across all zones	Activity status: DIS	
NH-R66	<p>Subdivision to create one or more additional lot(s) that does not comply with Rule NH-R64</p> <p>This rule does not apply to subdivision for a utility allotment, access allotment or subdivision to create a reserve allotment.</p>	
High risk coastal inundation	Activity status: NC	

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

Mine subsidence risk area

NH-R68	Additions to an existing building	
Mine subsidence risk area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Additions do not increase the gross floor area of the building by more than 15m²; and (b) Additions do not result in the length of any wall of the building exceeding 20m. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Construction standards and materials; (b) Suitability of the site for development; and (c) The potential effects on health and safety.
NH-R69	Standalone garage	
Mine subsidence risk area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The gross floor area of the building does not exceed 55m²; and (b) The maximum length of any wall does not exceed 20m. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Construction standards and materials; (b) Suitability of the site for development; and (c) The potential effects on health and safety.
NH-R70	Construction, replacement, repair, minor upgrading, upgrading or maintenance of utilities and associated earthworks	
Mine subsidence risk area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R71	Earthworks	
Mine subsidence risk area across all zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The maximum volume of filling does not exceed 20m³ per site; and (b) The maximum depth of any excavation or filling does not exceed 1m above or below ground level. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Location and scale of earthworks; (b) Geotechnical and geological stability of the site following the completion of earthworks;

		<p>(c) Risk to people and property from subsidence as a result of earthworks; and</p> <p>(d) Any other mitigation measures to reduce risk.</p>
NH-R72	<p>The construction or alteration of a building that is not provided for under Rule Rules NH-R68 – NH-R71 where a Consent Notice is registered against the Record of Title confirming that a geotechnical assessment has been approved at the time of subdivision and the approved geotechnical report confirms that the ground is suitable for building development and the building development is in accordance with any recommendations of the geotechnical report.</p>	
Mine subsidence risk area across all zones	<p>(1) Activity status: CON</p> <p>Activity-specific standards: Nil.</p> <p>Council's control is reserved to the following matters:</p> <p>(a) The degree to which the requirements and recommendations of the geotechnical report approved at the time of subdivision have been incorporated in the building design; and</p> <p>(b) Whether confirmation is provided from a suitably experienced and qualified geotechnical engineer that confirms the proposed building development is consistent with the recommendations and requirements of the geotechnical report approved at the time of subdivision.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
NH-R73	<p>Construction of a building, or reconstruction of, or accessory building or the reconstruction of or additions to an existing building not provided for in Rules NH-R68 – NH-R70 or NH-R72</p>	
Mine subsidence risk area across all zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Construction standards and materials;</p> <p>(b) Suitability of the site for development; and</p> <p>(c) The potential effects on health and safety.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

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

Liquefaction

NH-R75	Overview of method
All zones	<p>(1) Areas in the District susceptible to liquefaction have not been identified on the planning maps as a natural hazard overlay as is the case with the other natural hazards in this chapter. Where specific land uses have already been identified as restricted discretionary activities in the activity status tables in the relevant zone, liquefaction risk has been added as a matter over which the Council will reserve its discretion, where it is considered relevant for that activity. To satisfy the requirements of sections 104 and 106 of the RMA, identification of appropriate mitigation may be required where the site and proposed development are considered vulnerable to liquefaction based on site-specific characteristics. It is expected that best practice geotechnical and engineering methods will be used to ensure that the site is suitable for the intended use.</p> <p>(2) Where potential liquefaction risk is identified as a matter that the Council restricts its discretion to, the additional matters outlined in Rules NH-R76 and NH-R77 below apply where relevant.</p>
NH-R76	Additional matters of restricted discretion for subdivision to create one or more additional vacant lots – liquefaction risk
All zones	<p>(1) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a subdivision rule elsewhere in this Plan, and where that proposal involves subdivision to create one or more additional vacant lots, the Council restricts its discretion to the following additional matters (note: these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):</p> <p>(a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (refer to the information requirements in section below);</p> <p>(b) Measures proposed to mitigate the effects of liquefaction hazard if present including:</p> <p>(i) Location, size, layout and design of allotments, structures, and building platforms, including consideration given to alternative siting away from where liquefaction risk is greatest;</p> <p>(ii) Location, timing, scale and nature of earthworks;</p> <p>(iii) Provision for ground strengthening and foundation design;</p> <p>(iv) Provision for resilient services and infrastructure, including wastewater, water supply, roads and access;</p> <p>(v) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground or free face, or alternative geotechnical measures to address any identified potential for lateral spread; and</p>

	(vi) Effects on adjoining properties.
NH-R77	Additional matters of restricted discretion for new land use (e.g., multi-unit development) – liquefaction risk
All zones	<p>(I) Where potential liquefaction risk is identified as a matter that the Council will restrict its discretion to in a rule elsewhere in this Plan for new land use, the Council restricts its discretion to the following additional matters (note: these matters will also be relevant to the assessment of a discretionary or non-complying resource consent application where a potential liquefaction hazard has been identified on a site):</p> <p>(a) Geotechnical assessment and/or investigation of any potential liquefaction hazard on the site at a level sufficient to confirm the level of risk and its suitability for the proposed activity (refer to the information requirements in section below);</p> <p>(b) Measures proposed to mitigate the effects of liquefaction hazard, if present, including:</p> <p>(i) Location, size, layout and design of buildings, structures, car parking areas, access and provision for resilient infrastructure and services, including wastewater, stormwater and water supply;</p> <p>(ii) Location, timing, scale and nature of earthworks;</p> <p>(iii) Provision for ground strengthening and foundation design;</p> <p>(iv) Setbacks in relation to waterways, waterbodies or any steep change in ground elevation, sloping ground (or free face, or alternative geotechnical measures to address any identified potential for lateral spread);</p> <p>(v) Consideration given to ease of repair (including access to repair damaged structures) of liquefaction-induced damage; and</p> <p>(vi) Effects on adjoining properties.</p>

Advice note:

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

Information Requirements for all resource consent applications addressing natural hazards

NH-INFO1 – General

- (I) The following documents, to the extent relevant to the proposal:
- (a) Geotechnical assessment, including identification and assessment of any potentially liquefaction prone land and land subject to slope instability;
 - (b) An assessment of natural hazard risk, including the type of natural hazards present, such as flooding, slope stability, liquefaction, subsidence and coastal hazards. The assessment shall include the level of risk and any increase in risk as a result of the proposal associated with each hazard. Where applicable, the projected effects of climate change over the period to 2120 must be included;

- (c) Remediation and mitigation measures necessary to make the site and any proposed buildings suitable for the proposed use, such as minimum floor levels, foundation design for relocatability, and appropriate time limits and/or triggers for the removal of any building and onsite wastewater disposal systems.
- (2) Plans identifying:
 - (a) Topographical features within the site and surrounding area; and
 - (b) The location of natural hazards on all or part of the site.
- (3) Consideration of the information contained in the following stormwater catchment management plans, or any approved updated version, where relevant:
 - (a) Ngaruawahia Catchment Management Plan, March 2015;
 - (b) Tamahere Stormwater Catchment Management Plan and Report, 2011
 - (c) Port Waikato Stormwater Catchment Management Plan and Report, 2004;
 - (d) Pokeno Catchment Management Plan, 2010;
 - (e) Te Kauwhata Catchment Management Plan, 2009; or
 - (f) Tuakau Catchment Management Plan, Draft 2014.

NH-INFO2 – Liquefaction potential

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

- (c) Subdivision plans shall show, to the extent relevant or appropriate to the scale and significance of the liquefaction hazard identified:
 - (i) Any areas which require particular ground strengthening or other mitigation
 - (ii) Measures, and recommendations for such mitigation; and
 - (iii) Any areas which should be excluded from built development due to geotechnical constraints, or which require geotechnical setbacks; and
 - (iv) Any features of subdivision layout recommended by the geotechnical engineer, for example any recommended locations for proposed activities and other infrastructure as a result of geotechnical constraints.
- (d) All geotechnical reports in respect of liquefaction potential are to be prepared by a suitably qualified and experienced engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ registered).

NH-INFO3 – RLZ – Rural lifestyle zone in Tamahere

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

NH-INFO3 – Defended areas

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

EW – Earthworks

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

Objectives

- EW-O1 Earthworks in all zones except the MRZ1 – Medium density residential zone 1. Earthworks facilitate subdivision, use and development.
- EW-O2 Earthworks in the MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2. Earthworks facilitate subdivision, use and development while avoiding, mitigating or remedying potential adverse effects.

Policies

- EW-P1 Earthworks in the GRZ – General residential zone, M MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone or OSZ – Open space zone.
- (1) Manage the effects of earthworks to ensure that:
 - (a) Erosion and sediment loss is avoided or mitigated;
 - (b) Changes to natural water flows and established drainage paths are mitigated;
 - (c) Adjoining properties and public services are protected;
 - (d) The importation of cleanfill is avoided in the zone; and
 - (e) Adverse effects on historic heritage are avoided.
 - (2) Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.
 - (3) Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, dust, lighting and traffic effects.
 - (4) Subdivision and development occur in a manner that maintains fundamental shape, contour and landscape characteristics.
 - (5) Manage the geotechnical risks to ensure the ground remains sound, safe and stable for the intended land use.
- EW-P2 Earthworks in the GRUZ – General rural zone, FUZ – Future urban zone, CORZ – Corrections zone or TTZ – TaTa Valley zone.
- (1) Enable earthworks associated with rural or conservation activities including:
 - (a) Ancillary rural earthworks;
 - (b) Farm quarries;
 - (c) The importation of controlled cleanfill material to a site; and
 - (d) Indigenous biodiversity restoration.
 - (2) Manage earthworks to ensure that:

Part 2: District-wide matters / General district-wide matters / EW – Earthworks

- (a) Erosion and sediment loss is avoided or mitigated;
- (b) The ground is geotechnically sound and remains safe and stable for the duration of the intended land use;
- (c) Changes to natural water flows and established drainage paths are avoided or mitigated;
- (d) Adjoining properties and infrastructure are protected;
- (e) Historic heritage and cultural values are recognised and protected; and
- (f) Ecosystem protection, restoration, rehabilitation or enhancement works are encouraged.

EW-P3 Earthworks in the RLZ – Rural lifestyle zone.

- (1) Manage the effects of earthworks to ensure that:
 - (a) Erosion and sediment loss is avoided or mitigated;
 - (b) The ground is geotechnically sound and remains safe and stable for the duration of the intended land use;
 - (c) Changes to natural water flows and established drainage paths is avoided or mitigated.
- (2) Manage the importation of fill material to a site.
- (3) Appropriately manage the importation of cleanfill to a site.
- (4) Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, odour, dust, lighting and traffic effects.
- (5) Subdivision and development occur in a manner that maintains shape, contour and landscape characteristics.

EW-P4 Earthworks in the LCZ – Local centre zone, COM – Commercial zone or TCZ – Town centre zone.

- (1) Manage earthworks in the zone to minimise:
 - (a) The adverse effects and of sediment, of dust and stormwater runoff; and
 - (b) Adverse effects on heritage.

EW-P5 Earthworks in the MAZ – Mercer Airport zone.

Provide for the unique operational requirements of an airport whilst at the same time achieving appropriate levels of amenity for surrounding properties.

Rules

Land use – effects (zones specified in the first column)

EW-R1	Gardening or disturbance of land for the installation of fence posts	
All zones	(1) Activity status: PER Activity specific conditions: Nil.	(2) Activity status where compliance not achieved: n/a
EW-R2	Earthworks activities within the National Grid Yard	

<p>All zones</p>	<p>(1) Activity status: PER</p> <p>Activity specific conditions:</p> <ul style="list-style-type: none"> (a) Earthworks within the National Grid Yard that comply with all of the following standards: <ul style="list-style-type: none"> (i) Do not exceed a depth (measured vertically) of 300mm within 12m of the outer visible edge of any National Grid support structure foundation. (ii) Do not compromise the stability of a National Grid support structure; (iii) Do not result in the loss of access to any National Grid support structure; and (iv) Do not result in a reduction in the ground to conductor clearance distances of less than 6.5m (measured vertically) from a 110kV National Grid transmission line, or 7.5m (measured vertically) from a 220kV National Grid transmission line. (b) The following earthworks activities are exempt from Rules EW-R2(1)(a): <ul style="list-style-type: none"> (i) Earthworks that are undertaken by a network utility operator (other than for the reticulation and storage of water for irrigation purposes) as defined by the Resource Management Act 1991; (ii) Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track; (iii) Vertical holes not exceeding 500mm in diameter that: <ul style="list-style-type: none"> (1) Are more than 1.5m from the outer edge of the pole support structure or stay wire; or (2) Are a post hole for a farm fence or horticulture 	<p>(2) Activity status: RDIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks within the National Grid Yard that do not comply with Standard EW-R2(1)(a)(i) but complies with Standards EW-R2(1)(a)(ii) – (iv). <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Impacts on the operation, maintenance, upgrading and development of the National Grid; (c) The risk to the structural integrity of the affected National Grid support structure(s); (d) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid; (e) The risk of electrical hazards affecting public or individual safety, and the risk of property damage. (f) Technical advice provided by the National Grid owner (Transpower); and (g) Any effects on National Grid support structures including the creation of an unstable batter. <p>(3) Activity status: NC</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks within the National Grid Yard that is not a permitted activity under Rule EW-R2(1) or a restricted discretionary activity under Rule EW-R2(2)
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	structure more than 6m from the visible outer edge of a tower support structure foundation.	
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LLRZ – Large lot residential zone and SETZ – Settlement zone

EW-R3	Earthworks – general	
LLRZ – Large lot residential zone; and SETZ – Settlement zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks (excluding the importation of fill material) within a site must meet all of the following standards: <ul style="list-style-type: none"> (i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) Not exceed a volume of more than 350m³; (iii) Not exceed an area of more than 1,000m² over any single consecutive 12 month period; (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); (vi) Earthworks are set back at least 1.5m from all boundaries; (vii) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (ix) Do not divert or change the nature of natural water flows, 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.

	<p>water bodies or established drainage paths; and</p> <p>(x) Provided they are not within a kauri root zone</p>	
EW-R4	Earthworks – general	
LLRZ – Large lot residential zone; and SETZ – Settlement zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported cleanfill material, must meet the following standards:</p> <p>(b) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and</p> <p>(c) Provided they are not within a kauri root zone</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation; and</p> <p>(l) Provided they are not within a kauri root zone</p>
EW-R5	Earthworks – general	
LLRZ – Large lot residential zone; and SETZ – Settlement zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material, must meet all of the following standards:</p> <p>(i) Not exceed a total volume of 20m³;</p> <p>(ii) Not exceed a depth of 1.5m;</p> <p>(iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p>

	<ul style="list-style-type: none"> (iv) Fill material is setback at least 1.5m from all boundaries; (v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and (vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (viii) Provided they are not within a kauri root zone. 	<ul style="list-style-type: none"> (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
EW-R6	Earthworks including the importation of cleanfill to a site	
LLRZ – Large lot residential zone; and SETZ – Settlement zone	<p>(1) Activity status: NC</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks including the importation of cleanfill to a site. 	

GRZ – General residential zone

EW-R7	Earthworks – general	
GRZ – General residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks (excluding the use of cleanfill material or fill material) within a site must meet all of the following standards: (b) Be located more than 1.5m horizontally from any waterway, open drain or overland flow path; (c) Not exceed a volume of 250m³ and an area of not more than 1,000m² over any consecutive 12 month period; (d) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material;

	<ul style="list-style-type: none"> (e) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); (f) Earthworks are set back at least 1.5m from all boundaries; (g) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and re-vegetated to achieve 80% ground cover within 6 months of cessation of the earthworks; (h) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (i) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (j) Provided they are not within a kauri root zone 	<ul style="list-style-type: none"> (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
EW-R8	Earthworks – general	
GRZ – General residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks for the purpose of creating a building platform and accessway for residential purposes within a site, including the use of imported cleanfill material or imported fill material, must meet the following standards: <ul style="list-style-type: none"> (i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and (ii) Provided they are not within a kauri root zone 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths;

		<p>(k) Land instability, erosion and sedimentation; and</p> <p>(l) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R9	Earthworks – general	
GRZ – General residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material must meet all of the following standards:</p> <p>(i) Not exceed a total volume of 20m³;</p> <p>(ii) Not exceed a depth of 1m;</p> <p>(iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Fill material is setback at least 1.5m from all boundaries;</p> <p>(v) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;</p> <p>(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(viii) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(i) Amenity values and landscape effects;</p> <p>(ii) Volume, extent and depth of earthworks;</p> <p>(iii) Nature of fill material;</p> <p>(iv) Contamination of fill material;</p> <p>(v) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(vi) Compaction of the fill material;</p> <p>(vii) Volume and depth of fill material;</p> <p>(viii) Protection of the Hauraki Gulf Catchment Area;</p> <p>(ix) Geotechnical stability;</p> <p>(x) Flood risk, including natural water flows and established drainage paths;</p> <p>(xi) Land instability, erosion and sedimentation; and</p> <p>(xii) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R10	Earthworks involving the importation of controlled fill material to a site	
GRZ – General residential zone	<p>(1) Activity status: NC</p> <p>Where:</p> <p>(a) Earthworks involving the importation of controlled fill material to a site</p>	
EW-R11	Earthworks – general in PREC31- Lakeside Te Kauwhata precinct	

<p>PREC31- Lakeside Te Kauwhata precinct in the GRZ – General residential zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks (excluding the importation of fill, or a CLDC), including earthworks necessary for the construction and maintenance of existing public roads or for construction of new roads in accordance with the Te Kauwhata Lakeside Precinct Plan, must meet all the following standards: <ul style="list-style-type: none"> (i) do not disturb or move more than 200m² within an individual site in a single calendar year except where the maximum area at any one time shall not exceed 400m², and (ii) in relation to the height of any cut or batter face do not exceed 2m, or (iii) are necessary for building works authorised by a building consent and: <ul style="list-style-type: none"> (1) The area of earthworks is no more than 150% of the area of those building works, or (2) The earthworks occur on land with an average gradient no steeper than 1:8, or (3) Any trenching for network utilities, or on or offsite utilities within PREC31 – Lakeside Te Kauwhata precinct area are backfilled or reinstated to original ground level; or (4) Traffic associated with the works is managed in accordance with a Construction Traffic Management Plan approved by the Waikato District Council as the road controlling authority; (5) Including any cut and batter faces or filled 	<p>(2) Activity status where compliance not achieved: CON Council control shall be reserved over the following matters:</p> <ul style="list-style-type: none"> (a) Effects on amenity values; (b) Visual effects; (c) Mitigation measures including sediment control; (d) Effects on land utilization; (e) Effects on erosion; (f) Effects on cultural values; (g) Effects on heritage values; (h) Effects on the Lake Waikare flood plain; and (i) The risk of earthworks exacerbating Kauri dieback disease.
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	<p>areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced; and</p> <p>(6) Retain sediment within the construction area through the implementation and maintenance of sediment controls;</p> <p>(7) Provided they are not within a kauri root zone.</p> <p>(b) Rules EW-R7 – EW-R10 and SASM-R4 do not apply to earthworks within PREC31- Lakeside Te Kauwhata precinct; and</p> <p>Advice note: The Waikato Pest Management Plan addresses the management of identified pest species, including alligator weed. It includes enforceable controls relating to subdivision and land development in infected areas.</p>	
<p>EW-R12</p>	<p>Earthworks – general in PREC31- Lakeside Te Kauwhata precinct</p>	
<p>PREC31- Lakeside Te Kauwhata precinct in the GRZ – General residential zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks involving imported fill material (other than earthworks approved as part of a CLDC) meets all of the following standards:</p> <p>(i) All material for filling is cleanfill, and</p> <p>(ii) Filling that is not part of building work, or construction of roads, or installation of infrastructure:</p> <p>(1) Does not exceed a volume of 20m² and a depth of 1m, and</p> <p>(2) Does not include a building platform, and</p> <p>(3) Does not include placing fill into an area of significant indigenous vegetation or habitat, or</p> <p>(iii) Is for minor upgrading of existing electricity lines and does not exceed 50m², and</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) Visual effects;</p> <p>(c) Effects on indigenous vegetation and habitat;</p> <p>(d) Mitigation measures including replacement planting where vegetation removal is involved;</p> <p>(e) Effects on cultural values;</p> <p>(f) Effects on heritage values; and</p> <p>(g) The risk of earthworks exacerbating Kauri dieback disease</p>

	<p>(iv) Where traffic associated with the work uses public roads, is managed in accordance with an approved Construction Traffic Management Plan or authorised in writing by Waikato District Council as the road controlling authority; and</p> <p>(v) Provided they are not within a kauri root zone.</p> <p>(b) Rules EW-R7 – EW-R10 and SASM-R4 do not apply to earthworks within PREC3 I- Lakeside Te Kauwhata precinct.</p> <p>Advice note: The Waikato Pest Management Plan addresses the management of identified pest species, including alligator weed. It includes enforceable controls relating to subdivision and land development in infected areas.</p>	
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MRZ1 – Medium density residential zone [1](#) and MRZ2 – Medium density residential zone [2](#)

<p>EW-R13</p> <p>MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2</p>	<p>Earthworks – general</p> <p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following standards:</p> <p>(i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;</p> <p>(ii) Not exceed a volume of 1000m³;</p> <p>(iii) Not exceed an area of 1ha over any consecutive 12 month period;</p> <p>(iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level;</p> <p>(v) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal);</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitats;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths;</p> <p>(j) Land instability, erosion and sedimentation; and</p>
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	<ul style="list-style-type: none"> (vi) Earthworks must not result in any instability of land or structures at, or beyond, the boundary of the site where the land disturbance occurs; (vii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and (ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (x) Provided they are not within a kauri root zone 	<ul style="list-style-type: none"> (k) The risk of earthworks exacerbating Kauri dieback disease.
<p>EW-RI 4</p>	<p>Earthworks – general</p>	
<p>MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, including the use of imported cleanfill material and imported fill material, must meet the following standards: <ul style="list-style-type: none"> (i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and (ii) Provided they are not within a kauri root zone 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Amenity values and landscape effects; (ii) Volume, extent and depth of earthworks; (iii) Nature of fill material; (iv) Contamination of fill material; (v) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitats; (vi) Compaction of the fill material; (vii) Volume and depth of fill material; (viii) Geotechnical stability; (ix) Flood risk, including natural water flows and established drainage paths; (x) Land instability, erosion and sedimentation; and

		(xi) The risk of earthworks exacerbating Kauri dieback disease
EW-RI 5	Earthworks – general	
MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material must meet all of the following standards:</p> <p>(i) Not exceed a total volume of 50m³;</p> <p>(ii) Not exceed a depth of 1.5m;</p> <p>(iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where the land disturbance occurs;</p> <p>(v) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;</p> <p>(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(viii) Provided they are not within a kauri root zone</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitats;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths;</p> <p>(j) Land instability, erosion and sedimentation; and</p> <p>(k) The risk of earthworks exacerbating Kauri dieback disease</p>
EW-RI 6	Earthworks – general	
MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2	<p>(1) Activity status: NC</p> <p>Where:</p> <p>(a) Earthworks involving the importation of controlled fill material to a site.</p>	

density residential zone 2	
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GRUZ – General rural zone

Advice note: the National Environmental Standards for Freshwater 2020 also contain rules relating to earthworks and apply in addition to the District Plan rules.

EW-RI7	Ancillary rural earthworks	
GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone	<p>(1) Activity status: PER</p> <p>Activity specific conditions:</p> <p>(a) Provided they are not within a kauri root zone</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The risk of earthworks exacerbating Kauri dieback disease</p>
EW-RI8	A farm quarry	
GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone	<p>(1) Activity status: PER</p> <p>Activity specific conditions:</p> <p>(a) Where the volume of aggregate extracted does not exceed 1000m³ in any single consecutive 12 month period;</p> <p>(b) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path; and</p> <p>(c) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material or cleanfill;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation; and</p> <p>(l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and</p>

		(m) The risk of earthworks exacerbating Kauri dieback disease.
EW-R19	Earthworks required to form a building platform	
GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone	<p>(1) Activity status: PER</p> <p>Activity specific conditions:</p> <p>(a) Earthworks required to form a building platform that will be subject to a building consent where undertaken in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and</p> <p>(b) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material or cleanfill;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R20	Earthworks ancillary to a conservation activity	
GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone	<p>(1) Activity status: PER</p> <p>Activity specific conditions:</p> <p>(a) Shall meet the following standards:</p> <p>(i) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material or cleanfill;</p>

	<p>(ii) Provided they are not within a kauri root zone</p>	<p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R21</p>	<p>Earthworks – general</p>	
<p>GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone</p>	<p>(1) Activity status: PER Where:</p> <p>(a) With the exception of earthworks for the activities listed in EW-R16 – EW-R20 earthworks within a site must meet all of the following standards:</p> <p>(i) Do not exceed a volume of more than 1000m³ and an area of more than 2000m² over in any single consecutive 12 month period;</p> <p>(ii) The total combined depth of any excavation (excluding drilling) or filling does not exceed 3m above or below natural ground level;</p> <p>(iii) Take place on land with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Earthworks are setback a minimum of 1.5m from all boundaries;</p> <p>(v) Areas exposed by earthworks are stabilised on completion and any remaining bare ground re-vegetated to achieve 80%</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material or cleanfill; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) Effects on the safe, effective and efficient operation, maintenance</p>

	<p>ground cover within 2 months of the completion of the earthworks;</p> <p>(vi) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	<p>and upgrade of infrastructure, including access; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R22</p>	<p>Earthworks – general</p>	
<p>GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) With the exception of earthworks for the activities listed in EW-R16 – EW-R20 using imported cleanfill material, concrete or brick must meet all of the following standards;</p> <p>(i) Do not exceed a total volume of 500m³ in any single consecutive 12 month period;</p> <p>(ii) Do not exceed a depth of 1m above natural ground level;</p> <p>(iii) The slope of the resulting filled area in stable ground does not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Fill material is setback a minimum of 1.5m from all boundaries;</p> <p>(v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 2 months of the completion of the filling;</p> <p>(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material or cleanfill;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>

	(vii) Provided they are not within a kauri root zone.	
EW-R23	Earthworks within a Whaanga Coast development specific control area of PREC5 – Whaanga Coast development precinct	
PREC5 – Whaanga Coast development precinct	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks within a Whaanga Coast development specific control area that complies with all of the following standards:</p> <p>(i) Do not exceed a volume of more than 500m³ and an area of more than 1000m²;</p> <p>(ii) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iii) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;</p> <p>(iv) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(v) Do not divert or change the nature of natural water flows, water bodies or established drainage; and</p> <p>(vi) Provided they are not within a kauri root zone</p> <p>(b) Rules EW-R17 to EW-R22 do not apply to earthworks within PREC5 – Whaanga Coast development precinct.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

RLZ – Rural lifestyle zone

EW-R24	Earthworks – general
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<p>RLZ – Rural lifestyle zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks within a site for: <ul style="list-style-type: none"> (i) Ancillary rural earthworks; or (ii) Construction and/or maintenance of tracks, fences or drains; or (iii) A building platform for a residential activity including an accessory building. (b) Provided they are not within a kauri root zone. 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease.
<p>EW-R25</p>	<p>Earthworks – general</p>	
<p>RLZ – Rural lifestyle zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks within a site for purposes other those contained in EW-R24 (excluding the importation of fill material) must meet all of the following standards: <ul style="list-style-type: none"> (i) Do not exceed a volume of more than 500m³ and an area of more than 1000m² within a site over any single consecutive 12 month period; (ii) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area;

	<ul style="list-style-type: none"> (iii) Earthworks are set back at least 1.5m from any boundary; (iv) Areas exposed by earthworks are re-vegetated or otherwise stabilised to achieve 80% ground cover within 2 months of the completion of the earthworks; (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (vii) Provided they are not within a kauri root zone. 	<ul style="list-style-type: none"> (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease.
<p>EW-R26</p>	<p>Earthworks – general</p>	
<p>RLZ – Rural lifestyle zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material must meet all of the following standards: <ul style="list-style-type: none"> (i) Not exceed a total volume of 50m³; (ii) Not exceed a depth of 1.5m; (iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Fill material is set back 1.5m from all boundaries; (v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance

	<p>sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(viii) Provided they are not within a kauri root zone.</p>	<p>and upgrade of infrastructure, including access; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R27	Earthworks including the importation of cleanfill to a site	
RLZ – Rural lifestyle zone	<p>(1) Activity status: NC</p> <p>Where:</p> <p>(a) Earthworks including the importation of cleanfill to a site.</p>	

LCZ – Local centre zone and COMZ – Commercial zone

EW-R28	Earthworks – general	
LCZ – Local centre zone; COMZ – Commercial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks within a site must meet all of the following standards:</p> <p>(i) Be located more than 1.5m from infrastructure including a public sewer, open drain, overland flow path or other public service pipe;</p> <p>(ii) Not exceed a volume of more than 250m³ and an area of more than 1,000m² within a site over any single consecutive 12 month period;</p> <p>(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Earthworks are set back at least 1.5m from all boundaries;</p> <p>(v) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and re-vegetated to achieve 80% ground cover within 2 months of completion of the earthworks or finished with a hardstand surface;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation; and</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>

	<p>(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(viii) Provided they are not within a kauri root zone</p>	
<p>EW-R29</p>	<p>Earthworks – general</p>	
<p>LCZ – Local centre zone; COMZ – Commercial zone</p>	<p>(1) Activity status: PER Where:</p> <p>(a) Earthworks for the purpose of creating a building platform within a site (including the use of imported fill material) that is:</p> <p>(i) Subject to an approved building consent; and</p> <p>(ii) The earthworks occur wholly within the footprint of the building.</p> <p>(b) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall.</p> <p>(c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building; and</p> <p>(d) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R30</p>	<p>Earthworks – general</p>	
<p>LCZ – Local centre zone; COMZ – Commercial zone</p>	<p>(1) Activity status: PER Where:</p> <p>(a) Earthworks using the importation of fill material to a</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p>

	<p>site must meet all of the following standards:</p> <ul style="list-style-type: none"> (i) Must not exceed a total volume of 500m³ per site and a depth of 1m (excluding backfill) (ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1m vertical to 2m horizontal); (iii) Fill material is setback at least 1.5m from all boundaries; (iv) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and revegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks; (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (vii) Provided they are not within a kauri root zone. 	<ul style="list-style-type: none"> (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths (k) Land instability, erosion and sedimentation; and (l) Proximity to underground services and service connections; and (m) The risk of earthworks exacerbating Kauri dieback disease.
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TCZ – Town centre zone

<p>EW-R31</p> <p>TCZ – Town centre zone</p>	<p>Earthworks – general</p> <p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks within a site must meet all of the following standards: (i) Earthworks must be located more than 1.5m from infrastructure including a public sewer, open drain, overland flow path or other public service pipe; (ii) Earthworks must not exceed a volume of more than 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant
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	<p>250m³ and an area of more than 1,000m² within a site over any single consecutive 12 month period;</p> <p>(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, , does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Earthworks are set back at least 1.5m from all boundaries;</p> <p>(v) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and re-vegetated to achieve 80% ground cover within 2 months of completion of the earthworks or finished with a hardstand surface;</p> <p>(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vii) Earthworks must not divert or change the nature of natural water flows, waterbodies or established drainage paths;</p> <p>(viii) Earthworks must not result in the site being unable to be serviced by gravity sewers; and</p> <p>(ix) Provided they are not within a kauri root zone.</p>	<p>indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R32</p>	<p>Earthworks – general</p>	
<p>TCZ – Town centre zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the purpose of creating a building platform within a site (including the use of imported fill material) that is:</p> <p>(i) Subject to an approved building consent; and</p> <p>(ii) The earthworks occur wholly within the footprint of the building.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p>

	<p>(b) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall.</p> <p>(c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building; and</p> <p>(d) Provided they are not within a kauri root zone.</p>	<p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R33</p>	<p>Earthworks – general</p>	
<p>TCZ – Town centre zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks using the importation of fill material to a site must meet all of the following standards:</p> <p>(i) Must not exceed a total volume of 500m³ per site and a depth of 1m (excluding backfill);</p> <p>(ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1m vertical to 2m horizontal);</p> <p>(iii) Fill material is set back at least 1.5m from all boundaries;</p> <p>(iv) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and revegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks;</p> <p>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p>

	<p>and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	<p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
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GIZ – General industrial zone

EW-R34	Earthworks – general	
GIZ – General industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks (excluding the importation of fill material) within a site that:</p> <p>(i) Are located at least 1.5 m from any water body, open drain or overland flow path;</p> <p>(ii) Do not exceed a volume of 10,000m³;</p> <p>(iii) Do not exceed an area of more than 10,000m² within a 12 month period;</p> <p>(iv) Do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal);</p> <p>(v) Result in exposed areas being re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface;</p> <p>(vi) Result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vii) Do not result in any change to natural water flows, any water body or established drainage path; and</p> <p>(viii) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) land instability, erosion and sedimentation; and</p> <p>(l) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R35	Earthworks – general	

<p>GIZ – General industrial zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks within a site that may, or may not, involve imported cleanfill material, for the purpose of creating a building platform and/or ancillary hardstand area: (i) Provided they are not within a kauri root zone. 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
<p>EW-R36</p>	<p>Earthworks – general</p>	
<p>GIZ – General industrial zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks involving imported fill material (excluding cleanfill material) for purposes other than creating a building platform for residential purposes within a site, that: <ul style="list-style-type: none"> (i) Are located at least 1.5 metres from any water body, open drain or overland flow path; (ii) Do not exceed a volume of 10,000m³; (iii) Do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal); (iv) Result in exposed areas being re-vegetated to achieve 80% ground cover within 2 months of the completion of 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability;

	<p>the earthworks, or finished with a hardstand surface;</p> <p>(v) Result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vi) Do not result in any change to natural water flows, any water body or established drainage path; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	<p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) land instability, erosion and sedimentation; and</p> <p>(l) The risk of earthworks exacerbating Kauri dieback disease.</p>
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HIZ – Heavy industrial zone

<p>EW-R37</p> <p>HIZ – Heavy industrial zone</p>	<p>Earthworks – general</p>	
	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks (excluding the importation of fill material) within a site that:</p> <p>(i) Are located at least 1.5 m from any water body, open drain or overland flow path;</p> <p>(ii) Do not exceed a volume of 10,000m³;</p> <p>(iii) Do not exceed an area of more than 10,000m² within a 12 month period;</p> <p>(iv) Do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal);</p> <p>(v) Result in exposed areas being re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface;</p> <p>(vi) Result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation; and</p> <p>(l) The risk of earthworks exacerbating Kauri dieback disease.</p>

	<p>(vii) Do not result in any change to natural water flows, any water body or established drainage path; and</p> <p>(viii) Provided they are not within a kauri root zone.</p>	
EW-R38	Earthworks – general	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks within a site that may, or may not, involve imported cleanfill material, for the purpose of creating a building platform and/or ancillary hardstand area:</p> <p>(i) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation; and</p> <p>(l) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R39	Earthworks – general	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks involving imported fill material (excluding cleanfill material) for purposes other than creating a building platform for residential purposes within a site, that:</p> <p>(i) Are located at least 1.5 metres from any water body, open drain or overland flow path</p> <p>(ii) Do not exceed a volume of 10,000m³;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p>

	<ul style="list-style-type: none"> (iii) Do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal); (iv) Result in exposed areas being re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface; (v) Result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Do not result in any change to natural water flows, any water body or established drainage path; and (vii) Provided they are not within a kauri root zone. 	<ul style="list-style-type: none"> (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
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OSZ – Open space zone

EW-R40	Earthworks – general	
OSZ – Open space zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks (excluding the importation of fill material) within a site must meet all of the following standards: <ul style="list-style-type: none"> (i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; (ii) Not exceed a volume of more than 250m³ and an area of more than 1,000m² over a single consecutive 12-month period; (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Areas exposed by earthworks are re-vegetated or otherwise stabilised to 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths;

	<p>achieve 80% ground cover within 2 months of the completion of the earthworks;</p> <p>(v) Earthworks are set back at least 1.5m from all boundaries;</p> <p>(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vii) Does not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(viii) Provided they are not within a kauri root zone.</p>	<p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R4I	Earthworks – general	
OSZ – Open space zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for purposes of creating a building platform within a site, using imported fill material:</p> <p>(i) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p>

		(m) The risk of earthworks exacerbating Kauri dieback disease.
EW-R42	Earthworks – general	
OSZ – Open space zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for purposes other than creating a building platform within a site, using imported fill material (excluding cleanfill) must meet all of the following standards:</p> <p>(i) Must not exceed a total volume of 500m³ per site and a depth of 1m;</p> <p>(ii) The slope of the resulting in stable ground must not exceed a maximum slope of 1:2 (1m vertical to 2m horizontal);</p> <p>(iii) Fill material is setback at least 1.5m from all boundaries;</p> <p>(iv) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;</p> <p>(v) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths;</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R43	Earthworks – general	
OSZ – Open space zone	<p>(1) Activity status: NC</p> <p>(a) Importation of cleanfill to a site.</p>	

BTZ – Business Tamahere zone

EW-R44	Earthworks – general	
BTZ – Business	<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>Tamahere zone</p>	<p>(a) Earthworks within a site must meet all of the following standards:</p> <p>(i) Earthworks must be located more than 1.5m from infrastructure including a public sewer, open drain, overland flow path or other public service pipe;</p> <p>(ii) Earthworks must not exceed a volume of more than 5000m³ and an area of more than 1000m² within a site;</p> <p>(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and re-vegetated to achieve 80% ground cover within 6 months of cessation of the earthworks;</p> <p>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and</p> <p>(vi) Provided they are not within a kauri root zone.</p>	<p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R45</p>	<p>Earthworks – general</p>	
<p>BTZ – Business Tamahere zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the purpose of creating a building platform within a site (including the use of imported fill material) that is:</p> <p>(i) Subject to an approved building consent;</p> <p>(ii) The earthworks occur wholly within the footprint of the building;</p> <p>(iii) The earthworks do not within a kauri root zone.</p> <p>(b) For the purposes of this rule, the footprint of the building</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p>

	<p>extends 1.8m from the outer edge of the outside wall.</p> <p>(c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building.</p>	<p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R46</p>	<p>Earthworks – general</p>	
<p>BTZ – Business Tamahere zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks using the importation of fill material to a site must meet all of the following standards:</p> <p>(i) Must not exceed a total volume of 500m³ per site and a depth of 1m (excluding backfill);</p> <p>(ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1m vertical to 2m horizontal);</p> <p>(iii) Fill material is setback at least 1.5m from all boundaries;</p> <p>(iv) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and revegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks;</p> <p>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Protection of the Hauraki Gulf Catchment Area;</p> <p>(i) Geotechnical stability;</p> <p>(j) Flood risk, including natural water flows and established drainage paths</p> <p>(k) Land instability, erosion and sedimentation;</p> <p>(l) Proximity to underground services and service connections;</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>

	<p>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	
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HOPZ – Hopuhopu zone

EW-R47	Earthworks – general	
HOPZ – Hopuhopu zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Except as otherwise specified in Advice note 1 and 2 below:</p> <p>(i) Ancillary rural earthworks provided they are not within a kauri root zone;</p> <p>(ii) A farm quarry where the volume of aggregate extracted does not exceed 1000m³ in any single consecutive 12 month period and provided they are not within a kauri root zone.</p> <p>(b) Earthworks ancillary to a conservation activity must meet the following standards:</p> <p>(i) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and</p> <p>(ii) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material or clean fill;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths;</p> <p>(j) Land instability, erosion and sedimentation;</p> <p>(k) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access;</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R48	Earthworks – general	
HOPZ – Hopuhopu zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) With the exception of earthworks for the activities listed in EW-R47 and EW-R49, earthworks across the whole of the HOPZ – Hopuhopu zone</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p>

	<p>must meet all of the following standards:</p> <ul style="list-style-type: none"> (i) Cumulatively, do not exceed a volume of more than 2000m³ and an area of more than 4000m² over any single consecutive 12 month period of which imported fill material or cleanfill does not exceed a total volume of 1,000m³ in any single consecutive 12 month period; (ii) The total combined depth of any excavation (excluding drilling) or filling does not exceed 3m above or below natural ground level; (iii) Take place on land with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Earthworks are setback a minimum of 1.5m from all site and zone boundaries; (v) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path; (vi) Areas exposed by earthworks are stabilised to avoid runoff within 1 month and any remaining bare ground re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks or finished with a hardstand surface; (i) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (ii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; (iii) Earthworks must not result in the site being unable to be 	<ul style="list-style-type: none"> (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material or clean fill; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Geotechnical stability; (i) Flood risk, including natural water flows and established drainage paths; (j) Land instability, erosion and sedimentation; (k) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; (l) Proximity to underground services and service connections; and (m) The risk of earthworks exacerbating Kauri dieback disease.
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	<p>serviced by gravity sewers; and</p> <p>(iv) Provided they are not within a kauri root zone.</p>	
EW-R49	Earthworks – general	
HOPZ – Hopuhopu zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the purpose of creating a building platform (including the use of imported fill material) that is:</p> <p>(i) Subject to an approved building consent;</p> <p>(ii) The earthworks occur wholly within the footprint of the building;</p> <p>(iii) Provided they are not within a kauri root zone;</p> <p>(iv) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall; and</p> <p>(v) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material or clean fill;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths;</p> <p>(j) Land instability, erosion and sedimentation;</p> <p>(k) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and</p> <p>(l) Proximity to underground services and service connections; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>

Advice Note 1: The Hopuhopu Archaeological Site map below (Figure 19) indicates an area which contains Maori-made soils and possible borrow pits. Heritage New Zealand Pouhere Taonga should be contacted regarding development in this area and an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Advice Note 2: The ‘Indicative Borrow Pit and Maori-Made Soils’ area also coincides with an area known to have contained alligator weed. The Waikato Regional Pest Management Plan 2014-2024 contains rules which relate to the management of alligator weed.

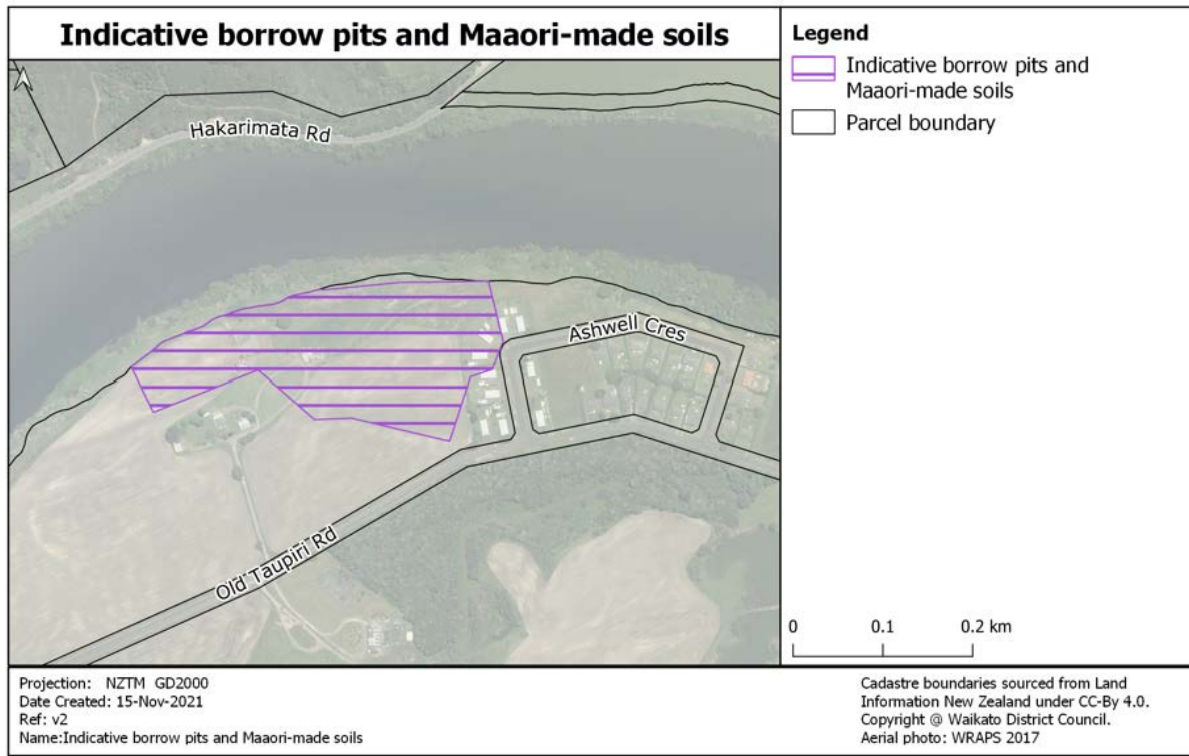


Figure 19 – Indicative borrow pits and Maaori-made soils

KLZ – Kimihia lakes zone

EW-R50	Earthwork – general	
KLZ – Kimihia lakes zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Areas exposed by earthworks are re-vegetated must achieve 80% ground cover within 2 months of the completion of the earthworks except where earthworks are for the purposes of creating infrastructure or facilities for recreation, events and access, no re-vegetation is required; (b) Sediment resulting from the earthworks must be retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (c) The importation of fill material to site must meet the following conditions: (d) Does not restrict the ability for land to drain; 	<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) Contamination of fill material; (b) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (c) Flood risk, including natural water flows and established drainage paths; (d) Land instability, erosion and sedimentation; and (e) Proximity to underground services and service connections; and (f) The risk of earthworks exacerbating Kauri dieback disease.

	<ul style="list-style-type: none"> (e) Is not located within 1.5m of public sewers, utility services or manholes; (f) The sediment from fill material is retained on the site; and (g) Provided they are not within a kauri root zone. 	
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MAZ – Mercer airport zone

EW-R51	Earthworks – general	
MAZ – Mercer airport zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks within the MAZ – Mercer Airport zone must meet all of the following standards: <ul style="list-style-type: none"> (i) Earthworks must not exceed a volume of more than 1,000m³ in a single calendar year; (ii) Earthworks must not exceed an area of more than 1,000m² in a single calendar year; (iii) The height of the resulting cut or batter face does not exceed 1.5 m with a maximum slope of 1:2 (1 metre vertical to 2 m horizontal); (iv) Areas exposed by the earthworks not covered by buildings or other impervious surfaces are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (v) Sediment is retained on site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Earthworks must not divert or change natural water flows or established drainage paths; and (vii) Provided they are not within a kauri root zone. 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of earthworks relative to waterways; (f) Compaction of fill material; (g) Volume and depth of fill material; (h) Geotechnical stability of fill material; (i) Flood risk; (j) Land instability, erosion and sedimentation; and (k) The risk of earthworks exacerbating Kauri dieback disease.
EW-R52	Earthworks – general	

<p>MAZ – Mercer airport zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The importation of fill material to the site must meet all of the following standards, in addition to the standards in Rule EW-R51: (v) Earthworks do not exceed a total volume of 500m³ per site and a depth of 1 metre; (vi) Earthworks must be fit for compaction; (vii) The height of the resulting batter face in stable ground must not exceed 1.5 metres with a maximum slope of 1:2 (1m vertical to 2m horizontal); (viii) Earthworks do not restrict the ability of the land to drain; (ix) The sediment from fill material is retained on the site; and (x) Provided they are not within a kauri root zone. 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of earthworks relative to waterways; (f) Compaction of fill material; (g) Volume and depth of fill material; (h) Geotechnical stability of fill material; (i) Flood risk; (j) Land instability, erosion and sedimentation; and (k) The risk of earthworks exacerbating Kauri dieback disease.
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MSRZ – Motorsport and recreation zone

<p>EW-R53 MSRZ – Motorsport and recreation zone</p>	<p>Earthworks – all precincts</p> <p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks within a site must meet all of the following standards: <ul style="list-style-type: none"> (i) Do not exceed a volume of more than 1000m³ and an area of more than 2000m² over any single consecutive 12-month period; (ii) The total depth of any excavation or filling does not exceed 3m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iii) Earthworks are setback 1.5m from all boundaries; (iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Geotechnical stability; (i) Flood risk, including natural water flows and established drainage paths
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	<p>within 2 months of the completion of the earthworks;</p> <p>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	<p>(j) Land instability, erosion and sedimentation;</p> <p>(k) Proximity to underground services and service connections; and</p> <p>(l) The risk of earthworks exacerbating Kauri dieback disease.</p>
EW-R54	Earthworks – all precincts	
MSRZ – Motorsport and recreation zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The importation of fill material to a site shall meet all of the following standards in addition to Rule EW-R53:</p> <p>(i) Does not exceed a total volume of 500m³ per site and a depth of 1m;</p> <p>(ii) Is fit for compaction;</p> <p>(iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</p> <p>(iv) Does not restrict the ability for land to drain;</p> <p>(v) Is not located within 1.5m of public sewers, utility services or manholes;</p> <p>(vi) The sediment from fill material is retained on the site; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths</p> <p>(j) Land instability, erosion and sedimentation;</p> <p>(k) Proximity to underground services and service connections; and</p> <p>(l) The risk of earthworks exacerbating Kauri dieback disease.</p>

MTZ – Matangi zone

EW-R55	Earthworks – general
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<p>MTZ – Matangi zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks within a site must meet the following standards: <ul style="list-style-type: none"> (i) Not exceed a volume of more than 2,500m³; (ii) Not exceed an area of more than 10,000m² within a 12 month period; (iii) Earthworks associated with any activity requiring building consent (including associated site works) shall not exceed 500m³; (iv) any excavation or filling does not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (v) Not be located within 1.5m of the KiwiRail designated corridor; (vi) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface; (vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and (viii) Do not divert or change the nature of natural water flows, water bodies or onsite disposal systems for wastewater and stormwater; and (ix) Provided they are not within a kauri root zone. 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Effects on waterbodies, and significant indigenous vegetation and habitat; (e) Compaction of the fill material; (f) Volume and depth of fill material; (g) Geotechnical stability; (h) Flood risk, including natural water flows and established drainage paths; (i) Land instability, erosion and sedimentation; (j) Proximity to underground services and service connections; (k) Effects on onsite disposal systems for wastewater and stormwater; and (l) The risk of earthworks exacerbating Kauri dieback disease.
<p>EW-R56</p>	<p>Earthworks – general</p>	
<p>MTZ – Matangi zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks for the purpose of creating a building platform within a site, using imported fill material (excluding cleanfill), 	<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) Amenity values and landscape effects;

	<p>must meet the following standards:</p> <ul style="list-style-type: none"> (i) Must not exceed a total volume of 500m³; (ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iii) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface; (iv) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (v) Do not divert or change the nature of natural water flows, water bodies or established drainage paths, or onsite disposal systems for wastewater and stormwater; and (vi) Provided they are not within a kauri root zone. 	<ul style="list-style-type: none"> (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Effects on waterbodies, and significant indigenous vegetation and habitat; (e) Compaction of the fill material; (f) Volume and depth of fill material; (g) Geotechnical stability; (h) Flood risk, including natural water flows and established drainage paths; (i) Land instability, erosion and sedimentation; (j) Proximity to underground services and service connections; and (k) Effects on onsite disposal systems for wastewater and stormwater; (l) The risk of earthworks exacerbating Kauri dieback disease.
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RPZ – Rangitahi Peninsula zone

<p>EW-R57</p> <p>RPZ – Rangitahi Peninsula zone</p>	<p>Earthworks – general</p> <p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks within a site must meet all of the following standards: <ul style="list-style-type: none"> (i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; (ii) Not exceed a volume of more than 250m³ and an area of more than 1,000m² within a site; (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not 	<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) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material;
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	<p>including any surcharge, does not exceed 2m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;</p> <p>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;</p> <p>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths;</p> <p>(vii) Do not result in the site being unable to be serviced by gravity sewers; and</p> <p>(viii) Provided they are not within a kauri root zone.</p>	<p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths</p> <p>(j) Land instability, erosion and sedimentation;</p> <p>(k) Proximity to underground services and service connections;</p> <p>(l) Traffic movements to and from the site; and</p> <p>(m) Consistency with the Rangitahi Peninsula Structure Plan; and</p> <p>(n) The risk of earthworks exacerbating Kauri dieback disease.</p>
<p>EW-R58</p>	<p>Earthworks – general</p>	
<p>RPZ – Rangitahi Peninsula zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The importation of fill material to a site must meet the following conditions standards, in addition to the standards in EW-R57:</p> <p>(i) Does not exceed a total volume of 500m³ per site and a depth of 1m;</p> <p>(ii) Is fit for compaction;</p> <p>(iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</p> <p>(iv) Does not restrict the ability for land to drain;</p> <p>(v) Is not located within 1.5m of public sewers, utility services or manholes; and</p> <p>(vi) The sediment from fill material is retained on the site; and</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths</p> <p>(j) Land instability, erosion and sedimentation;</p>

	<p>(vii) Provided they are not within a kauri root zone.</p>	<p>(k) Proximity to underground services and service connections; (l) Traffic movements to and from the site; and (m) Consistency with the Rangitahi Peninsula Structure Plan; and (n) The risk of earthworks exacerbating Kauri dieback disease.</p>
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TKAZ – Te Kowhai airpark zone

<p>EW-R59</p>	<p>Earthworks – all precincts</p>	
<p>TKAZ – Te Kowhai airpark zone</p>	<p>(1) Activity status: PER Where: (a) In all precincts, earthworks within a site must meet all of the following standards: (i) Earthworks must be located more than 1.5m either side of a public sewer, open drain, overland flowpath or other service pipe; (ii) Earthworks must not exceed a volume of more than 1,000m³ in a single calendar year; (iii) Earthworks must not exceed an area of more than 1,000m² in a single calendar year; (iv) The height of the resulting cut or batter face does not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal); (v) Areas exposed by the earthworks not covered by buildings or other impervious surfaces are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Geotechnical stability; (i) Flood risk, including natural water flows and established drainage paths; (j) Land instability, erosion and sedimentation; (k) Proximity to underground services and service connections; and. (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease.</p>

	<p>(vii) Earthworks must not divert or change natural water flows or established drainage paths; and</p> <p>(viii) Provided they are not within a kauri root zone.</p>	
EW-R60	Earthworks – all precincts	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) In all precincts, the importation of fill material to a site must meet all of the following standards, in addition to the standards in EW-R59:</p> <p>(i) Earthworks do not exceed a total volume of 20m³ per site and a depth of 1m;</p> <p>(ii) Earthworks must be fit for compaction;</p> <p>(iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</p> <p>(iv) Earthworks do not restrict the ability for land to drain;</p> <p>(v) Earthworks are not located within 1.5m of public sewers, utility services or manholes; and</p> <p>(vi) The sediment from fill material is retained on the site; and</p> <p>(vii) Provided they are not within a kauri root zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values and landscape effects;</p> <p>(b) Volume, extent and depth of earthworks;</p> <p>(c) Nature of fill material;</p> <p>(d) Contamination of fill material;</p> <p>(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</p> <p>(f) Compaction of the fill material;</p> <p>(g) Volume and depth of fill material;</p> <p>(h) Geotechnical stability;</p> <p>(i) Flood risk, including natural water flows and established drainage paths;</p> <p>(j) Land instability, erosion and sedimentation;</p> <p>(k) Proximity to underground services and service connections; and.</p> <p>(l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and</p> <p>(m) The risk of earthworks exacerbating Kauri dieback disease.</p>

LIGHT – Light

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

Policies

LIGHT-PI Artificial outdoor lighting.

- (1) In the GRZ – General residential zone, LLRZ – Large lot residential zone and SETZ – Settlement zone:
 - (a) Provide for artificial outdoor lighting to enable night time work, farming activities, recreation activities, outdoor living, transport and security.
 - (b) Manage the adverse effects of glare and lighting to adjacent sites.
- (2) In the TCZ – Town centre zone, LCZ – Local centre zone and COMZ – Commercial zone ensure that:
 - (a) Artificial outdoor lighting enables night time work, recreation activities, outdoor living, transport and security (including the role of lighting in supporting CPTED);
 - (b) The intensity and direction of artificial lighting is managed so that significant glare and light spill to adjacent sites is minimised; and
- (3) In the BTZ – Business Tamahere zone:
 - (a) Provide for artificial outdoor lighting to enable night time work, recreation activities, outdoor dining, transport and security.
 - (b) Control the intensity and direction of artificial lighting to avoid significant glare and light spill on adjacent sites.
- (4) In the GRUZ – General rural zone, FUZ – Future urban zone, COR – Corrections zone and TTZ – TaTa Valley zone:
 - (a) Enable the use of artificial outdoor lighting for night-time work while minimising to the extent practicable effects on neighbouring sites.
 - (b) Ensure glare and light spill from permanently fixed artificial lighting does not compromise the amenity of adjacent sites.
- (5) In the RLZ – Rural lifestyle zone:
 - (a) Provide for artificial outdoor lighting to enable night time work, farming activities, recreation activities, outdoor living, transport and security.
 - (b) Control the intensity and direction of artificial lighting to avoid significant glare and light spill to adjacent sites.

LIGHT-P2 Artificial outdoor in all zones.

Ensure artificial outdoor lighting is installed and operated so that light spill does not compromise the safe operation of the transport network.

Rules

Land use – activities (zones as specified in the first column)

LIGHT-RI	Glare and artificial light spill	
<ul style="list-style-type: none"> • LLRZ – Large lot residential zone; • GRZ – General residential zone; • MRZ1 – Medium density residential zone 1; • MRZ2 – Medium density residential zone 2; • SETZ – Settlement zone; • BTZ – Business Tamahere zone; • MAZ – Mercer Airport zone; • MTZ – Matangi Zone; • RPZ – Rangitahi Peninsula zone; and • TKAZ – Te Kowhai Airpark zone. 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Illumination from glare and artificial light spill shall not exceed 10 lux measured horizontally and vertically within any other site. (b) In the LLRZ – Large lot residential, SETZ – Settlement zone and RPZ – Rangitahi Peninsula zone: <ul style="list-style-type: none"> (i) LIGHT-RI(1)(a) does not apply to streetlights, navigation lights, traffic signals or from vehicles or equipment used in farming activities. (c) In the MAZ – Mercer Airport zone: <ul style="list-style-type: none"> (i) LIGHT-RI(1)(a) does not apply to runway lighting. 	<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) Light spill levels on other sites; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; and (f) Mitigation measures.
LIGHT-R2	Glare and artificial light spill	
<ul style="list-style-type: none"> • GRUZ – General rural zone; • CORZ – Corrections zone; • FUZ – Future urban zone; and • TTZ – TaTa Valley zone. 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Illumination from glare and artificial light spill shall not exceed 10 lux measured horizontally and vertically at the notional boundary on any other site in the GRUZ – General Rural Zone; at any road boundary or within any other site in the GRZ – General residential zone, MRZ – Medium density residential zone, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone or RLZ – Rural lifestyle zone; (b) LIGHT-R2(1)(a) does not apply to vehicles used in farming activities and agricultural equipment. 	<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) Effects of light spill levels on other sites; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; (f) Mitigation measures; and (g) Location and orientation of the light source.
LIGHT-R3	Glare and artificial light spill	
<ul style="list-style-type: none"> • LCZ – Local centre zone; 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Illumination from glare and artificial light spill must not 	<p>(2) Activity status where compliance not achieved: RDIS</p>

<ul style="list-style-type: none"> • COMZ – Commercial zone; and • TCZ – Town centre zone 	<p>exceed 10 lux measured horizontally and vertically at any site zoned GRZ – General residential zone, MRZ – Medium density residential zone, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone, SETZ - Settlement Zone or RLZ – Rural Lifestyle Zone.</p>	<p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on amenity values; (b) Light spill levels on other sites; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; and (f) Mitigation measures.
<p>LIGHT-R4 Glare and artificial light spill</p>		
<ul style="list-style-type: none"> • GIZ – General industrial zone; and • HIZ – Heavy industrial zone 	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Glare and artificial light spill that does not exceed 10 lux measured horizontally and vertically within any other site not located in the GIZ – General industrial zone or HIZ – Heavy industrial zone. 	<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 amenity values; (b) Light spill levels on another site; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; and (f) Mitigation measures.
<p>LIGHT-R5 Glare and artificial light spill</p>		
<ul style="list-style-type: none"> • OSZ – Open space zone 	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically at any site zoned GRZ – General residential zone, MRZ – Medium density residential zone, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large Lot Residential zone, SETZ – Settlement zone, RPZ – Rangitahi Peninsula zone or RLZ – Rural Lifestyle zone. (b) LIGHT-R5(1)(a) does not apply to streetlights, navigation lights or from vehicles or equipment used in farming activities. 	<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 amenity values; (b) Light spill levels on other sites; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; and (f) Mitigation measures.
<p>LIGHT-R6 Glare and artificial light spill</p>		

<ul style="list-style-type: none"> • HOPZ – Hopuhopu zone 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically at the zone boundary; (b) LIGHT-R6(1)(a) does not apply to vehicles used in farming activities and agricultural equipment. 	<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) Light spill levels on other sites; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; (f) Mitigation measures.
<p>LIGHT-R7 Glare and artificial light spill</p>		
<ul style="list-style-type: none"> • KLZ – Kimihia Lakes zone 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically from the boundary of a site that is within a separate zone; and (b) LIGHT-R7(1)(a) does not apply to streetlights, navigation lights or from vehicles or equipment used in farming activities. 	<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) Light spill levels on other sites; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; (f) Mitigation measures.
<p>LIGHT-R8 Glare and artificial light spill</p>		
<ul style="list-style-type: none"> • MSRZ – Motorsport and recreation zone 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Glare and artificial light spill must not exceed 20 lux measured horizontally and vertically outside the zone boundary. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on amenity values; (b) Light spill levels on another site; (c) Road safety; (d) Duration and frequency; (e) Location and orientation of the light source; and (f) Mitigation measures.

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, MRZ1 – Medium density residential zone 1, [MRZ2 – Medium density residential zone 2](#), 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 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>

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"> • MRZ₁ – Medium density residential zone ₁; • MRZ₂ – Medium density residential zone 2; • 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>(2) Activity status where compliance not achieved: DIS</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>(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>

MRZ₁ – Medium density residential zone 1 and MRZ₂ – Medium density residential zone 2

NOISE-R7	Noise – general	
MRZ ₁ – Medium density residential	<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>zone <u>1</u> and <u>MRZ2</u> – <u>Medium density residential zone 2</u></p>	<p>(a) Noise measured within any other site in the <u>MRZ1</u> – <u>Medium density residential zone 1</u> or <u>MRZ2 – Medium density residential zone 2</u> 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	
<p>GRUZ – General rural zone</p>	<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 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<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>	
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 MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, 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, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ –</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>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 residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, 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-RI I	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</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>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> <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; (iv) 65dB L_{AFmax}, 10pm to 7am the following day. <p>(b) The permitted activity noise limits for the zone of any other site where sound is received.</p>	<ul style="list-style-type: none"> (b) A permitted activity standard; or (c) Does not comply with NOISE-R11(1)(a)
NOISE-R12	Noise – Tamahere Commercial Areas A and B	
RLZ – Rural lifestyle zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Noise measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed: <ul style="list-style-type: none"> (i) The following noise limits at any point within any other site in Tamahere Commercial Areas A and B: <ul style="list-style-type: none"> (1) 65dB L_{Aeq}(15min), 7am to 10pm; (2) (ii)50dB L_{Aeq}(15min), 10pm to 7am; (3) (iii)75 dB L_{AFmax}, 10pm to 7am the following day. (ii) The following noise limits at any point within any site outside the Tamahere Commercial Areas A and B: <ul style="list-style-type: none"> (1) 55dB L_{Aeq}(15min), 7am to 10pm; (2) 40dB L_{Aeq}(15min), 10pm to 7am; (3) 70dB L_{AFmax}, 10pm to 7am the following day. 	<p>(2) Activity status: DIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Noise that is outside the scope of NZS 6802:2008; or (b) A permitted activity standard; or (c) Does not comply with NOISE-R12(1)(a)

SETZ – Settlement zone

NOISE-R13	Noise – general
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<p>SETZ – Settlement zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Noise measured within any other site in the SETZ – Settlement 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; and (iii) 40dB (L_{Aeq}) and 65dB (L_{Amax}), 10pm to 7am the following day. (b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics Measurement of Environmental Sound”; and (c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustic Environmental noise”. 	<p>(2) Activity status where compliance not achieved: DIS</p>
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LCZ – Local centre zone rules

<p>NOISE-RI4 LCZ – Local centre zone rules</p>	<p>Noise – general</p> <p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Noise measured within any: <ul style="list-style-type: none"> (i) In the LCZ – Local centre zone must not exceed: <ul style="list-style-type: none"> (1) 65dB $L_{Aeq (15min)}$, 7am to 11pm every day; and (2) 55dB $L_{Aeq (15min)}$, 11pm to 7am the following day; and (3) 85dB L_{Amax}, 11pm to 7am the following day; or (ii) In the GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone and SETZ - Settlement Zone must not exceed: <ul style="list-style-type: none"> (1) 55dB $L_{Aeq (15min)}$, 7am to 7pm; and 	<p>(2) Activity status where compliance not achieved: DIS</p>
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	<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, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone or SETZ - Settlement Zone 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-RI5	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, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone and SETZ - Settlement Zone must not exceed:</p>	<p>(2) Activity status where compliance not achieved: DIS</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, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone or SETZ - Settlement Zone 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-RI 6	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, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>zone and SETZ – Settlement zone must not exceed:</p> <ul style="list-style-type: none"> (1) 55dB L_{Aeq} (15min), 7am to 7pm; and (2) 50dB L_{Aeq} (15min), 7pm to 10pm; and (3) 40dB L_{Aeq} (15min), 10pm to 7am the following day; and (4) 65dB L_{Amax}, 10pm to 7am the following day. <p>(iii) Noise measured within any site in any zone other than the TCZ – Town Centre zone, GRZ – General Residential Zone, MRZ₁ – Medium density residential zone 1, <u>MRZ₂ – Medium density residential zone 2</u>, LLRZ – Large Lot Residential Zone or SETZ - Settlement Zone must meet 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-RI7	Noise – general	
GIZ – General industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Noise measured within any other site: <ul style="list-style-type: none"> (i) In a GIZ – General industrial zone or HIZ – Heavy industrial zone that does not exceed 75dB L_{Aeq} at any time. (b) Noise measured within any site in any zone, other than the General Industrial Zone and the Heavy Industrial Zone, that does 	<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) Location of noise sources in relation to any boundary (d) Frequency or other special characteristics of noise (e) Mitigation measures (f) Noise levels and duration.

	<p>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>NOISE-RI8</p>	<p>Noise in Pokeno</p>	
<p>GIZ – General industrial zone</p>	<p>(1) Activity status: PER 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 style="padding-left: 40px;">(I) 70dB L_{Aeq} at any time</p> <p>(ii) In the GIZ – General industrial zone in Pokeno that does not exceed:</p> <p style="padding-left: 40px;">(I) 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 APPI4 – 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 Pōkeno 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>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values; (b) Hours and days of operation; (c) Location of noise sources in relation to any boundary; (d) Frequency or other special characteristics of noise; (e) Mitigation measures; and (f) Noise levels and duration.</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 “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>	
<p>NOISE-RI9</p>	<p>Noise – general in PREC6 – Horotiu industrial park precinct</p>	
<p>PREC6 – Horotiu industrial park precinct</p>	<p>(1) Activity status: PER 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 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</p>	<p>(2) Activity status where compliance not achieved: RDIS 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>

	<p>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> <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>(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</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>

	“Acoustics – Environmental Noise”.	
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>(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 APPI4 – 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</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>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 “Acoustics Environmental Noise”.</p>	
<p>NOISE-R22</p>	<p>Noise – Huntly Power Station</p>	
<p>HIZ – Heavy industrial zone</p>	<p>(1) Activity status: PER 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 MRZ1 – Medium density residential zone <u>1</u> or <u>MRZ2 – Medium density residential zone 2</u>, 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:</p>	<p>(2) Activity status where compliance not achieved: RDIS 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>

	2008 “Acoustics Environmental Noise”.	
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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 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.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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>(2) Activity status where compliance not achieved: DIS</p>

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

	<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>	
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CORZ – Corrections zone

NOISE-R26	Noise – general	
CORZ – Corrections zone	<p>(1) Activity status: PER</p> <p>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>

FUZ – Future urban zone

NOISE-R27	Noise – general
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<p>FUZ – Future urban zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Noise measured at the notional boundary on any other site in the FUZ – Future urban 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 FUZ – Future, urban 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 “Acoustic – Environmental noise”. 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>NOISE-R28 Frost fans</p>		
<p>FUZ – Future urban zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (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 MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, RLZ – Rural lifestyle zone, SETZ - Settlement zone or GRZ – General residential zone. (b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound. 	<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 amenity values; (b) The location and proximity of the fans to sensitive activities; (c) Noise levels; (d) The adequacy of any mitigation.

	(c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 Acoustic- Environmental noise.	
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HOPZ – Hopuhopu zone

NOISE-R29	Noise – general	
HOPZ – Hopuhopu zone	<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	
HOPZ – Hopuhopu zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise generated within the HOPZ – Hopuhopu zone when measured at the zone boundary must meet the permitted noise levels for the neighbouring zone.</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 NZS 6802:2008 Acoustic- Environmental noise.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

KLZ – Kimihia lakes zone

NOISE-R31	Noise – general	
KLZ – Kimihia lakes zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) All activities must comply with the following noise standards:</p> <p>(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:</p> <p>(1) 55dB L_{Aeq}, 7am to 7pm every day;</p> <p>(2) 45dB L_{Aeq}, 7pm to 10pm every day; and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(3) 40dB L_{Aeq} and 65dB L_{Amax}, 10pm to 7am the following day.</p> <p>(b) Noise measured within any site in any other zone not specified above must meet the noise levels permitted 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 Acoustics - Environmental noise.</p>	
<p>NOISE-R32 Noise – Noise Management Plan</p>		
<p>KLZ – Kimihia lakes zone</p>	<p>(1) Activity status: PER 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</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>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>	
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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 when measured at the notional boundary of a site within the GRUZ – General Rural zone:</p> <p>(i) 55 dB L_{Aeq}, 7am to 10pm every day; and</p> <p>(ii) 40 dB L_{Aeq} and 70 dB L_{afmax}, 10pm to 7am the following day.</p> <p>(b) NOISE-R33(1)(a) does not apply to:</p> <p>(i) Construction noise; or</p> <p>(ii) Noise from emergency sirens.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
NOISE-R34	Noise – aircraft operations	
MAZ – Mercer airport zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(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:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(i) Aircraft engine testing and maintenance;</p> <p>(ii) Aircraft landing or taking off in an emergency; and</p> <p>(iii) Air Show (for one air show per year).</p> <p>(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 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

NOISE-R35	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 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</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>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>(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</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

	at the notional boundary of any dwelling:		
	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>(b) Noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 'Acoustics - Measurement of environmental sound' and NZS 6802:2008 'Acoustics – environmental noise'.</p>			

MTZ – Matangi zone rules

NOISE-R38	Noise – general	
MTZ – Matangi zone rules	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise generated within the MTZ – Matangi zone when measured at the zone boundary must meet the permitted noise levels for the neighbouring zone;</p> <p>(b) Noise measured within any new or relocated building must not exceed:</p> <p>(i) 75dB L_{Aeq}, (7am to 10pm);</p> <p>(ii) 55dB L_{Aeq}, and 85Db L_{Amax} 10pm to 7am the following day; and</p> <p>(iii) Rule NOISE-R38(1)(b) does not apply to buildings within 20m of the Rail Corridor.</p> <p>(c) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound; and</p> <p>(d) Noise levels shall be assessed in accordance with the requirements of 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) Hours and days of operation;</p> <p>(c) Noise levels;</p> <p>(d) Timing and duration; and</p> <p>(e) Methods of construction.</p>

RPZ – Rangitahi Peninsula zone

NOISE-R39	Noise – general	
RPZ – Rangitahi Peninsula zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Noise measured within any other site must not exceed:</p> <p>(i) 50dB L_{Aeq} (15min), 7am to 7pm, every day, and</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_{AFmax}), 10pm to 7am the following day.</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 “Acoustic- Environmental noise”.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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 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</p>	<p>(2) Activity status where compliance not achieved: DIS</p> <p>(a)</p>
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	<p>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 Where:</p> <ul style="list-style-type: none"> (a) Aircraft engine testing and maintenance in all precincts must: <ul style="list-style-type: none"> (i) Take place only between: <ul style="list-style-type: none"> (1) 0800 hours and 2000 hours in the Summer Period; or (2) 0800 hours and 1900 hours in the Winter Period (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. (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 Acoustic - Environmental noise. 	<p>(2) Activity status where compliance not achieved: DIS</p>

TTZ – TaTa Valley zone

NOISE-R43	Noise – general	
TTZ – TaTa Valley zone	<p>(1) Activity status: PER Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

	<p>(a) The noise rating level must not exceed:</p> <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 when measured at or within any Notional Boundary in the GRUZ – General Rural Zone. <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 “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>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (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.
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SIGN – Signs

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

Policies

SIGN-PI Signage.

- (1) In GRZ – General residential zone, LLRZ – Large lot residential zone and SETZ – Settlement zone:
 - (a) Provide for the establishment of signs where they are directly associated with the activity carried out on the site on which they are located; and
 - (b) Recognise that public information signs provide a benefit to community well-being and support infrastructure and commercial and community activities.
 - (c) Provide for signage that is compatible with the character and sensitivity of the residential environment.
 - (2) In the TCZ – Town centre zone, LCZ – Local centre zone and COMZ – Commercial zone provide for:
 - (a) The establishment of signs where they are associated with the activity carried out on the site on which they are located;
 - (b) Public information signs that are of benefit to community well-being; and
 - (c) Establishment of signage to support the commercial function and vibrancy of the zones with controls on the size, location, appearance and number of signs to ensure they do not detract from the visual amenity of the surrounding environment.
 - (3) In the RLZ – Rural lifestyle zone:
 - (a) Signage contributes to the social and economic wellbeing of communities by:
 - (i) Supporting infrastructure and commercial and community activities;
 - (ii) Providing information, including for public safety;
 - (iii) Identifying places;
 - (b) Provide for the establishment of signs where they are directly associated with the activity carried out on the site on which they are located;
 - (c) Recognise that public information signs provide a benefit to community well-being; and
 - (d) Provide for temporary signage subject to meeting limits on duration.
- SIGN-P2 Managing the adverse effects of signs.
- (1) In GRZ – General residential zone, LLRZ – Large lot residential zone and SETZ – Settlement zone:
 - (a) The location, colour, content, and appearance of signs are controlled to ensure signs do not adversely affect the safety of road users;

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- (b) Discourage signs that generate adverse effects from illumination, light spill, flashing, moving or reflection.
- (2) In the TCZ – Town centre zone, LCZ – Local centre zone and COMZ – Commercial zone ensure that:
- (a) The location, colour, content, and appearance of signs are controlled to ensure signs do not adversely affect the safety of road users;
 - (b) Signs that generate adverse effects from illumination, light spill, flashing, movement or reflection are avoided; and
 - (c) The placement of signs do not obstruct the free movement of:
 - (i) Pedestrians along the footpath; and
 - (ii) Vehicle use of the road carriageway.
- (3) In the GRUZ – General rural zone:
- (a) Manage the scale, location, appearance and number of signs to ensure they do not compromise visual amenity.
 - (b) Ensure that signs directed at or visible to road or rail users do not adversely affect the safety of land transport users.
 - (c) Limit the duration of temporary signage.
 - (d) Recognise that public information signs provide value to the wider community.
 - (e) Provide for appropriate signage on historic heritage items, notable trees and Sites and areas of significance to Maori for the purpose of identification or interpretation.
- (4) In the RLZ – Rural lifestyle zone:
- (a) The location, colour, content, and appearance of signs are controlled to ensure signs do not adversely affect the safety of road users.
 - (b) Maintain the visual amenity and character of the RLZ – Rural lifestyle zone through controls on the size, location, appearance and number of signs.
 - (c) Avoid signs that generate adverse effects from illumination, light spill, flashing or reflection.

SIGN-P3 Signs in the BTZ – Business Tamahere zone.

- (1) Provide for the establishment of signs where they are directly associated with the activity carried out on the site on which they are located;
- (2) Recognise that public information signs provide a benefit to community well-being; and
- (3) Enable the establishment of signage to support the commercial function of the BTZ – Business Tamahere zone with controls on the size, location, appearance and number of signs to ensure they do not detract from the visual amenity and character of the neighbourhood centre.

SIGN-P4 Managing the adverse effects of signs in the BTZ – Business Tamahere zone.

- (1) The location, colour, content, and appearance of signs are controlled to ensure signs do not adversely affect the safety of road users.

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- (2) Enable signs in the BTZ – Business Tamahere zone that contribute to an efficient, attractive and vibrant neighbourhood centre.
- (3) Avoid signs that generate adverse effects from illumination, light spill, flashing or reflection.
- (4) Ensure that the placement of signs do not obstruct the free movement of:
 - (a) Pedestrians along the footpath; and
 - (b) Vehicle use of the road carriageway.

SIGN-P5 Managing the adverse effects of signs in the OSZ – Open space zone.

Ensure that signs do not adversely affect amenity, traffic safety, heritage or Maaori cultural values.

Rules

Land use – activities (zones specified in the first column)

SIGN-RI	Signs – general	
All zones	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A public information sign erected by a government agency; (b) Official sign; or (c) Signs that are located within a building or that are not visible from a road or adjoining site. 	<p>(2) Activity status where compliance not achieved: n/a</p>

LLRZ – Large lot residential zone

SIGN-R2	Signs – general	
LLRZ – Large lot residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with the following standards: <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained on the site; (iii) The sign does not exceed 0.25m²; (iv) The sign height does not exceed 2m; (v) The sign is not illuminated; (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; 	<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) Amenity values; (b) Character of the locality; (c) Effects on traffic safety; (d) Glare and artificial light spill; (e) Content, colour and location of the sign; and (f) Effects on notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any Maaori site of significance; and

	<p>(vii) The sign is set back at least 50m from a state highway and the Waikato Expressway;</p> <p>(viii) The sign is not attached to a tree identified in SCHED2 – Notable trees, except for the purpose of identification; and</p> <p>(ix) The sign is not attached to a heritage item listed in SCHED I – Historic heritage items except for the purpose of identification and interpretation;</p> <p>(x) The sign is not attached to a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori except for the purpose of identification and interpretation; and</p> <p>(xi) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign.</p>	<p>(i) Effects on notable architectural features of the building.</p>
<p>SIGN-R3</p>	<p>Signs – general</p>	
<p>LLRZ – Large lot residential zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) There is no more than 3 signs per site of which;</p> <p>(1) There is no more than 1 sign per agency measuring 600mm x 900mm;</p> <p>(2) There is no more than 1 sign measuring 1800mm x 1200mm; and</p> <p>(3) There is no more than 1 real estate header sign measuring 1800mm x 1200mm.</p> <p>(ii) The sign is not illuminated; and</p> <p>(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign; and</p> <p>(f) Effects on notable trees;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any Maaori site of significance; and</p> <p>(i) Effects on notable architectural features of the building.</p>
<p>SIGN-R4</p>	<p>Signs – effects on traffic</p>	

<p>LLRZ – Large lot residential zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at road or rail users must comply with the following standards: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level rail crossing; (iv) Contain no more than 40 characters and no more than 6 symbols; (v) Have lettering that is at least 150mm high; and (vi) Be located at least 130m from a site entrance, where the sign directs traffic to the entrance. 	<p>(2) Activity status where compliance not achieved: DIS</p>
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GRZ – General residential zone

<p>SIGN-R5 GRZ – General residential zone</p>	<p>Signs – general</p> <p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained within the site; (iii) The sign does not exceed 0.25m²; (iv) The sign height does not exceed 2m in height above the ground; (v) The sign is not illuminated; (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) The sign is set back at least 50m from the designated 	<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"> (b) Amenity values; (c) Character of the locality; (d) Effects on traffic safety; (e) Glare and artificial light spill; (f) Content, colour and location of the sign; (g) Effects on a notable tree; (h) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (i) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (j) Effects on notable architectural features of a building.
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	<p>boundary of a state highway and the Waikato Expressway;</p> <p>(viii) The sign is not attached to a tree identified in SCHED2 – Notable trees, except for the purpose of identification and interpretation;</p> <p>(ix) The sign is not attached to a heritage item listed in SCHED I – Historic heritage items, except for the purpose of identification and interpretation;</p> <p>(x) The sign is not attached to a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori, except for the purpose of identification and interpretation;</p> <p>(xi) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign.</p>	
SIGN-R6	Signs – general	
GRZ – General residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate 'for sale' sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) There is no more than 1 sign per agency;</p> <p>(ii) The sign is not illuminated; and</p> <p>(b) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign;</p> <p>(f) Effects on a notable tree;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and</p> <p>(i) Effects on notable architectural features of a building.</p>
SIGN-R7	Signs – effects on traffic	
GRZ – General residential zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at land transport users must:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p>

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	<ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing; (iv) Contain no more than 40 characters and no more than 6 words, symbols or graphics; (v) Have lettering that is at least 150mm high; (vi) Be at least 130m from a site entrance, where the sign directs traffic to the entrance. 	<ul style="list-style-type: none"> (a) Amenity; (b) Character of the locality; (c) Effects on traffic safety; (d) Glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on a notable tree; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of a building.
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MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2

SIGN-R8	Signs – general	
<p>MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained within the site; (iii) The sign does not exceed 1m²; (iv) The sign height does not exceed 2m in height above the ground; (v) The sign is not illuminated; (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) The sign is set back at least 50m from the designated boundary of a state highway and the Waikato Expressway; (viii) The sign is not attached to a tree identified in SCHED2 – Notable trees, except for the 	<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) Amenity values; (b) Character of the locality; (c) Effects on traffic safety; (d) Glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on a notable tree; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of a building.

	<p>purpose of identification and interpretation;</p> <p>(ix) The sign is not attached to a heritage item listed in SCHED I – Historic heritage items, except for the purpose of identification and interpretation;</p> <p>(x) The sign is not attached to a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori, except for the purpose of identification and interpretation;</p> <p>(xi) The sign relates to:</p> <p>(1) goods or services available on the site; or</p> <p>(2) a property name sign.</p>	
SIGN-R9	Signs – general	
<p>MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate 'for sale' sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) There is no more than 1 sign per agency;</p> <p>(ii) The sign is not illuminated; and</p> <p>(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign;</p> <p>(f) Effects on a notable tree;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and</p> <p>(i) Effects on notable architectural features of a building.</p>
SIGN-R10	Signs – effects on traffic	
<p>MRZ1 – Medium density residential zone 1 and MRZ2 – Medium density residential zone 2</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at land transport users must:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign;</p> <p>(ii) Be located at least 60m from controlled intersections,</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Amenity;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill;</p>

Part 2: District-wide matters / General district-wide matters / SIGN – Signs

	<p>pedestrian crossings and any other sign;</p> <p>(iii) Not obstruct sight lines of drivers turning into, or out of, a site entrance and intersections or at a level crossing;</p> <p>(iv) Contain no more than 40 characters and no more than 6 words and/or symbols;</p> <p>(v) Have lettering that is at least 150mm high; and</p> <p>(vi) Be at least 130m from a site entrance, where the sign directs traffic to the entrance.</p>	<p>(e) Content, colour and location of the sign;</p> <p>(f) Effects on a notable tree;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori;</p> <p>(i) Effects on notable architectural features of a building.</p>
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GRUZ – General rural zone

SIGN-RI I	Signs – general	
GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A sign must comply with all of the following standards:</p> <p>(i) It is the only sign on the site;</p> <p>(ii) The sign is wholly contained on the site;</p> <p>(iii) The sign does not exceed 3m²;</p> <p>(iv) The sign height does not exceed 3m;</p> <p>(v) The sign is not illuminated,</p> <p>(vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</p> <p>(vii) The sign is set back at least 50m from a state highway and the Waikato Expressway;</p> <p>(viii) The sign is not attached to a notable tree identified in SCHED2 – Notable trees, except for the purpose of identification;</p> <p>(ix) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Rural character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Effects of glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign;</p> <p>(f) Effects on notable trees;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and</p> <p>(i) Effects on notable architectural features of the building.</p>

	<p>(x) The sign is for the purpose of identification and interpretation of a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori;</p> <p>(xi) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign.</p>	
SIGN-R12	Signs – general	
GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) Have no more than 3 signs per site;</p> <p>(ii) The sign is not illuminated;</p> <p>(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</p> <p>(iv) The sign does not exceed 3m²;</p> <p>(v) Any real estate sign shall be removed within 20 working days of the sale or lease being settled.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Rural character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Effects of glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign;</p> <p>(f) Effects on notable trees;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and</p> <p>(i) Effects on notable architectural features of the building.</p>
SIGN-R13	Signs - effects on traffic	
GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at road users must meet the following standards:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign;</p> <p>(ii) Be located at least 60m from controlled intersections, pedestrian crossings and railway crossings</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (iv) Contain no more than 40 characters and no more than 6 words, symbols, or graphics; (v) Have lettering that is at least 200mm high; and (vi) Where the sign directs traffic to a site entrance, it must be at least: (vii) 175m from the entrance on roads with a speed limit of 80 km/hr or less; or (viii) 250m from the entrance on roads with a speed limit of more than 80km/hr. 	
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RLZ – Rural lifestyle zone

SIGN-RI4	Signs – general	
RLZ – Rural lifestyle zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained on the site; (iii) The sign does not exceed an area of 1m²; (iv) The sign height does not exceed 3m; (v) The sign is not illuminated; (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) The sign is set back at least 50m from a state highway and the Waikato Expressway; (viii) The sign is not attached to a tree identified in SCHED2 – Notable trees, except for the purpose of identification; (ix) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation; (x) Where the sign is on a site with a site and area of 	<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) Amenity values; (b) Rural character of the locality; (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on any notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of the building.

	<p>significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori it must be for the purpose of identification and interpretation;</p> <p>(xi) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign.</p>	
SIGN-RI5	Signs – general	
RLZ – Rural lifestyle zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate 'for sale' sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) There are no more than 3 signs per site;</p> <p>(ii) The sign is not illuminated;</p> <p>(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</p> <p>(iv) The sign does not project into or over a road reserve;</p> <p>(v) The sign does not exceed an area of 1m².</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Rural character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Effects of glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign;</p> <p>(f) Effects on any notable trees;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and</p> <p>(i) Effects on notable architectural features of the building.</p>
SIGN-RI6	Signs – effects on traffic	
RLZ – Rural lifestyle zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at road users must meet the following standards:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign; and</p> <p>(ii) Be located at least 60m from controlled intersections, pedestrian crossings, railway crossings and any other sign associated with roads and traffic management; and</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>intersections or at a level crossing; and</p> <p>(iv) Contain no more than 40 characters and no more than 6 symbols; and</p> <p>(v) Have lettering that is at least 200mm high; and</p> <p>(vi) Where the sign directs traffic to a site entrance the sign must be at least:</p> <p>(vii) 175m from the site entrance on any road with a speed limit of 80 km/hr or less; or</p> <p>(viii) 250m from the site entrance on any road with a speed limit of more than 80km/hr.</p>	
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SETZ – Settlement zone

SIGN-RI7	Signs – general	
SETZ – Settlement zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A sign must comply with the following standards:</p> <p>(i) It is the only sign on the site;</p> <p>(ii) The sign is wholly contained on the site;</p> <p>(iii) The sign does not exceed 0.25m²;</p> <p>(iv) The sign height does not exceed 2m;</p> <p>(v) The sign is not illuminated;</p> <p>(vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</p> <p>(vii) The sign is set back at least 50m from a state highway and the Waikato Expressway;</p> <p>(viii) The sign is not attached to a tree identified in SCHED2 – Notable trees, except for the purpose of identification; and</p> <p>(ix) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign; and</p> <p>(f) Effects on notable trees;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any Maaori site of significance; and</p> <p>(i) Effects on notable architectural features of the building.</p>

	<p>of identification and interpretation;</p> <p>(x) The sign is not attached to a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori except for the purpose of identification and interpretation; and</p> <p>(xi) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign.</p>	
SIGN-R18	Signs – general	
SETZ – Settlement zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) There is no more than 3 signs per site of which;</p> <p>(1) There is no more than 1 sign per agency measuring 600mm x 900mm;</p> <p>(2) There is no more than 1 sign measuring 1800mm x 1200mm; and</p> <p>(3) There is no more than 1 real estate header sign measuring 1800mm x 1200mm.</p> <p>(ii) The sign is not illuminated; and</p> <p>(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill;</p> <p>(e) Content, colour and location of the sign; and</p> <p>(f) Effects on notable trees;</p> <p>(g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(h) Effects on cultural values of any Maaori site of significance; and</p> <p>(i) Effects on notable architectural features of the building.</p>
SIGN-R19	Signs – effects on traffic	
SETZ – Settlement zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at road or rail users must comply with the following standards:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign;</p> <p>(ii) Be located at least 60m from controlled intersections,</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

Part 2: District-wide matters / General district-wide matters / SIGN – Signs

	<p>pedestrian crossings and any other sign;</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level rail crossing;</p> <p>(iv) Contain no more than 40 characters and no more than 6 symbols;</p> <p>(v) Have lettering that is at least 150mm high; and</p> <p>(vi) Be located at least 130m from a site entrance, where the sign directs traffic to the entrance.</p>	
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LCZ – Local centre zone and COMZ – Commercial zone

SIGN-R20	Signs – general	
LCZ – Local centre zone; and COMZ – Commercial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A sign must comply with all of the following standards:</p> <p>(i) The sign is wholly contained on the site;</p> <p>(ii) The sign height must not exceed 10m;</p> <p>(iii) Where the sign is illuminated it must:</p> <p>(1) Not have a light source that flashes or moves;</p> <p>(2) Not contain moving parts or reflective materials; and</p> <p>(3) Be focused to ensure that it does not spill light beyond the site;</p> <p>(iv) Where the sign is attached to a building, it must:</p> <p>(1) Not extend more than 300mm from the building wall; and</p> <p>(2) Not exceed the height of the building;</p> <p>(v) Where the sign is a freestanding sign, it must:</p> <p>(1) Not exceed an area of 3m² for one sign per site, and 1m² for any other</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Effects of glare and artificial light spill;</p> <p>(d) Content, colour and location of the sign;</p> <p>(e) Effects on notable trees;</p> <p>(f) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(g) Effects on cultural values of any SASM – Sites and areas of significance to Maaori Site;</p> <p>(h) Effects on notable architectural features of the building.</p>

	<p>freestanding sign on the site; and</p> <p>(2) Be set back at least 5m from the boundary of the GRZ – General residential zone, or MRZ1 – Medium density residential zone 1 or MRZ2 – Medium density residential zone 2;</p> <p>(vi) The sign is not attached to a notable tree identified in SCHED2 – Notable trees, except for the purpose of identification;</p> <p>(vii) The sign is on the site of and for the purpose of identification and interpretation of a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation;</p> <p>(viii) The sign is not attached to a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori except for the purpose of identification and interpretation;</p> <p>(ix) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign.</p>	
<p>SIGN-R21</p>	<p>Signs – general</p>	
<p>LCZ – Local centre zone; and COMZ – Commercial zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(b) There is no more than 3 signs per site;</p> <p>(c) The sign is not illuminated; and</p> <p>(d) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Effects of glare and artificial light spill;</p> <p>(d) Content, colour and location of the sign;</p> <p>(e) Effects on notable trees;</p> <p>(f) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p>

		<p>(g) Effects on cultural values of any SASM – Sites and areas of significance to Maaori Site;</p> <p>(h) Effects on notable architectural features of the building.</p>
SIGN-R22	Signs - effects on traffic	
LCZ – Local centre zone; and COMZ – Commercial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at land transport users must meet all of the following standards:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign;</p> <p>(ii) Be located at least 60m from controlled intersections or at a level crossing, pedestrian crossings and any other sign;</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing; and</p> <p>(iv) Contain no more than 40 characters and no more than 6 words and/or symbols;</p> <p>(v) Have lettering that is at least 150mm high;</p> <p>(b) Rule SIGN-R22(1)(a) does not apply to site identification signs</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

TCZ – Town centre zone

SIGN-R23	Signs – general	
TCZ – Town centre zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A sign must comply with all of the following standards:</p> <p>(i) The sign height does not exceed 10m;</p> <p>(ii) Where the sign is illuminated it must:</p> <p>(1) Not have a light source that flashes or moves; and</p> <p>(2) Not contain moving parts or reflective materials; and</p> <p>(3) Be directed to ensure it does not spill light beyond 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) Amenity values;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Effects of glare and artificial light spill;</p> <p>(d) Content, colour and location of the sign;</p> <p>(e) Effects on notable trees;</p> <p>(f) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p>

	<ul style="list-style-type: none"> (iii) Where the sign is attached to a building, it must: <ul style="list-style-type: none"> (1) Not extend more than 300mm from the building wall; and (2) Not exceed the height of the building; (iv) Where the sign is attached to a verandah, it must: <ul style="list-style-type: none"> (1) Be set back at least 500mm from the road carriageway; and (2) Not be more than 500mm high; and (3) Not project beyond the roof or fascia of the verandah more than 100mm in any direction; and (4) Allow clearance of at least 2.4m above a footpath; (v) Where the sign is a freestanding sign, it must: <ul style="list-style-type: none"> (1) Not exceed an area of 3m² for one sign, and 1m² for any other freestanding sign on the site; and (2) Be set back at least 5m from the boundary of the GRZ – General residential zone, or MRZ1 – Medium density residential zone 1 or MRZ2 – Medium density residential zone 2; (vi) The sign must be wholly contained on the site except where it is attached to a verandah; (vii) The sign is not attached to a notable tree identified in SCHED2 – Notable trees, except for the purpose of identification; (viii) The sign is on the site of and for the purpose of identification and interpretation of a heritage item listed in SCHED1 – Historic heritage items; (ix) The sign is not attached to a site and area of significance 	<ul style="list-style-type: none"> (g) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; (h) Effects on notable architectural features of the building.
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	<p>to Maaori listed in SCHED3 – Sites and areas of significance to Maaori, except for the purpose of identification and interpretation;</p> <p>(x) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign</p>	
SIGN-R24	Signs – general	
TCZ – Town centre zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) There is no more than 3 signs per site;</p> <p>(ii) The sign is not illuminated;</p> <p>(iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Effects of glare and artificial light spill;</p> <p>(d) Content, colour and location of the sign;</p> <p>(e) Effects on notable trees;</p> <p>(f) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>(g) Effects on cultural values of any SASM – Sites and areas of significance to Maaori;</p> <p>(h) Effects on notable architectural features of the building.</p>
SIGN-R25	Signs – effects on traffic	
TCZ – Town centre zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at land transport users must meet all of the following standards:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign;</p> <p>(ii) Be located at least 60m from controlled intersections or at a level crossing, pedestrian crossings and any other sign;</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (iv) Contain no more than 40 characters and no more than 6 words and/or symbols; (v) Have lettering that is at least 150mm high; and <p>(b) SIGN-R25(1)(a) does not apply to site identification signs.</p>	
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GIZ – General industrial zone

SIGN-R26	Signs – general	
GIZ – General industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign that: <ul style="list-style-type: none"> (i) Does not exceed a sign height of 10 metres; (ii) Is wholly contained within the site; (iii) Relates to goods and services available on the site or the property name; (iv) Is set back at least 15 metres from a state highway or Waikato Expressway (b) If illuminated: <ul style="list-style-type: none"> (i) Does not have a light source that flashes or moves; and (ii) Does not contain moving parts or reflective materials. (c) A sign attached to a building that: <ul style="list-style-type: none"> (i) Does not extend more than 300mm from the building wall; and (ii) Does not exceed the height of the building. (d) Freestanding signs that: <ul style="list-style-type: none"> (i) Do not exceed an area of 3m² for one sign per site, and 1m² for any other freestanding sign on the site; (ii) Are set back at least 5m from the boundary of any site in a GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone or 	<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) Visual amenity; (b) Effects on traffic safety; (c) Glare and artificial light spill; (d) Content, colour and location of the sign; (e) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; and (f) Effects on notable architectural features of a heritage item.

	<p>RLZ – Rural lifestyle zone; and</p> <p>(ii) Are set back at least 15 metres from a state highway or Waikato Expressway.</p> <p>(e) A sign attached to a heritage item listed in SCHED1 – Historic heritage items for the express purpose of identification and interpretation.</p>	
SIGN-R27	Signs – general	
GIZ – General industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate sign that:</p> <p>(i) Relates to the sale of the site on which it is located;</p> <p>(ii) Does not result in more than 3 signs per site;</p> <p>(iii) Is not illuminated;</p> <p>(iv) Does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; and</p> <p>(v) Does not exceed dimensions of 1800mm x 1200mm.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Visual amenity;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Glare and artificial light spill;</p> <p>(d) Content, colour and location of the sign;</p> <p>(e) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; and</p> <p>(f) Effects on notable architectural features of a heritage item.</p>
SIGN-R28	Signs – effects on traffic	
GIZ – General industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at road users that:</p> <p>(i) Does not imitate the content, colour or appearance of any traffic control sign; and</p> <p>(ii) Is located at least 60 metres from controlled intersections, pedestrian crossings and another advertising sign; and</p> <p>(iii) Does not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and</p> <p>(iv) Does not contain more than 40 characters or more than 6 symbols; and</p> <p>(v) Has lettering that is at least 150mm high; and</p> <p>(vi) Is at least 130 metres from a site entrance, where the sign</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 the safety of road users is maintained.</p>

	directs traffic to the entrance.	
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HIZ – Heavy industrial zone

SIGN-R29	Signs – general	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A sign that:</p> <p>(i) Does not exceed a sign height of 15 metres;</p> <p>(ii) Is wholly contained within the site;</p> <p>(iii) Relates to goods and services available on the site or a property name;</p> <p>(iv) Is set back at least 15 metres from a state highway or Waikato Expressway; and</p> <p>(v) If illuminated:</p> <p>(1) Does not have a light source that flashes or moves; and</p> <p>(2) Does not contain moving parts or reflective materials. and</p> <p>(vi) A sign attached to a building that:</p> <p>(1) Does not extend more than 300 millimetres from the building wall; and</p> <p>(2) Does not exceed the height of the building.</p> <p>(vii) Freestanding signs that:</p> <p>(1) Do not exceed an area of 3m² for one sign per site, and 1m² for any other freestanding sign on the site;</p> <p>(2) Are set back at least 5 metres from the boundary of any site in any GRZ – General residential zone, SETZ – Settlement zone or RLZ – Rural lifestyle zone; and</p> <p>(3) Are set back at least 15 metres from a state highway or 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) Amenity;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Glare and artificial light spill;</p> <p>(d) Content, colour and location of the sign; and</p> <p>(e) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign.</p>

	(viii) A sign attached to a heritage item listed in SCHED I – Historic heritage items, for the express purpose of identification and interpretation.	
SIGN-R30	Signs – general	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A real estate 'for sale' sign that: <ul style="list-style-type: none"> (i) Relates to the sale of the site on which it is located; (ii) Does not result in more than 3 signs per site (iii) Is not illuminated; (iv) Does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; and (v) does not exceed dimensions of 1800mm x 1200mm. 	<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) Amenity; (b) Effects on traffic safety; (c) Glare and artificial light spill; (d) Content, colour and location of the sign; and (e) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign.
SIGN-R31	Signs – effects on traffic	
HIZ – Heavy industrial zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at road users that: <ul style="list-style-type: none"> (i) Does not imitate the content, colour or appearance of any traffic control sign; and (ii) Is located at least 60 metres from controlled intersections, pedestrian crossings and another advertising sign; and (iii) Does not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and (iv) Does not contain more than 40 characters or more than 6 symbols; and (v) Has lettering that is at least 150 millimetres high; and (vi) Is at least 130 metres from a site entrance, where the sign directs traffic to the entrance. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The extent to which the safety of road users is maintained.

OSZ – Open space zone

SIGN-R32	Signs – general
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<p>OSZ – Open space zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) The sign does not exceed: <ul style="list-style-type: none"> (1) 3m² for one sign per site, and (2) 1m² for any other sign; (ii) The sign height does not exceed 3m; (iii) The sign does not exceed the height of the building; (iv) The sign is not illuminated; (v) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vi) The sign is not attached to a tree identified in Schedule SCHED2 – Notable trees, except for the purpose of identification and interpretation; (vii) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation; (viii) On a site with a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori, the sign is for the purpose of identification and interpretation; (ix) The sign is set back at least 5m from the boundary of the GRZ – General residential zone, MRZ₁ – Medium density residential zone <u>1</u>, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone, SETZ – Settlement zone or RLZ Rural lifestyle zone. 	<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) Amenity values; (b) Character of the locality; (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees. (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of the building.
<p>SIGN-R33</p>	<p>Signs – effects on traffic</p>	
<p>OSZ – Open space zone</p>	<p>(1) Activity status: PER Where:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(a) Any sign directed at road or rail users must:</p> <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; (iii) Not obstruct sight lines of drivers: turning into or out of a site entrance and intersections; or at a railway level crossing; (iv) Contain no more than 40 characters and no more than 6 symbols; (v) Have lettering that is at least 200mm high; and (vi) Comply with the following where the sign directs traffic to a site entrance: <ul style="list-style-type: none"> (1) Located at least 175m from the entrance on roads with a speed limit of 80 km/hr or less; or (2) Located at least 250m from the entrance on roads with a speed limit of more than 80km/hr. 	
<p>SIGN-R34</p>	<p>Signs – Tamahere Village Green (Tamahere Village Green specific control, refer to the planning maps)</p>	
<p>Tamahere Village Green specific control within the OSZ – Open space zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Any advertising sign visible from a public place must comply with all of the following standards: <ul style="list-style-type: none"> (i) Where the sign is attached to a building: <ul style="list-style-type: none"> (1) Does not exceed an area of 2m²; (2) Does not extend more than 300mm from the building wall; (3) Does not exceed the height of the building. (ii) Where the sign is attached to a verandah; <ul style="list-style-type: none"> (1) Is no deeper than 400mm; 	<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) Amenity values and streetscape (b) Traffic safety (c) Glare and light spill (d) Number of signs; and (e) Design and location of sign.

	<ul style="list-style-type: none"> (2) Does not obscure any notable architectural feature of the building; (3) Does not project beyond the roof or fascia of the verandah more than 100mm in any direction; (4) Allows clearance of at least 2.5m above any pedestrian access, or (iii) Where the sign is free standing; <ul style="list-style-type: none"> (1) Does not exceed 1.5m in height; (2) Does not exceed an area of 1m², or (iv) Where a sign is a signage wall; <ul style="list-style-type: none"> (1) Does not exceed 1.2m in height; (2) Does not exceed an area of 4m²; (v) Where it is an illuminated sign, it: <ul style="list-style-type: none"> (1) Is not a neon sign; (2) Does not have a light source that flashes or moves; (3) Does not contain moving parts or reflective materials; (4) Does not spill light beyond the sign. 	
SIGN-R35	Signs – Tamahere Village Green (Tamahere Village Green specific control, refer to the planning maps)	
Tamahere Village Green specific control within the OSZ – Open space zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign advertising a community event must comply with all of the following standards: <ul style="list-style-type: none"> (i) It is a free standing sign; (ii) Be on display for no more than one month prior to the event; (iii) It does not exceed 1.5m in height, and (iv) It does not exceed an area of 1m². (b) Where it is an illuminated sign, it must not: 	<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) Amenity values and streetscape (b) Traffic safety (c) Glare and light spill (d) Number of signs; and (e) Design and location of sign.

	<ul style="list-style-type: none"> (i) Be a neon sign; (ii) Have a light source that flashes or moves; (iii) Contain moving parts or reflective materials; (iv) Spill light beyond the sign. 	
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BTZ – Business Tamahere zone

SIGN-R36	Signs – general	
BTZ – Business Tamahere zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) There are no more than two signs per leasable area; (ii) The sign is wholly contained on the site; (iii) Where the sign is attached to a building, it must not exceed: <ul style="list-style-type: none"> (1) An area of 2m²; and (2) More than 300mm from the building wall; and (3) The height of the building; (iv) Where the sign is attached to a verandah, it must: <ul style="list-style-type: none"> (1) Be no deeper than 400mm; and (2) Not obscure any notable architectural feature of a building; and (3) Not project beyond the roof or fascia of the verandah more than 100mm in any direction; and (4) Allow clearance of at least 2.5m above any pedestrian access; (v) Where it is a freestanding sign, it must not exceed: <ul style="list-style-type: none"> (1) 1.5m in height; and (2) An area of 1m²; (vi) Where it is a signage wall, it must not exceed: <ul style="list-style-type: none"> (1) 1.2m in height; and (2) An area of 4m²; (vii) Where it is an illuminated sign, it must: 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (1) Not be a neon sign; and (2) Not have a light source that flashes or moves; and (3) Not contain moving parts or reflective materials; and (4) Be focused to ensure it does not spill light beyond the site. 	
SIGN-R37	Signs – general	
BTZ – Business Tamahere zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A real estate 'for sale' or 'for rent' sign relating to the site on which it is located must comply with all of the following standards: <ul style="list-style-type: none"> (i) There is no more than 3 signs per site; (ii) The sign is not illuminated; (iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; and (iv) The sign does not project into or over road reserve. 	<p>(2) Activity status where compliance not achieved: DIS</p>
SIGN-R38	Signs – effects on traffic	
BTZ – Business Tamahere zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at road users must: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be at least 60m from controlled intersections, pedestrian crossings and another sign; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; (iv) Contain no more than 40 characters and no more than 6 symbols; and (v) Have lettering that is at least 150mm high. 	<p>(2) Activity status where compliance not achieved: DIS</p>

CORZ – Corrections zone

SIGN-R39	Signs – general	
CORZ – Corrections zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained on the site; (iii) The sign does not exceed 3m²; (iv) The sign height does not exceed 3m; (v) The sign is not illuminated, (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) The sign is set back at least 50m from a state highway and the Waikato Expressway; (viii) The sign is not attached to a notable tree identified in SCHED2 – Notable trees, except for the purpose of identification; (ix) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation; (x) The sign is for the purpose of identification and interpretation of a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori; (xi) The sign relates to: <ul style="list-style-type: none"> (1) Goods or services available on the site; or (2) A property name sign. 	<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) Amenity values; (b) Rural character of the locality; (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of the building.
SIGN-R40	Signs – general	
CORZ – Corrections zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A real estate sign relating to the site on which it is located must comply with all of the following standards: 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Amenity values; (b) Rural character of the locality;

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	<ul style="list-style-type: none"> (i) Have no more than 3 signs per site; (ii) The sign is not illuminated; (iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (iv) The sign does not exceed 3m²; (v) Any real estate sign shall be removed within 20 working days of the sale or lease being settled. 	<ul style="list-style-type: none"> (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of the building.
SIGN-R41	Signs - effects on traffic	
CORZ – Corrections zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at road users must meet the following standards: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and railway crossings (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; (iv) Contain no more than 40 characters and no more than 6 words, symbols, or graphics; (v) Have lettering that is at least 200mm high; and (vi) Where the sign directs traffic to a site entrance, it must be at least: <ul style="list-style-type: none"> (vii) 175m from the entrance on roads with a speed limit of 80 km/hr or less; or (viii) 250m from the entrance on roads with a speed limit of more than 80km/hr. 	<p>(2) Activity status where compliance not achieved: DIS</p>

FUZ – Future urban zone

SIGN-R42	Signs – general
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<p>CORZ – Corrections zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained on the site; (iii) The sign does not exceed 3m²; (iv) The sign height does not exceed 3m; (v) The sign is not illuminated, (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) The sign is set back at least 50m from a state highway and the Waikato Expressway; (viii) The sign is not attached to a notable tree identified in SCHED2 – Notable trees, except for the purpose of identification; (ix) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation; (x) The sign is for the purpose of identification and interpretation of a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori; (xi) The sign relates to: <ul style="list-style-type: none"> (1) Goods or services available on the site; or (2) A property name sign. 	<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) Amenity values; (b) Rural character of the locality; (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of the building.
<p>SIGN-R43</p>	<p>Signs – general</p>	
<p>CORZ – Corrections zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A real estate sign relating to the site on which it is located must comply with all of the following standards: <ul style="list-style-type: none"> (i) Have no more than 3 signs per 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) Amenity values; (b) Rural character of the locality; (c) Effects on traffic safety;

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	<ul style="list-style-type: none"> (ii) The sign is not illuminated; (iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (iv) The sign does not exceed 3m²; (v) Any real estate sign shall be removed within 20 working days of the sale or lease being settled. 	<ul style="list-style-type: none"> (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of the building.
<p>SIGN-R44 Signs - effects on traffic</p>		
<p>CORZ – Corrections zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at road users must meet the following standards: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and railway crossings (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; (iv) Contain no more than 40 characters and no more than 6 words, symbols, or graphics; (v) Have lettering that is at least 200mm high; and (vi) Where the sign directs traffic to a site entrance, it must be at least: <ul style="list-style-type: none"> (vii) 175m from the entrance on roads with a speed limit of 80 km/hr or less; or (viii) 250m from the entrance on roads with a speed limit of more than 80km/hr. 	<p>(2) Activity status where compliance not achieved: DIS</p>

HOPZ – Hopuhopu zone

<p>SIGN-R45</p>	<p>Signs – general</p>
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<p>HOPZ – Hopuhopu zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (ii) The sign is wholly contained on the site; (iii) The sign is not illuminated, (iv) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (v) The sign relates to: <ul style="list-style-type: none"> (1) Goods or services available on the site; or (2) A property name sign. (b) In PREC8 – Hopuhopu residential precinct, PREC9 – Hopuhopu education and conference precinct, PREC11 – Hopuhopu open space precinct, PREC12 – Hopuhopu mixed use precinct: <ul style="list-style-type: none"> (i) The sign does not exceed 3m²; and (ii) The sign height does not exceed 3m; (c) In PREC10 – Hopuhopu business precinct: <ul style="list-style-type: none"> (i) The sign height must not exceed 10m; (ii) Where the sign is attached to a building, it must: <ul style="list-style-type: none"> (1) Not extend more than 300mm from the building wall; and (2) Not exceed the height of the building; (iii) Where the sign is a freestanding sign, it must: <ul style="list-style-type: none"> (1) Not exceed an area of 3m²; and (2) Be set back at least 5m from the zone boundary. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Amenity values; (b) Character of the locality; (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees; (g) Effects on the heritage values of any Historic heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maori;
<p>SIGN-R46</p>	<p>Signs – effects on traffic</p>	
<p>HOPZ – Hopuhopu zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at land transport users must meet all of the following standards: 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on traffic safety;

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	<ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and level crossings; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing; (iv) Contain no more than 40 characters and no more than 6 words, symbols, or graphics; (v) Have lettering that is at least 200mm high; and (vi) Where the sign directs traffic to a site entrance, it must be at least: <ul style="list-style-type: none"> (vii) 175m from the entrance on roads with a speed limit of 80 km/hr or less; or (viii) 250m from the entrance on roads with a speed limit of more than 80km/hr. 	<ul style="list-style-type: none"> (b) Glare and artificial light spill; and (c) Content, colour and location of the sign.
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KLZ – Kimihia lakes zone

<p>SIGN-R47 KLZ – Kimihia lakes zone</p>	<p>Signs – general</p> <p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign must not exceed 3m²; (b) The sign height must not exceed 10m; (c) Illuminated signs visible from the outside of the site must not: <ul style="list-style-type: none"> (i) Have a light source that flashes or moves; (d) Contain moving parts or reflective materials; (e) Signs must be set back at least 7.5m from an external zone boundary; (f) Signs must be set back at least 15m from the designation of the Waikato Expressway; (g) Any sign visible from the outside of the site must relate to: 	<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) Effects on traffic safety; (c) Effects of glare and light spill; (d) Content, colour and location of the sign; and (e) Proximity to the road.
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	<ul style="list-style-type: none"> (i) An event within the KLZ – Kimihia Lakes zone; or (ii) A property name sign. <p>(h) No more than one sign shall be directed at users of the Waikato Expressway and must:</p> <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; or (ii) Contain no more than 40 characters and no more than 6 symbols; and (iii) Have lettering that is at least 200mm high 	
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MSRZ – Motorsport and recreation zone

SIGN-R48	Signs – general – all precincts	
MSRZ – Motorsport and recreation zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign visible from a public place shall comply with all of the following standards: <ul style="list-style-type: none"> (i) It does not exceed 5m² in area; (ii) The sign height does not exceed 10m in height; (iii) Illuminated signs shall not: (iv) Have a light source that flashes or moves; (v) Contain moving parts or reflective materials; (vi) It is set back at least 7.5m from the boundary of Hampton Downs Road; (vii) It is set back at least 15m from State Highway 1; (viii) Is orientated to be internally facing or it is setback a minimum of 500m from State Highway 1 and have a font height no greater than 300 mm and have symbols, parts of symbols, images and/or parts of images of a height no greater than 300 mm, or cannot be seen from State Highway 1; (ix) It relates to: <ul style="list-style-type: none"> (1) Any motor sport and recreation activity or 	<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) Effects on traffic safety; (c) Effects of glare and light spill; (d) Content, colour and location of the sign; and (e) Proximity to the road.

	<p>events within the Motorsport and Recreation Zone; or</p> <p>(2) A property name sign.</p> <p>Advice note: the above does not apply to “temporary traffic management” signs.</p>	
<p>SIGN-R49</p>	<p>Signs – general – all precincts</p>	
<p>MSRZ – Motorsport and recreation zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate sign relating to the site on which it is located shall comply with all of the following standards:</p> <p>(i) There is no more than 3 signs per site of which;</p> <p>(1) There is no more than 1 sign per agency measuring 600mm x 900mm;</p> <p>(2) There is no more than 1 sign measuring 1800mm x 1200mm: and</p> <p>(3) There is no more than 1 real estate header sign measuring 1800mm x 1200mm;</p> <p>(ii) It is not illuminated;</p> <p>(iii) It does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</p> <p>(iv) It does not project into or over road reserve.</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) Effects on traffic safety;</p> <p>(c) Effects of glare and light spill;</p> <p>(d) Content, colour and location of the sign; and</p> <p>(e) Proximity to the road.</p>
<p>SIGN-R50</p>	<p>Signs – effects on traffic – all precincts</p>	
<p>MSRZ – Motorsport and recreation zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at road users shall:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign;</p> <p>(ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other signs;</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (iv) Be able to be viewed by drivers for at least 250m; (v) Contain no more than 40 characters and no more than 6 symbols; (vi) Have lettering that is at least 200mm high; (vii) Where the sign directs traffic to a site entrance, the sign must be at least: (viii) 175m from the entrance on roads with a speed limit of 80 km/hr or less; or (ix) 250m from the entrance on roads with a speed limit of more than 80km/hr. 	
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MTZ – Matangi zone

SIGN-R51	Signs – general	
MTZ – Matangi zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards (excluding where not visible from outside of the site on which they are located): <ul style="list-style-type: none"> (i) The sign is wholly contained on the site; (ii) The sign height must not exceed 10m; (iii) Where the sign is illuminated it must: <ul style="list-style-type: none"> (1) Not have a light source that flashes or moves; (2) Not contain moving parts or reflective materials; and (3) Be focused to ensure that it does not spill light beyond the site. (iv) Where the sign is attached to a building, it must: <ul style="list-style-type: none"> (1) Not extend more than 400mm from the building wall; and (2) Not exceed the height of the building. (3) Where the sign is a freestanding sign and can 	<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) Amenity values; (b) Effects on traffic safety; (c) Effects of glare and artificial light spill; (d) Content, colour and location of the sign; (e) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; and (f) Effects on notable architectural features of the building.

	<p>be viewed from a public space, it must:</p> <p>(4) Not exceed an area of 3m² for one sign per site, and 1m² for one additional freestanding sign on the site; and</p> <p>(5) Be set back at least 5m from the boundary of any adjoining RLZ – Rural lifestyle zone.</p> <p>(v) The sign is not attached to a heritage item listed in SCHED I – Historic heritage items) except for the purpose of identification and interpretation; and</p> <p>(vi) The sign relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) A property name sign (which includes tenants of the site).</p>	
SIGN-R52	Signs – general	
MTZ – Matangi zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate sign must comply with all of the following standards:</p> <p>(i) It relates to the sale of the site on which it is located;</p> <p>(ii) There is no more than 3 signs per site;</p> <p>(iii) The sign is not illuminated; and</p> <p>(iv) The sign does not contain any moving parts, florescent, flashing or revolving lights or reflective materials.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Effects of glare and artificial light spill;</p> <p>(d) Content, colour and location of the sign;</p> <p>(e) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; and</p> <p>(f) Effects on notable architectural features of the building.</p>
SIGN-R53	Signs – effects on traffic	
MTZ – Matangi zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign directed at road users must meet the following standards:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign;</p> <p>(ii) Be located at least 60m from controlled intersections,</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Effects on traffic safety;</p> <p>(c) Effects of glare and artificial light spill;</p>

Part 2: District-wide matters / General district-wide matters / SIGN – Signs

	<p>pedestrian crossings and any other sign;</p> <p>(iii) Not obstruct sight lines of drivers turning into, or out of, a site entrance and intersections or at a railway level crossing; and</p> <p>(iv) Contain no more than 40 characters and no more than 6 symbols; and</p> <p>(v) Have lettering that is at least 150mm high.</p>	<p>(d) Content, colour and location of the sign;</p> <p>(e) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; and</p> <p>(f) Effects on notable architectural features of the building.</p>
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RPZ – Rangitahi Peninsula zone

SIGN-R54	Signs – general	
RPZ – Rangitahi Peninsula zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A sign visible from a public place must comply with all of the following standards:</p> <p>(i) It is the only sign on the site;</p> <p>(ii) It is wholly contained on the site;</p> <p>(iii) It does not exceed 0.25m²;</p> <p>(iv) The sign height does not exceed 2m;</p> <p>(v) It is not illuminated;</p> <p>(vi) It does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;</p> <p>(vii) It relates to:</p> <p>(1) Goods or services available on the site; or</p> <p>(2) It is a property name sign; or</p> <p>(3) It is a public information sign erected by a public authority; or</p> <p>(4) It is a temporary sign on display for no more than 3 months.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Character of the locality;</p> <p>(c) Effects on traffic safety;</p> <p>(d) Glare and artificial light spill; and</p> <p>(e) Content, colour and location of the sign.</p>
SIGN-R55	Signs – general	
RPZ – Rangitahi Peninsula zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A real estate 'for sale' sign relating to the site on which it is located must not:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Amenity values;</p> <p>(b) Character of the locality;</p>

	<ul style="list-style-type: none"> (i) Have more than 3 signs per site; and (ii) Be illuminated; and (iii) Contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; and (iv) Project into or over road reserve. 	<ul style="list-style-type: none"> (c) Effects on traffic safety; (d) Glare and artificial light spill; and (e) Content, colour and location of the sign.
SIGN-R56	Signs – effects on traffic	
RPZ – Rangitahi Peninsula zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at road users must: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; and (ii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and (iii) Contain maximum 40 characters and 6 symbols; and (iv) Have lettering that is at least 150mm high; and (v) Where the sign directs traffic to a site entrance, the sign must be at least 130m from the entrance. 	<p>(2) Activity status where compliance not achieved: DIS</p>

TKAZ – Te Kowhai airpark zone

SIGN-R57	Signs – general	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER</p> <p>Where</p> <ul style="list-style-type: none"> (a) Any sign located in PREC27 or PREC28 that is visible from a public place or site in another zone must comply with all of the following standards: <ul style="list-style-type: none"> (i) The sign height does not exceed 10m; (ii) Where the sign is attached to a building, it must not: <ul style="list-style-type: none"> (1) Extend more than 300mm from the external wall of the building; and (2) Exceed the height of the building, 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on amenity values; (b) Visual impact of the sign; (c) Nature, scale and location; (d) Streetscape; (e) Effects on any other site in the locality; (f) Glare and light spill; and (g) Traffic safety.

	<p>(iii) Where the sign is a free-standing sign, it must:</p> <p>(1) Not exceed an area of 3m² for one sign per site; and 1m² for any other free-standing sign on the site; and</p> <p>(2) Be set back at least 5m from the boundary of any site in the Village LLRZ – Large lot Residential zone or SETZ – Settlement zone,</p> <p>(iv) Where the sign is illuminated, it must:</p> <p>(1) Not have a light source that flashes or moves; and</p> <p>(2) Not contain moving parts or reflective materials; and</p> <p>(3) Be directed to ensure it does not spill light beyond the site.</p>	
<p>SIGN-R58</p>	<p>Signs – general</p>	
<p>TKAZ – Te Kowhai airpark zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any sign located in PREC29 or PREC30 that is visible from a public place or site in another zone must:</p> <p>(i) Relate to goods or services available on the site; or</p> <p>(ii) Be a property name sign; and</p> <p>(iii) Be the only sign on the site; and</p> <p>(iv) Not be illuminated, flashing or moving; and</p> <p>(v) Not exceed 0.25m²; and</p> <p>(vi) Not exceed 2m in height.</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) Visual impact of the sign;</p> <p>(c) Nature, scale and location;</p> <p>(d) Streetscape;</p> <p>(e) Effects on any other site in the locality;</p> <p>(f) Glare and light spill; and</p> <p>(g) Traffic safety.</p>
<p>SIGN-R59</p>	<p>Signs – general</p>	
<p>TKAZ – Te Kowhai airpark zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) In all precincts, a real estate sign relating to the site on which it is located must comply with all of the following standards:</p> <p>(i) There are no more than 3 signs per site of which:</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) Visual impact of the sign;</p> <p>(c) Nature, scale and location;</p> <p>(d) Streetscape;</p> <p>(e) Effects on any other site in the locality;</p>

	<ul style="list-style-type: none"> (ii) There is no more than 1 sign per agency measuring 600mm x 900mm; (iii) There is no more than 1 sign measuring 1800mm x 1200mm; and (iv) There is no more than 1 real estate header sign measuring 1800mm x 1200mm. 	<ul style="list-style-type: none"> (f) Glare and light spill; and (g) Traffic safety.
SIGN-R60	Signs – general	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) In all precincts, a sign advertising a community event or temporary event must: <ul style="list-style-type: none"> (i) Be on display for no more than 3 months prior to the event; and (ii) Be removed no later than 5 days after the event. 	<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) Visual impact of the sign; (c) Nature, scale and location; (d) Streetscape; (e) Effects on any other site in the locality; (f) Glare and light spill; and (g) Traffic safety.
SIGN-R61	Signs – effects on traffic	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) In all precincts, any sign directed at road users must: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; and (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; and (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and (iv) Contain no more than 40 characters and no more than 6 words and / or symbols; and (v) Have lettering that is at least 150mm high; and (vi) Where the sign directs traffic to a site entrance, the sign must be at least 130m from the entrance. 	<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, including cumulative effects; (b) Effects on the safe and efficient operation of the road land transport (c) Size and number of characters, words and symbols; (d) Size of sign and support structure; (e) Visual appearance.

TTZ – TaTa Valley zone

SIGN-R62	Signs – general	
TTZ – TaTa Valley zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A sign must comply with all of the following standards: <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained on the site; (iii) The sign does not exceed 5m²; (iv) The sign height does not exceed 3m; (v) If illuminated, the sign meets the lighting standards of Rule LIGHT-R2, (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) The sign is set back at least 50m from a state highway and the Waikato Expressway; (viii) The sign is not attached to a notable tree identified in SCHED2 – Notable trees, except for the purpose of identification; (ix) The sign is not attached to a heritage item listed in SCHED1 – Historic heritage items except for the purpose of identification and interpretation; (x) The sign is for the purpose of identification and interpretation of a site and area of significance to Maaori listed in SCHED3 – Sites and areas of significance to Maaori; (xi) The sign relates to: <ul style="list-style-type: none"> (1) Goods or services available on the site; or (2) A property name sign. 	<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) Amenity values; (b) Rural character of the locality; (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (i) Effects on notable architectural features of the building.
SIGN-R63	Signs – general	
TTZ – TaTa Valley zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A real estate sign relating to the site on which it is located must 	<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) Amenity values;

	<p>comply with all of the following standards:</p> <ul style="list-style-type: none"> (i) Have no more than 3 signs per site; (ii) The sign is not illuminated; (iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (iv) The sign does not exceed 3m²; (v) Any real estate sign shall be removed within 20 working days of the sale or lease being settled. 	<ul style="list-style-type: none"> (b) Rural character of the locality; (c) Effects on traffic safety; (d) Effects of glare and artificial light spill; (e) Content, colour and location of the sign; (f) Effects on notable trees; (g) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (h) Effects on cultural values of any SASM – Sites and areas of significance to Maaori; and (b) Effects on notable architectural features of the building.
<p>SIGN-R64</p>	<p>Signs - effects on traffic</p>	
<p>TTZ – TaTa Valley zone</p>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any sign directed at road users must meet the following standards: <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and railway crossings (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; (iv) Contain no more than 40 characters and no more than 6 words, symbols, or graphics; (v) Have lettering that is at least 200mm high; and (vi) Where the sign directs traffic to a site entrance, it must be at least: <ul style="list-style-type: none"> (vii) 175m from the entrance on roads with a speed limit of 80 km/hr or less; or (viii) 250m from the entrance on roads with a speed limit of more than 80km/hr. 	<p>(2) Activity status where compliance not achieved: DIS</p>

TEMP – Temporary activities

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

Overview

Temporary activities are short term activities and events that contribute to the social, economic and cultural wellbeing of the community.

Temporary activities have the potential to generate adverse effects, particularly resulting from noise and traffic.

Objective

TEMP-O1 Temporary events in the OSZ – Open space zone.

Temporary events remain ancillary to, and promote the purpose of, the reserve.

Policies

TEMP-P1 Temporary events in the GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone or RLZ – Rural lifestyle zone.

(1) Enable temporary events and associated temporary structures, provided any adverse effects on the residential environment are managed by:

- (a) Limiting the timing, number and duration of temporary events; and
- (b) Limiting noise generated by the temporary events to the permitted noise limits for the zone.

TEMP-P2 Temporary events in the GRUZ – General rural zone

(1) Enable temporary events and associated structures, provided adverse effects are managed by:

- (a) Limiting the timing, and duration of any temporary event; and
- (b) Limiting noise generated by the temporary events to the permitted noise limits for the zone.

TEMP-P3 Temporary events in the LCZ – Local centre zone, TCZ – Town centre zone or COMZ – Commercial zone.

(1) Enable temporary events and associated temporary structures within the zone, provided any adverse effects on amenity are managed through:

- (a) Limits on the timing, number and duration of events; and
- (b) Meeting the permitted noise limits for the zone.

TEMP-P4 Temporary events in the OSZ – Open space zone.

(1) Enable temporary events and associated temporary structures on reserves, appropriate to the size and purpose of the reserve.

- (2) Manage the scale and extent of temporary events on reserves so that any significant adverse effects on people in the surrounding community are minimised by:
- (a) Limits on the timing, number and duration of events;
 - (b) Meeting the permitted noise limits for the zone; and
 - (c) Managing the effects of traffic on the road transport network.

TEMP-P5 Cultural events and temporary events in the HOPZ – Hopuhopu zone.

Enable cultural events, and temporary events and associated temporary structures provided any adverse effects are managed.

Rules

Land use – effects

Zone as specified in first column

TEMP-RI	Temporary event	
<ul style="list-style-type: none"> • LLRZ – Large lot residential zone; • GRZ – General residential zone; • MRZ1 – Medium density residential zone 1; • MRZ2 – Medium density residential zone 2; • RLZ – Rural lifestyle zone; • SETZ – Settlement zone; • LCZ – Local centre zone; • COMZ – Commercial zone; • TCZ – Town centre zone; • BTZ – Business Tamahere zone; and • PREC31 – Lakeside Te Kauwhata Precinct in the GRZ – General residential zone. 	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The event occurs no more than 3 times per consecutive 12 month period; (b) The duration of each temporary event is less than 72 hours; (c) It may operate between 7.30am and 8:30pm Monday to Sunday; (d) Temporary structures are: <ul style="list-style-type: none"> (i) Erected no more than 2 days before the temporary event occurs; (ii) Removed no more than 3 days after the end of the event; (e) The site is returned to its previous condition no more than 3 days after the end of the temporary event; (f) There is no direct site access from a national route or regional arterial road. 	<p>(2) Activity status where compliance not achieved: DIS</p>
TEMP-R2	Temporary military training activities	

<p>All zones</p>	<p>(1) Activity status: PER Where: (a) The activity must comply with the permitted activity noise standards for Temporary Military Training Activities: (i) The duration must be less than 31 days (excluding set up and pack down); (ii) The site must be returned to its original condition no more than 3-days after the end of the Temporary Military Training Activity, unless provided for elsewhere in this plan as a permitted activity.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Effects on amenity values; (b) Timing and duration; and (c) Hours and days of Temporary Military Training Activities.</p>
<p>TEMP-R3</p>	<p>Noise – Temporary military training activities (other than the firing of weapons or use of explosives)</p>	
<p>All zones</p>	<p>(1) Activity status: PER Where: (a) Mobile noise sources, including personnel and light and heavy vehicles, self-propelled equipment, earthmoving equipment, shall comply with the noise limits set out in Tables 2 and 3 of NZS6803:1999 Acoustics – Construction Noise (with reference to ‘construction noise’ taken to refer to mobile noise sources). (b) Fixed (stationary) noise sources including power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems, shall comply with the noise limits set out below when measured at the notional boundary of any building housing a noise sensitive activity: (i) 55dB L_{Aeq}, 7am to 7pm every day. (ii) 50dB L_{Aeq}, 7pm to 10pm every day. (iii) 45dB L_{Aeq} and 75dB (L_{max}), 10pm to 7am the following day</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Effects on amenity values; (b) Timing and duration; and (c) Hours and days of Temporary Military Training Activities.</p>

	(c) Helicopter landing areas shall comply with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas. Noise levels shall be measured in accordance with NZS6801:2008 Acoustics – Measurement of Sound.	
TEMP-R4	Noise – Temporary military training activities (which involve the firing of weapons or use of explosives)	
All zones	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Notice is provided to the Council at least 5 working days prior to the commencement of the activity.</p> <p>(b) The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:</p> <p>(i) 0700 to 1900 hours: 500m</p> <p>(ii) 900 to 0700 hours: 1,250m</p> <p>(c) Where the minimum separation distances specified above cannot be met, then the activity shall comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity:</p> <p>(i) 0700 to 1900 hours: 95 dBC</p> <p>(ii) 1900 to 0700 hours: 85 dBC</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) Timing and duration; and</p> <p>(c) Hours and days of Temporary Military Training Activities.</p>

GRUZ – General rural zone

TEMP-R5	Temporary event	
GRUZ – General rural zone; FUZ – Future urban zone; CORZ – Corrections zone	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The event occurs no more than 6 times per consecutive 12 month period;</p> <p>(b) The duration of each event is less than 72 hours;</p> <p>(c) It may operate between 7.30am to 8:30pm Monday to Sunday;</p> <p>(d) Temporary structures are:</p> <p>(i) erected no more than 2 days before the event occurs;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (ii) removed no more than 3 days after the end of the event; (e) The site is returned to its previous condition no more than 3 days after the end of the event; (f) There is no direct site access from a national route or regional arterial road. 	
TEMP-R6	Temporary event within a Whaanga Coast development specific control area of PREC5 – Whaanga Coast development precinct	
PREC5 – Whaanga Coast development precinct	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The duration of each event is less than 72 hours; (i) It may operate between 7:30am to 8:30pm Monday to Sunday; (ii) Temporary structures are: <ul style="list-style-type: none"> (1) erected no more than 2 days before the event occurs; (2) removed no more than 3 days after the end of the event (b) Rule TEMP-R5 does not apply. 	<p>(2) Activity status where compliance not achieved: DIS</p>
TEMP-R7	Temporary event within PREC31 – Lakeside Te Kauwhata precinct	
PREC31 – Lakeside Te Kauwhata precinct in the GRUZ – General rural zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The event occurs no more than 3 times per consecutive 12 month period; (b) The duration of each event is less than 72 hours; (c) It may operate between 7.30am to 8:30pm Monday to Sunday; (d) Temporary structures are: <ul style="list-style-type: none"> (i) Erected no more than 2 days before the event occurs; (ii) Removed no more than 3 days after the end of the event; (e) The site is returned to its previous condition no more than 3 days after the end of the event; (f) There is no direct site access from a national route or regional arterial road. 	<p>(2) Activity status where compliance not achieved: DIS</p>

	(g) Rule TEMP-R5 does not apply.	
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OSZ – Open space zone

TEMP-R8	Temporary event	
OSZ – Open space zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The event occurs no more than 15 times per consecutive 12-month period; (b) It operates between the hours of 7.30am and 8:30pm Monday to Sunday; (c) Temporary structures are: <ul style="list-style-type: none"> (i) Erected no more than 2 days before the event occurs; (ii) Removed no more than 3 days after the end of the event; (d) The site is returned to its previous condition no more than 3 days after the end of the event; (e) There is no direct site access from a national route or regional arterial road. (f) Consistency with the relevant Reserve Management Plan. 	<p>(2) Activity status where compliance not achieved: DIS</p>

HOPZ – Hopuhopu zone

TEMP-R9	Temporary event	
HOPZ – Hopuhopu zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The event occurs no more than 15 times per consecutive 12 month period; <ul style="list-style-type: none"> (i) The duration of each event is less than 72 hours; (ii) It may only operate between 7.30am to 8:30pm Monday to Sunday; (iii) Temporary structures are: <ul style="list-style-type: none"> (1) Erected no more than 7 days before the event occurs; (2) Removed no more than 3 days after the end of the event; (iv) The site of the event is returned to its previous 	<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) Duration and frequency; (b) Effects on traffic; (c) Traffic safety; and (d) Effects on amenity values.

	condition no more than 3 days after the end of the event; and (v) There is no direct site access from a national route or regional arterial road.	
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KLZ – Kimihia lakes zone

TEMP-R10	Temporary event	
KLZ – Kimihia lakes zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The duration of each event must be less than 72 hours; (b) The event may operate between 7.30am to 8:30pm Monday to Sunday; (c) Temporary structures must be removed no more than 3 days after the end of the event; (d) The site must be returned to its previous condition no more than 3 days after the end of the event; (e) Any activity attracting more than 1,100 people in any given hour must provide a Traffic Management Plan (TMP) for approval by the Road Controlling Authority. The TMP must include, but is not limited to: <ul style="list-style-type: none"> (i) Proposed timing and scale of activities, including the contact details for the event organiser; (ii) Consideration of potential conflict with events at the Huntly Speedway; (iii) Details of active traffic management at the Great South Road / East Mine Road intersection; (iv) Details of journey management initiatives reducing traffic demand at the Great South Road / East Mine Road intersection; (v) Details of temporary on-site parking provision; and (vi) Details of how off-site parking is to be controlled to 	<p>(2) Activity status where compliance not achieved: DIS</p>

	avoid parking occurring on the local road network.	
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MAZ – Mercer airport zone

TEMP-RI1	Temporary event	
MAZ – Mercer airport zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The temporary event must comply with all of the following standards: <ul style="list-style-type: none"> (i) The event occurs no more than 3 times per consecutive 12-month period; (ii) It does not involve motorised outdoor recreation (except flying); (iii) It does not involve outdoor musical events or concerts; and (iv) It operates within the hours of: <ul style="list-style-type: none"> (1) 7.00am to 10pm Monday to Saturday; and (2) 7.00am to 6pm Sunday. (b) An air show event occurs only once per consecutive 12 month period. (c) Temporary structures are: <ul style="list-style-type: none"> (i) Erected no more than 7 days before the event occurs; and (ii) Removed no more than 7 days after the end of the event. (d) The site is returned to its original condition no more than 7 days after the end of the event. 	<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) Amenity; (b) Noise levels; (c) Timing and duration of the event; and (d) Effects on the safe and efficient operation of the land transport network.

MTZ – Matangi zone

TEMP-RI2	Temporary event	
MTZ – Matangi zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The event occurs no more than 4 times per consecutive 12 month period; (b) The event may operate between 7.30am and 8:30pm Monday to Sunday; and (c) Temporary structures are: 	<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) Adverse effects of non-compliance with activity-specific standards;

	<ul style="list-style-type: none"> (i) Erected no more than 2 days before the event occurs; and (ii) Removed no more than 3 days after the end of the event; (d) The site is returned to its previous condition no more than 3 days after the end of the event. 	<ul style="list-style-type: none"> (b) Positive effects on the community or the natural environment; (c) The extent to which the activity is able to avoid, remedy or mitigate adverse effects on the existing and foreseeable future amenity of the area, particularly in relation to noise, traffic generation, material deposited on roads, dust, odour and lighting; and (d) The extent to which the proposal, development, excavation or subdivision of a historic heritage site or place is consistent with the identified heritage values, including scale, design, form, style, bulk, height, materials and colour, and retains, protects or enhances the historic setting.
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RPZ – Rangitahi Peninsula zone

TEMP-R13		
<p>RPZ – Rangitahi Peninsula zone</p>	<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Is located within Plan 1 Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan) or any approved subdivision; and (b) The event occurs no more than 3 times per calendar year; and (c) It operates between 7.30am to 8:30pm Monday to Sunday; and (d) Temporary structures are: <ul style="list-style-type: none"> (i) Erected no more than 2 days before the event occurs; and (ii) Removed no more than 3 days after the end of the event; and (e) The site is returned to its original condition no more than 3 days after the end of the event; and (f) There is no direct site access from a national route or regional arterial road. 	<p>(2) Activity status where compliance not achieved: DIS</p>

TKAZ – Te Kowhai airpark zone

TEMP-RI 4	Temporary events in PREC27, PREC28 or PREC29	
TKAZ – Te Kowhai airpark zone	<p>(3) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A temporary event must comply with all of the following standards: <ul style="list-style-type: none"> (i) The event occurs no more than 3 times per calendar year; (ii) It does not involve motorised outdoor recreation (except flying); (iii) It does not involve outdoor musical events or concerts; (iv) It operates within the hours of: <ul style="list-style-type: none"> (1) 7.30am to 10pm Monday to Saturday; and (2) 7.30am to 6pm Sunday; and (v) An air show event occurs only once per calendar year. (vi) Temporary structures are: <ul style="list-style-type: none"> (1) Erected no more than 2 days before the event occurs; and (2) Removed no more than 3 days after the end of the event; (vii) The site is returned to its original condition no more than 3 days after the end of the event; and (viii) There is no direct site access from a national route or regional arterial road. 	<p>(4) 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) Amenity; (b) Noise levels; (c) Timing and duration of the event; and (d) Effects on the safe and efficient operation of the land transport network.
TEMP-RI 5	Temporary events in PREC30	
TKAZ – Te Kowhai airpark zone	(1) Activity status: DIS	

TTZ – TaTa Valley zone

TEMP-RI 6	Temporary events	
TTZ – TaTa Valley zone	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The duration of the event must not exceed 72 hours; 	<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"> (b) Noise levels for temporary events must comply with the limits specified in Rule NOISE-R43; (c) The number of people at the event must not exceed 500; (d) Temporary buildings must: <ul style="list-style-type: none"> (i) Not exceed a height of 15m, measured from the natural ground level immediately below that part of the structure; (ii) Be erected no more than 2 days before the event occurs; (iii) Be removed no more than 3 days after the end of the event. (e) The site must be returned to its previous condition no more than 3 days after the end of the event. (f) If taking place outside of the Hotel Area, the event must only occur between the hours of 7:30am and 8:30pm Monday – Sunday. 	<ul style="list-style-type: none"> (a) Traffic effects on the local road network and the adequacy of proposed measures to manage these effects; and (b) Effects on the amenity of surrounding properties.
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GRZ – General residential zone

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

Purpose

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

Objectives

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

Policies

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

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

GRZ-P3 Setback side boundaries.

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

GRZ-P4 Height.

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

GRZ-P5 Site coverage and permeable surfaces.

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

GRZ-P6 Building scale.

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

GRZ-P7 Reverse sensitivity.

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

GRZ-P8 Daylight and outlook.

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

- (3) Maintain and enhance attractive open space character of residential areas by ensuring that development is compatible in scale to surrounding activities and structures and has on-site landscaping, screening and street planting.
- GRZ-P9 Outdoor living space – residential units.
Require outdoor living spaces to be accessible and usable.
- GRZ-P10 Outdoor living space – retirement villages.
Require outdoor living spaces or communal outdoor living spaces to be usable and accessible.
- GRZ-P11 Housing types.
Enable a variety of housing types in the zone where it is connected to public reticulation, including minor residential units and retirement villages.
- GRZ-P12 Retirement villages.
- (1) Provide for the establishment of new retirement villages and care facilities that:
- (a) Offer a diverse range of housing types, including care facilities, for the particular needs and characteristics of older people;
 - (b) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
 - (c) Are comprehensively designed and managed and offer a variety of accommodation and accessory services that meet the needs of residents, including those requiring care or assisted living;
 - (d) Recognise that housing and care facilities for older people can require higher densities;
 - (e) Provide high quality on-site amenity;
 - (f) Integrate with local services and facilities, including public transport; and
 - (g) Connect to alternative transport modes to the LLRZ – Large lot residential zone, SETZ – Settlement zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, GRZ – General residential zone, TCZ – Town centre zone, LCZ – Local centre zone or COMZ – Commercial zone.
- (2) Enable alterations and additions to existing retirement villages that:
- (a) Promote visual integration with the street scene, neighbourhoods and adjoining sites;
 - (b) Recognise that housing and care facilities for older people can require higher densities;
 - (c) Provide high quality on-site amenity; and
 - (d) Integrate with local services and facilities, including public transport and alternative transport modes.

GRZ-PI3 Maintain residential purpose.

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

GRZ-PI4 Bankart Street and Wainui.

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

GRZ-PI5 Non-residential activities.**(1)** Maintain the zone for residential activities by:

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

(2) Enable existing non-residential activities to continue and support their redevelopment and expansion provided they do not have a significant adverse effect on the character and amenity of the zone.**GRZ-PI6** Home businesses.

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

GRZ-PI7 Neighbourhood centres in structure plan areas.

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

- (b) Are located within a walkable catchment.

GRZ-P18 Outdoor storage.

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

GRZ-P19 Objectionable odour.

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

Rules

Land use – activities

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

GRZ-RI	Residential activity, unless specified below	
	This includes occupation of a single residential unit for short term rental.	
	(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GRZ-R2	A new retirement village or alterations to an existing retirement village	
	(1) Activity status: PER Activity-specific standards: <ul style="list-style-type: none"> (a) The site or combination of sites where the retirement village is proposed to be located has a minimum net site area of 3ha; (b) The site is either serviced by or within 400m walking distance of public transport; (c) The site is connected to public water and wastewater infrastructure; (d) Minimum outdoor living space or balcony area and dimensions: <ul style="list-style-type: none"> (i) Apartment – 10m² area with 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; (e) Minimum service court is either: 	(2) Activity status where compliance not achieved: DIS

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

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

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

<p>(1) Activity status: RDIS Activity-specific standards: Nil</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The extent to which it is necessary to locate the activity in the GRZ - General residential zone; (b) Reverse sensitivity effects of adjacent activities; (c) The extent to which the activity may adversely impact on the transport network; (d) The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood; (e) The extent to which the activity may adversely impact on the noise environment. 	<p>(2) Activity status where compliance not achieved: n/a</p>
GRZ-R14	The establishment of any new sensitive land use within the National Grid Yard
(1) Activity status: NC	
GRZ-R15	Any new building within the Huntly North Wetland specific control identified on the planning maps
(1) Activity status: NC	
GRZ-R16	Any activity that is not listed as prohibited, permitted, restricted discretionary or discretionary.
(1) Activity status: NC	
GRZ-R17	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (refer to APP8 – Raglan navigation beacon).
(1) Activity status: PR	

Land use – effects

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

Land use – building

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

GRZ-S6 is Operative

<p>vegetation does not intrude into the Raglan Navigation Beacon Height Restriction Plane; and</p> <p>(ii) This certification is provided to Council prior to the commencement of any works.</p>	
<p>PREC4-SI</p>	<p>Height – buildings or structures adjoining Hilltop parks within PREC4 – Havelock precinct</p>
<p>(3) Activity status: PER</p> <p>Where:</p> <p>(a) A building or structure with a maximum height not exceeding 5m, measured from the natural ground level immediately below that part of the structure, where it is located within 50m (horizontal distance) of the boundary of the Hilltop parks identified on the Havelock precinct plan in APPI4 – Havelock precinct plan.</p>	<p>(4) Activity status where compliance not achieved: DIS</p>
<p>GRZ-S7</p>	<p>Fences or walls – road boundaries and OSZ – Open space zone boundaries</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Fences and walls between the applicable building setbacks under GRZ-S17 – GRZ- on a site and any road and OSZ – Open space zone boundaries shall comply with all of the following standards, measured from the natural ground level immediately below the structure:</p> <p>(i) Be no higher than 1.2m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(iii) visually permeable for the full 1.8m height of the fence or wall; or</p> <p>(iv) solid up to 1.2m and visually permeable between 1.2 and 1.8m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design;</p> <p>(b) Effects on amenity; and</p> <p>(c) Public space visibility.</p>
<p>GRZ-S8</p>	<p>Fences or walls – road boundaries and OSZ – Open space zone boundaries</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any fences or walls erected within the applicable building setbacks under GRZ-S17 – GRZ-S23 on common boundaries of the GRZ – General residential zone and RLZ – Rural lifestyle zone, between Wayside Road and Travers Road, Te Kauwhata, shall be of a rural-type post and wire or post and rail.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design;</p> <p>(b) Effects on amenity; and</p> <p>(c) Public space visibility.</p>
<p>GRZ-S9</p>	<p>Height in relation to boundary</p>
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Buildings or structures shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p>

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

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

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

<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of: (i) 5m from the designated boundary of the railway corridor; (ii) 15m from the boundary of a national route or regional arterial; (iii) 25m from the designated boundary of the Waikato Expressway; (iv) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site; (v) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and (vi) 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Road network safety and efficiency; (b) On-site amenity values; (c) Odour, dust and noise levels received at the notional boundary of the building; (d) Mitigation measures; and (e) Potential for reverse sensitivity effects.</p>
<p>GRZ-S2I</p>	<p>Building setback – sensitive land use located outside the Amenity Setback specific control in Tuakau</p>
<p>(1) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use shall be located outside the Amenity Setback specific control identified on the planning maps.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) On-site amenity values; (b) Odour, dust and noise levels received at the notional boundary of the building; (c) Timing and duration of noise received at the notional boundary of the building; and (d) Potential for reverse sensitivity effects</p>
<p>PREC4-S2</p>	<p>Building setback – sensitive land use within PREC4 – Havelock precinct</p>
<p>(3) Activity status: PER Where: (a) Any new building or alteration to an existing building for a sensitive land use within the PREC4 – Havelock precinct that is located outside the Pōkeno Industry Buffer identified on the planning maps.</p>	<p>(4) Activity status where compliance not achieved: NC</p>
<p>GRZ-S22</p>	<p>Building setback – water bodies</p>
<p>(1) Activity status: PER Where: (a) Any building must shall be setback a minimum of:</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p>

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

<p>(i) Is mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C.</p> <p>(ii) Includes either of the following for all habitable rooms on each level of a dwelling:</p> <p>(1) Mechanical cooling installed; or</p> <p>(2) A volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</p> <p>(a) 6 air changes per hour for rooms with less than 30% of the façade area glazed;</p> <p>(b) 15 air changes per hour for rooms with greater than 30% of the façade area glazed;</p> <p>(c) 3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</p> <p>(iii) Provides relief for equivalent volumes of spill air.</p> <p>(iv) All is certified by a suitably qualified and experienced person.</p>	
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MRZ1 - Medium density residential zone 1

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

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

Only consequential referencing of MRZ – Medium density residential zone to MRZ1 – Medium density residential zone 1 are proposed within this Chapter.

Formatting of the document does not enable the numbered referencing of the Objectives, Policies and Rules to be shown in green underline. Instead all updated numbering is shown in normal black text.

Purpose

The purpose of the MRZ1 – Medium density residential zone 1 is to enable more efficient use of residentially zoned land and infrastructure by providing for a higher intensity of residential development than typically found in the GRZ – General residential zone. The MRZ1 – Medium density residential zone 1 provides for this form of development within a walkable catchment of town centres, strategic transport corridors and community facilities. 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-R1	Residential activity, unless specified below	
	This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER	(2) Activity status where compliance not achieved: n/a	
Activity-specific standards: Nil.		
MRZI-R2	A new retirement village or alterations to an existing retirement village	
(1) Activity status: PER	(2) Activity status where compliance not achieved: RDIS	
Activity-specific standards:	Council’s discretion is restricted to the following matters:	
(a) The site is connected to public water and wastewater infrastructure;	(a) Consideration of the effects of the activity-specific standard not met;	
(b) The minimum living space or balcony area and dimensions are:	(b) Measures to avoid, remedy or mitigate adverse effects; and	
(i) Apartment – 10m ² area with a minimum dimension horizontal and vertical of 2.5m;	(c) Cumulative effects.	
(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:		

<p>(i) MRZ_I-S1 (Residential unit); (ii) MRZ_I-S8 (Outdoor living space); and (f) The following infrastructure and energy rule does not apply: (i) Rule TRPT-R4(1)(a) (Traffic generation).</p>	
<p>MRZI-R3</p>	<p>Home business</p>
<p>(1) Activity status: PER Activity-specific standards: (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>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
<p>MRZI-R4</p>	<p>Community facilities</p>
<p>(1) Activity status: PER Activity-specific standards: (a) No more than 200m² GFA.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.</p>
<p>MRZI-R5</p>	<p>Neighbourhood park</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>MRZI-R6</p>	<p>Home stay</p>
<p>(1) Activity status: PER Activity-specific standards: (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</p>

		(c) Cumulative effects.
MRZI-R7	Boarding houses/boarding establishments	
(1) Activity status: PER Activity-specific standards: (a) No more than 10 people per site inclusive of staff and residents.		(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Consideration of the effects of the activity-specific standard not met; (b) Measures to avoid, remedy or mitigate adverse effects; and (c) Cumulative effects.
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

	<ul style="list-style-type: none"> (b) Design, scale and layout of buildings and outdoor living spaces in relation to the planned urban character of the zone; (c) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and (d) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and (e) Provision of 3-waters infrastructure to individual units; and (f) The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces; and (g) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces.
MRZI-S2	Minimum residential unit size
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Residential units must have a minimum net internal floor area of: <ul style="list-style-type: none"> (i) 35m² for studio dwellings; and (ii) 45m² for one or more bedroom dwellings. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The functionality of the residential unit; and (b) Internal residential amenity.
MRZI-S3	Height – building general
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The permitted height of any building or structure is 11m measured from the natural ground level immediately below that part of the structure; (b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 13m measured from the natural ground level immediately below the structure; (c) In Raglan, the permitted height of any building or structure is 7.5m measured from the natural ground level immediately below that part of the structure. (d) In Raglan, chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 9.5m measured from the natural ground level immediately below the structure; 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building or structure; (b) Design, scale and location of the building; (c) Extent of shading on adjacent sites; and (d) Privacy and overlooking on adjoining sites.

(e)	
MRZI-S4	Fences or walls – road boundaries
<p>(1) Activity status: PER Where:</p> <p>(a) Fences and walls between the applicable building setbacks under MRZ₁-S10 and MRZ₁-I1 on a site and any road boundaries, must comply with all of the following standards:</p> <p>(i) Be no higher than 1.5m if solid;</p> <p>(ii) Be no higher than 1.8m if:</p> <p>(1) Visually permeable for the full 1.8m height of the fence or wall; or (2) Solid up to 1.5m and visually permeable between 1.5 and 1.8m.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Building materials and design; (b) Effects on streetscape amenity; and (c) Public space visibility.</p>
MRZI-S5	Height in relation to boundary
<p>(1) Activity status: PER Where:</p> <p>(a) Buildings and structures must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3m above natural ground level at every point of the site boundary, except</p> <p>(i) Where the boundary forms part of a legal right of way, entrance strip or access site; the standard applies from the farthest boundary of that legal right of way, entrance strip or access site;</p> <p>(ii) This standard does not apply to existing or proposed internal boundaries within a site;</p> <p>(iii) Where a site in the MRZ₁ – Medium density residential zone ₁ adjoins a site in the GRZ – General residential zone, LLRZ – Large lot residential or SETZ – Settlement zone, then buildings must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above natural ground level at every point of the site boundary abutting that GRZ – General residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone;</p> <p>(iv) Where the boundary adjoins a legal road.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Height of the building; (b) Design and location of the building; (c) Extent of shading on adjacent sites; and (d) Privacy on adjoining sites.</p>
MRZI-S6	Building coverage

<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The total building coverage must not exceed 45%. (b) MRZ<u>1</u>-S6(1)(a) does not apply: <ul style="list-style-type: none"> (i) To a structure that is not a building; or (ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Design, scale and location of the building; (b) Provision for outdoor living space and service courts; and (c) Effects on the planned urban built character of the surrounding residential area.
<p>MRZI-S7 Impervious surfaces</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The impervious surfaces of a site must not exceed 70%. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Site design, layout and amenity; and (b) The risk of flooding, nuisance or damage to the site or other buildings and sites.
<p>MRZI-S8 Outdoor living space</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) An outdoor living space must be provided for each residential unit that meets all of the following standards: <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the residential unit; (ii) It is readily accessible from a living area of the residential unit; (iii) Where the residential unit contains an internal habitable space (excluding garages, bathrooms, laundries, and hall or stairways) on the ground floor, an outdoor living court shall be provided and shall have a minimum area of 20m² and a minimum dimension of 4m in any direction; and (iv) Where the residential unit has its principal living area at first floor level or above, a balcony shall be provided and shall have a minimum area of 5m² for studio and one-bedroom dwellings, or 8m² for two or more bedroom dwellings and a minimum dimension of 1.5m. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Design and location of the building; (b) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed; (c) Privacy and overlooking on adjoining sites; and (d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
<p>MRZI-S9 Ground floor internal habitable space</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Garages shall occupy less than 50% of the ground floor space internal to buildings on the site. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p>

	<ul style="list-style-type: none"> (a) The visual dominance of garaging, parking, and vehicle manoeuvring areas and the balance across the site of internal habitable space, outdoor living courts, and landscaping at ground level; and (b) The design and location of garaging as viewed from streets or public open spaces.
<p>MRZ₁-S10 Building setbacks – all boundaries</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The finished external walls (excluding eaves) of a building must be set back a minimum of: <ul style="list-style-type: none"> (i) 3m from the road boundary; (ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps); (iii) 1m from every boundary other than a road boundary; and (b) Balconies greater than 1.5m above ground level shall be set back a minimum of 4m from every boundary other than a boundary to a road or public open space; (c) MRZ₁-S10(1)(a) and (b) do not apply to structures that are not buildings. 	<p>Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (d) Road network safety and efficiency; (e) Potential to mitigate adverse effects on the streetscape through use of other design features; (f) Daylight admission to adjoining properties; and (g) Privacy overlooking on adjoining sites.
<p>MRZ₁-S11 Building setbacks – water bodies</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A building must be set back a minimum of: <ul style="list-style-type: none"> (i) 20m from the margin of any lake; (ii) 20m from the margin of any wetland; (iii) 23m from the bank of any river (other than the Waikato River and Waipa River); (iv) 38m from the margin of either the Waikato River and the Waipa River (v) 23m from mean high water springs (b) A public amenity of up to 25m² or pump shed within any building setback identified in MRZ₁-S12(1)(a); (c) MRZ₁-S11(1)(a) does not apply to a structure which is not a building. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values.

GRUZ – General rural zone

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

Purpose

The GRUZ – General rural zone provides predominantly for primary production activities, including intensive indoor primary production. The zone also provides for occasional community facilities, agricultural produce processing facilities, rural-related commercial and industrial activities, conservation activities, network infrastructure, and quarrying activities. These diverse activities are set within a landscape that is visually dominated by openness and vegetation with significant separation between buildings and where natural character elements such as waterways, wetlands, water bodies, indigenous vegetation, and natural landforms are key contributors to the character of the rural zone.

Objectives

GRUZ-O1 Purpose of the zone.

- (1) Enable farming activities;
- (2) Protect high class soils for farming activities;
- (3) Provide for rural industry, infrastructure, rural commercial, conservation activities, community facilities, and extractive activities;
- (4) Maintain rural character and amenity;
- (5) Limit development to activities that have a functional need to locate in the zone.

GRUZ-O2 Productive capacity of soils.

The primary productive value of soils, in particular high class soils, is retained.

GRUZ-O3 Rural character and amenity.

- (1) Maintain rural character and amenity.
- (2) The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.

GRUZ-O4 Extractive activities

Recognise the contribution of extractive industries to the economic and social well-being of the district.

Policies

GRUZ-P1 High class soils.

Ensure the adverse effects of activities do not compromise the physical, chemical and biological properties of high class soils.

GRUZ-P2 Effects of subdivision and development on soils.

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

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GRUZ-P3 Contributing elements to rural character and amenity values.

Recognise that rural character and amenity values vary across the zone as a result of the natural and physical resources present and the scale and extent of land use activities.

GRUZ-P4 Productive rural activities.

- (1) Enable the on-going use of the rural environment zone as a productive working environment by:
- (a) Recognising that buildings and structures associated with farming and forestry and other operational structures for productive rural activities contribute to rural character and amenity values;
 - (b) Ensuring productive rural activities are supported by appropriate rural industries and services;
 - (c) Providing for lawfully-established rural activities and protecting them from sensitive land uses and reverse sensitivity effects; and
 - (d) Recognising the economic, social and cultural benefits that result from use and development of rural resources.

GRUZ-P5 Other anticipated activities in rural areas

Enable activities that provide for the rural community's social, cultural, and recreational needs, subject to such activities being of a scale, intensity, and location that are in keeping with rural character and amenity values.

GRUZ-P6 Industrial and commercial activities.

- (1) Provide for rural industry and rural commercial activities provided they are either dependent on the rural soil resource or have a functional or operational need for a rural location.
- (2) Such activities are to be managed to ensure that:
- (a) Their scale, intensity, and built form maintain rural character;
 - (b) They maintain an appropriate level of amenity for neighbouring sites; and
 - (c) They minimise reverse sensitivity effects on existing productive rural, intensive farming, quarrying, or rural industrial activities.
- (3) Avoid locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource.

GRUZ-P7 Intensive Farming activities.

Provide for intensive farming activities where they operate in accordance with industry best practice and the management of adverse effects beyond the site boundaries.

GRUZ-P8 Home businesses.

Enable home businesses, provided that it is of a scale that maintains rural the character and amenity.

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GRUZ-P9 Meremere Dragway.

Enable the ongoing operation and activities at the Meremere Dragway, provided that its adverse effects are avoided, remedied or mitigated.

GRUZ-P10 Waste management activities.

- (1) Encourage the rehabilitation of existing quarry sites
- (2) Ensure waste management facilities are located and operated so that rural amenity and character are maintained and conflict with rural activities are minimised.
- (3) Avoid waste management facilities located within:
 - (a) An Outstanding Natural Landscape;
 - (b) An Outstanding Natural Feature;
 - (c) An Outstanding Natural Character Area.

GRUZ-P11 Agricultural Research Centres.

Enable and protect the continued operation and development of Agricultural Research Centres that are an integral part of the agricultural sector.

GRUZ-P12 Huntly Power Station – coal and ash management.

- (1) Recognise and protect facilities that are integral to energy production at Huntly Power Station.
- (2) Provide for specific facilities that involve the handling, stockpiling, and haulage of coal and the management of coal ash water within identified areas in close proximity to Huntly Power Station.

GRUZ-P13 Reverse sensitivity and separation of incompatible activities.

- (1) Contain, as far as practicable, adverse effects within the site where the effect is generated.
- (2) Provide adequate separation of the activity from the site boundaries.
- (3) Ensure that new or extended sensitive land uses achieve adequate separation distances from and/or adopt appropriate measures to avoid, remedy or mitigate potential reverse sensitivity effects on productive rural activities, intensive farming, rural industry, infrastructure, extractive activities, or Extraction Resource Areas.

GRUZ-P14 Density of residential units and seasonal worker accommodation.

- (1) Maintain an open and spacious rural character by:
 - (a) Limiting residential units and seasonal worker accommodation to those associated with farming and productive rural activities;
 - (b) Limiting residential units to no more than one per Record of Title, except for particularly large titles where a minimum of 40ha is provided for each residential unit;
 - (c) Limiting the size, location, and number of minor residential units and requiring such units to be ancillary to an existing residential unit; and

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- (d) Limiting seasonal worker accommodation to no more than one facility per Record of Title that is at least 20ha in area.

GRUZ-P15 Retirement villages.

Provide for alterations and additions to retirement villages existing or subject to a resource consent at 17 January 2022.

GRUZ-P16 Building scale and location.

- (1) Provide for buildings and structures where they are necessary components of farming and rural-related activities including rural industry, rural commercial, and extractive activities.
- (2) Manage the size and location of buildings and structures to:
 - (a) Maintain adequate levels of outlook, daylight, and privacy for adjoining sensitive land uses and public reserves; and
 - (b) Maintain rural character, amenity, and landscape values, in particular where located in areas with high landscape values, the coastal environment, and adjacent to waterbodies.

GRUZ-P17 Management of extractive activities.

- (1) Provide for extractive activities provided that adverse effects are appropriately avoided, remedied or mitigated; and, where this is not possible, off-set or compensated.
- (2) Protect access to, and extraction of, mineral, aggregate and coal resources by:
 - (a) Identifying on planning maps lawfully-established extractive activities as either Aggregate Extraction Areas and or Coal Mining Areas on planning maps;
 - (b) Identifying on planning maps the site of a potential extractive activity in an Extractive Resource Area;
- (3) Ensure that lawfully-established extractive activities are not compromised by new subdivision, use or development;
- (4) Avoid locating sensitive land uses within specified building setbacks in order to ensure the effective operation of an Aggregate Extraction Area, Coal Mining Area, or Extractive Resource Area.

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.

GRUZ-R1	Farming
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GRUZ-R2	A home business

<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) It is wholly contained within a building; (b) The storage of materials or machinery associated with the home business is either wholly contained within a building, or where outside occupies no more than 100m² of site area and is located where it is not visible from other sites or public roads; (c) No more than 2 people who are not permanent residents of the site are employed at any one time; (d) Unloading and loading of vehicles or the receiving of customers or deliveries only occur after 7:00am and before 7:00pm on any day; (e) Machinery can be operated after 7:30am and up to 7:00pm on any day; (f) The home business shall not occupy more than 200m² in total within buildings and outdoor storage areas. 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R3 Meremere Dragway activity</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R4 Afforestation not in an Outstanding Natural Landscape or Outstanding Natural Feature</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Be undertaken in accordance with Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. Where compliance is not achieved with the permitted activity standards in the NES, then the activity is subject to the activity status as set out in the NES. 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R5 Plantation forestry</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Be undertaken in accordance with Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. Where compliance is not achieved with the permitted activity standards in the NES, then the activity is subject to the activity status as set out in the NES. 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R6 Produce stall</p>	

<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R7 Home stay</p>	
<p>(1) Activity status: PER Activity-specific standards: (a) Have no more than 5 guests.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R8 Equestrian centre</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R9 Horse training centre</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R10 Visitors' accommodation</p>	
<p>(1) Activity status: PER Activity-specific standards: (a) Have no more than 5 guests; and (b) Be within a building that was existing as at 17 January 2022; and (c) Standards GRUZ-R10(a) and (b) do not apply to occupation of a single residential unit for short term rental.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R11 Residential activity, unless specified below. This includes occupation of a single residential unit for short term rental.</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R12 Conservation activity</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R13 Child care facility</p>	
<p>(1) Activity status: PER Activity-specific standards: (a) Have no more than four non-resident children.</p>	<p>(2) Activity status: RDIS Where: (a) A child care facility for five or more non-resident children, which is not in an Urban Expansion Area. Council's discretion is restricted to the following matters: (b) The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships and the extent to which it is</p>

	<p>necessary to locate in the GRUZ – General Rural Zone;</p> <p>(c) Effects on rural character and amenity of both the streetscape and neighbours with particular regard to the bulk and location of buildings;</p> <p>(d) Nuisance effects including light spill and glare, odour, dust, and noise;</p> <p>(e) Traffic effects;</p> <p>(f) Reverse sensitivity effects on existing farming, intensive farming, rural industry, or quarrying activities; and</p> <p>(g) The extent to which the facilities are designed to meet Crime Prevention Through Environmental Design outcomes.</p> <p>(3) Activity status: DIS</p> <p>Where:</p> <p>(a) A child care facility located in an Urban Expansion Area.</p>
GRUZ-R14	<p>Maintenance, operation, and alterations to Tamahere Hospital (Section 55 SO 457609).</p> <p>Note: additions to this facility are subject to Rule GRUZ-R37.</p>
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) The alterations do not increase net floor area.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
GRUZ-R15	<p>Educational Facilities including student and staff accommodation at Dilworth Rural Campus (Lot 2 DP 52908 and Lot 1 DP 210936</p>
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Land Use – building standards for the zone except:</p> <p>(i) GRUZ-S1 (Number of residential units) does not apply;</p> <p>(ii) GRUZ-S2 (Minor residential units) does not apply;</p> <p>(b) Student or staff accommodation must be ancillary to the educational facilities.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
GRUZ-R16	<p>Mineral exploration and prospecting, including:</p> <p>(a) Sampling by methods involving hand tools;</p> <p>(b) Mechanical sampling where there is existing vehicle access to the area to be trenched or sampled;</p> <p>(c) Samples taken using explosives; and</p> <p>(d) Geophysical surveys not using explosives.</p>
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>(a) Shall not be located within all or part of any of the following landscape and natural character areas:</p> <ul style="list-style-type: none"> (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) High natural character area; (iv) Outstanding Natural Character area. <p>(b) All drilling is limited to 150mm in diameter and a density of one drill site per hectare.</p> <p>(c) The cumulative length of trenching or sampling does not exceed 50 lineal metres per hectare.</p> <p>(d) Where areas are disturbed, topsoil shall be stockpiled and replaced over such areas, and the site shall be rehabilitated and restored generally to its original condition within 1 month of sampling being completed.</p> <p>(e) The use of explosives for sampling shall only occur between 7:00am to 7:00pm.</p>	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Separation from sensitive activities; (b) The visual and amenity effects of stockpiles; (c) Amenity effects relating to the hours of operation and noise; (d) Landscape and ecological effects; (e) Effects on waterbodies, riparian margins, and wetlands; (f) Site restoration; and (g) Financial contributions towards landscaping, site restoration, and roading.
<p>GRUZ-R17 Free range pig or poultry farming, and poultry hatcheries</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R18 Seasonal worker accommodation</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Is used solely for part of the year to meet labour requirements for primary production; (b) Comprises of communal kitchen and eating areas and separate sleeping and ablution facilities; (c) Accommodates no more than 12 workers; and (d) Complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008. 	<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 effectiveness of methods to avoid, remedy, or mitigate the effects on existing activities, including the provision of screening, landscaping, and methods for noise control; and (b) The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by the Department of Building and Housing 2008.
<p>GRUZ-R19 Recreational hunting and freshwater fishing</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R20 Gardening</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>

GRUZ-R21	Buildings, structures and sensitive land use within the National Grid Yard on sites existing as of 18 July 2018
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Within National Grid Yard:</p> <ul style="list-style-type: none"> (i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or (ii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991; or (iii) Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or (iv) Non-habitable horticultural buildings; or (v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures); (vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and (vii) Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks. <p>(b) All buildings or structures permitted by Rule GRUZ-R21(1)(a) must:</p> <ul style="list-style-type: none"> (i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid 	<p>(2) Activity status where compliance not achieved: NC</p>

<p>transmission line operating conditions; and</p> <p>(1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</p> <p>(2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or</p> <p>(3) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or</p> <p>(ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure;</p> <p>(c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that:</p> <p>(i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor;</p> <p>(ii) Are no higher than 2.5m;</p> <p>(iii) Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes;</p> <p>(iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.</p>	
<p>GRUZ-R22</p>	<p>Construction or alteration of a building for a sensitive land use</p>
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) The construction or alteration of a building for a sensitive land use that</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on the amenity values of the site;</p>

<p>complies with all of the following standards:</p> <p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p> <p>(ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p>(b) The risk of electrical hazards affecting the safety of people;</p> <p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>
<p>GRUZ-R23</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>GRUZ-R24</p>	<p>An agricultural or horticultural research activity, including laboratories and administrative facilities within the Agricultural Research Centres specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: Nil</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>GRUZ-R25</p>	<p>An educational facility, including conference and teaching facilities within the Agricultural Research Centres specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: (a) That is incidental to agricultural or horticultural research.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R26</p>	<p>An industrial activity within the Agricultural Research Centres specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: (a) That is incidental to agricultural or horticultural research.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R27</p>	<p>A trade or engineering workshop within the Agricultural Research Centres specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: (a) That is incidental to agricultural or horticultural research.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R28</p>	<p>Intensive farming within the Agricultural Research Centres specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: (a) That is incidental to agricultural or horticultural research; and</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>(b) Where an associated building and animal feedlot are located at least 200m inside any boundary of an Agricultural Research Centre site.</p>	
<p>GRUZ-R29</p>	<p>The on-site disposal or storage of solid organic waste or cleanfill within the Agricultural Research Centres specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: (a) That is incidental to agricultural or horticultural research; and (b) Where the solid organic waste or cleanfill is generated on the site.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R30</p>	<p>A staff facility, including: (a) A recreational facility (b) Staff residential units (c) Cafeterias and cafés (d) Social clubs</p> <p>within the Agricultural Research Centres specific control area identified on the planning maps</p>
<p>(2) Activity status: PER Activity-specific standards: (a) That is incidental to agricultural or horticultural research.</p>	<p>(3) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R31</p>	<p>Coal related activities within the Huntly Power Station - Coal and Ash Management specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: (a) Coal related activities within the Huntly Power Station - Coal and Ash Management specific control area identified on the planning maps involving: (i) Stockpiling; (ii) Screening and sorting; (iii) Use of transportation conveyors; (iv) Erection, operation, and maintenance of loading and unloading facilities; and (v) An activity that is ancillary to those listed in (i) – (iv) above.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R32</p>	<p>The management, stockpiling, transportation, and disposal of coal ash and coal ash water within the Huntly Power Station - Coal and Ash Management specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards: (a) The management, stockpiling, transportation, and disposal of coal ash and coal ash water where:</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Visual amenity; and (b) Traffic effects.</p>

<p>(i) These materials are transported between the Huntly Power Station and the ash ponds located adjacent to Te Ohaaki Road via the pipeline located within the Huntly Power Station - Coal and Ash Management specific control area;</p> <p>(ii) They involve the operation and maintenance of the ash disposal ponds located adjacent to Te Ohaaki Road within within the Huntly Power Station - Coal and Ash Management specific control area; and</p> <p>(iii) They involve the transportation of ash from the ash ponds to a long-term disposal facility, provided the heavy vehicle movement are not more than 85 per day.</p>	
<p>GRUZ-R33</p>	<p>Energy corridor – transportation of minerals and substances within the Huntly Power Station - Coal and Ash Management specific control area identified on the planning maps</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <p>(a) The transportation of minerals and substances in an energy corridor must comply with all the following standards:</p> <p>(i) be limited to coal ash, aggregate, overburden, cleanfill, wastewater and other liquids (other than a hazardous substance);</p> <p>(ii) not deposit discernible minerals or dust; and</p> <p>(iii) not result in odour identified outside the energy corridor.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Adverse amenity effects.</p>
<p>GRUZ-R34</p>	<p>Intensive farming</p>
<p>(1) Activity status: RDIS Activity-specific standards: Nil. Council’s discretion is restricted to the following matters:</p> <p>(a) Intensive Farming that meets all of the following standards:</p> <p>(i) Land use – effects standards for the zone;</p> <p>(ii) Land use – building standards for the zone;</p> <p>(iii) Building coverage does not exceed 3% of the site:</p> <p>(1) GRUZ-S9 – GRUZ-S11 (Building coverage) does not apply;</p> <p>(iv) Building height does not exceed 15m;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>(1) GRUZ-S4 – GRUZ-S7 (Building height) does not apply.</p> <p>(b) Intensive farming s not located in:</p> <p>(i) An Outstanding Natural Feature;</p> <p>(ii) An Outstanding Natural Landscape;</p> <p>(iii) An Outstanding Natural Character Area; or</p> <p>(iv) A High Natural Character Area.</p> <p>(c) For intensive pig farming, buildings and outdoor enclosures are set back at least:</p> <p>(i) 300 metres from any site boundary;</p> <p>(ii) From any boundary of a GRZ – General residential zone, MRZ<u>1</u> – Medium density residential zone <u>1</u>, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone, SETZ – Settlement zone or RLZ – Rural lifestyle zone:</p> <p>(1) 1200 metres (500 or fewer less pigs); or</p> <p>(2) 2000 metres (more than 500 pigs).</p> <p>(d) For housed or free-range poultry that meets the definition for intensive farming and all other intensive farming, buildings and outdoor enclosures are set back at least:</p> <p>(i) 300 metres from any site boundary; and</p> <p>(ii) 500 metres from any boundary of a GRZ – General Residential, MRZ<u>1</u> – Medium density residential zone <u>1</u>, <u>MRZ2 – Medium density residential 2</u>, LLRZ – Large Lot Residential, SETZ - Settlement or RLZ – Rural Lifestyle Zone.</p> <p>(iii) The extent to which the activity may adversely impact on the noise environment.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(e) Traffic effects;</p> <p>(f) Effects on amenity values, including odour, visual impact, landscaping;</p> <p>(g) Location, type and scale of development; and</p> <p>(h) Noise effects.;</p> <p>(i) Odour and dust effects, except where a Certificate of Compliance or resource consent has been obtained from the</p>	
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<p>Waikato Regional Council for air discharges; and</p> <p>(j) The extent to which the farm will operate in accordance with an approved farm Environment Plan or relevant industry codes of practice.</p>	
<p>GRUZ-R35</p>	<p>Rural Industry, including packhouses and coolstores that handle produce sourced from other sites, feed mills and animal feed production, and rural contractors' depots</p>
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(a) Rural Industry, including packhouses and coolstores that handle produce sourced from other sites, feed mills and animal feed production, and rural contractors' depots; that meet the following standards:</p> <p>(i) Not in an Urban Expansion Area; and</p> <p>(ii) Is not an extractive activity.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships and the extent to which it is necessary to locate in the GRUZ – General rural zone;</p> <p>(c) Effects on rural character and amenity of both the streetscape and neighbours with particular regard to the bulk and location of buildings,</p> <p>(d) Location, type and scale of development;</p> <p>(e) Nuisance effects including light spill and glare, odour, dust, noise; and</p> <p>(k) Traffic effects.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R36</p>	<p>Educational facilities that are primary or secondary schools not otherwise provided for as a permitted activity by Rule GRUZ-R15(1) or GRUZ-R25(1)</p>
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(a) Educational facilities that are primary or secondary schools not otherwise provided for as a permitted activity by Rule GRUZ-R15(1) or GRUZ-R25(1) which meet the following standard:</p> <p>(i) Not in an Urban Expansion Area.</p> <p>Council's discretion is restricted to the following matters:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>(b) The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships and the extent to which it is necessary to locate in the GRUZ – General rural zone;</p> <p>(c) Effects on rural character and amenity of both the streetscape and neighbours with particular regard to the bulk and location of buildings;</p> <p>(d) Nuisance effects including light spill and glare, odour, dust, and noise;</p> <p>(e) Traffic effects;</p> <p>(f) Reverse sensitivity effects on existing farming, intensive farming, rural industry, or quarrying activities; and</p> <p>(g) The extent to which the facilities are designed to meet Crime Prevention Through Environmental Design outcomes.</p>	
<p>GRUZ-R37</p>	<p>Community facility</p>
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(a) A Community facility which meets the following standard:</p> <p>(i) Not in an Urban Expansion Area.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships and the extent to which it is necessary to locate in the GRUZ – General rural zone;</p> <p>(c) Effects on rural character and amenity of both the streetscape and neighbours with particular regard to the bulk and location of buildings;</p> <p>(d) Nuisance effects including light spill and glare, odour, dust, and noise;</p> <p>(e) Traffic effects;</p> <p>(f) Reverse sensitivity effects on existing farming, intensive farming, rural industry, or quarrying activities; and</p> <p>(g) The extent to which the facilities are designed to meet Crime Prevention Through Environmental Design outcomes.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R38</p>	<p>Rural commercial</p>

<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Rural commercial that meet the following standard: <ul style="list-style-type: none"> (i) Not in an Urban Expansion Area. <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships and the extent to which it is necessary to locate in the GRUZ – General rural zone; (c) Effects on rural character and amenity of both the streetscape and neighbours with particular regard to the bulk and location of buildings; (d) Nuisance effects including light spill and glare, odour, dust, and noise; (e) Traffic effects; and (f) Reverse sensitivity effects on existing farming, intensive farming, rural industry, or quarrying activities. 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R39 Agricultural and horticultural research facilities</p>	
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Agricultural and horticultural research facilities that meet the following standard: <ul style="list-style-type: none"> (i) Not in an Urban Expansion Area. <p>Note: For research activities undertaken within an Agriculture Research Centre Specific Area, rules GRUZ-R24 – GRUZ-30 also apply.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Effects on rural character and amenity; (c) Nuisance effects including light spill and glare, odour, dust, and noise; (d) Traffic effects; (e) Reverse sensitivity effects on existing farming, intensive farming, rural industry, or quarrying activities; (f) The extent to which the scale and nature of the activity is consistent with managing urban growth through the consolidation of townships. 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-R40 An extractive activity or waste management activity located within an Aggregate Extraction Area, Coal Mining Area or Extractive Resource Area</p>	

<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on rural character and amenity; (b) Location, type and scale of development; (c) Nuisance effects including dust, noise, vibration, odour and light spill; (d) Industry best practice and use of management plans; (e) Traffic effects; (f) Erosion and sediment control; and (g) Rehabilitation and end use including back filling. 	<p>(2) Activity status where compliance not achieved: n/a</p>
GRUZ-R41	A waste management facility located outside an Aggregate Extraction Area, Coal Mining Area or Extractive Resource Area.
(1) Activity status: DIS	
GRUZ-R42	Hazardous waste storage, processing or disposal.
(1) Activity status: DIS	
GRUZ-R43	An educational facility that is not a primary or secondary school.
(1) Activity status: DIS	
GRUZ-R44	A correctional facility
(1) Activity status: DIS	
GRUZ-R45	An extractive activity located outside an Aggregate Extraction Area, Coal Mining Area or Extractive Resource Area.
(1) Activity status: DIS	
GRUZ-R46	Visitors' accommodation for 6 or more people or that is within a building that was constructed after 17 January 2022.
(1) Activity status: DIS	
GRUZ-R47	Motorised sport and recreation
(1) Activity status: DIS	
GRUZ-R48	Transport depot
(1) Activity status: DIS	
GRUZ-R49	Afforestation of any part of an Outstanding Natural Landscape or Outstanding Natural Feature
(1) Activity status: DIS	
GRUZ-R50	A dog or cat boarding, daycare, breeding or animal training establishment
(1) Activity status: DIS	
GRUZ-R51	Construction of a building located on an indicative road prior to that road being constructed and vested in Council.
(1) Activity status: NC	
GRUZ-R52	Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard
(1) Activity status: NC	

GRUZ-R53	Any change of use of an existing building to a sensitive land use within the National Grid Yard
(I) Activity status: NC	
GRUZ-R54	The establishment of any new sensitive land use within the National Grid Yard
(I) Activity status: NC	
GRUZ-R55	Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, <i>Pseudomonas syringae</i> pv. <i>Actinidiae</i> (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard
(I) Activity status: NC	
GRUZ-R56	An extractive activity industry located within all or part of any of the following landscape and natural character areas: (a) Outstanding Natural Feature; (b) Outstanding Natural Landscape; (c) High natural character area; or (d) Outstanding Natural Character area.
(I) Activity status: NC	
GRUZ-R57	A waste management facility located within all or part of any of the following landscape and natural character areas: (a) Outstanding Natural Feature; (b) Outstanding Natural Landscape; (c) High Natural Character area; or (d) Outstanding Natural Character Area.
(I) Activity status: NC	
GRUZ-R58	The following activities located within the Urban Expansion Area, the following activities: (a) Intensive farming; (b) Storage, processing or disposal of hazardous waste; (c) Correctional facility; (d) Extractive activity; (e) Industrial activity, including rural industry; (f) Rural commercial; (g) Agricultural and horticultural research facilities; (h) Motorised sport and recreation activity; or (i) Transport depot.
(I) Activity status: NC	
GRUZ-R59	Industrial activity, excluding a rural industrial activity
(I) Activity status: NC	
GRUZ-R60	Commercial activity, excluding a produce stall or rural commercial activity.
(I) Activity status: NC	
GRUZ-R61	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
(I) Activity status: NC	
GRUZ-R62	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
Activity status: PR	

Land use – building

GRUZ-S1	Number of residential units and seasonal worker accommodation within a lot	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) One residential unit within a Record of Title containing an area less than 40ha; (b) Within a lot Record of Title containing an area of 40ha or more, one additional residential unit is permitted for every additional 40ha of area up to a maximum of three residential units; (c) One seasonal worker accommodation shall be located within a Record of Title containing an area of 20ha or more (this is in addition to the residential unit in GRUZ-S1(1)(a)); (d) Any residential unit(s) under GRUZ-S1(1)(a) and (b), or seasonal worker accommodation under GRUZ-S1(1)(a)(c) must not be located within any of the following landscape and natural character areas: <ul style="list-style-type: none"> (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) Outstanding Natural Character Area; or (iv) High Natural Character Area. 	<p>(2) Activity status: DIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A residential unit that complies with GRUZ-S1(1)(a) or (b) and is located within an area listed in (d); or (b) Seasonal worker accommodation that complies with GRUZ-S1(1)(c) and is located within an area listed in (d). <p>(3) Activity status: NC</p> <p>Where</p> <ul style="list-style-type: none"> (a) A residential unit that does not comply with GRUZ-S1(1)(a) or (b); (b) Seasonal worker accommodation that does not comply with GRUZ-S1(1)(c). 	
GRUZ-S2	Minor residential units	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) One minor residential unit not exceeding 120m² gross floor area (excluding accessory buildings) within a Record of Title lot. (b) The minor residential unit shall be located on the same Record of Title as an existing residential unit and shall: <ul style="list-style-type: none"> (i) Be located within 100m of the existing residential unit; (ii) Share a single driveway access with the existing residential unit. (c) Any minor residential unit must not be located within any of the following landscape or natural character areas: <ul style="list-style-type: none"> (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) Outstanding Natural Character Area; or (iv) High Natural Character Area. 	<p>(2) Activity status where compliance not achieved: DIS</p>	

GRUZ-S3	Building height – general	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 15m, except:</p> <p>(i) The maximum height is 10m where located within 50m of a road or internal boundary;</p> <p>(ii) For hose drying towers associated with emergency service facilities the maximum height is 15m.</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 17m measured from the natural ground level immediately below the structure, except where located within 50m of a road or internal boundary where the maximum height is 12m.</p> <p>Advice note: the height of frost fans is subject to GRUZ-S4.</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) Admission of daylight and sunlight to the site and other site;</p> <p>(d) Privacy on any other site; and</p> <p>(e) Amenity values of the locality.</p>	
GRUZ-S4	Building height – frost fans	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The height of the support structure for a frost fan must not exceed 10.5m; and</p> <p>(b) The fan blades must not rotate higher than 13.5m above natural ground level.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>	
GRUZ-S5	Building height – within a Campus (Agricultural Research Centres specific control area)	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building or structure within a campus identified on the planning maps must not exceed a height of 15m 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 17m measured from the natural ground level immediately below the structure</p> <p>(c) GRUZ-S3 (Building height – general) does not apply.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on visual amenity.</p>	
GRUZ-S6	Building height – within the Huntly Power Station Coal and Ash Management specific control area	

<p>(1) Activity status: PER Where: (a) A building measured from the natural ground level immediately below that part of the structure must not exceed a height of: (i) 30m within an area of up to 1500m²; and (ii) 20m for the balance of the Huntly Power Station Coal and Ash Management specific control area. (b) GRUZ-S3 (Building height – general) does not apply.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-S7 Height – buildings, structures and vegetation in a battlefield view shaft</p>	
<p>(1) Activity status: PER Where: (a) The maximum height of any building, structure or vegetation within a battlefield view shaft as shown on the planning map must not exceed 5m.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-S8 Height in relation to boundary</p>	
<p>(1) Activity status: PER Where: (a) A building or structure (excluding poles or aerials) must not protrude through the height in relation to boundary rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Height of the building; (b) Design and location of the building; (c) Admission of daylight and sunlight to the site and other site; (d) Privacy on any other site; and (e) Amenity values of the locality.</p>
<p>GRUZ-S9 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) The total building coverage must not exceed: (i) 2% of the site area or 500m² (whichever is larger) for sites smaller than 10ha; (ii) 5,000m² for sites larger than 10ha. (b) GRUZ-S9(1)(a) does not apply: (i) To a structure that is not a building; or (ii) Eaves of a building that project less than 750mm horizontally from the exterior wall of the building. (c) No site coverage limit applies to Artificial Crop Protection Structures that meet the following standards:</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matter: (a) Design, scale and location of the building.</p>

<p>(i) Green or black cloth shall be used on vertical faces within 30m of the site boundary;</p> <p>(ii) Green, black or white cloth shall be used on horizontal surfaces.</p>	
<p>GRUZ-S10 Building coverage</p>	
<p>(1) Activity status: PER Where: (a) The total building coverage at Dilworth Rural Campus (Lot 2 DP 52908 and Lot 1 DP 210935) must not exceed 10,000m².</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-S11 Building coverage – within a Campus (Agricultural Research Centres specific control area)</p>	
<p>(1) Activity status: PER Where: (a) Building coverage must not exceed 70% of a campus identified on the planning maps. (b) GRUZ-S9 (Building coverage) does not apply.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Effects on visual amenity; and (b) Stormwater management.</p>
<p>GRUZ-S12 Building setbacks – all boundaries</p>	
<p>(1) Activity status: PER Where: (a) A habitable building located on a Record of Title less than 1.6ha must be set back a minimum of: (i) 7.5m from the road boundary; (ii) 17.5m from the centre line of an indicative road; (iii) 25m from the boundary of an adjoining site that is 6ha or more; (iv) 12m from the boundary of an adjoining site that is less than 6ha; (b) A non-habitable building or structure located on a Record of Title less than 1.6ha must be set back a minimum of: (i) 7.5m from the road boundary; (ii) 17.5m from the centre line of an indicative road; (iii) 12m from every boundary other than a road boundary. (c) Standard GRUZ-S12(1)(b) does not apply to fences or structures less than 2m in height, retaining walls, poles or arials. (d) A habitable building located on a Record of Title 1.6ha or more must be set back a minimum of: (i) 12m from the road boundary; (ii) 22m from the centre line of an indicative road;</p>	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Effects on rural amenity values; (b) Transport network safety and efficiency; (c) Reverse sensitivity effects; and (d) Where the road boundary is with an unformed paper road the likelihood of the road being formed or readily utilised by the public.</p>

<p>(iii) 25m from every boundary other than a road boundary.</p> <p>(e) A non-habitable building or structure located on a Record of Title 1.6ha or more must be set back a minimum of:</p> <p>(i) 12m from the road boundary;</p> <p>(ii) 22m from the centre line of an indicative road;</p> <p>(iii) 12m from every boundary other than a road boundary.</p> <p>(f) Standard GRUZ-S12(1)(e) does not apply to fences or structures less than 2m in height, retaining walls, poles or aerials;</p> <p>(g) Any building at Dilworth Rural Campus (Lot 2 DP 52908 and Lot 1 DP 210936) must be set back a minimum of 12m from any site boundary.</p>	
<p>GRUZ-S13 Building setbacks – sensitive land use</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any building for a sensitive land use must be set back a minimum of:</p> <p>(i) 5m from the designated boundary of the railway corridor;</p> <p>(ii) 15m from a national route or regional arterial road;</p> <p>(iii) 35m from the designated boundary of the Waikato Expressway;</p> <p>(iv) 200m from an Aggregate Extraction Area or Extractive Resource Area containing a sand resource;</p> <p>(v) 500m from an Aggregate Extraction Area or Extractive Resource Area containing a rock resource, or a Coal Mining Area;</p> <p>(vi) 100m from a site in the Tamahere Commercial Areas A and C;</p> <p>(vii) 300m from the boundary of buildings or outdoor enclosures used for an intensive farming activity. This setback does not apply to sensitive activities located on the same site as the intensive farming activity;</p> <p>(viii) 300m from oxidation ponds that are part of a municipal wastewater treatment facility on another site;</p> <p>(ix) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and</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) 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>(x) Not be located within the Te Uku wind farm setback shown on the planning maps.</p>	
<p>GRUZ-S14 Building setback – noise sensitive activities</p>	
<p>(1) Activity status: PER Where: (a) Construction of, or addition, or alteration to a building containing a noise sensitive activity must comply with APP1 – Acoustic insulation within: (i) 350m of the Huntly Power Station site boundary; or (ii) The Waikato Gun Club Noise Control Boundary.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Internal design sound levels; (b) On-site amenity values; and (c) Potential for reverse sensitivity effects.</p>
<p>GRUZ-S15 Building setback – waterbodies</p>	
<p>(1) Activity status: PER Where: (a) A building other than provided for under Standards GRUZ-S15(1)(b) and (c) must be set back a minimum of: (i) 32m from the margin of any lake with a size of 8ha or more; (ii) 32m from the margin of any wetland; (iii) 32m from the bank of a river with an average width of 3m or more, other than the Waikato River and Waipa River; (iv) 37m from a bank of the Waikato River and Waipa River; (v) 12m from the bank of any river with an average width of 3m or less; (vi) 12m from the margin of any lake with a size of less than 8ha; (vii) 32m from mean high water springs (b) A public amenity building, or maimai used for temporary waterfowl hunting purposes, of up to 25m² in size; (c) A pump shed (public or private) set back a minimum of 5m from any waterbody.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on rural character and amenity; and (f) Effects on natural character values.</p>
<p>GRUZ-S16 Building setback – Te Kawhata Environmental Protection Area</p>	
<p>(1) Activity status: PER Where: (a) Any building must be set back a minimum of 3m from the Te Kawhata Environmental Protection Area identified on the planning maps.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>GRUZ-S17 Building setback and location within the Huntly Power Station Coal and Ash Management specific control area</p>	
<p>(1) Activity status: PER Where:</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

<p>(a) A building must be:</p> <ul style="list-style-type: none"> (i) Set back at least 20m from every boundary of the Huntly Power Station Coal and Ash Management specific control area where its height exceeds 20m; and (ii) Set back at least 10m from every boundary of the Huntly Power Station Coal and Ash Management specific control area where its height is up to 20m; or (iii) Located within an energy corridor (refer to the Huntly Power Station Coal and Ash Management specific control area on the planning maps). <p>(b) GRUZ-S12 – GRUZ-S16 do not apply.</p>	
<p>GRUZ-S18</p>	<p>Coal stockpile height, setback and coverage within the Huntly Power Station Coal and Ash Management specific control area</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Coal stockpiles must: <ul style="list-style-type: none"> (i) not exceed a height of 15m; (ii) be set back at least 5m from the boundary of the Huntly Power Station Coal and Ash Management specific control area; (iii) not exceed 25% of the the Huntly Power Station Coal and Ash Management specific control area. (b) GRUZ-S12 – GRUZ-S16 do not apply. 	<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) Visual amenity.

LCZ – Local centre zone

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

Purpose

The LCZ – Local centre zone provides for a range of commercial and community activities that service the needs of the residential catchment.

Objectives

LCZ-O1 Economic growth of industry.

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

LCZ-O2 Local centre zone character.

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

LCZ-O3 Local centre zone amenity.

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

Policies

LCZ-P1 Commercial function and purpose.

Provide for commercial activities which serve the local convenience needs of the surrounding area, including retail within the zone.

LCZ-P2 Commercial purpose.

The role of the zone is to support the local economy and the needs of businesses by ensuring that:

- (a) The scale of commercial activities supports the local convenience needs of the surrounding residential and rural areas; and
- (b) Enhances their vitality and amenity while providing for a range of commercial and community activities and facilities.

LCZ-P3 Employment opportunities.

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

LCZ-P4 Retail.

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

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

- (2) Locate large scale retail and commercial activities within the COMZ – Commercial zone.
- LCZ-P5 Residential upper floors.
- (1) Maintain the commercial viability of the zone while:
- (a) Providing for mixed use developments, ensuring residential activities are preferably located above ground floor; and
 - (b) Avoiding residential activity located at ground level, where it could undermine commercial activity and frontage.
- LCZ-P6 Landscaping of onsite parking areas.
- Provide a degree of amenity for onsite parking areas within the zone by ensuring a planting strip is established and maintained.
- LCZ-P7 Strategic infrastructure setback.
- (1) Ensure buildings within the zone are designed and set back from strategic infrastructure by:
- (a) Retaining the predominant building setback within the street; and
 - (b) Allowing sufficient space for the establishment of landscaping on the site.
- LCZ-P8 Height.
- Ensure the height of new buildings is complementary to, and promotes, the existing character of the zone and adjoining residential zones.
- LCZ-P9 Reverse sensitivity.
- Development within the zone is acoustically insulated to mitigate the adverse effects of noise.
- LCZ-P10 Adjoining site amenity.
- (1) Maintain amenity of adjoining GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2 or OSZ – Open space zone by:
- (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2 and OSZ – Open space zoned land; and
 - (b) The progressive reduction in the height of buildings in the zone, the closer they are located to boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2 and OSZ – Open space zoned land.
- LCZ-P11 Outdoor storage.
- The adverse visual effects of outdoor storage in the zone are mitigated through appropriate location, screening or landscaping.

LCZ-P12 Objectionable odour.

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

Rules

Land use – activities

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

LCZ-R1	Commercial activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R2	Supermarket	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R3	Community facility	
(1) Activity status: PER Activity-specific standards: (a) Excluding a cemetery.		(2) Activity status where compliance not achieved: DIS
LCZ-R4	Residential activity, unless specified below This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level.		(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) The extent to which the residential activity effects the primary purpose of the zone to provide for commercial activities.
LCZ-R5	Educational facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R6	Child care facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R7	Office	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a

LCZ-R8	Public amenity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R9	Health facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R10	Visitor accommodation	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R11	Public transport facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R12	Community corrections activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R13	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.
LCZ-R14	Construction or demolition of, or alteration or addition to, a building or structure	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
LCZ-R15	A multi-unit development	
(1) Activity status: RDIS Activity-specific standards:		(2) Activity status where compliance not achieved: DIS

- (a) A multi-unit development that meets all of the following standards:
 - (i) Land use – effects standards for the zone;
 - (ii) Land use – buildings standards for the zone, except the following rules do not apply:
 - (1) LCZ-S9 (Residential units) does not apply;
 - (2) LCZ-S10 (Outdoor living space) does not apply;
- (b) A detailed site plan depicting the proposed Record of Title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule SUB-R85 (Subdivision of multi-unit developments);
- (c) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels;
- (d) A communal service court is provided comprising:
 - (i) minimum area of 20m²; and
 - (ii) minimum dimension of 3m.
- (e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:

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

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

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

Council's discretion is restricted to the following matters:

Design:

- (g) The extent to which that portion of the building or site which fronts a road or public space:

	<p>(i) Provides for passive surveillance of the street from habitable rooms at ground and upper floor levels.</p> <p>(ii) Avoids the use of impermeable screens or fencing that obstruct visual connections.</p> <p>(iii) Avoids unrelieved and blank façades.</p> <p>(iv) Creates visual interest through the use of cladding materials, colour and articulation of the façade.</p> <p>(v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity.</p> <p>(vi) Minimises vehicle garaging/parking or manoeuvring areas.</p> <p>(vii) Service courts are screened or obscured.</p> <p><u>On-site amenity:</u></p> <p>(h) The extent to which the design:</p> <p>(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.</p> <p>(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.</p> <p>(iii) Maximises opportunities for passive solar gain within units.</p> <p><u>Infrastructure:</u></p> <p>(i) The extent to which the design can be efficiently serviced with 3 waters infrastructure.</p> <p><u>Natural hazards:</u></p> <p>(j) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards.</p> <p><u>Staging:</u></p> <p>(k) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner.</p>
LCZ-R16	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
Activity status: DIS	
LCZ-R17	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
Activity status: PR	

Land use – effects

LCZ-S1	Servicing and hours of operation	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values on adjoining sites within the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone or SETZ – Settlement zone;</p> <p>(b) Timing, duration and frequency of adverse effects;</p> <p>(c) Location of activity in relation to zone boundary;</p> <p>(d) Location of activity in relation to residential units on adjoining sites;</p> <p>(e) The means to avoid, remedy or mitigate adverse effects on adjoining sites.</p>	
LCZ-S2	Onsite parking areas – landscaping	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Onsite car parking area for 5 or more parking spaces located adjoining a road, must comply with the following standards:</p> <p>(i) The car parking area must be separated from the road by a 1.5m wide planting strip, with the exception of vehicle access points; and</p> <p>(ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design and location of the parking area and landscaping strip; and</p> <p>(b) Effects on streetscape amenity.</p>	
LCZ-S3	Outdoor storage	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Outdoor storage of goods or materials must comply with all of the following standards:</p> <p>(i) Be associated with the activity operating from the site;</p> <p>(ii) Not encroach on parking or loading areas;</p> <p>(iii) Standards LCZ-S4 Height and LCZ-S5 Height in relation to boundary; and</p> <p>(iv) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Visual amenity;</p> <p>(b) Effects on loading and parking areas;</p> <p>(c) Size and location of storage area; and</p> <p>(d) Measures to mitigate adverse effects.</p>	

<ul style="list-style-type: none"> (1) Public road; (2) Public reserve; and (3) Adjoining site in another zone. 	
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Land use – building

LCZ-S4	Building height			
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12m; (b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure; and (c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m. </td> <td style="width: 50%; padding: 5px;"> <p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building (c) Extent of shading on an adjoining site; and (d) Privacy on adjoining sites. </td> </tr> </table>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12m; (b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure; and (c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building (c) Extent of shading on an adjoining site; and (d) Privacy on adjoining sites.
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12m; (b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure; and (c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building (c) Extent of shading on an adjoining site; and (d) Privacy on adjoining sites. 			
LCZ-S5	Height in relation to boundary			
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the: <ul style="list-style-type: none"> (i) GRZ – General residential zone; (ii) MRZ1 – Medium density residential zone <u>1</u>; (iii) LLRZ – Large lot residential zone; (iv) SETZ – Settlement zone; (v) RLZ – Rural lifestyle zone; or (vi) OSZ – Open space zone; <u>or</u> (vii) <u>MRZ2 – Medium density residential zone 2.</u> </td> <td style="width: 50%; padding: 5px;"> <p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building; (c) Level of shading on any other adjoining sites; (d) Privacy on other sites; and (e) Amenity values of the locality. </td> </tr> </table>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the: <ul style="list-style-type: none"> (i) GRZ – General residential zone; (ii) MRZ1 – Medium density residential zone <u>1</u>; (iii) LLRZ – Large lot residential zone; (iv) SETZ – Settlement zone; (v) RLZ – Rural lifestyle zone; or (vi) OSZ – Open space zone; <u>or</u> (vii) <u>MRZ2 – Medium density residential zone 2.</u> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building; (c) Level of shading on any other adjoining sites; (d) Privacy on other sites; and (e) Amenity values of the locality.
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the: <ul style="list-style-type: none"> (i) GRZ – General residential zone; (ii) MRZ1 – Medium density residential zone <u>1</u>; (iii) LLRZ – Large lot residential zone; (iv) SETZ – Settlement zone; (v) RLZ – Rural lifestyle zone; or (vi) OSZ – Open space zone; <u>or</u> (vii) <u>MRZ2 – Medium density residential zone 2.</u> 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height of the building; (b) Design and location of the building; (c) Level of shading on any other adjoining sites; (d) Privacy on other sites; and (e) Amenity values of the locality. 			
LCZ-S6	Building setbacks – zone boundaries			
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building must be set back a minimum of at least: <ul style="list-style-type: none"> (i) 3.0 m from rear and side boundaries adjoining any: <ul style="list-style-type: none"> (1) GRZ – General residential zone; </td> <td style="width: 50%; padding: 5px;"> <p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height, design and location of the building relative to the boundary; </td> </tr> </table>	<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building must be set back a minimum of at least: <ul style="list-style-type: none"> (i) 3.0 m from rear and side boundaries adjoining any: <ul style="list-style-type: none"> (1) GRZ – General residential zone; 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height, design and location of the building relative to the boundary;
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building must be set back a minimum of at least: <ul style="list-style-type: none"> (i) 3.0 m from rear and side boundaries adjoining any: <ul style="list-style-type: none"> (1) GRZ – General residential zone; 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height, design and location of the building relative to the boundary; 			

<p>(2) MRZ1 – Medium density residential zone 1;</p> <p>(3) LLRZ – Large lot residential zone;</p> <p>(4) SETZ - Settlement zone;</p> <p>(5) RLZ – Rural lifestyle zone; or</p> <p>(6) OSZ – Open space zone; <u>or</u></p> <p>(7) <u>MRZ2 – Medium density residential zone 2.</u></p> <p>(ii) 1.5m from rear and side boundaries adjoining any:</p> <p>(1) GRUZ – General rural zone;</p> <p>(2) GIZ – General industrial zone; or</p> <p>(3) HIZ – Heavy industrial zone.</p> <p>(iii) 15m from SH23 for any site between Greenslade Road and Hills Road, Raglan.</p> <p>(b) LCZ-S6(1)(a) does not apply to a structure which is not a building.</p>	<p>(b) Impacts on the privacy for adjoining site(s);</p> <p>(c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and</p> <p>(d) Landscaping and/or screening.</p>
<p>LCZ-S7 Building setback – waterbodies</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building that is set back a minimum of:</p> <p>(i) 27.5m from the margin of any lake;</p> <p>(ii) 27.5m from the margin of any wetland;</p> <p>(iii) 27.5 from the bank of any river (other than the Waikato River and Waipa River);</p> <p>(iv) 32.5m from the margin of either the Waikato River and the Waipa River;</p> <p>(v) 27.5m from mean high water springs;</p> <p>(vi) 10m from any artificial wetland;</p> <p>(b) A public amenity of up to 25m² or pump shed (private or public) within any building setback identified in Standard LCZ-S7(1)(a);</p> <p>(c) LCZ-S7(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</p> <p>(b) Adequacy of erosion and sediment control measures;</p> <p>(c) The functional or operational need for the building to be located close to the waterbody;</p> <p>(d) Effects on public access to the waterbody;</p> <p>(e) Effects on the amenity of the locality; and</p> <p>(f) Effects on natural character values.</p>
<p>LCZ-S8 Horotiu acoustic area</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area must be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) On-site amenity values;</p> <p>(b) Noise levels received at the notional boundary of the residential unit;</p> <p>(c) Timing and duration of noise received at the notional boundary of the residential unit;</p>

		(d) Potential for reverse sensitivity effects.
LCZ-S9	Residential units	
<p>(1) Activity status: PER Where:</p> <p>(a) One residential unit on the Record of Title must comply with all of the following standards:</p> <p>(i) The residential unit must not be located at ground level;</p> <p>(ii) The residential unit is designed and constructed to achieve the internal design sound levels specified in APPI – Acoustic insulation, Table 25 – Internal sound levels.</p> <p>(b) Standard LCZ-S9(1)(a) does not apply to multi-unit development (refer to Rule LCZ-R15 (Multi-unit development)).</p>		<p>(2) Activity status where compliance not achieved: DIS</p>
LCZ-S10	Outdoor living space	
<p>(1) Activity status: PER Where:</p> <p>(a) An outdoor living space must be provided for each residential unit that meets all of the following standards:</p> <p>(i) It is for the exclusive use of the occupants of the residential unit;</p> <p>(ii) It is readily accessible from a living area of the residential unit; and</p> <p>(iii) It is located on a balcony containing at least 15m² and a circle with a diameter of at least 2.4m.</p>		<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Design and location of the building;</p> <p>(b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed;</p> <p>(c) Privacy on adjoining sites;</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>

COMZ – Commercial zone

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

Purpose

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

Objectives

COMZ-O1 Economic growth of industry.

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

COMZ-O2 Commercial zone character.

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

COMZ-O3 Commercial zone amenity.

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

Policies

COMZ-P1 Commercial function and purpose.

Larger scale commercial activities are provided for within the zone.

COMZ-P2 Commercial purpose.

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

COMZ-P3 Role and function of the zone.

- (I) Ensure the role of the zone is complementary to the TCZ – Town centre zone by:
- (a) Enabling a wide range of commercial activities including large format retail activities within the zone; and
 - (b) Discouraging small scale retail activities, administration and commercial services within the zone.

COMZ-P4 Employment opportunities.

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

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

COMZ-P5 Retail.

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

COMZ-P6 Residential upper floors.

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

COMZ-P7 Landscaping of onsite parking areas.

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

COMZ-P8 Strategic infrastructure setback.

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

COMZ-P9 Height.

Ensure the height of new buildings is complementary to, and promotes, the existing character of the zone and adjoining residential zones.

COMZ-P10 Reverse sensitivity.

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

COMZ-P11 Adjoining site amenity.

- (1) Maintain amenity of adjoining GRZ – General residential zone, MRZ1 – Medium density residential zone [1](#), [MRZ2 – Medium density residential zone 2](#) or OSZ – Open space zone by:
 - (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone [1](#), [MRZ2 – Medium density residential 2](#) and OSZ – Open space zoned land; and
 - (b) The progressive reduction in the height of buildings in the zone, the closer they are located to boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone [1](#), [MRZ2 – Medium density residential 2](#) and OSZ – Open space zoned land.

Rules

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

Land use – activities

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

COMZ-R1	Commercial activity
(1) Activity status: PER Activity-specific standards: (a) Any individual tenancy must have a gross floor area of greater than 350m ² .	(2) Activity status where compliance not achieved: DIS
COMZ-R2	Supermarket
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R3	Community facility
(1) Activity status: PER Activity-specific standards: (a) Excluding a cemetery.	(2) Activity status where compliance not achieved: DIS
COMZ-R4	Residential activity, unless specified below This includes occupation of a single residential unit for short term rental.
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level.	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) The extent to which the residential activity effects the primary purpose of the zone to provide for commercial activities.
COMZ-R5	Educational facility
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R6	Child care facility
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R7	Office
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R8	Public amenity
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R9	Health facility

<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R10 Visitor accommodation</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R11 Public transport facility</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R12 Servicing of boats at Raglan Wharf</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R13 Community corrections activity</p>	
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R14 Buildings, structures and sensitive land use within the National Grid Yard on sites existing as of 18 July 2018</p>	
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Within National Grid Yard: <ul style="list-style-type: none"> (i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or (ii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991; or (iii) Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or (iv) Non-habitable horticultural buildings; or (v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures); 	<p>(2) Activity status where compliance not achieved: NC</p>

<p>(vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and</p> <p>(vii) Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks.</p> <p>(b) All buildings or structures permitted by Rule COMZ-R14(1)(a) must:</p> <p>(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</p> <p>(1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</p> <p>(2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or</p> <p>(3) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or</p> <p>(ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure;</p> <p>(c) Artificial crop protection structures and support structures between 8m and 12m</p>	
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<p>from a pole support structure but not a tower and any associated guy wire that:</p> <ul style="list-style-type: none"> (i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor; (ii) Are no higher than 2.5m; (iii) Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes; (iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane. 	
COMZ-RI5	Construction or alteration of a building for a sensitive land use
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: <ul style="list-style-type: none"> (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>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people; (c) The risk of damage to property; and (d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.
COMZ-RI6	Construction or demolition of, or alteration or addition to, a building or structure
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
COMZ-RI7	A multi-unit development
<p>(1) Activity status: RDIS Activity-specific standards:</p> <ul style="list-style-type: none"> (a) A multi-unit development that meets all of the following standards: <ul style="list-style-type: none"> (i) Land use – effects standards for the zone; (ii) Land use – building standards for the zone, except the following rules do not apply; 	<p>(2) Activity status where compliance not achieved: DIS</p>

- (1) COMZ-S9 (Residential units) does not apply;
- (2) COMZ-S10 (Outdoor living space) does not apply;
- (b) A detailed site plan depicting the proposed Record of Title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule SUB-R93 (Subdivision of multi-unit developments);
- (c) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels;
- (d) A communal service court is provided comprising:
 - (i) minimum area of 20m²; and
 - (ii) minimum dimension of 3m.
- (e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:

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

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

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

Council's discretion is restricted to the following matters:

Design:

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

<p>(v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity.</p> <p>(vi) Minimises vehicle garaging/parking or manoeuvring areas.</p> <p>(vii) Service courts are screened or obscured.</p> <p><u>On-site amenity:</u></p> <p>(h) The extent to which the design:</p> <p>(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.</p> <p>(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.</p> <p>(iii) Maximises opportunities for passive solar gain within units.</p> <p>Infrastructure:</p> <p>(i) The extent to which the design can be efficiently serviced with 3 waters infrastructure.</p> <p>Natural hazards:</p> <p>(j) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards.</p> <p>Staging:</p> <p>(k) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner.</p>	
COMZ-R18	Commercial activities within in the Motorway service centre specific control
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards: Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Effects on amenity of the locality;</p> <p>(b) Landscaping;</p> <p>(c) Design and layout;</p> <p>(d) Effects on efficiency and safety of the land transport network, including the Waikato Expressway;</p> <p>(e) Access design; and</p> <p>(f) Potential reverse sensitivity effects.</p>	<p>(2) Activity status: NC</p> <p>Where:</p> <p>(a) Any other activity within the Motorway service centre specific control area.</p> <p>Advice note: The other land-use activities listed within the COMZ – Commercial zone do not apply to the Motorway service centre specific control area, however the land-use effects and land-use standards do apply.</p>
COMZ-R19	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
(1) Activity status: DIS	

COMZ-R20	Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard
(1) Activity status: NC	
COMZ-R21	Any change of use of an existing building to a sensitive land use within the National Grid Yard
(1) Activity status: NC	
COMZ-R22	The establishment of any new sensitive land use within the National Grid Yard
(1) Activity status: NC	
COMZ-R23	Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, Pseudomonas syringae pv. Actinidiae (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard
(1) Activity status: NC	
COMZ-R24	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
(1) Activity status: PR	

Land use – effects

COMZ-S1	Servicing and hours of operation	
(1) Activity status: PER	<p>Where:</p> <p>(a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on amenity values on adjoining sites within the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, <u>Medium density residential zone 2</u>, LLRZ – Large lot residential zone or SETZ – Settlement zone;</p> <p>(b) Timing, duration and frequency of adverse effects;</p> <p>(c) Location of activity in relation to zone boundary;</p> <p>(d) Location of activity in relation to residential units on adjoining sites;</p> <p>(e) The means to avoid, remedy or mitigate adverse effects on adjoining sites.</p>
COMZ-S2		Onsite parking areas – landscaping
(1) Activity status: PER	<p>Where:</p> <p>(a) Onsite car parking area for 5 or more parking spaces located adjoining a road, must comply with the following standards:</p> <p>(i) The car parking area must be separated from the road by a 1.5m</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design and location of the parking area and landscaping strip; and</p> <p>(b) Effects on streetscape amenity.</p>

<p>wide planting strip, with the exception of vehicle access points; and</p> <p>(ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1m.</p>	
<p>COMZ-S3 Outdoor storage</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Outdoor storage of goods or materials must comply with all of the following standards:</p> <p>(i) Be associated with the activity operating from the site;</p> <p>(ii) Not encroach on parking or loading areas;</p> <p>(iii) Standards COMZ-S4 Height and COMZ-S7 Height in relation to boundary; and</p> <p>(iv) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any:</p> <p>(1) Public road;</p> <p>(2) Public reserve; and</p> <p>(3) Adjoining site in another zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Visual amenity;</p> <p>(b) Effects on loading and parking areas;</p> <p>(c) Size and location of storage area; and</p> <p>(d) Measures to mitigate adverse effects.</p>

Land use – building

<p>COMZ-S4 Building height</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12m;</p> <p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure;</p> <p>(c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Height of the building;</p> <p>(b) Design and location of the building</p> <p>(c) Extent of shading on an adjoining site; and</p> <p>(d) Privacy on adjoining sites.</p>
<p>COMZ-S5 Height in relation to boundary</p>	
<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p>

<p>(a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the:</p> <p>(i) GRZ – General residential zone;</p> <p>(ii) MRZ₁ – Medium density residential zone <u>1</u>;</p> <p>(iii) LLRZ – Large lot residential zone;</p> <p>(iv) SETZ – Settlement zone;</p> <p>(v) RLZ – Rural lifestyle zone; or</p> <p>(vi) OSZ – Open space zone; <u>or</u></p> <p>(vii) <u>MRZ2 – Medium density residential zone 2.</u></p>	<p>(a) Height of the building;</p> <p>(b) Design and location of the building;</p> <p>(c) Level of shading on any other adjoining sites;</p> <p>(d) Privacy on other sites; and</p> <p>(e) Amenity values of the locality.</p>
<p>COMZ-S6 Building setbacks – zone boundaries</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) A building must be set back a minimum of at least:</p> <p>(i) 3.0 m from rear and side boundaries adjoining any:</p> <p>(1) GRZ – General residential zone;</p> <p>(2) MRZ₁ – Medium density residential zone <u>1</u>;</p> <p>(3) LLRZ – Large lot residential zone;</p> <p>(4) SETZ - Settlement zone;</p> <p>(5) RLZ – Rural lifestyle zone; or</p> <p>(6) OSZ – Open space zone; <u>or</u></p> <p>(7) <u>MRZ2 – Medium density residential zone 2.</u></p> <p>(ii) 1.5m from rear and side boundaries adjoining any:</p> <p>(1) GRUZ – General rural zone;</p> <p>(2) GIZ – General industrial zone; or</p> <p>(3) HIZ – Heavy industrial zone.</p> <p>(iii) 15m from SH23 for any site between Greenslade Road and Hills Road, Raglan.</p> <p>(b) COMZ-S6(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Height, design and location of the building relative to the boundary;</p> <p>(b) Impacts on the privacy for adjoining site(s);</p> <p>(c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and</p> <p>(d) Landscaping and/or screening.</p>
<p>COMZ-S7 Building setback – waterbodies</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) A building that is set back a minimum of:</p> <p>(i) 27.5m from the margin of any lake;</p> <p>(ii) 27.5m from the margin of any wetland;</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;</p>

<ul style="list-style-type: none"> (iii) 27.5m from the bank of any river (other than the Waikato River and Waipa River); (iv) 32.5m from the margin of either the Waikato River and the Waipa River; (v) 27.5m from mean high water springs; (vi) 10m from any artificial wetland; (b) A public amenity of up to 25m² or pump shed (private or public) within any building setback identified in Standard COMZ-S7(1)(a); (c) COMZ-S7(1)(a) does not apply to a structure which is not a building. 	<ul style="list-style-type: none"> (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values.
<p>COMZ-S8 Horotiu acoustic area</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area must be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) On-site amenity values; (b) Noise levels received at the notional boundary of the residential unit; (c) Timing and duration of noise received at the notional boundary of the residential unit; (d) Potential for reverse sensitivity effects.
<p>COMZ-S9 Residential units</p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) One residential unit on the Record of Title must comply with all of the following standards: <ul style="list-style-type: none"> (i) The residential unit must not be located at ground level; (ii) The residential unit is designed and constructed to achieve the internal design sound levels specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels. (b) Standard COMZ-S9(1)(a) does not apply to multi-unit development (refer to Rule COMZ-R17 (Multi-unit development)). 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>COMZ-S10 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; 	<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 of outdoor living including access to daylight and open space and

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<p>(ii) It is readily accessible from a living area of the residential unit; and</p> <p>(iii) It is located on a balcony containing at least 15m² and a circle with a diameter of at least 2.4m.</p>	<p>the useability and accessibility of the outdoor living space proposed;</p> <p>(c) Privacy on adjoining sites;</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>
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TCZ – Town centre zone

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

Purpose

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

Objectives

TCZ-O1 Economic growth of industry.

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

TCZ-O2 Town centre zone character.

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

TCZ-O3 Town centre zone amenity.

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

Policies

TCZ-P1 Commercial function and purpose.

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

TCZ-P2 Commercial purpose.

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

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

- TCZ-P3 Employment opportunities.
- Commercial development within the zone increases employment opportunities within the district.
- TCZ-P4 Retail.
- (1) Locate small scale retail activities within the TCZ – Town centre zone and LCZ – Local centre zone and discourage large scale activities with the exception of supermarkets from establishing within the TCZ – Town centre zone.
- (2) Locate large scale retail and commercial activities within the COMZ – Commercial zone.
- TCZ-P5 Residential upper floors.
- (1) Maintain the commercial viability of the zone while:
- (a) Providing for mixed use developments, ensuring residential activities are preferably located above ground floor; and
- (b) Avoiding residential activity located at ground level, where it could undermine commercial activity and frontage.
- TCZ-P6 Town centre zone built form.
- (1) The scale and form of new development in the zone is to:
- (a) Provide for a safe, accessible, compact and attractive town centre environment;
- (b) Facilitate the integration of retail shopping, administration and commercial services, residential, civic and community activities;
- (c) Reflect the role and character of the town centre;
- (d) Increase the prominence of buildings on street corners;
- (e) Maintain a low rise built form and small scale, pedestrian focussed retail activities; and
- (f) Manage adverse effects on the surrounding environment, particularly at the interface with residential areas.
- TCZ-P7 Huntly town centre.
- (1) Development maintains and enhances the role of the Huntly town centre by:
- (a) Maintaining wide footpaths and high quality public space, prioritising and providing for pedestrian movement and safety;
- (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths; and
- (c) Providing for a building scale appropriate to the town centre.
- TCZ-P8 Ngāruawāhia town centre.
- (1) Development maintains and enhances the role of the Ngāruawāhia town centre by:
- (a) Maintaining wide footpaths, prioritising and providing for pedestrian movement and safety;

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

- (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths;
- (c) Promoting improved pedestrian and cycle linkages with Te Awa River ride, Ngāruawāhia swimming pool and the town centre; and
- (d) Providing for an appropriate building scale with narrow frontages

TCZ-P9 Te Kauwhata town centre.

(I) Development maintains and enhances the role of the Te Kauwhata town centre by:

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

TCZ-P10 Pokeno town centre.

(I) Development maintains and enhances the role of the Pokeno town centre by:

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

TCZ-P11 Tuakau town centre.

(I) Development maintains and enhances the role of the Tuakau town centre by:

- (a) Maintaining wide open streets, with wide pedestrian footpaths;
- (b) Maintaining a pedestrian focus by discouraging vehicle access across footpaths; and
- (c) Providing for an appropriate building scale with narrow frontages.

TCZ-P12 Pedestrian frontages: active street frontages.

(I) Provide for active street frontages in the design or redesign of buildings, and avoid car parking and accessways on sites within the pedestrian frontage area of the zone to enable the maintenance of:

- (a) Passive surveillance;
- (b) Continuous verandahs;
- (c) Display windows and building façades;
- (d) Pedestrian safety; and
- (e) Buildings located up to the street boundary.

TCZ-PI3 Corner buildings.

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

TCZ-PI4 Landscaping.

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

TCZ-PI5 Height.

- (I) Ensure the height of new buildings is complementary to, and promotes, the existing character of the business town centre within each town.

TCZ-PI6 New buildings

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

TCZ-PI7 Reverse sensitivity.

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

TCZ-PI8 Adjoining site amenity.

- (I) Maintain amenity of adjoining GRZ – General residential zone, MRZ1 – Medium density residential zone [1](#), [MRZ2 – Medium density residential zone 2](#) or OSZ – Open space zone by:
- (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone [1](#), [MRZ2 – Medium density residential 2](#) and OSZ – Open space zoned land; and
 - (b) The progressive reduction in the height of buildings in the zone, the closer they are located to boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone [1](#), [MRZ2 – Medium density residential 2](#) and OSZ – Open space zoned land.

TCZ-P19 Outdoor storage.

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

TCZ-P20 Objectionable odour.

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

Rules

Land use – activities

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

TCZ-R1	Commercial activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
TCZ-R2	Residential activity, unless specified below This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level; and (b) The entrance lobby, stairwell or lift may be located on the ground floor level		(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Streetscape effects; (b) The extent to which the residential activity effects the primary purpose of the zone to provide for retail, administration, civic and commercial activities.
TCZ-R3	Supermarket	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
TCZ-R4	Visitor accommodation	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
TCZ-R5	Community facility	
(1) Activity status: PER Activity-specific standards: (a) Excluding a cemetery.		(2) Activity status where compliance not achieved: DIS
TCZ-R6	Health facility	
(1) Activity status: PER Activity-specific standards:		(2) Activity status where compliance not achieved: DIS

(a) Excluding a hospital.		
TCZ-R7	Office	
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level within the Verandah Line notation on the planning maps.		(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Streetscape effects including ways in which to activate visual connection and interest between pedestrians and the office; and (b) Extent of glazing and length of frontage of the office to the street.
TCZ-R8	Public transport facility	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
TCZ-R9	Community corrections activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
TCZ-R10	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.
TCZ-R11	Demolition of, or alteration or addition to, a building or structure	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
TCZ-R12	A multi-unit development	
(1) Activity status: RDIS Activity-specific standards:		(2) Activity status where compliance not achieved: DIS

- (a) A multi-unit development that meets all of the following standards:
 - (i) Land use – effects;
 - (ii) Land use – building, except the following standards do not apply;
 - (1) Standard TCZ-S6 (Display windows) does not apply;
 - (2) Standard TCZ-S7 (Verandahs) does not apply
 - (3) TCZ-S10 (Residential units) does not apply;
 - (4) TCZ-S11 (Outdoor living space) does not apply;
- (b) A detailed site plan depicting the proposed Record of Title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule SUB-R100 (Subdivision of multi- unit developments);
- (c) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels;
- (d) A communal service court is provided comprising;
 - (i) minimum area of 20m²; and
 - (ii) minimum dimension of 3m.
- (e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:

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

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

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

Council's discretion is restricted to the following matters:

Design:

- (g) The extent to which that portion of the building or site which fronts a road or public space:

<ul style="list-style-type: none"> (i) Provides for passive surveillance of the street from habitable rooms at ground and upper floor levels. (ii) Avoids the use of impermeable screens or fencing that obstruct visual connections. (iii) Avoids unrelieved and blank façades. (iv) Creates visual interest through the use of cladding materials, colour and articulation of the façade. (v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity. (vi) Minimises vehicle garaging/parking or manoeuvring areas. (vii) Service courts are screened or obscured. <p><u>On-site amenity:</u></p> <ul style="list-style-type: none"> (h) The extent to which the design: <ul style="list-style-type: none"> (i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces. (ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects. (iii) Maximises opportunities for passive solar gain within units. <p>Infrastructure:</p> <ul style="list-style-type: none"> (i) The extent to which the design can be efficiently serviced with 3 waters infrastructure. <p>Natural hazards:</p> <ul style="list-style-type: none"> (j) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards. <p>Staging:</p> <ul style="list-style-type: none"> (k) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner. 	
<p>TCZ-RI3</p>	<p>Construction of any new building</p>
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The construction of any new building that meets all of the following conditions standards: <ul style="list-style-type: none"> (i) Land use – effects; (ii) Land use – building except; <ul style="list-style-type: none"> (1) TCZ-S10 (Residential units) does not apply; 	<p>(2) Activity status where compliance not achieved: DIS</p>

(2) TCZ-S11 (Outdoor living space) does not apply.	
<p>Council's discretion is restricted to the following matters:</p> <p>(b) The extent to which the building is consistent with the following matters:</p> <ul style="list-style-type: none"> (i) A site and contextual analysis; (ii) A connectivity and movement network analysis; (iii) A neighbourhood character assessment; and (iv) Design illustrating how the building will promote character elements 	
TCZ-R14	Educational facility
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The extent to which it is necessary to locate the activity with the TCZ – Town Centre Zone; (b) Reverse sensitivity effects of adjacent activities; (c) The extent to which the activity may adversely impact on the transport network; (d) The extent to which the activity may adversely impact on the streetscape; and (e) The effects of noise. 	<p>(2) Activity status where compliance not achieved: n/a</p>
TCZ-R15	Emergency service facilities
Activity status: DIS	
TCZ-R16	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity
Activity status: DIS	
TCZ-R17	Construction of a building located on an indicative road
Activity status: NC	
TCZ-R18	Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).
Activity status: PR	

Land use – effects

TCZ-S1	Servicing and hours of operation
<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

<p>(a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.</p>	<p>Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on amenity values on adjoining sites within the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, <u>MRZ2 – Medium density residential zone 2</u>, LLRZ – Large lot residential zone or SETZ – Settlement zone; (b) Timing, duration and frequency of adverse effects; (c) Location of activity in relation to zone boundary; (d) Location of activity in relation to residential units on adjoining sites; (e) The means to avoid, remedy or mitigate adverse effects on adjoining sites.
<p>TCZ-S2</p>	<p>Outdoor storage</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Outdoor storage of goods or materials must comply with all of the following standards: <ul style="list-style-type: none"> (i) Be associated with the activity operating from the site; (ii) Not encroach on parking or loading areas; (iii) Standards TCZ-S3 Height and TCZ-S4 Height in relation to boundary; and (iv) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any: <ul style="list-style-type: none"> (1) Public road; (2) Public reserve; and (3) Adjoining site in another zone. 	<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) Visual amenity; (b) Effects on loading and parking areas; (c) Size and location of storage area; and (d) Measures to mitigate adverse effects.

Land use – building

<p>TCZ-S3</p>	<p>Building height</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12; (b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural 	<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) Height of the building; (b) Design and location of the building (c) Extent of shading on an adjoining site; and (d) Privacy on adjoining sites.

<p>ground level immediately below the structure;</p> <p>(c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m.</p>	
<p>TCZ-S4 Height in relation to boundary</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the:</p> <p>(i) GRZ – General residential zone;</p> <p>(ii) MRZ1 – Medium density residential zone 1;</p> <p>(iii) LLRZ – Large lot residential zone;</p> <p>(iv) SETZ – Settlement zone;</p> <p>(v) RLZ – Rural lifestyle zone; or</p> <p>(vi) OSZ – Open space zone; <u>or</u></p> <p>(vii) <u>MRZ2 – Medium density residential zone 2.</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) Level of shading on any other sites adjoining site;</p> <p>(d) Privacy on other site; and</p> <p>(e) Amenity values of the locality.</p>
<p>TCZ-S5 Gross leasable floor area</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Every individual tenancy (excluding supermarkets) must have a gross leasable floor area of no more than 350m²</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>TCZ-S6 Display windows and building façades</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any new building façade adjoining a road boundary, or alteration of an existing building façade, adjoining a road boundary must comply with the following standards:</p> <p>(i) Not be set back from the road boundary at ground floor level; and</p> <p>(ii) Provide display windows comprising at least 50% of the building façade at ground floor level.</p> <p>(b) Standard TCZ-S6(1)(a) does not apply to the entrance lobby, stairwell or lift located at ground floor level that services an above ground level multi-unit development.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Design and location of the building having regard to the operational and functional requirements of the activity to be accommodated</p> <p>(b) Extent to which the activity achieves the intent of the control by other means, to enable passive surveillance and promote pedestrian safety</p> <p>(c) Effects on amenity values and town centre character.</p>

TCZ-S7	Verandahs	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any new building, or alteration to the frontage of an existing building, on land with a verandah line identified on the planning maps, must be provided with a verandah that complies with the following standards:</p> <p>(i) Is attached to the façade of the building;</p> <p>(ii) Has a height above the footpath of at least 2.5m but not more than 3.5m;</p> <p>(iii) Has a minimum width of 3m;</p> <p>(iv) The outer edge of the verandah is set back 0.5m from the kerb;</p> <p>(v) It is attached to any verandahs on adjoining buildings, so as to provide continuous pedestrian shelter;</p> <p>(vi) It is cantilevered from the building.</p> <p>(b) Standard TCZ-S7(1)(a) does not apply to a building included in SCHED I – Historic heritage items.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) The effects on the amenity of the streetscape, including providing continuous pedestrian shelter and town centre character;</p> <p>(b) The character and layout of the building;</p> <p>(c) The nature, design and location of the verandah; and</p> <p>(d) The functional requirements of the activities that the buildings are intended to accommodate.</p>	
TCZ-S8	Building setbacks – zone boundaries	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building must be set back a minimum of at least:</p> <p>(i) 3m from rear and side boundaries adjoining any:</p> <p>(1) GRZ – General residential zone;</p> <p>(2) MRZ₁ – Medium density residential zone ₁;</p> <p>(3) RLZ – Rural lifestyle zone;</p> <p>(4) LLRZ – Large lot residential zone;</p> <p>(5) SETZ - Settlement zone; or</p> <p>(6) OSZ – Open space zone; or</p> <p>(7) <u>MRZ₂ – Medium density residential zone 2.</u></p> <p>(ii) 1.5m from rear and side boundaries adjoining any:</p> <p>(1) GRUZ – General rural zone;</p> <p>(2) GIZ – General industrial zone; or</p> <p>(3) HIZ – Heavy industrial zone.</p> <p>(b) TCZ-S8(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Height, design and location of the building relative to the boundary;</p> <p>(b) Impacts on the privacy for adjoining site(s);</p> <p>(c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and</p> <p>(d) Landscaping and/or screening.</p>	
TCZ-S9	Building setback – waterbodies	
<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>	

<p>(a) A building must be set back a minimum of:</p> <ul style="list-style-type: none"> (i) 27.5m from the margin of any lake; (ii) 27.5m from the margin of any wetland; (iii) 27.5 from the bank of any river (other than the Waikato River and Waipa River); (iv) 32.5m from the margin of either the Waikato River and the Waipa River; (v) 27.5m from mean high water springs; (vi) 10m from any artificial wetland; <p>(b) A public amenity of up to 25m² or pump shed (private or public) within any building setback identified in Standard TCZ-S9(1)(a);</p> <p>(c) TCZ-S9(1)(a) does not apply to a structure which is not a building.</p>	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body; (b) Adequacy of erosion and sediment control measures; (c) The functional or operational need for the building to be located close to the waterbody; (d) Effects on public access to the waterbody; (e) Effects on the amenity of the locality; and (f) Effects on natural character values.
<p>TCZ-S10 Residential units</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) One residential unit on the Record of Title; (b) The residential unit must comply with all of the following standards: <ul style="list-style-type: none"> (i) The residential unit must not be located at ground level; (ii) The entrance lobby, stairwell or lift may be located on the ground floor level; (iii) The residential unit must achieve the internal design sound levels specified achieve the internal design sound levels specified in APPI – Acoustic insulation, Table 25 – Internal sound levels. (c) Standard TCZ-S10(1) does not apply to multi-unit development (refer to Rule TCZ-R12 (Multi-unit development)). 	<p>(2) Activity status where compliance not achieved: DIS</p>
<p>TCZ-S11 Outdoor living space</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) An outdoor living space must be provided for each residential unit that meets all of the following standards: <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the residential unit; (ii) It is readily accessible from a living area of the residential unit; and 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Design and location of the building; (b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed; (c) Privacy on adjoining sites;

<p>(iii) It is located on a balcony containing at least 15m² and a circle with a diameter of at least 2.4m.</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>
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GIZ – General industrial zone

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

Purpose

The GIZ – General industrial zone contains areas used predominantly for a range of industrial activities, other than Heavy Industrial Activities, but also other compatible activities.

Objectives

GIZ-O1 Economic growth of industry.

The existing and future growth of the district's industry is supported and strengthened.

Policies

GIZ-PI Provide industrial zones with different functions.

(1) Provide for the operation and growth of a variety of industrial activities in two industrial zones as follows:

- (a) A HIZ – Heavy industrial zone that caters for those industrial and other compatible activities that may have significant adverse effects beyond the boundary of the zone, and where adverse effects of those activities is avoided, remedied or mitigated; and
- (b) A GIZ – General industrial zone that 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.

GIZ-P2 Maintain sufficient industrial land.

- (1) Maintain a sufficient supply of industrially zoned land to meet reasonably foreseeable future demand for industrial land.
- (2) Utilise industrial land primarily for industrial purposes so as to preserve the functionality of industrially zoned land.
- (3) Protect industrial activities, and in particular heavy industrial activities, from reverse sensitivity effects associated with activities in non-industrial zones.

GIZ-P3 Management of environmental effects in the zone.

- (1) Avoid significant adverse effects of activities in the zone on the environment of other immediately adjacent zones.
- (2) (b) Avoid, remedy or mitigate other environmental effects of activities in the zone to the extent necessary to:
 - (a) Maintain the functionality of the zone; and
 - (b) Maintain the functionality of adjacent zones.

GIZ-P4 Support of regionally significant industry.

Support the operation and growth of the district’s regionally significant industries.

Rules

Land use – activities

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

GIZ-R1	Industrial activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
GIZ-R2	Trade and industry training activity	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
GIZ-R3	Truck stop for refuelling	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
GIZ-R4	Office ancillary to an industrial activity	
(1) Activity status: PER Activity-specific standards: (a) Less than 100m ² gross floor area; or (b) Does not exceed 30% gross floor area of all buildings on the site.		(2) Activity status where compliance not achieved: DIS
GIZ-R5	Food outlet	
(1) Activity status: PER Activity-specific standards: (a) Less than 200m ² gross floor area.		(2) Activity status where compliance not achieved: DIS
GIZ-R6	Ancillary retail	
(1) Activity status: PER Activity-specific standards: (a) Does not exceed 10% gross floor area of all buildings on the site.		(2) Activity status where compliance not achieved: DIS
GIZ-R7	Hire centre	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
GIZ-R8	Wholesale	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
GIZ-R9	Trade supply outlet	

(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 0	Transport depot
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 1	Garden centre
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 2	Retailing of agricultural and industrial motor vehicles and machinery
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 3	Ancillary activity
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 4	Construction or demolition of, or alteration or addition to, a building or structure
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 5	Community corrections activity
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 6	Service station
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
GIZ-RI 7	Caretaker's or security person's residential unit
(1) Activity status: PER Activity-specific standards: (a) Is located within an industrial building; (b) Does not exceed 70m ² gross floor area; and (c) Accommodates no more than two people.	(2) Activity status where compliance not achieved: DIS
GIZ-RI 8	Buildings, structures and sensitive land use within the National Grid Yard in all other zones as of 18 July 2018
(1) Activity status: PER Activity-specific standards: (a) Within National Grid Yard: (i) Building alterations and additions to an existing building or structure that	(2) Activity status where compliance not achieved: NC

<p>does not involve an increase in the building height or footprint; or</p> <p>(ii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991; or</p> <p>(iii) Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or</p> <p>(iv) Non-habitable horticultural buildings; or</p> <p>(v) Artificial crop protection and support structures (excluding commercial greenhouses and <i>Pseudomonas syringae</i> pv. <i>Actinidiae</i> (Psa) disease control structures);</p> <p>(vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and</p> <p>(vii) Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks.</p> <p>(b) All buildings or structures permitted by Rule GIZ-R18(1)(a) must:</p> <p>(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</p> <p>(ii) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</p> <p>(1) A building or structure where Transpower has given written</p>	
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<p>approval in accordance with clause 2.4.1 of the NZECP; or</p> <p>(2) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or</p> <p>(3) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure;</p> <p>(c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that:</p> <p>(i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor;</p> <p>(ii) Are no higher than 2.5m;</p> <p>(iii) Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes;</p> <p>(iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.</p>	
<p>GIZ-RI 9</p>	<p>Construction or alteration of a building for a sensitive land use</p>
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards:</p> <p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Effects on the amenity values of the site;</p> <p>(b) The risk of electrical hazards affecting the safety of people;</p> <p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>

	(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.	
GIZ-R20	Construction or demolition of, or alteration or addition to, a building or structure	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
GIZ-R21	A waste management facility	
(1) Activity status: DIS		
GIZ-R22	Hazardous waste storage, processing or disposal	
Activity status: DIS		
GIZ-R23	Quarrying activities	
(1) Activity status: DIS		
GIZ-R24	An office not provided for by Rule GIZ-R4(1)	
(1) Activity status: DIS		
GIZ-R25	A retail activity not provided for by GIZ-R6(1)	
(1) Activity status: DIS		
GIZ-R26	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity	
(1) Activity status: DIS		
GIZ-R27	Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard	
(1) Activity status: NC		
GIZ-R28	Any change of use of an existing building to a sensitive land use within the National Grid Yard	
(1) Activity status: NC		
GIZ-R29	The establishment of any new sensitive land use within the National Grid Yard	
(1) Activity status: NC		
GIZ-R30	Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, Pseudomonas syringae pv. Actinidiae (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard	
(1) Activity status: NC		
GIZ-R31	A noise-sensitive activity, except as provided for by Rule GIZ-R17	
(1) Activity status: NC		
GIZ-R32	A sensitive land use, except as provided for by Rule GIZ-R17	
(1) Activity status: NC		

Land use – effects

GIZ-S1	Landscape planting	
(1) Activity status: PER Where:		(2) Activity status where compliance not achieved: RDIS

<p>(a) Any building or land use activity on a record of title that has a side and/or rear boundary adjoining any GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone, RLZ – Rural lifestyle zone or OSZ – Open space zone that is landscaped to the following minimum standards:</p> <p>(i) A 3m depth measured from the side and/or rear boundary; and</p> <p>(ii) Comprises a mixture of shrubs and trees planted a maximum of 1.5m metres apart.</p>	<p>Council’s discretion is restricted to the following matters:</p> <p>(a) Type, density and scale of landscape plantings; and</p> <p>(b) The extent to which the amenity of the adjoining GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone, SETZ – Settlement zone, RLZ – Rural lifestyle zone or OSZ – Open space zone is maintained.</p>
<p>GIZ-S2 Landscape planting</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) Any building or land use activity on a record of title that contains, or adjoins, a river or a permanent stream that is landscaped to the following minimum standards:</p> <p>(i) A 4m depth measured from the bank and extending across the entire length of the water body; and</p> <p>(ii) Comprises mixed indigenous vegetation planted a maximum of 1.5m apart.</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) Type, density and scale of indigenous vegetation; and</p> <p>(b) The extent to which the natural character and cultural values of a river or stream are maintained.</p>
<p>PREC7-SI Land use activities within PREC7 – Huntly North precinct</p>	
<p>(3) Activity status: PER Where:</p> <p>(a) Any land use activity where it is on a site that:</p> <p>(i) Was created by a subdivision consent decision that had regard to a stop bank breach assessment; and</p> <p>(ii) The stop bank breach assessment assessed risk to the site and future development on the site; and</p> <p>(iii) All flood hazard mitigation measures recommended in the stop bank breach assessment are in place.</p>	<p>(4) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <p>(a) The avoidance and mitigation of flooding hazards; and</p> <p>(b) Preparation of, and responses to recommendations in, a stop bank breach assessment.</p>

Land use – building

<p>GIZ-S3 Building height</p>	
<p>(1) Activity status: PER Where:</p> <p>(a) A building measured from the natural ground level immediately below that part</p>	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p>

<p>of the structure that does not exceed a height of:</p> <ul style="list-style-type: none"> (i) 15m; or (ii) 18m if located on Whangarata and Bollard Road in Tuakau; or (iii) 10m if located on Tregoweth Lane and within 50m of the GRZ – General residential zone in Huntly. <p>(b) Chimneys not exceeding 1m in width and finials measured from the natural ground level immediately below the structure shall not exceed that do not exceed a height of</p> <ul style="list-style-type: none"> (i) 17m; or (ii) 20m if located on Whangarata and Bollard Road in Tuakau; or (iii) 12m if located on Tregoweth Lane and within 50m of the GRZ – General residential zone in Huntly. 	<p>(a) Effects on the amenity of neighbouring properties.</p>
<p>GIZ-S4</p>	<p>Building height in an Outstanding Natural Feature or Outstanding Natural Landscape</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A building measured from the natural ground level immediately below that part of the structure that does not exceed a height of 5m in an Outstanding Natural Feature or Outstanding Natural Landscape. 	<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 extent to which the aesthetic value of the identified feature or landscape is maintained
<p>GIZ-S5</p>	<p>Height in relation to boundary</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A building or structure that does not project beyond a 45 degree height control plane measured from a point 3m above natural ground level along the boundary of a site located outside of a HIZ – Heavy industrial zone or GIZ – General industrial zone. 	<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) Effect on the amenity of neighbouring properties.
<p>GIZ-S6</p>	<p>Building setbacks – all boundaries</p>
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) A building that is set back at least: <ul style="list-style-type: none"> (i) 5m from a road boundary; and (ii) 3m from any other boundary where the site adjoins another zone, other than the HIZ – Heavy industrial zone. (b) GIZ-S6(1)(a) does not apply to a structure which is not a building. 	<p>(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on amenity values; (b) Effects on streetscape; and (c) Traffic and road safety.
<p>GIZ-S7</p>	<p>Building setback – waterbodies</p>

<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building that is set back a minimum of:</p> <ul style="list-style-type: none">(i) 30m from a lake margin;(ii) 30m from a wetland that is identified on the planning maps;(iii) 37m from the bank of the Waikato River;(iv) 10m from the bank of a river, other than the Waikato River;(v) 10m from the bank of a perennial or intermittent stream;(vi) 10m from a wetland that is not identified on the planning maps <p>(b) A pump shed, or a public amenity of not exceeding an area of 25m², that is located within the building setbacks identified in Standards GIZ-S7(1)(a);</p> <p>(c) GIZ-S7(1)(a) does not apply to a structure which is not a building.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none">(a) Effects on natural character values.
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Section 32 Report – Volume I

prepared for

Variation 3 to the Proposed Waikato District Plan

Enabling Housing Supply

September 2022



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I Introduction

This report has been prepared to fulfil the obligations of Waikato District Council (Council) required by section 32 of the Resource Management Act 1991 (RMA). This report should be read together with the text and maps of the Waikato Proposed District Plan (PDP) itself and Variation 3.

For any proposed change to a proposed district plan, Council is required under section 32 of the RMA to carry out an evaluation of whether objectives of a proposal are the most appropriate way to achieve the purpose of the Act (i.e., sustainable management of natural and physical resources).

A section 32 evaluation must also examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by identifying other reasonably practicable options for achieving the objectives and assessing the efficiency and effectiveness of policies, rules and other methods in considering whether they are the most appropriate means of achieving these objectives.

The evaluation must consider the benefits and costs associated with each policy, rule or method and also the risk of acting or not acting if there is uncertain or insufficient information on the subject matter.

Accordingly, this volume of the section 32 evaluation report steps through:

- a. Background;
- b. Relevant legislation, strategies and policies;
- c. Consultation and engagement;
- d. Evaluation of the proposed objectives as required by section 32(1)(a);
- e. Identification and evaluation of options to achieve the objectives in accordance with section 32(1)(b)(i); and
- f. Evaluation of the proposed provisions as required by sections 32(1)(b) and 32(2).

Volume 2 of this document sets out the additional evaluations required by sections 77J and 77L of the Act for qualifying matters.

I.1 Overview and purpose of Variation 3

On 20 December 2021, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 was enacted. While this has now been incorporated into the primary legislation of the RMA, it requires Tier I Territorial Authorities, of which Waikato District is one, to change their district plans to incorporate Medium Density Residential Standards (MDRS) and to give effect to Policies 3 or 5 of the National Policy Statement on Urban Development (NPS-UD).¹

The MDRS as set out in Schedule 3A of the RMA, must be applied to every “relevant residential zone” in the district and can be modified to be either more or less enabling of development in accordance with sections 77H and 77I of the RMA. Schedule 3B of the RMA amends Policies 3, 4 and 5 of the NPS-UD.

If a Territorial Authority is proposing to modify the MDRS to limit their application, it can do so only if one of the qualifying matters contained in s77I of the RMA are applicable. A qualifying matter is a matter identified in s77I of the RMA that makes the required higher density inappropriate in an area where there are significant factors or values present, such as high hazard risk.

Variation 3 – Enabling Housing Supply – constitutes Council’s Intensification Planning Instrument (IPI) under s80E of the RMA (Variation 3). Variation 3 seeks to vary the PDP to implement the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (Amendment Act) by:

- a. Applying the MDRS to relevant residential zones; and
- b. Give effect to Policy 3 in the NPS-UD.

In implementing Variation 3, Council’s objectives are to:

- a. Meet legislative requirements;

¹ RMA s73 and 74 requires Variation 3 to be prepared in accordance with RMA Part 2 and must also give effect to the NPS-UD as a whole

- b. Enable additional residential capacity in the district's larger towns subject to qualifying matters;
- c. Contribute towards achieving the targets for housing development capacity as set out in the PDP and Future Proof;
- d. Enable a variety of housing choice;
- e. Reduce pressure on urban expansion and associated infrastructure investment requirements by enabling more intensification of existing urban areas;
- f. Create quality built form outcomes; and
- g. Deliver on a more walkable and compact urban form by increasing residential intensification in close proximity to the town centres of the four largest towns.

1.2 The Relevant District Plan

While the PDP was publicly notified in July 2018, decisions on submissions and further submissions were released in January 2022. Due to the timing of the enactment of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 202, the PDP decisions could not reflect the new legislative requirements. In any event, the Hearing Panel on the PDP was constrained by the scope of the submissions received to the PDP in 2018.

As mentioned above, Variation 3 is Council's response to the requirements to notify an IPI in accordance with section 80E of the RMA. Variation 3 proposes changes to the PDP as the most recent district plan, rather than the Operative Waikato District Plan.

1.3 Scope of Variation 3

Variation 3 applies to the existing urban areas in the towns of Huntly, Ngāruawāhia, Pōkeno and Tuakau. Key parts of Variation 3 are summarised below in terms of the PDP chapters:

		Proposal
Part 2: District Wide Matters	Strategic Direction	<ul style="list-style-type: none"> Amend the strategic direction objectives and policies to incorporate a mandatory objective and policy relating to residential development.
	Subdivision	<ul style="list-style-type: none"> Amend the policies to provide for residential subdivision in accordance with the MDRS. Incorporate the MDRS and related changes.
Part 3: Area Specific Matters	New Medium Density Residential Zone 2	<ul style="list-style-type: none"> Rename the Medium Density Residential Zone in Huntly, Tuakau, Ngāruawāhia and Pōkeno to Medium Density Residential Zone 2. Amend the objectives and policies to incorporate a mandatory objective and policies relating to residential development. Amend the policies to provide for residential development in accordance with the MDRS, except where qualifying matters apply. Incorporate the MDRS, provisions for assessing proposals that do not comply with MDRS and other related changes. Incorporate rules that modify the MDRS where necessary to accommodate qualifying matters.
	General Residential Zone	<ul style="list-style-type: none"> Retain the existing General Residential Zone provisions in Huntly, Tuakau, Ngāruawāhia and Pōkeno to accommodate a qualifying matter: Urban Fringe.
	Medium Density Residential Zone	<ul style="list-style-type: none"> Rename to Medium Density Residential Zone 1
	Consequential changes	<ul style="list-style-type: none"> Consequential changes to other chapters to amend references to Medium Density Residential Zones 1 and 2.
	Maps	Maps

		<p>Ngaruawahia and Pokeno with the Medium Density Residential Zone 2.</p> <ul style="list-style-type: none"> • Amend the planning maps to replace the Medium Density Residential Zone in Te Kauwhata and Raglan to the Medium Density Residential Zone 1. • Amend the extent of the Medium Density Residential Zone 2 and the General Residential Zone.
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Notably, some parts of the PDP are not proposed to be amended and these include:

- The provisions of the General residential zone. This is as a result of the qualifying matter: urban fringe which is addressed in Volume 2 of this report;
- The provisions for Medium density residential 1 zone, which will continue to apply to Raglan and Te Kauwhata;
- The spatial extent of Medium density residential 1 zone in Raglan and Te Kauwhata;
- The provisions relating to District-wide overlays which are located in Part 2 of the PDP (other than updating references to zone names);
- The spatial extent of the urban area is not expanded; and
- Properties will not be down-zoned from their current zoning in the PDP decision.

2 Legislation, strategies and policies

The following sections discuss the legislative and national, regional and local policy framework that provides the context for Variation 3.

2.1 Resource Management Act 1991 (RMA)

Section 74 of the RMA requires a territorial authority to change its district plan in accordance with the provisions of Part 2. Similarly, section 32(1)(a) of the RMA requires an evaluation report to examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The purpose and principles are set out in Part 2, sections 5-8 of the RMA. Other sections of the RMA which are also considered relevant to Variation 3 are set out below.

Section 5 – Purpose of the Act

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management means

managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while -

- *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- *avoiding, remedying, or mitigating any adverse effects of activities on the environment*

Variation 3 is considered to be consistent with the purpose of Part 2 of the RMA as it will promote the sustainable management of the land resource available for residential development to enable people and communities to provide for their social and economic well-being. Variation 3 will also assist with meeting the reasonably foreseeable needs of future generations, safeguard the life-supporting capacity of the natural environment and avoid, remedy or mitigate any adverse effects of activities on the environment. A detailed assessment of the proposed objectives against the purpose of the Act is contained in chapters 5-7 of this report, as required by section 32(1)(a) of the RMA.

In achieving this purpose, councils also need to recognise and provide for the matters of national importance identified in section 6, have particular regard to other matters referred to in section 7 and take into account the principles of the Treaty of Waitangi under section 8.

Section 6 – Matters of national importance

Section 6 outlines matters of national importance that shall be recognised and provided for in achieving the purpose of the RMA. It is considered that these matters are recognised and provided for either through Variation 3 or the existing provisions of the PDP. Although Variation 3 provides for increased development opportunities it should be noted that these are within existing urban areas where PDP provisions are currently in place to address matters of national importance. The recognition of s6 matters is set out in Volume 2 – Qualifying Matters.

Section 7 – Other Matters

Section 7 outlines other matters which require Councils to have particular regard to in relation to managing the use, development, and protection of natural and physical resources. Variation 3 specifically seeks to address the efficient use and development of natural and physical resources through providing for a greater opportunity for residential development in close proximity to the town centres of the four largest towns. This will assist with using land and infrastructure more efficiently.

Section 8 – Treaty of Waitangi

All persons exercising functions and powers under the RMA must take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

In this regard, engagement has been undertaken with Tangata Whenua throughout the development of Variation 3 and will be ongoing. In particular, engagement has been undertaken with Te Whakakitenga o Tainui. This is further discussed below in Consultation and Engagement.

Section 31 – Functions of territorial authorities under the Act

Section 74(1) of the RMA requires a territorial authority to change its district plan in accordance with its functions under section 31. Section 31 of the RMA was amended in 2017 to give territorial authorities the function of the ‘establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district’.

Access to housing is fundamental to providing for the well-being of current and future residents of Waikato District. Variation 3 will provide for additional residential development capacity and variety to assist with meeting growth demands and needs, while supporting a walkable and compact urban environment.

Section 75 – Contents of district plans

This section of the RMA requires district plans to contain an appropriate framework to give effect to higher order statutory documents. It is considered that these matters are recognised and provided for either through the existing provisions of the PDP or Variation 3.

Section 76 – Effects of activities on the environment

Under section 76(3) of the RMA, when evaluating rules, the Council must have regard to the actual or potential effects of activities on the environment. The effects on the environment are considered through the options analysis in both volumes of the section 32 reports.

Where the MDRS have been incorporated in full without modification, no further analysis is undertaken as these standards are mandatory.

2.2 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

Intensification Planning Instruments (IPI)

An IPI is defined in section 80E of the RMA as a change to a district plan or a variation to a proposed plan that must incorporate the MDRS and give effect to the NPS-UD intensification Policy 3. The IPI may also include related provisions (including objectives, policies, rules, standards and zones) that support or are consequential on the MDRS and NPS-UD policies.

A territorial authority must only notify one IPI, when the MDRS is first incorporated into the proposed district plan which is via Variation 3.

Council must prepare an evaluation of the IPI under section 32 of the RMA as amended by sections 77J and 77L of the RMA.

The IPI may also amend or include related provisions (including objectives, policies, rules, standards and zones) that support or are consequential on the MDRS or Policy 3 in the NPS-UD. Section 80E provides that these related provisions can include:

- a. Qualifying matters identified in accordance with section 77I or 77O;
- b. Provisions for district wide matters such as fencing, infrastructure, stormwater management or subdivision of land as they relate to urban areas (s80E(2) of the RMA);
- c. Creation of new residential zones or amending existing residential zones provided for in s77G(4) of the Amendment Act that implement the MDRS and
- d. Related provisions which support the MDRS, such as open space.

Qualifying Matters

Section 77I RMA provides that Council may make the MDRS and the relevant building height or density requirements under Policy 3 of the NPS-UD less enabling of development in an area within a relevant residential zone only to the extent necessary to accommodate 1 or more qualifying matters. . A qualifying matter makes higher density inappropriate in an area. The qualifying matters are listed in s77I(a) to (j) and s77O(a) to (j) in the RMA. Council is proposing to accommodate qualifying matters in the IPI. Qualifying matters are discussed in detail in Volume 2.

Legal Effect

Section 86BA of the RMA provides that some permitted activity rules have immediate legal effect from the notification date of the IPI which is 19 September 2022. This applies if the rule authorises the construction and use of a residential unit in a relevant residential zone in accordance with the MDRS. Legal effect does not apply to:

- a. Restricted discretionary activities;
- b. Areas where a qualifying matter has been identified (either an existing or a proposed new qualifying matter);
- c. Areas not previously a relevant residential zone (this will include areas within the Medium Density Residential Zone 2 which were not in a residential zone in the Operative Waikato District Plan.);
- d. Subdivision rules and standards.

Intensification Streamlined Planning Process (ISPP)

The ISPP sets out a pathway for plan changes to implement the MDRS, Policy 3 of the NPS-UD and other supporting or consequential changes. Council must use the ISPP to incorporate the MDRS and NPS-UD intensification policies into the PDP. The ISPP is based on the Streamlined Planning Process under the RMA.

There are steps in Part 1, Schedule 1 of the RMA that apply to an ISPP. Council must enable the public to submit on the IPI and prepare a summary of submissions for further submissions and then hold a hearing into submissions on the IPI. An Independent Hearings Panel was appointed by Council on 22 April 2022 in accordance with section 96(1) of Part 6 in Schedule 1 of the RMA. The Independent Hearings Panel will conduct a hearing and make recommendations to Council. Council must consider those recommendations and either accept or reject them. If Council accepts the recommendations, Variation 3 becomes operative. If Council rejects the recommendations, the Minister for the Environment makes the decision and makes Variation 3 operative. The ISPP does not provide for Environment Court appeals. Pursuant to section 80L of the RMA, the Minister for the Environment can direct Council in relation to a number of matters. The Minister has directed Council to notify its decisions on the Independent Hearings Panel's recommendations in accordance with clause 102 of the RMA by 31 March 2024.

Under s75(3)(a) of the RMA, a district plan must give effect to any national policy statement. The various policy statements including NPS-UD, National Policy Statement on Freshwater and the National Policy Statement on Electricity Transmission are considered relevant to Variation 3 and are discussed below.

2.3 National Policy Statement on Urban Development 2020

The NPS-UD came into effect on 20 August 2020. The NPS-UD 2020 sets out the objectives and policies for planning for well-functioning urban environments.

The objectives of the NPS-UD seek to achieve the following:

- a. Well-functioning urban environment that enable people to provide for their social, economic and cultural well-being, and for their health and safety, now and into the future;
- b. Planning decisions that improve housing affordability;
- c. Enable more people to live in areas of an urban environment that are near centres, employment, well served by public transport or there is a high demand for housing;
- d. Recognition that urban environments and amenity values change overtime;
- e. Planning decisions take into the principles of the Treaty of Waitangi;
- f. Decisions on urban development are integrated with infrastructure and planning decisions, strategic over the medium and long term, and responsive;
- g. Local authorities have robust and up to date information about their urban environments and use it to inform planning decisions;
- h. Urban environments support reductions in greenhouse gases and are resilient to the effects of climate change.

The NPS-UD identifies Council as a tier 1 territorial authority.

Variation 3 gives effect to the NPS-UD as far as it is relevant to the requirements of the IPI. In particular, Variation 3 will enable the development of a variety of homes in terms of type, price and location. Variation 3 will assist with providing development capacity to meet expected housing demand.

The focus of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 is to give effect to Policy 3 in the NPS-UD, of which Policy 3(d) is most relevant to Waikato District:

Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:

- (d) *within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.*

Development capacity is defined in the NPS-UD as:

means the capacity of land to be developed for housing or for business use, based on:

- (a) *the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and*
- (b) *the provision of adequate development infrastructure to support the development of land for housing or business use*

The objectives and policies in the NPS-UD continue to focus on urban environments (as defined in the NPS-UD), enabling more people to live in areas in or near a centre with many employment opportunities, that are well-serviced by existing or planned public transport and there is high demand for housing in the area, relative to other areas. Planning decisions are to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and urban development is to be integrated with infrastructure.

2.4 National Policy Statement for Freshwater Management 2020 (NPS-FM)

On 3 September 2020, the NPS-FM was gazetted. The objective of the NPS-FM is that natural and physical resources are managed and prioritise:

1. The health and well-being of water bodies and freshwater ecosystems;
2. The health needs of people; and
3. The ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Although the provisions are largely directed towards regional councils, clause 3.5(4) requires every territorial authority to 'include objectives, policies and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects of urban development on the health well-being of water bodies, freshwater ecosystems and receiving environments'.

This is relevant to one of the qualifying matters (Te Ture Whaimana) and is discussed further in that context in Volume 2 of the section 32 report.

2.5 National Policy Statement for Electricity Transmission (NPSET)

The National Policy Statement for Electricity Transmission (NPSET) identifies the need to operate, maintain, develop and upgrade the electricity transmission network as a matter of national significance. The sole objective of the NPSET is:

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *managing the adverse environmental effects of the network; and*
- *managing the adverse effects of other activities on the network.*

NPSET Policies 1 and 2 require decision-makers to recognise and provide for the National Grid in two complementary ways:

- a. recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission (Policy 1); and
- b. recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network (Policy 2).

This is a qualifying matter and is further addressed in volume 2 of the section 32 report.

2.6 Te Ture Whaimana o Awa

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (Settlement Act) gives effect to the Deed of Settlement entered into by the Crown and Waikato-Tainui in relation to Treaty of Waitangi claims pertaining to the Waikato River on 17 December 2009. The Settlement Act has the overarching purpose of restoring and protecting the health and well-being of the Waikato River for future generations. Section 9(2) of the Settlement Act confirms that Te Ture Whaimana, the Vision and Strategy for the Waikato River, applies to the Waikato River and activities within its catchment affecting the Waikato River. As well as being deemed part of the Waikato Regional Policy Statement (RPS) in its entirety pursuant to section 11(1), the Settlement Act prevails over any inconsistent provision in a national policy statement. Sections 11 to 15 of the Settlement Act also prevail over sections 59 to 77 of the RMA (which relate to regional policy statements, regional plans and district plans) to the extent to which the content of the Settlement Act relates to matters covered under the RMA. The overall vision for the Waikato River is captured in clause 2.5.1 of the RPS which states:

Our vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and well-being of the Waikato river, and all it embraces, for generations to come.

Variation 3 includes a qualifying matter to give effect to Te Ture Whaimana. This is further discussed in volume 2 of the section 32 report.

2.7 National Planning Standards

Section 75(3) requires a district plan to give effect to a national planning standard. The first set of national planning standards came into force on 3 May 2019. They aim to make RMA plans more consistent and

easier to use. They provide direction on the structure and form of plans, including definitions. Arising out of the PDP process, the Hearing Panel decided to implement as much of the National Planning Standards as possible in its decision. This means that the PDP is compliant with the National Planning Standards in terms of structure, zone names, mapping, and definitions. Variation 3 has been developed in such a way to continue to be compliant as far as possible with the National Planning Standards, although does depart slightly for the naming and mapping of the two versions of the Medium density residential zone.

2.8 Regional Policy Statement (RPS)

Section 75(3)(c) of the RMA states that a change to a district plan must give effect to any regional policy statement.

The RPS promotes the sustainable management of the Waikato region's natural and physical resources and identifies the resource management issues facing the region and the objectives, policies and methods to achieve the integrated management of these resources across the region.

The RPS contains a number of provisions that are of relevance to Variation 3. Of particular note, Chapter 2 contains Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River. The proposed provisions in Variation 3 must give effect to Te Ture Whaimana o Te Awa o Waikato and ensure that the health and well-being of the Waikato River is restored and protected. Chapter three of the RPS contains regionally significant objectives, each of which addresses a particular matter. Topic areas of relevance to the management of residential activities by territorial authorities include, energy and infrastructure, integrated resource management, iwi resource management, urban and rural growth management, and natural hazards. Part B of the RPS contains the policy and method framework.

Objective 3.12 RPS deals with climate change, the built environment and the values and benefits of regionally-significant infrastructure. Objective 3.12 RPS states that

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by ...

Objective 3.12(d) of the RPS is relevant to Variation 3 in that it seeks to integrate land use and water planning and to ensure that sufficient water is available to support future planned growth.

Chapter 6 of the RPS contains the policies that implement Objective 3.12, and focus on a number of matters, of which the most directly relevant is to co-ordinate growth and infrastructure. Policy 6.1 seeks that subdivision, use and development of the built environment, occur in a planned and coordinated manner.

RPS Policy 6.1.7 seeks to ensure that before land is rezoned for urban development, urban development planning mechanisms are produced to facilitate proactive decisions about the future location of urban development; and RPS Policy 6.3 seeks that the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure. This is to ensure that infrastructure has adequate capacity and is located in the right place.

There are policies in the RPS to adopt a Future Proof land use pattern, and density targets for Future Proof areas.²

Section 77G(8) of the RMA requires that to incorporate the MDRS into a relevant residential zone applies irrespective of any inconsistent objective or policy in a regional plan.

The RPS was amended to incorporate housing bottom lines in accordance with s55(2A) of the RMA on 23 March 2022 and this resulted in the inclusion of Objective 3.27:

The housing bottom lines for feasible, reasonably expected to be realised development capacity for housing in the Future Proof area are met, in accordance with the requirements of the National Policy Statement on Urban Development (NPS-UD) 2020.

² Waikato Regional Policy Statement Section Policy 6.14 Adopting Future Proof land use pattern

2.9 Regional Plans

Under Section 75(4) of the RMA a district plan must not be inconsistent with a regional plan for any matter specified in section 30(1). The purpose of the Waikato Regional Plan is to promote the sustainable and integrated management of land and water resources within the Waikato. To achieve this, the Plan has policies and methods (which include rules) to address issues of use, development and protection of land resources, geothermal resources and freshwater resources, including the beds and margins of water bodies.

2.10 Waikato Regional Land Transport Plan 2021 (RLTP)

Under section 74(2)(b)(i) of the RMA when changing a district plan, a territorial authority shall have regard to management plans and strategies prepared under other Acts. The RLTP is one of the relevant strategies.

The RLTP is prepared by the Regional Council and sets the direction for the region's land transport system for the next 30 years. It is a statutory requirement of the Land Transport Management Act 2003.

The RLTP recognises that there is a strong relationship between land use patterns and transport factors, such as viability of different modes. Of particular relevance are the policies in section 4.5 Access and Mobility:

Policy 24: Promote travel demand initiatives and technology that supports travel behaviour change, mode shift and compact urban form.

P25: Encourage the use of travel modes that reduce reliance on private vehicles, including public transport, walking, cycling, micro-mobility and ride-sharing

Through enabling greater housing capacity close proximity to the towns, Variation 3 supports strategic aspirations towards compact walkable urban environments. The creation of walkable catchments around commercial centres, community infrastructure and employment supports increasing usage of non-car modes of transportation, such as walking and cycling. Variation 3 provides the potential for greater uptake of public transport as it is often correlated to greater densities of people.

2.11 Adjacent District Plans

Under section 74(2)(c) of the RMA when changing a district plan, a territorial authority shall have regard to the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

The Waikato councils work closely together, particularly through regional growth initiatives such as Future Proof. Engagement has been undertaken with Hamilton City Council and Waipa District Councils on Variation 3 to align where this makes sense while responding to the unique issues of each of the jurisdictions. A joint hearing will be held on the IPI for all three councils.

2.12 Iwi Management Plans

Under section 74(2A) of the RMA a territorial authority, when changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority.

Within the jurisdiction of Waikato District, the following iwi management plans are relevant:

- a. Waikato Tainui Environment Management Plan 2018; and
- b. Maniapoto Iwi Environment Management Plan 2018.

The key strategic objectives in Tai Tumu Tai Pari Tai Ao include tribal identity and integrity, including “to grow our tribal estate and manage our natural resources”.

Of particular relevance to Variation 3 is Chapter 25 includes issues, objectives, policies and methods that deal with land use. The objectives have a focus on environmental improvements and seeks to achieve urban environments that are well-planned, and the environmental, cultural, spiritual, and social outcomes are positive. Land development or subdivisions are not supported where the effects or the cumulative effects of the proposed development or subdivision decreases existing environmental, cultural, spiritual, or

social outcomes, and development in new growth cells enhances the environment. The use of low-impact development principles is to be implemented in all new subdivisions and developments.

Similarly, Maniapoto Environmental Management Plan contains a number of objectives and policies in that are relevant to urban areas, such as:

- Policy 18.3.1.3 which seeks to ensure that urban planning and development is conducted in accordance with best practice principles, and infrastructure services provide for the environmental, social, economic, and cultural needs of Maniapoto within the financial capacity of the community.
- Policy 22.3.4.1 Transport networks reduce costs and impacts on the environment through improved energy efficiency.

The relevant parts of these environment management plans have been taken into account when drafting Variation 3.

2.13 Strategies

When changing the district plan, regard is to be had to strategies prepared under other acts. The growth areas of the Waikato region are identified in the following strategies.

2.13.1 Future Proof 2022

The Future Proof 2022 Strategy is a 30-year growth plan for the Hamilton, Waipaa and Waikato sub-region, includes information and tables that are intended to give a general long-term indication of where the growth is likely to be now and into the future. The Strategy identifies seven transformational moves for change:

1. Iwi aspirations: enhancing the health and wellbeing of the Waikato River in accordance with Te Ture Whaimana, the Vision and Strategy, and iwi place-based aspirations;
2. Putting the Waikato River at the heart of planning;
3. A radical transport shift to a multi-modal transport network shaped around where and how communities will grow;
4. A vibrant metro core and lively metropolitan centres;
5. A strong and productive economic corridor at the heart of the metro area;
6. Thriving communities and neighbourhoods including quality, denser housing options that allow natural and built environments to co-exist, and increased housing affordability and choice;
7. Growing and fostering water-wise communities through a radical shift in urban water planning, ensuring urban water management is sensitive to natural hydrological and ecological processes.

The Strategy has growth targets to support a compact and concentrated approach to development. For the Waikato District, approximately 90 per cent of growth will be in identified urban areas that include Tuakau, Pōkeno, Te Kauwhata, Ohinewai, Huntly, Ngāruawāhia, and Raglan.

Table 1: Minimum targets for the Waikato District

	Short to Medium term 2020- 2030	Long term 2030- 2050	30 Year Total
Waikato District	6,900	11,200	18,100

Future Proof seeks to concentrate development to help support modal shift from the private car to more sustainable modes of transport. The minimum net residential density targets which are to be achieved over time are 25-35 dwellings per hectare in defined intensification areas in the larger towns of the Waikato District (Pōkeno, Tuakau, Te Kauwhata, Ohinewai, Huntly, Taupiri, Horotiu, and Raglan) and 30-50 dwellings per hectare in defined intensification areas in Ngāruawāhia.

Chapter 8 of the Future Proof Strategy has a hierarchy of major commercial centres in the wider Waikato region, with Hamilton being a City Centre. Ngāruawāhia is identified as a town that may become a metropolitan centre in the long term (30 years+). This provides the context for projected housing demand, and the provisions in Variation 3.

Table 2: Future Proof hierarchy of major commercial centres in the Waikato Region

Functional type	Location	Function description	Long-term future function (subject to pre-conditions being met)
Town centres	Cambridge Te Awamutu Ngāruawāhia	Retail, administration, office and civic centres providing most commercial and servicing needs, together with non-retail economic and social activity, to their urban and rural hinterland.	Metro centre in long-term (30+ years). *Ngāruawāhia/Hopuhopu will be considered further through the priority development areas – northern corridor action as part of precinct planning for Ngāruawāhia, Hopuhopu and Taupiri.
Town centres	Huntly, Raglan Te Kauwhata Pōkeno* Tuakau*	Retail, administration, office and civic centres providing most commercial and servicing needs, together with non-retail economic and social activity, to their urban and rural hinterland.	Town centre *The future role of Pookeno and Tuakau will be defined in consultation with Auckland Council and other stakeholders. *The future role and function of Hamilton's town centres and future town centres will be defined through Hamilton Urban Growth Strategy and District Plan updates in future.

Future Proof states that the demand for dwellings is projected to increase by around 56 per cent from 2020 out to 2050:

Overall, the Future Proof sub-region is not likely to have any projected shortfalls in housing and business capacity over the next 30 years. This is contingent on the timely provision of infrastructure. If there are delays in the provision of infrastructure this will impact on our ability to provide sufficient development capacity.

The NPS-UD Housing Development Capacity Assessment undertaken by Market Economics assessed the current demand as of 2020 as follows³:

The district currently has an estimated demand for around 27,400 dwellings. Approximately 40% of the demand is for urban dwellings. This equates to an estimated demand for around 10,800 urban dwellings across the main urban areas and settlements. Nearly all (95%) of the urban demand occurs within the main urban areas (that are subject to the feasibility assessment), with a smaller share (540 dwellings) in the smaller urban settlements.

With an estimated demand for approximately 2,800 urban dwellings, Huntly is currently the district's largest urban area, account for around one-quarter (26%) of the district's urban dwelling demand. Together with Te Kauwhata, Ngāruawāhia and Taupiri, over half of the district's urban dwelling demand occurs within the mid section of the district. Within this area, Ngāruawāhia also accounts for a significant share (19%) of the district's urban demand.

³ NPS-UD Housing Development Capacity Assessment Future Proof Partners, Market Economics, July 2021, Section 3.3.1

A significant share of demand also occurs within the northern area, spread across the townships of Pōkeno and Tuakau. Together, these areas account for 24% of the district's demand. The remainder of the urban dwelling demand is spread across Raglan (17%) and the smaller urban settlements (5%).

Market Economics were engaged as part of the Future Proof update to model residential capacity that would be enabled by the MDRS and PDP. An overview and assessment of the Residential Capacity Assessment in relation to Huntly, Ngāruawāhia, Pōkeno and Tuakau is addressed later in this report.

The modelling confirmed that the MDRS will enable commercially-feasible capacity as intended in the towns of Ngāruawāhia, Pōkeno, and Tuakau. The modelling indicates that Huntly is not an urban area that would generate commercially-feasible development options, however, there is still a high level of plan-enabled capacity available. Further, it is noted that more recently, greenfield development has been taken up within this urban area, in which the findings show significantly increased capacity. The assumption can also be adopted whereby redevelopment or infill development options may be feasible at a lower profit margin than that considered in the modelling assessment or through time as demand grows for higher density development patterns.

2.13.2 Waikato 2070

Waikato 2070 is the growth strategy recently adopted by Council in 2020. As it was prepared under the special consultative process in the Local Government Act 2002, it has the same status as Future Proof 2017 in terms of the RMA requirement to “have regard” to it in accordance with section 74(2)(b)(i) of the RMA. While Council is required to have regard to Waikato 2070, it is a useful document for indicating the future level of growth anticipated for each town and village and where that growth is likely to be located.

The underpinning vision of Waikato 2070 is to create liveable, thriving and connected communities. It identifies development plans for the following areas:

- Tuakau (projected population to grow from 5,000 to 8,000);
- Pōkeno (projected population to grow from 2,500 to 16,000);
- Meremere, Mercer and Hampton Downs;
- Te Kauwhata (projected population to grow from 2,000 to 10,000);
- Taupiri (projected population to grow from 500 to 4,000);
- Huntly and Ohinewai (projected population to grow from 7,000 to 13,500);
- Te Kowhai (projected population to grow from 500 to 4,000);
- Ngāruawāhia (projected population to grow from 7,000 to 10,500); and
- Raglan (projected population to grow from 4,000 to 12,500).

To support future growth, Waikato 2070 sets a development pattern for the district, including identifying specific growth areas and timings (subject to further investigation and feasibility). Each development plan identifies the type of land use activities, and the timeframe for development.

2.13.3 Local Area Blueprints

The aim of the Blueprint is to provide a high-level ‘spatial picture’ of how the district could progress over the next 30 years, address the community’s social, economic and environmental needs, and respond to its regional context. The Waikato District Blueprint works to achieve the overall vision established by the Council for the district:

Liveable, Thriving and Connected Communities / He noohanga aahuru, he iwi whai ora, he Haapori tuuhono tahi

To achieve the vision and respond to the opportunities identified through the process, nine district-wide themes were developed. Each theme has a series of associated initiatives. The nine themes are as follows:

1. Identity: create a world class Waikato River corridor identity and strengthen Raglan’s local character.
2. Nature: protect the natural environment with revegetated biodiversity links and clean waterways.
3. Iwi: build on the Joint Management Agreements and other agreements, celebrate Māori culture, and promote the use of Te Reo.

4. Communities: strengthen, enable and connect local communities and citizens, and support those most in need.
5. Growth: direct cohesive growth outcomes which support all community needs.
6. Economy: support the rural and urban economy, and attract more visitors, entrepreneurs, and employment uses.
7. Transport: leverage value off accessibility, help those disadvantaged by a lack of transport options, prepare for future passenger rail.
8. Infrastructure: develop and maintain efficient infrastructure that is environmentally clean and will serve the community well into the future.
9. Governance: devolve some decision making, and engage more effectively at community and hapū level.

In addition to the nine district-wide themes and related initiatives, 15 Local Area Blueprints have been developed for the towns and areas. A number of the feedback received in the context of the Blueprints is relevant to Variation 3, for example some of the feedback from the Tuakau community includes:

- There is an issue related to the affordability of housing;
- There are reverse sensitivity issues between the industrial zone and the adjacent residential zone.

Feedback from the Huntly community was that growth is welcomed, as this will induce new energy, diversity and greater viability into the community. The community felt there may be opportunities for housing (re)development, especially on the western side of the river. A number of communities expressed a strong desire for improved public transport accessibility (train and bus) among the community.

3 Consultation and Engagement

3.1 Clause 3 consultation

Schedule 1, clause 3(1)(a) and (b) requires consultation with the Minister for the Environment and other affected Ministers of the Crown. An email has been sent to the Minister for the Environment, Minister for Housing and Minister for Urban Development.

Consultation has been targeted due to the requirement in the RMA and the Minister's direction for a Variation to be developed and notified in a short timeframe and the narrow scope for change.

The government requirements are that Council uses the IPI as a 'fast track' process for the Enabling Housing Supply Variation process. While the usual RMA Schedule 1 plan development process involves more public consultation on a draft before notification, the compressed timeframe does not allow for this to occur.

While no specific consultation has been undertaken with members of the public, a comprehensive public process was recently undertaken in respect of the PDP, and the s32 reports, s42A Reports, submissions, technical reports and evidence presented at the hearings have been used where these have been able to inform the evaluation of Variation 3. In addition, the feedback through other non-statutory processes such as the development of Future Proof 2022, Waikato 2070 and the Blueprints has informed Council's strategic direction for Variation 3.

Table 3: Record of engagement on Variation 3

Date	Group	Subject Matter	Feedback
29 May 2022	Internal Resource Management Policy staff	Initial feedback on approach and criteria assessment	General support however drafting approach to adapt existing residential zones was preferred.
16 July 2022	Internal Resource and Building Consents Staff	Initial feedback on draft provisions and qualifying matters	Feedback on specific provisions and preferred wording was provided.
19 July-3 August 2022	Onewhero-Tuakau, Ngāruawāhia, Raglan, Taupiri, Huntly Community Boards and Te Kauhata Community Committees	Verbal update and summary of Variation 3 and changes to affected towns	Main discussion points related to key dates, provision of infrastructure and supporting facilities, where and how provisions would apply.
19 July 2022	Local government: Hamilton City Council Waipaa District Council Waikato Regional Council	Formal notice for consultation on draft provisions and qualifying matters	Receipt of notice was received.
25 July 2022	Minster for the Environment and Minister of Housing	Formal notice for consultation and summary of changes	Receipt of notice was received.
9 August 2022	Internal Resource Consents Staff	Follow up feedback on draft provisions and qualifying matters	Feedback on specific provisions and preferred wording was provided.
23 August 2022	Local government: Hamilton City Council Waipaa District Council Waikato Regional Council	Formal notice for consultation of delaying notification to 19 September 2022.	Nil.

3.2 Advice from Iwi Authorities

Section 32(4A) of the RMA requires the s32 report to include a summary of the advice received from iwi authorities and the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

Table 4: The following table outlines the parties in which engagement was sought.

Name of iwi Māori party	June invitation to engage	July follow up	Acknowledged receipt	Immediate or ongoing engagement
1. Hauraki Māori Trust Board	x	x		
2. Horahora Marae / Horahora Pa - name change with land court as of 22/7	x	x	x	

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3. Hukanui a Muri Marae	x	x	x	
4. Hukanui Marae	x	x	x	
5. Kaitumutumu Marae	x	x		
6. Matahuru Marae	x	x		
7. Maniapoto Māori Trust Board	x	x	x	
8. Mangatangi Marae	x	x		
9. Maurea Marae	x	x		
10. Motakotako marae	x	x		
11. Ngā Tai e Rua Marae	x	x	x	
12. Ngā Uri o Maahanga Trust	x	x	x	
13. Ngā Muka Development Trust	x	x		
14. Ngāti Aamaru	x	x		
15. Ngāti Hine	x	x		
16. Ngāti Hauaa Iwi Trust	x	x		
17. Ngāti Naho Trust	x	x	x	x
18. Ngāti Paoa Iwi Trust	x	x		
19. Ngāti Tamaoho Iwi Trust	x	x	x	
20. Ngāti Tamainupoo Trust	x	x	x	
21. Ngāti Wairere	x	x	x	
22. Oomaeroa Marae	x	x		
23. Oraeroa Marae	x	x		
24. Pukerewa Marae	x	x		
25. Poihakena Marae	x	x		
26. Raukawa Settlement Trust	x	x	x	
27. Tauhei Marae	x	x	x	
28. Taniwha Marae	x	x		
29. Taupiri Marae	x	x	x	x
30. Tauwhare Marae	x	x		
31. Tauranganui Marae	x	x	x	
32. Te Akau Marae	x	x	x	
33. Te Iti o Hauaa Marae	x	x	x	
34. Te Awamaarahi Marae	x	x		
35. Te Kauri Marae	x	x		
36. Te Kotahitanga Marae	x	x		
37. Committee – Chair Te Kopua 2B3 Incorporated	x	x		
38. Te Ohaaki Marae	x	x		
39. Te Papa o Rotu Marae	x	x	x	
40. Te Papatapu marae	x	x		
41. Te Taniwha o Waikato	x	x		
42. Te Whakakitenga o Waikato	x	x		
43. Tikirahi Marae	x	x	x	
44. Tuurangawaewae Marae Trust Board	x	x	x	x
45. Waahi Paa	x	x	x	
46. Waahi Whaanui Trust	x	x	x	x
47. Waikato River Authority	x	x	x	
48. Waikato-Tainui	x	x	x	x
49. Waikeri Marae	x	x	x	
50. Waingarō Marae	x	x	x	
51. Waimakariri Marae	x	x		
52. Waiterimu Marae	x	x		
53. Weraroa Marae	x	x		
54. Committee - Trustee Whaingarōa ki te whenua	x	x	x	

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In brief, fifty-four (54) parties were contacted, twenty-six (26) acknowledged receipt of project information, and five (5) have engaged further with the work on proposed Variation 3.

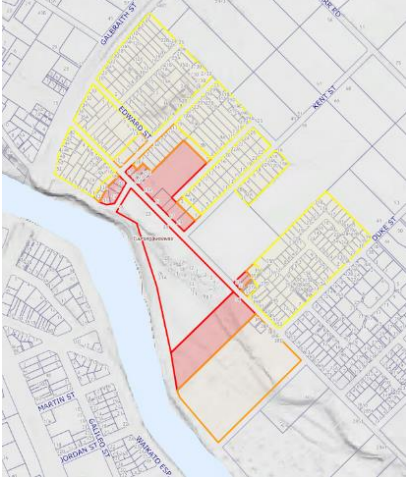
Table 5: The following table includes a summary of engagement and advice received from iwi Māori parties.

Date	Subject matter	Response received
21-24 June 2022	Communications seeking preferred engagement methods in relation to Variation 3 were sent, via email, from Council to JMA partners, Iwi, hapū, Marae representatives and trusts with interests within affected towns,	One response was received from a representative of Tuurangawaewae Marae Trust Board. The main issues raised were to restrict the intensification to urban areas only and keep away from the fringe and rural areas to areas where there is sufficient infrastructure capacity (schools and services), and to keep away from marae and culturally significant areas. Tuurangawaewae Marae Trust Board supported the application of Qualifying Matters and requested that they be involved in the identification of those matters and identifying those areas.
18-22 July 2022	Formal notice for consultation on draft provisions and qualifying matters was sent to JMA partners, Iwi, hapū, Marae representatives and trusts with interests within the Waikato District boundaries.	Twenty-five (25) separate parties confirmed receipt of information. Specific comments were received from Waikato-Tainui, Ngāti Naho Trust, Tuurangawaewae Marae Trust Board, and Waahi Whaanui Trust. Taupiri Marae committee representatives were interested in arranging a meeting. A representative of Whaingaroa ki te whenua advised that they did not believe there would be any effect unless additional areas in Raglan are proposed for medium density residential development. Meetings with several parties were undertaken as outlined further below.
July - September 2022	Meetings hosted with the project team were held online with Ngāti Naho Trust representatives, Waikato-Tainui Taiao Team, and Waikato-Tainui JMA committee. Details of these meetings are provided further below.	
2 August 2022	Site-visit with a Waahi Whaanui Trust representative was undertaken.	
23 August 2022	Engagement via email correspondence was sought from fifty-four (54) parties in total including JMA partners, Iwi, hapū, Marae representatives and trusts with interests within the Waikato District boundaries. Formal notice of notification delay and responses to frequently asked questions to date was provided.	Receipt of acknowledgement was received from: <ul style="list-style-type: none"> • Maniapoto Māori Trust Board • Ngāti Naho Trust • Taupiri Marae committee
12 September 2022	Project update was sent to JMA partners, Iwi, hapū, Marae representatives and trusts with interests within the Waikato District boundaries.	The update was to advise of the final approach Variation 3.

13 September 2022	Hui arranged with the project team at Taupiri Marae.	The purpose of the hui was to provide an overview of the variation to the Taupiri Marae Committee and to answer any questions. Engagement is ongoing.
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Table 6: The following table outlines specific engagement communication.

Date and discussion	Waikato District Council Comment:
Tuurangawaewae Marae Trust Board	
21 June 2022 Initial information sent seeking engagement.	
3 July 2022 Initial feedback provided: <ul style="list-style-type: none"> to restrict the intensification to urban areas only and keep away from the fringe and rural areas to areas where there is sufficient infrastructure capacity (schools and services), to restrict development close to from marae and culturally significant areas. supported the application of Qualifying Matters requested to be involved in the identification of those matters and identifying those areas, especially where the areas are culturally significant. 	Our approach did not propose that the MDRS changes be applied to any additional areas outside of the residential zone. The approach is to restrict development to residential areas with access to community services rather than on the outskirts of these towns. We have restricted this by identifying the relevant areas as a qualifying matter in relation to the urban fringe. Three waters infrastructure was also identified within the Te Ture Whaimana o te Awa o Waikato qualifying matter whereby various provisions were applied.
4 and 19 July 2022 Acknowledgement that Tuurangawaewae had provided feedback on 3 July. Details provided about the draft Variation and notification dates.	Relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga has been included as a qualifying matter where no changes are proposed to be made to SASM areas and marae.
17 August 2022 Feedback was received via email correspondence from Tuurangawaewae Marae Trust Board on draft provisions and qualifying matters. Feedback regarding Qualifying Matters was provided, including: <ul style="list-style-type: none"> Support to give effect to Te Ture Whaimana o Te Awa o Waikato - the Vision and Strategy for the Waikato River due to increased stormwater volume and effects. Support limiting building heights around Tuurangawaewae marae and along Waikato and Waipaa riverbanks. Support to provide input into which areas, (recorded and not recorded) that have historical and cultural importance to Tuurangawaewae. Support the use of qualifying matters for providing public access to the river. Support the use of qualifying matters in areas with long-term significant infrastructure limitations including wastewater and stormwater. 	Natural character of waterbodies and Te Ture Whaimana o Te Awa o Waikato have been identified as a QM in our approach with additional provisions and no changes to existing waterbody setbacks. In relation to historical and cultural significance and public access, it is proposed that district-wide provisions still apply to housing development in both the Medium density and General residential zones.
23 August 2022 Communication between parties, seeking clarification of issues.	

<p>The Trust Board expressed concerns for building height around Tuurangawaewae Marae for the following reasons.</p> <ul style="list-style-type: none"> • It would diminish the cultural character of the area • It would visually obstruct Tuurangawaewae whanau views of the marae and possibly the awa. • These areas also include papakaainga and a vast majority of Tuurangawaewae whānau live in this area. • The multi storey buildings will also add as a distraction to the importance and status of the marae and Kiingitanga. <p>12 September 2022 Response provided to items raised.</p>	<p>Noted and discussed with project team in detail.</p>  <p>The project team advised that limiting building height to sites already zoned Medium density residential under the PDP review and are currently in the appeals process, were unable to be downzoned as a planning assessment in support was unable to be prepared. Council staff recommended that a submission be made to support downzoning of the sites of concern so that the project team could investigate potential options for rezoning.</p>
<p>Taupiri Marae</p>	
<p>21 June 2022 Initial information sent to Taupiri Marae, seeking engagement.</p> <p>22 July 2022 Taupiri Marae confirmed receipt, did not raise concerns, but requested a meeting at the Marae to provide an update to the wider community.</p> <p>13 September 2022 The project team attended a hui at Taupiri Marae.</p>	<p>Noted</p> <p>The purpose of the hui was to provide an overview of the variation to the Taupiri Marae Committee and to answer any questions. Engagement is ongoing.</p>
<p>Waikato-Tainui</p>	
<p>21 June 2022 Initial information sent to Waikato-Tainui, seeking engagement.</p> <p>22 July 2022 Confirmed receipt of information and recommended contacting Kahurimu for further engagement.</p> <p>27 July 2022 An Online Meeting was held with the Waikato-Tainui Taiao Team. The team were supportive of changes only applying to residential areas and would supply further feedback once the provisions</p>	<p>Noted</p> <p>Noted</p>

<p>had been assessed. No specific concerns were raised.</p> <p>10 August 2022 Waikato-Tainui JMA Committee meeting between Council and Waikato-Tainui was held online which included updates on the variation programme whereby feedback and/or concerns regarding draft provisions and qualifying matters was sought. Support for qualifying matters and to continue engagement with individual marae and interested parties.</p> <p>8 September 2022 The project team held an informal online meeting with the Waikato-Tainui Taiao Team. The purpose of the hui was to keep the Taiao Team updated on progress of the variation.</p> <p>Supportive of the proposed qualifying matters was provided, particularly those relating to:</p> <ul style="list-style-type: none"> • Te Ture Whaimana o te Awa o Waikato • Natural character of the waterbodies and their margins • Outstanding natural features and landscapes • SASM • Historic heritage <p>Additional comments included:</p> <ul style="list-style-type: none"> • Support the approach developed to give effect to the infrastructure constraints. • Collaboration on Te Ture Whaimana QM was sought <p>Gaps in engagement with mana whenua from the Tuakau area was raised whereby Waikato-Tainui offered to support to seek feedback from marae representatives.</p>	<p>Noted</p> <p>Noted</p> <p>Noted. It was reiterated that our approach has been to restrict development from occurring on the urban fringe by identifying it as a qualifying matter.</p> <p>Noted. Te Ture Whaimana QM was sent to Waikato-Tainui to provide input.</p> <p>Noted. Follow up information was sent to the team to distribute where appropriate.</p>
<p>Ngāti Naho Trust</p>	
<p>21 June 2022 Initial information sent to Ngāti Naho, seeking engagement.</p> <p>22 July 2022 Confirmed receipt of information and arrangement made for hui.</p> <p>26 July 2022 An online meeting was held with Ngāti Naho Trust representatives. The purpose of the meeting was to provide an overview of the Variation 3 programme and seek feedback and/or concerns regarding draft provisions and qualifying matters in addition to answering initial questions.</p> <p>Ngāti Naho Trust were supportive of extending the notification period to provide quality engagement and feedback and ensuring that qualifying matters were not a blanket approach but</p>	<p>Noted</p> <p>An extension to notification, from 19 August to 19 September, was sought and acknowledged from the Minister for the Environment. The extension was sought in order to provide time to assess in more detail the impacts on our communities and district.</p> <p>Each town and residential area were assessed for appropriateness of applying the MDRS. Three waters infrastructure and</p>

<p>specific to the affected towns including natural hazards and infrastructure capacity.</p> <p>Concerns were raised regarding value added to the community and providing certainty that high density developments would not be enabled. The main interest was ensuring that there would be good urban design outcomes.</p> <p>5 August 2022 The project team held an informal online meeting with Ngāti Naho Trust representatives to address concerns previously raised.</p> <p>Ngāti Naho Trust were supportive of qualifying matters and approach to focus intensification around accessibility to community services and amenities in town centres. Interest was raised in ensuring urban design is incorporated and protection of cultural landscape.</p>	<p>natural hazards were assessed and included in the relevant qualifying matters whereby various provisions were applied.</p> <p>An urban fringe qualifying matter has since been confirmed as the appropriate approach to restricting development on the outskirts of towns.</p> <p>The project team outlined that they would investigate potential options for incorporating urban design outcomes in objectives and policies.</p> <p>Noted and addressed above.</p>
<p>Waahi Whaanui Trust</p>	
<p>21 June 2022 Initial information sent to Waahi Whaanui Trust, seeking engagement.</p> <p>19 July 2022 Confirmed receipt of information and requested further discussion.</p> <p>2 August 2022 A site-specific visit with a Waahi Whaanui Trust representative was undertaken to understand context and historical use of a rural site, bordered by residential zoned sites, in which the Trust believed was appropriate for the MDRS and zoning.</p>	<p>An assessment of the site and property file was undertaken. Feedback from Council recommended that a submission be made with site-specific planning assessments to support any zoning.</p> <p>The project team outlined that they would investigate potential options of rezoning through a future plan change.</p>

4 Implementing the RMA amendments

While not a requirement of a section 32 evaluation, this section sets out Council’s approach to the IPI and how Variation 3 responds to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

4.1 Which towns does Variation 3 apply to?

Section 77G(1)(1) requires every *relevant residential zone* of a specified territorial authority must have the MDRS incorporated into that zone. While the meaning of “relevant residential zone” is discussed in more detail below, the key part of the definition is that it does not include “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”. Therefore, the resident population as at 2018 census becomes important for the towns indicated in Waikato 2070 as having less than 10,000. The

population projections developed by the University of Waikato which include the 2018 census data for each town are set out below.

Table 7: Population projections (source: University of Waikato)

Town/Village	2018 census	2020	2021	2022	2030	2040	2041	2050	2060
Huntly	8,342	8,867	9,086	9,307	10,909	12,183	12,252	13,101	13,706
Huntly Rural		1,952	1,966	1,979	2,337	3,250	3,364	4,215	5,164
Ngāruawāhia	6,261	8,439	8,602	8,760	9,468	9,829	9,858	10,179	10,512
Pōkeno Urban	2,517	3,959	4,254	4,550	6,704	8,404	8,489	9,056	9,522
Pōkeno Rural		865	879	894	986	1,243	1,288	1,777	2,427
Raglan	3,279	4,095	4,240	4,376	5,218	5,879	5,931	6,377	6,621
Te Kauwhata	1,617	2,848	2,994	3,145	4,698	6,994	7,236	9,003	10,429
Tuakau	5,016	6,137	6,302	6,478	7,184	7,498	7,521	7,638	7,672

Tuakau, Huntly and Ngāruawāhia each had a population greater than 5,000 as at the 2018 Census data and therefore meet the criteria for being a relevant residential zone.

Section 77G(1) imparts a duty to incorporate MDRS and give effect to policy 3 or 5 in *relevant residential zones*, and in particular Section 77G(2) requires every residential zone in an *urban environment* of a specified territorial authority must give effect to policy 3 or policy 5, as the case requires, in that zone.

Policy 3 of the NPS-UD relates to “tier 1 urban environment”, which leads to the question: what is an urban environment? The NPS-UD provides the following definition of “urban environment”:

means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

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

The complexity with this definition is that it is not limited by geographic size, jurisdictional or other boundaries. There are different ways that clause (b) could be interpreted. One perspective is that clause (b) requires separate housing and labour markets, each of 10,000 people. Another perspective is that housing and labour should be read together and mean an urban area where there are housing and labour markets operating in a population of at least 10,000 people. Council is more persuaded by the Ministry for the Environment’s Regulatory Impact Assessment for the NPS-UD which states:

“The NPS-UD applies to all urban environments of more than 10,000 people, which are then categorised into three tiers”

Turning to the growth numbers, a further complexity is that the growth in the RPS has been superseded first by Future Proof 2017, and further by the more recent 2022 Future Proof update. It is worth noting that the Future Proof Strategy 2022 is relied on in preference to Waikato 2070, as Waikato 2070 contains aspirational goals whereas the Future Proof Strategy 2022 responds to the NPS-UD and is underpinned by robust analysis of data. Future Proof Strategy 2022 has identified Pōkeno, Tuakau and Ngāruawāhia as Tier 1 urban environments and Huntly / Ohinewai as a Tier 3 urban environment.⁴

While Pōkeno appears to have had less than the 5,000 population threshold in 2018, its recognition as being an urban environment in Future Proof Strategy 2022 means that Pōkeno too is included as being a relevant residential zone in terms of the amendments to the Act and inclusion in Variation 3. Thus Variation 3 applies to:

- a. Tuakau;

⁴ Future Proof Strategy, 2022, page 29

- b. Pōkeno;
- c. Huntly; and
- d. Ngāruawāhia.

4.2 Relevant residential zones

Section 77G of the RMA requires MDRS to be incorporated into every relevant residential zone of a specified territorial authority. “Relevant residential zone” is defined in the RMA as:

(a) means 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:

(iv) to avoid doubt, a settlement zone

As the PDP decision has adopted the naming convention of the National Planning Standards, there are two zones which would qualify as a relevant residential zones, being General residential zone and Medium density residential. While there are other residential zones such as Settlement zone, Large lot residential zone and Rural lifestyle zone, these are specifically excluded by clause (b)(i) of the definition.

In response to requirements of the RMA, a new Medium density residential zone 2 is proposed which contains all the medium density residential standards that are set out in Schedule 3A of the Act. The reasons for this approach are simplicity, and conformity with the National Planning Standards. As there is already a Medium density residential zone which applies to Raglan and Te Kauwhata, the existing provisions had to effectively be split with one set for Raglan and Te Kauwhata, and a separate set for the four towns subject to variation 3, being Tuakau, Pōkeno, Huntly and Ngāruawāhia. While this could be achieved within a single zone by making each provision specific to the two sets of towns, it would result in an unnecessarily complex approach. A simpler approach is to create a new zone called “Medium density residential zone 2” which applies to Tuakau, Pōkeno, Huntly and Ngāruawāhia. This means that “Medium density residential 1 zone” applies unchanged to Raglan and Te Kauwhata. Each zone is identified separately on the planning maps, with the same orange colour as required by the National Planning Standards, but with Medium density residential zone 2 differentiated on the maps.

While the definition of “relevant residential zones” would capture the General residential zone, Variation 3 does not propose to modify the standards of the General residential zone in any way. This is for two reasons:

- a. The General residential zone outside of the 4 towns applies to areas that do not meet the definition of an “urban environment” and thus do not need to be affected by Variation 3; and
- b. Inside the 4 towns, the application of the qualifying matter for urban fringe means that the outer edges of Tuakau, Pōkeno, Huntly and Ngāruawāhia retain their current General residential zoning (and attendant provisions).

For further information on the qualifying matters, please see Volume 2 of the section 32 evaluation.

In accordance with the definition of “relevant residential zone”, Variation 3 does not propose to amend either the provisions or the zoning of sites that are currently zoned Large lot residential zone or Settlement zone, even though in Tuakau there are some sites with this zoning which sit within the 800m walkable catchment of the town centre.

4.3 Medium density residential standards

Section 77G(1) requires MDRS to be incorporated into every relevant residential zone of a specified territorial authority. Section 77G(5) requires a specified territorial authority—

(d) must include the objectives and policies set out in clause 6 of Schedule 3A.

(b) may include objectives and policies in addition to those set out in clause 6 of Schedule 3A, to—

(i) provide for matters of discretion to support the MDRS; and

(ii) link to the incorporated density standards to reflect how the territorial authority has chosen to modify the MDRS in accordance with section 77H.

However, section 77G(6) allows a territorial authority to make the requirements set out in Schedule 3A or policy 3 less enabling of development than provided for in that schedule or by policy 3, if authorised to do so under section 77I. While qualifying matters are addressed in more detail below, the entirety of the MDRS contained in the RMA are included in the new Medium density residential zone 2 as there was no reason (i.e., qualifying matter) to depart from those standards. However, a site zoned Medium density residential zone 2 may not be able to develop to the full potential of the MDRS where one or more qualifying matters applies to the site.

4.4 Qualifying matters

Section 77I allows territorial authority to make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

- (a) A matter of national importance that decision makers are required to recognise and provide for under section 6;
- (b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010;
- (c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River;
- (d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008;
- (e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure;
- (f) open space provided for public use, but only in relation to land that is open space;
- (g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order;
- (h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation;
- (i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand;
- (j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.

While Volume 2 of the section 32 provides more detail on each of the qualifying matters and their effect on the provisions, this section provides more detail on the general approach.

The decisions version of the PDP notified in January 2022 was structured to be compliant with the National Planning Standards. This means that Part 2 of the PDP contains all the District-wide provisions which relate to matters in section 6 of the RMA such as:

- HH Historic heritage
- SASM Sites and areas of significance to Māori
- TREE Notable trees
- ECO Ecosystems and biodiversity
- NATC Natural character
- NFL Natural features and landscapes
- NH Natural hazards and climate change

The provisions in each of these chapters have the effect of limiting development within the relevant overlay illustrated on the planning maps. For example, the ECO Ecosystems and biodiversity provisions apply

where a significant natural area is identified on the planning maps, and similarly the provisions of the NH Natural hazards and climate change provisions apply where a natural hazard is identified on the planning maps. It is worth noting that the District-wide provisions only apply to the spatial extent of the overlay identified on the planning maps. This is important given that section 771 requires that the MDRS is modified *only to the extent necessary*.

There are some additional rules in the Medium density residential zone 2 to accommodate qualifying matters and these rules either impose setbacks or restrict development within close proximity to a feature. The additional rules are:

- a. Setbacks from buildings, structures and sensitive land uses within the National Grid Yard
- b. Subdivision within the National Grid Subdivision Corridor
- c. Impermeable surface limits
- d. Building setbacks for new buildings or alteration to an existing building for a sensitive land use from the:
 - i. designated boundary of the railway corridor
 - ii. designated boundary of the Waikato Expressway
 - iii. boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia
 - iv. centreline of the gas transmission line; and
- e. Setbacks from waterbodies including lake, wetland or rivers including the Waikato and Waipa Rivers.

4.5 Background to the existing Medium density residential zone in the PDP

The planning rationale of the Medium density residential zone in the decisions version of the PDP lies in the submission from Kainga Ora Homes and Communities to the Proposed Waikato District Plan which was notified in July 2018. The submission from Kainga Ora sought inclusion of a new zone for the district, being Medium density residential zone with an accompanying suite of objectives, policies and rules. The zone sought by Kainga Ora was designed to give effect to the NPS-UD and enable apartment, terrace housing and multi-unit developments – enabling higher intensity development than typically found in the notified General Residential Zone. The spatial extent of the new zone was proposed to be located within the urban settlements of Tuakau, Pōkeno, Te Kauwhata, Huntly, Ngāruawāhia and Raglan. The proposed spatial extent of the zone was based on detailed analysis of each town and each site utilising ground truthing, slope analysis, walking catchment analysis, natural hazard analysis. It was deliberately proposed close to town centres, strategic transport corridors and in proximity to community services / amenities. The zone was applied to sites within a walkable catchment of the Town centre zone in each of the towns and varied between 400m and 800m depending on the physical characteristics such as slope, natural hazards, connectivity and location of cadastral boundaries.

The decision from the Hearings Panel accepted the analysis undertaken by Kainga Ora and applied Medium density residential zone to the central areas of Tuakau, Pōkeno, Te Kauwhata, Huntly, Ngāruawāhia and Raglan.

However, the submission and evidence of Kainga Ora pre-dated the gazetting of the NPS-UD. With the PDP decision being notified in January 2022 and the scope limitations of the original submission from Kainga Ora, the Hearing Panel were unable to import the new standards contained in the amendments to the RMA. It is for this reason that the Medium density residential zone that is in the PDP decision does not match the MDRS standards in the Act.

4.6 Provisions

The provisions for the Medium density residential zone 2 assume the starting point of the Medium density residential zone provisions in the decisions version of the PDP. While the amendments to the Act were enacted too late in the decision-making process for the PDP Hearings Panel to be able to incorporate them in its decisions, the PDP Medium density residential zone provisions are relatively similar to the MDRS in the Act. The Medium density residential zone 2 therefore starts with the PDP Medium density residential zone provisions and inserts the MDRS. This was the same approach for the subdivision provisions. A few

provisions from the PDP Medium density residential zone provisions needed minor amendments so that they better support the MDRS.

As outlined in chapter 7 of this report, some additional standards have been brought across from the General residential zone to address qualifying matters.

The objective and policy in Schedule 3A have been inserted into the Strategic Direction chapter as these were considered to be of a strategic level rather than specific to the Medium density residential zone 2.

A small number of definitions are proposed to be included to improve the clarity of the provisions.

Essentially Variation 3 will result in similar residential intensities and built form to the PDP Medium residential density zone.

Table 8: Broad comparison of the PDP Medium density residential zone and the Variation 3 Medium density residential zone 2

Feature	PDP Medium density residential zone	Variation 3 Medium density residential zone 2
LANDUSE ACTIVITIES		
		<ul style="list-style-type: none"> Adds in the rules regarding sensitive activities within the National Grid Yard Deletes the rule regarding building in close proximity to electricity distribution lines Deletes the rules about obscuring the Whaingaroa navigation beacon
BUILDING STANDARDS		
Number of houses on a site as a permitted activity	3	MDRS 3
Maximum height	11m	MDRS 11m Same maximum height but different allowances for additional height
Height in relation to boundary	30 + 45°	MDRS 4m + 60°
Setbacks	Front 3m Side 1 metre Rear 1m Additional standard for balconies	MDRS Front 1.5 metres Side 1 metre Rear 1 metre
Waterbody setbacks	<ul style="list-style-type: none"> 20m from the margin of any lake; 20m from the margin of any wetland; 23m from the bank of any river (other than the Waikato River and Waipa River); 38m from the margin of either the Waikato River and the Waipa River 23m from mean high water springs 	<ul style="list-style-type: none"> 20m from the margin of any lake; 20m from the margin of any wetland; 21.5m from the bank of any river (other than the Waikato River and Waipa River); 26.5m from the margin of either the Waikato River and the Waipa River
Other setbacks		<ul style="list-style-type: none"> 5m from the designated boundary of the railway corridor; 15m from the boundary of a national route or regional arterial; 25m from the designated boundary of the Waikato Expressway;

Feature	PDP Medium density residential zone	Variation 3 Medium density residential zone 2
		<ul style="list-style-type: none"> • 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site; • 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and • 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia. • 6m from the centre of a gas transmission line identified on the planning maps
Maximum building coverage	45%	50%
Outdoor living space	Different requirements	MDRS Requirements for above ground and ground level
Outlook space	Not present	MDRS
Windows to the street	Not present	MDRS
Landscaped area	Not present	MDRS
Minimum residential unit size	<ul style="list-style-type: none"> • 35m² for studio dwellings; and • 45m² for one or more bedroom dwellings. 	<ul style="list-style-type: none"> • 35m² for studio dwellings; and • 45m² for one or more bedroom dwellings.
Ground floor internal habitable space	Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.	Garages shall occupy less than 50% of the ground floor space internal to buildings on the site.
Fences or walls – road boundary	<ul style="list-style-type: none"> • Be no higher than 1.5m if solid; • Be no higher than 1.8m if: <ul style="list-style-type: none"> ○ Visually permeable for the full 1.8m height of the fence or wall; or ○ Solid up to 1.5m and visually permeable between 1.5 and 1.8m 	<ul style="list-style-type: none"> • Be no higher than 1.5m if solid; • Be no higher than 1.8m if: <ul style="list-style-type: none"> ○ Visually permeable for the full 1.8m height of the fence or wall; or ○ Solid up to 1.5m and visually permeable between 1.5 and 1.8m
SUBDIVISION		
	RDIS activity	New MDRS rule for controlled activity All other rules remain the same

4.7 Residential Capacity

Market Economics were engaged to model the residential capacity that would be enabled by the MDRS within Council's urban areas. The areas included those zoned General residential and Medium density residential as contained in the decision version of the PDP. The purpose of this document is to provide an overview and subsequent analysis of the findings. It is noted that the modelling does not take into consideration any infrastructure constraints or other qualifying matters.

The modelling initially calculated plan enabled capacity of the PDP. The modelling then added a scenario that introduced the MDRS for analysis⁵. The findings demonstrate that there is already plan enabled capacity in all the urban areas assessed before adding the MDRS scenario.

The report author then estimated the capacity that is likely to be commercially feasible – being the share of plan enabled capacity that is a feasible development option for commercial developers to construct a dwelling(s) which is likely to be taken up by market growth⁶. The report states that the MDRS provides for increased development capacity, 17% of which is likely to represent commercially feasible capacity of an additional 20,500 dwellings – double the existing amount⁷.

The modelling indicates that greenfield enabled capacity is likely to be more feasible, reflecting the ease of greenfield development options compared to infill development or redevelopment¹. This is reflected by higher feasible capacity being concentrated within Pōkeno, Tuakau, Te Kauwhata, Raglan and Taupiri – all of which provide for higher levels of greenfield development.

The findings indicate that lower amounts of feasible capacity are likely within Ngāruawāhia, and no feasible capacity in all other urban areas. The report author contributes this to the residential markets being less established and focused on lower density development patterns. The report author states that these areas may be feasible at a lower profit margin than that adopted in this modelling assessment or will increase over time with market growth and demand for higher densities⁸.

The findings indicate that over the short-term, higher density development enabled by the MDRS will be commercially feasible in many urban residential areas which would represent a significant shift to the lower density development patterns observed across urban areas within the district. However, lower density developments are still likely to occur until demand increases for higher density dwelling options⁴.

On this basis, the modelling confirms that the MDRS will enable commercially feasible capacity as intended in the towns of Ngāruawāhia, Pōkeno, and Tuakau. Although the modelling indicates that Huntly is not an urban area that would generate commercially feasible development options, there is still a high level of plan enabled capacity available. Further, it is noted that more recently, greenfield development has been taken up within this urban area in which the findings show significantly increases capacity. The assumption can also be adopted whereby redevelopment or infill development options may be feasible at a lower profit margin than that considered in the modelling assessment or through time as demand grows for higher density development patterns.

5 Scale and significance

The section 32 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 proposal. In order to determine the scale and significance, the following criteria have been used:

Table 9: Assessment of scale and significance of effects

Criteria	Summary of effects	Evaluation (1 is low and 5 is high)
Reason for change	Required by the amendments to the RMA	4
Degree of shift from status quo	Variation 3 creates a new Medium density residential zone 2 and applies this to the walking catchment around the centres of	3

⁵ Residential Capacity Modelling prepared by Market Economics, Page 4, 12 June 2022

⁶ Residential Capacity Modelling prepared by Market Economics, Page 7, 12 June 2022

⁷ Residential Capacity Modelling prepared by Market Economics, Page 15, 12 June 2022

⁸ Residential Capacity Modelling prepared by Market Economics, Page 1, 12 June 2022

	Tuakau, Pōkeno, Huntly and Ngāruawāhia. The new zone modifies the standards which applied under the PDP decision. Variation 3 also proposes to rezone a small number of properties.	
Who and how many will be affected, geographic scale of effects	There will be a high degree of public interest given that a plan change is required by each of the Tier 1 councils. However, the effect of Variation 3 will be limited to the existing residential areas of Tuakau, Pōkeno, Huntly and Ngāruawāhia.	3
Degree of impact on or interest from Māori	There will be a moderate level of interest by Māori, particularly with regards to the effect of housing intensification on the natural environment and the Waikato River.	3
Timing and duration of effects	The effects of Variation 3 will be ongoing into the future.	3
Type of effect:	The effects of Variation 3 will likely be of a social and economic nature. Slightly more development will be enabled than the decision version of the PDP. Increased residential development in close proximity to the town centres will enable transport choice and support a compact and walkable urban form. It will also support the development of a public transport network.	2
Degree of risk or uncertainty:	The reaction of the community is likely to be mixed, with those opposed to the changing character and amenity of their neighbourhoods, whilst others will welcome opportunities to develop. Variation 3 will modestly increase the number of dwellings available and will increase the variety of living opportunities.	3
Total (out of 35):		21

6 Appropriateness of Objectives

While a number of objectives are proposed in Variation 3, not all of these require an evaluation under section 32. Schedule 3A of the Act requires Council to insert the following objectives:

- SD-O14 Well-functioning urban environment
- MRZ2-O1 Housing typology

As these are mandatory, there is no value in assessing them in accordance with section 32(1)(a).

Variation 3 proposes to retain the following objectives from the existing PDP Medium density residential zone:

- MRZ2-O2 Efficient use of land and infrastructure
- MRZ2-O4 Activities

Variation 3 proposes to amend a number of objectives from the existing PDP Medium density residential zone, or insert new objectives as follows:

- MRZ2-O3 Residential amenity (this is amended from the PDP Medium density residential zone)
- MRZ2-O5 Qualifying matters (new)
- MRZ2-O6 Reverse sensitivity (new)

Below are the objectives that are proposed to be introduced or amended through Variation 3. The PDP objectives proposed to be retained and applied to the Medium density residential zone 2 have also been assessed. Having considered a range of options including retaining unchanged the current objectives of the PDP, these objectives are considered to be the most appropriate way to achieve the purpose of the RMA, as demonstrated in the table below.

Objective or group of objectives	
MRZ2-O2 Efficient use of land and infrastructure MRZ2-O3 Residential amenity MRZ2-O4 Activities MRZ2-O5 Qualifying matters MRZ2-O6 Reverse sensitivity	
Evaluation of objectives	
Part 2 RMA	Comment
Section 5 Purpose	<p>The proposed objectives achieve the purpose of the RMA as they promote the sustainable management of natural and physical resources. This is achieved through providing for a variety of housing types and sizes and using the urban land resource efficiently by enabling medium density in specific locations that are accessible to services and facilities. This will assist with enabling people and communities to provide for their well-being and also with meeting the reasonably foreseeable needs of future generations.</p> <p><u>MRZ2-O2 Efficient use of land and infrastructure</u></p> <p>These objectives clearly state the environmental outcomes sought for the Medium density residential zone 2 insofar as spatially locating (consolidating) residential intensification and promoting a compact urban form. Further, the objectives seek to ensure residential function is the dominant function within the zone. This objective achieves the purpose of the Act by encouraging efficient use of the urban environment. Maximising development within the existing urban zoned areas will limit the need for rural land to be rezoned and for sprawl to occur.</p> <p>Compact urban settlements support more sustainable transport forms such as walking and cycling. Concentrating development within a smaller area means efficiencies for infrastructure. Pipes do not need to be as long and the amount of roading is reduced. All of these reduce the effects of intensifying the urban environment.</p> <p>Concentrating development around the town centre supports the economic viability of the town centre, as well as enabling centralised community facilities. A compact urban settlement pattern more readily enables people and communities to meet their social, economic, and cultural well-being. It is noted that there are numerous adverse effects of dispersed residential development / intensification – including increased demand on the transport network (both public and private) due to the increased number and length of trips required to access dispersed activities.</p> <p><u>MRZ2-O3 Residential amenity</u></p> <p>The minor changes to the existing objective better describe the outcomes sought for the zone. The creation of a medium density environment comprised of primarily three storey buildings, including semi-detached and terraced housing, townhouses and low-rise apartments will enable people to meet their housing needs in accordance with section 5(2).</p> <p><u>MRZ2-O4 Activities</u></p>

	<p>The minor change to this existing objective is to make the wording clearer and does not constitute a significant departure from the outcome expressed. While it is acknowledged that small-scale non-residential activities (that is, neighbourhood centres and / or commercial activities) are generally required to assist residents in meeting their social, cultural and economic needs - by providing residents with access to goods and services that they may require on a daily basis – these are provided at discretion to ensure the function of the Medium density residential zone 2 is not undermined through inappropriate location of non-residential activities. A mix of complementary activities will ensure that people and communities can meet their social, economic, and cultural well-being.</p> <p><u>MRZ2-O5 Qualifying matters</u></p> <p>Objective MRZ2-O5 recognises that the presence of qualifying matters may limit development on sites. Qualifying matters include section 6 matters and in protecting these features, the objective achieves the purpose of the Act. In addition, the qualifying matters includes nationally significant infrastructure. Limiting development on sites in close proximity to nationally significant infrastructure will manage reverse significance effects and preserve the security of the infrastructure. The infrastructure is required to support the social, economic, and cultural well-being at a broader national level and thus the objective achieves section 5.</p> <p><u>MRZ2-O6 Reverse sensitivity</u></p> <p>Residential activities are often sensitive to effects such as odour, vibration, lighting, noise and dust generated by other activities. The objective recognises that minimising reverse sensitivity effects will result in an environment that is pleasant for people to live in. In this regard, the objective will achieve an urban environment that provides for the health and safety of people and communities in accordance with section 5(2). The objective also achieves section 5(2)(c) in that it recognises the potential for reverse sensitivity effects and seeks to avoid, remedy or mitigate them.</p>
Section 6 Matters of national importance	<p>MRZ2-O5 Qualifying matters is the key objective which achieves section 6. “Qualifying matters” is the umbrella term which may make the MDRS and the relevant building height or density requirements under Policy 3 of the NPS-UD less enabling of development. Section 771(a) enables this to include a matter of national importance that decision makers are required to recognise and provide for under section 6. The effect of the various section 6 matters is that they will limit development to varying degrees in order to protect and provide for matters of national importance. MRZ2-O5 provides that protection and thus achieves section 6.</p>
Section 7 Other matters	<p><u>MRZ2-O2 Efficient use of land and infrastructure</u></p> <p>This objective achieves Section 7(b) and 7(g) by ensuring the efficient use of the urban land resource. Compact development will reduce the need for urbanisation of rural land and therefore sprawl. The objective recognises that consolidation and intensification of living opportunities within walkable catchments from town / business centres (and associated amenities) and alternative modes of transport prevents uncontrolled and inappropriate development (urban sprawl). This results in the inefficient use and development of land (Section 7(b)) and promotes the efficient end use of energy and a reduction of vehicle emissions (Section 7(ba)).</p> <p><u>MRZ2-O3 Residential amenity</u></p> <p>This objective achieves section 7(c) by recognising the type of urban environment created by the Medium density residential zone 2. A key issue is striking the right balance between quality development and ensuring development is not unnecessarily constrained. Typically, as density increases quality design is needed to offset the bulk of buildings and loss of open space and garden areas.</p>

	<p><u>MRZ2-O5 Qualifying matters</u></p> <p>The identification of qualifying matters and the modification of the MDRS in response to them will achieve a number of section 7 matters. For example, the setbacks from significant industries and activities will minimise the potential for reverse sensitivity effects and result in a higher residential amenity in accordance with section 7(c) the maintenance and enhancement of amenity values. Similarly, the application of the qualifying matters associated with section 6(c) regarding indigenous vegetation will assist in protecting the intrinsic value of ecosystems in accordance with section 7(d).</p> <p><u>MRZ2-O6 Reverse sensitivity</u></p> <p>Minimising the potential for reverse sensitivity effects achieves the maintenance and enhancement of amenity values as well as maintenance and enhancement of the quality of the environment.</p>
Section 8 Treaty of Waitangi	<p>The definition of well-functioning urban environment in the NPS-UD includes enabling a variety of homes that enable Māori to express their cultural traditions and norms. Therefore, the objectives in the Medium density residential zone 2 contributes towards taking account of the principles of Te Tiriti o Waitangi. In addition, MZR2-O5 recognises that residential development may be constrained by the presence of a qualifying matter. The qualifying matters include both Sites and Areas of Significance to Māori as well as matters required to give effect to Te Ture Whaimana. Both of these mechanisms align with the principles of Te Tiriti o Waitangi.</p>

The proposed objectives are the most appropriate way to achieve the purpose of the RMA because:

- The proposed objectives are in line with national best practice and implement national and regional guidance and direction (s5, NPS-UD, RPS) by providing for a wide range of activities (including residential) while also giving clear guidance on intended outcomes for the zone.
- The proposed objectives provide greater certainty to decision makers and plan users.
- While the existing objectives provide some direction, they do not fully reflect the higher level direction of the NPS-UD.
- The objectives will assist in providing for the economic, social and cultural well-being expressed in section 5 of the RMA by supporting residential intensification.
- The proposed objectives will be effective at creating a well-functioning urban environment that meets the needs for people and communities.

6.1 Identification and Evaluation of Options to Achieve Objectives

The following section identifies reasonably practicable options for achieving the objective(s) identified above. This evaluation of the options has been undertaken to determine the preferred option to be taken forward for further, more detailed evaluation.

Five broad options for achieving the objectives have been identified, and these are:

Option 1: Status quo

This option would retain the current pattern of residential zoning as contained in the PDP decision. The General residential zone and Medium density residential zone provisions would all remain unchanged.

Option 2: Replace all residential zones with an amended Medium density residential zone

This option would require deleting the General residential zone (from the maps and provisions) and rezoning all sites currently zoned General residential zone to Medium density residential zone. This option also would involve inserting the medium density standards into the existing Medium density residential zone.

Option 3: Limit development on the fringe of four towns

This option would require applying a modified Medium density residential zone to the areas within a walkable catchment of the four towns that qualify as an urban environment (Tuakau, Pōkeno, Huntly and Ngāruawāhia), and retain the General residential zone for the outer edges of those towns.

Option 4: Limit development on the fringe of six towns

Limit the application of the medium density residential standards to the 800m walkable catchment around the Town centre zone in each of the six towns, being Tuakau, Pōkeno, Huntly, Ngāruawāhia, Te Kauwhata and Raglan.

Option 5: Increased density of the General residential zone

Modify the medium density residential standards outside the 800m walkable catchment around the Town centre zone to result in an intermediary density somewhere between what the Medium density residential zone will enable and General residential zone

Option 6: Limit development on sites with a qualifying matter through a zone which enables less development

This option would involve making all existing residential zoned sites with a qualifying matter General residential zone to further limit development on them.

Option 7: Do not notify an IPI

A number of councils have signalled their concern with the requirements of the RMA amendments and the fact it will substantially change the character and amenity of their urban areas. All councils have now notified an IPI apart from Waikato District Council and Christchurch City Council. A failure to notify a plan change could result in the Minister for the Environment engaging intervention powers if councils are not adequately performing their role.

The “Regulatory Impact Statement: Bringing Forward the Upzoning of land for Housing” dated 20 May 2021 prepared by the Ministry for Housing and Ministry for Environment states that there are general options under the RMA available to the Minister for the Environment to:

- a. investigate the performance of local authorities in giving effect to the MDRS;
- b. provide recommendations to local authorities on improving their performance;
- c. direct plan changes; and
- d. as a last resort, apply residual powers to appoint someone to carry out the local authority’s functions and duties.

If Council does not notify a variation to implement the MDRS, there appears to be a cascading response from investigate to appointing someone to prepare the variation for Council. If the later occurs, the variation may be notified without any qualifying matters as qualifying matters are discretionary.

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Table 10: Broad options

Option	Relevance <i>Is the option related to addressing the resource management issues</i>	Achievability <i>Can the option achieve the outcome / objective?</i>	Acceptability / Reasonableness <i>How acceptable is this to the community? What are the likely effects on the community – i.e., widespread or limited</i>	Recommendation
Option 1: Status quo	This option will partially address the issue that the amendments to the RMA are intending to resolve – namely to enable the increase in housing supply.	This option is achievable in that it is already existing. The existing Medium density residential zone does already allow a level of development comparable to the medium density residential standards.	<p>This option does not incorporate the medium density residential standards as required by the Act.</p> <p>The requirements imposed by the Act in terms of the MDRS and implementation of Policy 3 of the NPS-UD represents a significant shift towards enabling greater densities in the residential zones. While some may see this as an opportunity to address housing issues, it is likely that this will be met with reluctance from parts of the community.</p> <p>The response from the community will be similarly mixed with support from those wishing to retain the current character and amenity, and opposition from those wishing to develop and provide additional housing.</p>	<p>DISCARD</p> <p>Section 77G imparts a duty to specified territorial authorities to incorporate MDRS and give effect to policy 3 or 5 in residential zones.</p>
Option 2: Replace all	This option is fully compliant with the RMA amendments.	This option may not achieve a well-functioning urban	The requirements imposed by the Act in terms of the MDRS	DISCARD

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Option	Relevance <i>Is the option related to addressing the resource management issues</i>	Achievability <i>Can the option achieve the outcome / objective?</i>	Acceptability / Reasonableness <i>How acceptable is this to the community? What are the likely effects on the community – i.e., widespread or limited</i>	Recommendation
residential zones with an amended Medium density residential zone		environment as it will enable medium density residential development on the urban areas furthest from the town centres. This will retain dependence on private vehicles for transport, and not achieve the density of development needed to support a vibrant and economically viable town centre.	and implementation of Policy 3 of the NPS-UD represents a significant shift towards enabling greater densities in the residential zones. While some may see this as an opportunity to address housing issues, it is likely that this will be met with reluctance from parts of the community. The response from the community will be similarly mixed with opposition from those wishing to retain the current character and amenity, and support from those wishing to develop and provide additional housing. This option would provide substantially more housing supply.	While this option is fully compliant with the amendments to the RMA, it will result in a sub-optimal urban form. It will result in residential development on the edges of the towns as these will be the easiest areas to achieve higher density development due to it being greenfield development. It will also significantly affect the character and amenity of places such as Raglan that have been identified as having a unique character.
Option 3: Limit development on the fringe of four towns	This option partially addresses the resource management issue of increasing the supply of houses. However, this option achieves SD-O4 which is to provide a variety of housing	The option can achieve the objectives.	This option is likely to be the most favoured by the community as it balances additional housing supply near the town centres, while enabling lower density development further out on the edges.	RETAIN This option strikes a balance of incorporating the medium density residential standards into a newly created Medium density residential zone 2

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Option	Relevance <i>Is the option related to addressing the resource management issues</i>	Achievability <i>Can the option achieve the outcome / objective?</i>	Acceptability / Reasonableness <i>How acceptable is this to the community? What are the likely effects on the community – i.e., widespread or limited</i>	Recommendation
	types to meet the community's housing needs. This option achieves UFD-O1 which is to create a compact urban form that provides for connected, liveable communities.			which applies around the town centres of Tuakau, Pōkeno, Huntly and Ngāruawāhia which meet the criteria for a relevant residential zone (and an urban environment in the case of Pōkeno), while retaining a lower level of development on the edges of these towns. This approach supports a compact and walkable urban form and will result in a well-functioning urban environment. It also enables housing choice by providing a range of housing options and living opportunities.
Option 4: Limiting development on the fringe of four towns	This option partially addresses the resource management issue of increasing the supply of houses. However, this option achieves SD-O4 which is to provide a variety of housing types to meet the community's housing needs.	The option can achieve the objectives.	This option balances additional housing supply near the town centres, while enabling lower density development further out on the edges. However, there is likely to be concern from the residents in Raglan where there is an identified special character.	DISCARD This option applies the medium density residential standards to two towns that is not necessary based on the definition of a relevant residential zone.

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Option	Relevance <i>Is the option related to addressing the resource management issues</i>	Achievability <i>Can the option achieve the outcome / objective?</i>	Acceptability / Reasonableness <i>How acceptable is this to the community? What are the likely effects on the community – i.e., widespread or limited</i>	Recommendation
	This option achieves UFD-O1 which is to create a compact urban form that provides for connected, liveable communities.			
Option 5: Increased density of the General residential zone	This option partially addresses the resource management issue of increasing the supply of houses. However, this option achieves SD-O4 which is to provide a variety of housing types to meet the community's housing needs. This option partially achieves UFD-O1 which is to create a compact urban form that provides for connected, liveable communities.	The option will not be effective in achieving the outcomes sought.	This option will result in a sub-optimal urban design with potentially higher densities in inappropriate areas. It will result in a less effective General residential zone.	DISCARD This option unnecessarily complicates the clear delineation of two separate residential zones and the different environments and living options each creates.
Option 6: Limit development on sites with a qualifying matter through retaining a zone which enables less development	This option partially addresses the resource management issue of increasing the supply of houses. This option achieves SD-O4 which is to provide a variety of housing types to meet the community's housing needs. This option will not achieve UFD-O1 which is to create a compact urban form that	The option partially achieves the objectives.	This option will result in a sub-optimal urban design with potentially higher densities in inappropriate areas. It will result in a less effective General residential zone.	DISCARD This option will result in a patchwork zoning pattern. In addition, this approach does not meet the test of making the relevant building height or density requirements under policy 3 less enabling of development only to the extent necessary to

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Option	Relevance <i>Is the option related to addressing the resource management issues</i>	Achievability <i>Can the option achieve the outcome / objective?</i>	Acceptability / Reasonableness <i>How acceptable is this to the community? What are the likely effects on the community – i.e., widespread or limited</i>	Recommendation
	provides for connected, liveable communities.			accommodate the qualifying matter. If a qualifying matter only applied to a small portion of the site but the whole site was down-zoned, it would not be “to the extent necessary” to accommodate the qualifying matter.
Option 7: Do not notify an IPI	This option would retain the existing character and amenity of the urban areas within the District.	This option would not comply with the amendments to the Act. However, the existing Medium density residential zone enables similar levels of development to the MDRS.	The response from the community would be mixed with support from those wishing to retain the current character and amenity, and opposition from those wishing to develop and provide additional housing.	Reject – the requirements to insert the MDRS and notify an IPI are mandatory

7 Evaluation of Preferred Option Against Objectives

This section contains an assessment of the preferred option identified above for further evaluation. Provisions have been bundled together where they are expected to work together to achieve an objective or group of objectives. For efficiency this section focuses on the general approach as a package rather than a detailed analysis of every provision. The provisions have been packaged into the following discrete sets of provisions to enable a more comprehensive and integrated assessment:

- a. Subdivision policies and rules
- b. Reverse sensitivity
- c. Infrastructure
- d. Policy and definition for qualifying matters
- e. Amendments to existing Medium density residential provisions
- f. Rezoning

Schedule 3A of the Act contains policies and rules which form part of the MDRS package. Because these are mandatory and have been included in the Medium density residential zone 2 unaltered, an evaluation in accordance with section 32 has not been undertaken.

In addition, there are a number of provisions which have been imported from the existing Medium density residential zone in the PDP. Through the hearing and decision process of the PDP, these provisions have already been assessed in accordance with section 32AA. As Variation 3 does not propose to amend them, there is no need to undertake an evaluation in accordance with section 32. The provisions that have been imported from the PDP decision version of the Medium density residential zone include:

- MRZ2-P5 Streetscape, yards and outdoor living spaces
- MRZ2-P8 Changes to amenity values
- MRZ2-P9 Home businesses
- MRZ2-P10 Non-residential activities
- The land use activity rules in MZR2-R1 through to MRZ2-R12
- MRZ2-S10 Impervious surfaces
- MRZ2-S11 Ground floor internal habitable space
- MRZ2-S12 Fences or walls

Detailed explanation and discussion of key provisions can be found in Appendix I Explanation of Proposed Provisions

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7.1 Subdivision policies and rules

Variation 3 proposes modest amendments to the SUB Subdivision chapter. Of most significance is the inclusion of SUB-R154 which inserts the MDRS standards from Schedule 3A of the Act for the Medium density residential zone 2, but also includes a minimum 200m² standard for vacant lot subdivision as the Act is silent on this form of subdivision. The 200m² minimum lot size for vacant lots matches the approach of the Medium density residential zone already in the PDP. As the inclusion of the MDRS relating to subdivision is mandatory, this has not been assessed in terms of section 32.

A number of subdivision rules that already apply to the Medium density residential zone in the PDP have been applied to the Medium density residential zone 2. These also have not been assessed in terms of section 32 as they underwent those tests through the PDP process.

Variation 3 also proposes amendments to the following policies in the SUB Subdivision chapter:

- An exemption for residential subdivision MZR2 in SUB-P3(1) Lot sizes
- A new clause (3) to SUB-P3 which enables medium density residential outcomes in the MRZ2
- A new policy SUB-P23 which is specific to subdivision in the Medium density residential zone 2
- Inclusion of SUB-R162 regarding subdivision in the National Grid Subdivision Corridor (this currently only applies to the General residential zone, not the Medium density residential zone)

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	There may be environmental effects as a result of subdivision and consequential development, such as runoff from earthworks and noise from construction	<p>Protects section 6 matters through requiring subdivision to not compromise any qualifying matters that are present on the site to be subdivided</p> <p>Likely to enable more compact urban developments that could have a range of associated environmental benefits including:</p> <ul style="list-style-type: none"> • Reduced vehicle trip requirements and associated reduction in carbon emissions • Reduced pressure on rural production land. <p>The recognition of qualifying matters in the policy also will assist in maintaining water quality of waterbodies. The setbacks from waterbodies is a qualifying matter</p>

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		<p>Enables the ongoing protection of established matters of natural and environmental importance including Te Ture Whaimana o Te Awa o Waikato (through provisions relating to qualifying matters).</p> <p>Ensures that subdivision takes into consideration the constraints that may be applied by a qualifying matter being present on the site</p> <p>Reduced chance of flashovers.</p>
Economic	<p>May restrict development on the sites where a qualifying matter applies</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments</p> <p>May not result in optimising the existing urban land resource</p> <p>Increased time required to create new dwellings due to resource consents being required</p> <p>The 200m² minimum lot size for vacant lots may reduce the level of development that could be achieved through a comprehensive development approach (i.e., concurrent land use and subdivision, or construction of residential units first before subdivision)</p>	<p>Provides option for landowners to create income through subdividing vacant sites</p> <p>Will enable a more efficient use of land</p> <p>May contribute to housing affordability if it results in an increase of housing supply.</p> <p>Increased densities will enable infrastructure to be provided more efficiently on a per allotment basis.</p> <p>Increased protection of the National Grid Corridor provides for a more efficient mechanism to manage potential adverse effects on this nationally significant infrastructure.</p> <p>Retained ease of access for inspection, operation and maintenance for the network provider.</p>

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Social	<p>There may be conflict between parts of the community with different opinions over the value of qualifying matters, particularly section 6 matters</p> <p>May result in sub-optimal subdivision configurations</p>	<p>May result in more variety of living environments</p> <p>Ensures that where there is qualifying matters, this is taken into consideration and the subdivision configured in such a way that a vacant site will be able to be built upon</p> <p>Provides additional housing stock through enabling medium density residential development</p> <p>Increased certainties around expectations for future urban form.</p> <p>Protects buildings and structures from flashovers.</p> <p>Public safety is better maintained.</p> <p>An increased level of amenity for those living in close proximity to lines.</p> <p>Raises public awareness of the location of high voltage lines.</p> <p>In the case of greenfield development, the corridor can be used for other purposes such as roading or public open space.</p> <p>Security of electricity supply is a significant benefit to residents in Waikato District and NZ</p>
Cultural	<p>May limit the development of Māori owned land</p>	<p>The application of qualifying matters will assist in protecting the mauri of the waterbodies through setbacks from waterbodies</p> <p>Reduces the potential for degradation of the Waikato River</p> <p>Protection of culturally significant features or areas as a qualifying matter</p>
Economic growth	<p>The presence of qualifying matters may reduce the development potential of individual sites and will cumulatively reduce the number of additional dwellings possible. Ultimately the option may facilitate the more efficient development of compact urban forms within</p>	

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provided or reduced	Huntly, Ngāruawāhia, Pōkeno and Tuakau. Increased residential densities are likely to support the economic viability and vibrancy of these town centres.
Employment opportunities	The presence of qualifying matters will only have an effect on employment opportunities insofar as a slightly reduced number of additional houses are possible and therefore slightly less demand over time for labourers and those in the construction industry.
Uncertain or insufficient information	The most significant uncertainty is the level of uptake on the additional intensification enabled by Variation 3, and therefore the impact of the qualifying matters and the subdivision rules.
Risk of acting or not acting	The risk of not acting is that a connection is not made between the subdivision rules and qualifying matters. The presence of a policy in the SUB chapter ensures these matters are considered.
Effectiveness	
<p>SUB-P23 will be efficient in ensuring that any qualifying matters are considered when assessing resource consent applications for subdivision. The inclusion of the policy will be effective in ensuring that the rules in the District-wide matters and the MRZ2 chapter regarding qualifying matters are not overlooked.</p> <p>SUB-P23 will also be effective at enabling intensification in the Medium density residential zone 2 in accordance with MDRS. It also provides development options for landowners who may not be able to afford to construct residential units before selling. The proposed provisions are considered to be the most appropriate method of meeting the objectives as they provide clear requirements for subdivision outcomes within the MRZ2 – Medium density residential zone 2. The provisions provide a degree of certainty to developers, residents and Council regarding future subdivision patterns within Huntly, Ngāruawāhia, Pōkeno and Tuakau.</p> <p>The inclusion of a 200m² minimum lot size for vacant lots will support intensification in the Medium density residential zone 2 whilst ensuring that sites created are large enough to be built on while still able to comply with the standards for the zone.</p>	
Efficiency	
<p>The inclusion of the qualifying matters as a policy is an efficient approach that draws attention to the fact that qualifying matters may reduce the development potential of a site. The inclusion of a 200m² minimum lot size for vacant lot is an efficient use of land within the Medium density residential zone 2.</p>	

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The provisions are not considered to result in significant additional costs onto landowners. The policies and rules set out clearly how the objectives will be achieved and complement the mechanism of the proposed MRZ2 - Medium Density Residential Zone 2.

Summary

The inclusion of a new policy recognising the constraints of having a qualifying matter is an effective and efficient way to achieve both SD-O14 and MRZ2-O5. This approach aligns with section 771 of the Act by recognising that relevant building height or density requirements under Policy 3 of the NPS-UD may be less enabling where a qualifying matter is present. This approach gives effect to Policy 4 of the NPS-UD.

The inclusion of policies enabling medium density residential outcomes in SUB-P3 will provide policy support for the outcomes of the zone and achieve proposed objective SD-O14.

Overall, the proposed subdivision policies and rules are considered to be the most appropriate way of achieving the objectives as they:

- Give effect to the requirements of the NPS-UD in terms of enabling increased residential areas.
- Give effect to the requirements of the RPS in relation to managing built environments including infrastructure provision in a sustainable manner.
- Enable the desired increased densities within the MRZ2 – Medium density residential zone 2 to be achieved.
- Require certain internal amenity outcomes to be achieved (through compliance with the MDRS or a land use consent).
- Require streetscape/public realm outcomes to be achieved (through compliance with the MDRS or land use consent).

7.2 Reverse sensitivity

The General residential zone currently includes GRZ-S20(1)(a)(vi) which requires sensitive landuses to be setback 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia. The 300m covers a portion of Medium density residential zone 2 and therefore this rule is proposed to be included by Variation 3 as MRZ2-S14(1)(a)(vi).

In addition, Variation 3 proposes to insert a new MRZ2-P1 I which seeks to maintain appropriate setback distances between new sensitive land uses and existing lawfully established activities that may result in reverse sensitivity effects.

Evaluation of Preferred Option Against Objective(s)

	Costs	Benefits

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Environmental	The poultry farm may generate adverse effects in its operation	The existing operation is protected from incompatible uses Provides a framework to manage reverse sensitivity
Economic	<p>There is an opportunity cost to properties affected by this setback whereby development is constrained</p> <p>Reduced ability to utilise the full extent of the properties within 300m of the operation</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments</p> <p>May not result in optimising the existing urban land resource</p> <p>Increased time required to create new dwellings due to resource consents being required</p>	<p>Continued benefits for the community including local employment</p> <p>Continued operation of the activities</p>
Social	Reduced housing supply available	<p>Continued local employment</p> <p>Addresses public health and safety</p> <p>Provision of benefits to the community</p>
Cultural	Development on Māori owned land may be constrained	There are no cultural benefits
Economic growth provided or reduced	<p>The presence of the poultry farm operation will cumulatively reduce the number of additional dwellings possible in the four towns.</p> <p>There may be other land uses that generate effects, and their presence may constrain the level of residential intensification possible.</p>	

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Employment opportunities	The presence of the poultry farm operation will have an effect on employment opportunities insofar as a slightly reduced number of additional houses are possible and therefore slightly less demand over time for labourers and those in the construction industry. However, the poultry farm provides employment for a number of people.
Uncertain or insufficient information	<p>The most significant uncertainty is the level of uptake on the additional intensification enabled by Variation 3, and therefore the impact of the setbacks from the poultry farm.</p> <p>The other uncertainty is where additional intensification is undertaken in relation to an existing operation that generates effects that are incompatible with residential activities.</p>
Risk of acting or not acting	<p>The risk of not acting is that development compromises the operation of the poultry farm through complaints and reverse sensitivity effects. There is also the risk of lowered amenity for residents in close proximity to the poultry farm through the generation of adverse effects such as odour, lighting and truck movements.</p> <p>The risk of not including a policy regarding reverse sensitivity is that reverse sensitivity is not addressed.</p>
Effectiveness	
<p>The rules limiting development in close proximity to the poultry farm will be efficient in ensuring that development does not compromise the on-going operation of the poultry farm. The rules also will result in a reasonable amenity for residents in close proximity to the poultry farm.</p> <p>MRZ2-P11 is an effective way of recognising the risk of reverse sensitivity.</p>	
Efficiency	
<p>The inclusion of the setbacks for sensitive land use activities in close proximity to the existing poultry farm is an efficient approach. It limits the impact of these rules to just those areas closest to the poultry farm and does not constrain activities that are not sensitive to the effect that may be generated from the poultry farm operation.</p> <p>The rules and policy are an efficient way to achieve MZR2-O6.</p>	
Summary	
<p>The inclusion of rules managing development in close proximity to the existing poultry farm operation and the inclusion of MRZ2-P11 is an efficient and effective way to achieve MRZ2-O6 as well as SD-O10 in the Strategic Directions chapter.</p>	

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7.3 Infrastructure

The rules in the Medium density residential zone 2 slightly differ from the Medium density residential zone decision version of the PDP in terms of infrastructure. The key differences are:

- a. Inclusion of the suite of rules regarding the construction or extension of sensitive land uses and subdivision in close proximity to the National Grid in MRZ2-R10 and R11, and SUB-R162;
- b. Inclusion of rules requiring setbacks for buildings for sensitive land uses in MRZ2-S14:
 - (a) 5m from the designated boundary of the railway corridor;
 - (b) 15m from the boundary of a national route or regional arterial;
 - (c) 25m from the designated boundary of the Waikato Expressway;
 - (d) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;
 - (e) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; and
 - (f) 6m from the centre of a gas transmission line identified on the planning maps
- c. MRZ-R8 relating to construction of a sensitive land use near an electricity distribution line has not been carried over into the Medium density residential zone 2.

The reasons for including the rules is to minimise the potential for reverse sensitivity, as well as protect the security and integrity of the infrastructure. The matters listed in clauses (a) and (b) are all qualifying matters and are addressed in detail in Volume 2.

The rules relating to electricity distribution lines have not been brought across because the Medium density residential zone 2 is expected to be an intensive residential zone. There is strong encouragement in the AINF All infrastructure and EDIS Electricity Distribution chapters of the PDP that electricity distribution lines are underground in the urban environment. While they are still overhead in some of the older parts of the District, the New Zealand Electrical Code of Practice for Safe Distances 34:2001 provides protection for these lines. The current rules in the Medium density residential zone require buildings to be set back 10-12m depending on the voltage. This would have the effect of making large parts of some sites unusable. This is not considered to be an appropriate qualifying matter, when protection is already provided outside the district plan by another mechanism. For this reason, the rule has not been included in the Medium density residential zone 2.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	No environmental costs	Reduced effect of significant events such as accidents, fire or explosions from the infrastructure

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		Reduced chance of flashovers
Economic	<p>Reduced value of properties in close proximity to the infrastructure.</p> <p>Reduced development options in terms of land uses.</p> <p>Decreases the subdivision potential of properties in close proximity to the infrastructure.</p>	<p>Protects the integrity of the infrastructure and ensures continuous transport routes and gas supply</p> <p>Protects the integrity of the National Grid and ensures continuous electricity supply which is essential for economic activity</p> <p>Retained ease of access for inspection, operation and maintenance for the network provider.</p> <p>Security of critical transport routes is a significant benefit to business in Waikato District and nationally.</p> <p>Increased security of the National Grid towers and supporting structures by limiting earthworks in close proximity.</p> <p>Security of electricity supply is a significant benefit to business in Waikato District and nationally.</p>
Social	<p>Sub-optimal arrangement of a site in terms of location of buildings</p> <p>In the case of brownfield development, is likely to create unusable “dead space” on sites.</p>	<p>Protects buildings and structures from accidents and significant events.</p> <p>Public safety is better maintained.</p> <p>An increased level of amenity for those living in close proximity to significant infrastructure.</p> <p>Security of transport routes and gas supply is a significant benefit to residents in Waikato District and NZ</p> <p>Security of electricity supply is a significant benefit to residents in Waikato District and NZ</p> <p>Minimises the potential for reverse sensitivity effects</p>

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Cultural	May constrain the development of Māori Freehold or Customary Land	No cultural costs
Economic growth provided or reduced	The presence of infrastructure and limitations on development of sites in close proximity will cumulatively reduce the number of additional dwellings possible in the four towns.	
Employment opportunities	The presence of infrastructure will only have an effect on employment opportunities insofar as a slightly reduced number of additional houses are possible and therefore slightly less demand over time for labourers and those in the construction industry.	
Uncertain or insufficient information	The most significant uncertainty is the level of uptake on the additional intensification enabled by Variation 3, and therefore the impact of the setbacks from infrastructure.	
Risk of acting or not acting	The risk of not acting is that development compromises the safety and security of significant infrastructure. There is also the risk of lowered amenity for residents in close proximity to the infrastructure through the generation of adverse effects such as noise, dust, vibration, odour and lighting.	
Effectiveness		
The rules limiting development in close proximity to infrastructure will be efficient in ensuring that development does not compromise the safety and security of significant infrastructure. The rules also will result in a reasonable amenity for residents in close proximity to the infrastructure.		
Efficiency		
The inclusion of the setbacks and rules for subdivision within the National Grid Subdivision Corridor is an efficient approach. It limits the impact of these rules to just those areas closest to the infrastructure. The rules are an efficient way to achieve MZR2-O6.		
Summary		
The inclusion of rules managing development in close proximity to key infrastructure is an efficient and effective way to achieve both MRZ2-O6 as well as AINF-O2 in the All-Infrastructure chapter.		

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7.4 Policy and definition for qualifying matters

A new policy MZR2-P6 is proposed to be inserted as well as a new definition for qualifying matters. The costs and benefits for every individual qualifying matter is assessed in Volume 2.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	There are no environmental costs	Protects section 6 matters
Economic	<p>May restrict development on the sites where a qualifying matter applies</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments</p> <p>May not result in optimising the existing urban land resource</p> <p>Increased time required to create new dwellings due to resource consents being required</p>	
Social	There may be conflict between parts of the community with different opinions over the value of features, particularly section 6 matters	<p>Minimises the potential for reverse sensitivity effects</p> <p>May result in more variety of living environments</p> <p>Contributes to and enhances the character and amenity of the District</p>
Cultural	May limit the development of Māori land	<p>The mauri of the waterbodies will be protected</p> <p>Reduces the potential for degradation of the Waikato River</p>

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Economic growth provided or reduced	The presence of qualifying matters may reduce the development potential of individual sites and will cumulatively reduce the number of additional dwellings possible.
Employment opportunities	The presence of qualifying matters will only have an effect on employment opportunities insofar as a slightly reduced number of additional houses are possible and therefore slightly less demand over time for labourers and those in the construction industry.
Uncertain or insufficient information	The most significant uncertainty is the level of uptake on the additional intensification enabled by Variation 3, and therefore the impact of the qualifying matters.
Risk of acting or not acting	The risk of not acting is that a connection is not made between the zone rules and the Part 2 District-wide matters which may impose additional constraints. The presence of a policy in the MRZ2 chapter ensures these matters are considered.
Effectiveness	
MRZ2-P6 will be efficient in ensuring that any qualifying matters are considered when assessing resource consent applications. The inclusion of the policy will be effective in ensuring that the rules in the District-wide matters are not overlooked.	
Efficiency	
The inclusion of the qualifying matters as a defined term is an efficient approach. The other option is that wherever the term is used, all qualifying matters are listed. This approach is cumbersome and unnecessarily complex. Defining qualifying matters provides certainty and clarity. The inclusion of MRZ-P6 efficient draws attention to the fact that qualifying matters may reduce the development potential of a site.	
Summary	
The inclusion of a new policy and definition for qualifying matters is an effective and efficient way to achieve both SD-O14 and MRZ2-O5. This approach aligns with section 771 of the Act by recognising that relevant building height or density requirements under Policy 3 of the NPS-UD may be less enabling where a qualifying matter is present. This approach gives effect to Policy 4 of the NPS-UD.	

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7.5 Amendments to existing Medium density residential provisions

While a large proportion of the Variation 3 provisions are derived from the existing Medium density residential zone in the PDP, Variation 3 proposes to amend some of them. The differences from the Medium density residential zone provisions are as follows:

- The building setbacks from waterbodies in MRZ2-S13 are different
- MRZ-R13 rule which makes 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) to be a non-complying activity has not been brought across into the Medium density residential zone 2
- MRZ-S2 regarding the minimum residential unit size has not been brought across as this may have the effect of limiting the density of development and thus not comply with the MDRS.

The rationale behind the waterbody rule is that the following setbacks apply as a base level *plus* the yard setback for the zone

- a. 20m the margin of any lake;
- b. 20m from the margin of any wetland;
- c. 20m from the bank of any river (other than the Waikato River and Waipa River);
- d. 25m from the margin of either the Waikato River and the Waipa River; and
- e. 20m from mean high water springs.

The 20m is based on the minimum width for an esplanade reserve, although the width for the significant Waipa and Waikato River is in response to Te Ture Whaimana and the need to further protect the mauri of the Waikato River. MRZ2-S13 makes no changes to the distances from the margin of any lake or wetland but deletes the requirement from mean high water springs as none of the four towns are coastal. The distances from the banks of the Waipa River, Waikato River and any other river are amended to reflect the 1.5m setback of the MDRS.

The rule regarding the Raglan navigation beacon is not included in the Medium density residential zone 2 rules as the zone does not apply to Raglan.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	There are no environmental costs	The setbacks from the waterbodies will result in less sediment entering the waterway from runoff

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		<p>Setbacks reduces erosion by setting development away from waterbodies</p> <p>Setbacks provides spaces for revegetation close to waterways</p> <p>Setbacks provide opportunities to enhance biodiversity close to waterways and biodiversity linkages with the setbacks from waterbodies</p> <p>Supporting the aquatic ecosystems of the Waikato River and its tributaries</p>
Economic	<p>There is an opportunity cost to properties affected by this QM, who are prevented from developing within 20-26.5 from a waterbody (depending on the nature of the waterbody)</p> <p>Reduced ability to utilise the full extent of the property</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments</p> <p>May not result in optimising the existing urban land resource</p> <p>May limit housing stock with no opportunities for infill due to lack of available servicing which will increase the costs for purchasers</p> <p>Increased time required to create new dwellings due to resource consents being required</p>	

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Social	<p>May result in a reduction of housing opportunities</p> <p>May not enable people to meet their housing needs for their family</p> <p>May result in a lack of diversity of housing typology if development is not enabled</p>	<p>Improved amenity close to waterbodies</p> <p>May result in more variety of living choices if intensification cannot occur in all areas</p>
Cultural	<p>Development of Māori owned sites may be limited if there is insufficient servicing for three waters</p>	<p>The mauri of the Waikato River will be protected</p> <p>Supports the vision and objectives of Te Ture Whaimana</p> <p>Reduces the potential for degradation of the Waikato River</p>
Economic growth provided or reduced	<p>The presence of waterbodies and limitations on development of sites in close proximity will cumulatively reduce the number of additional dwellings possible in the four towns.</p>	
Employment opportunities	<p>The presence of waterbodies will only have an effect on employment opportunities insofar as a slightly reduced number of additional houses are possible and therefore slightly less demand over time for labourers and those in the construction industry.</p>	
Uncertain or insufficient information	<p>The most significant uncertainty is the level of uptake on the additional intensification enabled by Variation 3, and therefore the impact of the setbacks from waterbodies.</p>	
Risk of acting or not acting	<p>The risk of not acting is that development compromises the ability to achieve esplanade reserves (accepting that these will not be appropriate in all circumstances due to factors such as topography, connections and public safety). The most significant risk is that development leads to further degradation of the banks of waterbodies and water quality.</p>	
Effectiveness		

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The rules limiting development in close proximity to waterbodies will be efficient in ensuring that development does not compromise the stability of the riverbanks as well as maintains water quality. The rules also will result in a reasonable amenity for residents in close proximity to the waterbodies.
Efficiency
The modification of the rules regarding setbacks to the rivers is an efficient approach. It limits the impact of these rules to just those areas closest to the waterbodies whilst still enabling development on areas further away. The rules are an efficient way to achieve TETW-OI in the Te Ture Whaimana – Vision and Strategy chapter of the PDP.
Summary
The inclusion of rules managing development in close proximity to waterbodies is an efficient and effective way to achieve TETW-OI. The proposed rules give effect to the RPS as well as having regard to Tai Tumu Tai Pari Tai Ao.

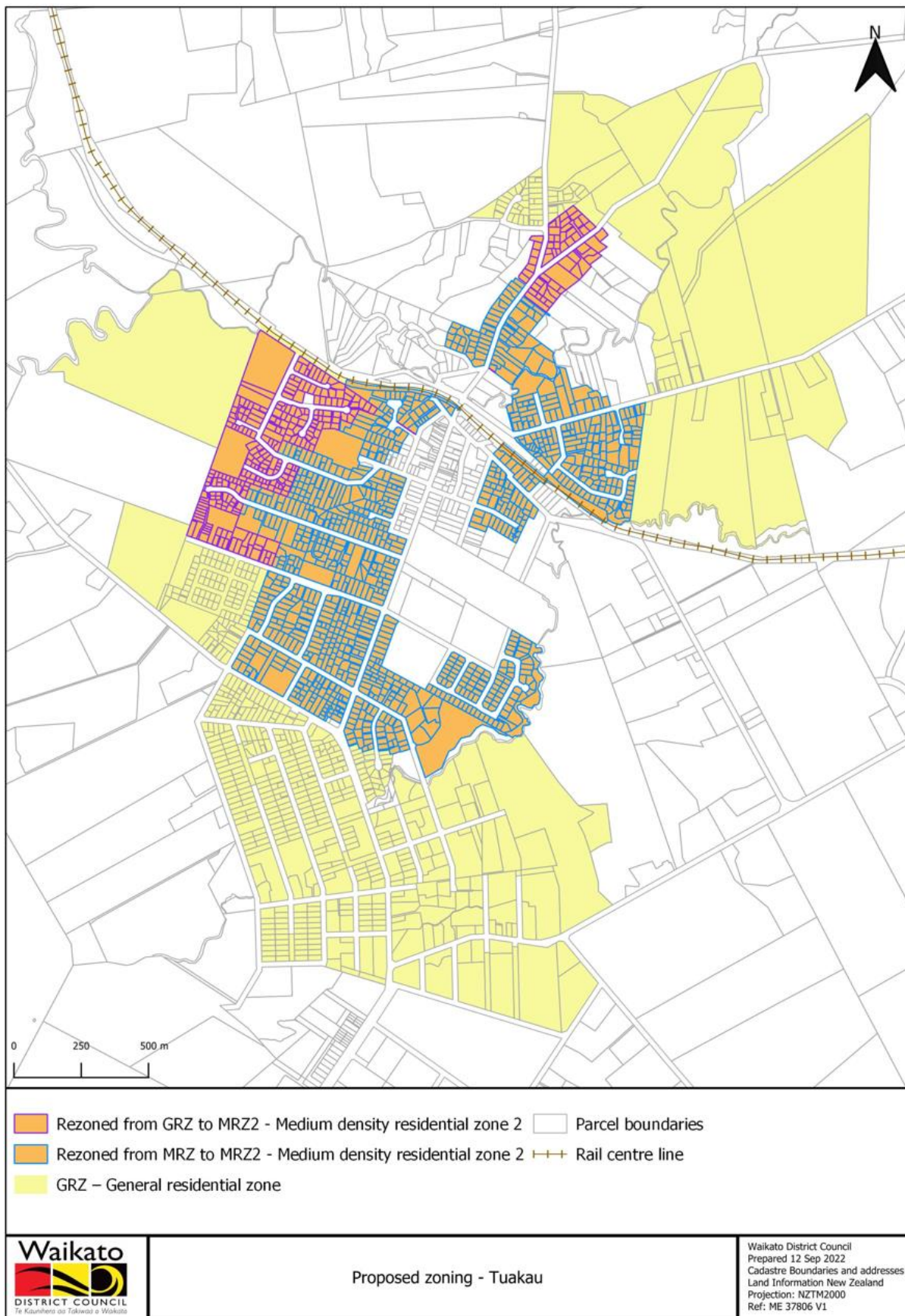
7.6 Rezoning

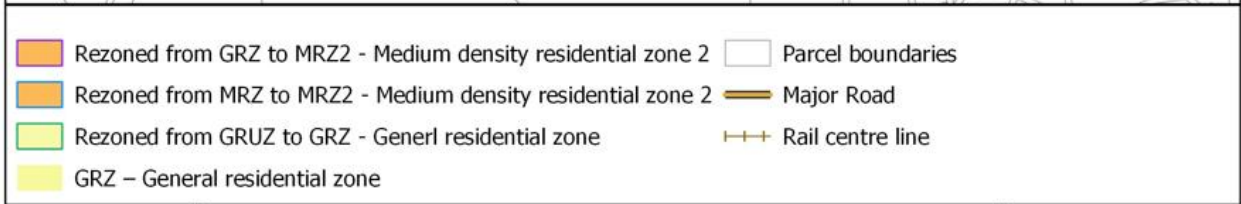
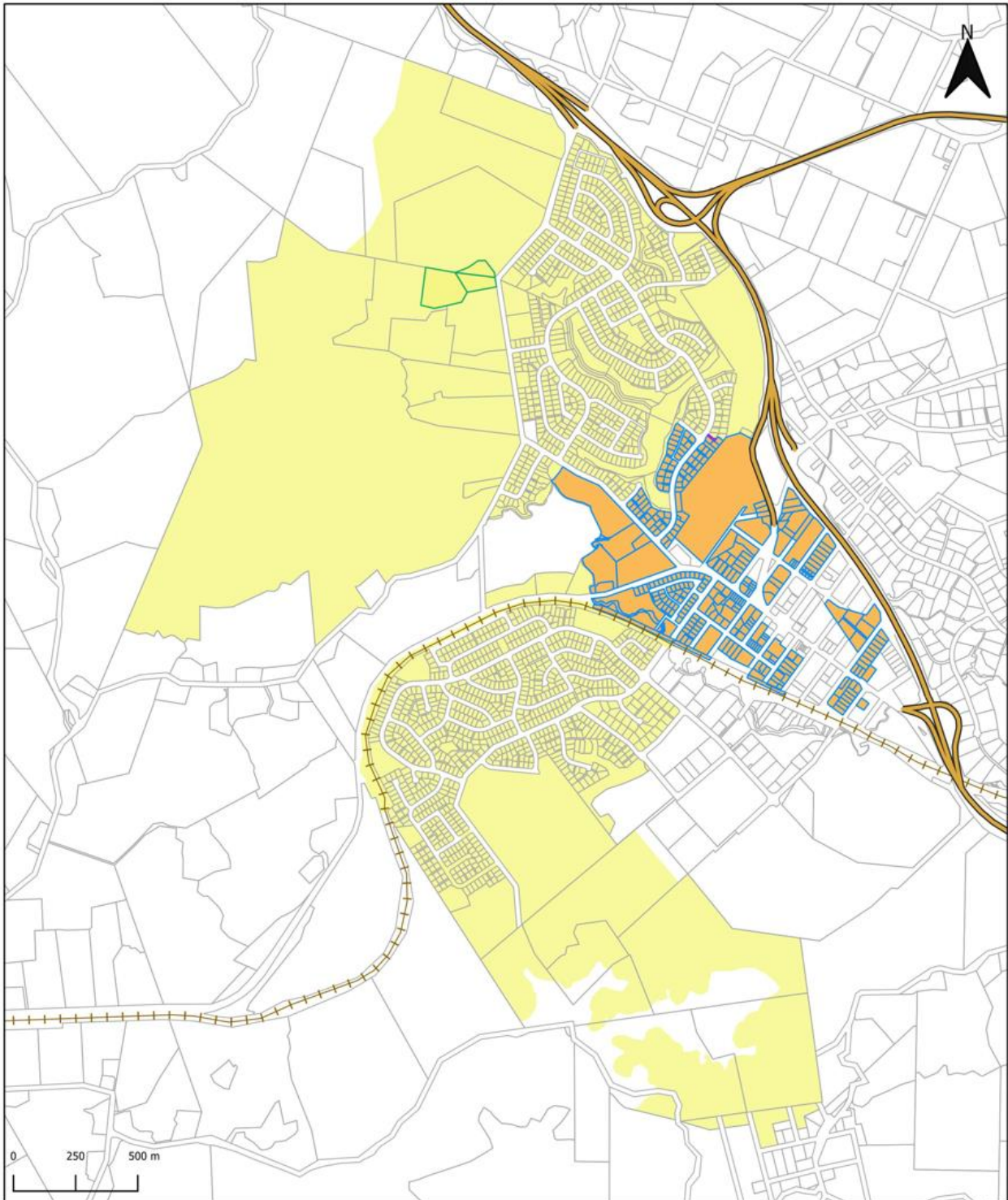
In addition to changing the zone of the properties currently zoned Medium density residential zone to Medium density residential zone 2 within the four towns, Variation 3 proposes to amend the zoning of the following properties:

Town	Proposed change in zone	Number of properties
Pōkeno	General residential zone to Medium residential zone 2	3
	General rural zone to General residential zone	2
Tuakau	General residential zone to Medium residential zone 2	307
Huntly	General residential zone to Medium residential zone 2	68
Ngāruawāhia	General residential zone to Medium residential zone 2	66
TOTAL SITES PROPOSED TO BE UPZONED		446

There are two aspects to rezoning – changing the colour on the planning maps, but more importantly changing the provisions which apply to the site and the potential development that those provisions enable. The assessment below concentrates on the effects of changing the zoning and the associated provisions, in particular the sites that are zoned General residential zone in the PDP and are proposed to change to Medium density residential zone 2.

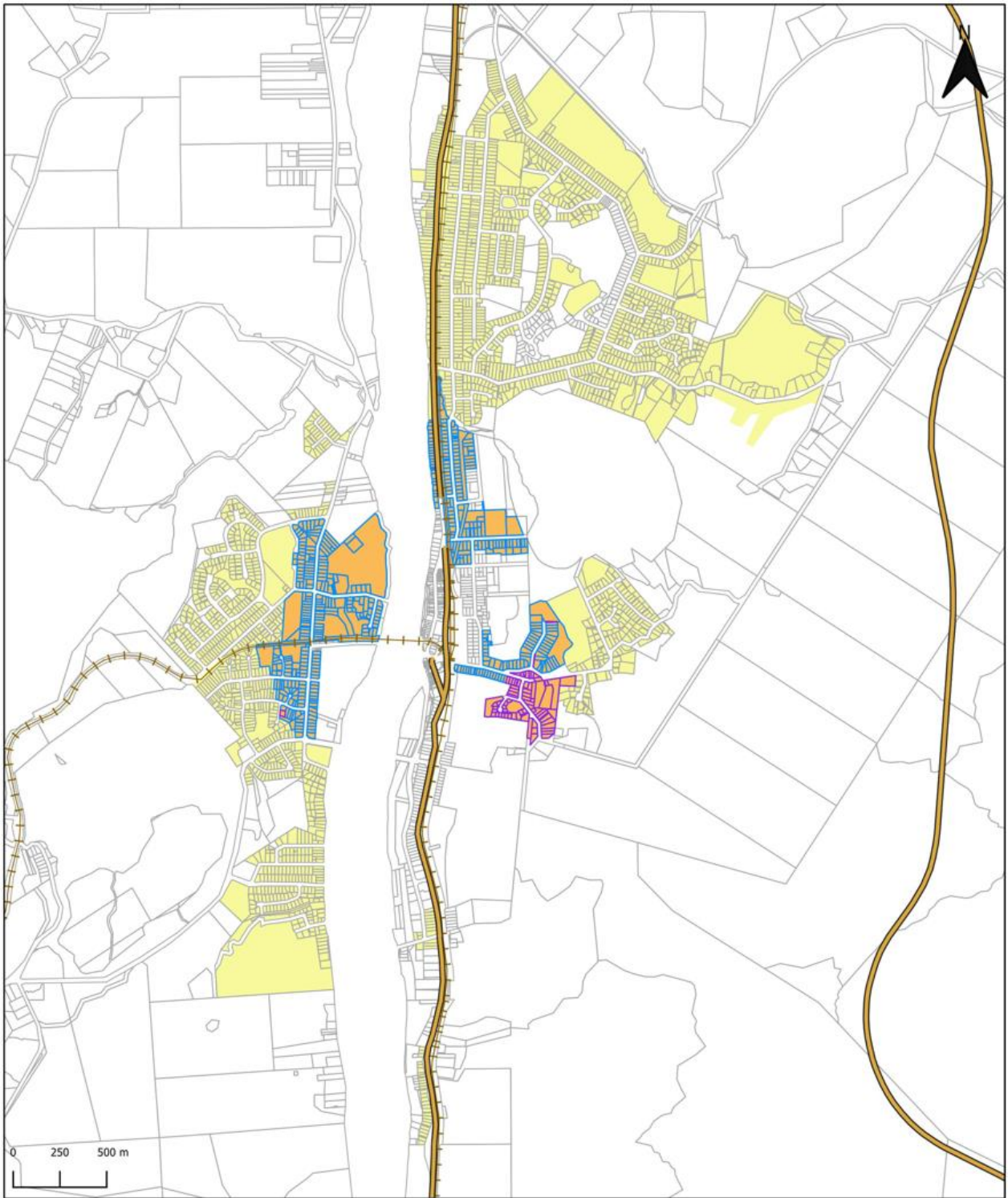
Figure I: Proposed zoning of sites





Proposed zoning - Pokeno

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1

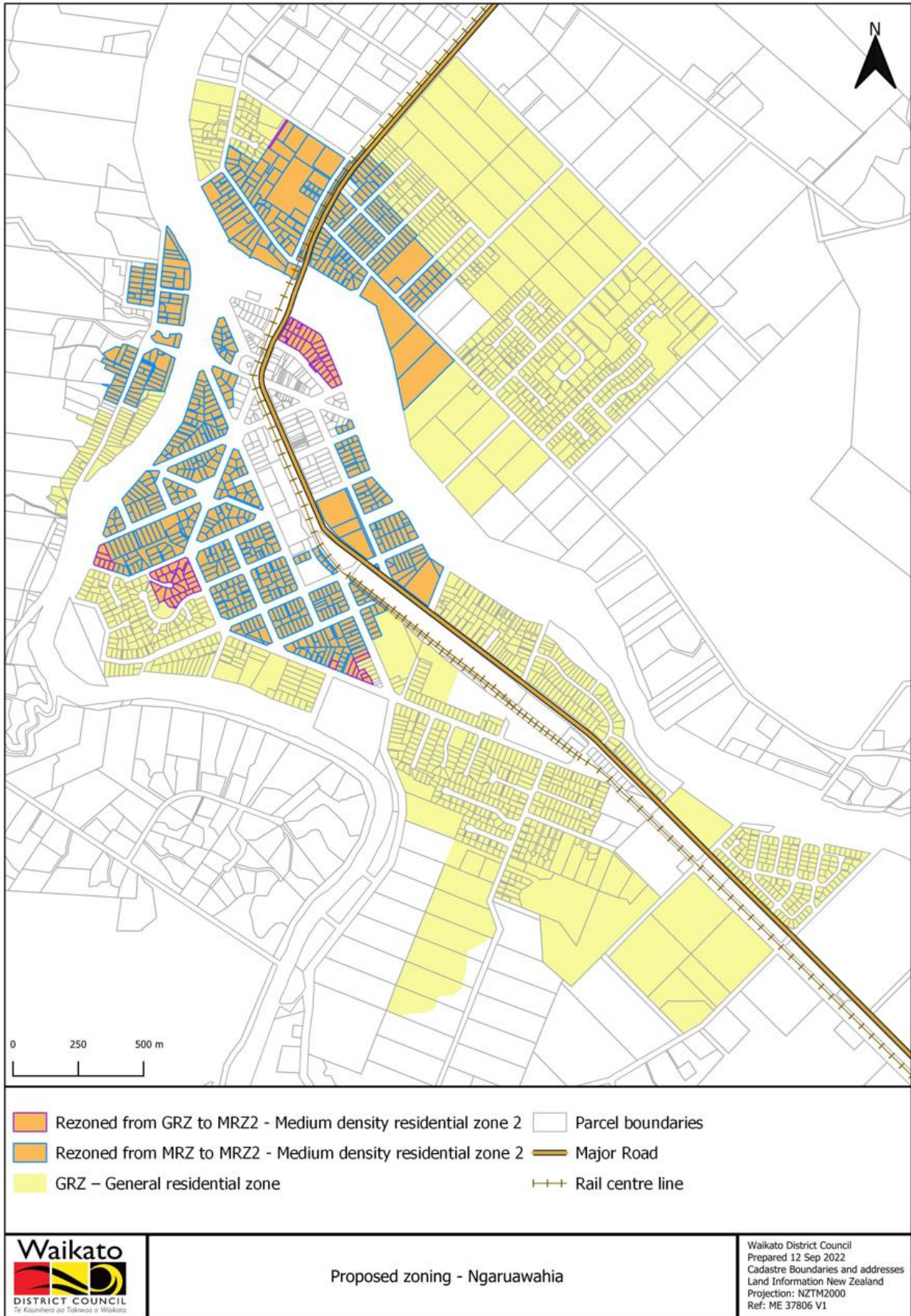


- Rezoned from GRZ to MRZ2 - Medium density residential zone 2
- Rezoned from MRZ to MRZ2 - Medium density residential zone 2
- GRZ – General residential zone
- Parcel boundaries
- Major Road
- Rail centre line



Proposed zoning - Huntly

Waikato District Council
Prepared 12 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1



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Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	<p>May result in reverse sensitivity effects where medium density residential development is enabled closer to the General rural zone where rural production activities take place. This is a particular risk for the western edge of Tuakau</p> <p>Increased stormwater runoff generated due to higher levels of development and impermeable surfaces on the site proposed to rezoned</p>	<p>Enables more people to live in close proximity to the town centres, where alternative transport options are more viable and reduces dependence on private vehicles for short trips</p>
Economic	<p>Increased costs to service those sites</p>	<p>Increased residential development potential</p> <p>Increased value of the sites proposed to be rezoned</p> <p>Increases the population within walking distance of the town centre, supporting the economic viability of the town centres</p>
Social	<p>May change the character of those areas if development is promulgated</p>	<p>Increases housing choice and a range of living options by enabling more development</p> <p>Results in a logical zoning pattern</p> <p>Increases the population within walking distance of the town centre</p> <p>May make public transport more viable due to increased population density</p> <p>Increases development options for those rezoned sites</p>

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Cultural	There are no cultural costs	Provides people to meet their cultural needs and way of living e.g., multi-generational living
Economic growth provided or reduced	The rezoning of these sites may result in modest economic growth of the town centres, simply because it will enable an increase in the population surrounding the towns. Rezoning will support the economic viability of the towns. The increased potential for additional houses will support the construction industry and associated services such as earthmoving and surveying.	
Employment opportunities	The proposed rezoning may lead to employment opportunities associated with increased economic activity in the towns.	
Uncertain or insufficient information	The most significant uncertainty is the level of uptake on the additional intensification enabled by Variation 3. While zoning can <i>enable</i> development, it does not <i>require</i> it.	
Risk of acting or not acting	The risks associated with not acting are low. Variation 3 proposed a modest number of sites are up-zoned to create a more logical zoning pattern and support development within the approximate 800m walking catching of the four towns. The rezoning of these sites could enable a modest increase in the housing stock and therefore population increase in the towns, with Tuakau proposed to have the largest number of sites rezoned.	
Effectiveness		
The rezoning of sites within the approximate 800m walkable catchment of the four towns is the most effective way to create a compact, walkable town. The sites have been considered on a site-by-site basis and the characteristics of each site lends itself to intensification.		
Efficiency		
The approach is the most efficient to enable additional development within the approximate 800m walking catchment. Other options include amending the rules to enable development within 800m walking catchment, however zoning provides the most certainty for those landowners and their communities.		
Summary		

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Rezoning 446 properties is the most effective and efficient way to achieve intensification around the four town centres. This will achieve UFD-OI which seeks to create a compact urban form that provides for connected, liveable communities. In addition, this approach gives effect to Objective I of the NPS-UD which seeks to create well-functioning urban environments. The rezoning of the sites as proposed will create a more logical zoning pattern and will support intensification within walking distance of the town centres.

8 Conclusion

After undertaking an evaluation as required by Section 32 of the RMA, the objectives in Variation 3 are considered the most appropriate way to achieve the Purpose of the RMA (Section 5).

It is considered that the recommended policies and methods outlined above are the most appropriate way for achieving the objectives (both in Variation 3 as well as other parts of the PDP), having considered:

- a. other reasonably practicable options for achieving the objective; and
- b. assessing the efficiency and effectiveness of the provisions in achieving the objectives.

APPENDIX I: Detailed Explanation of Proposed Provisions

The table provides an explanation/rational of the provisions of the Variation, making references to where these are consistent with Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

Provision	Rationale/Comment
Part I: Introduction and General Provisions	
Definitions Include definitions for “landscaped area”, “MDRS”, “qualifying matters”, “servicing area”.	To clarify the meaning of words that are included within the provisions that are required to be included under Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
Abbreviations Abbreviation for MDRS	To clarify the meaning of the acronym which is referenced within the provisions that are required to be included under Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
Part 2: District-wide matters	
SD Strategic Directions: <ul style="list-style-type: none"> • Include new Objective SD-O14 • Include new Policy SD-P2 	The inclusion of this objective and policy relating to well-functioning urban environments and policy relating to relevant residential zones is required under Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
TRPT Transportation, EGEN Electricity Generation, TEL Telecommunications and radiocommunications, WWS Water, wastewater and stormwater, HAZS Hazardous substances, NH Natural hazards and climate change, EW Earthworks, LIGHT Light, NOISE Noise, SIGN Signs and TEMP Temporary activities: Amend references throughout the Chapters from MRZ – Medium density residential zone to MRZ1 – Medium density residential zone 1: <ul style="list-style-type: none"> • Include reference to MRZ2 – Medium density residential zone 2 throughout the chapters. 	The introduction of the new MRZ2 zone has necessitated an update to the referencing of MRZ to MRZ1 to clearly distinguish between the two zones throughout the district plan. Given the similarities between the MRZ1 and the MRZ2 zones it is considered appropriate to apply the district-wide rules of the MRZ1 to the MRZ2.
SUB Subdivision <ul style="list-style-type: none"> • Amend SUB-P3 	SUB-P3(1) relates to the use of minimum lot sizes to achieve character and density outcomes. The existing policy is not consistent with the desired outcomes of the MDRS. The Policy has been amended to exempt residential subdivision within the MRZ2 – Medium density residential zone 2 and instead seek to enable

	medium density residential outcomes within the MRZ2 (SUB-P3(3)).
SUB Subdivision <ul style="list-style-type: none"> • Include new Policy SUB-P23 	SUB-P23 relates to enabling medium density residential outcomes, except where a qualifying matter applies or where the relevant standards can not be met. The policy provides directives that support the proposed new subdivision rules that are required under Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
SUB Subdivision <ul style="list-style-type: none"> • Amend references throughout the Chapters from MRZ – Medium density residential zone to MRZ1 – Medium density residential zone 1 	The introduction of the new MRZ2 zone has necessitated an update to the referencing of MRZ to MRZ1 to clearly distinguish between the two zones throughout the chapter.
SUB Subdivision <ul style="list-style-type: none"> • Amend rule SUB-R153 	SUB-R153 which has been amended to exclude general subdivision where SUB-R154 (residential subdivision) applies and to remove Council’s discretion in relation to the likely future effects on the environment as a result of future building platforms. The amendments are necessary to remove inconsistencies with the outcomes sought by the MDRS.
SUB Subdivision <ul style="list-style-type: none"> • New Rule SUB-R154 	SUB-R154 is required to be included under Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The rule provides for residential subdivision that complies with the MDRS as a controlled activity that is exempt from public or limited notification.
SUB Subdivision <ul style="list-style-type: none"> • Do not apply Rule SUB-R155 	SUB-R155 has not been brought across into the Medium density residential zone 2 as it relates to minimum lot sizes and is inconsistent with SUB-R154.
SUB Subdivision <ul style="list-style-type: none"> • Do not apply Rule SUB-R159 	While SUB-R36 applies rules regarding subdivision of contaminated sites to the Medium density residential zone, this rule has not been replicated for Medium density residential zone 2 as it is inconsistent with the management of contaminated land in the MDRS. The National Environmental Standard for assessing and managing contaminants in soil to protect human health (NES-CS) effectively manages subdivision and contaminated land.
SUB Subdivision <ul style="list-style-type: none"> • Include Rule SUB-R163 	SUB-R163 is included to manage subdivision within the National Grid Corridor. The National Grid Corridor is an identified Qualifying Matter and therefore the additional controls proposed are consistent with the outcomes sought by the MDRS.
Part 3: Area-specific matters	
MRZ2 Medium density residential zone 2 <ul style="list-style-type: none"> • Amend the purpose of the zone 	The purpose of the zone has been updated to reflect the outcomes sought within the MRZ2 in relation to

	medium density residential outcomes specifically in Huntly, Ngāruawāhia, Pōkeno and Tuakau.
MRZ2 Medium density residential zone 2 <ul style="list-style-type: none"> • Include new Objective MRZ2-O1 • Include new Policies MRZ2-P, MRZ2-P2, MRZ2-P3, and MRZ2-P4 	The inclusion of new Objectives and Policies MRZ2-O1, MRZ2-P1, MRZ2-P2, MRZ2-P3, MRZ2-P4 is required by Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
MRZ2 Medium density residential zone 2 <ul style="list-style-type: none"> • Amend MRZ2-O3 	The amendment of MRZ2-O3 in relation to residential amenity is to reflect the envisaged future urban character of the MRZ2.
MRZ2 Medium density residential zone 2 <ul style="list-style-type: none"> • Include new Objectives MRZ2-O5 and MRZ2-O6 • Include new Policies MRZ2-P6 and MRZ2-P11 	The inclusion of new Objectives and Policies MRZ2-O5 and MRZ2-O6, MRZ2-P6 and MRZ2-P11 in relation to Qualifying Matters and reverse sensitivity to support the underlying new rules that require setbacks to protect and provide for identified qualifying matters (consistent with the requirements of Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
MRZ2 Medium density residential zone 2 <ul style="list-style-type: none"> • Include new Rules MRZ2-R10 and MRZ2-R11 	Inclusion of new rules MRZ2-R10 and MRZ2-R11 in relation to buildings, construction and uses within the National Grid Yards in response to an identified qualifying matter and is therefore consistent with the requirements of Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The new rule replicates the National Grid Yard rule contained within GRZ – General Residential Zone of the Proposed Waikato District Plan – Decision Version.
MRZ2 Medium density residential zone 2 <ul style="list-style-type: none"> • Include MDRS Standards MRZ2-S1 – MRZ2-S9 	Inclusion of the MDRS standards (MRZ2-S1 – MRZ2-S9) and notification exemptions under Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. As required, the standards have immediate legal effect. The proposed matters of discretion are consistent with the matters of discretion for the equivalent rules/standards for the MRZ1 – Medium density residential zone 1.
MRZ2 Medium density residential zone 2 <ul style="list-style-type: none"> • Amend Standard MRZ2-S13 	Amended setback requirements to water bodies to reflect the setbacks required to protect and provide for the natural character values of waterbodies (as qualifying matters). The setbacks are based on the approach of 25m + the normal setback for a building for the Waikato and Waipa Rivers, and 20m + the normal zone setback for other rivers.
MRZ2 – Medium density residential zone 2 <ul style="list-style-type: none"> • Include Standard MRZ2-S14 	Inclusion of MRZ2-S14 is in relation to building setbacks to sensitive land uses. This standard responds to qualifying matters and is therefore consistent with the requirements of Schedule 3A of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The new rule is also generally consistent with the sensitive land uses rule contained within GRZ – General Residential Zone of the Proposed Waikato District Plan – Decision Version.

<p>Chapters 2,4,8-11 TRPT Transportation, 4, 8, 9, TEL Telecommunications and radiocommunications, 11:</p> <ul style="list-style-type: none"> • Amend references throughout the Chapters from MRZ – Medium density residential zone to MRZ1 – Medium density residential zone 1. • Include reference to MRZ2 – Medium density residential zone 2 throughout the chapters. 	<p>The introduction of the new MRZ2 zone has necessitated an update to the referencing of MRZ to MRZ1 to clearly distinguish between the two zones throughout the district plan.</p> <p>Given the similarities between the MRZ1 and the MRZ2 zones it is considered appropriate to apply the district-wide rules of the MRZ1 to the MRZ2.</p>
PLANNING MAPS	
<p>MRZ2 Medium density residential zone 2</p>	<p>This new zone has been applied to sites within an approximate 800m walkable catchment of the Town Centre Zone in Huntly, Ngāruawāhia, Pōkeno and Tuakau. This is in response to the qualifying matter: urban fringe.</p> <p>This zone is applied to the sites in those four towns which are already zoned Medium density residential zone in the Proposed District Plan (decision version). In addition, 444 sites are proposed to be rezoned from General residential zone to Medium density residential zone 2 because these are located within the 800m walking catchment.</p>
<p>MRZ1 Medium density residential zone 1</p>	<p>As a consequential amendment of Variation 3, the existing Medium density residential zone in Raglan and Te Kauwhata is renamed from Medium density residential zone to Medium density residential zone 1.</p>
<p>GRZ</p>	<p>2 sites on Helenslee Road, Pōkeno are proposed to be rezoned from General rural zone to General residential zone to enable a more logical urban form. These sites are adjoined by General residential zone.</p>

APPENDIX 2: Residential Capacity Modelling

Residential Capacity Modelling

Medium Density Residential Standards:
Waikato District

12 June 22 – draft



Residential Capacity Modelling

Medium Density Residential Standards:
Waikato District

Prepared for

Waikato District Council

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1 Introduction

As part of the Future Proof Partnership¹ (FPP), Waikato District's urban areas are identified as a tier 1 high growth urban area. Tier 1 urban areas need to incorporate Medium Density Residential Standards (MDRS) into their district plans under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. The MDRS generally increases the level of development that is provided for within urban areas. This report calculates the amount of residential dwelling capacity is enabled within Waikato District's urban areas with the application of the MDRS.

The MDRS enables a higher level of residential development capacity in most areas. It increases the potential yield on each property parcel by enabling up to three dwellings on each site. It also increases the level of development opportunity on each site through expanding the three-dimensional development envelope² within which dwellings can be constructed. In combination, these provisions enable a shift in development patterns from those previously occurring across the district under the existing and past planning provisions. It is important for the FPPs to understand the level of residential capacity provided with the implementation of the MDRS.

M.E have been commissioned by the FPPs to undertake further residential capacity modelling across the urban residential zones in Hamilton City and the Waikato and Waipa districts to understand the level of capacity enabled by the MDRS. The additional modelling builds off the existing residential capacity modelling undertaken in 2021 for the FPPs to meet the requirements of the National Policy Statement on Urban Development (NPS-UD).

Understanding the capacity enabled by the MDRS is an important first stage in understanding the implications of the MDRS. It is likely that development will get taken up through time at a range of densities, including up to that of the MDRS in some locations. However, much of the development capacity delivered by the market is still likely to occur at lower densities, particularly within the short-term, as demand increases through time for higher density dwelling options.

The report briefly sets out the approach undertaken to model the MDRS provisions and presents the district's urban capacity calculations. It is not intended to be a detailed technical report on the model specifications, beyond outlining the key changes and extensions to the Waikato Residential Capacity Model used to model the MDRS. Further technical information on the structure of the Waikato Residential Capacity Model is instead contained within the FPPs Housing Development Capacity Assessment³ (HDCA) and associated technical documentation.

¹ The FPP is formed by Waikato District, Hamilton City, Waipa District, and more recently, the main urban centres of Matamata-Piako District.

² This occurs through a combination of the maximum height allowances (up to three storeys), building setbacks and height to boundary building recession planes.

³ M.E, 2021. *NPS-UD Housing Development Capacity Assessment: Future Proof Partners*, prepared for Future Proof Partners (Hamilton City Council, Waikato District Council and Waipa District Council), 30 July 2021.

The report is structured as follows. Section 2 outlines the changes in modelled development patterns with the application of the MDRS. The modelling approach is then described in Section 3. The focus of Section 3 is on the key stages and development of the modelling approach to reflect the MDRS from the residential capacity modelling undertaken for the HDCA in 2021. The summary results from the modelling are contained in Section 4, and concluding comment in Section 5.

DRAFT

2 Changes in Modelled Development Patterns

The development patterns enabled under the MDRS are substantially different to those that are currently provided for across much of the district's urban area within the District Plan. If taken up, they would represent a significant step-change in density to past development patterns that have occurred across much of the district's urban areas.

The district's urban areas have previously predominantly been characterised by lower density development in the form of single detached dwellings on full sites. These have generally occurred up to the densities enabled under the Plan, where much of the urban general residential suburban areas have had minimum site size requirements ranging from 450 m² to 875 m². The minimum site size requirements, together with patterns of demand, mean that the development market has generally favoured single level, detached dwellings.

More recently, there has been some development at higher densities within structure plan areas, with the key area in Lakeside, Te Kauwhata. These have resulted in a number of medium density dwellings, including some two-level attached dwellings and two-level detached dwellings on much smaller sites. The Proposed District Plan (PDP) also includes a Medium Density Residential Zone, applied in central areas within a number of urban areas, which allows for a similar level of development to the MDRS.

The MDRS generally provides for a substantially higher level of development capacity across much of the district's urban residential areas. These are set out in the MDRS fact sheet⁴ and Schedule 3A Part 2 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. It enables up to three dwellings to be constructed on each site that are up to three storeys high. These are also able to be constructed within an expanded three-dimensional building envelope through the combination of greater allowances in height limits, required setbacks from boundaries and height to boundary recession planes.

These provisions, if applied across the district's urban residential areas, would enable higher density development and dwelling typologies than have previously been provided for within the district. This increases the total residential capacity within the district's urban areas.

If the MDRS provisions are applied to the existing underlying zoning structure, then they would produce a range of medium to higher density dwelling typologies. These range from smaller two-level detached dwellings on smaller sites, up to two to three-level attached dwellings on the smallest land areas (per dwelling) enabled by the standards. At the highest end of the modelled densities, the modelling has assumed that these would reflect horizontally attached 2-3 level walk-up terraced housing. The modelling assumptions around minimum site areas are outlined in Section 3.4.

⁴ Ministry for the Environment, 2022. *Medium Density Residential Standards: A guide for territorial authorities*, 21 April 2022, <https://environment.govt.nz/assets/publications/Medium-density-residential-standards-A-guide-for-territorial-authorities-v2.pdf>, accessed at June 2022.

3 Modelling Approach

This section outlines the modelling approach that has been undertaken to model the capacity enabled by the MDRS within the Waikato District's urban areas. It identifies the key changes and extensions that have been constructed within the Waikato Residential Capacity Model to reflect the provisions of the MDRS.

The estimation of capacity has been undertaken at the parcel level, extending upon the M.E Residential Capacity Model developed for the 2021 HDCA. It is an estimation of the net additional dwellings that can be accommodated on each parcel.

The modelling firstly calculated the capacity enabled under the Plan (plan enabled capacity), and then estimated the share of capacity that is likely to potentially represent commercially feasible development options for profit-driven commercial developers. This section sets out the key changes and extensions developed for the 2021 HDCA capacity model to reflect the MDRS provisions. It is not intended to be a technical document describing the Model in its entirety, which can instead be found within the 2021 HDCA and associated documentation.

An outline of the approach, noting the key changes/extensions is set out in the sub-sections below.

3.1 Capacity Structure

Zoning and Urban Spatial Structure

Modelling has been undertaken across all urban residential zones within the district's urban areas. These include zones that are developed at an urban density and exclude residential development in other zones that are developed at lower densities (e.g. rural and lifestyle dwellings).

As requested by Waikato District Council (WDC), the Proposed District Plan Decisions Version (PDP) has been applied as the underlying base zoning file for the modelling. This differs to the 2021 HDCA modelling, where the ODP was modelled in the short-term (measuring current capacity) and an earlier version of the PDP (as at the time of the assessment) modelled for the medium-term. A full comparison of the differences between the PDPs (2021 draft version and 2022 Decisions Version) can be undertaken through the Waikato District Council website. A key difference is the more widespread application of the Medium Density Residential Zone within the Decisions Version. WDC has also supplied further information on structure plan and development agreement yields within selected greenfield areas, which have been applied in this assessment.

The PDP urban residential zones across which the modelling has been undertaken include:

- General Residential Zone
 - Te Kauwhata Ecological Residential Area (sub-zone)
 - Lakeside zones (sub-zones)
 - All other areas
- Medium Density Residential Zone

- Rangitahi Peninsula Zone
- Hopuhopu Zone
- Ohinewai Zone
- Future Urban Zone (applied at the General Residential Zone densities, as requested by WDC)

Analysis was undertaken across the above zones using the same urban structure as the HDCA. The local areas within this structure include:

- Pokeno
- Tuakau
- Te Kauwhata
- Ohinewai
- Huntly
- Taupiri
- Hopuhopu
- Ngaruawahia
- Horotiu
- Raglan

Zoned areas within these locations were identified as either greenfield or existing urban areas. A similar approach to the HDCA was followed where the existing urban edge was identified through a combination of aerial photographs and analysis of the most recent LINZ parcel boundary file. There is likely to have been some outward expansion of the urban edge since the analysis undertaken for the HDCA.

Modelled Development Options and Dwelling Typologies

The modelling estimates the number of net additional dwellings that can be accommodated on each site. In line with the HDCA modelling, the Model tests for both infill and redevelopment capacity, and capacity within the existing urban vs. greenfield areas.

Within the existing urban area:

- **Infill capacity** refers to the number of additional dwellings that can be constructed within the existing urban area without the removal or demolition of any existing dwellings. It typically involves the construction of additional dwellings on the vacant areas of parcels (e.g. constructing an additional dwelling in a large back yard area of an already developed property parcel).
- **Redevelopment capacity** refers to the number of additional dwellings that can be constructed within the existing urban area through the redevelopment of sites. It involves the demolition or removal of existing dwellings on a site and the subsequent construction of a greater number of dwellings on the same site.

Within each category, three dwelling typologies are modelled, which each have different site size requirements. They also have different relationships between dwelling size and land area, where smaller sites can generally be developed more efficiently with attached dwellings. The modelled dwelling typologies include standalone (detached) dwellings, attached dwellings, and apartment dwellings. These are a combination of mainly two-level standalone dwellings on smaller sites, and attached dwellings. Attached dwellings are typically 2 storeys and are attached horizontally, with some 3-level development.

The capacity results also include maximums (across the three modelled typologies) of each of infill and redevelopment capacity within the existing urban area. Here, the model returns the greatest yield for each parcel out of the infill and redevelopment capacity options. Under the plan enabled capacity, the maximum redevelopment option will almost always represent the greatest yield. However, under the commercially feasible capacity often only a subset of the development options will be feasible (e.g. infill detached dwellings). This means that the model selects the highest yield from this subset (i.e. feasible dwellings), often resulting in smaller feasible maximums on a parcel than plan enabled maximums.

3.2 Plan Enabled Capacity

The plan enabled capacity estimates the total number of additional dwellings enabled through the application of planning provisions. It does not take into account the commercial feasibility of construction of dwellings or infrastructure constraints.

Modelling Stages

The key stages of the plan enabled capacity modelling are outlined within the HDCA. The main changes and extensions to the MDRS modelling include:

- **Defining the number of sites that can be formed through subdivision of each parcel/vacant area.** This step identifies the number of sites that can be formed through applying the minimum site areas required for subdivision. These are based on the existing PDP minimum site areas for each base zone.
- **Estimate the potential number of dwellings on each formed site.** This additional stage applies assumptions on the land area required to construct a dwelling of each typology and then calculates how many dwellings can be accommodated within each of the formed sites. In line with the MDRS, the model allows for up to three dwellings to be accommodated on each formed site. The model tests for three dwelling typologies – standalone (detached) dwellings, attached dwellings and apartment dwellings. Larger minimum land areas are required to accommodate detached dwellings than attached dwellings. The input table in Section 3.4 identifies the input assumptions for minimum land area required for each dwelling typology within each zone and scenario. These minimum land areas take into account the maximum densities observed in recent developments in other locations in relation to the average land area required to accommodate each dwelling. They have also been tested for their ability to accommodate a minimum floorspace area within a 3-dimensional building footprint (up to 3 storeys) and outdoor living space requirements.
- **Infill modelling.** A geometrical approach has been undertaken within FME GIS modelling software to identify the vacant areas of existing parcels that are suitable for infill development. The approach is outlined in more detail within the 2021 HDCA and associated documentation, and has been modified in the following ways to reflect the MDRS:
 - The setbacks from site boundaries as set out within the MDRS have been applied.
 - Vacant areas are tested for their potential road access.
 - Road accessible vacant areas are then tested for their ability to accommodate dwellings through the application of shape factor input assumptions. Under the MDRS modelling, up to three shape factors on each site were tested (compared to 1 to 2 shape factors under the HDCA modelling). The number of shape factors accommodated determined the

number of dwellings tested on each site. The shape factor input assumptions are included within the input table.

- Infill areas were then adjusted to allow for planning requirements to be met for any existing dwellings on the remainder of the site (using the MDRS parameters). The final areas were then input into the Residential Capacity MDRS Model to test for plan enabled and feasible capacity.

3.3 Commercially Feasible Capacity

The commercially feasible capacity estimates the share of plan enabled capacity that would represent potentially feasible development options for commercial developers to construct a dwelling(s). The calculations are undertaken at the parcel level to estimate the costs of constructing the dwellings estimated to be able to be accommodated under the planning provisions, then compared to a potential sales price to determine if there is a sufficient margin for developments to be potentially commercially feasible.

The MDRS commercial feasibility model expands upon the existing modelling capability developed under the HDCA. Different components of the model are replaced/expanded to reflect the MDRS provisions. The key components are:

- **Estimating the size and configuration of dwellings on each parcel.** The model firstly estimates the physical features of each potential dwelling on the formed parcels. It estimates the floorspace size and number of storeys of each dwelling, with the three different dwelling types (not additive) tested for each site. This component of the HDCA model is replaced with a new component that reflects the step-change in the nature of development under the MDRS. This is important because the relationships of dwelling size and type relative to site sizes are likely to be substantially different under the MDRS. This has implications for construction costs.

The model runs off a series of floor area ratio (FAR) curves that estimate the dwelling size that can be constructed on each site. These are established through assessing the dwelling sizes recently developed in higher density locations in other areas. They are also cross-checked against the three-dimensional parameters of the MDRS. This part of the model also identifies the number of storeys of each dwelling.

Minimum dwelling site area for each typology and for each underlying PDP base zone are contained in Table 3-1 in Section 3.4. The model will tend toward these dwellings as a minimum, but will generate a range of dwelling sizes based on the initial site size formation. The dwelling sizes allocated will be at these levels or larger as they are scaled to the calculated land area per dwelling on each site.

The outputs of this component of the model are the number of dwellings on each site, their floorspace size and storeys. This is calculated for each dwelling typology option (standalone dwellings vs. duplex/terraced dwellings vs. apartments). These are not additive, but a maximum yield is identified for each parcel (as set out in Section 3.1) where the model selects the highest individual yield that can be constructed. These outputs form the inputs to the next stage of the model where the cost is calculated to construct each potential dwelling.

- **Estimating the cost to construct each dwelling.** This stage of the model estimates the total cost to construct each dwelling identified within the previous stage. The structure of the model is consistent with that used under the HDCA, with a number of updated components as noted below. Updates have occurred in relation to both updated base costs as well as updates to the structure of costs to reflect the shift in the nature of dwelling development.

The costs applied within the model include:

- i. Land costs.
 - ii. Existing dwelling costs (redevelopment).
 - iii. Site preparation costs including landscaping and driveway/parking areas and any demolition costs. These ratios to site area have also been updated from the HDCA.
 - iv. Construction costs. In addition to the base level cost increases in construction, further cost increases have been applied within the model to reflect a shift in the average number of storeys per dwelling where per metre rates increase with the number of storeys. These have been applied at an individual level to reflect the estimated number of storeys of each dwelling. As such, there is a substantial per m² cost increase within the model from the HDCA arising from a combination of base level shifts and changes in the nature of dwellings.
 - v. Ancillary costs (infrastructure/utilities connections, professional services, consents, development contributions). HCC have supplied updated development contributions information which has been applied within the model.
- **Estimating the potential sales price of each dwelling.** This component of the model has been updated significantly from the HDCA. Updates relate to the sales prices for higher density dwellings as well as the underlying spatial structure affecting prices.
 - **Base Spatial Structure.** At a base level, the model applies the same spatial structure as the HDCA, driven by the urban spatial structure identified in Section 3.1. This structure is also applied to the parcel land prices.
 - **Estimation from other markets.** Analysis of higher density dwellings within other urban economies was undertaken to inform the modelled sales prices within the urban areas across the district. This included considering the differences between sales prices of higher density dwellings and other dwellings at a density reflective of existing lower densities within similar areas. This approach was undertaken within the context of limited data from limited establishment of medium to higher density dwellings within the district's market.

As requested, commercial feasibility modelling has been undertaken within the current market and reflects the areas of plan enabled capacity that may potentially represent feasible options for commercial developers. Importantly, it should not be confused with growth – it is a measure of the potential capacity, some of which is likely to get taken up by the market with growth. Refer to the 2021 HDCA for a more detailed description of the measure of commercially feasible capacity.

3.4 Modelling Density Inputs

Minimum subdivision area requirements and land areas per dwelling formed inputs to the model. These are the initial land areas required to form a site within each zone, which could then be tested to accommodate up to three dwellings; and the land areas required, per dwelling, within these formed sites.

The minimum subdivision area requirements were supplied by WDC and reflect the subdivision requirements of the PDP. The minimum land area requirements were then established as input assumptions within the model. These are contained below in Table 3-1.

Initial three-dimensional modelling work undertaken by the Hamilton City Council (HCC) GIS team estimated the land areas required to accommodate different dwelling sizes and typologies. These were analysed as a starting point to determine parameters to apply to the Waikato District urban areas. The land areas per attached and apartment dwelling within each site reflect one-third of the initial site formation area to accommodate three dwellings upon each site. The viability of these densities was triangulated with the initial HCC modelling. Larger minimum areas (based on analysis of development patterns in other urban economies) were assumed to be required for detached dwellings to reflect the site area required to physically construct a standalone dwelling.

Zones with larger minimum subdivision site areas contained larger minimum land area per dwelling requirements. These were set at a minimum of one third of the subdivision area to ensure the model allocated only up to three dwellings per site.

Importantly, Table 3-1 contains the *minimum* land areas which are formed within the model to accommodate dwellings. These have been applied to the existing spatial structure of the WDC Ratings Database, with sites formed using the existing ratings parcel boundaries. In most cases, the existing parcel boundaries exceed the minimum areas, meaning that sites (and corresponding land areas per dwelling) are formed at lower densities than the minimums within the table⁵.

In several areas, agreed subdivision yields that were at densities that differed to the PDP zone, were supplied by WDC. The model was required to adopt these densities for the initial site formation to reflect the structure/development plan yields. The MDRS were then applied to these formed lots to accommodate up to three dwellings on each site.

Initial conversions have been applied to the Waikato District greenfield areas prior to the application of the land areas in Table 3-1. Greenfield areas were first multiplied by a factor of less than 100% to take account of the share of area within the greenfield growth cells that is unlikely to be developable. This is an important step as the PDP contains a number of greenfield areas that have been broadly identified as future growth areas that do not take into account land features that would likely limit the developable area.

The initial developable area conversion factors, applied by location are set out below. Lower conversion rates were applied in some locations to reflect the developable areas identified from structure plans or development agreements:

- Pokeno – 70%
- Tuakau – 70%
- Te Kauwhata – 70%
- Ohinewai – 59%
- Huntly – 70%

⁵ For example, if a General Residential Zone parcel of 850m² were entered into the model, it would form only one initial site due to insufficient land area to form two sites at the zone's minimum subdivision requirement of 450m². Consequently, the model would construct dwellings at an average land area of 283m² per dwelling.

- Taupiri – 70%
- Hopuhopu – 44%
- Ngaruawahia – 70%
- Horotiu – 70%
- Raglan⁶ – 70%

Following the calculation of greenfield developable areas, these net areas were then multiplied by a further 70% to include an allowance of 30% of the developable area for roads and reserves⁷. The remaining net areas were then divided into lots and dwellings in accordance with Table 3-1.

⁶ Rangitahi Peninsula Zone lots by precinct were applied as individualised site areas within the model.

⁷ For example, a 10ha General Residential Zone greenfield block of land identified broadly within the PDP in Pokeno would translate into 7ha of developable area. This would then translate into 4,900m² of net land area that would be divided into lots at a density of 450m² per lot to form around 109 lots, each potentially accommodating up to three dwellings.

Table 3-1: Minimum Site Area Subdivision and Land Area per Dwelling Minimum Modelling Inputs by Zone and Typology (MDRS Applied)

Waikato District PDP Base Zone	Sub-Zone/Area	Dwelling Typology	Initial Subdivision Requirement - Land Area (m2)	Minimum Land Area per Dwelling (m2)
General Residential Zone	Reticulated Services	Detached	450	200
General Residential Zone	Reticulated Services	Attached	450	150
General Residential Zone	Reticulated Services	Apartments	450	150
General Residential Zone	Te Kauwhata Ecological Residential Area	Detached	875	290
General Residential Zone	Te Kauwhata Ecological Residential Area	Attached	875	290
General Residential Zone	Te Kauwhata Ecological Residential Area	Apartments	875	290
General Residential Zone	Lakeside Te Kauwhata Precinct - Medium Density Area	Detached	450	200
General Residential Zone	Lakeside Te Kauwhata Precinct - Medium Density Area	Attached	450	150
General Residential Zone	Lakeside Te Kauwhata Precinct - Medium Density Area	Apartments	450	150
General Residential Zone	Lakeside Te Kauwhata Precinct - High Density Area	Detached	250	175
General Residential Zone	Lakeside Te Kauwhata Precinct - High Density Area	Attached	250	83
General Residential Zone	Lakeside Te Kauwhata Precinct - High Density Area	Apartments	250	83
General Residential Zone	Lakeside Te Kauwhata Precinct - Non-Reticulated	Detached	2500	830
General Residential Zone	Lakeside Te Kauwhata Precinct - Non-Reticulated	Attached	2500	830
General Residential Zone	Lakeside Te Kauwhata Precinct - Non-Reticulated	Apartments	2500	830
Medium Density Residential Zone	Reticulated Services	Detached	200	175
Medium Density Residential Zone	Reticulated Services	Attached	200	67
Medium Density Residential Zone	Reticulated Services	Apartments	200	67
Future Urban Zone	Raglan	Detached	450	200
Future Urban Zone	Raglan	Attached	450	150
Future Urban Zone	Raglan	Apartments	450	150
Future Urban Zone	Huntly	Detached	450	200
Future Urban Zone	Huntly	Attached	450	150
Future Urban Zone	Huntly	Apartments	450	150
Future Urban Zone	Ohinewai	Detached	450	200
Future Urban Zone	Ohinewai	Attached	450	150
Future Urban Zone	Ohinewai	Apartments	450	150
Future Urban Zone	Pokeno	Detached	450	200
Future Urban Zone	Pokeno	Attached	450	150
Future Urban Zone	Pokeno	Apartments	450	150
Future Urban Zone	Tuakau	Detached	450	200
Future Urban Zone	Tuakau	Attached	450	150
Future Urban Zone	Tuakau	Apartments	450	150
Hopuhopu Zone		Detached	450	200
Hopuhopu Zone		Attached	450	150
Hopuhopu Zone		Apartments	450	150
Ohinewai Zone		Detached	450	200
Ohinewai Zone		Attached	450	150
Ohinewai Zone		Apartments	450	150

Source: M.E Waikato District Residential Capacity Model, 2022.

4 Modelled Capacity

This section contains the modelled results of the plan enabled and commercially feasible capacity through the application of the MDRS. It contains the summary tables of capacity by location across the spatial structure. More detailed information of capacity at a parcel level has been supplied as GIS files to WDC.

The capacity results are net additional dwellings where the existing dwellings have been removed from the calculated gross yields on each parcel. The tables within the following sub-sections show the net additional dwellings in accordance with the capacity structure outline in Section 3.1.

The first portion of the table shows the modelled capacity within each typology for infill development, including a maximum yield across the three typologies⁸. The middle section contains the redevelopment capacity across the three options, including maximums for redevelopment as well as redevelopment and infill options combined. The remainder of the table shows the greenfield capacity in this structure.

Importantly, the columns within the table are not additive. The maximum columns show the maximum yield combinations within each development pathway (infill, redevelopment or greenfield), as well as the final column containing the total across the greenfield and existing urban areas.

4.1 Plan Enabled Capacity

The modelled plan enabled capacity is contained in Table 4-1. It shows the net additional dwellings that would be enabled with the application of the MDRS to the PDP base zones.

In total, there is an estimated plan enabled capacity for an additional 122,300 dwellings. Just over half (53%; 64,400 dwellings) of the capacity is within the existing urban area, where redevelopment capacity is over double that of the infill capacity.

The plan enabled capacity, if taken up, would represent a larger increase in the number of households within the existing urban footprint of the urban areas of the district. If all existing urban area parcels were redeveloped, then it would result in a number of dwellings around seven times the size of the existing urban dwellings base.

The capacity is also large within the greenfield areas, enabling an additional 57,800 dwellings with the application of MDRS across these areas.

The plan enabled capacity is spread across the north, mid and southern parts of the district's urban areas. Over one-third (38%; 46,400 dwellings) is contained within the northern parts of the district in Pokeno and

⁸ The maximum yield has been calculated at the parcel level and then aggregated to each location within the table. This means that the maximums within the commercially feasible tables will in most cases not align with the largest column value by typology. This is because some parcels may have feasible development options across higher density dwelling options, while others may only have feasible capacity for lower yield options. Therefore, the aggregation of feasible yields at the parcel level is a combination of some development within higher density typologies, and others at lower density typologies.

Tuakau, with greenfield areas accounting for over half of this capacity. In total, nearly half (47%; 27,100 dwellings) of the district's greenfield capacity occurs within the northern part of the district.

A further third (32%; 39,500 dwellings) of the district's total additional capacity is contained within the southern parts of the district. This includes the areas within proximity to the northern parts of Hamilton (Taupiri, Hopuhopu, Ngaruawahia and Horotiu) and Raglan. Around two-thirds of this capacity is within the existing urban areas. These areas contain around one-quarter (26%; 14,800 dwellings) of the district's greenfield dwelling capacity.

The remainder of the capacity (30%; 36,400 dwellings) is located within the mid part of the district in Te Kauwhata, Ohinewai and Huntly.

Table 4-1: Plan Enabled Capacity by Location within Waikato District with the Application of MDRS

LEVEL	INFILL				REDEVELOPMENT					Max Infill or Redevelopment	GREENFIELD				Max Greenfield and Existing Urban
	Standalone	Attached	Apartme nt	Max Infill	Standalone	Attached	Apartme nt	Max Redevelo pment	Standalone		Attached	Apartme nt	Max Greenfie ld		
Pokeno	2,000	3,500	3,500	3,500	4,100	7,000	7,000	7,000	7,100	8,400	13,500	13,500	13,500	20,600	
Tuakau	1,500	3,800	3,800	3,800	4,300	12,200	12,200	12,200	12,200	8,700	13,600	13,600	13,600	25,800	
Te Kauwhata	1,800	4,200	4,200	4,200	3,500	7,700	7,700	7,700	7,800	4,600	7,100	7,100	7,100	14,900	
Ohinewai	-	-	-	-	-	-	-	-	-	2,700	4,100	4,100	4,100	4,100	
Huntly	3,000	5,900	5,900	5,900	6,900	12,400	12,400	12,400	12,700	2,900	4,600	4,600	4,600	17,400	
Taupiri	600	900	900	900	1,000	1,500	1,500	1,500	1,500	1,300	2,000	2,000	2,000	3,500	
Hopuhopu	-	-	-	-	-	-	-	-	-	200	300	300	300	300	
Ngaruawahia	2,100	5,200	5,200	5,200	5,600	12,800	12,800	12,800	13,000	2,600	4,200	4,200	4,200	17,200	
Horotiu	500	700	700	700	800	1,300	1,300	1,300	1,300	800	1,200	1,200	1,200	2,500	
Raglan	2,500	4,000	4,000	4,000	5,300	8,600	8,600	8,600	8,900	4,900	7,100	7,100	7,100	16,000	
TOTAL	14,100	28,200	28,200	28,200	31,500	63,500	63,500	63,500	64,400	37,200	57,800	57,800	57,800	122,300	

Source: M.E Waikato Residential Capacity MDRS Model, 2022.

4.2 Commercially Feasible Capacity

The estimated commercially feasible capacity is contained in Table 4-2 with the application of the MDRS to the PDP base zones. It shows the net additional dwellings that are estimated to represent potentially feasible development options for commercial developers. Importantly, the capacity should not be confused with growth – it is a measure of the potential capacity, some of which is likely to get taken up by the market with growth. Refer to the 2021 HDCA for a more detailed description of the measure of commercially feasible capacity.

The commercially feasible capacity modelled within this section does not take into account any limits occurring through infrastructure constraints. As requested, the modelling has been undertaken to identify areas of potential feasibility without the consideration of infrastructure constraints.

As requested, commercial feasibility modelling has been undertaken within the current market and reflects the areas of plan enabled capacity that may potentially represent feasible options for commercial developers. Furthermore, the modelling has been undertaken using a 20% profit margin. It is likely that some development outside of this range may occur at a lower margin as there are increased shares of plan enabled capacity with estimated lower profit margins.

It is likely that higher shares of the plan enabled capacity would become commercially feasible development options for developers through time with market growth. Medium to higher density development is not yet well established across many areas of the Waikato District. It is likely to become more established over the medium to longer-term.

Table 4-2 shows that there is an estimated commercially feasible capacity of an additional 20,500 dwellings across the Waikato District's urban areas. This amounts to around 17% of the plan enabled capacity estimated to represent commercially feasible options.

Nearly three-quarters (72%; 14,800 dwellings) of the capacity is within the greenfield areas. A higher share (26%) of the greenfield area plan enabled capacity is estimated to be commercially feasible. In comparison, around 9% (5,700 dwellings) of the existing urban plan enabled capacity is estimated to be commercially feasible options. Part of the difference in these rates reflects the greater ease of greenfield development. Although, the higher potential yields on parcels are likely to have some effect in relation to increasing the feasibility within the existing urban area, particularly for redevelopment capacity.

The modelled feasible capacity is concentrated into the urban areas within the northern parts of the district. Pokeno and Tuakau are estimated to contain over half (58%) of the feasible development capacity (11,900 dwellings). Higher feasible capacity within these locations is due to a combination of a substantial share of the plan enabled capacity being located within these areas as well as higher rates of feasibility within these areas. It is likely that development within these areas will be influenced by pressures within the larger adjacent Auckland market, where these higher densities are more well established.

Other locations with higher rates of feasibility include Te Kauwhata, Raglan and Taupiri. Medium to higher density development is already occurring within Te Kauwhata within the Lakeside development.

A number of areas are showing no/only small amounts of feasible capacity within Table 4-2. The residential markets within these areas are less well established, and therefore are likely to have lower levels of feasibility for these increased development densities. The MDRS capacity within these areas may be feasible, albeit at a lower margin, or increase in feasibility through time with market growth.

Table 4-2: Commercially Feasible Capacity by Location within Waikato District with the Application of MDRS

LEVEL	INFILL				REDEVELOPMENT					Max Infill or Redevelopment	GREENFIELD			Max Greenfield and Existing Urban
	Standalone	Attached	Apartment	Max Infill	Standalone	Attached	Apartment	Max Redevelopment	Standalone		Attached	Apartment	Max Greenfield	
Pokeno	600	700	-	900	500	900	-	1,000	1,200	3,700	3,100	100	5,300	6,500
Tuakau	400	500	-	700	700	1,200	-	1,500	1,600	3,200	1,400	-	3,700	5,400
Te Kauwhata	300	100	-	400	300	100	-	400	400	1,700	90	-	1,800	2,200
Ohinewai	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Huntly	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taupiri	300	-	-	300	300	-	-	300	400	600	-	-	600	1,100
Hopuhopu	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ngaruawahia	300	-	-	300	300	-	-	300	400	200	-	-	200	600
Horotiu	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Raglan	1,000	100	-	1,100	1,200	200	-	1,300	1,500	3,100	-	-	3,100	4,700
TOTAL	2,800	1,400	-	3,700	3,300	2,300	-	4,800	5,700	12,600	4,600	100	14,800	20,500

Source: M.E Waikato Residential Capacity MDRS Model, 2022.

5 Conclusions

The MDRS provision enable a greater level of capacity and development across much of the urban residential areas of Waikato District. They would enable greater intensification within the existing urban areas, together with higher yields within the greenfield areas.

The total capacity enabled by the provisions would represent very large increases to the existing urban dwelling base. It has been estimated that a share of the plan enabled capacity is likely to represent commercially feasible options for developers, which amounts to around two times the size of the existing household base.

The types of capacity enabled by the MDRS is at a substantially higher density than that provided within many of the main urban residential zones of the PDP, and nearly all zones within the ODP. If capacity is taken up at these densities, then it would represent a significant shift to the development patterns that have previously characterised growth across much of the district's urban areas.

Understanding the capacity enabled by the MDRS is an important first stage in understanding the implications of the MDRS. It is likely that development will get taken up through time at a range of densities, including up to that of the MDRS in some locations. However, much of the development capacity delivered by the market is still likely to occur at lower densities, particularly within the short-term, as demand increases through time for higher density dwelling options.

**APPENDIX 3: The Medium Density Residential Standards
under the Resource Management Act: Estimates of
development impacts at the Statistical Area 2 level**

*The Medium Density
Residential Standards
under the Resource
Management Act*
Estimates of development impacts
at the Statistical Area 2 level

Prepared for
Ministry for the
Environment

14 July 2022



**Strictly confidential**

Jym Clark
Ministry for the Environment
23 Kate Sheppard Place
Wellington, 6011

14 July 2022

Estimates of development impacts at the Statistical Area 2 level under the Medium Density Residential Standards

Dear Jym,

We are pleased to present to you our report estimating the local level impacts of the Medium Density Residential Standards (MDRS) in the five Tier 1 urban areas. Note that the key results for each local authority are presented in Section 4 and the full results by Statistical Area 2 are provided in Appendix A.

This report is intended to stand alone without need to reference the original cost-benefit analysis of the MDRS. For completeness, we have included the relevant elements of the methodology description from the original CBA.

This report is submitted in accordance with our Consulting Services Order (CSO), dated 2 June 2022, and is subject to the restrictions included at the end of this report.

If you have any queries please do not hesitate to contact us.

Yours sincerely,

A handwritten signature in blue ink that reads 'Colin Lynch'.

Colin Lynch
Partner
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Context

In response to housing supply shortages, the Ministry for the Environment required cost-benefit analysis (CBA) of two amendments to the Resource Management Act that require councils to up-zone:

- Implement a new default Medium Density Residential Standards (MDRS) in their residential areas.
- Bring forward the timing of implementation for the intensification policies of the National Policy Statement on Urban Development (NPS-UD), to enable denser housing close to jobs, transport options and areas of high demand.

Now local councils are updating their district plans to comply with the Resource Management (enabling housing supply and other matters) Amendment Act 2021 (‘the Act’). Part of this process involves making applications for “qualifying matters” under the Act – exceptions to the policy in areas that would otherwise be subject to its MDRS. Applications for qualifying matters require, among other things, that councils provide an assessment of the costs and impacts of the implied reduction in development capacity (Section 77J).

However, the CBA for the Act provided aggregate totals for each urban area. The Ministry of Housing and Urban Development is seeking an estimate of the expected development impact of the MDRS within individual Territorial Authority boundaries. The purpose of this estimate is to support local authorities in selecting and preparing their applications for qualifying matters under the Act.

This report provides an estimate of the expected development impact of the MDRS within individual Territorial Authority boundaries, and within each Statistical Area 2 (SA2) area.

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1 *Executive summary*

The Government introduced a new default Medium Density Residential Standard (MDRS) to reduce barriers to housing supply and improve housing affordability

In late 2021, Government passed the Resource Management (Enabling housing supply and other matters) Amendment Act 2021 ('the Act'). The amendment requires councils in Tier 1 urban environments to up-zone in two ways:

1. Bring forward the timing of implementation for existing intensification policies of the National Policy Statement on Urban Development (NPS-UD).
2. Implement a new default Medium Density Residential Standard (MDRS) in residential areas.

The costs and benefits of the intensification policies in the NPS-UD are estimated elsewhere,¹ but the timing implications are important.

The MDRS is new and:

- a) allows three-storeys and three-units as of right per site
- b) enables:
 - more flexible heights in relation to boundary standards to enable three storeys on average sized sites
 - smaller private outlook spaces (that is, space between windows and other buildings) and private outdoor spaces (for example, balconies)
 - development closer to side boundaries
 - more planning consents (when needed) to proceed on a non-notified basis without neighbour approvals.

The MDRS applies to all existing residential zones, with minor exemptions. The MDRS also applies to new residential zones, such as when rural land is urbanised, as a minimum enablement. It does not apply to land zoned for recreation, open space, or business.

The change implied by the MDRS amounts to a permanent shift in the responsiveness of housing supply to rising prices. This means the impacts of the policy will begin slowly, but continue to build as long as the MDRS remains in place.

A spatial estimate of impact is needed to support local authorities

The purpose of this report is to provide a spatial estimate of the development impact of the MDRS. We aim to do this at a level of granularity that can assist local authorities in meeting their obligations under the NPS-UD as they prepare plan changes in response to the Act. To do this, we build on a proprietary spatial-econometric model originally developed for the cost-benefit analysis that supported the Act during its parliamentary process. We achieve this by using existing parcel-level redevelopment probabilities to simulate 1,000 likely outcomes for each urban area.

¹ See PwC 2020.

The CBA model assesses impacts on the supply of dwellings by understanding the impact of the Auckland Unitary Plan

Our analysis of development impact relies on a spatial econometric model to generate forecasts for Auckland and then adapts the model to data from the wider urban areas of Christchurch, Wellington, Hamilton, and Tauranga for application to those cities.

Our modelling is based on a standard theoretical framework, calibrated to the housing market in each city to arrive at a forecast. The increase in dwelling supply in Auckland following the 2016 enactment of the Auckland Unitary Plan (AUP) provides a natural experiment. The changes under the MDRS create a new city-wide minimum allowable density level similar to the building constraints for one of the AUP zones (Residential Mixed Housing Urban or MHU). We use this recent observed increase in response to a similar policy change to calibrate our forecasts.

However, there are important ways with what happened under the AUP that are different from what we expect to happen under the MDRS. The AUP favoured development at the urban fringe over intensification near the city centre and left in place other constraints to development beyond zoning rules, resulting in some measured results that do not align with the demand patterns predicted by theoretical frameworks for urban spatial equilibrium. The MDRS is intended to alter this. To align our forecasts with that intent, we adjust our model to neutralise the AUP bias toward urban fringe development, allowing demand and opportunity cost characteristics to drive the response to up-zoning instead. When we adjust the model to neutralise the AUP bias toward urban fringe development, we find the most intensive development moving much closer to the city centre. Our base-case scenario shows development closely hugging the NPS-UD walkable catchments around public transport and metropolitan centre areas. This bodes well for the NPS-UD intensification policies, suggesting that previous estimates of their impact may have been understated.

Table 1 shows the estimates from the original MDRS CBA of the additional new dwelling consents in residential areas subject to the MDRS policy during the *five to eight years* following policy enactment. Additional dwellings are those dwellings **over and above** what would be expected to have otherwise occurred without the MDRS. The MDRS is estimated to result in nearly 75,000 additional dwellings above what would otherwise take place in New Zealand's fastest growing cities in the medium term.

Table 1: Five-to-eight-year additional dwellings added forecasts with sensitivity range

	<i>Base estimate</i>
<i>Auckland</i>	39,200*
<i>Hamilton</i>	8,300
<i>Tauranga</i>	5,800
<i>Wellington</i>	9,800
<i>Christchurch</i>	11,500
<i>Totals</i>	74,600

Source: CBA of the proposed MDRS (2021).

* This base estimate was adjusted downward to 37,500 in subsequent analysis following a change to the policy requirements after the second reading in Parliament. The change concerned the minimum height-in-relation-to-boundary (HIRB), adjusting down from 6m and 60 degrees to 4m and 60 degrees.

Our original CBA did not consider where these development sites are within each city. In this report, we generalise the initial CBA by analysing where these development sites might be within each urban area. We provide an average expected development for each Territorial Authority (TA), at the Statistical Area 2 (SA2) level.

Table 2 below shows the estimates of additional new dwelling consents in residential areas subject to the MDRS policy during the *five to eight years* following policy enactment for each TA. Estimates at the SA2 level are presented in Appendix A. As noted above, the additional dwellings shown in Table 2 are those **over and above** what would be expected to have otherwise occurred without the MDRS.

These estimates are based on various assumptions and a custom metric called the *quality score*. The quality score incorporates the interaction between zone and demand characteristics. We also assume that the average rate of participation in the development market among homeowners, including participation by selling to developers (holding our model variables constant), is similar over time between cities. In addition, wider factors that are not included in the modelling, such as capacity of the construction sector, will influence the actual number of additional dwellings that are realised in this timeframe. Our key model features and assumptions are described in Box B (see page 25).

Table 2: Five-to-eight-year additional dwellings added forecasts by TA

Territorial Authority	Mean Impact	Median Impact	25th Percentile²	75th Percentile³
Auckland	45,839	45,478	37,810	53,429
Waikato District	-425	-429	-619	-232
Hamilton City	10,166	10,142	9,136	11,190
Waipā District	-445	-452	-638	-253
Western Bay of Plenty District	886	880	722	1,038
Tauranga City	3,931	3,906	3,350	4,486
Kapiti Coast District	1,632	1,617	1,382	1,871
Porirua City	474	466	253	690
Upper Hutt City	589	584	458	713
Lower Hutt City	2,087	2,062	1,674	2,470
Wellington City	4,134	4,068	3,414	4,769
Waimakariri District	269	255	45	476
Christchurch City	9,419	9,350	7,521	11,232
Selwyn District	669	661	447	880

Source: Author's analysis

² The 25th percentile is the value that 25% of all estimates lie below, or 75% of all estimates lie above.

³ The 75th percentile is the value that 75% of all estimates lie below, or 25% of all estimates lie above.

We forecast that all but two areas will see an increase in additional dwellings as a result of the MDRS. However, some smaller areas have a negative expected impact due to a reduction in demand as more development occurs in more attractive areas in the wider region. For example, some of the increase in development in Hamilton City is at the 'expense' of development in Waipā District (which may see a lower level of development compared with what would have otherwise occurred without the MDRS).

The range of additional dwellings added in each TA reflects the nature of the model being based on probabilities and the model being run 1,000 times (with different results each time). In reality, predicting the exact occurrence of development is impossible, and we would expect a range of future results across the different TAs, and then again at the SA2 level. The use of a probabilistic approach also means there may be a difference when comparing the aggregate estimates in the original CBA with the sum of our new SA2 estimates for the same corresponding areas (though these estimates are within the same range of uncertainty). We wish to point out that the modelling undertaken in this report is not intended as a revision to the original CBA estimates, which were determined using a different methodology designed for estimating overall regional impacts (in aggregate).

2 The Medium Density Residential Standards

2.1 Overview

2.1.1 The MDRS is estimated to have a significant effect on supply

The new MDRS will affect about 33,600 hectares of residential land in Auckland, including all of the four major residential zones established by the AUP. This is comparable in size to the total area zoned for 3 dwellings or more per site under the AUP, but on average allows for significantly more intensification than the AUP did. In the four other Tier 1 urban areas, the policy will affect most of the residential land.

We have a fortunate alignment of timing with the AUP and post-AUP data that allows us to form a robust estimate of the supply response to a policy change that was a lot like the MDRS. We have high quality data on what happened under the AUP and can use it to inform a forecast for what the MDRS is expected to do in Auckland and other Tier 1 cities. This helps us understand how closely Auckland's case aligns to theoretical predictions, despite the many real-world factors that theoretical models ignore. In other New Zealand cities, we can use local data where it is available, and triangulate between theory and observations of Auckland where it is not.

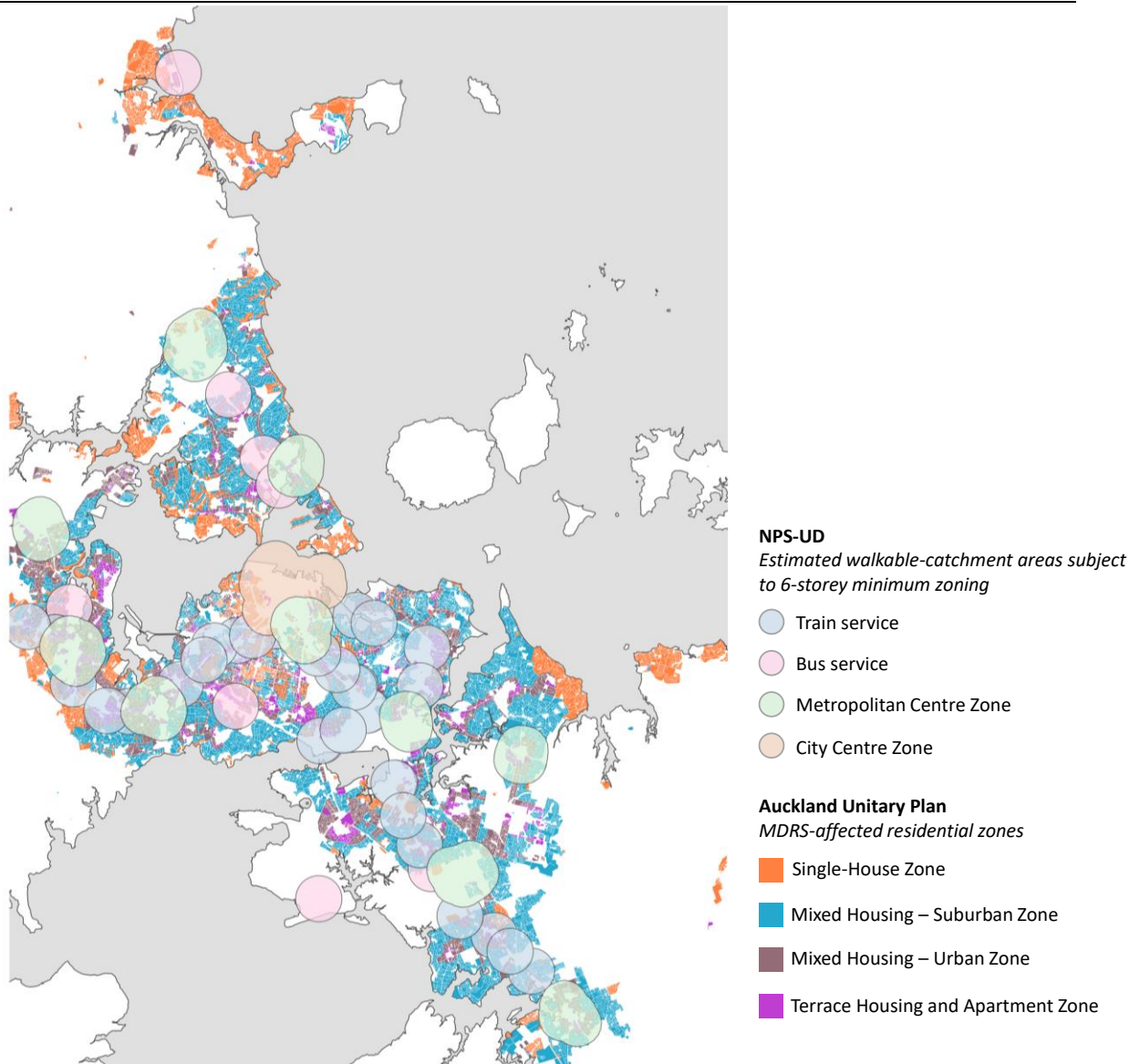
Beyond the AUP, our without-policy forecasts must incorporate another recent and significant departure from past trends—the impact of the NPS-UD. The NPS-UD aims to remove some of the barriers to urban intensification and attempts this using several instruments.

One of these instruments is to mandate a minimum enabled development intensity of 6-storeys within a walkable catchment of rapid transit stops and City Centre and Metropolitan Centre Zones. Figure 1 shows these NPS-UD affected zones, as well as the AUP residential zones for Auckland's core urban area.

The walkable catchment areas shown in Figure 1 are excluded from our estimates of the MDRS impact on housing supply. This is to avoid double-counting effects in those areas that were estimated as part of the benefits of the NPS-UD in the CBA for that policy. However, MDRS rules still apply in these areas. While the MDRS allows for a lower minimum intensity than required by the NPS-UD, it also allows development up to that lower level to proceed 'as of right', without a resource consent (building consents are still required). In this sense, the MDRS may have additional impact inside these NPS-UD catchment areas. These impacts are not included in our modelling.

Of the policy-affected area of 33,600 hectares, we estimate about 12,300 hectares will fall into the walkable catchment areas required to be up-zoned to at least 6-storeys by the NPS-UD. This impact assessment focuses on housing supply effects in the residential land outside of those catchments, where the MDRS represents the greatest departure from the zoning rules that would otherwise prevail. For Auckland, this is an area of 21,300 hectares, or 56 percent of the four major residential zones.

Figure 1: Areas affected by the MDRS policy



Source: HUD data, Auckland Council, authors' analysis.

Note: Walkable catchments are authors' estimates based on Auckland Council Planning Committee proceedings (July 2021).

2.2 Utilising the AUP as a natural experiment

Our model approach and estimates are built on a common theoretical foundation to those used for the CBAs of the NPS-UD and the National Policy Statement on Urban Development Capacity (NPS-UDC), but differ in important ways:

- The CBA for the NPS-UD assessed the benefits of the policy under the assumption that it achieves its stated intent of increasing the responsiveness of housing supply to price increases. To do this, the authors chose to model the implied costs and benefits of a deliberately conservative supply impact, to avoid optimism bias in their estimates.
- The chosen and assessed impact was small enough that it was within the range of observed historical variation in supply response to price increases in each of the six urban areas assessed. In other words, it was assumed to be much lower than the market-transforming

levels to which the policy aspired, as data constraints and the policy's complexity prevented a more robust estimate. As the authors of the CBA for the NPS-UD note:

“...our assumed policy impacts are well within the scope of historical variation in elasticity for New Zealand cities as a starting point...an impact of this magnitude would be unremarkable if it happened by mere chance. Our high and low estimates...do not represent the extremes of possibility, but two unremarkable outcomes within a much larger range. We intend this conservative choice for potential benefits to guard against undue optimism and ultimately to emphasise the mismatch in orders of magnitude between the potential benefits and costs of the policy.”⁴

- Now, with the benefit of five years of building consent data since the enactment of the finalised AUP and a more tightly scoped policy to assess, we have what we need for a higher-quality forecast of actual supply and price responses to a relaxation of zoning constraints in these cities.

Our method builds on the NPS-UD models for calculation of benefits but replaces the assumption of a modest supply response with this forecast. As we will show below, the evidence suggests that:

- the actual impact of the NPS-UD may be significantly greater than assumed for that policy's CBA
- the AUP shows a responsive market, but also a bias toward development at the urban fringe compared to theoretical expectations.

Our model is based on the theoretical framework provided by the Alonso-Muth-Mills model of urban spatial equilibrium (Alonso 1964, Muth 1969, Mills 1967), with parameters fitted to empirical data taken from the up-zoning under the AUP as a natural experiment.

2.2.1 Theoretical framework

Historical data – AUP as a natural experiment

The AUP guides Auckland's natural and physical resources, including land development. It determines what can be built, where, and how much of it. The AUP is both simpler and more permissive than the fragmented plans it replaced, and it has allowed thousands more property owners across Auckland to develop their land through zoning changes (up-zoning), increasing the potential number of dwellings. However, not all land parcels were up-zoned, and constraints in some areas were relaxed less than in others. This forms a natural experiment as there are natural control and treatment groups.⁵

We can look at historical data on how land values changed after the enactment of the AUP to determine how the up-zoning affected land values, and on how zone changes predict building consents to estimate the likelihood and quantity of residential development.

However, there are important ways with what happened under the AUP that are different from what we expect to happen under the MDRS. The AUP favoured development at the urban fringe over intensification near the city centre and left in place other constraints to development beyond zoning rules, such as around 17,000 residential properties under 'special character overlays'—areas

⁴ PwC 2020, pages 32-33.

⁵ Ideally the assignment of parcels into these groups would be random. In areas where very similar properties were allocated to different zones, say on either side of the same street, we can consider the allocation to be 'pseudo-random'. However, we expect a significant portion of the allocation of zones in older areas of the city to have aligned loosely with the levels of development that were already present under the 90-odd zones that existed before the AUP. This would bias our results toward underestimating the policy's effect in terms of the general level of response to up-zoning.

subject to much stricter conditions for redevelopment. The post-AUP period also has yet to reveal the results of the NPS-UD, which introduced large-scale changes to all Tier 1 urban areas. The NPS-UD was enacted in August 2020, and originally planned to take full effect by 2024, so the data to date does not capture the significant changes in underlying trends it will likely create.

Both the MDRS and the NPS-UD are designed with an intention to reverse the bias toward urban-fringe development observed under the AUP. To inform our assumptions about how future development might occur both with and without the MDRS, we need a theoretical framework for how market forces act on urban spatial arrangements in both the presence and absence of policy constraints. For this, we rely on the Alonso-Muth-Mills (AMM) model, introduced in the next section. Box A describes the key insights from the AUP that inform our forecasts.

Box A: Key insights from the AUP inform our forecasts

Properties up-zoned under the AUP increased in value in subsequent years more than properties that remained at pre-AUP constraint levels. The more permissive the new zone, the more the value increased, all else equal. This observation aligns with the theoretical expectation for high-demand areas—more permissive development implies greater potential revenue from built floor area, which is capitalised into land values. Measurements of these patterns allow us to simulate land value shocks following the MDRS.⁶

The land value and improvement value characteristics of residential properties before the AUP show a strong relationship to how zoning affected the probability of adding at least one dwelling after the AUP. We find:

- for properties in the AUP zone most similar to the MDRS (the MHU zone), there was a 20% probability of houses adding at least one dwelling if they have high relative land value and low opportunity cost of development,
- this probability drops to below 10% for properties with average relative land value and average opportunity cost of development.

Zoning changes strongly predicted the amount of floor area increase for properties that added at least one dwelling. The more permissive the new zone, the more floor area a property added on average (for those that added at least one dwelling), in ratio to land area. This implies that, on average, zoning rules worked as intended, leading to more intense development in the more permissive zones.

Since we have data on land and improvement values at the individual property level, we can analyse development likelihood based on these results with high granularity. However, the AUP released constraints by much more on the outskirts of the city than in the high-demand areas. Following the AUP, adding dwellings was statistically more likely the further away a parcel is from the city centre after controlling for land and improvement values, zone, and special character status.

This does not align with the demand patterns predicted by theoretical frameworks for urban spatial equilibrium. Further analysis reveals that while the zones themselves are distributed widely across distances, areas where the zones increased the permissible development capacity beyond the existing improvements by enough to add at least one dwelling were much less common as we approach the centre. In other words, the AUP effectively dispersed development to the city fringes.

When we adjust the model to neutralise the AUP bias toward urban fringe development, allowing demand and opportunity cost characteristics (linked with low value of existing improvements) to drive the response to up-zoning instead, we find the most intensive development moving much closer to the city centre.

Where the unadjusted AUP-based scenario shows the hubs of development projected in Flat Bush, Howick, Half-Moon Bay, Warkworth, Omaha, Algies Bay, and Whangaparāoa, our base-case scenario shows development closely hugging the NPS-UD walkable catchments around public transport and metropolitan centre areas. This bodes well for the NPS-UD intensification policies, suggesting that previous estimates of their impact may have been understated.

⁶ See Greenaway-McGrevy et al. 2020 on the impact of the AUP on intensification, land values and house prices.

The Alonso-Muth-Mills Model

The AMM model is a depiction of urban spatial structure that explains the economic substitutions associated with spatial choices that individuals make regarding where to live and work within the urban landscape. It is one of the most widely used spatial models in urban economics.

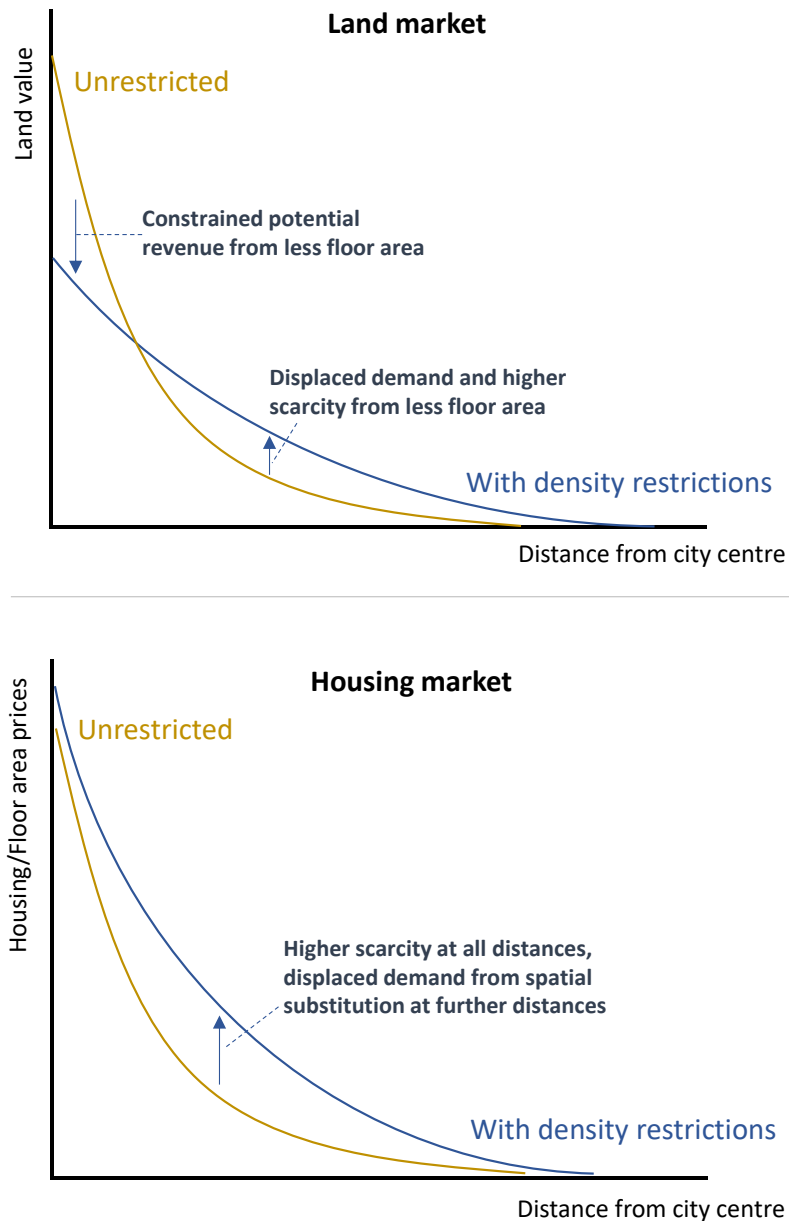
The AMM model is built on two key assumptions:

1. Cities exist to maximise access to opportunity and amenity
2. Access can be attained by either direct proximity, or by transport.

Since commuting and transport is costly in terms of money and time, households prefer to live closer to the centre of the city, all else equal. Land is less scarce further away from the city centre, but the cost of transport to the city centre is higher. Thus, households trade off the cost of housing with the cost of travel. In spatial equilibrium, the sum of all housing and commuting costs can be held constant or near-constant as distance changes, assuming households have similar preferences.

When zoning restrictions prevent development from reaching the density levels that would occur in an unrestricted market, land values react differently at different levels of existing demand, but housing prices rise throughout the city. This concept is illustrated in Figure 2 below.

Figure 2: The Alonso-Muth-Mills model – effects of density restrictions in the urban core



Source: The AMM model is developed in Alonso (1964), Muth (1969), and Mills (1967). This figure is adapted by the authors.

Up-zoning relaxes restrictions on density. Accordingly, we expect the MDRS to allow the urban landscape to move closer to the unconstrained spatial equilibrium that the AMM model would predict, reversing the arrow directions in both diagrams in Figure 2. The top diagram of the figure shows that land values react differently to zoning restrictions depending on the strength of demand at each location and at constrained locations nearby. The bottom diagram of Figure 2 shows that house-price effects of zoning restrictions move in the same direction at all distances from the centre regardless of what happens to land values at each distance. Our model design is informed by this theoretical framework, as we describe further below.

2.2.2 Model Approach

To estimate the effects of MDRS on housing supply, we use a parcel-level⁷ spatial econometric model to simulate how a change in zoning rules would affect the number of dwellings added over time based on observations of what happened in Auckland following the enactment of the AUP.

We use the historical data from the AUP as a natural experiment, to fit our model for forecasting the effect of an up-zoning on the number of dwellings added.

There are three steps to the model:

Step 1: Simulate the land-value shock that accompanies a relaxation of zoning constraints

Since the AUP and MDRS policies relax zoning restrictions, this increases the potential revenue of a parcel of land (if demand is sufficient) because more floor area can be added. This in turn increases the land value, which captures the present value of greater potential future cash flows.

We simulate this change in land value for each parcel caused by the change in zone. This phenomenon is described in the literature as the “up-zoning premium” (see Greenaway-McGrevy 2020 for a recent estimate of this premium based on post-AUP property sales).

We can quantify the actual land-value shocks following the AUP using a difference-in-difference estimate for Auckland (see Appendix C.2 for a description of this method). This is a robust method for estimating the effects of a treatment, such as up-zoning, on a subset of a population, such as residential parcels. The method requires data measured from both a control and a treatment group at different times, which we have for Auckland before and after the AUP.

For other cities, we have no natural experiment in the recent past, so we estimate the land-value shock using a regression discontinuity approach. This method uses the observed differences in land value across zones for otherwise similar properties to estimate the effect of zoning on land value.

We use these simulated land-value shocks as inputs into steps 2 and 3 of our model, informing both the probability of development for an observed parcel and the amount of added floor area for parcels that do develop.

Step 2: Find the probability that a parcel added at least one dwelling, based on each parcel’s post-shock land value, zone status, and existing level of development

The purpose of step two is to simulate a set of locations where added dwellings might be built under each forecast scenario, whether with or without the MDRS. This allows us to examine how differences in model assumptions influence the spatial distribution of development.

In any medium-term period, only a small fraction of homeowners will consider further developments on their property at all, regardless of the development viability their property may have. Many factors contributing to a homeowner’s decision to redevelop will not be affected by zoning rules, but others will. The major factors affected by zoning rules are:

- The permissible dimensions of development, which affect the potential revenue or benefits of redevelopment, as described in Step 1.

⁷ By ‘parcel-level’, we mean that individual rateable units of property are aggregated to the level of LINZ primary parcels. For cases where multiple parcels are associated with the same set of rateable units, we cluster the parcels and treat the resulting cluster as a single large observation. Single-parcel observations make up most of the sample for all urban areas in the study.

- The costs in money, time, and effort to obtain legal clearance to develop. Both the AUP and the MDRS involve an element of intended reduction in this cost factor.

Other factors contributing to the homeowner's decision but not influenced by zoning rules include:

- The opportunity costs of any demolition of existing buildings required for redevelopment.
- The level of market demand for dwellings at or near a parcel's location.

There are many other potential factors, but our data is limited, so our model only accounts for those listed above.

We use our observations of how land values, opportunity costs, zoning, and distance from the city centre were statistically associated with whether a parcel added at least one dwelling (thus excluding floor area expansions that added to an existing house) during the 2016 to 2021 period to arrive at an implied probability of development for each of the 218,000-plus parcels in our study area, based on updated data for those characteristics. This updated data includes the most recent available (as opposed to pre-AUP) data points for each parcel as well as any adjustments, such as for land-value shocks. We use these estimated probabilities in two ways:

- We sum them to arrive at our estimate for the total number of development events across the study area.
- We choose our hypothetical development locations using a random weighted probability, where the weights are the estimated probabilities. These hypothetical development locations are chosen without replacement⁸.

Step 3: Find the increase in the floor-area ratio if at least one dwelling was added

The amount of floor-area ratio (FAR) increase is determined by the cost-benefit considerations of the developer or homeowner. A homeowner/developer will consider the opportunity costs, the construction and consultation costs, and intangible costs such as the nuisance of construction or the stress of managing the process, as well as the potential revenue increase from adding more floor area. The higher the potential revenue, the more floor area will be added, all else equal. The higher the opportunity costs of development, the less floor area will be added, all else equal.

For each development event simulated in Step 1, we can quantify the statistical relationship between the actual FAR increase observed since the AUP and the pre-AUP levels of demand, zoning restrictions, simulated land-value changes, and opportunity cost of development for each parcel.

We can then use these quantified, or 'fitted' relationships to forecast the likely increase in FAR for each parcel, after updating what we know about changes in demand, opportunity cost, and zone since the pre-AUP date used for fitting. We calculate the number of dwellings added based on this estimate of FAR increase, the land area of each parcel, and the updated regulatory limits of each zone.

To find the number of dwellings added that can be attributed to the MDRS, we forecast and compare the number of dwellings added in both a with-policy (applying less restrictive zone assumptions and simulating a land-value shock), and a without-policy counterfactual case (keeping zones as they are and using actual current land values).

⁸ When a parcel is selected, we do not replace it back into the set of all parcels before selecting another parcel. This ensures that we do not select a parcel twice.

2.2.3 Application to other Tier 1 Urban Areas

The next part of the analysis applies this model to other Tier 1 urban areas: Hamilton, Tauranga, Wellington, and Christchurch. Both demand and constraint conditions differ in each city, and Auckland is an outlier particularly in terms of demand. To apply our fitted model to non-Auckland cities, we need to adjust each of the three model steps:

- For Step 1, the land value shock from up-zoning, we use regression estimates on data from each city to measure the difference by zone in the relationship between land value and distance from the city centre. This is a proxy for the level of constraint in land values from zone restrictions. Using the theoretical framework of the AMM model, these regression results also inform our assumptions below about how the level of constraint influences the estimated increase in FAR from relaxing zone restrictions.
- For Step 2, the estimate of likelihood to add at least one dwelling, we use the AUP-based relationships between development demand, opportunity cost, and zone constraints to predict likelihood to develop based on property-level equivalence across cities⁹.
- For Step 3, the estimate of added dwellings given that a property adds at least one, we adjust the expected change from up-zoning (for example, from Wellington’s Outer Residential zone to the new MDRS) to the difference in predicted FAR increase between two relevant zones from the Auckland case (the ‘zone gap’). We choose the zone gap in Auckland (taken from available combinations of the four measured AUP zones) that showed the most similar degree of relaxation in constraints to what we expect in that city. These expectations are informed by consideration of the differences in allowable development between existing zones and the MDRS in each city, which AUP zones they align most closely to in terms of defined building constraints, and the observed land value discontinuities between zones in each city as described above. Full zone alignment tables are provided in Appendix B.

2.2.4 Data

The available data for our model necessitates the use of proxies for the following driving factors:

- As a combined proxy for the level of demand adjusted for opportunity cost of development at the individual parcel level, we use the Quality of Capacity metric (“quality score”) developed for HUD as part of the Wider Costs and Benefits of Urban Growth Methodology (PwC 2020). The quality score is described further in the following subsection.
- The development limits under the MDRS have no exact equivalent in the residential zones of any Tier 1 urban area’s operative district plans, and zones in non-Auckland cities do not perfectly correspond to AUP zones. To complete our forecast, we must associate our observed zone effects with the modelled zone changes by matching each zone and simulated zone change with its closest available proxy in the data. Details of these associations are provided in Appendix B.

The quality score

The quality score is a useful metric to efficiently proxy demand-side development potential at the parcel level. It is a combination of two proxies—one for demand relative to other areas of each city, the other for opportunity cost of development. The first component uses land value per square metre (m²) to proxy the level of demand for built floor area in that location.

The second component captures the opportunity costs of development. When landowners or developers consider whether to build more floor area on a specific property, one of the key factors is

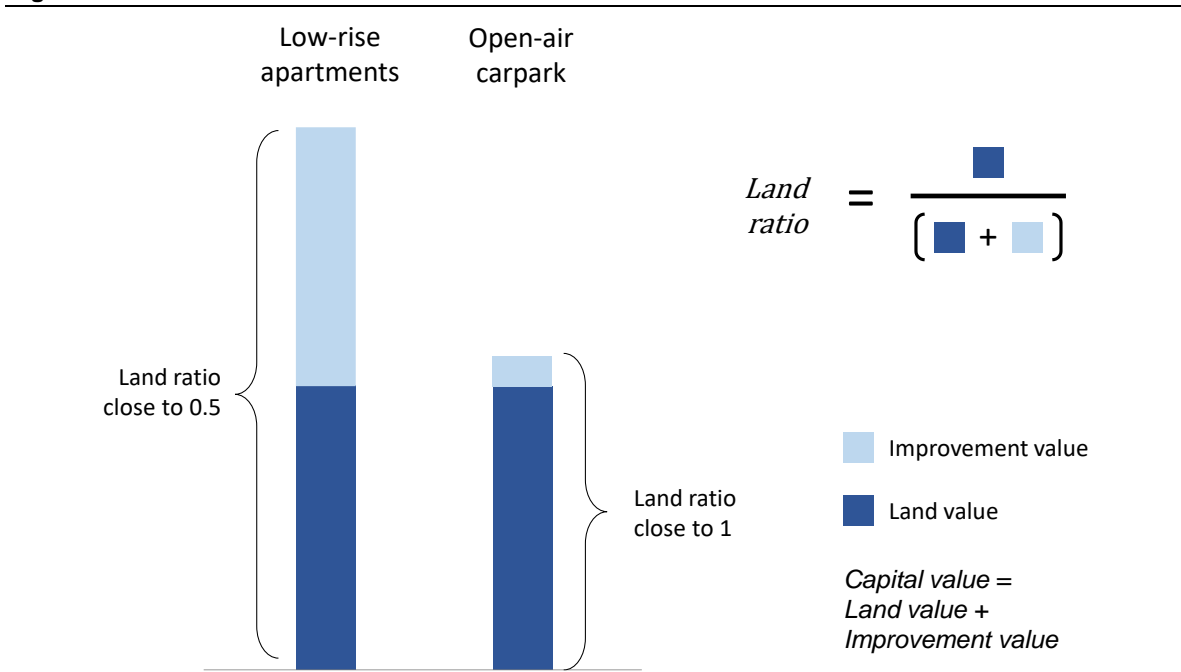
⁹ We also adjust the assumed base level of likelihood in each city to align the number of forecast development events in the without-policy case to each city’s observed level of development over the same historical period covered by the AUP data.

the opportunity cost of giving up the value of whatever is already built on the required land. Two properties with the same land value in the same neighbourhood will still have different levels of development appeal if the existing improvements are different.

Figure 3 compares two such hypothetical properties. We expect that adding dwellings is more likely for the open-air carpark than for the low-rise apartments due to the high opportunity cost of tearing down an apartment building and foregoing the revenue it could earn without adding dwellings.

Our data separates land value from improvement value at the parcel level. This allows us to incorporate the opportunity cost of redevelopment into our regression analysis using the land ratio (the land value of a property divided by the total capital value of the property). This is written as LV/CV and illustrated in Figure 3. Typically, the higher the land ratio, the greater the potential for development.

Figure 3: The role of the land ratio



Source: Authors' illustration.

A high land ratio represents a lower cost of development as the improvement value is relatively low compared to the land value. Thus, the higher the land ratio, the higher the quality score. The same applies for the land value per m² component.

The two components of the quality score are combined as a geometric average, by raising both to a power between 0 and 1 before multiplying them together. This has the effect of favouring balanced combinations of the two components over extreme values in one or the other. Both component values are numbers between 0 and 1, as is the final score. The full equation is as follows:

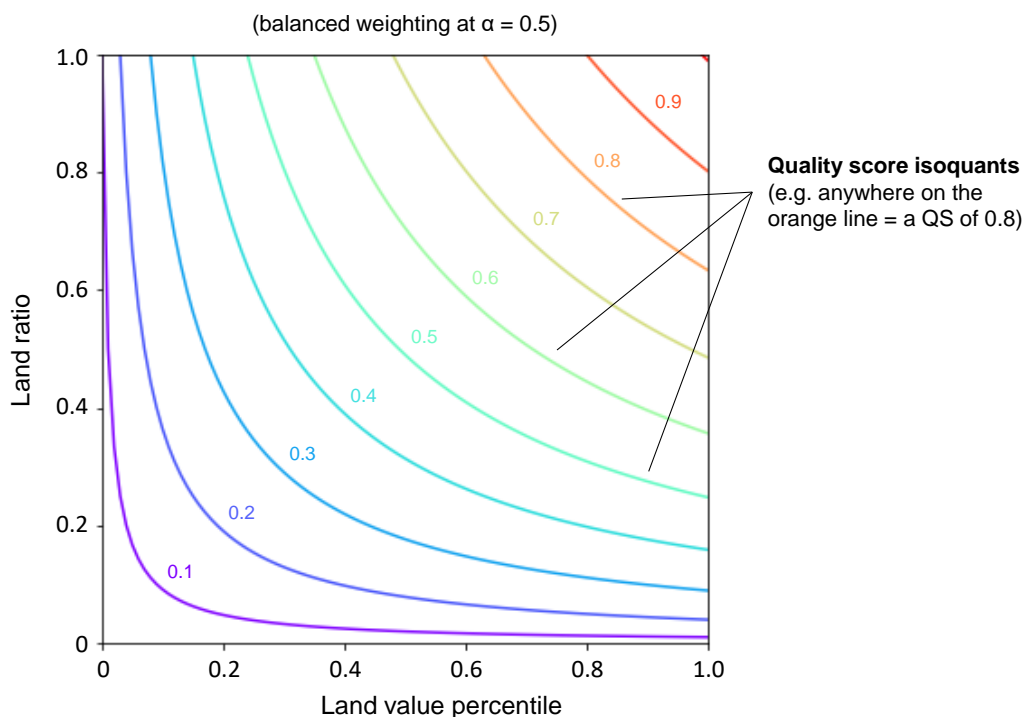
$$\text{Quality Score} = (LV/CV)^{\alpha} LVrank^{\beta}$$

Where:

- CV is the capital value or likely price a parcel or property would sell for at the time of valuation

- *LV* is the likely price a parcel's land would sell for at the time of valuation without any buildings or improvements
- *LVrank* is the percentile rank of a parcel's land value per m² among all parcels in the urban area
- α and β are weightings between 0 and 1 (that sum to 1) for the geometric weighted average. These are used to emphasise the effects of one component or the other according to the analytical question at hand. In this analysis, both are set to 0.5, so equal weight is given to each component.

Figure 4: Quality score by component inputs



Source: PwC 2021.

Advantages of the quality score include:

- It accounts for both site-specific opportunity cost and location potential relative to other sites.
- It does these two things in a way that is easily calculated, applicable in any city, and uses a dataset that is readily available historically and at a granular level to councils and ministries.
- It does not rely on actual sales, but on ratings valuation estimates, so it is available for all rateable units in a city.
- Its components, such as land value, can be modified to reflect expected shocks arising from policy changes based on a well-developed body of empirical analysis. In other words, we can observe today's actual quality scores, but also simulate what they would be if land values changed.

- The land value component is an effective general proxy for a broad range of factors contributing to desirability from a development perspective, including access to opportunity and proximity to amenities.

Disadvantages of the quality score include:

- It does not capture much about the willingness of a landowner to participate in the market for development.
- It relies on a dataset that is difficult for the public to access in bulk (data for individual properties is publicly available), making replication difficult for non-government researchers.

Zones

There are four primary residential zones under the AUP that will also be subject to the MDRS. These are:

- Single House Zone (SHZ): Allows for a single primary dwelling or conversion of existing (2013 or older) dwellings into a maximum of two dwellings. Maximum building site coverage is 35%, maximum height is 8 metres.
- Mixed Housing Suburban Zone (MHS): Allows for up to three dwellings and two storeys. Maximum building coverage is 40%, maximum height is 8 metres.
- Mixed Housing Urban Zone (MHU): Allows for up to three dwellings and three storeys. Maximum building coverage is 45%, maximum height is 11 metres.
- Terrace Housing and Apartment Zone (THAB): Enables apartment buildings of up to 5-7 storeys depending on proximity to centres. No explicit limit on dwellings. Maximum building coverage is 50%, maximum height is 16 metres.

A map of these zones is shown in Figure 1 above.

The SHZ provides a control group for our observations of the effect of up-zoning under the AUP, since these areas did not experience a significant change of zoning rules under that policy. The other three zones provide different levels of ‘treatment’ with which we can align our future zone change to say, “if the MDRS in City X has a similar effect to Zone Y under the AUP, the impact is likely to be Z given a similar time-frame...”. That we have three different levels of constraint release (ie the three up-zoned zones in the AUP) allows us to adjust for differing levels of baseline constraint in different cities.

The zone with rules most like the MDRS in terms of allowable floor area is the MHU. Both the MHU and MDRS allow 3 dwellings and 3 storeys, but the MDRS allows slightly more site coverage, more permissive height in relation to boundary (HIRB), and easier consenting.

As such, while we use the MHU as our proxy for the MDRS in our Auckland forecast, we believe these differences in zoning rules will bias results toward a conservative estimate. Full descriptions of alignment of zones for the other Tier 1 urban areas and their constituent TAs are provided in Appendix B.

Box B: Key model features, assumptions, and limitations

The unit of analysis for this study is the individual land parcel, allowing the model to take advantage of a rich dataset covering the full set of residential parcels in all five Tier 1 urban areas. The key purpose of the analysis is to understand the effects of zoning rules on development, especially following a change in those rules. Our model incorporates, at the parcel level:

- differences in demand for new dwellings both between cities and within each city, and how these vary by zone
- the opportunity cost of redeveloping existing improvements
- the effect of special character protections
- the maximum permissible building dimensions and floor area for each plot.

Our design prioritises the closest possible simulation of future policy effects rather than a fine-tuned depiction of causal relationships in the post-AUP data.

The interaction between zone and demand characteristics as summarised in a custom metric called the *quality score* is the common thread to a three-step forecast method for additional dwellings. This model incorporates the willingness (in terms of probability) of property owners to enter the market as developers and add a least one dwelling to supply following a relaxation of zoning constraints.

We assume that the average rate of participation in the development market among homeowners, including participation by selling to developers (holding our model variables constant), is similar over time and between cities. In other words, most homeowners will not build more dwellings on their property regardless of the potential revenue, but some will no matter what, and others will only if the economics improve.

The variables that we can model are limited to the data available at the land parcel level, and much of the variation in development is not explained by these variables. This means our modelled scenarios for the distribution of development locations across an urban area will have a wide margin of error.

For our base-case estimates, we assume the MDRS works as intended, unlocking development where demand is highest, and the opportunity cost is lowest. Our model explicitly nullifies the observed statistical effect of special character zones, which historically reduce the likelihood of development. This is because empirical results from the AUP data show that special character areas are much less likely to see development holding quality scores constant and this effect is stronger the higher the quality score. Section 4.8 discusses the treatment of other qualifying matters.

In our forecast, development likelihood is driven instead by the economic quality of the property as a development opportunity given the expected changes to zoning limits. In Auckland's case, most of the properties under special character protections sit within the NPS-UD walkable catchments, so are excluded from the forecasts of MDRS impact.

Areas required to be zoned for a minimum of 6-storeys under the NPS-UD are not included in the analysis, as the primary impact in those areas over the study period is expected to be driven by that policy. While the MDRS does apply to these areas, it is outside the scope of the present analysis to differentiate the effects of the MDRS in these areas from those of the NPS-UD (which have been estimated elsewhere).

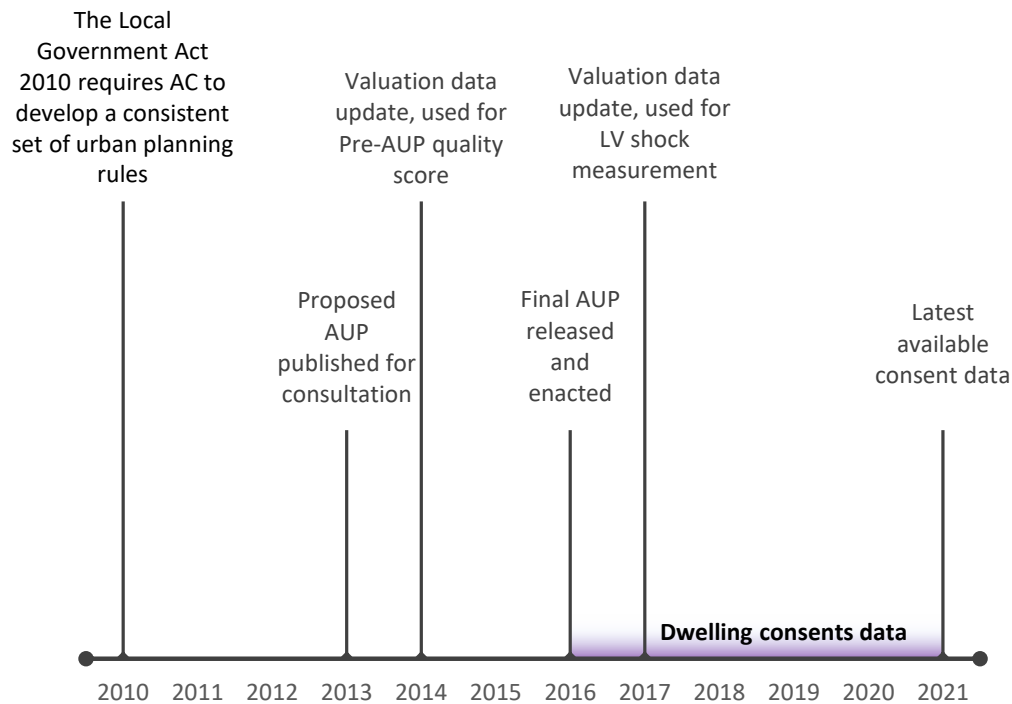
2.2.5 Model specifications

2.2.5.1 Step 1: Estimate the land value shock from a change in zoning constraints

To simulate the land value shock resulting from the MDRS policy, we first measure the actual shock that took place following the AUP, then apply the observed difference between zones according to the planned zone change under the new policy.

In Auckland, our data allows a robust estimate of the effects of up-zoning on land values. We fit Step 1 of our forecast model using a simple regression estimate that tests the relationship between zone interacted with distance from Britomart as predictor variables, and the percentage change in land value observed from 2014 (the most recent valuation update before the release and enactment of the final AUP) and 2017 (the first valuation update following full enactment of the final AUP) as the response variable. The timing of these valuation updates with the AUP policy development and enactment is summarised in Figure 5 below.

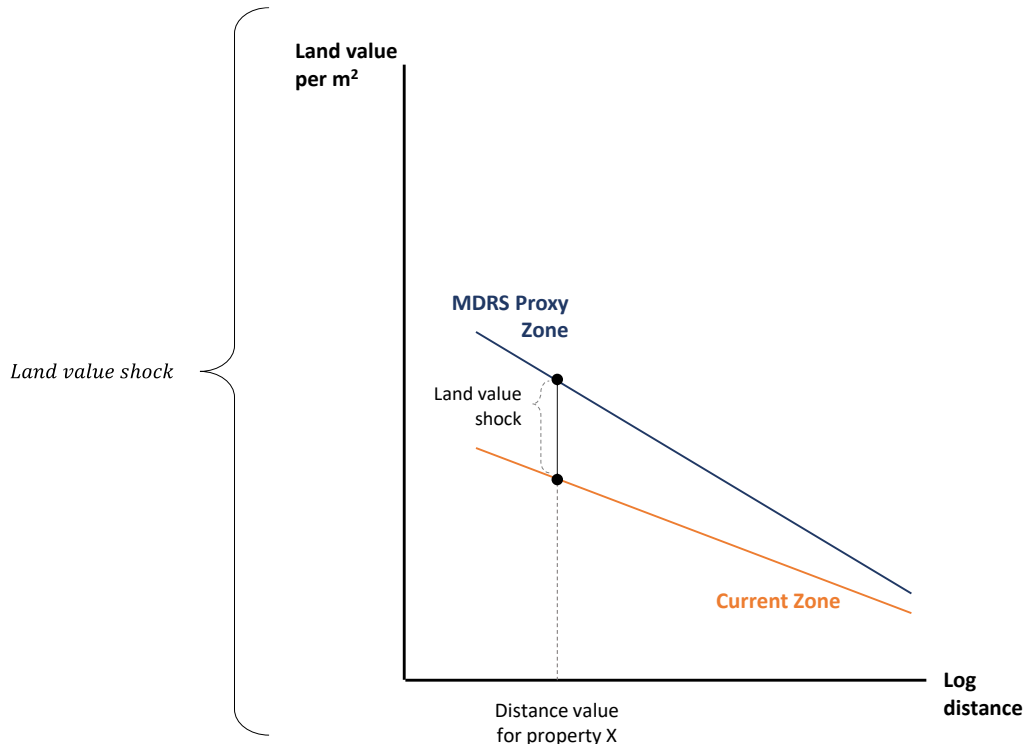
Figure 5: Timeline of the AUP and relevant data sources



Source: Greenaway-McGrevy et al 2020; Auckland Council, HUD data.

In Figure 6 below, the estimated land-value shock for a single property is the difference in the y-axis value (given that particular property's distance from the city centre) between the predicted land value for the property's current zone and the predicted land value for the MDRS proxy zone (eg MHU).

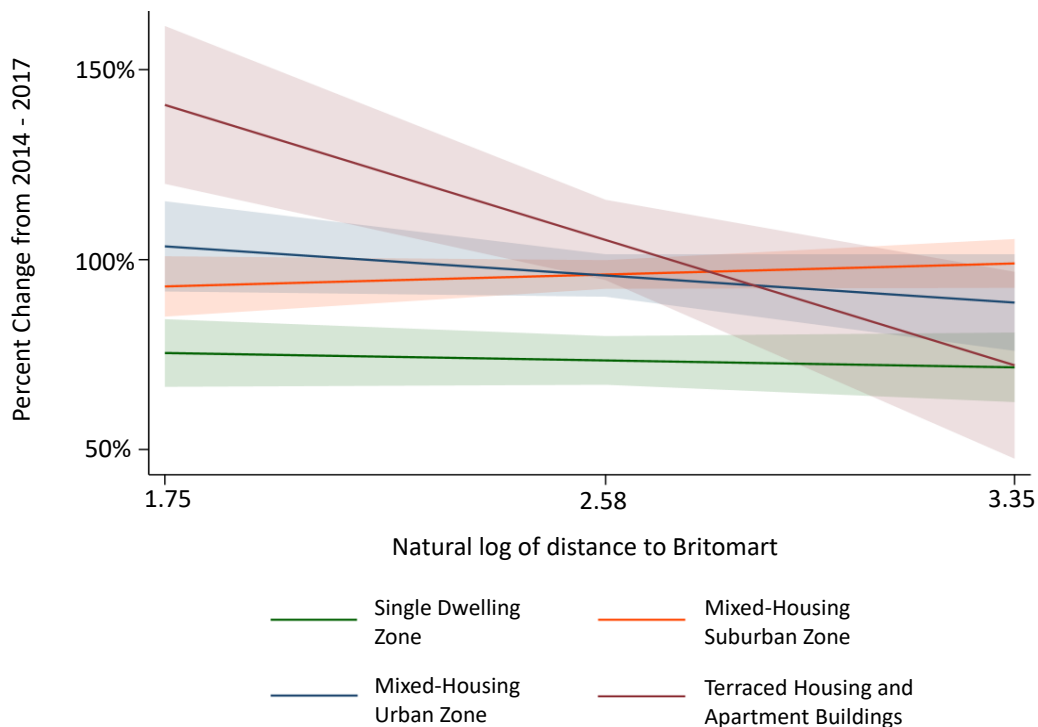
Figure 6: Land value shock simulation for model Step 1



Source: Authors' illustration.

Results for Auckland land-value shocks post-AUP are shown in Figure 7 below. The SHZ shows nearly no variation in relative LV appreciation according to distance from Britomart. In other words, single-house plots across the city increased in nominal value by about 75 percent on average, whether they were in Pukekohe, Herne Bay, or anywhere else.

Figure 7: Change in land value following AUP enactment



Source: HUD data, authors' analysis.

Note: Shaded bands represent 95% confidence intervals. Regression includes control for land ratio. Margins plotted here hold land ratio constant at the mean.

In the MHS, the increase was slightly less the closer a parcel was to Britomart, but not statistically different from a slope of zero (a flat line), like the SHZ. However, the MHS effect independent of interaction with distance (the intercept) was significantly different from both SHZ and zero. This means that parcels in the MHS zone reliably increased in value by more than parcels in the SHZ zone did, but that the difference between the two was not significantly affected by distance from the city centre.

In the MHU, the increase in land value was greater than the SHZ, and the increase was greater the closer a parcel was to Britomart. In the THAB, distance to Britomart had by far the largest effect on the land value increase, moving from about the same as the SHZ on the outskirts to nearly double the increase nearer to the centre.

We use the difference between the way land parcel values reacted to the AUP in different zones at different distances to simulate the way land parcel values will react to the MDRS in the future. To do this for Auckland, we use the marginal change from each parcel's current zone to the level of change expected at the new zone at that parcel's distance from the city centre. Forecast results are presented in Section 4.

2.2.5.2 Step 2: Estimate the likelihood of adding at least one dwelling

Using data up to 2021, we estimate the probability of properties in our control and treatment zones to have at least added one dwelling since the AUP enactment. We use the quality score (interacted with zone status) of each property as our primary predictor, and control for the pre-NPS-UD special character status and distance to Britomart of each property.

We then use these estimates (coefficients) to project the probability of adding at least one dwelling in the medium term. The fitted model is applied to an updated dataset, using quality scores

updated to include land value shocks from step 1, zone coefficients using the MHU as a proxy for the MDRS (so up-zoned parcels apply the MHU coefficient), and neutralising the effect of special character status. Model equations are shown below.

Estimation using historical data (post AUP): logit with continuous-categorical interaction

$$\begin{aligned} \text{AddedDwelling}_i = & \beta_0 + \beta_1 QS_{pre_i} + \beta_2 Zone_i + \beta_3 QS_{pre_i} * Zone_i + \beta_4 \ln(Distance_i) \\ & + \beta_5 SpecialCharacter_i + \varepsilon_i \end{aligned}$$

Forecast for post-MDRS

Without MDRS

$$\begin{aligned} P(\text{AddDwelling}) = & \hat{\beta}_0 + \hat{\beta}_1 QS_{post_i} + \hat{\beta}_2 Zone_i + \hat{\beta}_3 QS_{post_i} * Zone_i + \hat{\beta}_4 \ln(AdjustedDistance_i) \\ & + \hat{\beta}_5 NewSpecialCharacter_i \end{aligned}$$

With MDRS

$$\begin{aligned} P(\text{AddDwelling}) = & \hat{\beta}_0 + \hat{\beta}_1 QS_{shocked_i} + \hat{\beta}_2 NewZone_i + \hat{\beta}_3 QS_{shocked_i} * NewZone_i + \hat{\beta}_4 \ln(AdjustedDistance_i) + \\ & \hat{\beta}_5 NewSpecialCharacter_i \end{aligned}$$

Where:

AddedDwelling_i	is a dummy indicating whether a property added at least one dwelling from 2016 to 2021.
$P(\text{AddDwelling})$	is the predicted probability ¹⁰ that a property adds at least one dwelling in the medium term.
β_{0-5}	are the coefficients to be estimated using historical post-AUP data.
$\hat{\beta}_{0-5}$	are the fitted coefficients from the estimation using historical data.
QS_{pre_i}	is the pre-AUP quality score calculated using 2014 land values and land ratios for each parcel.
QS_{post_i}	is the latest available quality score for each parcel (ranges from 2017 to 2021, depending on valuation updates).
$QS_{shocked_i}$	is QS_{post_i} adjusted for land value shocks from Step 1.
$Zone_i$	is the AUP zone for each parcel.
$NewZone_i$	is the zone category for the ‘treatment’ zone, ie the zone chosen as a proxy for the MDRS. The fitted coefficient for the proxy zone replaces the original zone coefficient in this equation.

¹⁰ Our forecast equations here use notation for probability for ease of interpretation. Estimated logit coefficients predict odds ratios, not probability, and must be converted to probabilities, resulting in the non-linear relationship between dependent and independent variables observed in Figures 12 and 13.

$\ln(\text{Distance}_i)$ is the natural log of distance in kilometres from a selected point in the city centre.

$\ln(\text{AdjustedDistance}_i)$ is a scalar replacing the distance covariant for all observations. This collapses the distance effect to a constant.

$\text{SpecialCharacter}_i$ is a dummy for whether a property is located in a special character overlay area.

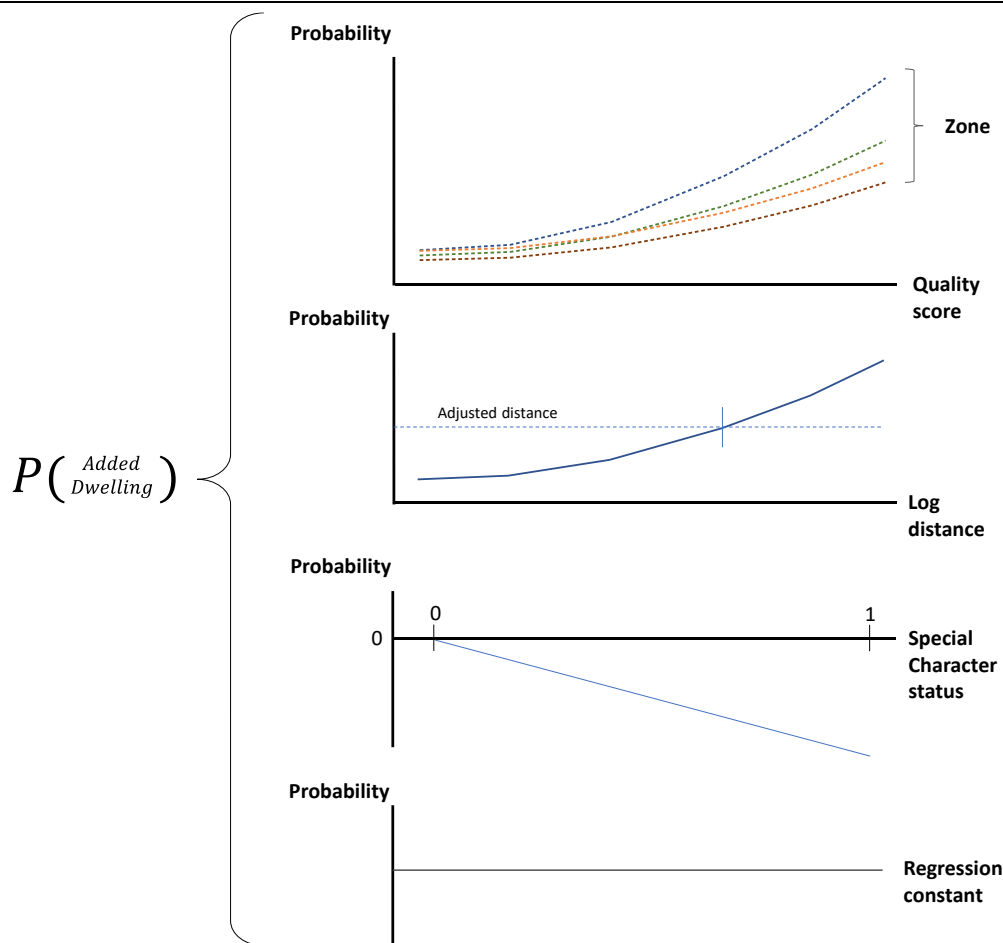
$\text{NewSpecialCharacter}_i$ is set to zero for base case estimates both with and without the policy, as the special character effect is assumed to have been nullified by the NPS-UD. We test variations to this in our sensitivity analysis.

ε_i is the error term.

Step 2 visual summary

Figure 8 illustrates how the parts of the forecast equations above are combined to arrive at a final probability estimate for each parcel. The coefficients determine the slope and direction of each line, and the final probability of adding at least one dwelling is the sum of the y-axis value from each set of axes in the figure.

Figure 8: Probability of adding at least one dwelling, by model component

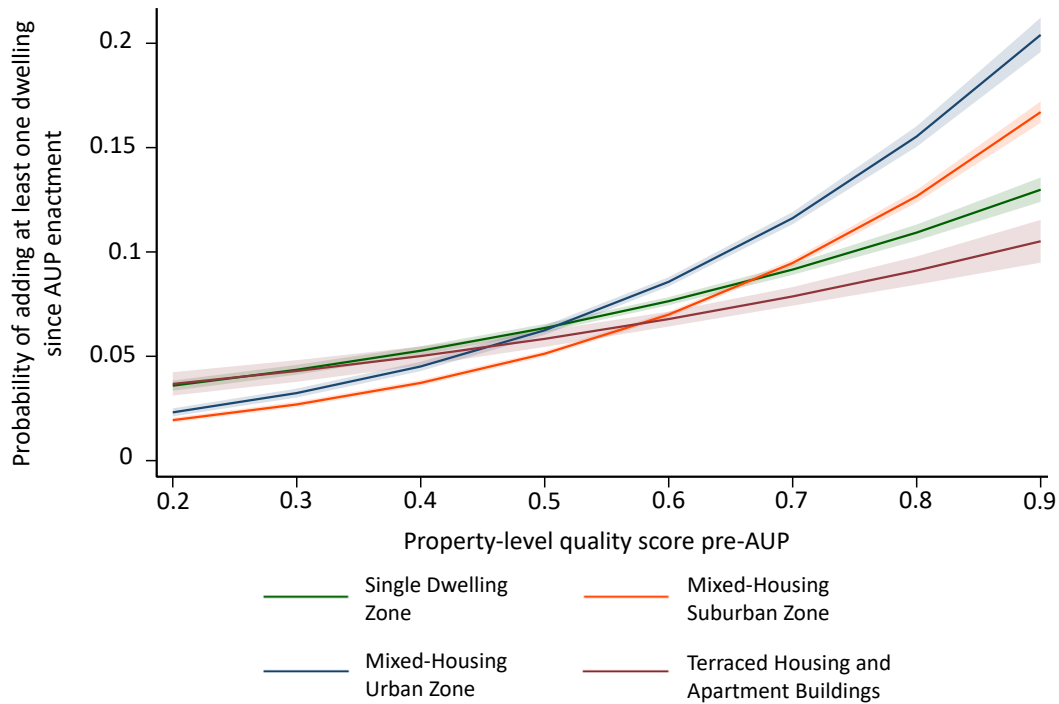


Source: Authors' illustration.

Fitted model results

Figure 9 summarises the coefficient results from the first regression as a logit margin plot. It shows the probability of adding at least one dwelling post-AUP at different pre-AUP quality scores for each zone, with special character status at zero and distance from Britomart at the median. Full regression outputs are provided in Appendix C.

Figure 9: Probability of development as predicted by quality score and zone



Source: Auckland Council and HUD data, authors' analysis.

These results show that as quality score increases, there is an increase in the probability of adding at least one dwelling for every zone as would be expected. For zones that are less constraining for the intensity of development, the relationship between quality score and probability of development is more pronounced at higher quality scores (eg >0.6).

The results for MHS and MHU compared to SHZ are evidence that zoning restrictions continue to constrain Auckland's housing supply and exacerbate affordability issues. This is also evidence that wider up-zoning across Auckland is likely to lead to more residential development than would otherwise take place.

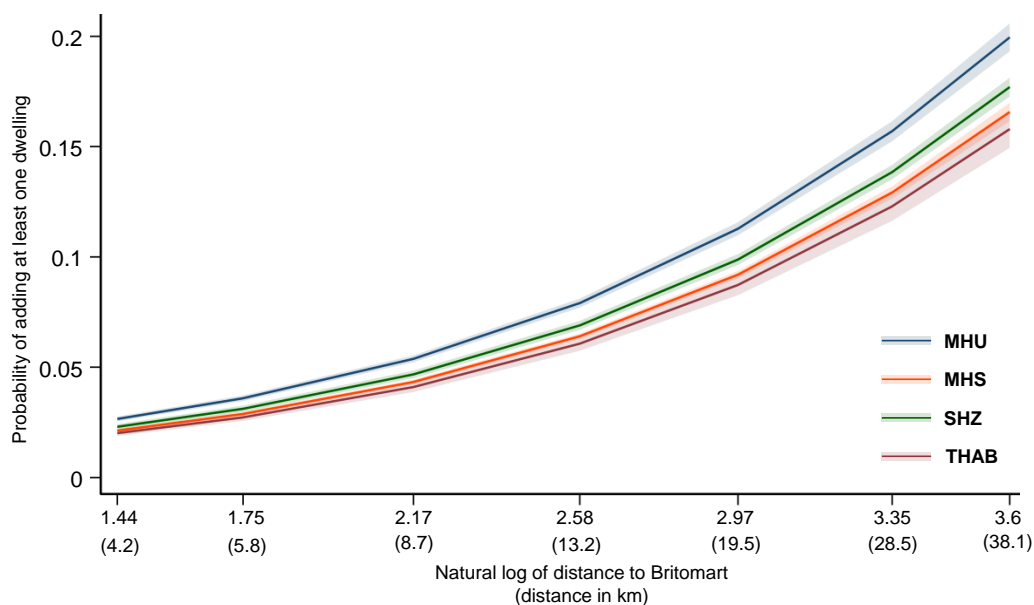
The exception is for the THAB, which shows a weaker likelihood response to higher quality scores than even the SHZ. This may be due to the higher risk and more complex preparation required for mid-rise and larger developments resulting in slower uptake. One THAB development also represents more dwellings on average than developments in the other zones, as our Step 3 analysis shows, so on the level of individual dwellings the development probability for THAB zones will be understated compared to the others.

The conclusion of Step 2 is to take the sum of calculated probabilities across all residential parcels in the policy-affected area. We do this for each tested scenario. This total becomes the estimate for that scenario of the total count of parcels that will add at least one dwelling in the medium term. We then rank all parcels from highest to lowest estimated probability and select the top n most likely parcels, where n is the sum of probabilities for the scenario.

Breaking the pattern of the AUP – adjustments to the distance effect

Our analysis reveals a counterintuitive insight about the pattern of development that took place following the AUP. Adding dwellings was statistically *more likely* the *further away* a parcel is from the city centre, after controlling for quality score, zone, and special character status. This does not align with the demand patterns predicted by the AMM model. Further analysis reveals that while the zones themselves are distributed widely across distances, areas where the zones increased the permissible development capacity beyond the existing improvements by enough to add at least one dwelling were much less common as we approach the centre. In other words, the zoning changes released constraints by much more on the outskirts of the city than in the high-demand areas. Figure 10 shows the fitted relationship between distance and probability of adding at least one dwelling for each zone at the median quality score.

Figure 10: Development likelihood by distance and zone at the median quality score



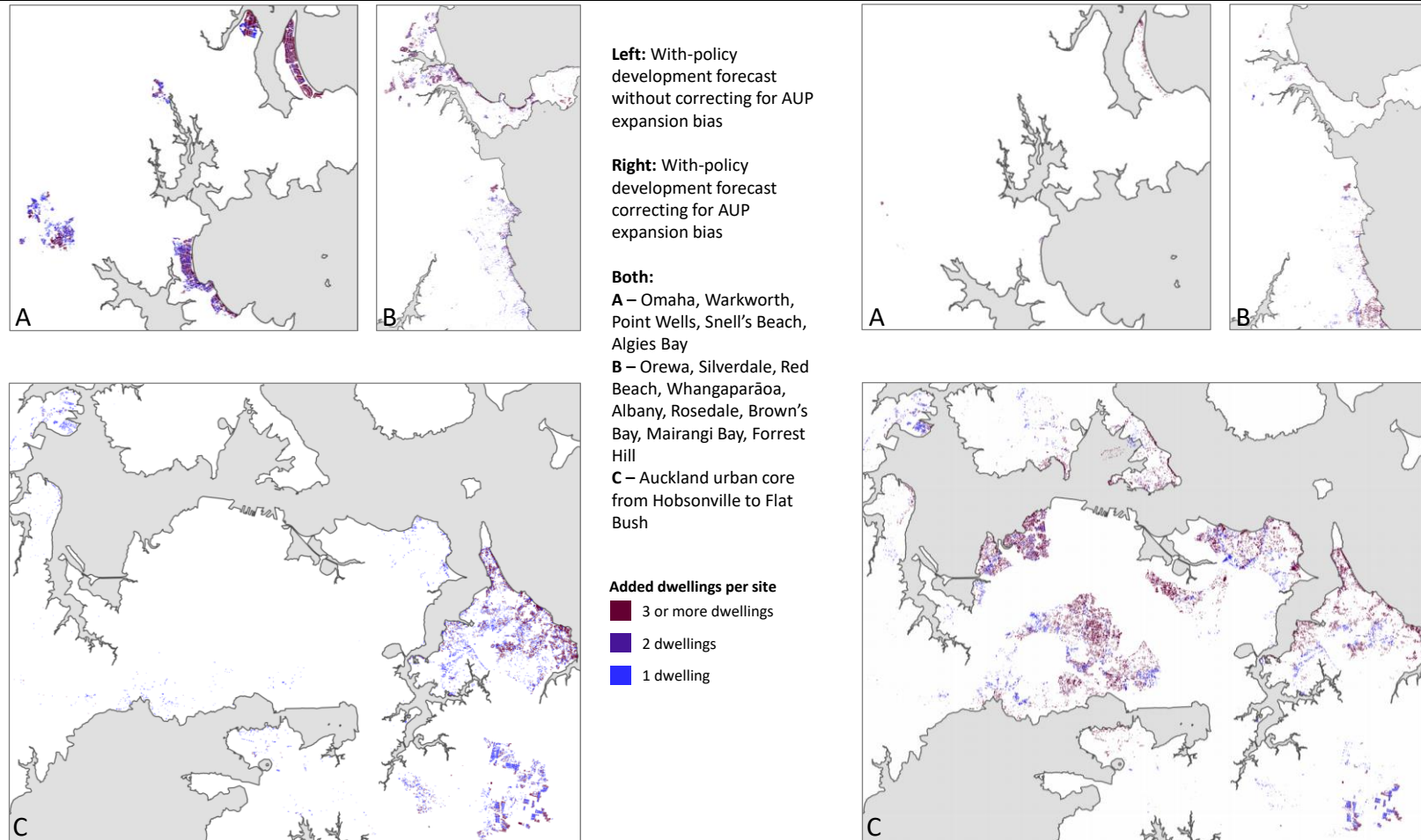
Source: Authors' analysis.

The presence of a recent natural experiment such as the AUP makes our approach one of the most analytically robust methods available for quantifying the actual results of relaxing zoning restrictions. However, the NPS-UD and the MDRS are intended to alter fundamental patterns about where and how much housing development takes place. Fitting any model to historical data will tend to replicate some of those historical patterns in our forecasts in ways that may not hold if the policy succeeds as intended.

The distance parameter in our model provides a way for us to neutralise this effect in our forecasts, to simulate how development might take place if the MDRS and NPS-UD are successful in unlocking development where demand is strongest.

The maps in Figure 11 on the following page show the difference in spatial development patterns generated by our model both with and without a correction for the bias toward city-fringe development observed in the AUP data. Note that the total policy impact in both cases is approximately equal, and that the NPS-UD walkable catchments are not included in the forecast.

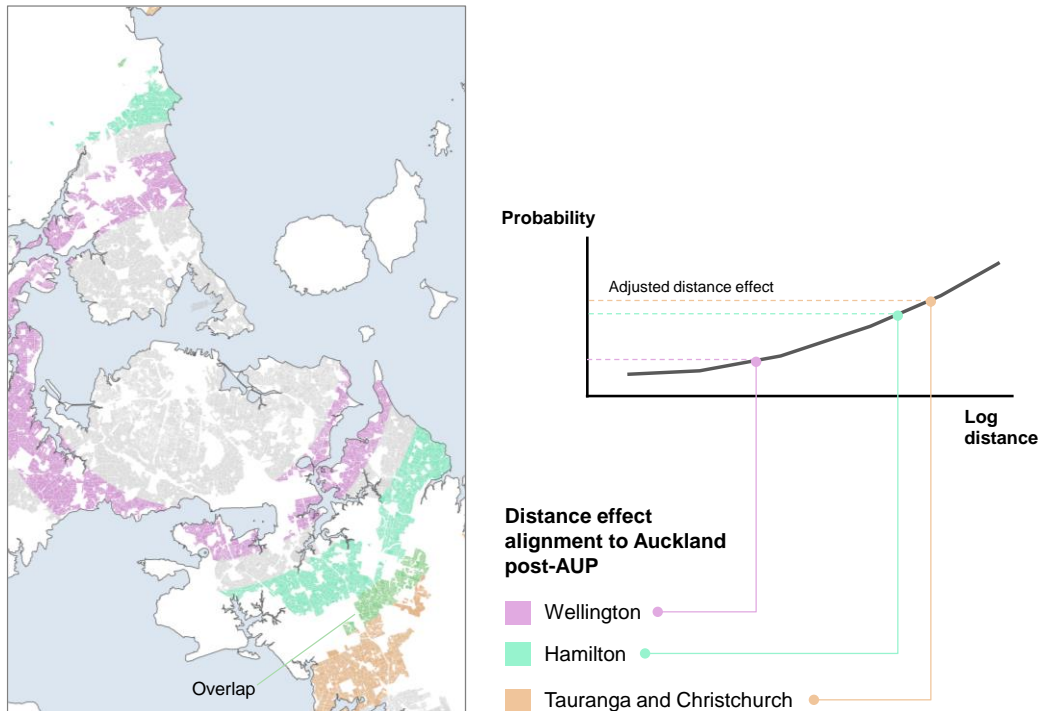
Figure 11: Modelled spatial distribution of highest likelihood development with and without correcting for the AUP urban fringe expansion bias



Source: Authors' analysis

This adjustment to the distance parameter for modelled parcels is also useful when we come to applying the fitted model to non-Auckland urban areas, where the coefficient for distance from Britomart in Auckland has little relevance. We use the distance parameter instead to adjust the base-level modelled constant to align the without-policy forecast with historical consent trends in each city (Figure 12).

Figure 12: Aligning without-policy forecasts to historical consents for non-Auckland cities



Source: Authors' analysis.

Figure 12 above shows the results of this alignment as well as the range of distance tested in our sensitivity tests for each city. As we discuss further in the sensitivity analysis, Wellington's unusually low levels of consents cause it to align at a much lower distance parameter than the other cities.

2.2.5.3 Step 3: Estimate the expected increase in FAR conditional on adding at least one dwelling on historical data

For each parcel that passes the probability threshold for adding at least one dwelling, we estimate the expected FAR increase in the five-to-eight years following enactment of the MDRS. We then derive dwelling counts from this expected FAR increase based on the average 2019 dwelling size in each zone and TA, subject to the regulatory limits on building dimensions and total dwellings for each parcel's simulated zone. Model equations for FAR estimates are shown below.

2.2.5.4 Estimation using historical data (post-AUP)

$$(FAR\ increase|AddedDwelling) = \beta_0 + \beta_1 QS_{pre_i} + \beta_2 Zone_i + \beta_3 QS_{pre_i} * Zone_i + \beta_4 LandArea_i + \varepsilon_i$$

Forecast for post-MDRS

Without MDRS

$$(Est.\ FAR\ increase|AddDwelling) = \hat{\beta}_0 + \hat{\beta}_1 QS_{post_i} + \hat{\beta}_2 Zone_i + \hat{\beta}_3 QS_{post_i} * Zone_i + \hat{\beta}_4 LandArea_i$$

With MDRS

$$(Est. FAR\ increase|AddedDwelling) = \hat{\beta}_0 + \hat{\beta}_1 QS_{post_i} + \hat{\beta}_2 NewZone_i + \hat{\beta}_3 QS_{post_i} * NewZone_i + \hat{\beta}_4 LandArea_i$$

Where:

$(FAR\ increase|AddedDwelling)$ is the observed floor area ratio added in the post-AUP data for each parcel, conditional on that parcel having added at least one dwelling.

$(Est. FAR\ increase|AddedDwelling)$ is the expected floor area ratio added for each parcel, conditional on that parcel adding at least one dwelling.

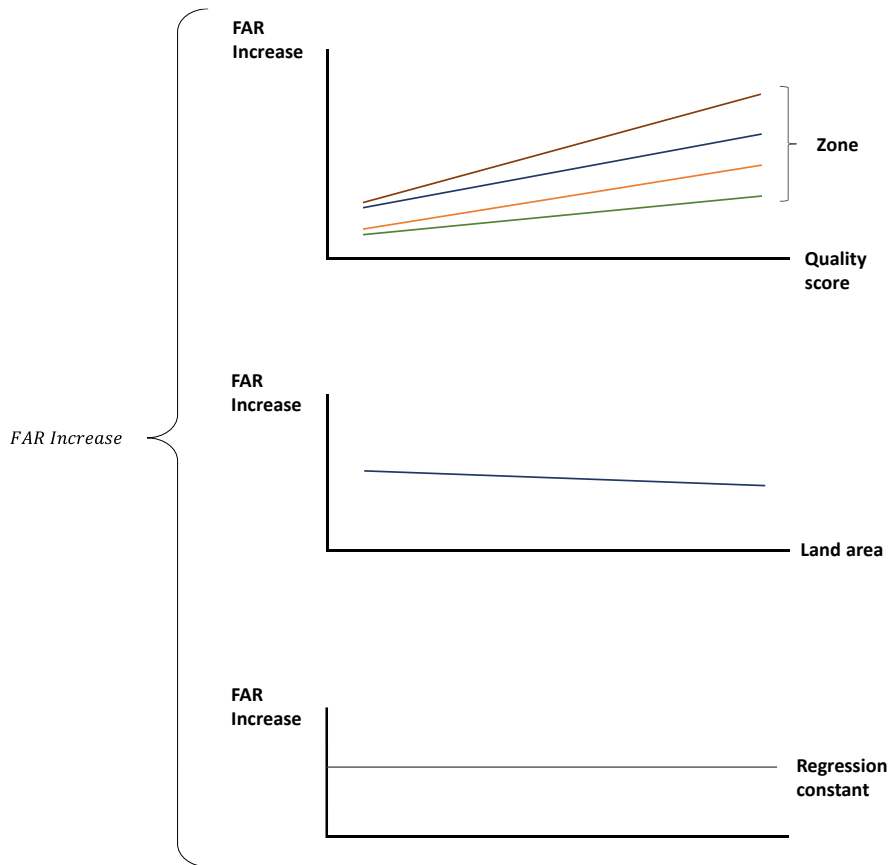
$LandArea_i$ is the land area in metres squared for each parcel.

*All other variables are as defined in Step 2 above.

Step 3 visual summary

Figure 13 illustrates how the parts of the forecast equations above are combined to arrive at a final FAR increase estimate for each parcel. The coefficients determine the slope and direction of each line, and the final estimated increase in FAR is the sum of the y-axis value from each set of axes in the figure.

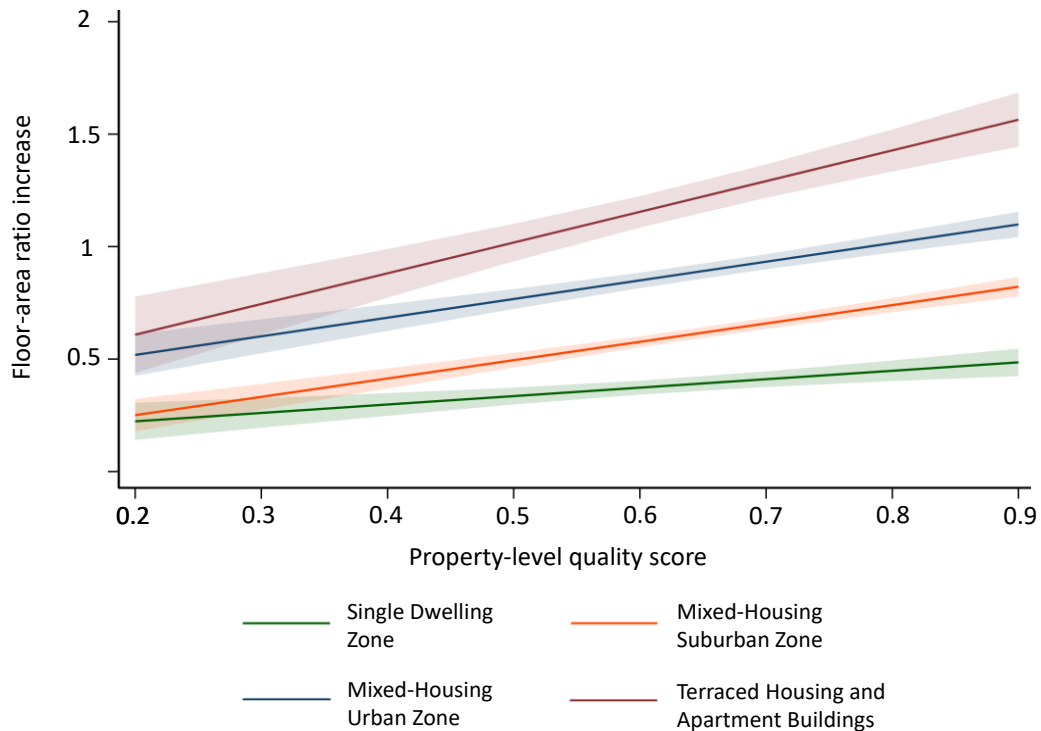
Figure 13: Estimate FAR increase



Source: Authors' illustration.

Figure 14 below summarises results from the first (historical estimation) regression. It shows that the increase in FAR becomes greater as quality score increases, regardless of zone, and that this relationship becomes stronger the more permissive the new zone is. The subset of data used here is those that added at least one dwelling, but we do not have data on whether any floor area was demolished in the process. For our model forecasts, we make the conservative assumption that one average-sized dwelling's worth of floor area is removed for each up-zoned parcel that adds at least one dwelling.

Figure 14: FAR increase per development event



Source: Auckland Council and HUD data. Authors' analysis.

In the figure, a FAR increase of 0.5 on the y-axis for a property with a building coverage of 50% implies an increase of one storey. We use this relationship along with a control for land parcel area to predict the increase in FAR for each parcel that adds at least one dwelling in each simulated scenario.

2.2.5.5 Applying the model in non-Auckland cities

Different cities have different levels of demand and different constraints. As described above, we make adjustments in each of the three model steps to adjust our forecasts to the local conditions of each city.

For the land-value shock from up-zoning, we can get an estimate of the impact of zoning on a parcel's land value by comparing parcels that are similar in most relevant respects (such as general demand in the area), but different in their zone status. As we only have a natural experiment for up-zoning in Auckland, we use this alternative approach with local data from each non-Auckland city.

The results are not as robust as a difference-in-difference design using a natural experiment because we do not know what other factors contributing to land value may differ by zone in a non-random way. However, the estimates we observe are consistent with our expectations informed by

the AMM model in all cities, and the resulting shocks to quality scores are small compared to the distribution of quality scores in each city.

3 A spatial forecast of the development impact of the MDRS

3.1 Overview

In the original CBA, we estimated probabilities in two ways:

- We sum them to arrive at our estimate for the total number of development events across the study area. The simple sum is equal to the total count of expected development sites.
- We rank properties by probability, then choose our hypothetical development locations from the most likely properties.

This process aggregates probabilities across all parcels and so our estimates are also aggregated for city-wide estimates. However, this approach does not tell us about the distribution of development sites in the city. For example, we can select a large number of equally probable outcomes that each allocate development differently between the sub-geographies of a city.

In other words, our original approach does not tell us anything about where these development sites might be located. We generalise the initial CBA by allowing for variation in which parcels will redevelop. We achieve this by randomly selecting parcels to redevelop based on their existing parcel-level probabilities. This allows us to see the distribution of redevelopment in the sub-geographies of a city. To account for variance in our estimates, we simulate thousands of specific probable outcomes.

We then provide an average expected development for each sub-geography. We do this at both the SA2 and TA levels.

3.2 Methodology

We estimate the total number of developments in the city by summing the existing parcel-level probability estimates. This gives us the total count of expected development sites. We shall denote the total number of development sites as n .

Then we randomly choose a parcel to redevelop. We choose which parcel to redevelop using a random weighted probability, where the weights are the existing parcel-level probabilities. This process is repeated n times without replacement¹¹. The result is a set of n parcels that are assumed to redevelop.

For each of the selected parcels, we estimate the number of dwellings added using the initial CBA methodology described in Section 2.2.2. The result of this simulation is the number of dwellings added for each parcel, where the parcels were selected randomly based on the existing parcel-level probabilities.

¹¹ When a parcel is selected, we do not replace it back into the set of all parcels before selecting another parcel. This ensures that we do not select a parcel twice.

We repeat this simulation 1,000 times for each urban area. Finally, we report the mean, and median number of dwellings added, as well as the 25th and 75th percentiles at the SA2 and TA levels.

4 Results and discussion

4.1 Results relative to the original CBA

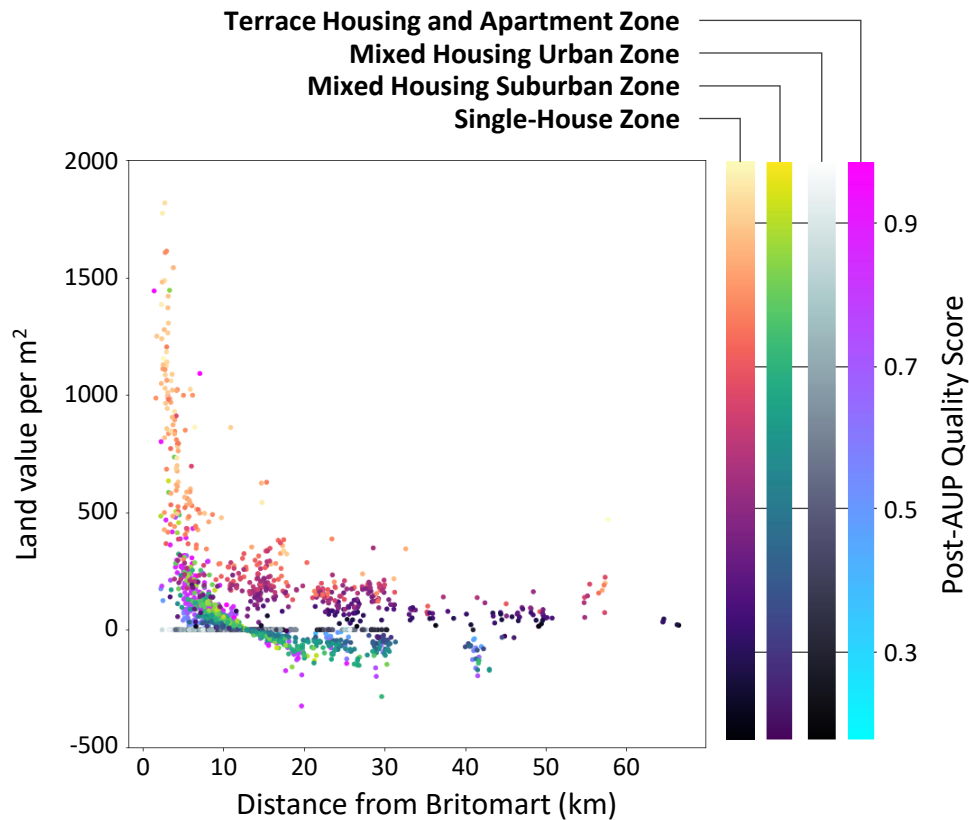
The forecasted total number of dwellings added for each TA or urban area, when summed from the SA2 level, may not be exactly the same as the aggregate forecasts in the original CBA. The TA-level totals represent the summed mean, median, and inter-quartile ranges of each constituent SA2. In an actual outcome, we would expect a variety of results – some SA2s will have more development than their probabilities imply, others will have less. Summing the mean or median estimate for each SA2 gives a different result than assessing the aggregate probability across the urban area as we did in the original CBA (although they fall within the same range of uncertainty). The results presented in this section are not intended to replace or as a revision to the original CBA estimates, which were determined using a different methodology designed for aggregate regional estimates. Rather, they represent our best estimate for the range of likely outcomes for each individual SA2.

4.2 Auckland

4.2.1 Step 1: Estimate the change in land value post-MDRS

Based on the land value shocks by zone following the AUP, and their relationship to distance from Britomart, we forecast a similar shock following the MDRS. The simulated changes in land value per m² post-MDRS in Auckland are shown in Figure 15 below.

Figure 15: Simulated post-MDRS land value shock in Auckland by zone and quality score



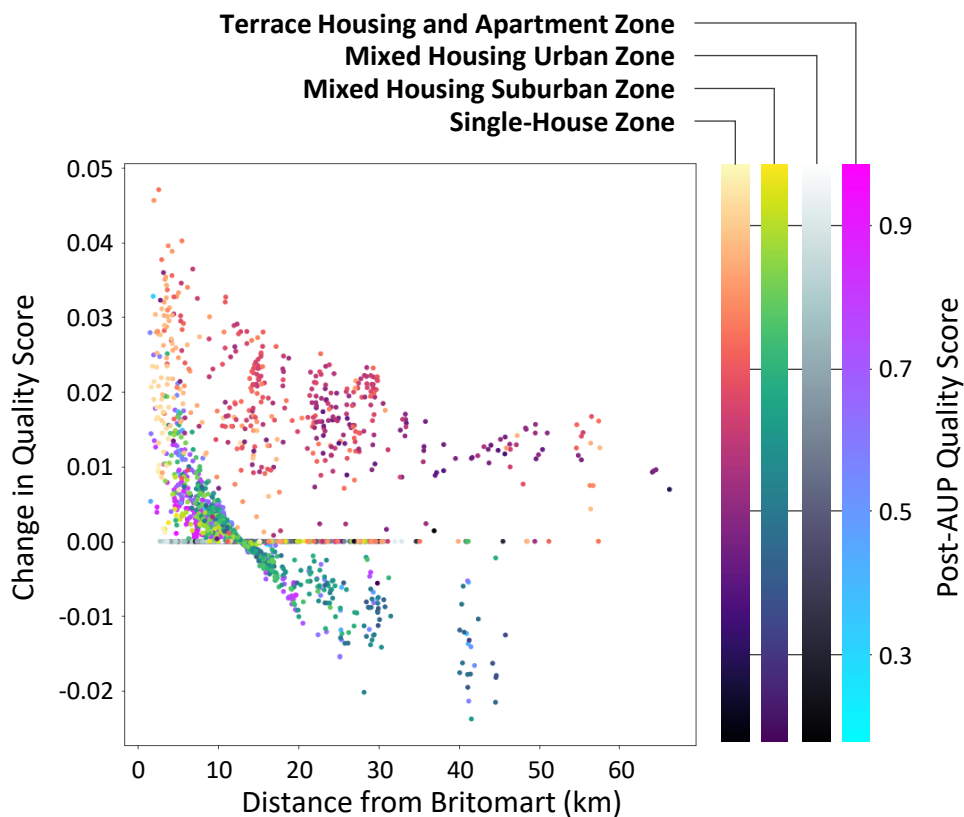
Source: Authors' analysis.

Note: The chart shows a random sample of 500 plots from each zone.

The four colour ramps in the figure represent the post-AUP quality scores for the four AUP zones in our data. In the scatter plot, notice that the grey colour ramp shows no land-value shock at any distance from Britomart. This is because the MHU is our proxy zone for the MDRS, so no simulated up-zoning takes place for those parcels. For the other zones, the change in land value is driven by the same regression results shown in Figure 7. In that figure, wherever the blue line for the MHU shows a higher or lower land-value than a parcel's current zone, our simulated shock is the difference in land-value change between the two lines. This means that at some distances from the city centre, we forecast a decrease in land values as a result of the up-zoning. This is consistent with the AMM model framework described in Section 2.2.1.

The simulated land value changes are applied to the post-AUP quality score calculations to reflect the impact of the zone change on demand for each property. The resulting changes in quality score for Auckland are shown in Figure 16.

Figure 16: Simulated post-MDRS quality score shocks in Auckland by zone and pre-shock quality score



Source: Authors' analysis.

Note: The chart shows a random sample of 500 plots from each zone.

The simulated quality score shocks in Auckland and in the other Tier 1 urban areas are consistently small compared to each observation's pre-shock scores. This implies that the land-value shock from the policy (Step 1) will have only a minor influence on a property's likelihood of development compared to that property's existing development demand conditions (Steps 2 and 3).

4.2.2 Step 2: Probability of adding at least one dwelling

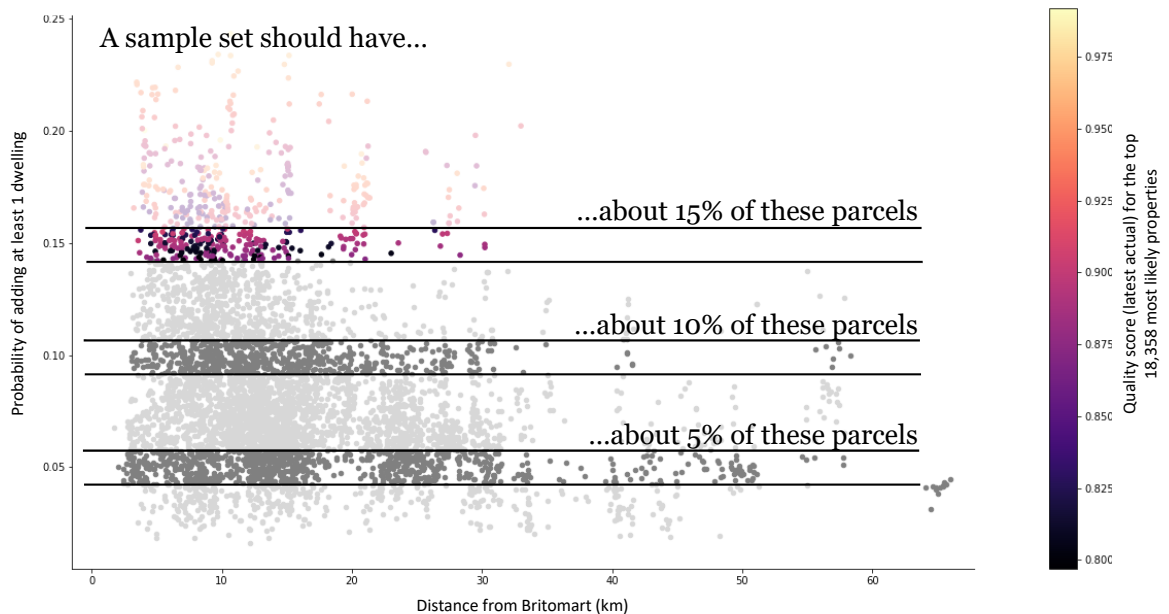
As the property-level quality score increases, the probability of adding at least one dwelling also increases. This is true for all zones. However, this is most prominent for the MHU and MHS zones. Our model uses the fitted coefficients for each zone, pre-AUP quality score, special character status, and distance from Britomart, and applies them using updated zone and special character status and updated quality scores, including the simulated shock from Step 1.

Each property is assigned a probability of adding at least one dwelling based on the fitted coefficients and updated model variables. This is done once without the policy effects (quality score shock, special character effects, and zone change) and once with the policy effects.

To simulate the selection of parcels that add at least one dwelling following the new policy, we first sum the predicted probabilities for all policy-eligible residential parcels (the four zones, less any parcels within the NPS-UD 6-storey catchment areas). We use this sum of probabilities as our estimate for the total count of development events for the forecast scenario.

To select properties for further estimations of dwelling counts, building dimensions, costs, and benefits, we simulate possible scenarios using a random weighted probability, where the weights are the existing parcel-level probabilities. We repeat this process n times without replacement,¹² where n is the total count of development events described above. Figure 17 shows how a single possible scenario might distribute development events across the population of parcels.

Figure 17: Plot selection based on probability predictions – Auckland



Source: Authors' analysis.

To account for variance in our estimates, we simulate 1,000 specific probable outcomes like the one shown above.

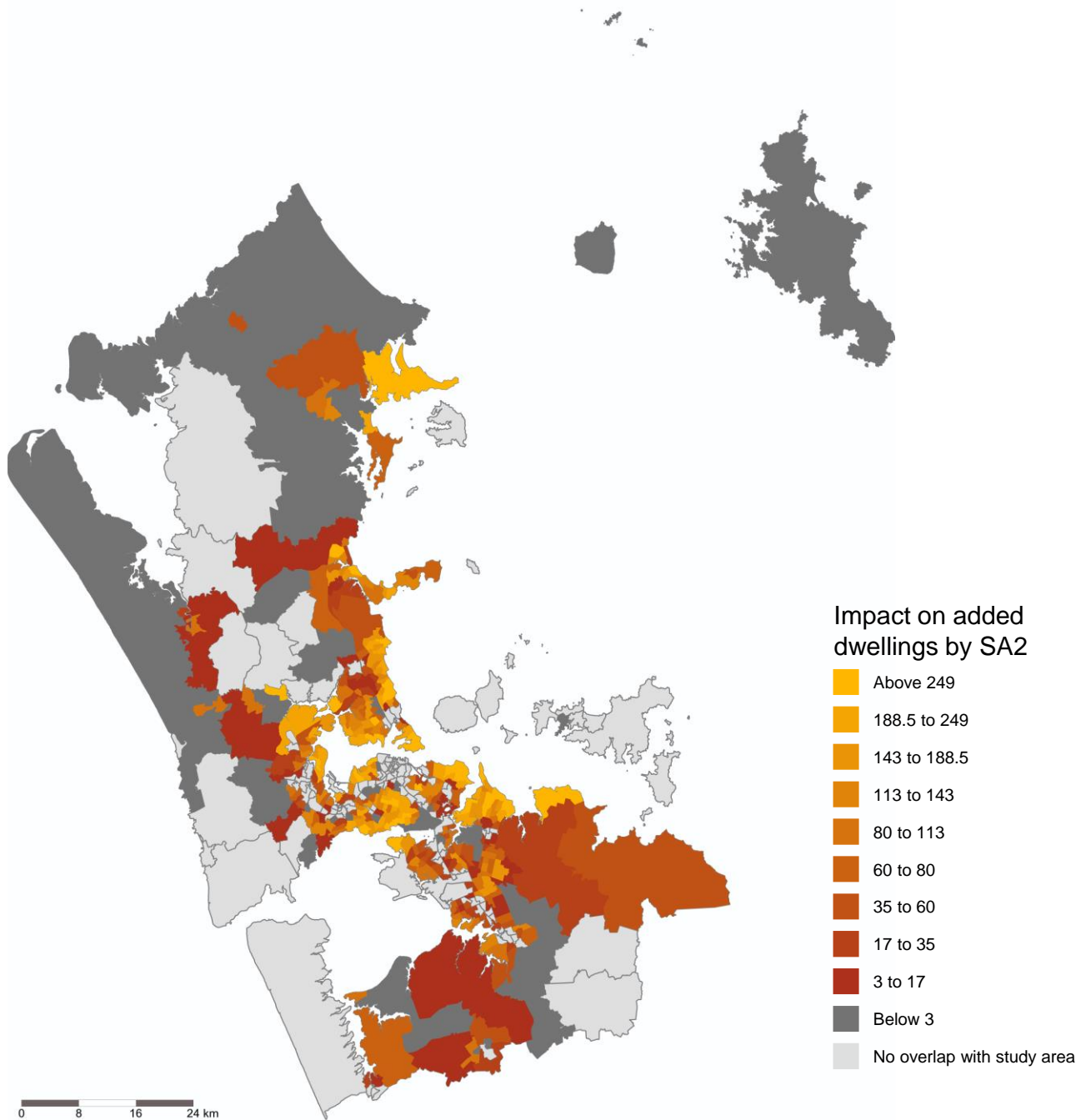
4.2.3 Step 3: Floor area ratio increase conditional on adding at least one dwelling

For each property selected in the previous step using ranked probabilities, we estimate the increase in FAR expected based on the property's quality score, zone, and land area. To do this, we apply the fitted coefficients from the AUP data, which generate a prediction like the one shown in Figure 14 above but adjusted for the simulated shocks to quality score and zone, as in Step 2.

In our original CBA, our results were not intended as a spatial prediction for where Auckland's future development will take place, but rather as a set of illustrative hypothetical scenarios for how the predicted quantities of dwellings would be arranged under each scenario's assumptions. By randomly selecting parcels to redevelop based on their existing parcel-level probabilities, our new results allow us to see the probable distribution of redevelopment in the sub-geographies of a city. Figure 18 below shows the median impact on added dwellings in Auckland as a result of the MDRS at the SA2 level. Appendix A provides a detailed breakdown of developments at the SA2 level.

¹² When a parcel is selected, we do not replace it back into the set of all parcels before selecting another parcel. This ensures that we do not select a parcel twice.

Figure 18: Median impact on added dwellings in Auckland



Source: Author's analysis

4.2.4 Dwelling impact results for Auckland

- Without the MDRS, we forecast a 35,522 increase in the number of dwellings in policy-affected areas.
- With the MDRS, we forecast an 81,361 increase in the number of dwellings in policy-affected areas.
- Policy impact is an additional 45,839 dwellings in policy-affected areas.

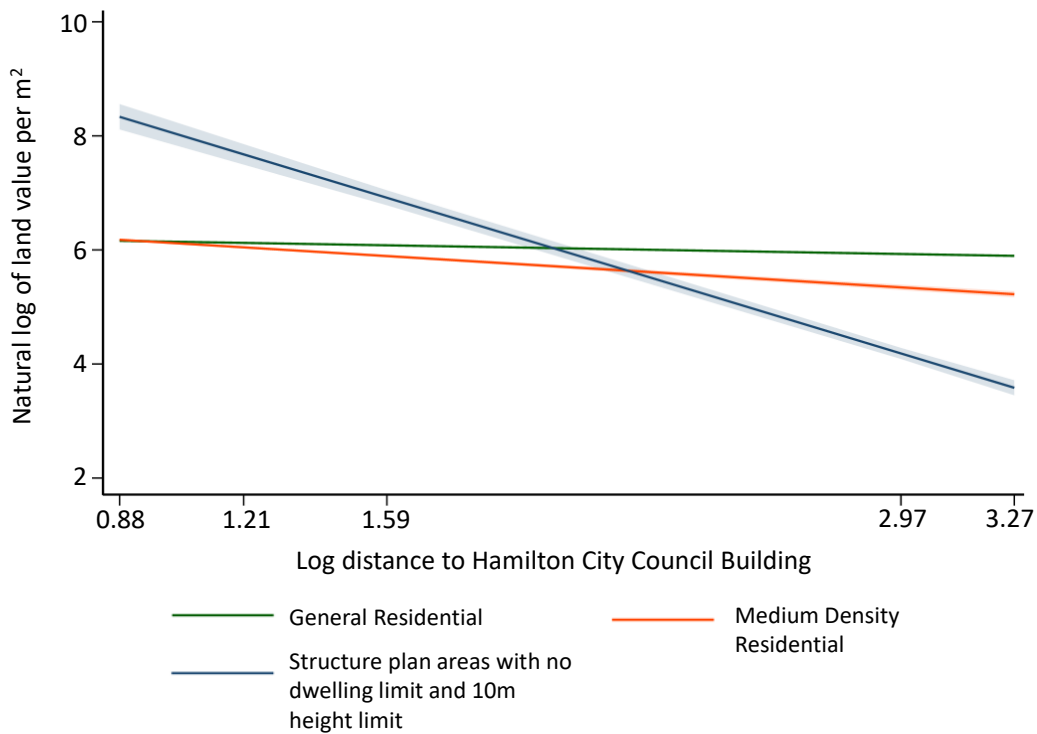
4.3 Other Tier 1 urban areas

Since we do not have a natural experiment in other Tier 1 urban areas, we adjust the model to align with local demand and constraints as described in the approach section above. The following subsections present model outputs for the four non-Auckland Tier 1 urban areas.

4.4 Hamilton

In Hamilton, land values show less variation by distance to the centre than in other urban areas. Most of the residential areas are in the General Residential and Medium Density Residential zones. To simulate the land-value shock from the MDRS, we use a subset of zones with characteristics closer to the new policy than to Auckland's SHZ. This subset comprises the structure plan areas on the edges of Hamilton and in outlying towns that have no listed dwelling limit and a height limit of 10 metres. Figure 19 shows the discontinuity in land values by zone grouping.

Figure 19: Land value by zone and distance to city centre - Hamilton

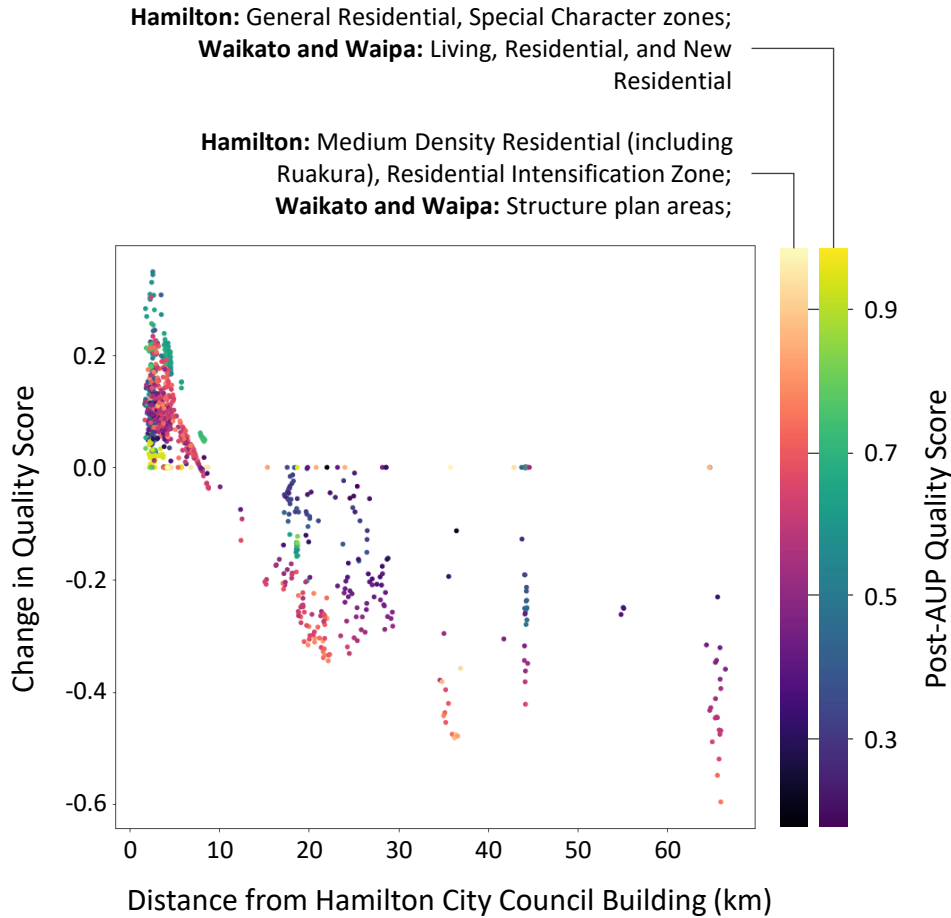


Source: Authors' analysis.

In our land value regressions, the special character zones to the East of Hamilton's city centre are grouped with the General Residential zone, along with the Living, Residential, and New Residential zones from Waikato and Waipā. The Medium Density Residential group includes Hamilton's Medium Density Residential zone including Ruakura and the Residential Intensification Zone, as well as some structure plan areas in Waikato and Waipā.

The observed discontinuity pattern means that most of the properties forecast to see a positive land value shock from up-zoning are in Hamilton City rather than the neighbouring districts. This is consistent with the AMM model to the extent that nearby towns are a substitute for living in Hamilton City—relaxing constraints in the centre leads to a decrease in land value for substitute locations farther away. This is clear in Figure 20, where positive quality score shocks are exclusively in the distance range below 10 km from Hamilton City Council.

Figure 20: Simulated quality score shock from MDRS – Hamilton

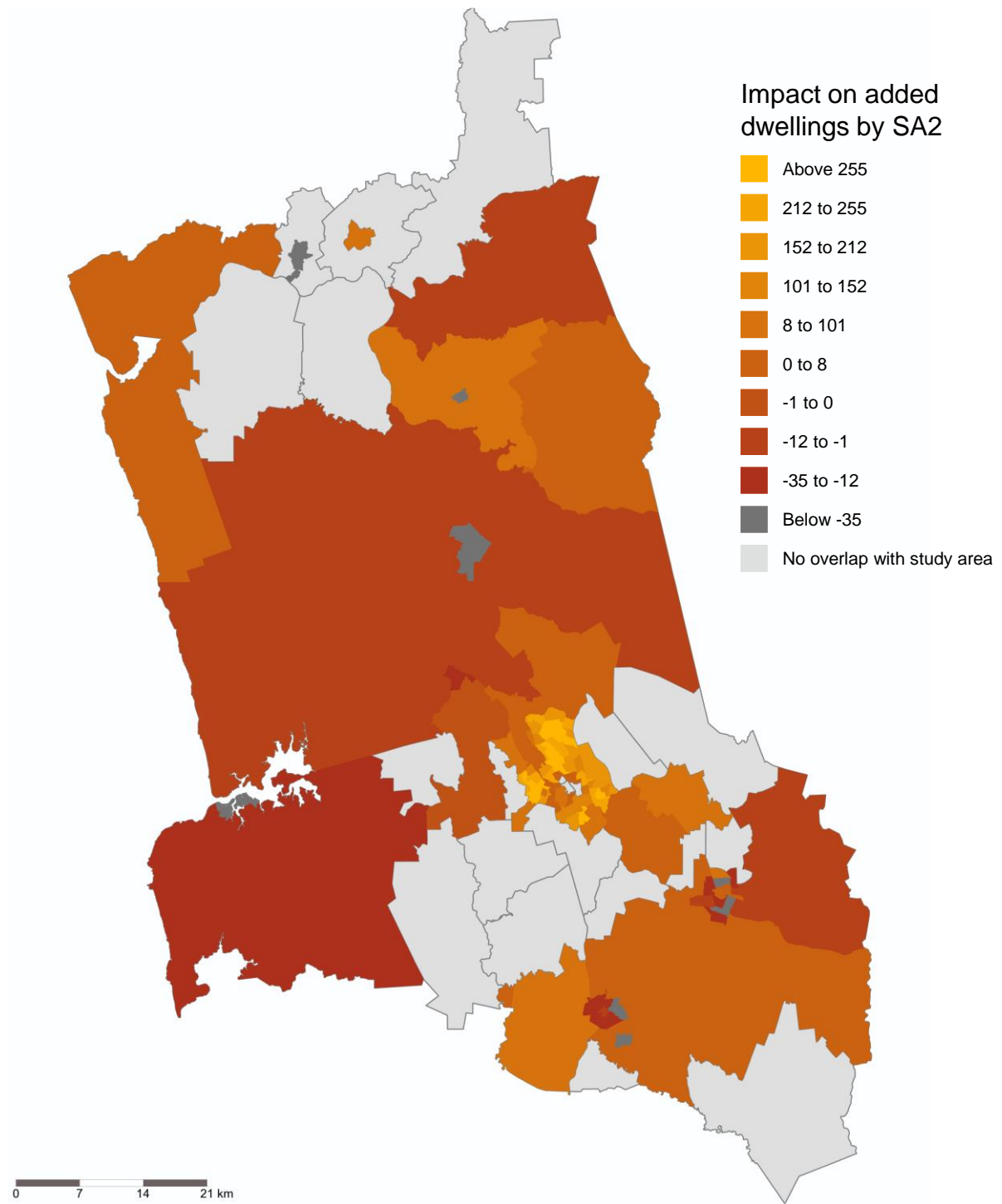


Source: Authors' analysis.

We use these adjusted quality scores as inputs to steps 2 and 3 of our model, which forecast the location and quantity of likely development of new dwellings in Hamilton over the five-to-eight years following the enactment of the MDRS.

Figure 21 below shows the median impact on added dwellings in Hamilton as a result of the MDRS at the SA2 level. Appendix A provides a detailed breakdown of developments at the SA2 level.

Figure 21: Median impact on added dwellings in Hamilton



Source: Author's analysis

4.4.1 Dwelling impact results for Hamilton

Table 3: Mean dwelling impact results for Hamilton

	Without policy	With policy	Policy impact
Waikato District	1,556	1,131	-425
Hamilton City	5,615	15,781	10,166
Waipā District	1,524	1,079	-445

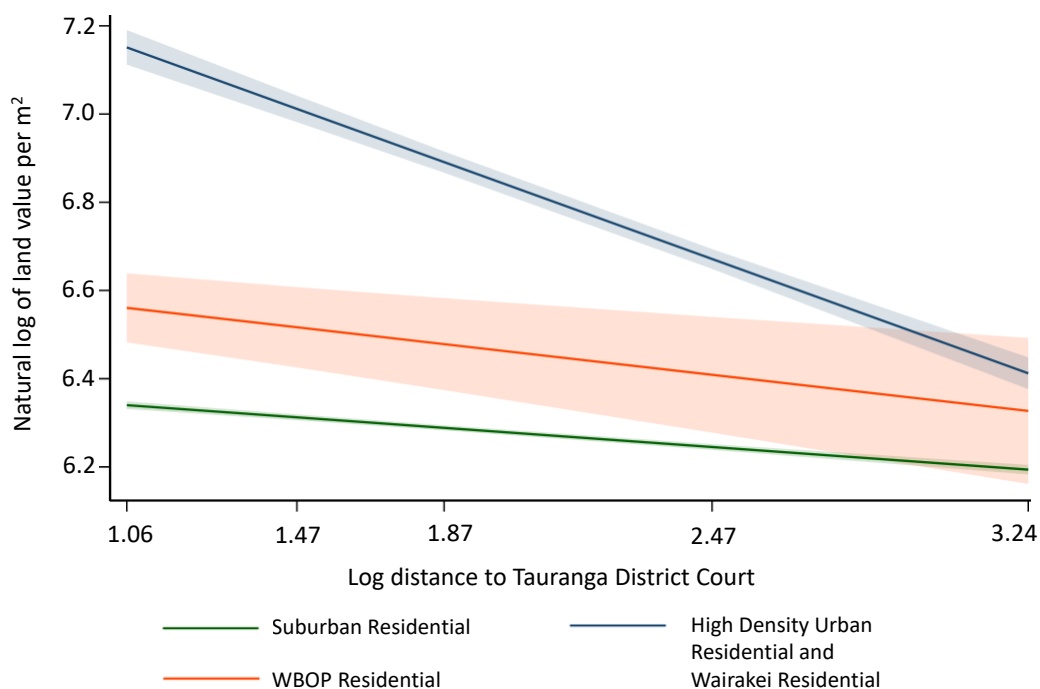
Source: Author's analysis

We forecast that the MDRS will decrease the number of added dwellings in Waikato District and Waipā District, while more development is attracted to Hamilton City.

4.5 Tauranga

Land values in Tauranga show a clear and significant statistical difference by zone at all distances to the city centre. This suggests that much of the city may face constraints to development. Figure 22 shows the discontinuities in land values in Tauranga post-MDRS by zone. The wide shaded band around the linear estimate for Western Bay of Plenty residential areas indicates a smaller sample size and lower statistical confidence for the estimated relationship for that group.

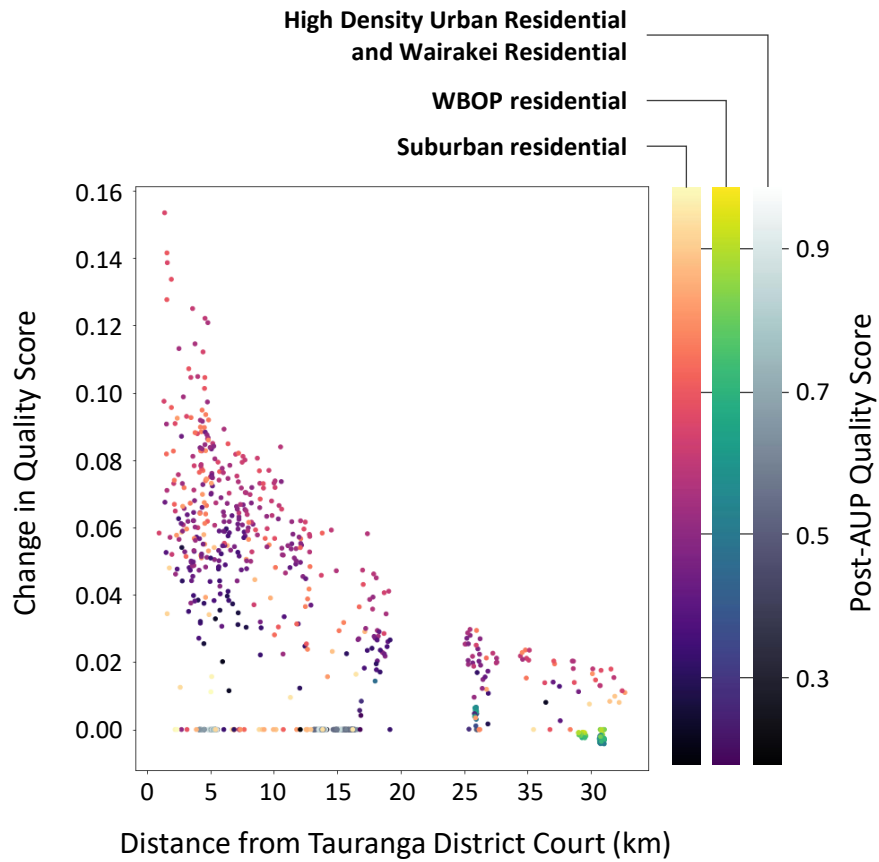
Figure 22: Land value by zone and distance to city centre - Tauranga



Source: Authors' analysis.

Unlike in Hamilton, Tauranga's simulated land value and quality score shocks are positive at nearly all distances from the centre. These are shown for a sample of parcels in Figure 23 below.

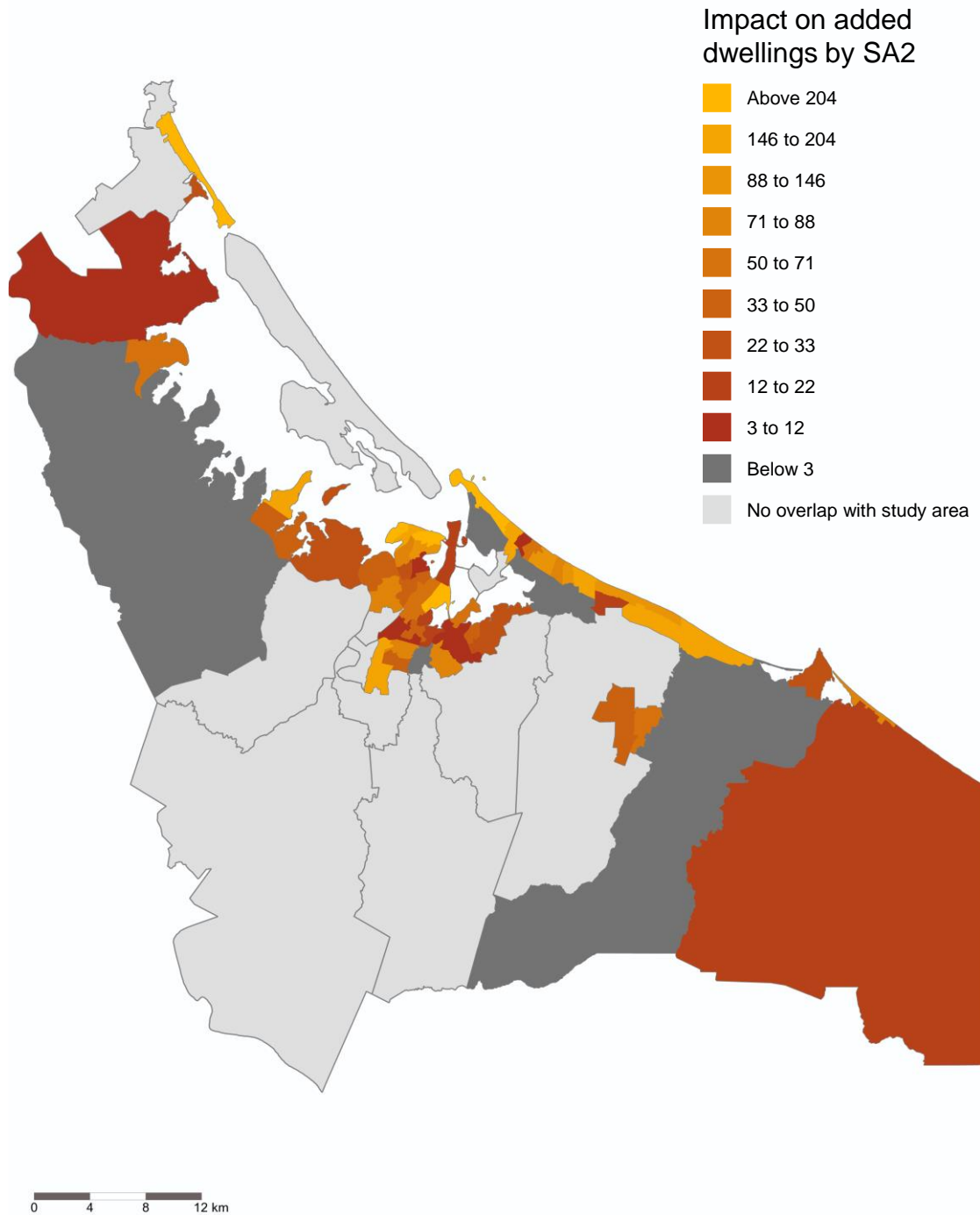
Figure 23: Simulated quality score shock from MDRS – Tauranga



Source: Authors' analysis.

As in the other urban areas, we use the shocked quality scores to estimate likelihood, location and quantity of development with and without the policy. Figure 24 below shows the median impact on added dwellings in Tauranga as a result of the MDRS at the SA2 level. Appendix A provides a detailed breakdown of developments at the SA2 level.

Figure 24: Median impact on added dwellings in Tauranga



Source: Author's analysis

4.5.1 Dwelling impact results for Tauranga

Table 4: Mean dwelling impact results for Tauranga

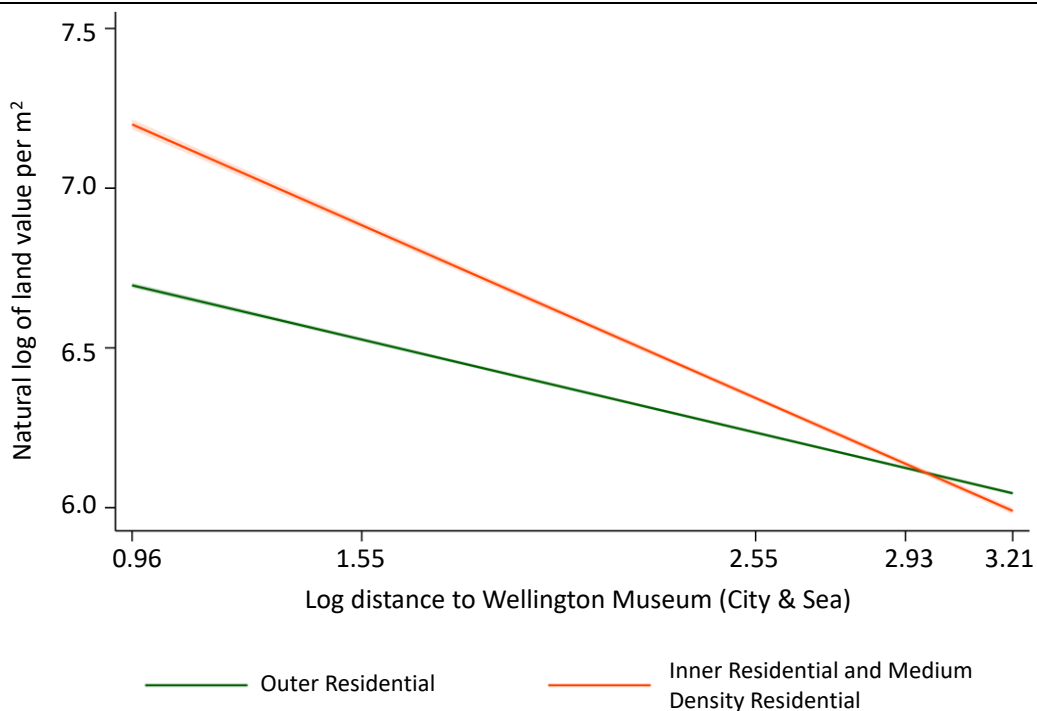
	Without policy	With policy	Policy impact
Western Bay of Plenty District	922	1,808	886
Tauranga City	3,010	6,941	3,931

Source: Author's analysis

4.6 Wellington

In Wellington, the Inner Residential zone and Medium Density Residential zone show very similar land value patterns. While their names imply that the latter might be more permissive, both permit one dwelling and up to 50% building coverage. The Inner Residential zone also has special character protections in many neighbourhoods. These two zones have been grouped together, along with the Medium Density Residential Activity Area in Lower Hutt and the Suburban Zone in Porirua, each of which are more permissive than the Wellington City zones. Figure 25 shows the discontinuity in land values in Wellington post-MDRS by zone.

Figure 25: Land value by zone and distance to city centre – Wellington

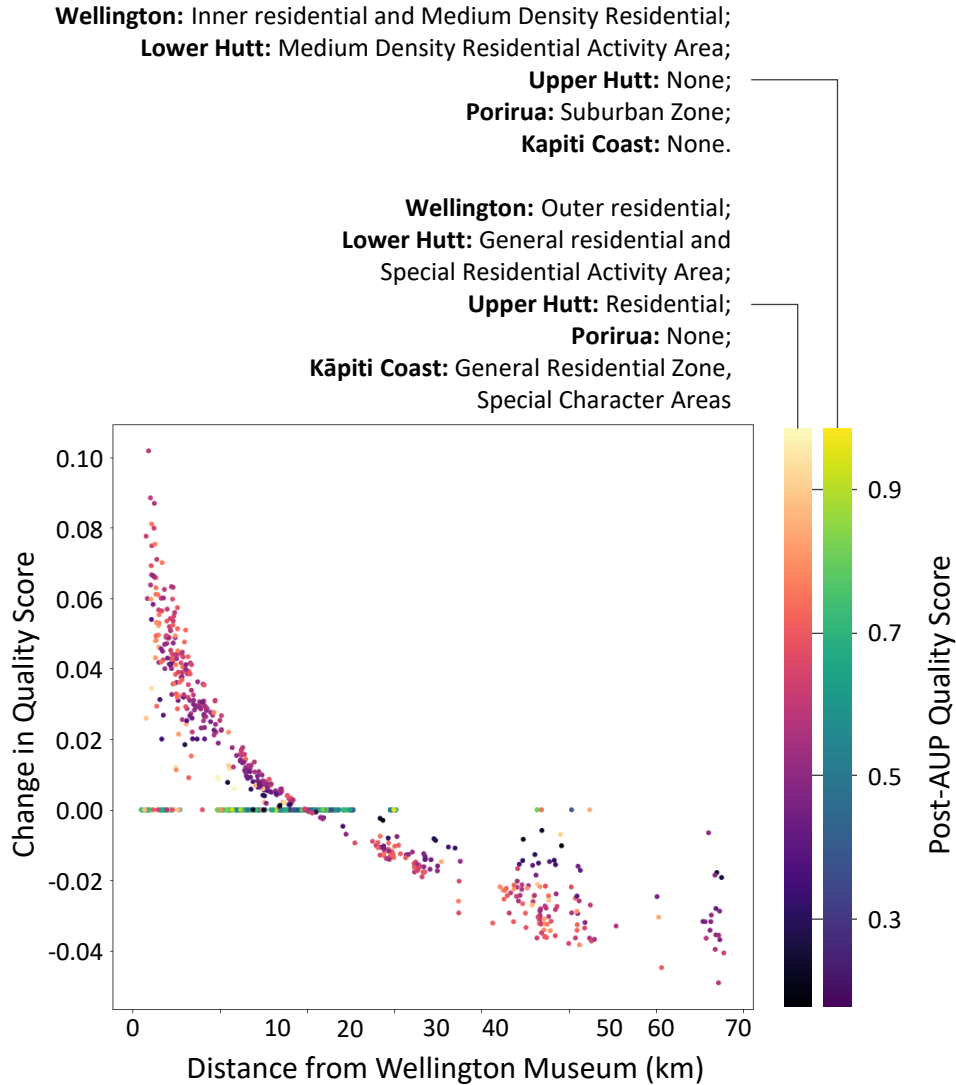


Source: Authors' analysis.

The Outer Residential zone in Wellington has been grouped with the General Residential and Special Residential Activity Area zones in Lower Hutt, the Residential zone in Upper Hutt, and the General Residential zone and Special Character Areas in Kāpiti Coast. The land value discontinuity patterns imply that a broad release of development capacity may lead to rising land values in Wellington City but falling land values in the more distant residential zones.

This pattern is simulated in our modelled quality score shocks, a sample of which are shown in Figure 26 below.

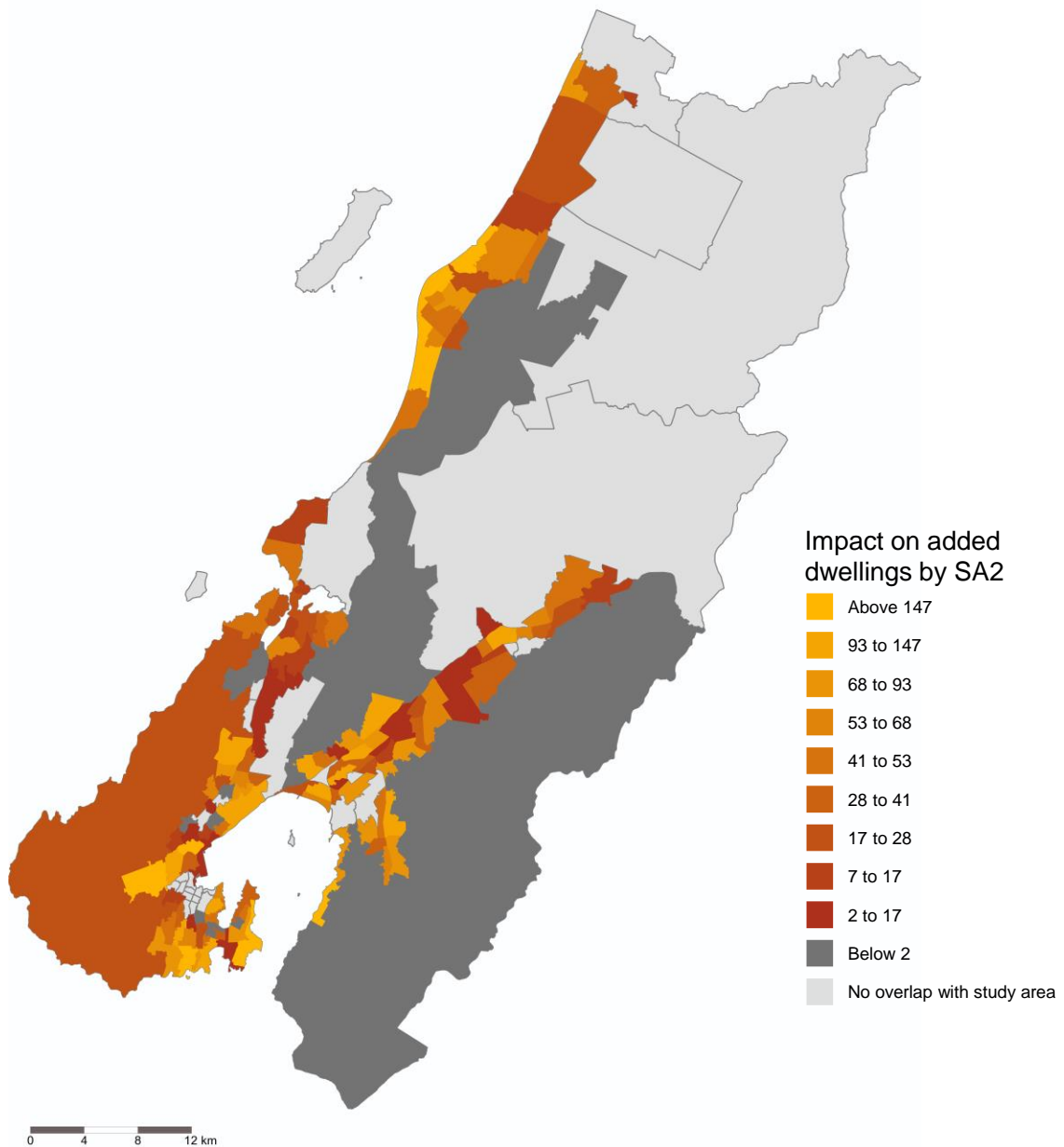
Figure 26: Simulated quality score shock from MDRS - Wellington



Source: Authors' analysis.

The forecast pattern of development is more dispersed in Wellington than in the other cities, reflecting that the NPS-UD catchment areas in Wellington cover much more of the urban core. Figure 27 below shows the median impact on added dwellings in Wellington as a result of the MDRS at the SA2 level. Appendix A provides a detailed breakdown of developments at the SA2 level.

Figure 27: Median impact on added dwellings in Wellington



Source: Author's analysis

4.6.1 Dwelling impact results for Wellington

Table 5: Mean dwelling impact results for Wellington

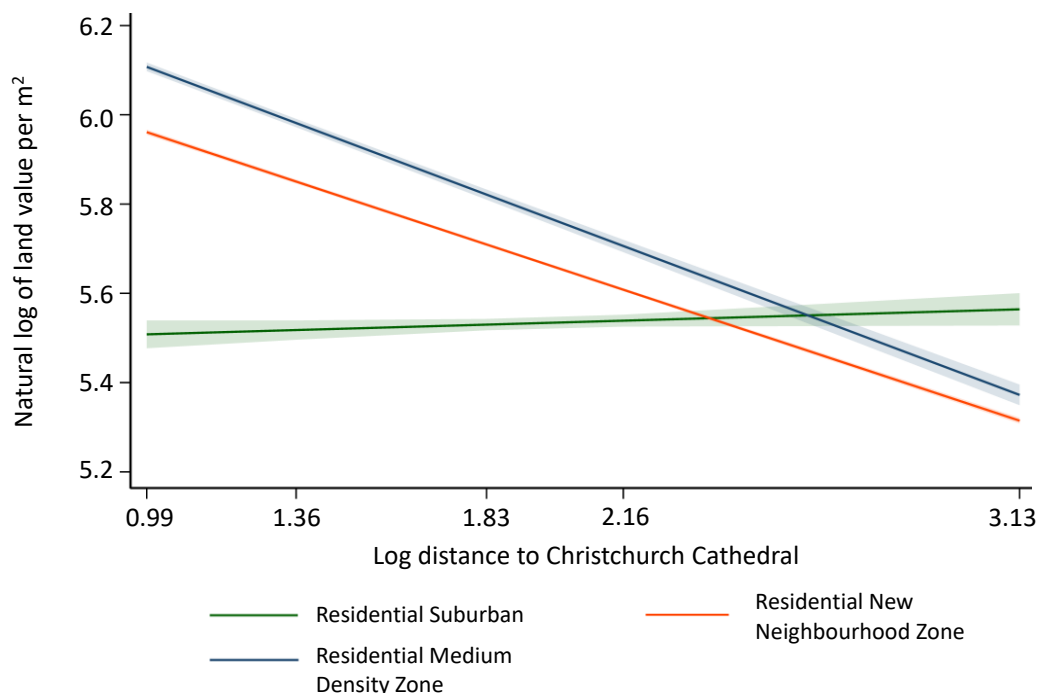
	Without policy	With policy	Policy impact
Kapiti Coast District	1,048	2,680	1,632
Porirua District	1,215	1,689	474
Upper Hutt City	479	1,068	589
Lower Hutt City	1,358	3,445	2,087
Wellington City	2,103	6,147	4,134

Source: Author's analysis

4.7 Christchurch

Christchurch shows a significant difference between zones in the relationship between distance from the city centre and land value. Our regression results for land value discontinuity between zones are shown in Figure 28 below.

Figure 28: Land value by zone and distance to city centre – Christchurch



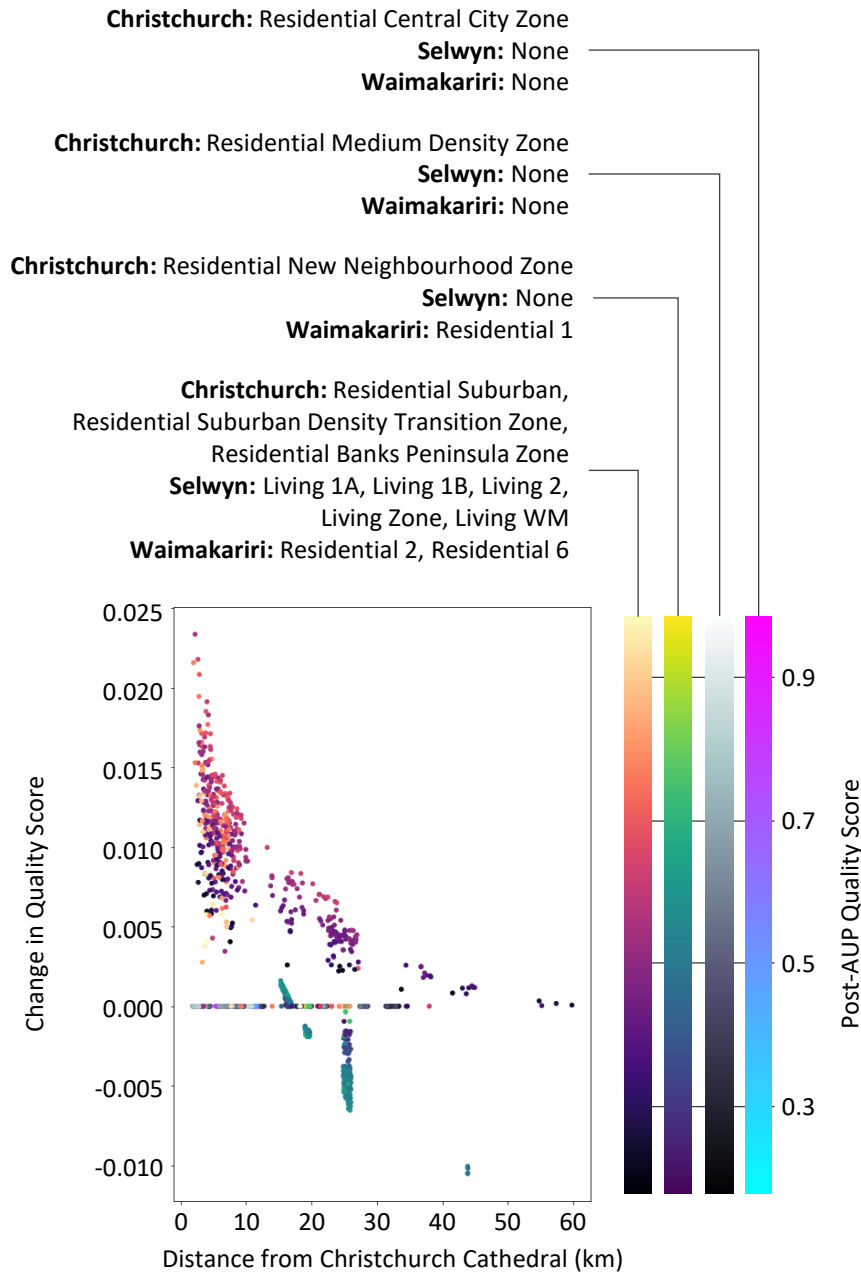
Source: Authors' analysis.

The zones shown in the figure represent groupings according to zone characteristics. The 'Residential Suburban' zone includes the Residential Suburban, Residential Suburban Density Transition, and Residential Banks Peninsula zones in Christchurch; the Living 1A, Living 1B, Living

2, Living Zone, and Living WM zones in Selwyn; and the Residential 2 and Residential 6 zones in Waimakariri.

Based on these observed discontinuities, our land value and quality score shocks are much more significant for parcels currently zoned as Residential Suburban or similar than for other zones. The quality score shocks are shown for a sample of parcels in Figure 29 below.

Figure 29: Simulated quality score shock from MDRS – Christchurch



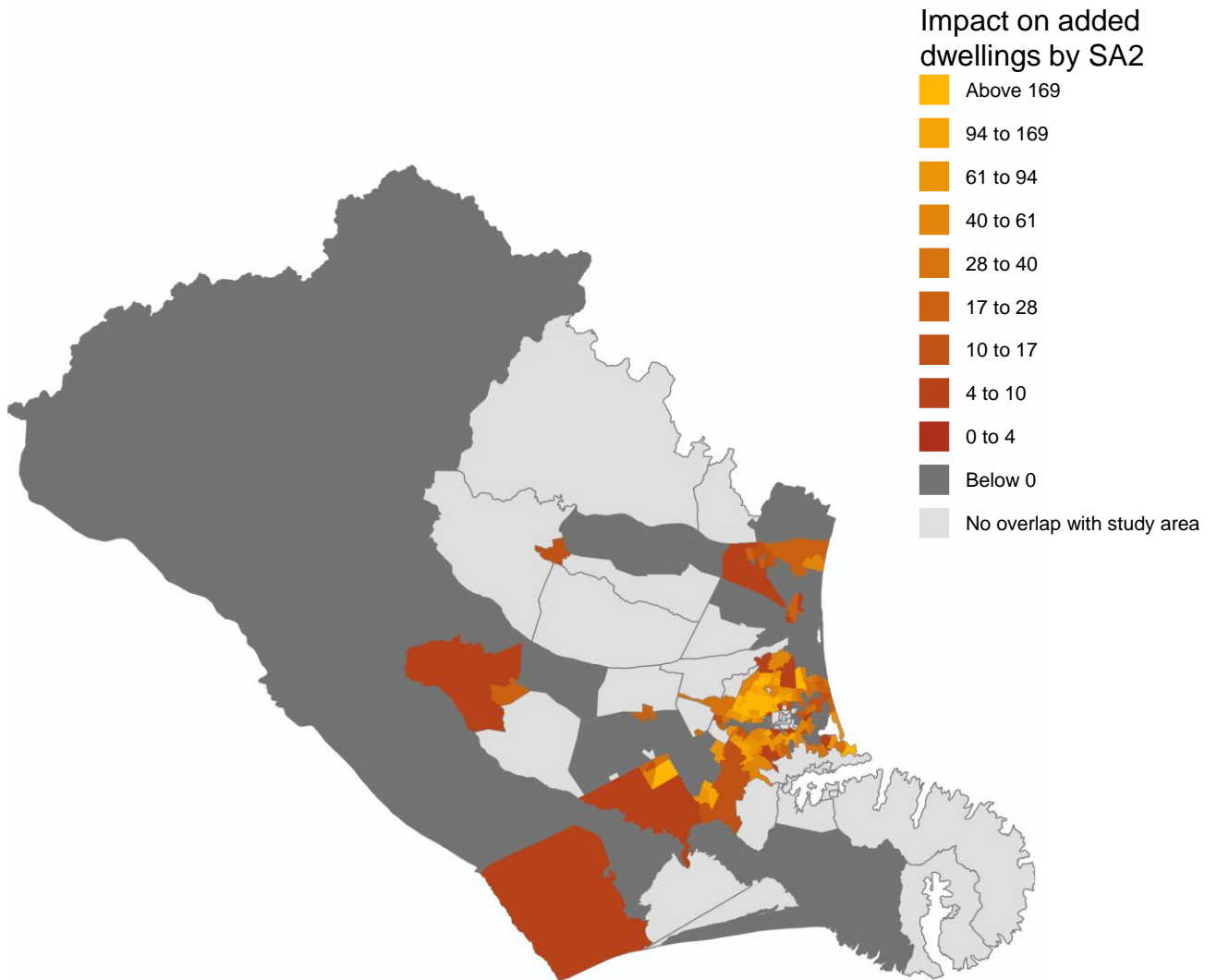
Source: Authors' analysis.

Note: Zone alignments for land-value shocks are chosen based on local land-value discontinuities and may differ slightly from the alignments used for floor area changes in Step 3.

We use these adjusted quality scores as inputs to steps 2 and 3 of our model, which forecast the location and quantity of likely development of new dwellings in Christchurch over the five-to-eight years following the enactment of the MDRS.

Figure 30 below shows the median impact on added dwellings in Christchurch as a result of the MDRS at the SA2 level. Appendix A provides a detailed breakdown of developments at the SA2 level.

Figure 30: Median impact on added dwellings in Christchurch



Source: Author's analysis

4.7.1 Dwelling impact results for Christchurch

Table 6: Mean dwelling impact results for Christchurch

	Without policy	With policy	Policy impact
Waimakariri District	1,172	1,441	269
Christchurch City	9,465	18,884	9,419
Selwyn District	1,440	2,109	669

Source: Author's analysis

In terms of our model, the impact in Christchurch is strong because historical consents have been strong and quality scores are high. Conceptually, Christchurch is unique among the Tier 1 urban areas in that its prices have been more stable over the last decades. No other Tier 1 urban area had a median house price as a multiple of median income that was no higher in April 2020 than it was in April 2014.¹³ This may be due to the unusual demand conditions created by the devastating 2011 Christchurch Earthquake, after which building consents spiked during reconstruction, but population growth slowed for several years and housing preferences appear to have shifted toward less densely developed areas.¹⁴

Since mid-2020 however, the price-income multiple has begun to climb. Population growth has also recovered to pre-earthquake levels after a period of decline from 2011 to 2013. Land values in the city centre have recovered well relative to improvement values, implying lower average opportunity cost of redevelopment compared to the other city centres. Together, these factors provide insight into the difference in data inputs that have led to a stronger modelled policy response in Christchurch.

In other words, the policy can be more effective than average in Christchurch because where other urban areas have a housing crisis to address, Christchurch is in the enviable position of having a housing crisis to prevent.

4.8 Note on treatment of qualifying matters

Both the NPS-UD and the MDRS include provisions that allow councils to exempt specific properties from minimum up-zoning requirements according to a list of “qualifying matters,” including consideration of the provisions of other National Policy Statements, potential interference with nationally significant infrastructure, and several others.¹⁵

To apply an exemption under one of the qualifying matters, councils must demonstrate their case based on site-specific analysis, including what characteristics of the site make the level of directed development inappropriate, why those characteristics justify limiting development in light of the national significance of the policy’s urban development objectives.

This is a stark departure from the status-quo for exemptions to allowable development before the NPS-UD, where typically the case had to be made *for* development rather than *against* it. Because the burden of demonstration for qualifying matters applies to specific sites and falls on councils in their planning process, our original CBA assumption is that only a few sites with clear cases for exemption will be put forward under qualifying matters. We model our base case forecasts under this assumption. One advantage of this approach for the purpose of the current work is that these

¹³ REINZ and Stats NZ data.

¹⁴ PwC 2020, Stats NZ.

¹⁵ See NPS-UD 2020, Section 3.32 and 3.33.

estimates can serve as a baseline development expectation against which to estimate the costs of providing exceptions to the MDRS in specific areas.

4.9 Robustness checks

As robustness checks for our spatial econometric model, we tested three alternate model specifications to examine their effects on the primary relationships that drive our forecast results. These are described in the subsections below.

4.9.1 Spatial autocorrelation

In plain language, we tested and found that the estimated relationships between quality score and both likelihood of development and quantity of development are not random in the way the errors (differences between fitted model expected values and actual observations) are spatially distributed. We conducted an alternate method of estimating these errors that is robust to this kind of spatial dependence to understand whether the spatial clustering or anti-clustering (dispersion) in the data harms the accuracy of our estimates of the key model relationships and concluded that it does not.

In more technical language, we conducted a Moran's I test for spatial autocorrelation in regression residuals for both the logit and Ordinary Least Squares (OLS) steps. We found that residuals are spatially correlated, with index values of 0.022 for the logit and 0.016 for the OLS. Moran's Index values near zero imply that we observe both non-random spatial clustering and non-random dispersion in the residuals.

To test whether the presence of spatial autocorrelation affects the statistical significance of our coefficient estimates, we use the Conley standard errors method (Conley 1999) to correct for spatial autocorrelation, finding no relevant effect on the significance of our coefficient estimates. Further technical details of these test results are provided in Appendix C.3.

4.9.2 Neighbourhood-level fixed effects

We tested both the logit and OLS models with neighbourhood-level fixed effects for Auckland and found that the general relationship between quality score and both the likelihood to develop and quantity of development were unchanged, including in terms of differences in slope between zones. That is, higher quality scores were still associated with higher likelihood and quantity of development, and this relationship was more pronounced for the MHS and MHU zones than for SHZ.

While the specific estimates of slopes and intercepts were altered by the presence of neighbourhood-level fixed effects, we decided to omit these from the final model to avoid overfitting our forecasts to observed neighbourhood-level patterns in the past, which the policy intends to alter.

4.9.3 Single-step approach to the dwellings-added estimate

We also tested a single-step model, directly estimating the average FAR increase across the city in each zone as predicted by the quality score. This provided similar results in terms of zone-quality score relationships and city-wide average FAR increases.

However, this method disperses modelled increases in floor area across all observations as predicted by their quality score, zone, land area, and distance from the city centre. Consequently, it does not provide insight into potential scenarios for how development might be spatially arranged throughout a city, as the two-step model does.

5 Restrictions

This report has been prepared for the Ministry for the Environment and the Ministry of Housing and Urban Development ('the Ministries') to set out our spatial estimates of the likely development impact of the Medium Density Residential Standards policy at the Statistical Area 2 level. This report has been prepared solely for this purpose and should not be relied upon for any other purpose. We accept no liability to any party should it be used for any purpose other than that for which it was prepared.

This report and accompanying data tables have been prepared solely for use by the Ministries and appointed peer reviewers, as well as for initial circulation among the local district and city councils whose territories are included in our modelled estimates. They may not be copied or distributed to third parties without our prior written consent.

To the fullest extent permitted by law, PwC accepts no duty of care to any third party in connection with the provision of this report and/or any related information or explanation (together, the "Information"). Accordingly, regardless of the form of action, whether in contract, tort (including without limitation, negligence) or otherwise, and to the extent permitted by applicable law, PwC accepts no liability of any kind to any third party and disclaims all responsibility for the consequences of any third party acting or refraining to act in reliance on the Information.

We have not independently verified the accuracy of information provided to us and have not conducted any form of audit in respect of the Ministry for the Environment or the Ministry of Housing and Urban Development. Accordingly, we express no opinion on the reliability, accuracy, or completeness of the information provided to us and upon which we have relied.

The statements and opinions expressed herein are based on information available as at the date of the report, have been made in good faith, and have been made on the basis that all information relied upon is true and accurate in all material respects and not misleading by reason of omission or otherwise. We reserve the right, but will be under no obligation, to review or amend our report, if any additional information, which was in existence on the date of this report, was not brought to our attention, or subsequently comes to light.

It is not possible to assess with certainty the implications of COVID-19 on the economy, both generally in terms of how long the current crisis may last and more specifically in terms of its impact on housing supply and demand. We note our advice is subject to significant caveats and caution at this time due to uncertainty that exists for residents and developers including (among other matters) the demand for products or services, access to capital, supply chain disruption, and the extent and duration of the measures implemented by various governments and authorities to contain or prevent spread of COVID-19.

This report is issued pursuant to the terms and conditions set out in our Consultancy Services Order dated 2 June 2022.

Appendix A. SA2 level development impacts

A.1 Auckland

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
110200	2	0	-1	4
110400	1	0	0	0
110500	48	47	34	61
110700	1	0	-1	3
110900	37	36	26	48
111100	83	82	66	98
111200	0	0	0	0
111300	142	141	123	161
111400	1	0	0	0
111500	514	513	480	548
111700	217	213	190	239
111800	0	0	0	0
111900	77	77	63	91
112100	14	13	5	21
112200	21	20	11	30
112300	16	13	8	19
112400	96	94	79	110
112500	0	0	0	0
112700	253	249	223	281
112800	81	81	66	95
112900	142	141	124	159
113000	21	21	7	34
113100	79	79	65	92
113200	1	0	0	2
113300	164	163	142	185
113400	74	72	57	88
113600	117	117	99	135
113800	4	4	-5	14
113900	176	176	153	198
114000	254	251	224	279
114100	34	33	24	43
114200	96	95	75	114
114400	117	117	100	134
114600	113	113	96	130
114700	5	4	0	8
114800	40	40	29	50
114900	107	105	84	131

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
115000	82	80	67	96
115100	114	112	97	131
115200	148	148	128	167
115300	0	0	0	0
115400	126	125	109	143
115500	0	0	0	0
115600	0	0	0	0
115700	60	58	45	72
115800	233	232	206	257
115900	284	283	255	312
116000	78	77	63	92
116100	1	0	0	0
116200	139	138	114	161
116400	9	6	0	17
116500	167	167	141	193
116700	17	16	7	25
116800	213	212	184	243
116900	70	70	56	83
117000	194	193	165	221
117200	302	300	269	335
117400	49	44	30	60
117500	162	162	136	187
117600	8	8	1	14
117700	165	166	138	193
117900	243	243	213	274
118000	0	0	0	0
118100	21	21	12	30
118200	165	165	141	190
118300	145	145	120	168
118400	82	81	66	95
118500	53	54	41	66
118600	5	5	1	10
118700	131	131	105	153
118900	356	353	323	387
119000	197	195	168	225
119100	105	103	84	124
119200	40	39	22	57
119400	26	25	16	34
119500	179	178	154	205
119700	22	22	13	30
119800	47	47	34	59
119900	97	97	77	116
120000	188	188	162	212

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
120100	22	21	13	31
120200	164	162	128	198
120300	215	214	185	242
120400	26	26	15	35
120500	141	142	114	167
120600	25	25	4	47
120700	134	133	109	160
120800	161	162	136	183
120900	20	20	5	35
121000	70	70	51	90
121100	0	0	0	0
121200	9	8	3	13
121300	37	37	22	51
121400	61	62	46	74
121500	34	33	23	42
121600	79	80	62	97
121700	34	33	17	49
121800	149	149	123	174
121900	134	134	104	164
122000	12	12	7	17
122100	83	81	64	102
122200	285	283	253	315
122300	128	127	101	152
122400	93	93	72	112
122500	46	46	25	67
122600	171	170	142	201
122700	151	151	120	181
122800	115	113	90	136
122900	99	99	76	123
123000	6	6	1	11
123100	72	70	52	93
123200	185	184	157	212
123300	108	107	88	127
123400	193	192	163	222
123500	1	0	0	0
123600	254	254	220	288
123700	477	478	437	518
123900	194	193	170	217
124000	162	160	132	193
124200	1	0	0	2
124300	7	6	-1	15
124400	127	127	106	148
124500	210	207	175	238

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
124600	73	68	45	91
124700	1	0	0	0
124800	330	325	293	362
125200	158	157	132	180
125300	206	205	182	234
125400	149	149	122	177
125500	4	4	0	8
125600	74	73	56	91
125800	188	188	160	216
125900	77	77	58	96
126000	82	82	69	95
126200	271	272	240	301
126300	211	211	188	234
126400	27	26	12	41
126500	103	103	81	126
126900	80	78	64	92
127000	205	202	171	240
127100	140	138	118	161
127300	117	118	92	143
127400	279	278	254	305
127600	3	3	0	6
127700	42	40	28	55
127800	29	28	19	38
128100	103	102	82	122
128200	289	289	258	320
128300	38	38	28	47
128500	49	48	34	62
128600	11	10	4	16
128800	107	108	85	130
128900	129	129	105	152
129000	2	1	0	4
129200	239	240	203	276
129300	199	202	166	233
129400	235	233	197	272
129500	69	68	52	86
129600	125	124	108	142
129700	309	308	274	341
129800	146	143	117	173
129900	279	278	241	315
130100	134	132	112	155
130300	198	198	169	225
130400	143	142	121	166
130500	99	98	80	117

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
130600	212	213	182	243
130700	352	353	316	386
130900	61	60	43	78
131000	3	3	-4	9
131100	116	115	88	141
131200	1	0	0	2
131400	265	266	242	286
131500	10	9	4	15
131600	190	190	170	210
131700	20	20	6	33
132000	26	25	16	35
132100	59	59	38	80
132500	136	135	114	157
133000	377	378	350	404
134000	254	252	233	273
134200	1	1	-3	5
134600	0	0	0	0
134700	136	135	113	159
134900	2	0	0	4
135400	119	118	96	144
135500	72	72	57	86
135800	3	2	0	6
136300	2	2	-1	5
136500	35	32	15	50
136600	128	129	104	151
136700	4	4	0	8
136800	55	54	39	70
137000	70	70	50	91
137100	59	59	44	75
137200	2	2	-4	8
137300	73	72	50	93
137500	1	0	0	0
137600	78	77	55	103
137800	9	8	3	15
137900	167	168	140	192
138000	109	108	88	129
138100	131	131	114	149
138200	154	153	130	176
138300	194	193	164	222
138400	177	176	153	200
138600	126	125	102	149
138700	3	2	0	5
138900	247	246	213	279

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
139000	196	197	165	228
139300	229	227	206	252
139500	147	146	119	174
139600	169	167	139	201
139700	137	137	113	161
139800	57	56	42	72
139900	263	263	228	297
140000	86	86	68	104
140100	69	68	50	86
140200	191	192	163	220
140400	8	8	-2	19
140500	23	22	14	31
140600	206	203	179	233
140700	1	1	-3	5
140800	375	374	337	410
140900	321	320	286	354
141100	235	232	195	275
141200	107	103	85	126
141300	167	168	142	190
141500	225	226	197	253
141600	269	267	237	298
141700	193	191	163	223
141800	189	189	146	230
142000	181	180	149	216
142100	227	227	196	259
142300	217	216	188	245
142400	128	127	107	151
142500	155	149	119	184
142600	154	154	120	187
142700	277	277	239	315
142800	200	200	170	231
142900	160	159	133	184
143000	282	278	233	325
143100	133	132	106	161
143200	91	90	70	111
143400	219	217	189	249
143500	242	240	205	278
143600	261	260	231	291
143700	131	129	104	157
143800	25	25	15	34
143900	133	132	106	158
144000	424	421	381	467
144100	269	266	233	301

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
144300	299	297	266	331
144400	88	88	67	107
144700	3	3	-5	11
144900	36	35	25	47
145000	226	224	195	256
145100	256	253	216	299
145200	81	82	59	102
145300	64	55	35	82
145500	3	1	0	6
145600	133	134	101	163
145700	4	3	-1	8
145800	197	197	161	231
145900	0	0	0	0
146000	12	12	3	20
146100	341	339	306	374
146200	72	71	56	87
146300	79	77	57	98
146400	280	280	245	313
146500	5	5	0	10
146800	186	184	154	215
147000	63	62	47	78
147100	17	14	7	22
147200	4	4	0	6
147500	173	170	145	198
147600	0	0	0	0
147800	192	193	159	221
148000	178	177	151	204
148100	333	332	295	367
148200	61	59	44	76
148300	116	115	94	138
148400	291	290	256	325
148500	25	24	9	40
148600	68	67	52	82
148800	158	157	133	182
148900	31	31	10	52
149000	220	219	188	254
149100	81	80	65	96
149200	176	175	145	208
149300	178	179	151	204
149400	36	36	19	53
149500	59	58	46	74
149700	276	275	243	307
149800	206	204	172	238

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
150000	31	30	10	53
150100	1	0	0	3
150200	125	125	106	145
150300	58	58	40	77
150400	344	344	310	376
150500	185	185	156	212
150600	514	511	470	559
150700	183	182	155	210
150800	60	59	45	76
150900	88	87	67	107
151000	79	78	64	93
151200	51	48	27	72
151300	275	276	241	309
151500	199	198	171	229
151600	80	79	59	101
151800	26	25	13	39
151900	82	80	63	100
152000	114	115	80	146
152200	152	153	130	176
152300	0	0	0	0
152400	186	182	157	214
152500	62	61	47	76
152600	22	22	6	36
152800	83	82	65	100
152900	121	121	98	143
153000	42	41	30	53
153100	13	12	5	21
153200	35	34	24	46
153400	570	568	532	606
153500	78	77	60	97
153600	41	39	28	52
153700	111	111	91	131
153800	229	230	199	256
153900	7	7	2	12
154000	3	3	-1	7
154100	155	148	122	177
154200	41	40	27	52
154300	328	327	301	355
154400	46	45	30	61
154700	51	51	38	65
154900	24	24	12	36
155000	299	299	271	331
155100	56	55	38	74

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
155200	27	27	18	36
155600	140	138	114	161
155700	33	31	13	49
155800	43	44	17	65
155900	17	17	9	25
156000	1	0	0	0
156100	16	16	8	24
156200	90	88	70	109
156300	3	3	0	5
156400	360	359	332	388
156600	32	32	15	50
156800	41	41	29	54
156900	68	66	52	84
157100	21	17	6	31
157200	15	15	1	28
157300	81	80	67	94
157400	282	281	252	310
157500	36	35	14	58
157700	12	13	-6	29
157800	79	77	64	93
157900	8	8	3	13
158000	120	118	99	140
158100	77	76	56	97
158200	65	64	51	79
158300	101	101	80	121
158400	19	19	8	30
158500	88	86	71	104
158600	182	180	152	208
158700	72	72	55	89
158800	20	20	11	29
158900	8	6	0	14
159000	99	99	80	116
159100	6	6	-1	12
159300	178	178	152	201
159400	97	95	80	112
159500	66	66	50	82
159600	114	113	98	131
159700	21	20	3	37
159800	1	0	0	2
159900	17	16	-3	37
160000	39	39	25	52
160200	86	87	70	103
160400	68	67	50	83

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
160500	76	76	59	95
160600	19	18	5	30
160700	130	130	109	153
161000	69	68	51	82
161100	119	119	99	138
161200	26	26	15	37
161300	6	5	1	10
161400	18	15	8	25
161500	92	92	74	111
161600	3	3	0	6
161800	51	50	37	64
162100	68	68	55	81
162200	24	24	14	33
162300	0	0	0	0
162400	67	67	54	78
162500	127	125	106	146
162600	37	37	24	48
162700	41	41	31	52
162900	33	32	21	43
163300	123	123	103	143
163400	89	88	71	106
163500	57	57	43	71
163700	90	88	72	107
163800	0	0	0	0
163900	67	66	52	80
164000	20	19	12	28
164200	83	79	62	98
164300	40	36	19	56
164400	18	17	9	26
164500	13	13	6	20
164600	4	1	-2	5
165000	13	13	8	18
165100	13	12	-3	28
165300	42	41	29	52
165400	47	46	33	60
165500	96	89	72	108
165600	35	35	24	45
165700	1	0	0	0
165800	2	1	0	3
165900	92	91	75	110
166100	22	22	14	30
166200	28	25	14	37
166300	0	0	0	0

A.2 Waikato District

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
169700	0	0	0	0
170000	-84	-84	-94	-75
170300	-56	-55	-63	-48
170400	0	0	-1	0
170500	52	52	34	71
170700	-8	-8	-11	-4
170800	38	37	23	53
170900	-3	-3	-8	2
171100	-37	-37	-45	-28
171200	-6	-7	-12	-1
171300	0	0	0	0
171400	-38	-37	-45	-30
171500	-89	-88	-102	-76
171600	-143	-144	-165	-121
171700	-2	-2	-4	0
171800	-15	-16	-23	-8
171900	-6	-6	-14	3
172000	-12	-12	-22	-2
172100	-12	-12	-26	2
172200	-19	-19	-27	-10
172300	1	1	-2	5
172400	0	-1	-5	4
172600	2	1	-4	8
172700	0	0	0	0
172800	-1	-1	-5	2
173200	4	4	0	7
173300	8	8	2	14
173400	0	0	0	0

A.3 Hamilton City

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
175200	0	0	0	0
175300	243	243	221	262
175400	36	36	27	46
175500	188	187	169	206
175600	153	152	134	171
175700	78	78	65	91
175800	323	322	295	349
175900	361	360	337	384
176000	149	149	131	166
176100	247	246	226	267
176200	383	383	357	409
176300	1	0	0	0
176400	226	226	203	250
176500	299	299	274	324
176600	250	250	227	272
176700	197	196	179	214
176800	111	111	93	129
176900	308	307	288	331
177000	229	226	211	247
177100	262	260	238	284
177200	213	212	189	237
177300	242	243	220	264
177400	202	202	183	222
177500	200	201	181	220
177600	291	291	267	314
177700	304	303	280	328
177800	181	182	162	200
177900	292	291	268	318
178000	242	242	222	264
178100	291	291	267	316
178200	183	182	162	203
178300	5	5	1	9
178400	103	103	88	119
178500	204	203	185	224
178600	12	12	5	19
178700	92	92	76	108
178800	159	158	139	180
178900	3	2	0	6
179100	101	101	85	117
179200	168	168	149	187
179300	5	5	2	8

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
179500	34	34	26	41
179600	219	220	199	240
179800	2	2	0	5
179900	132	132	114	151
180000	36	36	29	44
180100	125	125	108	142
180200	149	148	134	164
180300	149	148	130	168
180400	143	142	126	161
180500	134	134	115	151
180600	227	226	206	250
180700	256	255	232	279
180800	127	127	111	144
180900	175	176	154	195
181000	197	197	178	215
181100	282	282	260	305
181200	231	231	209	252
181300	9	8	0	17

A.4 Waipā District

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
181900	0	0	0	0
182100	14	13	8	20
182200	0	0	-1	0
182400	7	5	0	11
182500	-5	-5	-8	-1
182600	42	41	28	56
182700	-29	-29	-44	-15
182800	-55	-56	-68	-40
182900	-10	-10	-18	-3
183000	-24	-23	-31	-16
183100	0	0	0	0
183200	2	1	-6	9
183300	-15	-15	-21	-9
183400	-24	-25	-30	-18
183500	-25	-25	-34	-15
183600	-34	-35	-42	-27
183700	-25	-25	-34	-17
183800	-51	-52	-63	-39
183900	-40	-40	-52	-28
184000	-34	-35	-42	-27
184100	-6	-6	-10	-2
184200	-37	-37	-47	-28
184300	-29	-29	-36	-22
184400	-28	-28	-35	-20
184500	0	0	0	0
184600	3	3	0	6
184800	-40	-40	-52	-28
184900	0	0	0	0

A.5 Western Bay of Plenty District

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
190200	332	331	304	358
190300	8	7	2	13
190400	26	26	17	35
190500	0	0	0	0
190600	56	55	41	70
190900	0	0	0	0
191000	189	189	164	210
191100	39	39	28	50
191200	22	22	14	29
191900	46	45	33	59
192000	0	0	-1	0
192100	51	50	38	64
192300	28	28	18	38
192400	73	73	58	88
192500	15	15	6	23

A.6 Tauranga City

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
192600	214	213	195	234
192800	204	204	182	225
192900	146	146	128	163
193000	38	37	27	47
193100	78	78	65	91
193200	248	246	227	270
193300	133	134	117	150
193400	24	23	16	31
193500	86	86	72	99
193600	3	3	0	6
193700	231	226	204	253
193800	13	12	7	17
193900	0	0	0	0
194000	46	46	35	56
194100	34	34	24	44
194300	214	212	191	236
194400	63	63	51	75
194600	68	68	55	80
194700	10	9	4	15
194800	237	234	209	261
194900	180	179	160	199
195100	181	179	162	201
195200	34	33	25	42
195300	11	12	6	17
195400	85	86	72	99
195500	3	3	0	6
195600	33	33	24	41
195700	20	20	13	27
195800	60	59	48	70
195900	58	58	47	71
196000	12	11	5	18
196100	0	0	-2	2
196200	119	119	103	134
196300	6	5	1	10
196400	72	71	58	86
196500	0	0	0	0
196600	38	37	27	48
196700	25	25	16	33
196800	83	83	69	96
196900	22	22	12	31
197000	88	88	76	101

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
197100	169	168	152	184
197200	95	95	81	109
197300	21	21	12	29
197400	102	102	88	117
197500	145	145	128	163
197600	180	179	159	198

A.7 Kapiti Coast District

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
236300	70	69	59	82
236500	31	31	20	41
236600	26	25	18	33
236700	13	12	6	19
236800	304	304	281	328
236900	16	16	9	21
237000	152	151	135	168
237100	155	154	137	172
237200	56	55	43	68
237300	60	60	49	72
237400	18	17	11	24
237500	68	68	55	82
237600	68	67	56	80
237800	52	51	40	64
237900	0	0	0	0
238000	161	160	142	178
238100	50	49	39	60
238300	61	60	48	74
238400	18	17	10	24
238500	201	200	181	220
238600	52	51	43	61

A.8 Porirua City

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
238800	16	16	8	24
239000	40	41	26	54
239100	46	45	31	61
239200	47	46	31	63
239300	18	17	8	28
239400	0	0	0	0
239500	21	21	9	33
239600	9	8	2	15
239800	23	23	12	34
239900	1	0	0	3
240000	10	11	3	18
240100	55	55	39	71
240200	27	27	15	39
240300	19	18	7	32
240400	32	32	19	44
240500	7	7	0	14
240600	53	52	36	69
240700	9	9	1	17
240800	14	14	3	23
240900	6	6	0	12
241000	14	13	4	23
241100	5	5	-1	12

A.9 Upper Hutt City

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
241300	5	5	-1	12
241400	2	2	0	4
241500	41	41	30	52
241600	101	101	87	115
241700	49	49	40	59
241800	5	5	1	9
241900	135	134	118	150
242000	16	15	9	22
242100	67	66	56	78
242200	28	28	21	35
242300	0	0	0	0
242400	64	64	53	75
242600	24	24	14	33
242700	9	8	2	14
242800	6	6	1	10
242900	37	36	27	45

A.10 Lower Hutt City

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
243100	0	0	0	0
243200	111	109	95	127
243300	1	0	0	3
243400	102	101	86	116
243500	49	48	38	60
243600	69	68	56	80
243700	18	18	13	23
243800	3	2	0	5
243900	1	0	-1	2
244100	6	6	2	9
244200	124	124	105	142
244300	40	39	26	52
244400	79	78	66	92
244500	24	23	15	33
244600	2	2	0	3
244700	95	93	79	108
244800	98	98	78	116
244900	58	58	45	71
245000	66	66	48	84
245100	35	34	25	43
245200	4	3	0	7
245300	4	3	1	6
245400	15	14	9	21
245600	28	27	20	35
245800	39	38	28	48
245900	39	39	29	50
246000	81	80	68	94
246100	93	92	78	107
246200	81	80	66	95
246300	56	56	44	66
246400	81	80	67	93
246600	50	50	38	61
246800	0	0	0	0
246900	75	75	61	88
247000	100	100	86	114
247100	34	33	23	43
247200	201	201	180	222
247300	73	71	58	86
247400	54	53	42	65

A.11 Wellington City

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
247500	23	23	17	29
247600	20	19	12	27
247800	23	22	15	31
248000	6	6	1	10
248100	137	137	120	152
248300	72	71	55	89
248400	56	56	42	68
248500	31	31	21	40
248600	26	25	17	33
248700	59	59	46	71
248800	1	0	0	2
248900	2	0	0	3
249000	5	4	1	9
249100	8	8	4	12
249400	177	176	156	197
249500	79	79	64	93
249600	6	5	2	9
249700	106	105	88	123
249800	30	28	18	40
249900	203	202	183	222
250000	2	1	0	3
250100	96	96	81	111
250200	7	7	4	11
250300	218	217	197	237
250400	216	215	193	237
250500	44	43	34	52
250600	192	191	172	213
250700	2	2	0	3
250800	103	101	85	117
250900	37	35	21	49
251200	15	14	10	20
251500	23	22	16	30
251900	35	34	26	43
252200	41	41	29	52
252600	64	62	50	74
252700	76	75	61	88
252800	127	124	107	144
252900	0	0	0	0
253000	5	4	0	9
253100	97	95	81	111

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
253200	46	45	35	55
253300	58	55	37	76
253400	54	52	43	63
253500	39	34	24	48
253600	25	24	14	36
253700	0	0	0	0
253800	173	170	153	192
253900	50	49	41	59
254000	168	166	148	188
254100	47	46	35	57
254200	33	32	25	40
254300	117	114	95	136
254400	0	0	0	0
254500	69	69	56	81
254600	148	147	129	165
254700	98	97	84	110
254800	86	86	72	99
254900	69	69	57	80
255000	4	4	2	7
255100	162	162	143	180
255200	213	212	192	233

A.12 Waimakariri District

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
313200	15	14	3	27
313300	-1	-2	-9	6
313700	-5	-5	-12	2
313800	7	7	3	12
313900	18	18	9	28
314000	16	16	5	26
314100	11	11	3	19
314200	13	12	4	21
314300	0	0	-6	5
314400	0	0	0	0
314500	8	8	0	17
314600	19	18	6	31
314700	16	17	-1	33
314800	0	0	-3	3
314900	14	14	4	24
315000	4	4	-2	9
315200	0	0	-4	3
315300	24	23	13	35
315400	50	51	36	64
315500	0	0	0	0
315600	-9	-9	-18	0
315700	19	17	7	30
315800	0	0	0	0
315900	5	4	-5	15
316000	10	10	3	18
316100	22	21	11	31
316200	8	6	-1	15
316300	4	0	-1	2

A.13 Christchurch City

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
316600	33	32	23	42
316800	9	9	2	14
316900	44	43	32	55
317000	51	50	40	61
317100	0	0	0	0
317200	0	0	0	0
317300	52	52	37	65
317400	52	51	41	63
317500	43	42	32	52
317600	105	105	91	119
317700	182	182	158	204
317800	210	209	184	237
317900	239	239	213	266
318000	109	108	86	131
318100	30	29	19	41
318200	13	12	4	21
318300	182	181	160	204
318400	12	9	4	16
318500	105	106	87	123
318600	93	93	76	109
318700	71	71	56	85
318800	71	71	56	87
318900	137	137	118	154
319000	109	107	86	131
319200	209	206	182	235
319300	36	36	23	49
319400	58	57	42	72
319500	198	199	177	221
319600	99	99	81	117
319700	240	239	211	267
319800	68	68	54	82
319900	182	181	157	205
320100	113	115	94	132
320200	293	293	263	323
320300	24	23	14	33
320400	2	1	-1	4
320500	51	51	38	63
320600	255	256	228	281
320700	216	216	193	241
320800	194	194	171	217
320900	50	48	37	61

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
321000	155	155	132	178
321100	71	72	54	88
321200	62	61	48	75
321300	168	169	149	187
321400	293	294	265	321
321500	231	231	205	257
321600	44	44	33	56
321700	71	71	55	86
321800	101	100	82	121
321900	32	32	21	42
322000	33	32	21	43
322100	147	147	125	167
322200	204	204	176	230
322300	4	3	-1	9
322400	189	187	164	211
322500	11	11	5	17
322600	282	280	254	309
322700	62	62	46	78
322800	14	14	6	21
322900	86	86	74	99
323000	147	146	117	178
323100	96	97	78	115
323200	10	9	0	19
323300	61	60	46	74
323400	50	50	38	63
323500	1	0	0	2
323600	18	18	11	25
323700	29	28	17	41
323800	33	33	23	43
323900	8	8	-1	16
324000	38	38	26	51
324100	13	13	7	19
324300	104	103	88	122
324400	1	0	-2	4
324500	13	13	-1	27
324600	33	33	23	43
324700	17	17	10	23
325000	53	52	37	66
325100	25	24	13	36
325200	1	0	-3	4
325300	10	10	4	16
325400	74	74	59	89
325500	1	0	0	0

SA2 ID	Mean impact	Median impact	25 th percentile	75 th percentile
325600	35	35	21	49
325900	3	3	-1	7
326000	27	28	18	36
326100	3	2	-1	6
326200	1	0	-2	3
326300	97	96	77	115
326500	18	18	9	27
326700	44	44	32	57
326900	102	100	81	121
327200	24	24	10	37
327300	76	75	62	88
327500	12	12	3	21
327600	7	6	2	11
327700	64	64	45	81
327800	25	24	14	35
327900	1	0	-1	2
328000	120	120	102	137
328200	21	21	12	30
328300	15	15	5	25
328400	31	30	18	43
328500	15	14	8	21
328600	14	13	3	26
328700	0	-2	-10	9
328900	3	2	0	6
329000	60	59	49	69
329100	68	68	51	83
329200	78	77	61	94
329300	7	7	0	13
329400	8	7	-5	20
329500	64	64	49	79
329700	29	28	8	50
329800	15	14	4	25
329900	8	7	1	15
330000	9	9	5	14
330100	39	40	26	54
330200	26	26	14	38
330300	41	39	26	52
330400	30	30	20	40
330500	45	44	31	58
330600	132	131	112	152
330700	0	0	0	1
330800	95	94	76	113
330900	43	43	31	54

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
331000	15	14	6	23
331100	30	29	17	43
331200	2	1	-1	4
331300	24	23	13	33
331400	51	50	36	63
331500	4	3	-1	7
331700	77	76	58	94
331800	1	1	-3	5
331900	32	31	21	42
332000	4	4	0	8
332100	78	77	63	93
332400	29	28	19	38
332700	181	180	156	205
333100	0	0	0	0

A.14 Selwyn District

SA2 ID	Mean impact	Median impact	25th percentile	75th percentile
333600	2	1	-3	6
333700	2	2	-4	8
333800	0	0	-4	3
333900	5	4	-4	13
334000	17	17	6	28
334100	2	2	-4	8
334200	0	-1	-4	3
334500	0	0	0	0
334600	21	21	10	31
334900	19	19	7	30
335000	5	5	-6	16
335100	17	16	6	26
335200	31	32	17	46
335300	43	43	29	58
335400	5	4	-4	12
335500	219	220	193	245
335600	0	0	0	0
335700	81	81	66	96
335800	0	0	-3	4
335900	13	13	8	18
336000	71	70	55	86
336100	106	105	88	124
336200	9	8	-2	18
336400	0	0	0	0

Appendix B. Zone alignment tables

Table 7: Zone alignment for housing supply impact – Hamilton, Waipā, and Waikato

Provisions	Medium Density Residential Standards	Hamilton							Waipā	Waikato	
		General Residential	Medium Density Residential	Ruakura Medium Density Residential	Residential Intensification Zone	Special character zones, near inner city	Outlying Residential Development Zones (other structure plans)	Peacocks Structure Plan Area	Residential Zone	Franklin Section Residential Zones	Waikato Section Living Zone
		Dwellings permitted	3	1	None	1	None	1	None	None	1
Building height	11m	10m	10m	10m	12.5m	7m	8m to 10m	10m to 12m	9m	8m	7.5m
Height in relation to boundary	6m + 60°	3m + 28° to 45°	3m + 28° to 45°	3m + 28° to 45°	3m + 28° to 45° (Where adjoining general residential or special character)	3m + 28° to 45°	3m + 28° to 45°	3m + 28° to 45°	2.7m + 28° to 45°	3m + shortest distance between building and site boundary	2.5m + 37°
Building coverage	50%	40%	50%	50%	50%	35%	Up to 40%	8% to 50%	40%	Up to 40%	40%
Treatment		Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ, Special Character Status	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ

Source: District Operative Plans, MfE, authors.

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Table 8: Zone alignment for housing supply impact – Tauranga and Western Bay of Plenty

Provisions	Medium Density Residential Standards	Tauranga City				Western Bay of Plenty	
		Suburban Residential Zone	City Living Zone	High Density Residential Zone	Wairakei Residential Zone	Residential	Medium Density Residential
Dwellings permitted	3	1	2	1	1	1	1
Building height	11m	9m	9m	9m	9.5m	8m	9m 12m (Waihi)
Height in relation to boundary	6m + 60°	2.7m + 45° to 55°	2.7m + 45° to 55°	2.7m + 45° to 55°	2.7m + 45° to 55°	2m + 45°	2m + 45°
Building coverage	50%	45% - sites over 500m ² 55 % - sites less than 500m ²	45% - sites over 500m ² 55 % - sites less than 500m ²	No limit	No limit	40%	40%
Treatment		Align to AUP SHZ	Align to AUP SHZ	Align to AUP MHS	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ

Source: District Operative Plans, MfE, authors.

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Table 9: Zone alignment for housing supply impact – Wellington and Lower Hutt

Provisions	Medium Density Residential Standards	Wellington			Lower Hutt		
		Outer Residential Area	Inner Residential Area	Medium Density Residential Area	General Residential Activity Area	Special Residential Activity Area	Medium Density Residential Activity Area
Dwellings permitted	3	2	1	1	2	1	No limit
Building height	11m	8m	10m	8m - Johnsonville 10m - Kilbirnie	8m	8m	10m
Height in relation to boundary	6m + 60°	2.5m + 45°	2.5m + 45° to 71°	2.5m + 56° to 63°	2.5m + 45°	2.5m + 45°	3.5m + 45°
Building coverage	50%	35%	50%	50%	40%	30%	60%
Treatment		Align to AUP SHZ	Align to AUP SHZ, special character status	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ, special character status	Align to AUP MHU

Source: District Operative Plans, MfE, authors.

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Table 10: Zone alignment for housing supply impact – Upper Hutt, Porirua, and Kāpiti Coast

Provisions	Medium Density Residential Standards	Upper Hutt		Porirua	Kāpiti Coast	
		Residential	Residential (Centres Overlay)	Suburban Zone	General Residential Zone	General Residential Zone with Ōtaki Beach, Raumati, and Paekākāriki beach residential precincts
Dwellings permitted	3	1	1	3 (2 share a party wall and one detached)	1	1
Building height	11m	8m	8m	8m	8m	8m
Height in relation to boundary	6m + 60°	2.7m + 35° to 45°	2.7m + 35° to 45°	3m + 45°	2.1m + 45°	2.1m + 45°
Building coverage	50%	35%	45%	35%	40%	35%
Treatment		Align to AUP SHZ	Align to AUP SHZ	Align to AUP MHS	Align to AUP SHZ	Align to AUP SHZ with special character status

Source: District Operative Plans, MfE, authors.

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Table 11: Zone alignment for housing supply impact – Christchurch

Provisions	Medium Density Residential Standards	Christchurch					
		Residential Suburban Zone	Residential Suburban Density Transition Zone	Residential Medium Density Zone	Residential Banks Peninsula Zone	Residential New Neighbourhood Zone	Residential Central City Zone
Dwellings permitted	3	1	1	No limit	1	No limit	No limit
Building height	11m	8m	8m	11m	7m	8m	8m to 30m
Height in relation to boundary	6m + 60°	2.3m + 55°	2.3m + 55°	2.3m + 55°	2m + 45°	2.3m + 55°	2.3m + 55°
Building coverage	50%	35%	35%	50%	35%	40% to 45%	No limit
Treatment		Align to AUP SHZ	Align to AUP SHZ	Align to AUP MHU	Align to AUP SHZ	Align to AUP MHS	Align to AUP THAB

Source: District Operative Plans, MfE, authors.

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Table 12: Zone alignment for housing supply impact – Selwyn and Waimakariri

Provisions	Medium Density Residential Standards	Selwyn	Waimakariri			
		Living Zones	Residential 1 Zone	Residential 2, 3 and 6 Zones	Residential 6A Zone	Residential 7 Zone
Dwellings permitted	3	1	1	1	1	1
Building height	11m	8m	8m	8m	10m	8m 9m (Area A)
Height in relation to boundary	6m + 60°	2.5m + 30° to 55°	2.5m + 35° to 55°	2.5m + 35° to 55°	2.5m + 35° to 55°	2.5m + 35° to 55°
Building coverage	50%	40% approx average in most zones	50%	35%	24% to 38%	40% to 60%
Treatment		Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ	Align to AUP SHZ

Source: District Operative Plans, MfE, authors.

Appendix C. Supplementary technical material for housing supply estimates

C.1 Regression results

The following subsections show regression outputs for our three model steps for each Tier 1 urban area.

C.1.1 Auckland

To avoid multicollinearity among our categorical variables, we have dropped the Single Housing Zone (SHZ) dummy from the regression, making it our base category. The regression outputs for the percentage change in land value are given in Table 13 below.

Table 13: Regression output – percentage change in land value – Auckland

Source	SS	df	MS	Number of observations			217,523
Model	4537.36625	8	567.170782	F-statistic			14.01
Residual	8808296.03	217,514	40.4953062	Probability > F-statistic			0.0000
Total	8812833.4	217,522	40.5146762	R-squared			0.0005
				Adjusted r-squared			0.0005
				Root mean squared error			6.3636
Percentage change in land value	Coefficient	Standard error	t-statistic	p-value	95% confidence interval low	95% confidence interval high	
Zone							
MHS	0.067799	0.150576	0.45	0.653	-0.22733	0.362925	
MHU	0.401171	0.208059	1.93	0.054	-0.00662	0.808962	
THAB	1.361599	0.340106	4.00	0.000	0.695	2.028199	
Zone * Log distance							
Log distance (SHZ)	-0.02361	0.040687	-0.58	0.562	-0.10335	0.056135	
MHS	0.061411	0.056219	1.09	0.275	-0.04878	0.171598	
MHU	-0.06884	0.080836	-0.85	0.394	-0.22727	0.089599	
THAB	-0.40484	0.135408	-2.99	0.003	-0.67023	-0.13944	
2014 LV/CV	0.660997	0.097445	6.78	0.000	0.470007	0.851986	
Constant	0.378911	0.127359	2.98	0.003	0.129291	0.628532	

Source: Authors' analysis.

The coefficients for zone are the difference between the constant for the respective zone and the constant for the SHZ. The coefficients for zone * log distance are the differences between the slope for the respective zone and the slope for the SHZ

The coefficient on log distance is not statistically significant. This means that for the SHZ, when no up-zoning took place, we see a general appreciation in the land value (around a 75% increase in three years at the mean value for 2014 LV/CV), with little variation by distance from the city centre. Whereas, for more permissive zones, especially the Mixed-Housing Urban Zone and Terraced

Housing and Apartment Buildings, distance makes a difference. Thus, the up-zoning effect varied by distance, but the general effect did not.

The regression outputs for Step 2, estimating the probability of adding at least one dwelling, are given in Table 14 below.

Table 14: Regression output – likelihood of adding at least one dwelling

Logistic regression		Number of observations		331,105		
Log likelihood = -84767.412		Likelihood ratio chi-squared		9693.36		
		Probability > chi-squared		0.0000		
		Pseudo r-squared		0.0541		
Log odds of adding at least one dwelling	Coefficient	Standard error	z-score	p-value	95% confidence interval low	95% confidence interval high
Quality score (SHZ)	2.035176	0.081777	24.89	0.000	1.874897	2.195455
Zone						
MHS	-0.91135	0.066824	-13.64	0.000	-1.04232	-0.78037
MHU	-0.75265	0.080239	-9.38	0.000	-0.90991	-0.59538
THAB	0.102557	0.127476	0.8	0.421	-0.14729	0.352405
Zone * quality score						
MHS	1.356778	0.104068	13.04	0.000	1.152808	1.560749
MHU	1.468782	0.122659	11.97	0.000	1.228374	1.709189
THAB	-0.39025	0.197592	-1.98	0.048	-0.77752	-0.00298
Special character	-0.67466	0.060959	-11.07	0.000	-0.79413	-0.55518
Log distance	1.00538	0.013873	72.47	0.000	0.97819	1.032571
Constant	-6.4438	0.072636	-88.71	0.000	-6.58616	-6.30143

Source: Authors' analysis.

The coefficients for zone represent the difference between the intercept for the respective zone and the regression constant, which is the intercept for the SHZ. The coefficients for zone * quality score are the differences between the slope for the respective zone and the slope for the SHZ. For logit regressions, coefficient estimates indicate the fitted linear relationship between the modelled predictors and the log of the odds ratio of outcomes for that predictor. This makes it difficult to directly intuit the meaning of logit results in terms of probabilities. See the margin plot shown in Figure 9 for a graphic presentation of these results in terms of probabilities.

Regression outputs for Step 3, estimating the increase in FAR given that a parcel adds at least one dwelling, are shown in Table 15 below.

Table 15: Regression output – FAR increase conditional on adding at least one dwelling

Source	SS	df	MS	Number of observations		25,398
Model	1668.1713	8	208.522016	F-statistic		129.62
Residual	4084.3997	25,389	1.60874393	Probability > F-statistic		0.0000
Total	42512.5758	25,397	1.67392116	R-squared		0.0392
				Adjusted r-squared		0.0389
				Root mean squared error		1.2684
Floor area ratio increase	Coefficient	Standard error	t-statistic	p-value	95% confidence interval low	95% confidence interval high
Quality score (SHZ)	0.374482	0.094231	3.97	0.000	0.189783	0.559181
Zone						
MHS	-0.06089	0.078941	-0.77	0.441	-0.21562	0.093838
MHU	0.204171	0.089162	2.29	0.022	0.029408	0.378933
THAB	0.186872	0.135269	1.38	0.167	-0.07826	0.452007
Zone * quality score						
MHS	0.44122	0.121109	3.64	0.000	0.203839	0.678601
MHU	0.454595	0.135119	3.36	0.001	0.189754	0.719435
THAB	0.991064	0.20739	4.78	0.000	0.584567	1.397561
Land Area	-1.99E-06	8.00E-07	-2.49	0.013	-3.56E-06	-4.26E-07
Constant	0.150532	0.060163	2.5	0.012	0.03261	0.268454

Source: Authors' analysis.

The coefficients for zone are the difference between the constant for the respective zone and the constant for the SHZ. The coefficients for zone * quality score are the differences between the slope for the respective zone and the slope for the SHZ.

C.1.2 Christchurch

For Christchurch, we have dropped the dummy indicator for the Residential Suburban Zone (RSZ) from the regression, making it our base category. This means that the coefficient for the quality score is the coefficient for quality score interaction with RSZ and the coefficient for the constant represents the RSZ intercept.

The regression outputs for the percentage change in land value are given in Table 16 below.

Table 16: Christchurch land-value discontinuity regression

Source	SS	df	MS	Number of observations	132,190	
Model	12291.7402	7	1755.96288	F-statistic	5357.04	
Residual	43327.3832	132,182	.327785805	Probability > F-statistic	0.0000	
Total	55619.1234	132,189	.420754551	R-squared	0.2210	
				Adjusted r-squared	0.2210	
				Root mean squared error	.57253	
Land value/m ²	Coefficient	Standard error	t-statistic	p-value	95% confidence interval low	95% confidence interval high
Log distance (RSZ)	-0.26935	0.002528	-106.53	0	-0.2743	-0.26439
Zone						
RNN	-0.1136	0.013457	-8.44	0	-0.13998	-0.08723
RMD	0.153457	0.010163	15.1	0	0.133538	0.173376
Zone * quality score						
RNN	0.056839	0.008691	6.54	0	0.039804	0.073873
RMD	-0.03729	0.00628	-5.94	0	-0.0496	-0.02498
Latest land ratio	0.649791	0.008707	74.63	0	0.632727	0.666856
Constant	5.898737	0.007288	809.42	0	5.884453	5.913021

Source: Authors' analysis.

Note: RNN is the Residential New Neighbourhood Zone group, RMD is the Residential Medium Density Zone group.

C.1.3 Hamilton

For Hamilton, we drop the dummy indicator for the General Residential Zone (GRZ) from the regression, making it our base category. This means that the coefficient for the quality score represents the coefficient for quality score interacted with the GRZ (ie, the GRZ slope), and the coefficient for the constant represents the intercept for the GRZ.

The regression outputs for the percentage change in land value are given in Table 17 below.

Table 17: Hamilton land-value discontinuity regression

Source	SS	df	MS	Number of observations		68,139
Model	3946.56811	6	657.761351	F-statistic	2014.85	
Residual	22242.1023	68,132	.326456031	Probability > F-statistic	0.0000	
Total	26188.6704	68,138	.384347506	R-squared	0.1507	
				Adjusted r-squared	0.1506	
				Root mean squared error	.57136	
Land value/m ²	Coefficient	Standard error	t-statistic	p-value	95% Confidence interval low	95% Confidence interval high
Log distance (GRZ)	-0.13143	0.00226	-58.15	0	-0.13586	-0.127
Zone						
MDR	0.08104	0.016703	4.85	0	0.048303	0.113777
SP	3.939525	0.181074	21.76	0	3.584621	4.294429
Zone * quality score						
MDR	-0.22684	0.01171	-19.37	0	-0.24979	-0.20389
SP	-1.9066	0.073051	-26.1	0	-2.04978	-1.76342
Latest land ratio	-0.05837	0.015207	-3.84	0	-0.08818	-0.02857
Constant	6.340419	0.01114	569.18	0	6.318585	6.362252

Source: Authors' analysis.

Note: MDR is the Medium Density Residential group, SP is the subset of structure plan areas with no dwelling limit and height limits of 10 metres.

C.1.4 Tauranga

In Tauranga, the Suburban Residential Zone (SRZ) is our base category. This means that the coefficient for the quality score is the coefficient for quality score interaction with the SRZ and the coefficient for the constant represents the intercept for the SRZ.

The regression outputs for the percentage change in land value are given in Table 18 below.

Table 18: Tauranga land-value discontinuity regression

Source	SS	df	MS	Number of observations		54,111
Model	2589.36102	7	369.908717	F-statistic		844.65
Residual	23694.0034	54,103	.437942507	Probability > F-statistic		0.0000
Total	26283.3645	54,110	.485739502	R-squared		0.0985
				Adjusted r-squared		0.0984
				Root mean squared error		.66177
Land value/m ²	Coefficient	Standard error	t-statistic	p-value	95% Confidence interval low	95% Confidence interval high
Log distance (SRZ)	-0.07626	0.003872	-19.69	0	-0.08385	-0.06867
Zone						
WBOP	0.242432	0.036885	6.57	0	0.170138	0.314726
HDU	1.064785	0.036535	29.14	0	0.993177	1.136394
Zone * quality score						
WBOP	-0.02912	0.027259	-1.07	0.285	-0.08255	0.024312
HDU	-0.26552	0.015691	-16.92	0	-0.29628	-0.23477
Latest land ratio	0.322454	0.016176	19.93	0	0.290749	0.354159
Total valuations post-2016	-0.03098	0.000575	-53.91	0	-0.03211	-0.02985
Constant	6.336463	0.012487	507.44	0	6.311988	6.360938

Source: Authors' analysis.

C.1.5 Wellington

In Wellington, we use the Outer Residential Area (ORA) as our base category. This means that the coefficient for the quality score represents the slope for the quality score interaction with the ORA and the coefficient for the constant represents the intercept for the ORA.

The regression outputs for the percentage change in land value are given in Table 19 below.

Table 19: Wellington land-value discontinuity regression

Source	SS	df	MS	Number of observations		130,063
Model	19012.0388	4	4753.0097	F-statistic		8970.10
Residual	68914.1649	130,058	.529872556	Probability > F-statistic		0.0000
Total	87926.2037	130,062	.676032997	R-squared		0.2162
				Adjusted r-squared		0.2162
				Root mean squared error		.72792
Land value/m ²	Coefficient	Standard error	t-statistic	p-value	95% Confidence interval low	95% Confidence interval high
Log distance (ORA)	-0.2883	0.002295	-125.63	0	-0.2928	-0.2838
Zone						
MDR	0.740244	0.013393	55.27	0	0.713995	0.766493
Zone * quality score						
MDR	-0.24748	0.005046	-49.04	0	-0.25737	-0.23759
Latest land ratio	0.780849	0.01329	58.76	0	0.754802	0.806896
Constant	6.531676	0.009702	673.25	0	6.512661	6.550691

Source: Authors' analysis.

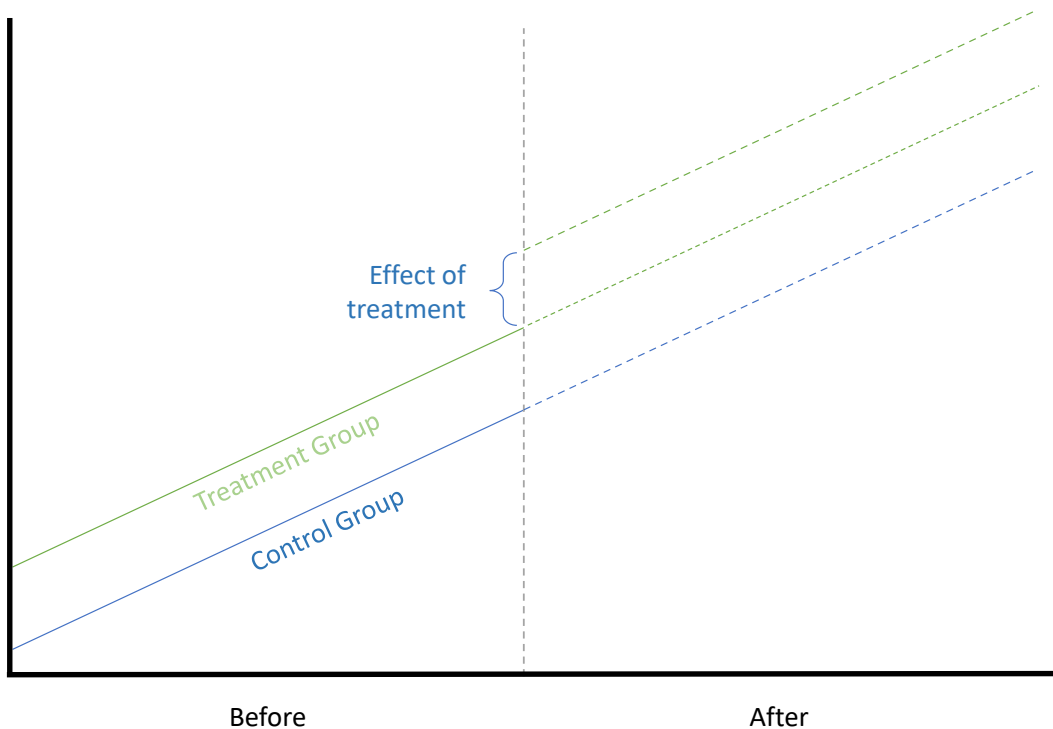
Note: MDR is the Medium Density Residential group.

C.2 Difference in Difference Estimation

Difference in Differences (DiD) is a statistical technique used in econometrics that attempts to measure the impact of a policy intervention or treatment using observational data. DiD analyses often exploit natural or quasi-natural experiments.

Difference in Difference estimation studies the differential effects of a treatment group versus a control group. This is done by comparing the average change of a treatment group, with the average change of a control group. The difference in these average changes gives a causal change due to the treatment.

Figure 31: Difference in Difference Estimation



Source: Authors' illustration.

In Figure 31 above, we have separate trends in a dataset for a treatment group and control group. A DiD estimation examines the difference between the average change in the treatment group and the average change in the control group from before the treatment to after the treatment.

To estimate the change in land value due to the AUP, we can compare the change in land value from parcels that were up-zoned (treatment group) with the parcels that were not up-zoned (control group). The average difference in the land value for parcels that were up-zoned and parcels that were not up-zoned (control group) gives a causal effect of the up-zoning (the treatment).

C.3 Spatial Autocorrelation

C.3.1 Moran's I test for spatial autocorrelation

We test for spatial autocorrelation in the residuals for our modelled estimates in Steps 2 and 3. Results are shown in Table 20 and Table 21 below.

Table 20: Moran's I results – Logit estimation of likelihood to add at least one dwelling

<i>Observed/Moran's I index</i>	0.02223574
<i>Expected index under null hypothesis</i>	-0.000050025
<i>Standard deviation of I under the null hypothesis</i>	0.0002226476
<i>P-value</i>	0.0000

Source: Authors' analysis.

Table 21: Moran's I results – OLS estimation of FAR increase

<i>Computed Moran's I index</i>	0.01640531
<i>Expected index under null hypothesis</i>	-4.29203e-05
<i>Sd</i>	0.0003470399
<i>P value</i>	0.0000

Source: Authors' analysis.

These estimates imply that spatial autocorrelation is present with a high degree of confidence. This is not a surprise, given the model specifications and the geographic distribution of the spatial data employed. Development tends to occur in clusters, especially in areas where land is less scarce, such as the outskirts of Auckland. As a result, the estimates of confidence intervals and significance of coefficients may not be accurately estimated, as the distribution of residuals is non-random or not independent of proximity. We correct the standard errors to account for this spatial dependence in the following section.

C.3.2 Conley standard errors to correct for spatial autocorrelation

In the presence of spatial autocorrelation, the spherical error variance assumption is violated, and so econometric theory would suggest that the estimates of the standard errors are not consistent. Consistency of an estimator means that as the sample sizes gets larger and larger, the value of the estimator gets closer and closer to the true value of the parameter. That is, an estimator is said to be consistent if an estimator converges in probability to the true parameter value. This is often a desirable property as we can assume in large samples that the estimator is approximately its true value.

Conley (1999) presents a method to obtain asymptotically consistent standard errors in the presence of spatial autocorrelation by accounting for spatial dependence. We follow the method described in Conley (1999) for our regression for the probability of adding at least one dwelling and the regression for FAR increase given a property adds at least one dwelling.

The calculation of distance between every possible pair of observations is so computationally intense that it is impractical to run on the full dataset of 331 thousand parcels. Instead, we run the test on a random sample of 40 thousand parcels to understand whether the adjusted standard errors would alter the level of significance for our coefficient estimates of the slopes and intercepts of our estimated relationships between quality score and probability of adding at least one dwelling by zone.

Table 22: Conley standard error estimates for the probability of adding at least one dwelling

Variable	Coefficient estimate	Standard SE	Spatial SE	Standard Z score	Spatial Z-score	Standard P-value	Spatial P-value	Signif. effect
Intercept (in log odds)								
SHZ	-6.807	0.332	0.523	-20.522	-13.024	0.000	0.000	None
MHS	0.340	0.325	0.292	1.047	1.165	0.295	0.244	None
MHU	-0.266	0.321	0.303	-0.827	-0.878	0.408	0.380	None
THAB	-0.334	0.337	0.300	-0.992	-1.115	0.321	0.265	None
Slope vs. Quality Score								
SHZ	1.837	0.503	0.459	3.650	4.001	0.000	0.000	None
MHS	-0.220	0.539	0.473	-0.408	-0.464	0.683	0.643	None
MHU	0.875	0.526	0.526	1.664	1.663	0.096	0.096	None
THAB	1.395	0.550	0.418	2.536	3.338	0.011	0.001	Higher
Controls								
Log Distance	1.129	0.042	0.111	27.113	10.140	0.000	0.000	None
Special character	-0.742	0.191	0.141	-3.875	-5.258	0.000	0.000	None

Note: Estimates for a random sub-sample of 40,000 observations out of 331,105 parcels and parcel-clusters (where valuations involve multiple parcels) subject to the policy in the four primary residential zones.

As Table 22 shows, the adjustment for spatial autocorrelation has no statistically relevant effect except in cases where it increases the significance of the estimate. Based on this result, we are satisfied to use the original logit model, with the full sample of 331 thousand observations, for our forecast estimates. For the OLS estimate of FAR increase conditional on a property adding at least one dwelling, we run the dependence-adjusted estimate for the full dataset of observations. Results are shown below.

Table 23: Conley standard error estimates for FAR increase given a property adds at least one dwelling

Variable	Coefficient estimate	Standard SE	Spatial SE	Standard t-score	Spatial t-score	P-value	Spatial P-value	Signif. effect
Intercept								
SHZ	0.088	0.116	0.171	0.764	0.515	0.445	0.607	None
MHS	0.112	0.124	0.172	0.91	0.655	0.363	0.512	None
MHU	0.019	0.123	0.174	0.154	0.108	0.878	0.914	None
THAB	0.162	0.128	0.191	1.264	0.851	0.206	0.395	None
Slope vs. Quality Score								
SHZ	1.848	0.185	0.37	9.988	5	0.000	0.000	None
MHS	-1.495	0.202	0.37	-7.418	-4.04	0.000	0.000	None
MHU	-0.982	0.197	0.375	-4.99	-2.621	0.000	0.009	None
THAB	-0.778	0.205	0.404	-3.791	-1.927	0.000	0.054	Lower
Controls								
Land area	0	0	0	-1.999	-1.577	0.046	0.115	Lower

Note: Estimates use the full sample of 25,398 properties that added at least one dwelling post-AUP.

As with the logit model above, the OLS standard errors show no change in statistical significance when adjusted to account for spatial autocorrelation, except in the case of the slope for the THAB zone and the land area control, which become less significant. As our key coefficient estimates for the slopes and intercepts of the control and treatment zones are unaffected, we conclude that our model results are robust to spatial dependence.

Section 32 Report – Volume 2

Qualifying Matters

prepared for

Variation 3 to the Proposed Waikato District Plan

September 2022



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I Introduction

This volume focuses on Qualifying Matters (QM) as identified under section 77I of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. As this Act has now been incorporated into the Resource Management Act 1991 (RMA), any references will be to those sections of the RMA. This report should be read together with the text of Variation 3 itself. This volume of the section 32 evaluation report steps through:

- a. Explanation of each QM relied on under section 77I of the Act; and
- b. Assessment of individual QMs as required by section 77J and, where applicable, section 77L of the Act.

Council has assessed a total of 12 QMs in this volume.

The QMs have been assessed in Sections 2-13, with each section being classified as a matter identified under section 77I of the RMA. Where relevant, legislation and/or consultation specific to a particular QM has been included in that section.

Section 77J sets out the requirements for the section 32 evaluation report in regards to QMs.

Section 77K(3) of the Act provides the distinction that an “existing” QM is one that is operative in the relevant district plan when the Intensification Planning Instrument (IPI) is notified. Because Variation 3 is to the Proposed Waikato District Plan rather than the Operative Waikato District Plan, each QM is deemed to be “new” rather than “existing”. This means that each QM is required to meet the evaluation requirements set out in section 77J and, where applicable, section 77L of the RMA.

Variation 3 proposes the following QMs:

- a. a matter of national importance that decision makers are required to recognise and provide for under section 6:
 - i. Natural character of the wetlands, lakes and rivers and their margins - Section 6(a)
 - ii. Outstanding natural features and landscapes – Section 6(b)
 - iii. Areas of significant indigenous vegetation and significant habitats of indigenous fauna – Section 6(c)
 - iv. The maintenance and enhancement of public access to and along lakes, and rivers – Section 6(d)
 - v. Relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga – Section 6(e)
 - vi. Protection of historic heritage from inappropriate subdivision, use and development – Section 6(f)
 - vii. Management of significant risks from natural hazards – Section 6(h)
- b. a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:
 - i. National Policy Statement for Electricity Transmission
- c. a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River (section 77I(c))
- d. a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure with respect to the state highway, North Island Main Trunk rail and the gas transmission line (section 77I(e))
- e. any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area (section 77I(j)). The three QMs under this part of the Act include:
 - i. Urban fringe;

- ii. Reverse sensitivity; and
- iii. Notable trees.

The assessment of the QMs has considered the relevant residential zones of all four towns which are the subject of Variation 3, being Tuakau, Pōkeno, Huntly and Ngaruawahia. The relevant residential zones in these towns constitute the General residential zone and Medium density residential zone as they appear in the decision version of the Proposed District Plan (PDP).

1.1 What is a Qualifying Matter?

The RMA and NPS-UD provide for QMs, where Council may make the relevant building height or density requirements less enabling but only to the extent necessary to accommodate one or more of the ten QMs specified in section 771. Council may manage a QM through the IPI or through a subsequent separate plan change.

Applying a QM does not prevent development from occurring. QMs may reduce development and/or require a resource consent to assess the impact of the development to ensure that what is being protected or managed is not compromised.

1.2 Relevant Legislation, Strategies and Policies

For clarity, the discussion in this section relates only to QMs. Legislation, strategies and policies relevant to Variation 3 generally has been discussed in Volume 1 of this s32 evaluation report.

1.2.1 Resource Management Act

Sections of the RMA which are considered relevant to QMs, in addition to the sections discussed in Volume 1, are set out below:

Section 771 – Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

Section 771 provide that a specified territorial authority may make the Medium Density Residential Standards (MDRS) and requirements under Policy 3 in the NPS-UD less enabling, to the extent necessary to accommodate 1 or more of the following qualifying matters:

- (a) *a matter of national importance that decision makers are required to recognise and provide for under section 6:*
- (b) *a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:*
- (c) *a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:*
- (d) *a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:*
- (e) *a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:*
- (f) *open space provided for public use, but only in relation to land that is open space:*
- (g) *the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:*
- (h) *a matter necessary to implement, or to ensure consistency with, iwi participation legislation:*
- (i) *the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*

(j) any other matter that makes higher density development as provided for by policy 3, as the case requires, inappropriate in an area, but only if section 77L is satisfied.

Section 77J Requirements in relation to evaluation report

Section 77J identifies the evaluation that must be undertaken as part of the s32, with respect to amending the district plan to accommodate a new QM.

In addition to the usual s32 requirements, the evaluation report must also examine why the new QM is incompatible with the MDRS or as provided for by Policy 3. The s32 report must assess the impacts of imposing height and/or density limits on development capacity, including the assessment of costs and broader impacts of those limits. Section 77J provides:

- (1) This section applies if a territorial authority is amending its district plan (as provided for in section 77G).*
- (2) The evaluation report from the specified territorial authority referred to in section 32 must, in addition to the matters in that section, consider the matters in subsections (3) and (4).*
- (3) The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter,—*
 - (a) demonstrate why the territorial authority considers—*
 - (i) that the area is subject to a qualifying matter; and*
 - (ii) that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and*
 - (b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and*
 - (c) assess the costs and broader impacts of imposing those limits.*
- (4) The evaluation report must include, in relation to the provisions implementing the MDRS,—*
 - (a) a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS:*
 - (b) a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—*
 - (i) any operative district plan spatial layers; and*
 - (ii) any new spatial layers proposed for the district plan.*
- (5) The requirements set out in subsection (3)(a) apply only in the area for which the territorial authority is proposing to make an allowance for a qualifying matter.*
- (6) The evaluation report may for the purposes of subsection (4) describe any modifications to the requirements of section 32 necessary to achieve the development objectives of the MDRS.*

Section 77K - Alternative process for existing qualifying matters

Section 77K requires evaluation that must be undertaken as part of the s32, with respect to an existing QM that is operative in the relevant district plan when the IPI was notified. As this is a

variation to the Proposed Waikato District Plan rather than a plan change to the Operative Waikato District Plan, section 77J does not apply.

Section 77L - Further requirement about application of section 77I(j)

Section 77L identifies the evaluation that must be undertaken as part of the s32, specifically where a QM is applied and identified as “any other matter” under section 77I(j).

The evaluation of an ‘other’ QM must identify and justify why the specific characteristic of that QM makes the MDRS level of development inappropriate in light of the national significance of urban development and the objectives of the National Policy Statement on Urban Development (NPSUD). Additionally, the evaluation report must include a site-specific analysis that determines the geographic area where intensification needs to be compatible with the ‘other’ QM and undertake an options analysis to achieve the greatest heights and densities permitted by the MDRS or as provided for by Policy 3, while managing the specific characteristics. Section 77L provides:

A matter is not a qualifying matter under section 77I(j) in relation to an area unless the evaluation report referred to in section 32 also—

(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area; and

(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) includes a site-specific analysis that—

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.

1.2.2 National Policy Statement on Urban Development 2020

Subpart 6 – Intensification in tier 1 urban environments - sets out QMs which largely aligns with those in s77I of the RMA.

3.32 Qualifying matters:

(1) In this National Policy Statement, qualifying matter means any of the following:

a) matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act

b) a matter required in order to give effect to any other National Policy Statement, including the New Zealand Coastal Policy Statement

c) any matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure

d) open space provided for public use, but only in relation to the land that is open space

e) an area subject to a designation or heritage order, but only in relation to the land that is subject to the designation or heritage order

- f) a matter necessary to implement, or ensure consistency with, iwi participation legislation
- g) the requirement to provide sufficient business land suitable for low density uses to meet expected demand under this National Policy Statement
- h) any other matter that makes higher density development as directed by Policy 3 inappropriate in an area, but only if the requirements of clause 3.33(3) are met.

Clause 3.33 of the NPSUD sets out the requirements if a qualifying matter applies:

(1) This clause applies if a territorial authority is amending its district plan and intends to rely on Policy 4 to justify a modification to the direction in Policy 3 in relation to a specific area.

(2) The evaluation report prepared under section 32 of the Act in relation to the proposed amendment must:

(a) demonstrate why the territorial authority considers that:

(i) the area is subject to a qualifying matter; and

(ii) the qualifying matter is incompatible with the level of development directed by Policy 3 for that area; and

(b) assess the impact that limiting development capacity, building height or density (as relevant) will have on the provision of development capacity; and

(c) assess the costs and broader impacts of imposing those limits.

(3) A matter is not a qualifying matter under clause 3.32(1)(h) in relation to an area unless the evaluation report also:

(a) identifies the specific characteristic that makes the level of development directed by Policy 3 inappropriate in the area, and justifies why that is inappropriate in light of the national significance of urban development and the objectives of this National Policy Statement; and

(b) includes a site-specific analysis that:

(i) identifies the site to which the matter relates; and

(ii) evaluates the specific characteristics on a site-specific basis to determine the spatial extent where intensification needs to be compatible with the specific matter; and

(iii) evaluates an appropriate range of options to achieve the greatest heights and densities directed by Policy 3, while managing the specific characteristics.

1.2.3 National Policy Statement for Freshwater Management 2020

The objective of the National Policy Statement for Freshwater Management 2020 (NPS-FM) is that natural and physical resources are managed to prioritise:

- The health and well-being of water bodies and freshwater ecosystems;
- The health needs of people; and
- The ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Although provisions within the NPS-FM are largely directed towards regional councils, Policy 3 requires the following:

Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

The QMs attributed to the NPS-FM (identified by s771(b)) can also be attributed to a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River, which is a QM identified by section 771(c).

1.2.4 National Policy Statement for Electricity Transmission

The National Policy Statement for Electricity Transmission (NPSET) identifies the need to operate, maintain, develop and upgrade the electricity transmission network as a matter of national significance. The sole objective of the NPSET is:

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *managing the adverse environmental effects of the network; and*
- *managing the adverse effects of other activities on the network.*

NPSET Policies 1 and 2 require decision-makers to recognise and provide for the National Grid in two complementary ways:

- a. recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission (Policy 1); and
- b. recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network (Policy 2).

Policies 10 and 11 seek to achieve the second limb of the NPSET objective - managing the adverse effects of third parties' activities on the transmission network:

POLICY 10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

POLICY 11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

Policy 10 of the NPSET addresses both:

- a. reverse sensitivity effects on the National Grid (the management of activities to avoid reverse sensitivity effects on the electricity transmission network) and
- b. direct effects on the National Grid (the management of activities to ensure that operation, maintenance, upgrading, and development of the National Grid is not compromised).

The presence of the National Grid through Pokeno and Huntly is a QM. This means that sites in close proximity to the National Grid are unable to develop to the full potential of the Medium Density Residential Standards.

1.3 General approach to qualifying matters

Sections 2-13 of this report assess each of the QMs in accordance with the relevant tests in sections 77J and 77L.

2 Natural character of the waterbodies and their margins - Section 6(a)

2.1 Introduction

Section 77I(a) identifies a matter of national importance that decision makers are required to recognise and provide for under section 6 as a qualifying matter. Section 6(a) of the RMA identifies the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development as a matter of national importance.

While the four towns which are the subject of Variation 3 are located outside the coastal environment, there are wetlands, and lakes and rivers and their margins present within the urban areas of Pokeno, Tuakau, Ngaruawahia and Huntly. In particular, Ngaruawahia and Huntly are situated on the banks of the Waikato and Waipa Rivers.

Variation 3 proposes to modify the medium density residential standards in response to section 6(a) of the RMA. In this regard the modification of the provisions is a QM. The modification of the provisions for this QM overlaps with the QM for Te Ture Whaimana which is addressed in section 9 of this report.

This QM is also inherently linked to s6(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers. Because Variation 3 addresses the QM for section 6(a) and 6(d) matters in the same way, the analysis set out in this section of the report is for both section 6 matters.

The following objective in the PDP provides the policy framework for this QM:

NATC-O1 Natural character

(2) The natural character of wetlands, and lakes and rivers and their margins are protected from inappropriate subdivision, use and development.

2.2 What is the effect of the QM?

The provisions amended by the QM require setback of buildings from waterbodies in the Medium density residential zone 2 and General residential zone

The rule requiring buildings to be setback from waterbodies already exists in the decision version of the PDP (for example MRZ-S11), however Variation 3 proposes the following setbacks for the Medium density residential zone 2:

- a. 20m the margin of any lake;
- b. 20m from the margin of any wetland (this is 23m in the General residential zone);
- c. 21.5m from the bank of any river (other than the Waikato River and Waipa River) (this is 23m in the General residential zone);
- d. 26.5m from the margin of either the Waikato River and the Waipa River (this is 28m for the General residential zone); and

- e. 23m from mean high water springs.

The PDP decision version of Medium density residential zone has a 38m setback from the margin of either the Waikato River and the Waipa River, however this is a transcription error when converting from the Hearing Panel's decision in Decision Report 15: Medium Density Residential Zone (17 January 2022) to the National Planning Standards format. The Hearing Panel's decision report states 28m, however MRZ-SI 1(1)(a)(iv) states 38m which is clearly an error.

These standards are in addition to the building setback applied through the MDRS. The difference between the standards for the General residential zone and Medium density residential zone 2 is because the general building setback rule for the General residential zone is larger. For example, PDP generally adopts the approach that the setbacks from the bank of the Waikato River is 25m + the normal setback for a building. Non-compliance with this rule results in a restricted discretionary activity status, and the rule sets out specified matters over which Council restricts its discretion.

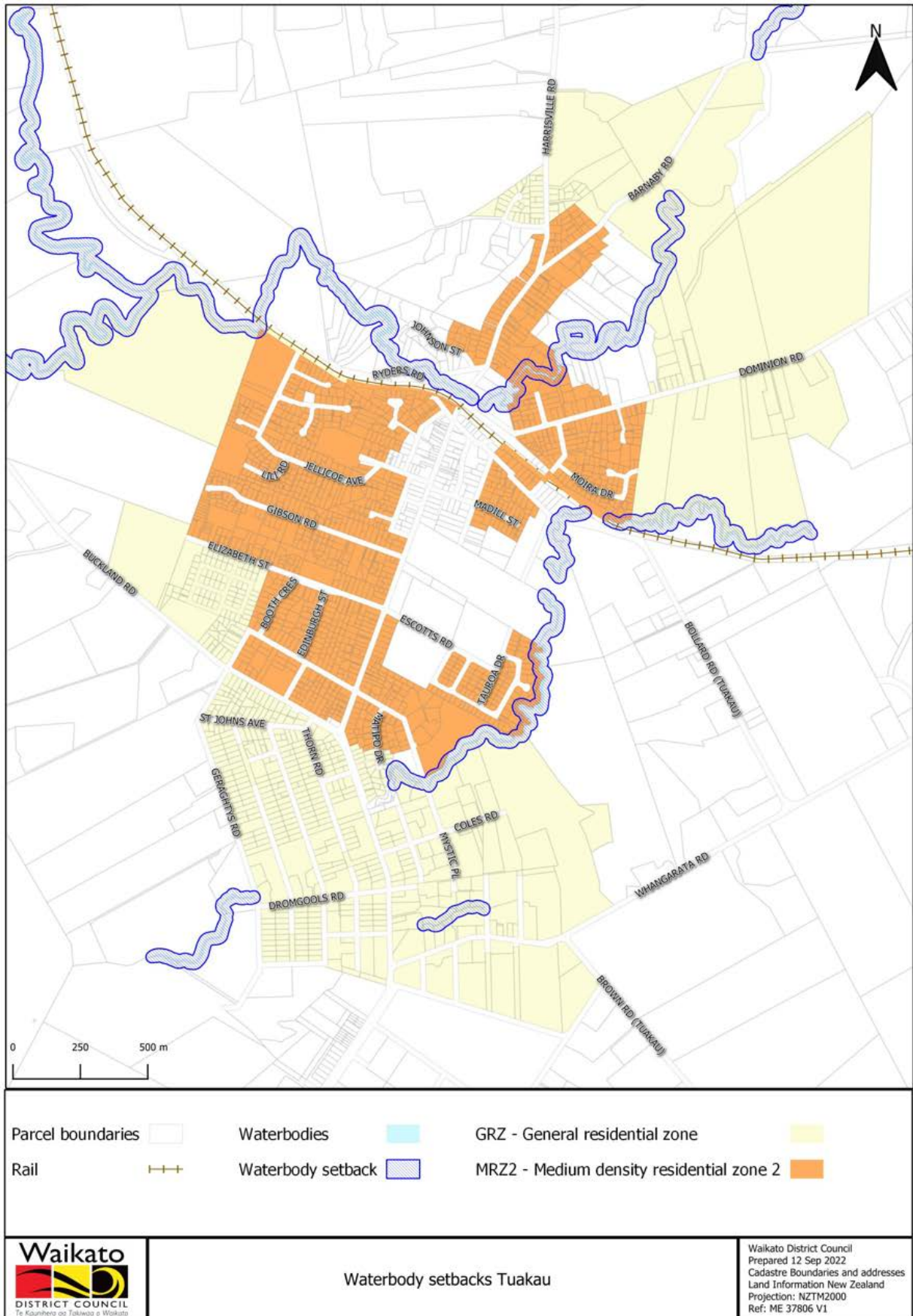
There is also a site in Huntly between East Mine Road and Russell Road that was rezoned by the PDP as General residential zone with a specific wetland rule. This is managed by GRZ-R15 which makes any new building within the Huntly North Wetland specific control identified on the planning maps a non-complying activity.

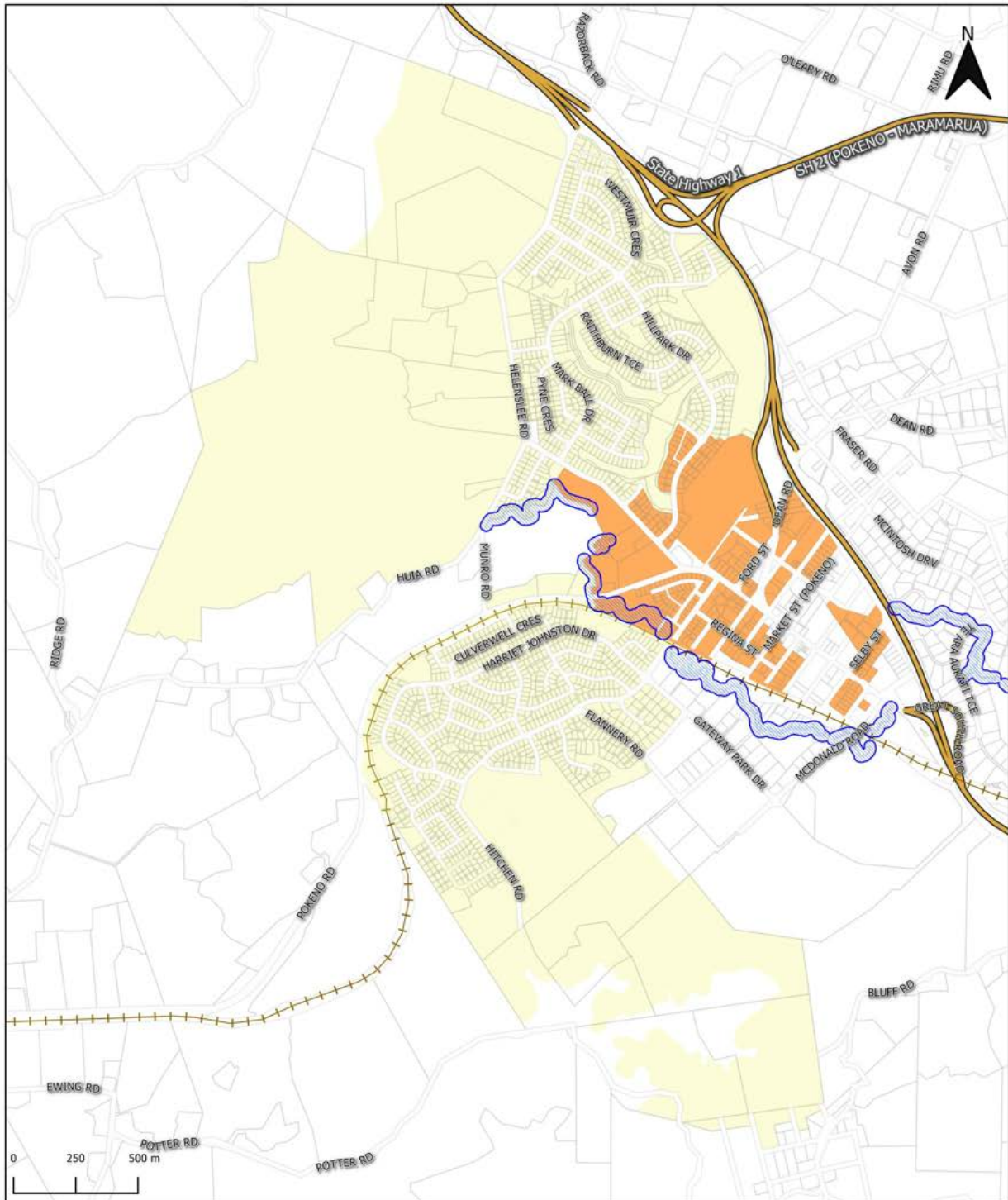
2.3 What area does this QM apply to?

This QM (and the provisions which relate to it) applies to both Medium density residential zone as well as General residential zone within the four towns. The rules requiring setbacks from waterbodies only apply to those sites in close proximity to a lake, wetland or river.

The QM affects 136 parcels zoned as General residential zone and 133 parcels proposed as Medium density residential zone 2.

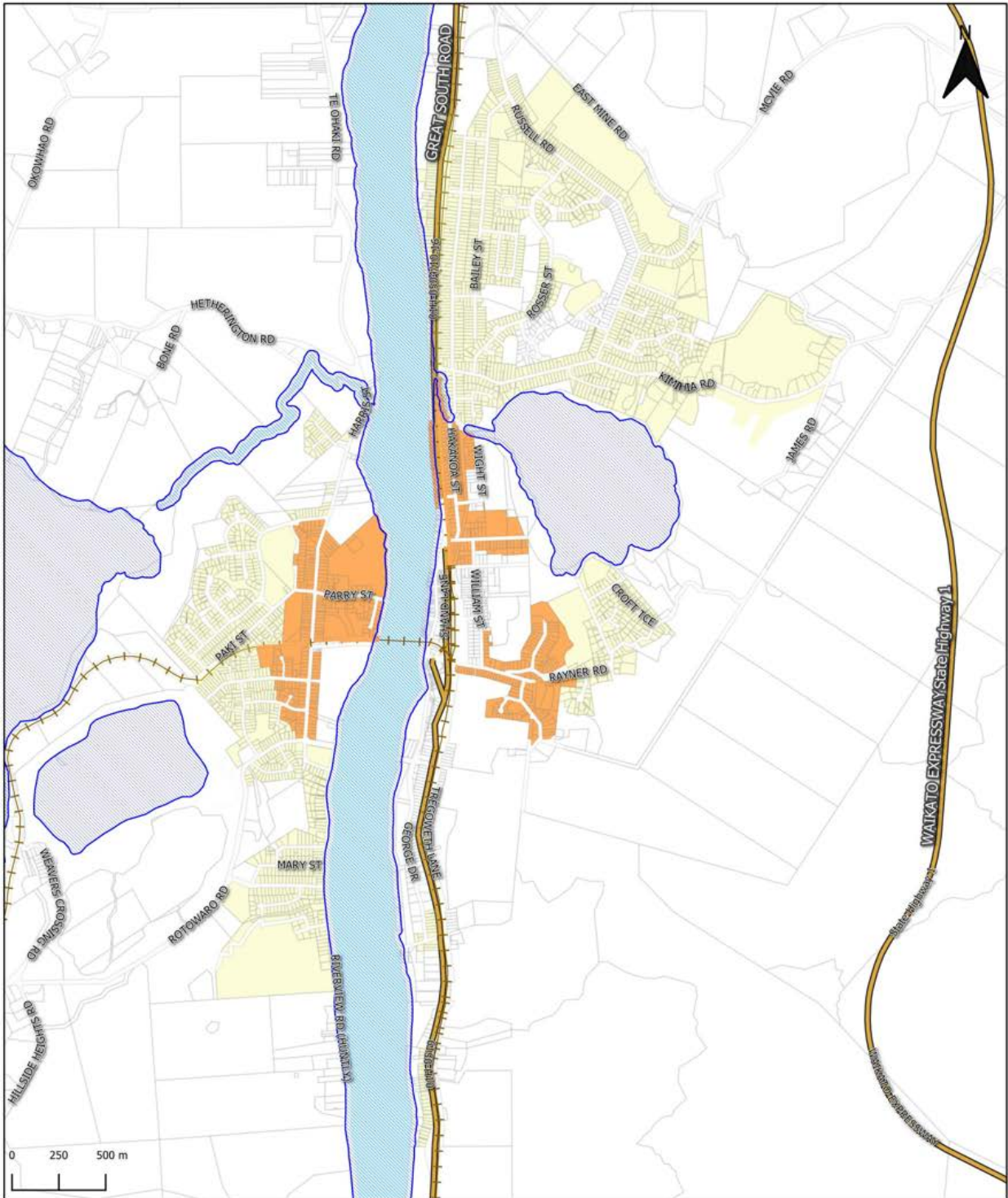
Figure I: Properties affected by the qualifying matter for natural character of the waterbodies and their margins - Section 6(a)





Waterbody setbacks Pokeno

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1

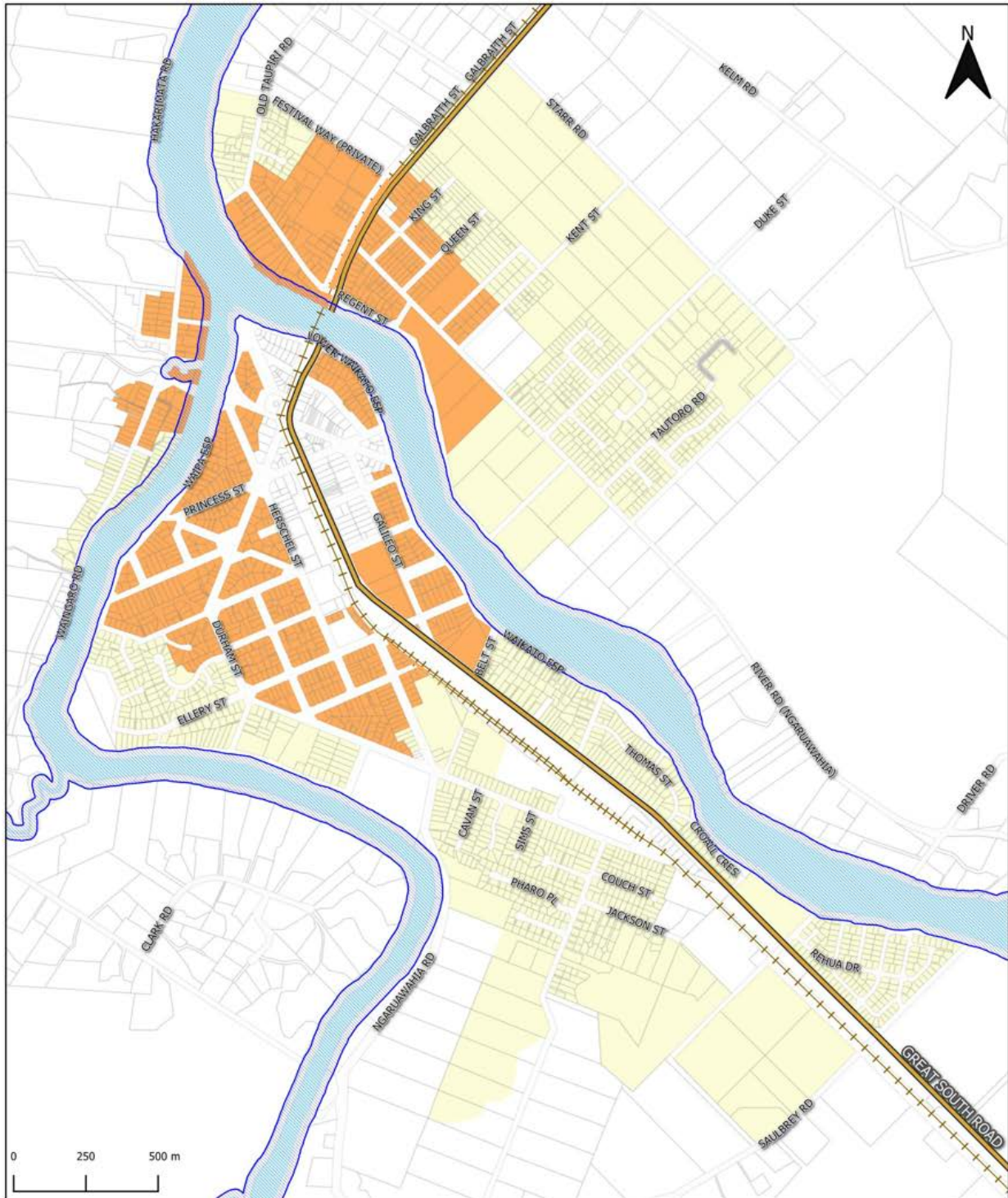


GRZ - General residential zone		Parcel boundaries		Waterbodies	
MRZ2 - Medium density residential zone 2		Rail		Waterbody setback	
		Main Roads			



Waterbody setbacks Huntly

Waikato District Council
 Prepared 13 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1



Parcel boundaries		Rail		GRZ - General residential zone	
Roads		Waterbodies		MRZ2 - Medium density residential zone 2	
		Waterbody setback			

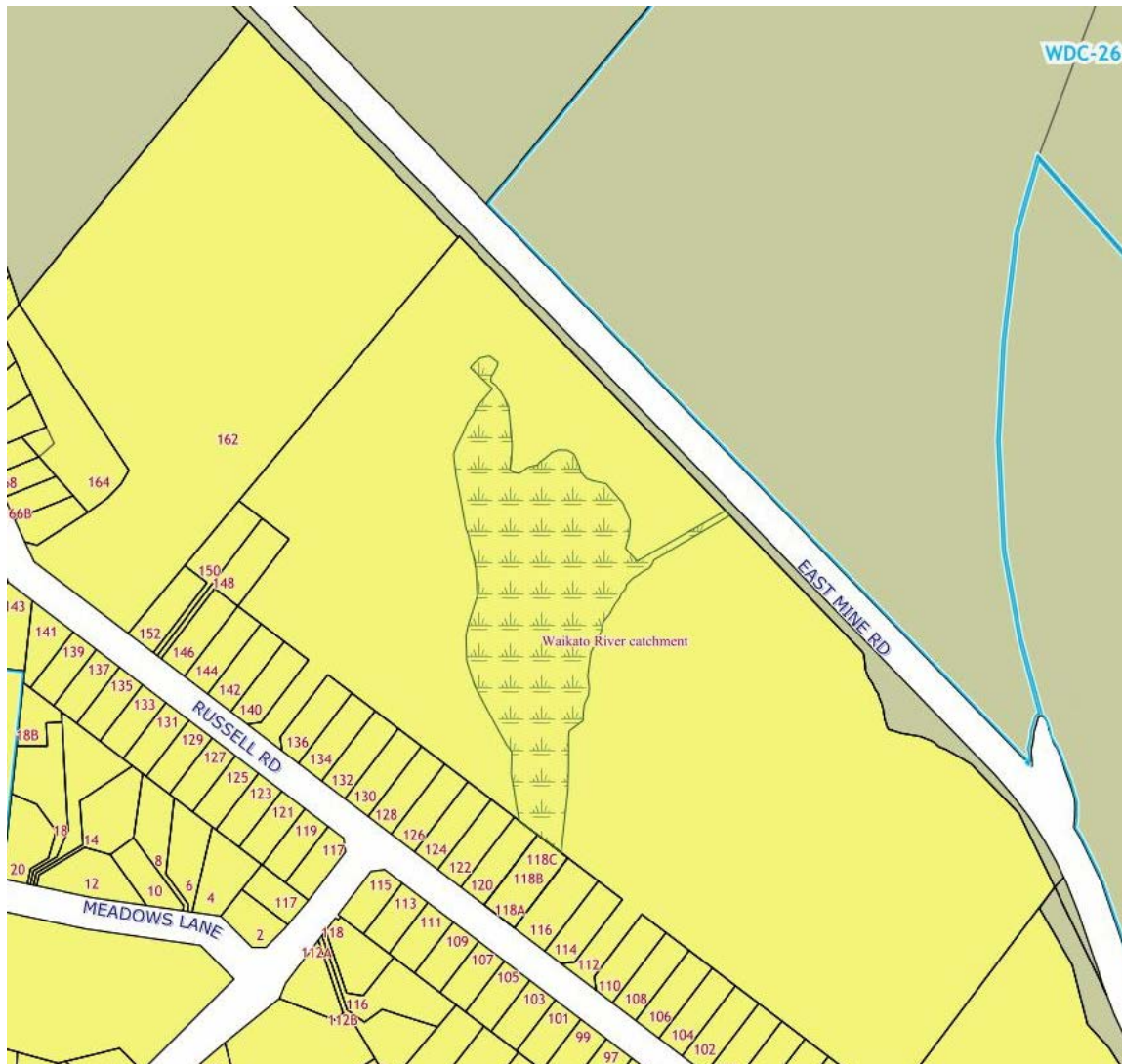


Waterbody setbacks Ngaruawahia

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1

The wetland site in Huntly between East Mine Road and Russell Road is also affected by this QM.

Figure 2: Extent of the Huntly North Wetland specific control



2.4 Why is the area subject to the QM?

As the sites subject to this QM are all located in close proximity to a lake, wetland or river, a requirement to setback buildings from those waterbodies recognises the national importance of natural character of the waterbodies and their margins.

The setback for buildings also enables sufficient land to create esplanade reserves if / when a subdivision is undertaken, if public access to the waterbody is appropriate. Not all waterbodies will be suitable for public access due to topography, vegetation or public safety.

The Huntly North Wetland specific control was introduced by the PDP Hearing Panel to recognise the wetland and ensure development did not occur within it.

2.5 Why is the QM incompatible with the level of development permitted?

Applying building setbacks from waterbodies recognises the national importance of natural character of the waterbodies and their margins in accordance with section 6(a) of the RMA.

The setback also enables sufficient space to create esplanade reserves and public access to waterbodies in accordance with section 6(d) of the RMA.

In order to achieve section 6(a) of the RMA, development is not appropriate in the wetland on East Mine Road Huntly.

2.6 What is the impact of limiting development?

The QM is likely to limit development for sites in close proximity to a lake, wetland or river. The presence of the setback will mean a portion of the site is unable to be built upon as a permitted activity. The extent of the site unable to be built upon varies from 20m – 28m depending on the zone and the nature of the waterbody.

However, non-compliance with this standard is a restricted discretionary activity, so it may still be possible to achieve the MDRS level of development but will require a resource consent application. As it is a restricted discretionary activity, the consent application may be declined or granted.

This standard will limit the building density and therefore the development capacity for permitted developments, but may not limit overall development if a consent is approved.

Any form of development in the Huntly North Wetland specific control would be a non-complying activity and any resource consent application is unlikely to be granted. As this site is within the General residential zone on the northern edge of Huntly, the reduction on the housing potential of Huntly in response to the wetland overlay will be small.

2.7 Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	There are no environmental costs	Separating development from waterbodies will result in less sediment entering the waterway from runoff Reduces erosion by setting development away from waterbodies Provides spaces for revegetation close to waterways Setbacks provide opportunities to enhance biodiversity close to waterways and biodiversity linkages with the setbacks from waterbodies Protects the natural character of the waterbodies and their margins Protects the Huntly wetland, and any ecological significance it may have
Economic	There is an opportunity cost to properties affected by this QM, who may be prevented from developing within 23-38m from a waterbody	Development close to a waterway may command a premium price for the additional amenity and outlook

	<p>Reduced ability to utilise the full extent of the property</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments</p> <p>May not result in optimising the existing urban land resource</p> <p>Increased time required to create new dwellings due to resource consents being required</p>	
Social	<p>Risk of unused unsafe areas adjoining waterbodies with no public or passive surveillance</p>	<p>Improved amenity close to waterbodies</p> <p>May result in more variety of living environments</p> <p>Enables sufficient space to create public access opportunities to waterbodies</p>
Cultural		<p>The mauri of the waterbodies will be protected</p> <p>Reduces the potential for degradation of the Waikato River</p> <p>Enables access to waterbodies for cultural practices</p>

3 Outstanding natural features and landscapes – Section 6(b)

3.1 Introduction

Section 771(a) identifies a matter of national importance that decision makers are required to recognise and provide for under section 6 as a qualifying matter. Section 6(b) of the RMA identifies the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development as a matter of national importance.

While the four towns which are the subject of Variation 3 are largely urban and therefore do not have large areas of outstanding landscape features or landscapes, there is an outstanding natural landscape located over the Waikato River in the decision version of the PDP. In particular, Ngaruawahia and Huntly are situated on the banks of the Waikato River and some of their residential zoned sites are located within this overlay.

The PDP decision included the margins along the whole length of the river as an outstanding natural landscape, recognising the inseparable cultural importance of the river channel and margins, and that the river cannot be protected from inappropriate development under the PDP without controls on development along the margins. The river is mapped as a single outstanding natural landscape overlay

along the length of the river, extending landward over the margins on both sides, set at 28 metres from the riverbank. The Hearings Panel for the PDP considered that this margin width is necessary to protect the attributes of the ONL from inappropriate land use, subdivision and development.

While the topography around the river varies, the Hearings Panel took a pragmatic approach, bearing in mind a number of matters, including: the evidence it heard about the cultural landscape; the need to manage the adverse effects of land use, subdivision and development for a reasonable distance set back from the river; and the likely perceptions of landowners regarding any new compliance requirements.

The response of Variation 3 to this QM does somewhat overlap with Te Ture Whaimana and will support the vision and objectives expressed in Te Ture Whaimana.

The following objectives in the PDP provide the policy framework for identification of this QM:

SD-O12 Natural environment.

Outstanding natural features and landscapes, and significant indigenous terrestrial flora and fauna are protected.

NFL-O1 Outstanding natural features and landscapes

Outstanding Natural Features and Outstanding Natural Landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.

3.2 What is the effect of the QM?

The provisions of the Natural Features and Landscapes chapter of the PDP decisions version will continue to apply to those sites within the outstanding natural landscape overlay. This means that:

- a. earthworks is limited to 50m² and 250m³ as a permitted activity in NFL-R2; and
- b. subdivision is a discretionary activity in NFL-R3.

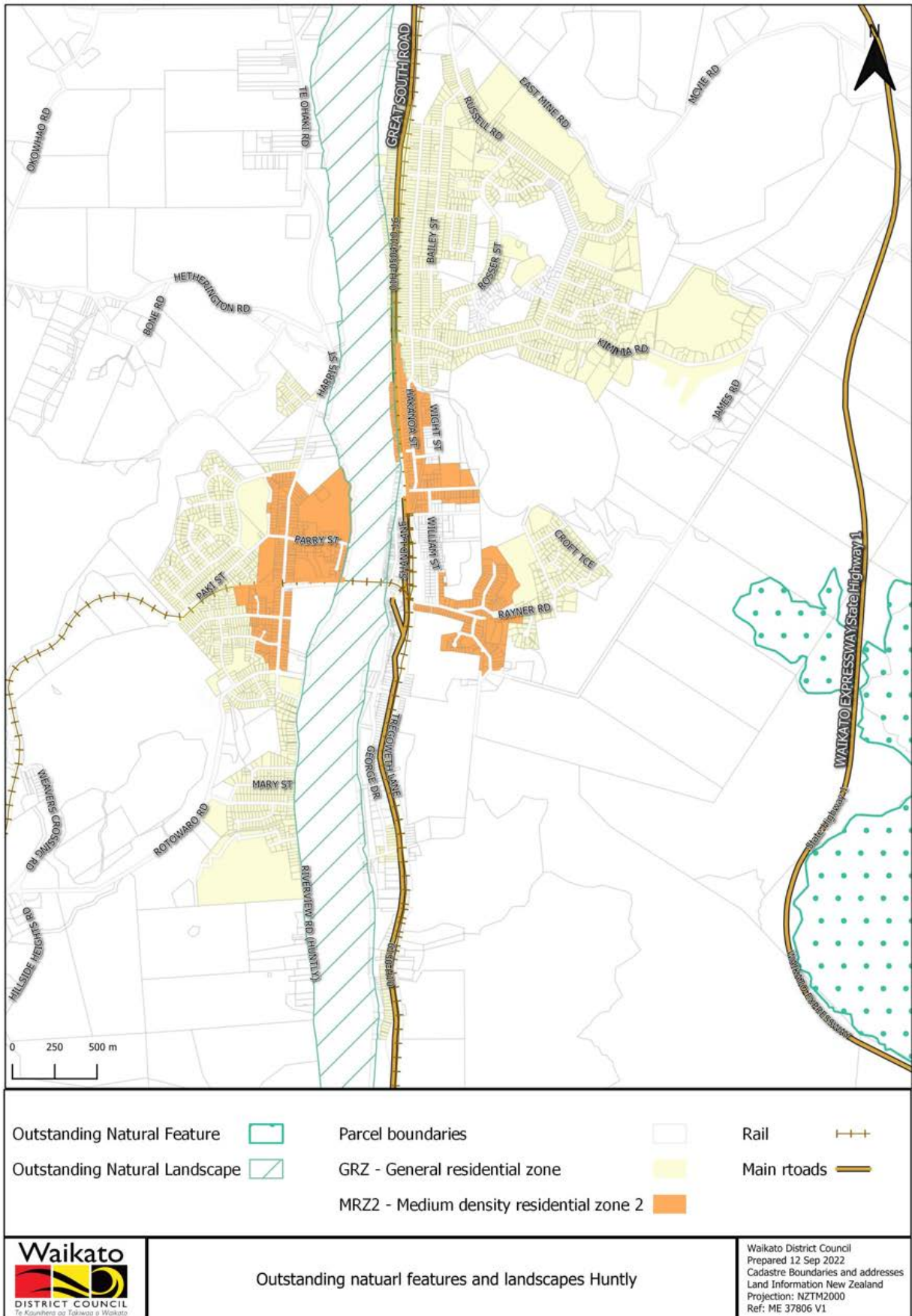
While there are no rules limiting buildings within an outstanding natural landscape overlay in the General residential zone or Medium density residential zone, the waterbodies setback rule limits buildings within the outstanding natural landscape of the Waikato River.

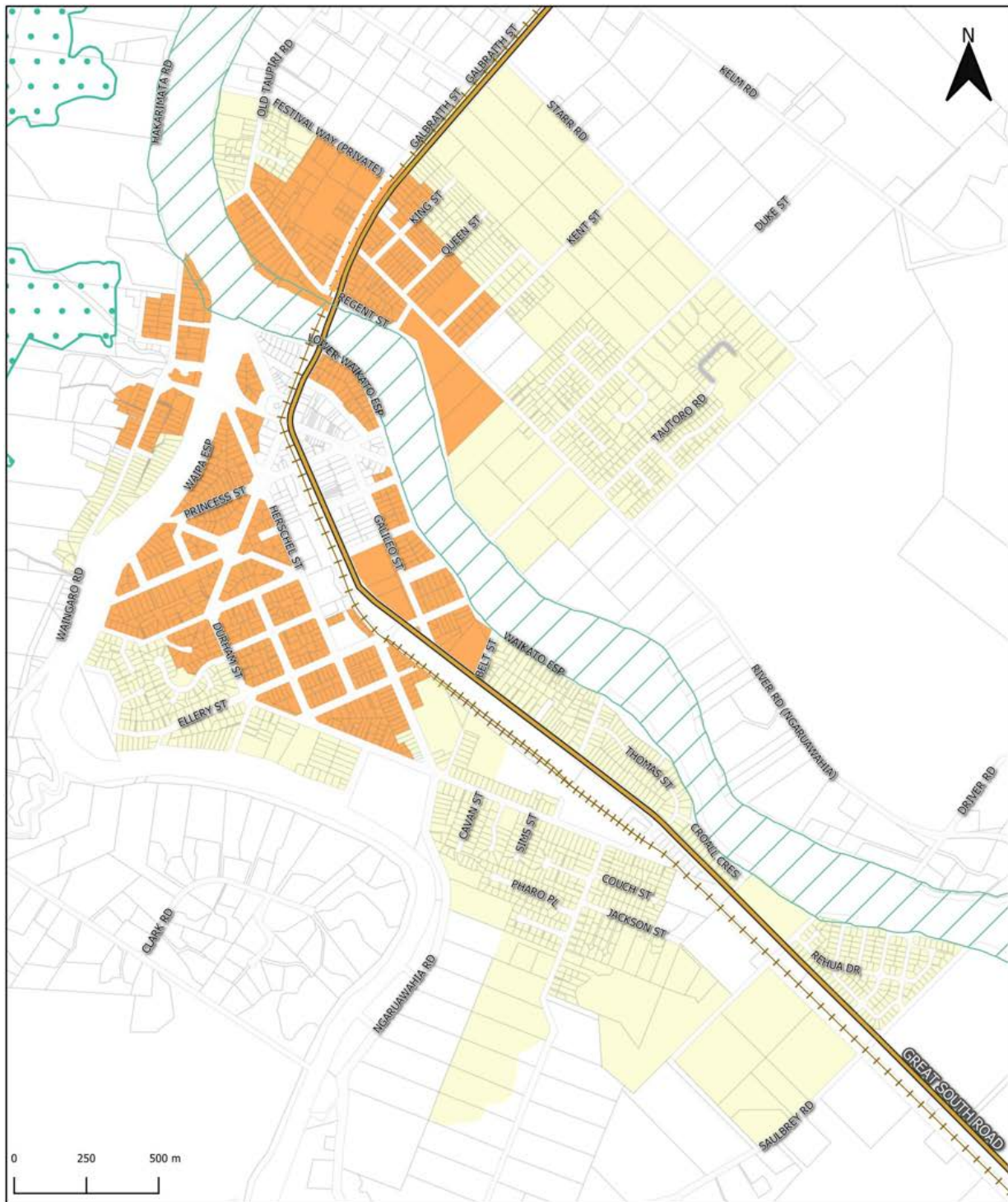
The response of Variation 3 to this QM is to rely on the existing rules in the NFL Natural features and landscapes provisions for the sites located within the outstanding natural landscape overlay.

3.3 What area does this QM apply to?

This QM applies to the residential zoned sites that are located within the outstanding natural landscape overlay. Of the four towns, this is only relevant to Ngaruawahia and Huntly. The QM applies to both the Medium density residential zone 2 as well as General residential zone within the four towns. The rules requiring setbacks from waterbodies only apply to those sites in close proximity to a lake, wetland or river. The QM applies to 61 parcels zoned as General residential zone and 55 parcels proposed to be zoned Medium density residential zone 2.

Figure 3: Properties in for Huntly and Ngaruawahia showing the effect of the qualifying matter: outstanding natural landscape





Outstanding Natural Feature		Parcel boundaries		Rail	
Outstanding Natural Landscape		GRZ - General residential zone		Main roads	
		MRZ2 - Medium density residential zone 2			



Outstanding natural features and landscapes Ngaruawhia

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1

3.4 Why is the area subject to the QM?

The sites are located within an identified outstanding natural landscape in accordance with section 6(b) of the RMA.

3.5 Why is the QM incompatible with the level of development permitted?

Limiting the development potential through relying on the existing NFL provisions recognises the national importance of outstanding natural landscapes and features in accordance with section 6(b) of the RMA. Intensive residential development within an outstanding natural landscape is incompatible with protecting the values of the outstanding natural landscape.

3.6 What is the impact of limiting development?

The QM limits development by having a more stringent activity status for subdivision within the identified outstanding natural landscape. The existing rules in the NFL chapter of the PDP will further limit earthworks within the outstanding natural overlay to 50m² and 250m³. A consenting pathway is available where earthworks exceed this amount as a restricted discretionary activity.

The QM will potentially affect the development potential of 116 parcels in Huntly and Ngaruawahia and therefore the impact of limiting development is very small.

3.7 Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	There are no environmental costs	Retains the outstanding natural landscape values of the Waikato River Separating development from waterbodies will result in less sediment entering the Waikato River from runoff
Economic	There is an opportunity cost to properties affected by this QM, who may be prevented from developing medium density residential developments Reduced ability to utilise the full extent of the property May not result in optimising the existing urban land resource Reduced ability to maximise the number of houses with views of the River	Development close to a waterway may command a premium price for the additional amenity and outlook
Social	Does not secure public access to the Waikato River	Improved amenity close to waterbodies Enables sufficient space to create public access opportunities to waterbodies" be included as a benefit

Cultural	There are no cultural costs	The mauri of the waterbodies will be protected Recognises the cultural values of the Waikato River

4 Areas of significant indigenous vegetation and significant habitats of indigenous fauna – Section 6(c)

4.1 Introduction

Section 771(a) identifies a matter of national importance that decision makers are required to recognise and provide for under section 6 as a qualifying matter. Section 6(c) of the RMA identifies the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna as a matter of national importance.

While the four towns which are the subject of Variation 3 are largely urban, there are some pockets of significant natural areas through Munro Block in Pōkeno, Kimihia area (in Huntly) and along the River in Huntly. The PDP has taken the approach of mapping the significant natural areas on the planning maps, where those areas meet the criteria set out in APP2 Criteria for determining significance of indigenous biodiversity. More specifically, the PDP Hearings Panel intended to delete all the significant natural areas from the planning maps, except for the following¹:

- a. Those that have been visited and verified (in terms of consistency with Appendix 2 criteria and spatial extent);
- b. Submitters that have appeared at the hearing with clear photographs and evidence of their properties;
- c. Sites in public ownership such as Department of Conservation, WRC and Council;
or
- d. QEII National Trust-covenanted sites.

The location of significant natural areas within the District is subject to a range of appeals seeking different outcomes. It is possible that through the resolution of the appeals the significant natural areas that form part of Variation 3 may be amended.

In addition to rules limiting the clearance of vegetation in mapped significant natural areas, the PDP contains rules limiting the clearance of vegetation from areas outside a significant natural areas.

The following objectives in the PDP provide the policy framework for identification of this QM:

SD-O12 Natural environment.

Outstanding natural features and landscapes, and significant indigenous terrestrial flora and fauna are protected.

ECO-O1 Significant Natural Areas.

Indigenous biodiversity in Significant Natural Areas is protected or enhanced.

¹ Report and Decisions of Independent Commissioners Decision Report 9: Significant Natural Areas, 17 January 2022, paragraph 5.4

ECO-02 Biodiversity and ecosystems.

Indigenous biodiversity and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.

4.2 What is the effect of the QM?

The provisions of the Ecosystems and Indigenous Biodiversity chapter of the PDP decision version will continue to apply to those areas identified on the planning maps as being a significant natural area. This means that within a significant natural area:

- a. Earthworks requires a resource consent as a restricted discretionary activity in ECO-R3;
- b. Indigenous vegetation clearance for building, access, parking and manoeuvring areas is a controlled activity if there is no practicable alternative development area on the site outside the Significant Natural Area, and the total indigenous vegetation clearance does not exceed 250m² (ECO-R8); and
- c. Clearance of indigenous vegetation that does not comply with these standards is a discretionary activity.

In addition, the ECO chapter sets out rules limiting the clearance of indigenous vegetation outside a significant natural area as follows:

- a. For the purposes of building platform and associated access, parking and manoeuvring up to a total of 500m² clearance of indigenous vegetation and there is no practicable alternative development area on the site outside of the area of indigenous vegetation clearance is a permitted activity (ECO-R11). Clearance in excess of this permitted standard is a restricted discretionary activity; and
- b. For any other reason not specified in ECO-R11 to ECO-R15 is a restricted discretionary activity.

The response of Variation 3 to this QM is to rely on the existing rules in the ECO chapter of the PDP.

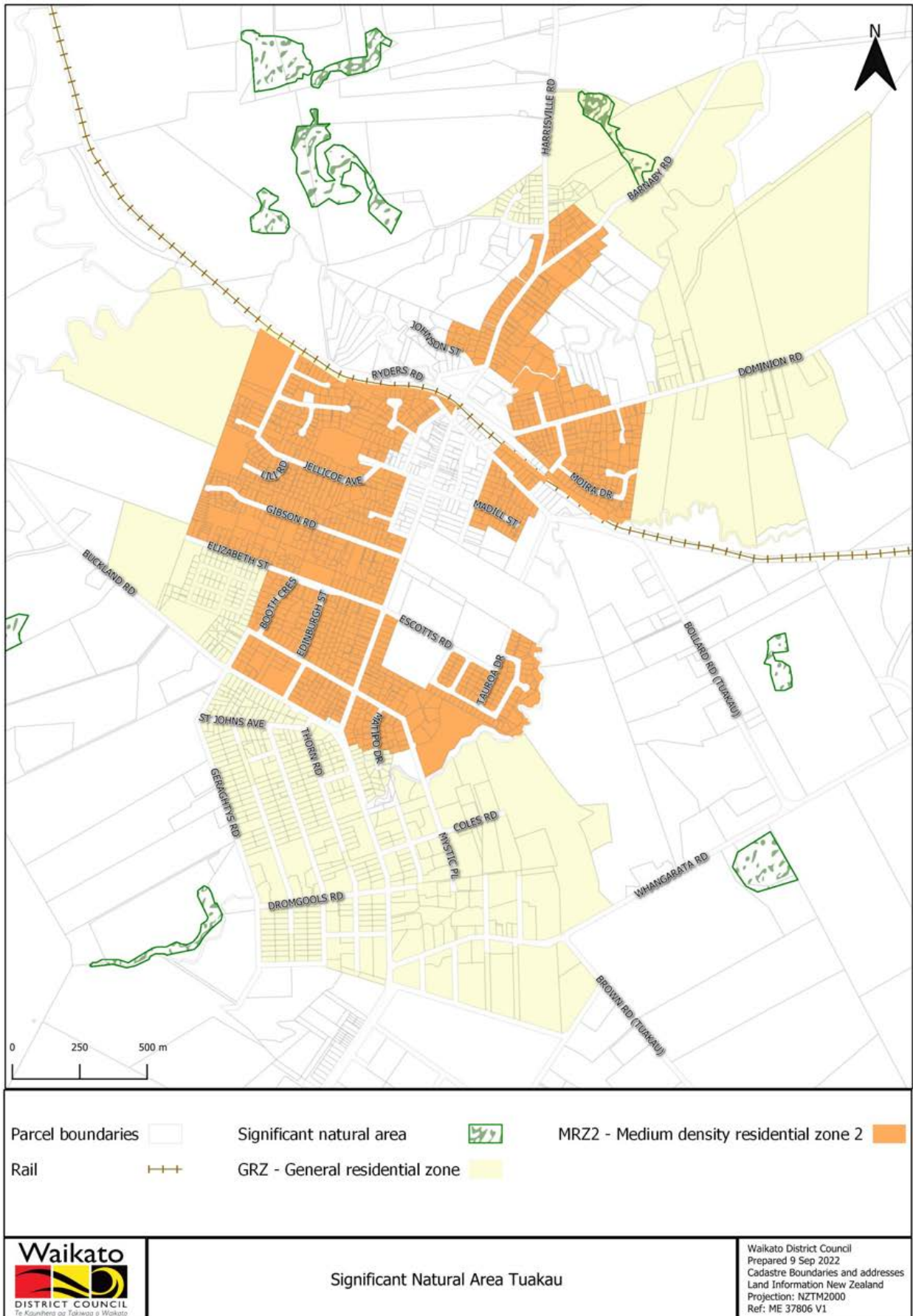
4.3 What area does this QM apply to?

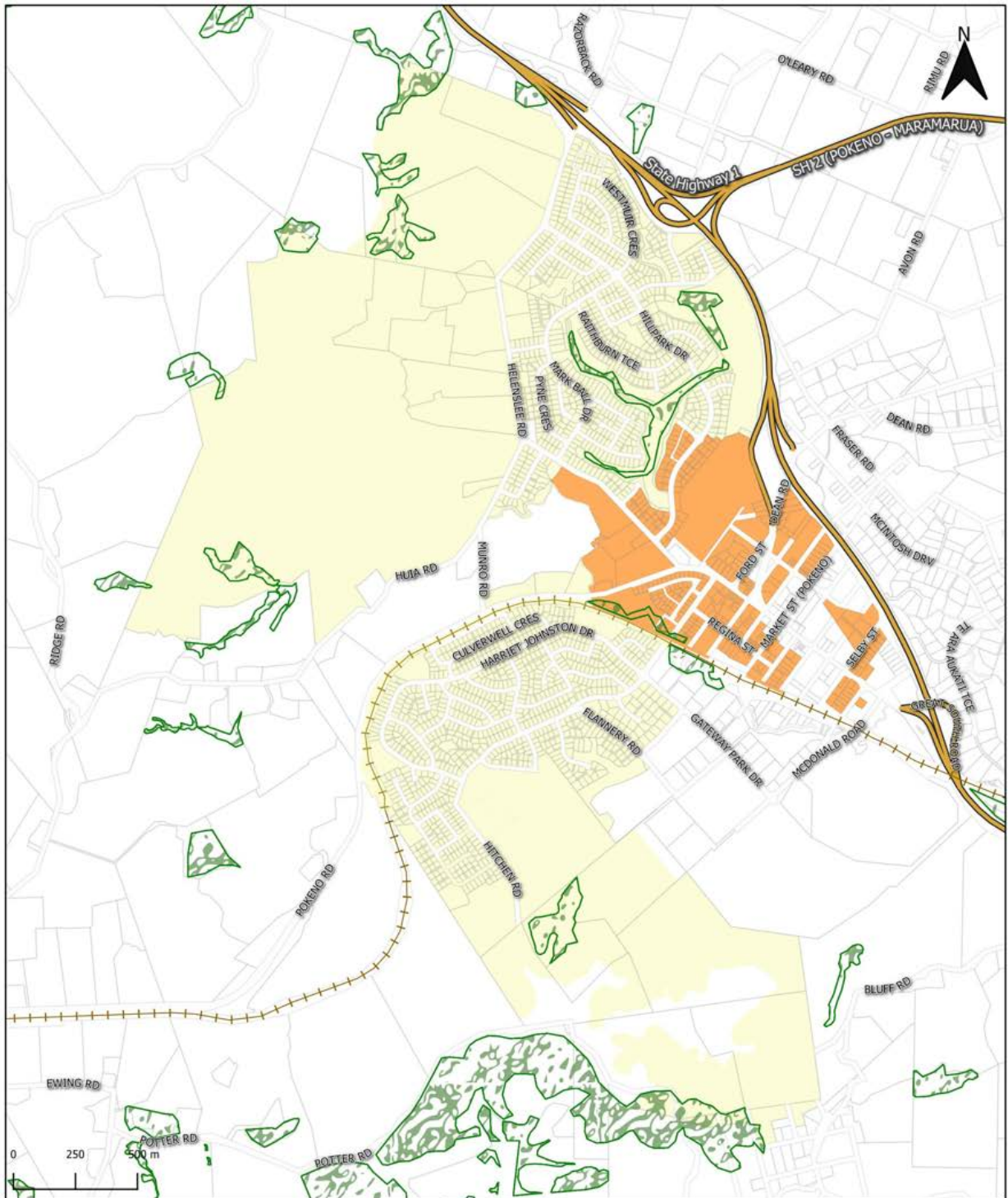
This QM applies to 42 residential zoned sites that have a significant natural area identified on the planning maps. They are located mostly along the edges of the towns:

- 32 in Pōkeno in Havelock and Munro
- 7 in Tuakau on Harrisville Road
- 3 in Huntly around Rayner Road/Kimihia Lakes

In terms of the distribution of significant natural areas identified on the PDP maps, 33 are located on parcels zoned General residential zone, while 15 are located on parcels proposed to be zoned Medium density residential zone 2.

Figure 4: Sites identified as having a Significant Natural Area in the PDP



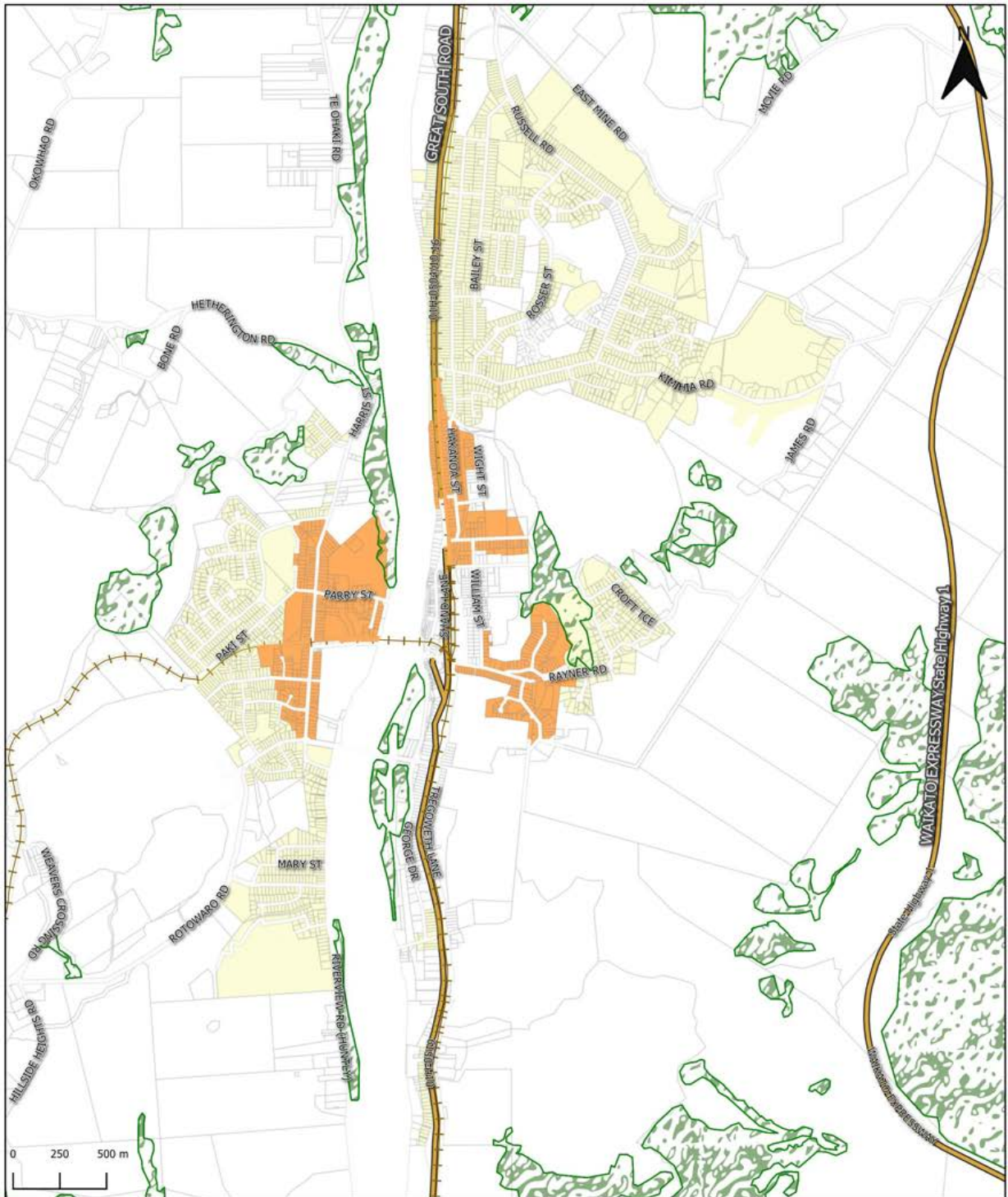


Parcel boundaries		Rail		GRZ - General residential zone	
Roads		Significant natural area		MR22 - Medium density residential zone 2	



Significant Natural Area Pokeno

Waikato District Council
Prepared 9 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
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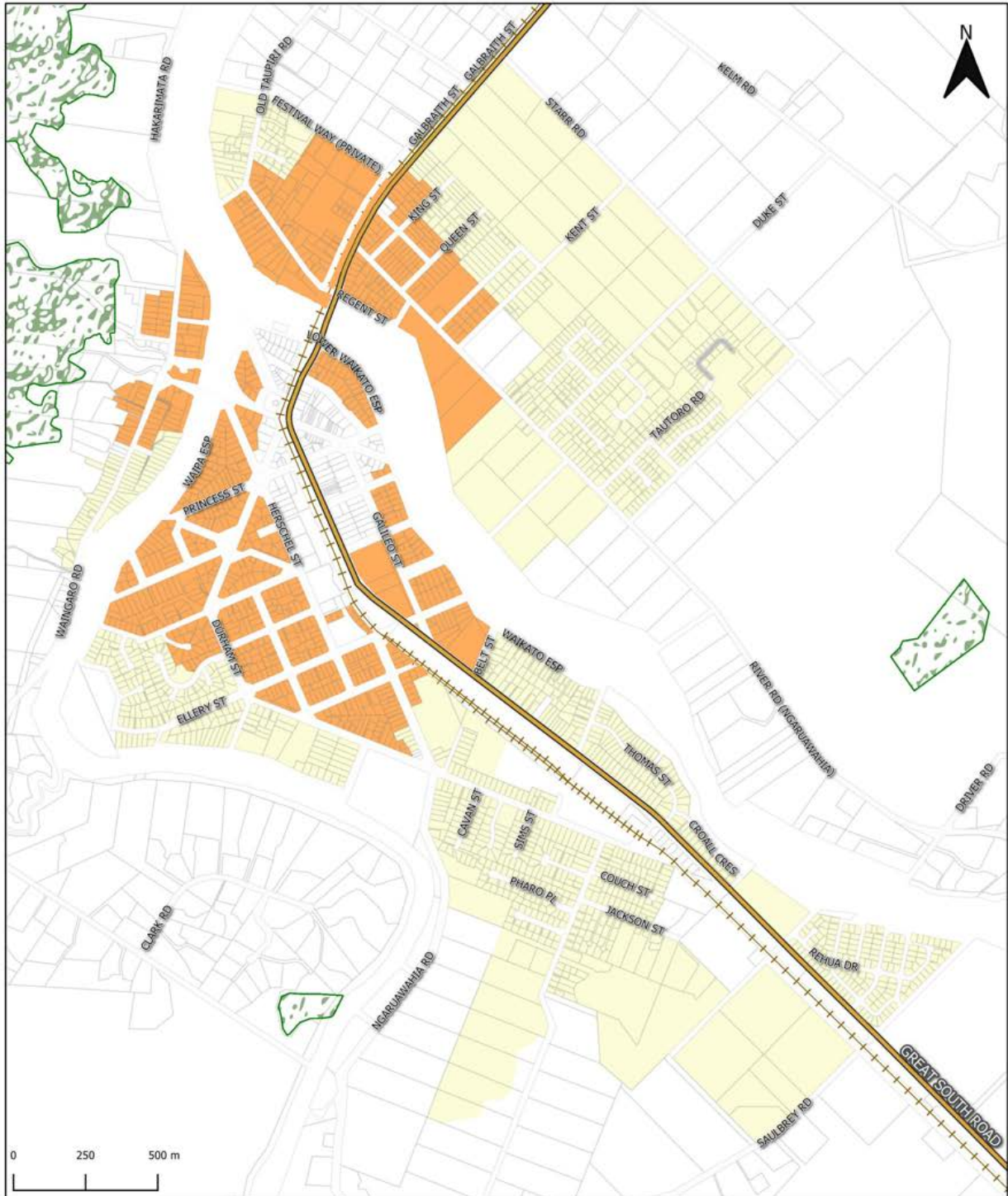


Parcel boundaries		Rail		GRZ - General residential zone	
Roads		Significant natural area		MRZ2 - Medium density residential zone 2	



Significant Natural Area Huntly

Waikato District Council
 Prepared 9 Sep 2022
 Cadastre Boundaries and addresses
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Parcel boundaries		Rail		GRZ - General residential zone	
Roads		Significant natural area		MRZ2 - Medium density residential zone 2	

Waikato
DISTRICT COUNCIL
Te Kaunihera o Te Kaitiaki o Waikato

Significant Natural Area Ngaruawahia

Waikato District Council
Prepared 9 Sep 2022
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Ref: ME 37806 V1

4.4 Why is the area subject to the QM?

The sites have a significant natural area in accordance with section 6(c) of the RMA. There could well be other pockets of indigenous vegetation that are not identified as a significant natural area that would require a resource consent in order to clear the vegetation to enable development. The presence of indigenous vegetation may mean that development is unable to be maximised.

4.5 Why is the QM incompatible with the level of development permitted?

Development on the sites which have a significant natural area may necessitate clearance of all or part of the indigenous vegetation. Thus the development potential of sites with a significant natural area is limited, as indigenous vegetation clearance is not a permitted activity. Similarly, if clearance of indigenous vegetation in excess of 500m² is required in order to develop a site, a resource consent for a restricted discretionary activity will be required in accordance with ECO-R11. This rule applies to all indigenous vegetation, not just those that are identified as a significant natural area.

Limiting the development potential through applying the ECO rules recognises the national importance of indigenous vegetation in accordance with section 6(c) of the RMA.

4.6 What is the impact of limiting development?

The QM limits development by relying on the existing rules in the ECO chapter of the PDP to limit earthworks and clearance of indigenous vegetation (both inside and outside a significant natural area). This QM applies to a limited number of sites, therefore the impact is very small.

A consent pathway is still available if indigenous vegetation clearance is required to enable development. Within a significant natural area, the activity status is restricted discretionary. Similarly clearance of greater than 500m² of indigenous vegetation outside a significant natural area is also restricted discretionary.

4.7 Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	There are no environmental costs	The protection of indigenous vegetation and fauna will have positive benefits to the natural environment, which have impacts on ecosystem services and biodiversity Protects the habitats of indigenous fauna that inhabit the vegetation
Economic	There is an opportunity cost to properties affected by this QM, who may be prevented from developing medium density residential developments Reduced ability to utilise the full extent of the property May not result in optimising the existing urban land resource Additional costs involved in obtaining a resource consent	There are no economic benefits

Social	There may be conflict between parts of the community with different opinions over the value of biodiversity or the significance of an area.	Benefits to the community in terms of amenity and cultural values
Cultural	May limit the development of Maaori land if there is a significant natural area present	Recognition of cultural values as a part of the biodiversity assessment process

5 Relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga – Section 6(e)

5.1 Introduction

Section 771(a) identifies a matter of national importance that decision makers are required to recognise and provide for under section 6 as a qualifying matter. Section 6(e) of the RMA identifies the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance.

The approach of the PDP to this section 6 matter is largely through two mechanisms:

- the identification of Sites and Areas of Significance to Maori in Schedule 3 and the planning maps; and
- enabling development of Maaori owned land.

The QM is associated with identified sites of cultural significance identified on the planning maps and contained in Schedule 3. There are two identified Sites and Areas of Significance within the four towns subject to Variation 3 which span eight sites, and both are located within Ngaruawahia as follows:

PDP Identifier	Location	Significance
318	Corner of Eyre Street and Broadway Street The Point	Currently known as 'The Point'. A site of pre 1900 history that connects to the Hakarimata Range, Puke-i-aahuaPaa to the naming of Ngaruawahia and the Kingitanga movement, followed by European occupation.
294	5851 Great South Road	The horticultural soils, borrow pits and associated pa are of scale that makes them an outstanding and significant cultural and archaeological landscape in Aotearoa/New Zealand. It is an archaeological and cultural landscape created by the utilisation of the soils deposited by the Waikato River and is associated with Pukeiahua Pa. These are the most extensive complexes of Maori gardens identified in any region of New Zealand

The following objectives in the PDP provide the policy framework for identification of this QM:

SD-02 Tangata whenua.

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

MV-O1 Recognition of Maaori values.

(1) Maaori values are recognised and mana whenua are able to exercise kaitiakitanga, manaakitanga tikanga and mana whakahaere.

(2) Recognise that only tangata whenua can determine effects on their values, traditions, resources, waters, sites of significance, wahi tapu, other taonga and taonga species.

MV-O2 and SAASM-O2 Hononga.

The connections between tangata whenua and their ancestral lands, water, sites of significance, wahi tapu, other taonga and taonga species are protected or enhanced.

MV-O3 Kaitiakitanga.

The exercise of kaitiakitanga by mana whenua is recognised and maintained.

MV-O4 and SASM-O3 Whakaute ahuraa.

Cultural practices and beliefs of mana whenua are respected.

MV-O4 Tikanga aa-iwi o Waikato me te takiwaa o Waikato.

Recognise the cultural significance of Waikato Takiwaa (district).

SASM-O1 Strategic objective – Tautoko te Whakatupuranga.

To support Iwi aspirations to grow prosperous, healthy, vibrant, innovative and culturally strong people.

5.2 What is the effect of the QM?

The provisions of the Sites and Areas of Significance chapter of the PDP decision version will continue to apply to those areas identified on the planning maps as being a Site or Area of Significance to Maaori. This means that within each of these identified sites or areas:

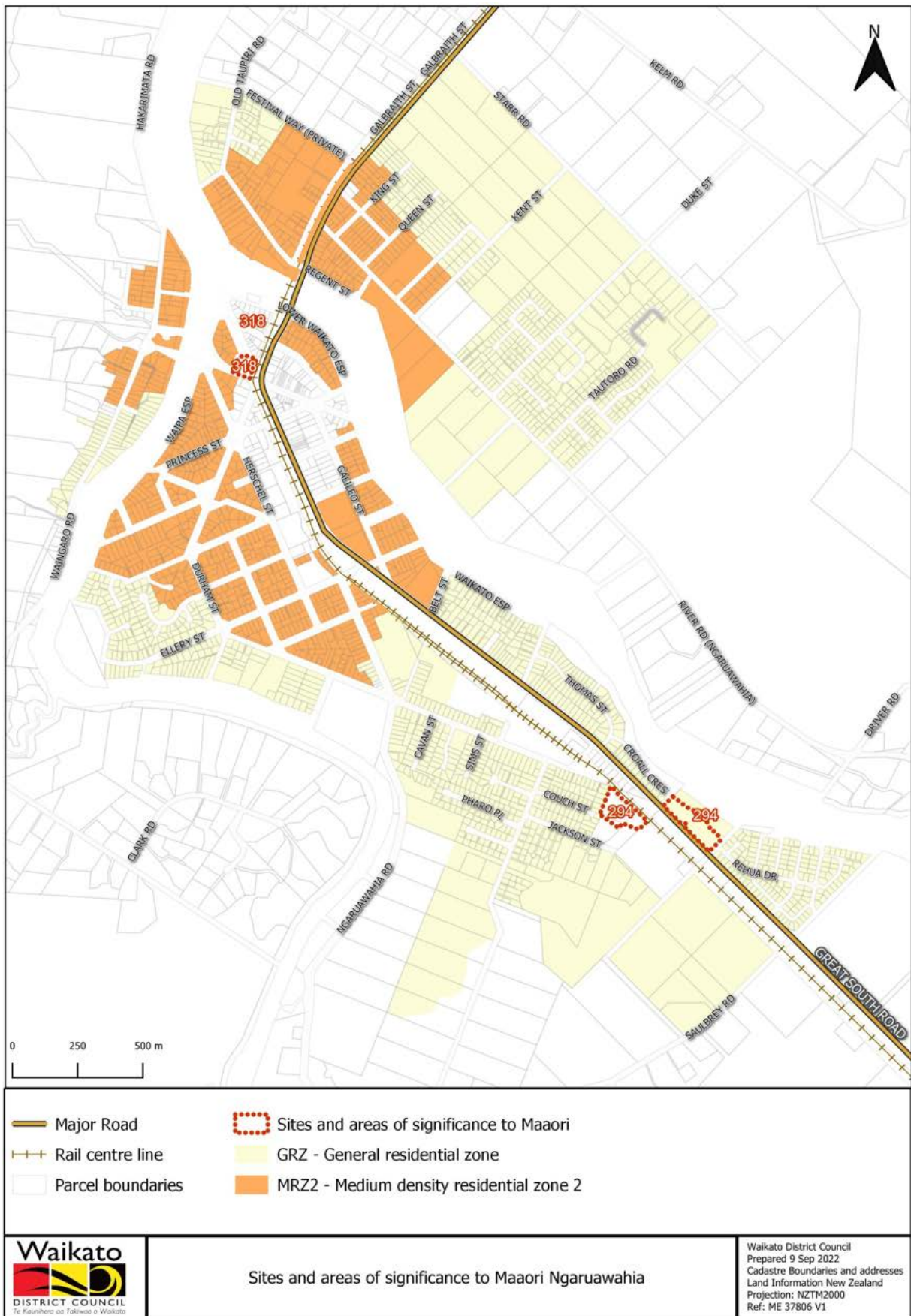
- a. Earthworks requires a resource consent as a restricted discretionary activity in SASM-R4; and
- b. Subdivision is a restricted discretionary activity where the site is wholly located within one proposed allotment (SASM-R5). The activity status cascades to a discretionary activity where subdivision does not comply with this standard.

The response of Variation 3 to this QM is that any works within a mapped Site or Area of Significance to Maaori is controlled by the relevant SASM rule. The activity status for subdivision of a site with a Site or Area of Significance to Maaori will be more restrictive than enabled by Schedule 3A of the Act which requires a controlled activity for subdivision.

5.3 What area does this QM apply to?

This QM applies to the residential zoned sites that have a Site or Area of Significance to Maaori identified on the planning maps.

Figure 5: Sites identified as having a Site or Area of Significance to Maori in the PDP



5.4 Why is the area subject to the QM?

The sites have a Site or Area of Significance to Maaori in accordance with section 6(e) of the RMA. The Sites or Areas of Significance have been identified through a cultural assessment undertaken by Dr Des Kahotea.

5.5 Why is the QM incompatible with the level of development permitted?

Development (including earthworks or construction) on an identified Site or Area of Significance to Maaori has the potential to adversely affect the historic and cultural values of the site.

Limiting the development potential through the existing SASM rules recognises the national importance of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga in accordance with section 6(e) of the RMA.

5.6 What is the impact of limiting development?

The existing rules in the SASM chapter of the PDP will limit earthworks and subdivision within the Site or Area of Significance to Maaori. Sites with this notation will be unable to develop to the full potential of the Medium Density Residential Standards as contained in the RMA as either the full or part of the site where the Sites or Area of Significance is located will be unable to be built upon due to the limitations on earthworks. Only two sites are impacted by this QM, therefore the impact on development in the District is very limited.

5.7 Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	There are no environmental costs	Protects the integrity of the culturally important sites
Economic	<p>There is an opportunity cost to properties affected by this QM, who are prevented from developing medium density residential developments</p> <p>Reduced ability to utilise the full extent of the property</p> <p>May not result in optimising the existing urban land resource</p> <p>Additional costs involved in obtaining a resource consent</p>	There are no economic benefits
Social	There may be conflict between parts of the community with different opinions over the value of sites and area identified.	<p>Supports community identity</p> <p>Contributes to and enhances the character and amenity of the District for residents and visitors</p>
Cultural	May limit the development of Maaori land if there is a Site or Area of Significance to Maaori present	<p>Cultural historic heritage is protected and maintained for present and future generations</p> <p>Positive impacts on cultural capital to iwi, hapū, rūnanga, mana whenua and the wider community</p>

		<p>Protects any artefacts that may be present</p> <p>Protects any Maaori landforms that were created to support early civilisation such as borrow pits</p>
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6 Historic heritage – Section 6(f)

6.1 Introduction

Section 771(a) identifies a matter of national importance that decision makers are required to recognise and provide for under section 6 as a qualifying matter. Section 6(f) of the RMA identifies the protection of historic heritage from inappropriate subdivision, use, and development as a matter of national importance.

The approach of the PDP to this section 6 matter is through identification of features and structures that represent the heritage values important to the district's identity. Those values are limited to:

- a. Archaeological;
- b. Architectural;
- c. Cultural;
- d. Historic;
- e. Scientific; and
- f. Technological.

The QM is associated with identified sites of historic heritage significance identified on the planning maps and contained in Schedule 1. There are 22 sites with historic heritage items or features within the four towns subject to Variation 3. Each of these historic heritage items or features has an "extent of setting" which limits development in close proximity to the item or feature.

In addition, there is a heritage area in Huntly which comprises eight railway cottages on Harris Street, of which six are identified historic heritage items. The Huntly rail cottages are already zoned Medium density residential in the decision version of the PDP.

The following objectives in the PDP provide the policy framework for identification of this QM:

SD-O11 Historic heritage.

Historic heritage contributes to the district's sense of place and identity.

HH-O1 Historic heritage.

A district that acknowledges its past by: recognising, identifying, protecting, conserving and promoting historic heritage.

6.2 What is the effect of the QM?

The provisions of the Historic Heritage chapter of the PDP decision version will continue to apply to those areas identified on the planning maps as being a Historic Heritage item. This means that within each of these identified sites or areas:

- a. Buildings must not be constructed within the extent of setting for the historic heritage item (HH-R2). Development that does not comply with this standard is a restricted discretionary activity;

- b. Alterations or additions to a historic heritage item in SCHED I -Historic heritage is a restricted discretionary activity (HH-R4);
- c. Demolition, removal or relocation of any B ranked historic heritage item listed in SCHED I – Historic heritage items is a discretionary activity (HH-R7);
- d. Demolition, removal or relocation of any A ranked historic heritage item listed in SCHED I – Historic heritage items is a non-complying activity (HH-R8);
- e. Construction of or alteration to a building in the Huntly heritage area identified as specific controls on the planning maps is a restricted discretionary activity (HH-R5); and
- f. Subdivision of land containing a historic heritage item listed in SCHED I – Historic heritage items is a restricted discretionary activity where the historic heritage item is wholly retained within one Record of Title (HH-R9). Subdivision that does not achieve this is a non-complying activity.

The response of Variation 3 to this QM is to rely on the existing Historic Heritage provisions in the HH chapter of the PDP for the sites that have an identified historic heritage item.

While the Huntly railway cottages are zoned Medium density residential zone 2, the rules in HH-R5 means that any construction of or alteration to a building on the site is a restricted discretionary activity.

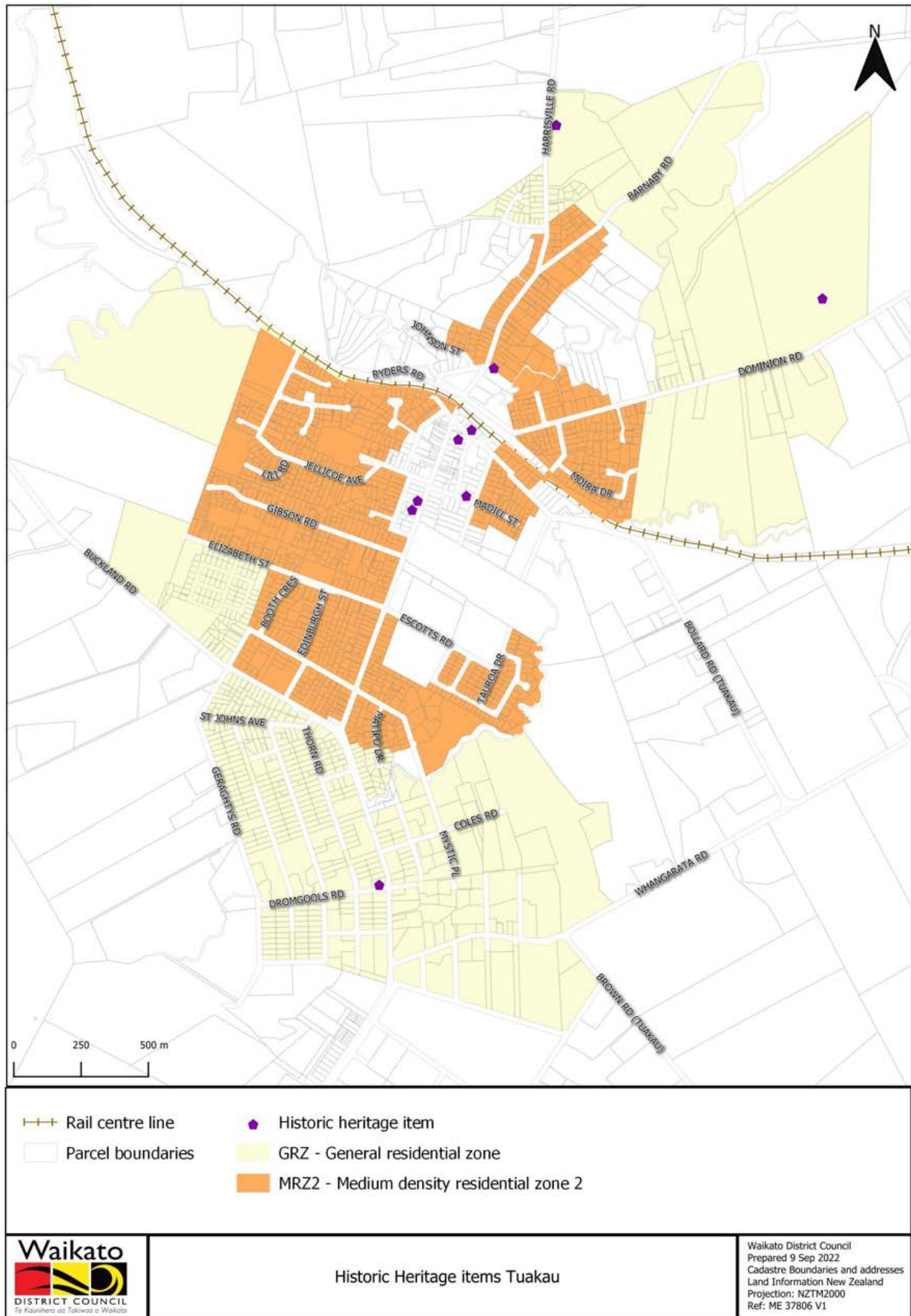
6.3 What area does this QM apply to?

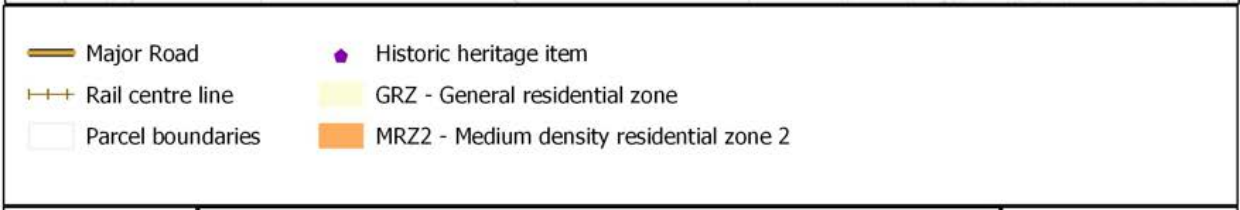
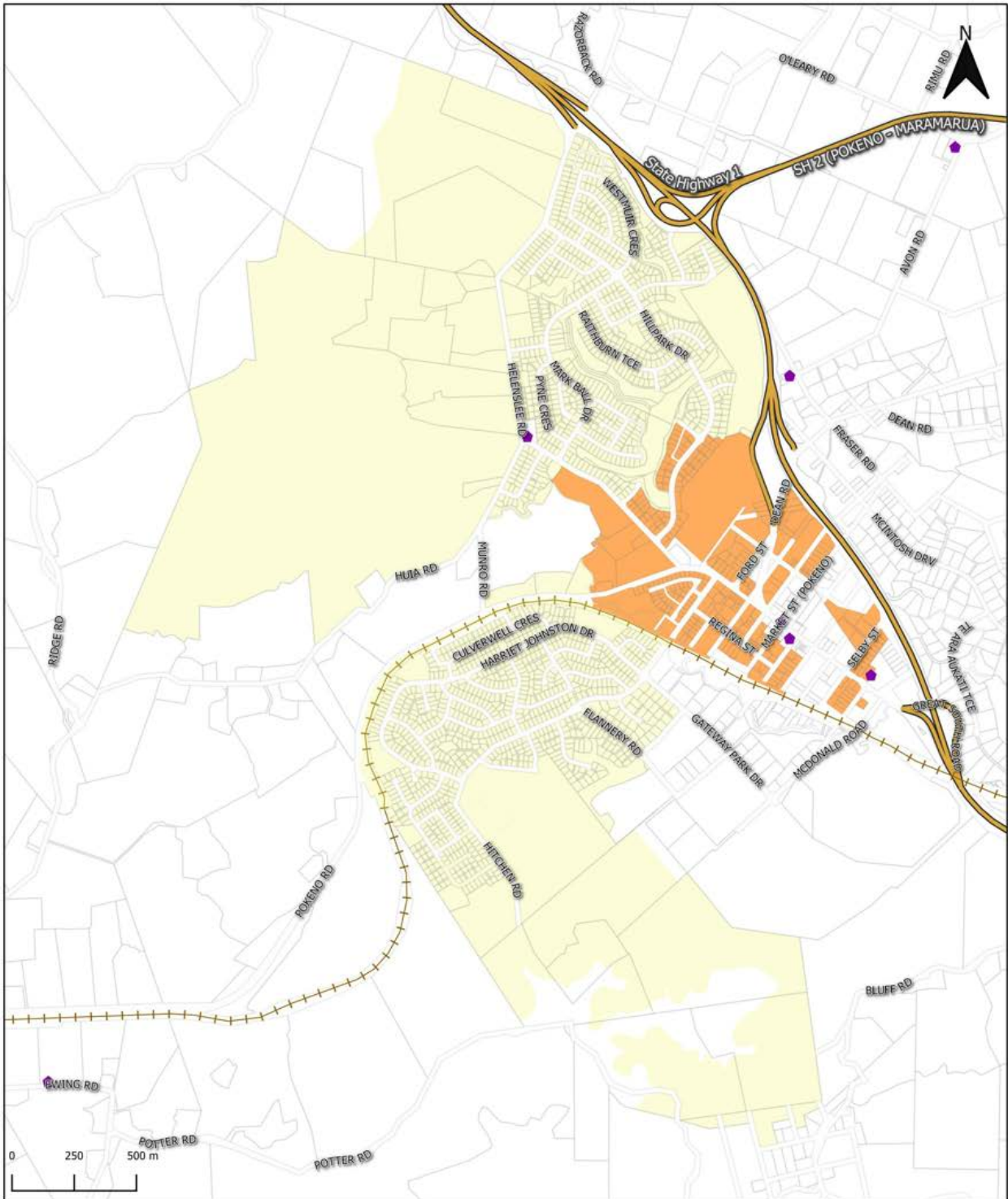
This QM applies to the residential zoned sites that have a Historic Heritage item identified on the PDP planning maps.

Historic heritage items or features are identified on 15 parcels zoned General residential zone, while there are 23 located on parcels proposed to be zoned Medium density residential zone 2.

Eight properties are included in the Huntly heritage area, and these are proposed to be zoned Medium density residential zone 2 (those sites are already zoned Medium density residential zone in the PDP).

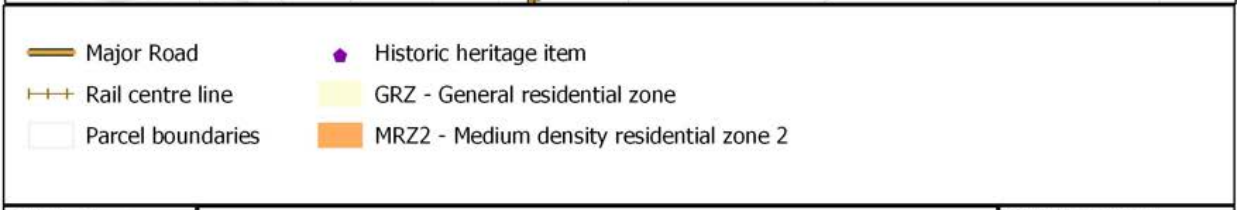
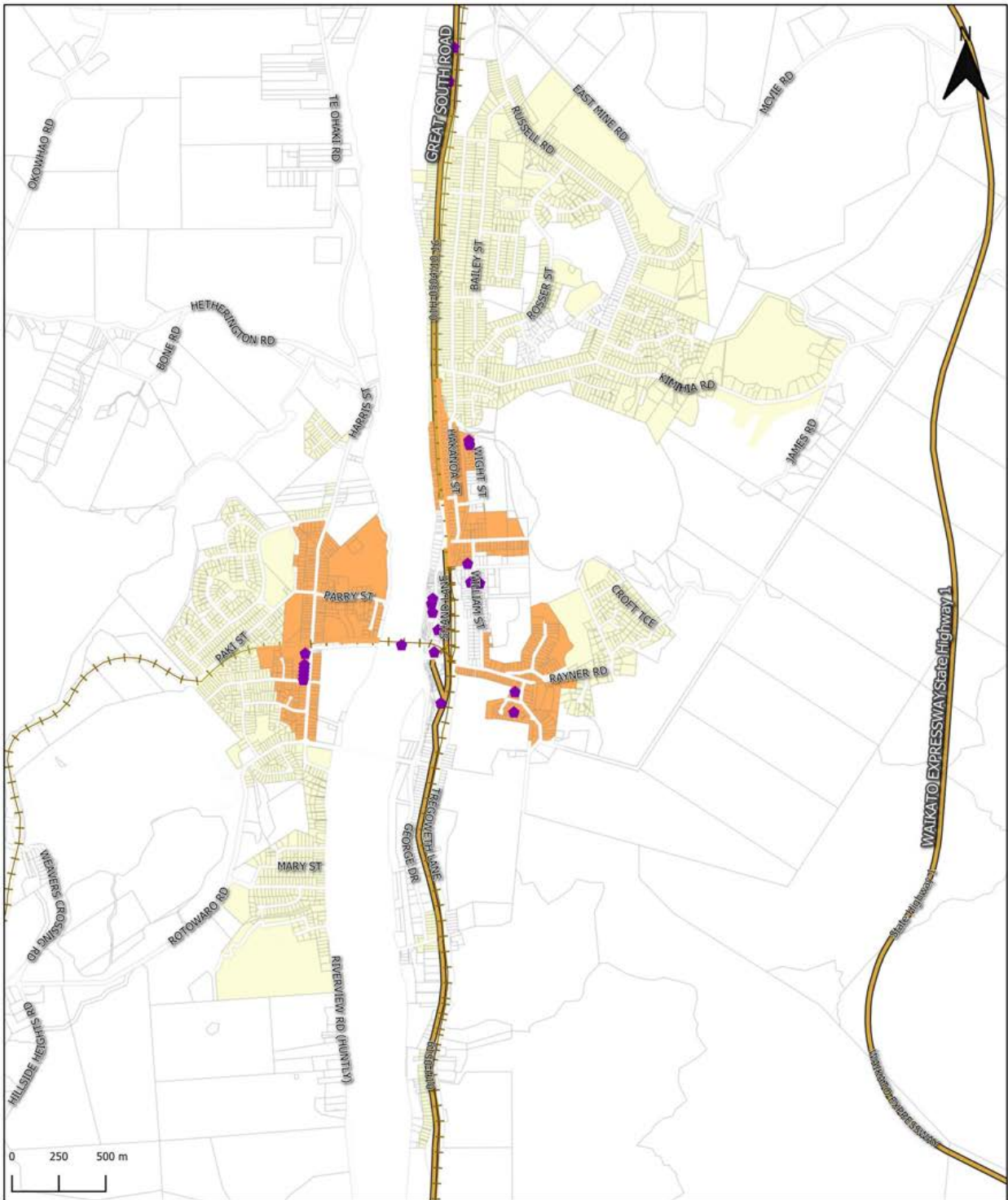
Figure 6: Sites identified as having a historic heritage feature in the PDP





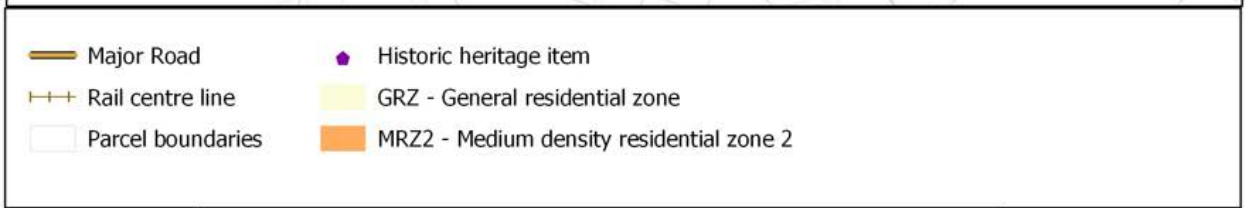
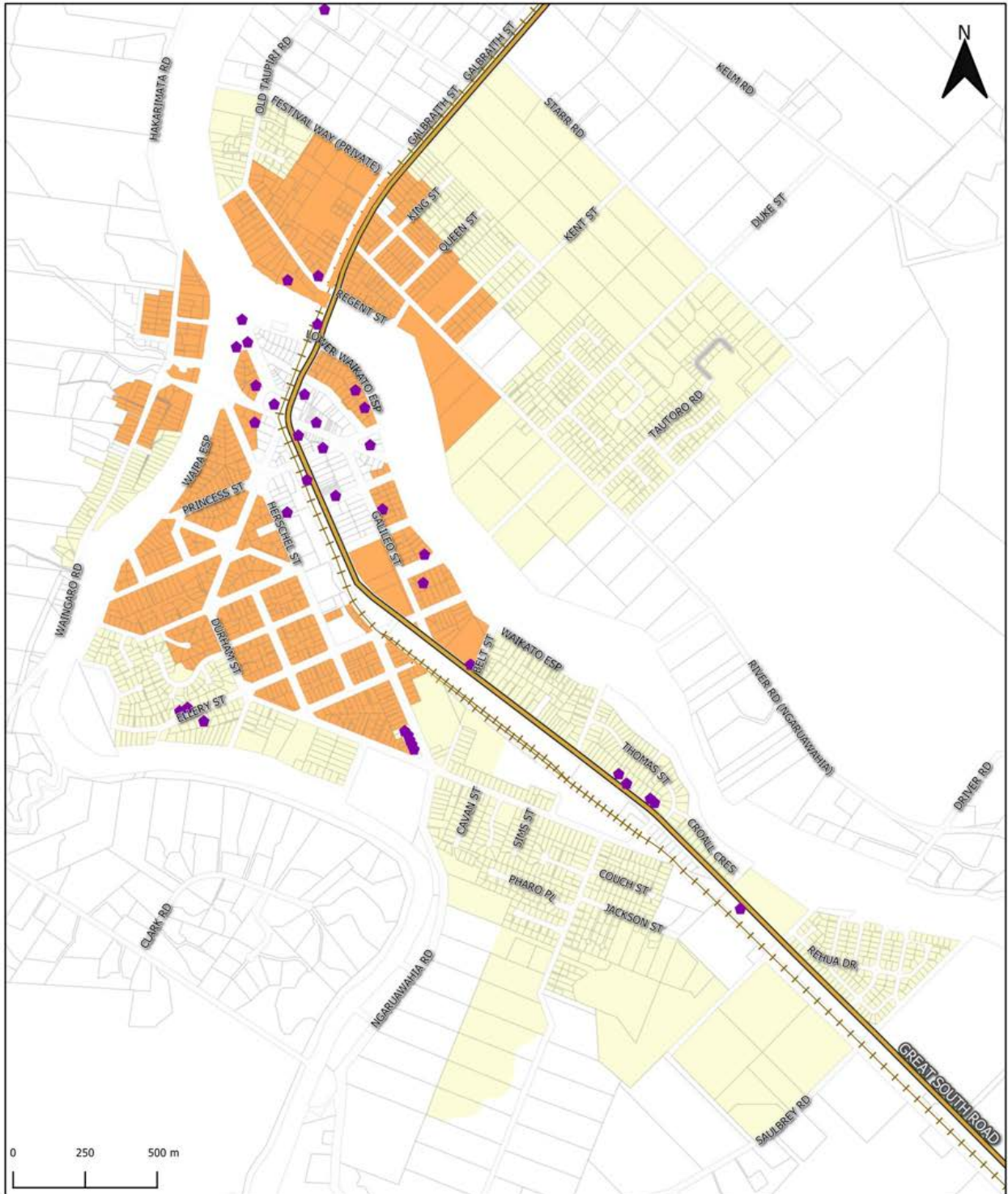
Historic Heritage items Pokeno

Waikato District Council
Prepared 9 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1



Historic Heritage items Huntly

Waikato District Council
 Prepared 9 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1



Historic Heritage items Ngaruawahia

Waikato District Council
Prepared 9 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1

Figure 7: Huntly Heritage Area identified by hatching



6.4 Why is the area subject to the QM?

The sites have historic heritage in accordance with section 6(f) of the RMA. The historic heritage items have been identified through various heritage assessments in the Operative District Plan and Dr Ann McEwan’s evaluations that informed the Proposed District Plan.

6.5 Why is the QM incompatible with the level of development permitted?

Development within an identified historic heritage site has the potential to adversely affect the historic values of the site.

The presence of a historic heritage item which the PDP objectives seek to protect will limit the potential for the site to achieve Medium Density Residential Standards levels of development. Limiting the development potential through the HH rules recognises the national importance of historic heritage in accordance with section 6(f) of the RMA.

6.6 What is the impact of limiting development?

The QM limits development by protecting the historic heritage item and the extent of its heritage setting. It only applies to sites that have an historic heritage item identified on the planning maps. The existing rules in the Historic Heritage chapter of the PDP will limit the ability to develop the site to its maximum potential and subdivide. Sites with this notation will be unable to develop to the full

potential of the Medium Density Residential Standards as contained in the RMA as either the full or part of the site where the historic heritage item is located will be unable to be built upon due to the need to protect the item and its setting. The overall impact on development within the District is small as only 24 sites are impacted by this QM.

6.7 Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	There are no environmental costs	Historic and cultural heritage contributes to maintaining and enhancing the quality of the District's environment
Economic	There is an opportunity cost to properties affected by this QM, who are prevented from achieving medium density residential developments Reduced ability to utilise the full extent of the property May not result in optimising the existing urban land resource Additional costs involved in obtaining a resource consent	The provisions may provide for a low level of development on the site depending on the spatial extent of the setting and location of the item on the site
Social	There may be conflict between parts of the community with different opinions over the value of items	Supports community identity Protecting and maintaining historic and cultural heritage can have economic benefits including tourism opportunities Enables choice with different forms and densities of dwellings Social wellbeing benefits as recognition and protection of significant historic heritage will ensure that it remains for future generations to enjoy, learn from and identify with.
Cultural	There are no cultural costs	Historic heritage is protected and maintained for present and future generations Connection with the past is preserved

7 Natural hazards – Section 6(h)

7.1 Introduction

Section 771(a) identifies a matter of national importance that decision makers are required to recognise and provide for under section 6 as a qualifying matter. Section 6(h) of the RMA identifies the management of significant risks from natural hazards as a matter of national importance.

The approach of the PDP to this section 6 matter is through identification of a variety of natural hazard overlays:

	Overlay	Description
Flood hazards	High flood risk area	Identifies areas within the floodplain where the depth of flood water in a 1% AEP flood event exceeds 1 metre and the speed of flood water exceeds 2 metres per second, or the flood depth multiplied by the flood speed exceeds one.
	Flood plain management area	Identifies the 1% Annual Exceedance Probability (AEP) floodplain and has been developed through both 1D and 2D modelling, depending on the level of information available.
	Flood ponding area	Identifies areas that experience floodwater ponding in a 1% AEP rainfall event.
	Residual risk areas / Defended areas	Identifies areas of land that would be at risk from a natural hazard event if it were not for a structural defence such as a stop bank.
Coastal hazards	High risk coastal inundation area / High risk coastal erosion area	Identify land where there is significant risk from either coastal inundation or coastal erosion with existing sea level and coastal processes.
	Coastal sensitivity area (Erosion) / Coastal sensitivity area (Inundation)	Identify land that is potentially vulnerable to either coastal erosion or coastal inundation over a 100 year period to 2120, assuming a sea level rise of 1.0 metre.
Subsidence Risk	Mine subsidence risk area	Identifies an area where subsidence has occurred at Huntly due to former underground coal mining.

The Natural Hazards and Climate Change chapter of the PDP sets out a two-tiered approach where natural hazard risk from subdivision, use and development is to be avoided within the following identified high risk natural hazard areas:

- a. High Risk Flood Area;
- b. High Risk Coastal Inundation Area; and
- c. High Risk Coastal Erosion Area.

Outside of these areas, subdivision, use and development is provided for where natural hazard risk can be adequately avoided, remedied or mitigated and the risk is not exacerbated or transferred to adjoining sites.

The QM is associated with sites that have a natural hazard identified on the planning maps. There are 1,662 sites with natural hazard overlays within the four towns subject to Variation 3 as follows:

	Overlay	Number of sites
Flood hazards	High flood risk area	133
	Flood plain management area	270
	Flood ponding area	67
	Residual risk areas / Defended areas	759
Subsidence Risk	Mine subsidence risk area	433

The following objectives in the PDP provide the policy framework for identification of this QM:

NH-01 High risk natural hazards areas.

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

NH-02 Areas at risk from natural hazards.

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

NH-03 Awareness of natural hazard risks.

Ensure communities respond effectively and efficiently to natural hazards.

7.2 What is the effect of the QM?

The provisions of the Natural Hazards and Climate Change chapter of the PDP decision version will continue to apply to those areas identified on the planning maps as being potentially affected by a natural hazard. The presence of a natural hazard overlay has a different effect depending on the nature of the natural hazard.

	Buildings	Earthworks	Subdivision
Flood plain management area and Flood ponding area	Construction of a building is not necessarily constrained, there is a requirement for a minimum floor level to be at least 0.5m above the 1% AEP flood level (NH-R1)	Filling height is only to the extent necessary to achieve compliance with the minimum floor level standard (NH-R8) NH-R9 limits the amount of earthworks	Discretionary activity (NH-R10)
High risk flood area	Construction of a new dwelling is a non-complying activity (NH-R20)	No specific rules	Subdivision that creates one or more additional vacant lot(s) is a discretionary activity under NH-R19 where: <ol style="list-style-type: none"> a. The additional lot(s) are located entirely outside the High risk flood area; or b. The additional lot(s) are partially within the High risk flood area and each additional lot(s) contains an area capable of containing a complying building platform entirely outside the High risk flood area

Defended area (Residual risk)	Construction of a new building, or reconstruction of, or new accessory building, located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown is a discretionary activity (NH-R25)	Earthworks located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown is a discretionary activity (NH-R26)	Subdivision that creates one or more additional vacant lot(s) is a restricted discretionary activity (NH-R24)
Mine subsidence risk area	<p>The construction or alteration of a building where a Consent Notice is registered against the Record of Title confirming that a geotechnical assessment has been approved at the time of subdivision and the approved geotechnical report confirms that the ground is suitable for building development and the building development is in accordance with any recommendations of the geotechnical report is a controlled activity (NH-R72)</p> <p>Construction of a building, or reconstruction of, or accessory building or the reconstruction of or additions to an existing building is a restricted discretionary activity (NH-R73)</p>	Earthworks is limited (NH-R71)	Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment is a discretionary activity (NH-R74)

The response of Variation 3 to this QM is to continue to apply the existing PDP provisions to residential development in the General residential zone and Medium density residential zone 2.

7.3 What area does this QM apply to?

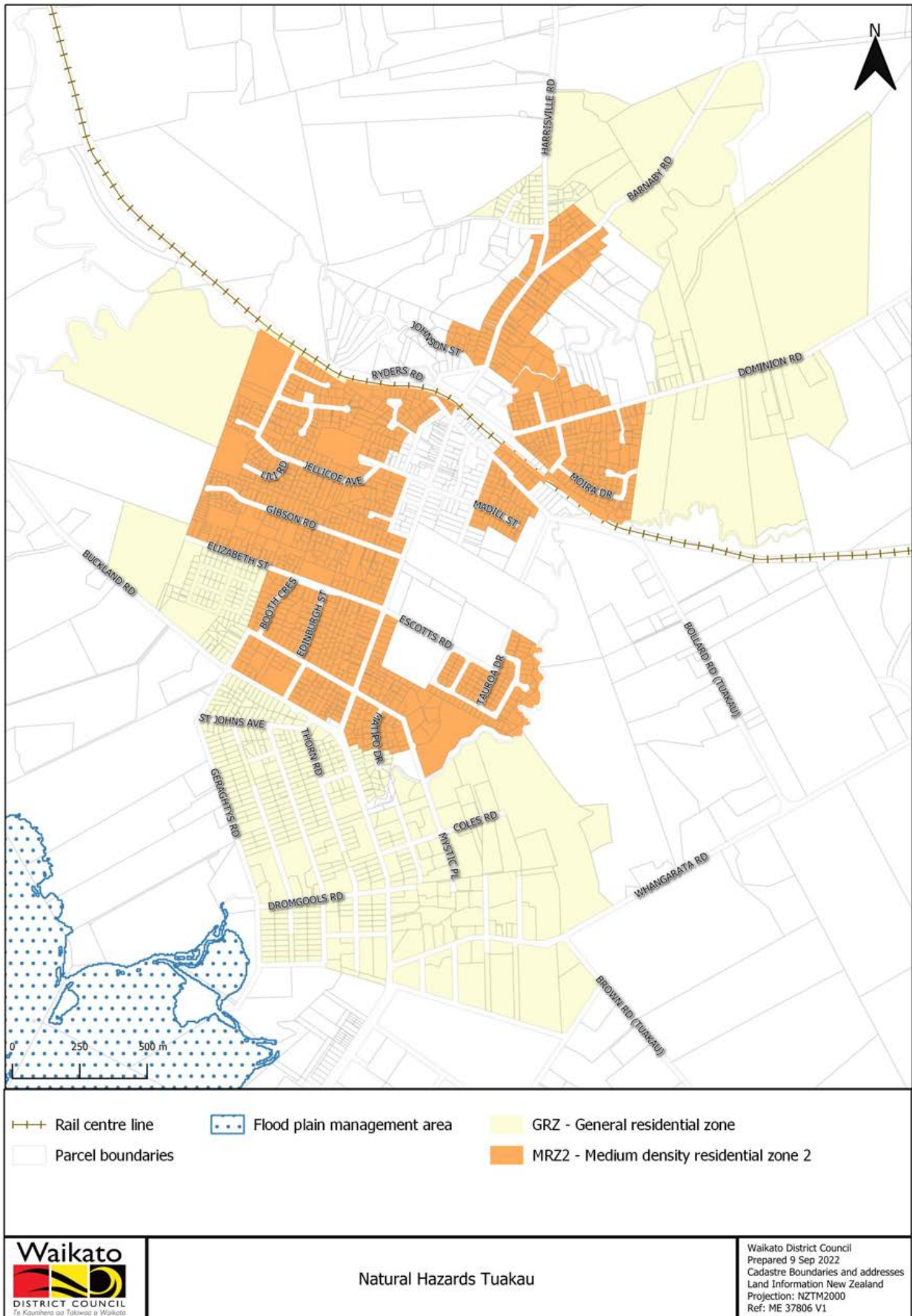
This QM applies to the residential zoned sites that have a natural hazard overlay identified on the planning maps. While the Proposed District Plan includes coastal hazards, there are no sites within

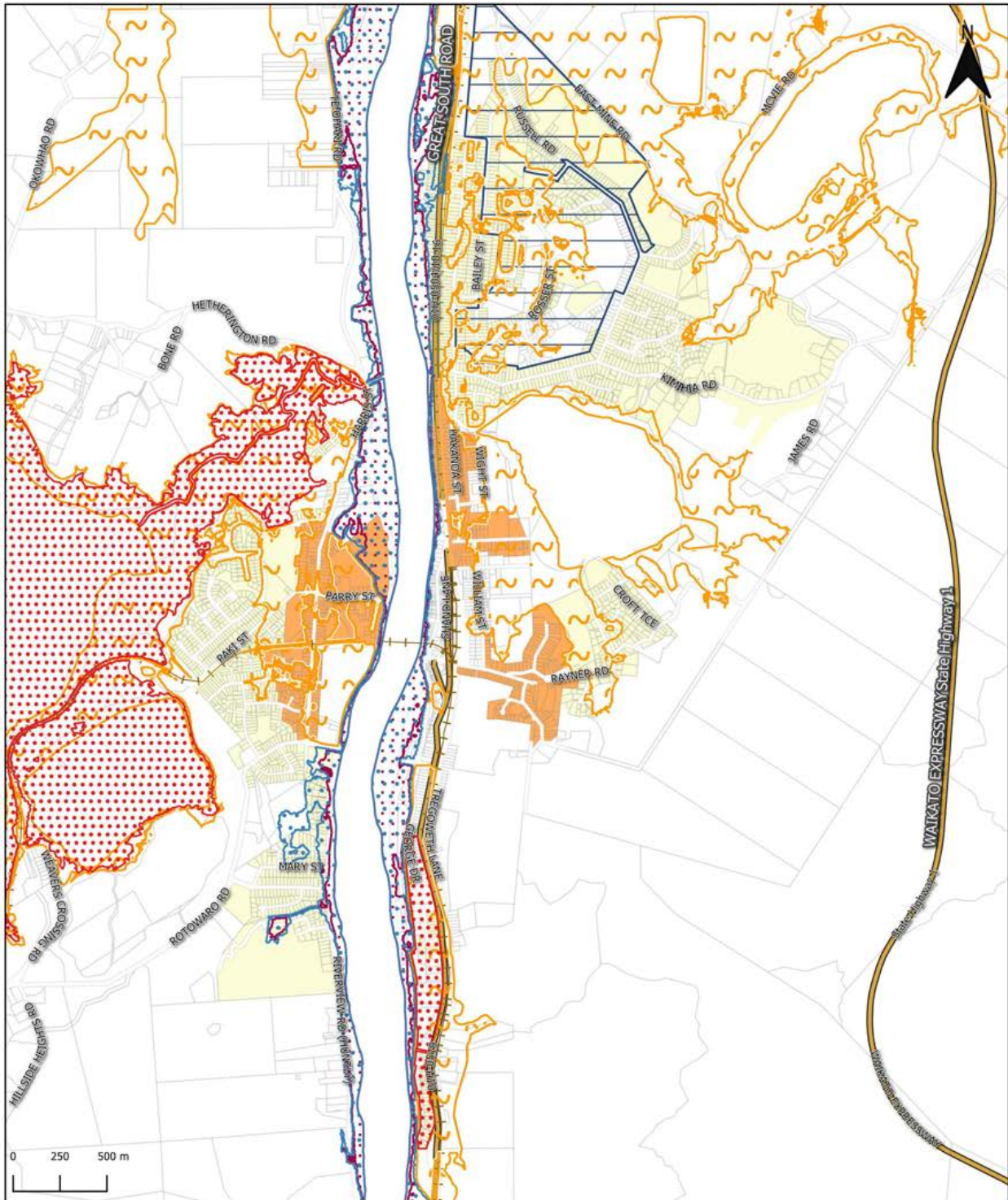
the four towns which are subject to any of the coastal hazard overlays. The key natural hazards are those sites near the Waikato River in Huntly and Ngaruawahia and the mine subsidence area in Huntly.

The zoning of parcels affected by the natural hazard overlays in the PDP is as follows:

	Overlay	General residential zone	Medium density residential zone 2
Flood hazards	High flood risk area	103	95
	Flood plain management area	233	121
	Flood ponding area	67	0
	Residual risk areas / Defended areas	759	257
Subsidence Risk	Mine subsidence risk area	433	0

Figure 8: Sites identified as being subject to a natural hazard in the PDP



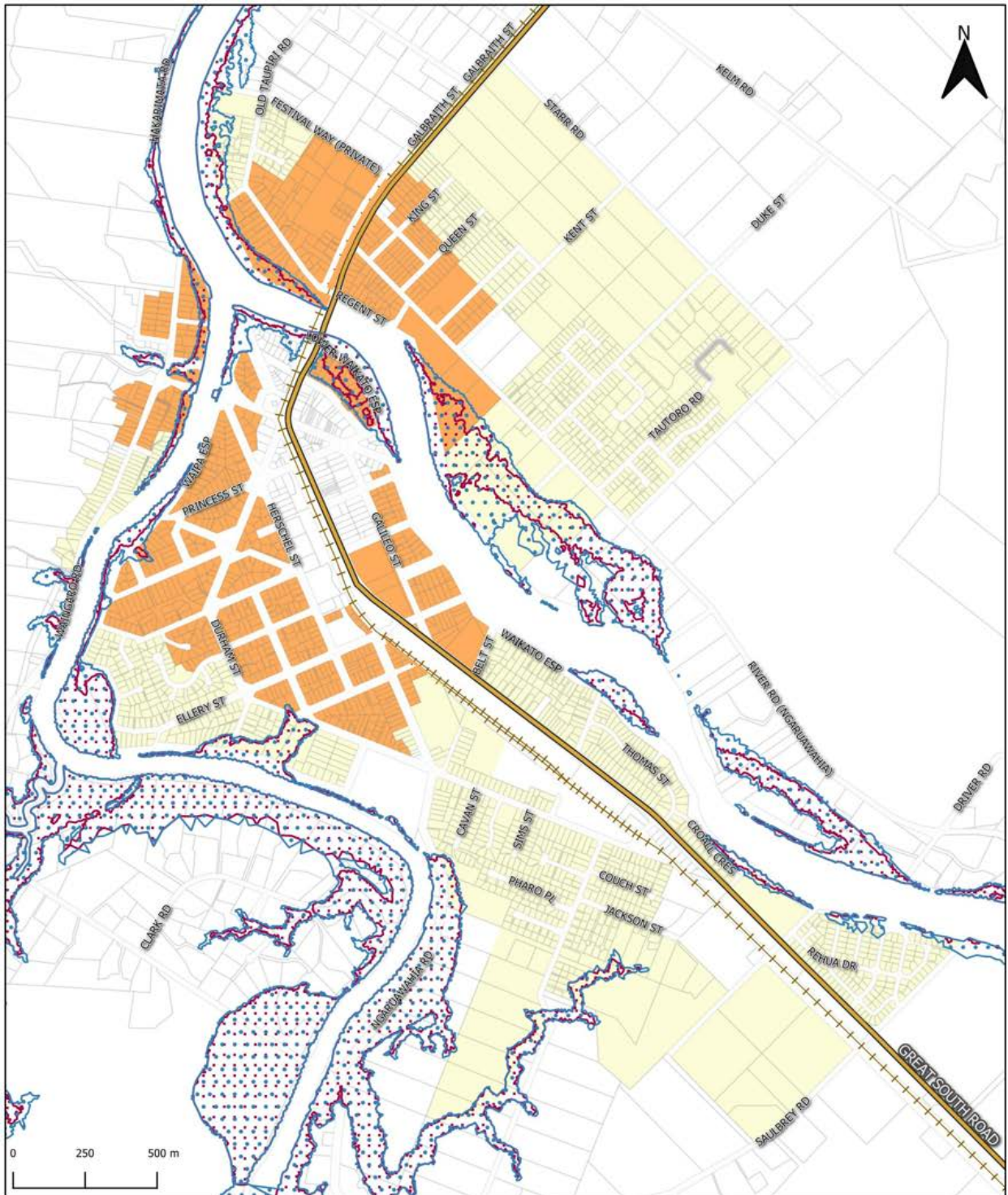


Major Road	Defended area	High risk flood area
Rail centre line	Flood plain management area	Mine subsidence risk area
Parcel boundaries	Flood ponding area	GRZ - General residential zone
		MRZ2 - Medium density residential zone 2



Natural Hazards Huntly

Waikato District Council
 Prepared 9 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1



Natural Hazards Ngaruawahia

Waikato District Council
Prepared 9 Sep 2022
Cadastre Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1

7.4 Why is the area subject to the QM?

The sites have a natural hazard in accordance with section 6(h) of the RMA. The natural hazards items have been identified through various technical assessments as part of the Proposed District Plan process. The 1% AEP floodplain extent for the Waipa and Waikato Rivers has been identified by either 1D or 2D modelling (key risk areas). The 2D modelling also enabled high-risk flooding areas and two flood ponding areas to be identified on the planning maps in the key risk areas. The analysis that underpinned the mapping of the flood hazard was undertaken by DHI and Waikato Regional Council.

While land stability and liquefaction risk were assessed on a site-by-site basis, the Proposed District Plan retained the existing ‘Mine Subsidence Risk Area’ overlay in Huntly East to identify the sites with possible subsidence risk, where associated land use rules and restrictions will apply. There were a number of technical assessments undertaken by Ian R Brown Associates Ltd (IRBA), TerraFirma Mining Limited and Resource Development Consultants Ltd (RDCL). These were reviewed by Doug Johnson (Tonkin + Taylor).

7.5 Why is the QM incompatible with the level of development permitted?

Natural hazards pose a risk to people and property, and it would be inappropriate to enable medium density residential development in areas that have been identified as being at higher risk to natural hazards.

The presence of a natural hazard overlay will limit the potential for the site to achieve Medium Density Residential Standards levels of development. Limiting the development potential through the NH provisions recognises the national importance of managing significant risks from natural hazards in accordance with section 6(h) of the RMA.

7.6 What is the impact of limiting development?

The existing rules in the Natural Hazards and Climate Change chapter of the PDP will limit the ability to develop the site to its maximum potential and subdivide. Sites with this notation will be unable to develop to the full potential of the Medium Density Residential Standards as contained in the RMA as either the full or part of the site where the natural hazard overlay is located will be unable to be built upon due to the need to minimise the risk to people and property. The QM will affect the development potential of 1,662 sites within the four towns which are the subject of Variation 3.

7.7 Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	There are no environmental costs	The risk of natural hazards is not increased
Economic	<p>There is an opportunity cost to properties affected by this QM, who are prevented from achieving medium density residential developments</p> <p>Reduced ability to utilise the full extent of the property</p> <p>May not result in optimising the existing urban land resource</p>	<p>The provisions may provide for a low level of development on the site depending on the spatial extent of the setting and location of the natural hazard overlay on the site</p> <p>Areas not identified in the Flood Plain Management Area and High Risk Flood Areas have certainty and have minimal expectation to investigate flood hazard</p>

	<p>Additional costs involved in obtaining a resource consent</p> <p>There are different levels of risk within each natural hazard overlay but the overlays do not reflect this nuance</p> <p>Increased cost of developing land</p> <p>Negative perception on land values for those identified in the flood plain area of the planning maps and more so for those areas identified as High Risk Flood Area.</p> <p>There is also the potential for impact on insurance premiums or ability to obtain insurance.</p>	<p>The actual cost of loss of life (less likely in flood risk) and damage to property and infrastructure will be minimised</p>
Social	<p>Dwellings in these areas are more likely to be lower cost housing, and attract lower socio-economic parts of the community</p>	<p>Damages to property are avoided by requiring new subdivision, use and development to be avoided in areas of significant risk</p> <p>Avoiding development in areas with significant risk of flooding (high risk) will help build resilience, and potentially help reduce the need for costly remediation/retreat after an event.</p> <p>Flooding of floors bears a high cost in house and contents repair, high personal disruption and increased health risks (mould, rising damp and cleaning up contaminated water under homes). Restricting development in these areas to an event is therefore beneficial, enabling such damage and disruption to be prevented.</p>
Cultural	<p>Development on Maori owned land may be constrained</p>	<p>There are no cultural benefits</p>

8 Matters required to give effect to National Policy Statement

8.1 Introduction

Section 771(b) identifies a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010 as a qualifying matter. There are two National Policy Statements of relevance to the four towns subject to Variation 3:

- a. National Policy Statement for Electricity Transmission (NPSET) as the National Grid passes over the urban areas of Pokeno and Huntly; and
- b. National Policy Statement for Freshwater Management (NPS-FM).

The QM associated with the National Grid falls under both section 771(b) and section 771(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure. To avoid repetition, the National Grid is only evaluated once.

The QMs attributed to the NPS-FM (identified by s771(b)) can also be attributed to a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River, which is a QM identified by section 771(c). To avoid repetition, this QM is evaluated under section 9 of this report.

The National Grid passes over a portion of the urban environments of Pokeno and Huntly. The BOB-MER-A line is a 110kV line supported by steel towers which overlays a small portion of the eastern edge of the Pokeno urban area, close to State Highway 1.

Figure 9: Location of the National Grid through Pokeno



The HAM-MER-B line runs through the western edge of Huntly's urban environment and is a double circuit 110kV line, supported by steel towers. It is depicted below with the white squares for towers. The HAM-MER-A line runs generally parallel to this and is a single circuit 110kV line supported on single poles (identified by yellow circles indicating poles).

Figure 10: Location of the National Grid through Huntly



Policy 10 of the NPSET requires decision-makers to manage activities to avoid reverse sensitivity effects on the electricity transmission network. One of the most effective ways is set out in Policy 11 of the NPSET which is to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. The PDP identifies the National Grid and has objectives, policies and rules which focus on the following activities:

- a. Earthworks;
- b. Subdivision;
- c. Buildings; and
- d. Sensitive land use.

Sensitive activities are defined in the PDP and includes residential activity.

The National Grid subdivision corridor is an area that applies either side of the National Grid and is defined in the PDP as:

Means the area measured either side of the centre line of any above-ground electricity transmission line as follows:

- (a) 14m for the 110kV national grid lines on single poles;
- (b) 32m for 110kV national grid lines on towers; and
- (c) 37m for the 220kV transmission lines.

The National Grid subdivision corridor does not apply to underground cables or any transmission line (or sections of lines) that are designated by Transpower. The measurement of setback distances from National Grid lines shall be taken from the centre line of the transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

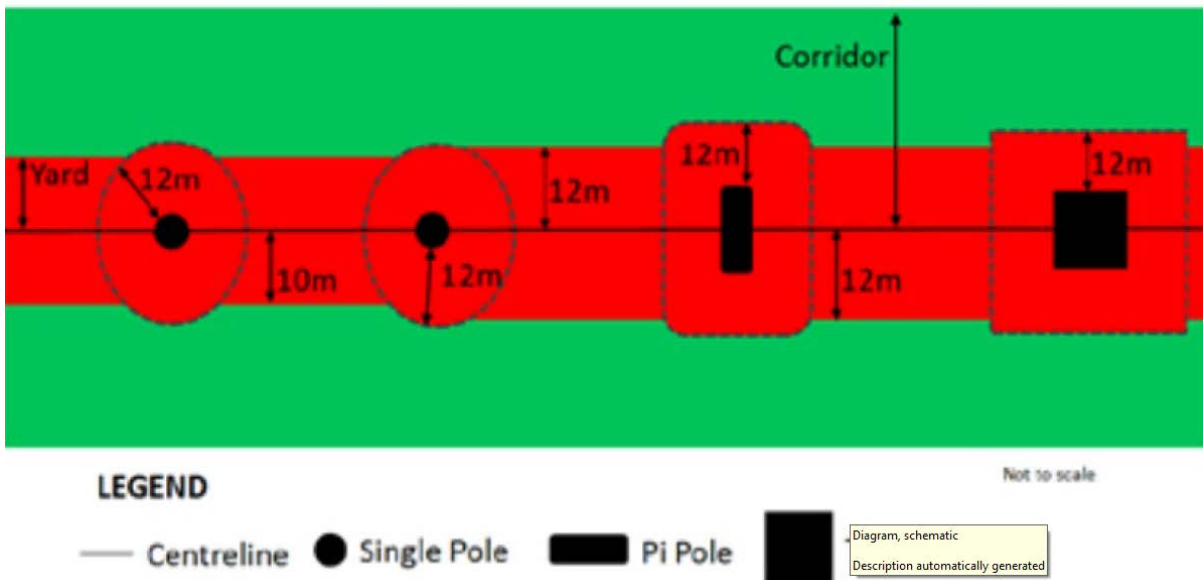
As the name suggests, this term is of relevance where subdivision is proposed in close proximity to the National Grid.

The National Grid yard is relevant to earthworks, buildings and the establishment or extension of sensitive activities. It is defined in the PDP as:

Means the area located within:

- (a) 12 metres in any direction from the visible outer edge of a national grid support structure foundations; and
- (b) 10 metres either side of the centre line of any above-ground 110kV national grid line on single poles; and
- (c) 12 metres either side of the centre line of any above-ground national grid line on towers.

The National Grid yard does not apply to underground cables or any transmission line (or sections of lines) that are designated by Transpower. The measurement of setback distances from National Grid lines shall be taken from the centre line of the transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.



The presence of the National Grid means that residential buildings, activities and subdivision will be limited for sites in close proximity to the National Grid, and will not be able to achieve the Medium density residential densities or height.

The following objectives in the PDP provide the policy framework for identification of this QM:

- SD-07 Regionally significant infrastructure and industry.*
- Recognise the importance of regionally significant infrastructure and regionally significant industry.*
- SD-010 Reverse sensitivity.*
- Existing activities are protected from reverse sensitivity effects.*
- AINF-02 Adverse effects on infrastructure.*

Infrastructure is protected from reverse sensitivity effects, and its construction, operation, maintenance, repair, replacement and upgrading is not compromised

AINF-04 National Grid.

The national significance of the National Grid is recognised, and protected and provided for.

What is the effect of the QM?

The following rules limit development in close proximity to the National Grid:

- a. The establishment of any new sensitive land use within the National Grid Yard is a non-complying activity in the General residential zone (GRZ-R14);
- b. Earthworks is limited by rule EW-R2 to the following standards:
 - i. Do not exceed a depth (measured vertically) of 300mm within 12m of the outer visible edge of any National Grid support structure foundation.
 - ii. Do not compromise the stability of a National Grid support structure;
 - iii. Do not result in the loss of access to any National Grid support structure; and
 - iv. Do not result in a reduction in the ground to conductor clearance distances of less than 6.5m (measured vertically) from a 110kV National Grid transmission line, or 7.5m (measured vertically) from a 220kV National Grid transmission line.

Non-compliance with these standards is a restricted discretionary activity.
- c. Subdivision in the General residential zone is a restricted discretionary activity in SUB-R26 where it complies with the following standards:
 - i. All resulting allotments must be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and
 - ii. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.
- d. Non-compliance with these standards is a non-complying activity.

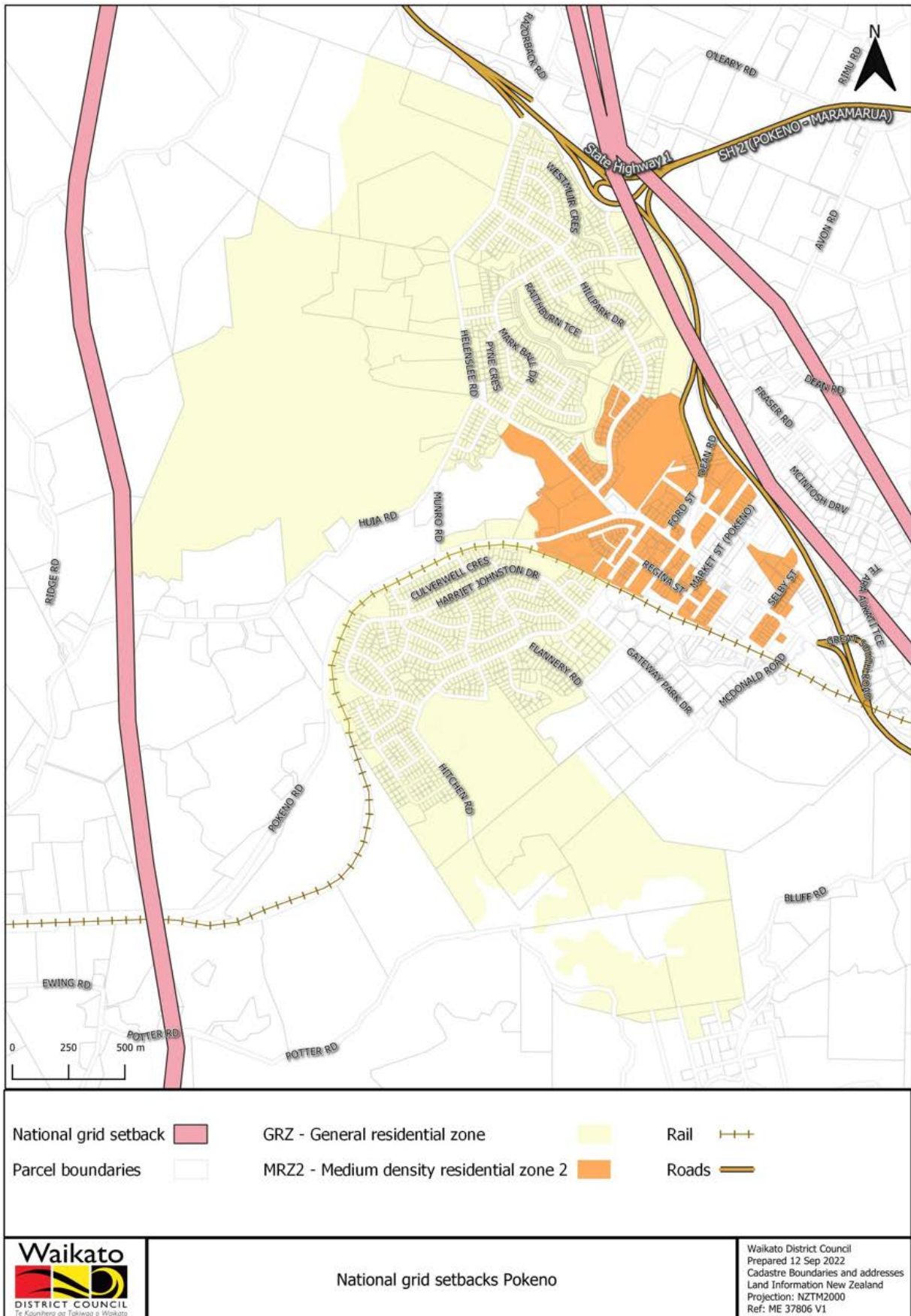
As the Medium density residential zone is not currently located around the National Grid, there is no corresponding rules for medium density residential zone in the PDP, however this rule is proposed to be inserted in the Medium density residential zone 2 provisions as rules MRZ2-R10, MRZ2-R11 and SUB-R162.

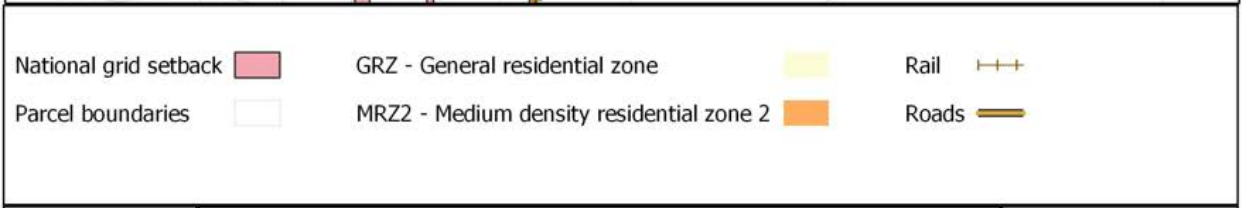
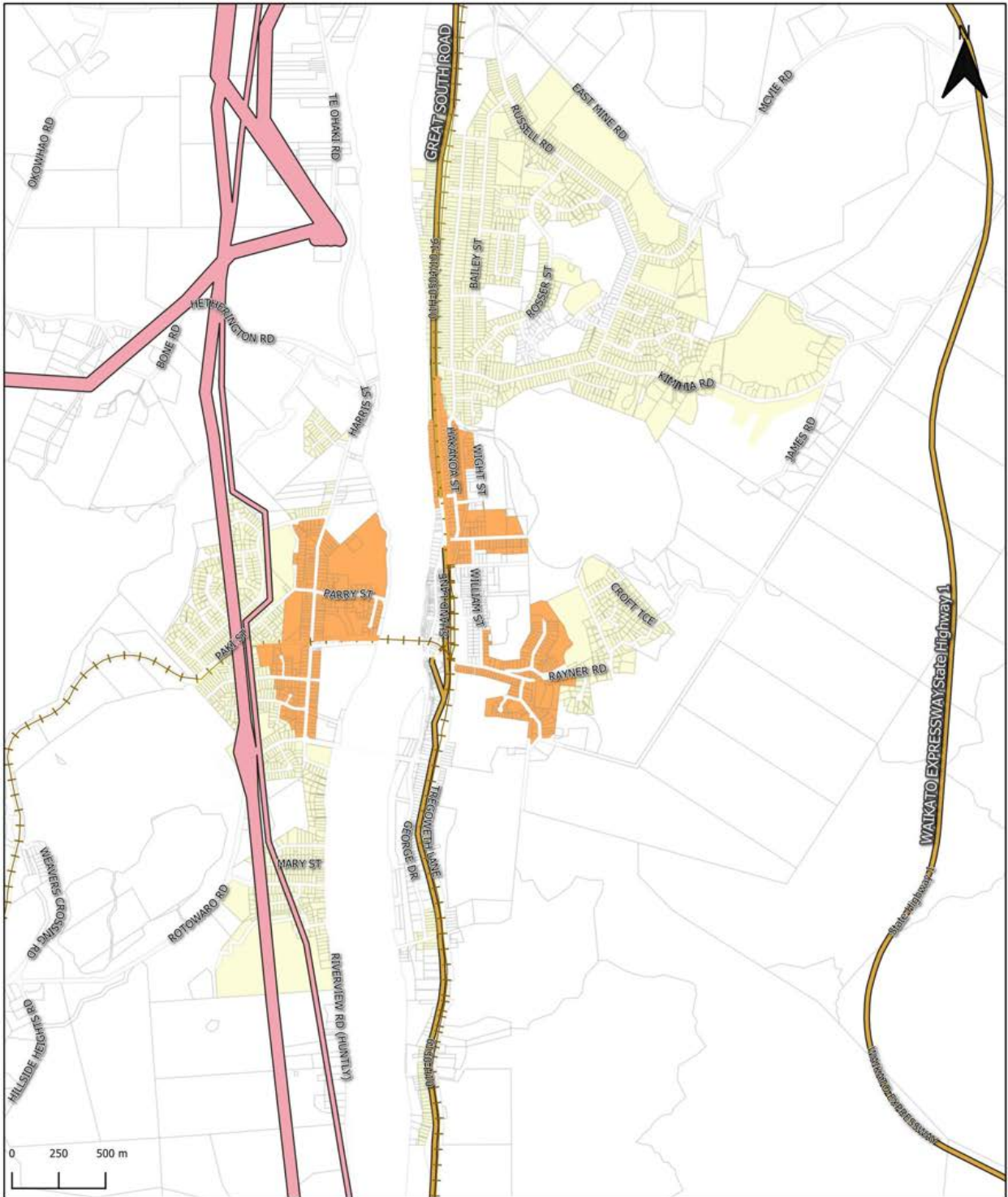
The response of Variation 3 to this QM is to continue to manage development in close proximity to the National Grid through the National Grid Yard and National Grid Subdivision Corridor and their associated provisions. This is to reflect the approach that residential development is not appropriate within the National Grid Yard. This is for safety of the dwelling occupants as well as security of the National Grid. Buildings in close proximity to the National Grid increase the potential for flashovers to occur.

What area does this QM apply to?

This QM applies to 235 parcels zoned General residential zone (using the definition of the National Grid Subdivision Corridor measurements in the PDP), located on the western edge of Huntly and the eastern edge of Pokeno. The National Grid itself passes through 98 parcels.

Figure 11: Location of the National Grid and extent of properties affected by the qualifying matter (based on the National Grid Yard definition in the PDP)





National grid setbacks Huntly

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1

Why is the area subject to the QM?

The sites are in close proximity to the National Grid, and development in close proximity has the potential to compromise the safety and security of the National Grid.

Why is the QM incompatible with the level of development permitted?

Policy 10 of the NPSET requires decision-makers to manage activities to avoid reverse sensitivity effects on the electricity transmission network. Policy 11 of the NPSET which is to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. The QM is applied to sites where more intensive residential development would compromise the National Grid, increase the risk to people and property and not give effect to the NPSET.

Limiting the development potential through the National Grid Yard and National Grid Subdivision Corridor recognises the national importance of the National Grid and gives effect to the NPSET.

What is the impact of limiting development?

The QM limits development by including rules for sensitive activities within the National Grid Yard and for subdivision within the National Grid Subdivision Corridor. The existing rules in the General residential zone, earthworks chapter and subdivision chapter of the PDP will further limit residential buildings, earthworks and subdivision within the National Grid yard / corridor in the General residential zone.

Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	No environmental costs	Reduced chance of flashovers.
Economic	<p>Reduced value of properties in close proximity to the National Grid.</p> <p>Reduced development options in terms of land uses.</p> <p>Decreases the subdivision potential of properties within the corridor.</p>	<p>Protects the integrity of the National Grid and ensures continuous electricity supply which is essential for economic activity</p> <p>Retained ease of access for inspection, operation and maintenance for the network provider.</p> <p>Increased security of the towers and supporting structures by limiting earthworks in close proximity.</p> <p>Security of electricity supply is a significant benefit to business in Waikato District and nationally.</p>
Social	<p>Sub-optimal arrangement of a site in terms of location of buildings</p> <p>In the case of brownfield development, is likely to create unusable “dead space” on sites.</p> <p>Allowing public open space within the corridor could potentially result in increased numbers of people carrying out recreational activities in close proximity to the lines.</p>	<p>Protects buildings and structures from flashovers.</p> <p>Public safety is better maintained.</p> <p>An increased level of amenity for those living in close proximity to lines.</p> <p>Raises public awareness of the location of high voltage lines.</p> <p>In the case of greenfield development, the corridor can be used for other</p>

		<p>purposes such as roading or public open space.</p> <p>Security of electricity supply is a significant benefit to residents in Waikato District and NZ</p>
Cultural	May constrain the development of Maori Freehold or Customary Land	

9 Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River

9.1 Introduction

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (River Settlement Act) states that the Vision and Strategy is intended by Parliament to be the primary direction-setting document for the Waikato River and activities within its catchment affecting the Waikato River. The Vision and Strategy's central focus is on restoring and protecting the health and wellbeing of the Waikato River for future generations. Two of the key mechanisms arising out of the settlement that are particularly relevant to this application, are:

- a. The establishment of the Waikato River Authority; and
- b. Te Ture Whaimana – the Vision and Strategy for the Waikato River.

Schedule 2 of The River Settlement Act sets out Te Ture Whaimana which applies to the Waikato River and activities within the catchment affecting the Waikato River.

Section 12 of the River Settlement Act states that Te Ture Whaimana prevails over any inconsistent provision in a national policy statement [s12(1)(a)], a New Zealand coastal policy statement [s12(1)(b)] and a national planning standard [s12(1)(c)]. The importance of Te Ture Whaimana has been articulated in several Environment Court decisions on designations, plan changes, regional and district resource consent applications and road stopping applications. Section 11 of the River Settlement Act directs the Vision and Strategy in its entirety to be part of the Regional Policy Statement, and accordingly it is included in Section 2.5 of the Waikato Regional Policy Statement.

Te Ture Whaimana sets the following vision:

Our Vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.

From this flow thirteen objectives and twelve strategies to achieve those objectives. In order to realise the Vision, the following Objectives will be pursued:

- a. The restoration and protection of the health and wellbeing of the Waikato River.
- b. The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.
- c. The restoration and protection of the relationship of Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural and spiritual relationships.

- d. The restoration and protection of the relationship of the Waikato region's communities with the Waikato River including their economic, social, cultural and spiritual relationships.
- e. The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.
- f. The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- g. The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.
- h. The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.
- i. The protection and enhancement of significant sites, fisheries, flora and fauna.
- j. The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing requires the restoration and protection of the health and wellbeing of the Waikato River.
- k. The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.
- l. The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.
- m. The application to the above of both maatauranga Maaori and latest available scientific methods.

Section 771(c) of the RMA identifies as a QM, a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River.

The decision version of the PDP contains a district-wide chapter TETW Te Ture Whaimana – Vision and Strategy. The provisions in this chapter will continue to apply to Variation 3. Of particular note is TETW-P1 which sets out the ways in which Te Ture Whaimana is given effect to:

TETW-P1 Implementing Te Ture Whaimana (Vision and Strategy for the Waikato River).

(1) To restore and protect the health and wellbeing of the Waikato River including by;

(a) Identifying and recognising the Waikato River as an Outstanding Natural Cultural Landscape;

(b) Acquiring appropriate public access to and along the Waikato River at time of subdivision;

(c) Protecting and restoring significant natural areas, riparian margins and wetlands within the catchment;

(d) Providing for conservation activities;

(e) Protecting waahi tapu, sites and areas of significance to Maaori;

(f) Recognising and providing for application of maatauranga Maaori; and

(g) Managing the effects of subdivision, use and development including those associated with:

(i) Building in river setbacks;

(ii) Intensive farming;

(iii) Earthworks and land disturbance; and

(iv) Subdivision.

The following objectives in the PDP provide the policy framework for identification of this QM:

SD-O2 Tangata whenua.

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

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

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

9.2 What is the effect of the QM?

The provisions amended by the QM concentrate on three main areas in the Medium density residential zone 2 and General residential zone:

- a. Setback of buildings from waterbodies;
- b. Impervious surface standard; and
- c. Ensuring subdivisions can be appropriately serviced for water, wastewater and stormwater.

It should be noted that the impervious surface and servicing standards do not actually limit the height or density of development and therefore are not technically QMs. However for completeness they are addressed here, as the inclusion of these standards are directly relevant to achieving the objectives of Te Ture Whaimana.

These provisions apply to both Medium density residential zone 2 as well as General residential zone within the four towns. Each of these matters are addressed in more detail below.

Setback of buildings from waterbodies

The rule requiring buildings to be setback from waterbodies already exists in the decision version of the PDP (MRZ-S1 I), and this is brought over into the Medium density residential zone 2 (as MRZ2-S13) as follows:

- a. 20m the margin of any lake;
- b. 20m from the margin of any wetland;
- c. 21.5m from the bank of any river (other than the Waikato River and Waipa River); and
- d. 26.5m from the margin of either the Waikato River and the Waipa River (this is 28m for the General residential zone);

Non-compliance with this rule results in a restricted discretionary activity status, and the rule sets out specified matters over which Council restricts its discretion.

Impervious surface standard

The impervious surface standard also exists in the decision version of the PDP, and on a Medium density residential and General residential zone site must not exceed 70%. Non-compliance of this standard results in a restricted discretionary activity with Council's discretion restricted to two matters being:

- a. site design, layout and amenity; and

- b. the risk of flooding, nuisance or damage to the site or other buildings and sites.

Subdivision

The three waters (being water supply, wastewater and stormwater) all have the potential to affect the mauri of the Waikato River.

Vacant lot subdivision and subdivision for any reason other than residential development in the Medium density residential zone 2 have a standard that proposed vacant lots must be able to connect to public-reticulated water supply and wastewater. Provision of infrastructure is specified as a matter of discretion. Any failure to comply with the standard will result in subdivision being a discretionary activity.

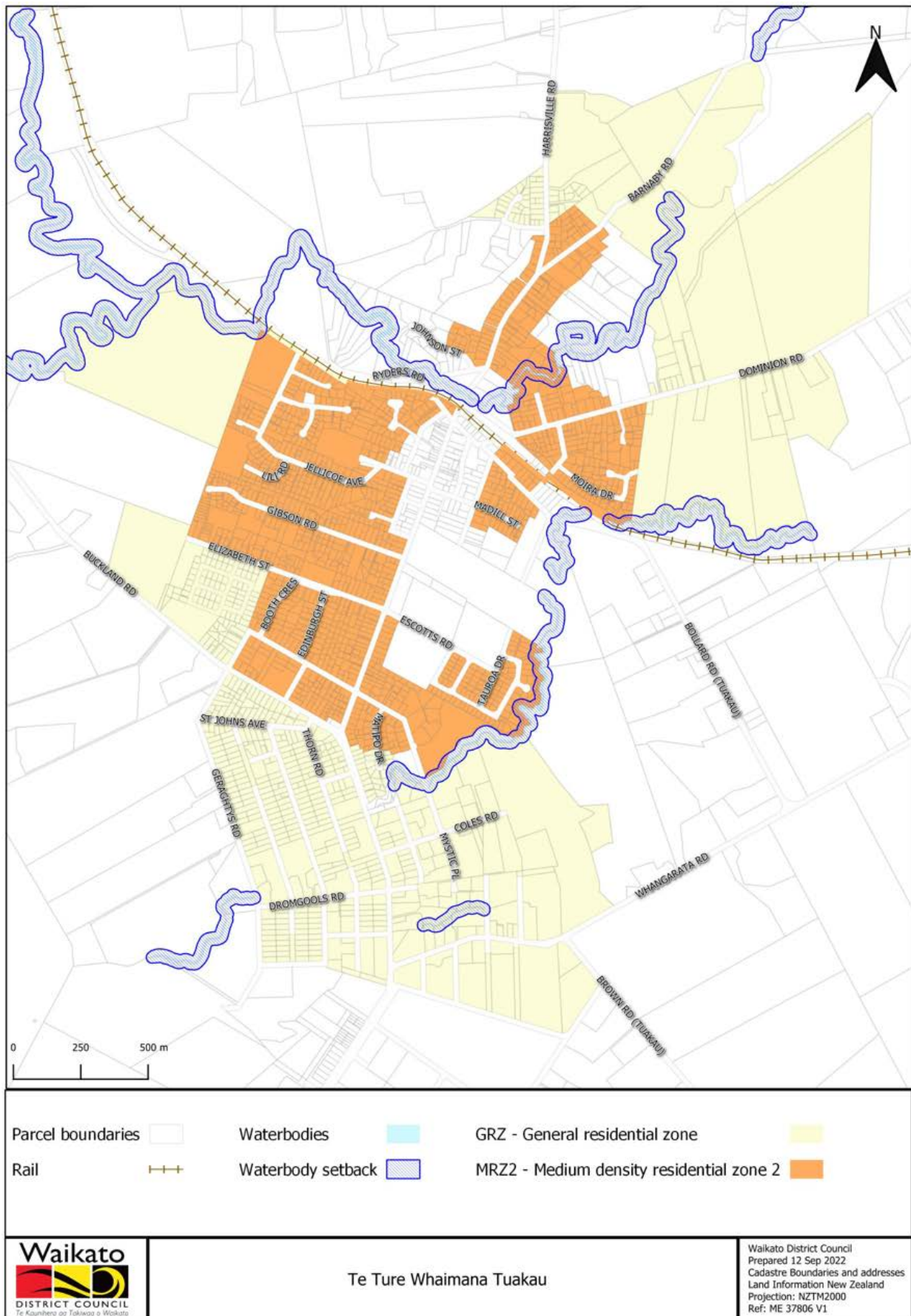
9.3 What area does this QM apply to?

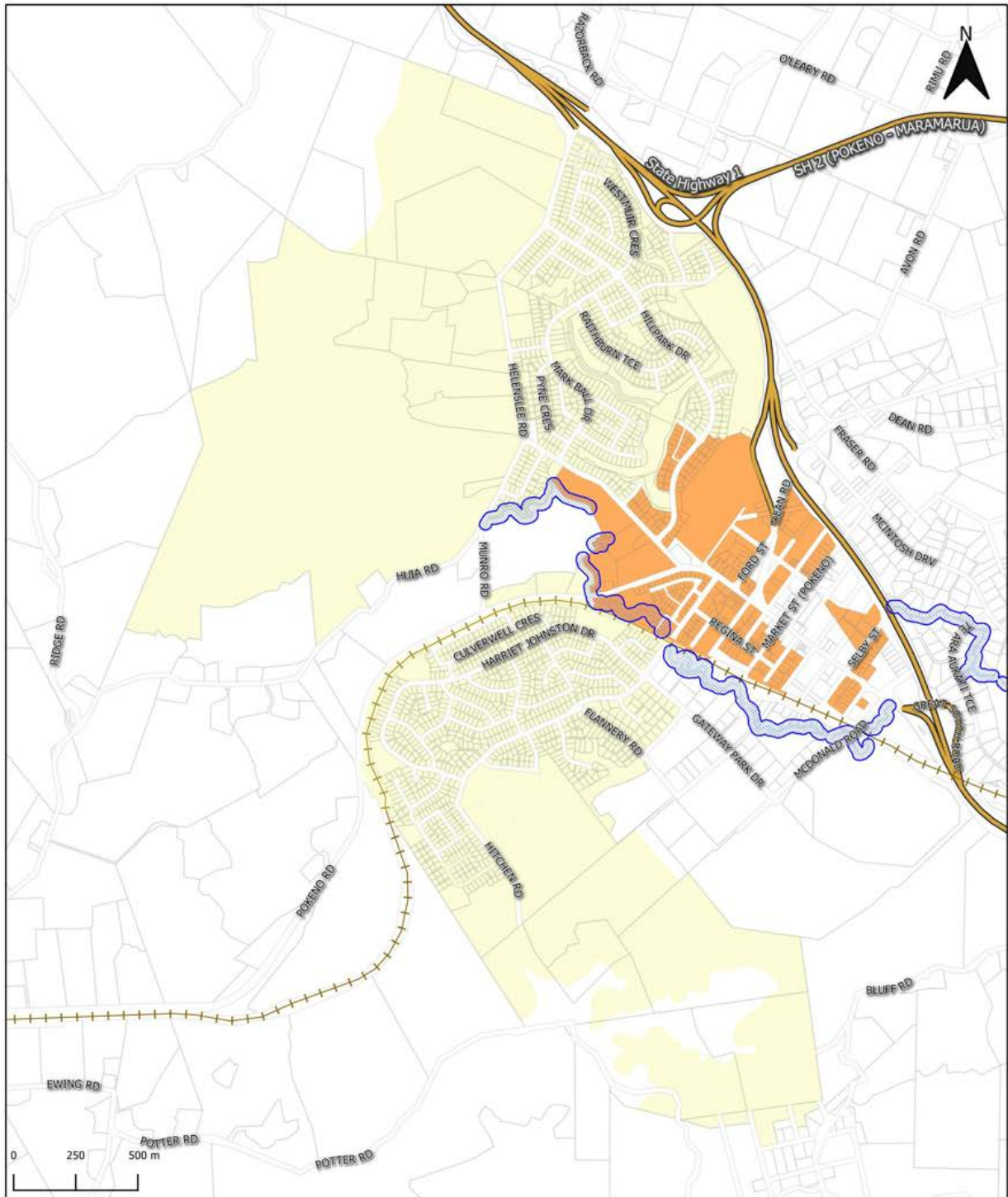
In terms of three waters servicing and impervious surfaces, these standards apply to both Medium density residential zone 2 as well as General residential zone within the four towns.

The rules requiring setbacks from waterbodies only apply to those sites in close proximity to a lake, wetland or river.

The QM affects 136 parcels zoned as General residential zone and 133 parcels proposed as Medium density residential zone 2.

Figure 12: Extent of properties affected by the qualifying matter: Te Ture Whaimana



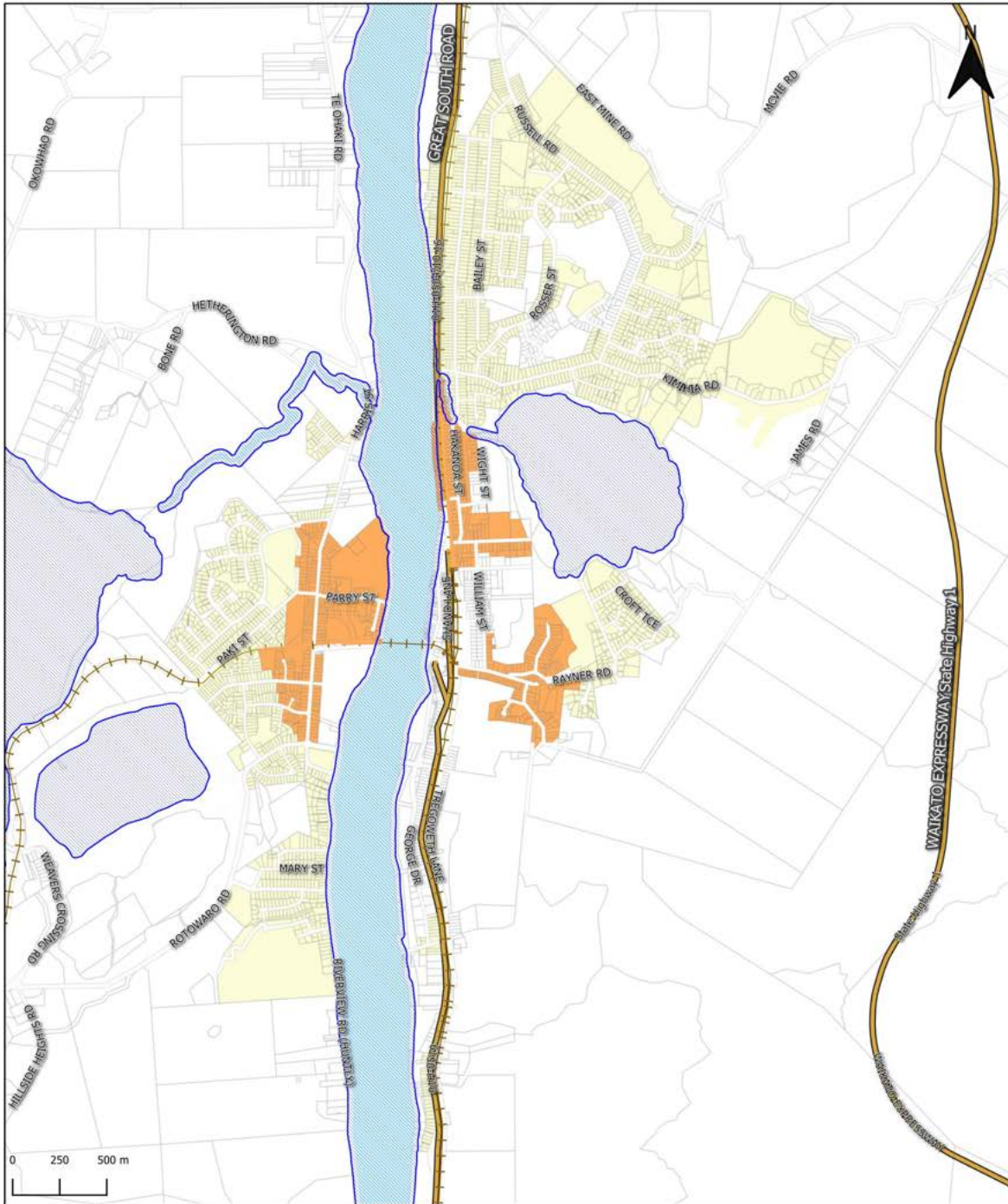


Parcel boundaries		Rail		GRZ - General residential zone	
Roads		Waterbodies		MRZ2 - Medium density residential zone 2	
		Waterbody setback			

Waikato
DISTRICT COUNCIL
Te Kaitiaki o Te Kōwhiri o Waikato

Te Ture Whaimana Pokero

Waikato District Council
Prepared 12 Sep 2022
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Land Information New Zealand
Projection: NZTM2000
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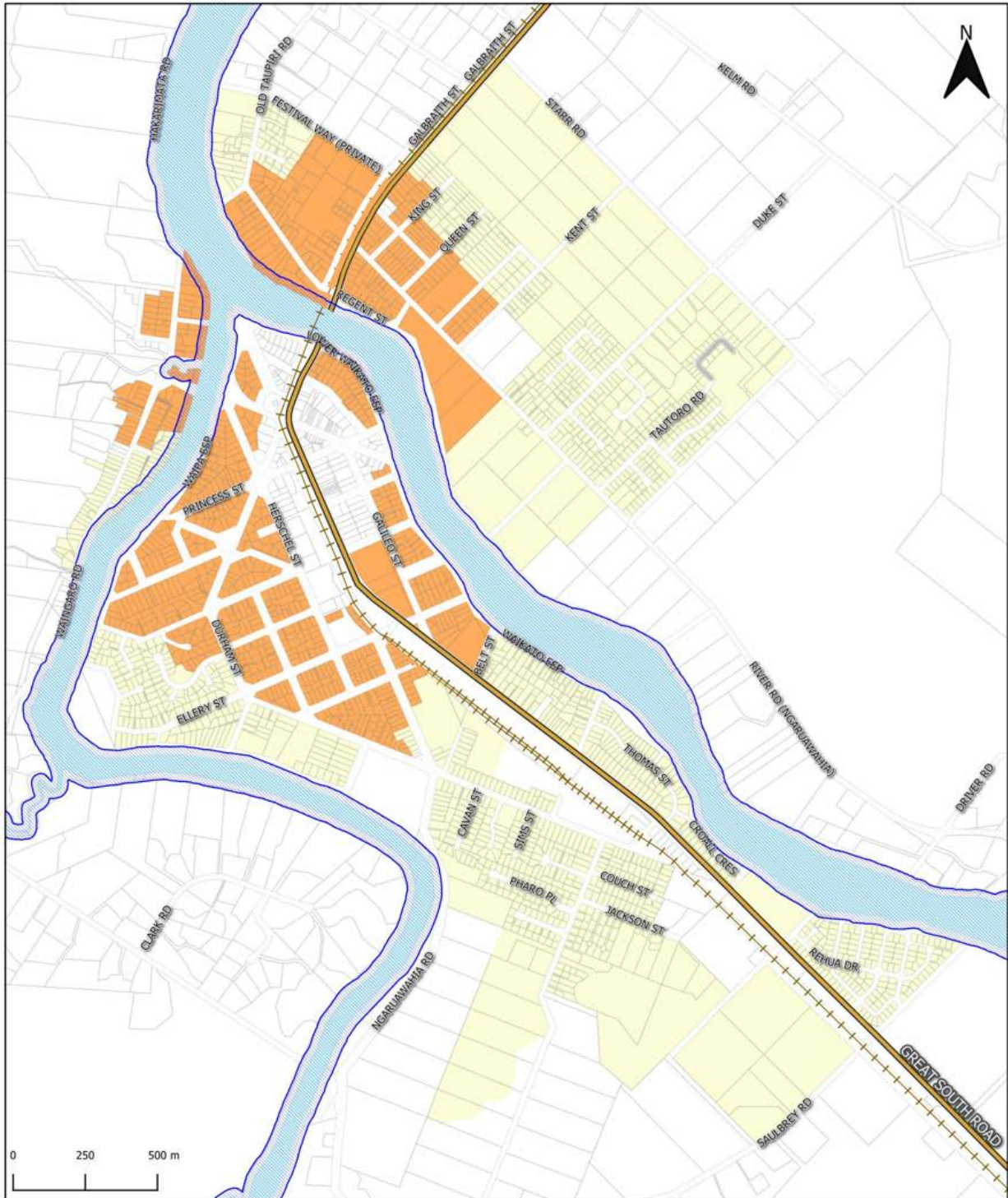


GRZ - General residential zone		Parcel boundaries		Waterbodies	
MRZ2 - Medium density residential zone 2		Rail		Waterbody setback	
		Main Roads			



Te Ture Whaimana Huntly

Waikato District Council
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Parcel boundaries		Rail		GRZ - General residential zone	
Roads		Waterbodies		MRZ2 - Medium density residential zone 2	
		Waterbody setback			



Te Ture Whaimana Ngaruawahia

Waikato District Council
Prepared 12 Sep 2022
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9.4 Why is the area subject to the QM?

All four towns are located within the catchment of the Waikato River, to which Te Ture Whaimana applies. Additional residential development within the catchment has the potential to affect the water quantity and/or quality of the Waikato River through increased loading on the three waters network.

The health and well-being of the Waikato River is expressly reflected in both the vision for the Waikato River as well as the Te Ture Whaimana objectives. In particular, Te Ture Whaimana Objective (g) seeks to avoid adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River. Enabling additional residential development without consideration of whether there is sufficient capacity in the three waters network could lead to a decrease in the water quality through wastewater overflows and additional stormwater, and a reduction in quantity through increased takes for water supply.

Te Ture Whaimana Objective (h) recognises that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities. If appropriate three waters infrastructure is not available to service new residential subdivision, there is the potential for further degradation of the Waikato River. Untreated wastewater discharges cause significant adverse effects to the ecology and biochemical environment of the Waikato River. In addition, untreated wastewater discharges significantly affect the mauri of the waterbody. Similarly, water takes over and above the allocation limit of the river have the potential to degrade the water quality, particularly during low flow seasons.

The management of stormwater is important for two reasons. Firstly, an increase in impermeable surface leads to increased runoff, resulting in flooding and erosion. Secondly, stormwater often entrains contaminants and is a vehicle for transporting contaminants into the Waikato River, rather than retaining contaminants on land through soakage.

Requiring development to be setback from waterbodies results in multiple advantages. It provides space for public access if / when this is appropriate. This is particularly relevant where subdivision enables land to be set aside for esplanade reserves. The setback will result in earthworks being carried out further away from the waterbody, with less runoff of sediment. Setting buildings back from the edge of waterbodies will assist in preserving the natural character.

9.5 Why is the QM incompatible with the level of development permitted?

The level of development permitted by the MDRS is not compatible with protecting the Waikato River to give effect to Te Ture Whaimana because increased loading on the 3 waters network can have direct effects on the protection and enhancement of the Waikato River. If the level of housing permitted by the MDRS was allowed to occur in the district without the proposed standard for building setbacks and impervious surfaces, there is a risk of unacceptable adverse effects to the Waikato River. This would fail to give effect to Te Ture Whaimana.

The modified density standards protect the Waikato River by enabling an increase in the supply and choice of housing where the potential impacts on the river can be managed.

Ensuring the potential adverse effects of housing on the Waikato River are managed, and applying building setbacks from waterbodies and controlling impervious surfaces gives effect to Te Ture Whaimana.

9.6 What is the impact of limiting development?

Setback of buildings from waterbodies

The QM is likely to limit development for sites in close proximity to a lake, wetland or river. The presence of the setback will mean a portion of the site is unable to be built upon as a permitted activity. The extent of the site unable to be built upon varies from 23m – 28m depending on the zone and the nature of the waterbody.

However, non-compliance with this standard is a restricted discretionary activity, so it may still be possible to achieve the MDRS level of development but will require a resource consent application. As it is a restricted discretionary activity, the consent application may be declined or granted.

This standard will limit the building density and therefore the development capacity for permitted developments, but may not limit development if a consent is approved.

Impervious surface standard

The impervious surface standards are unlikely to affect the level of development permitted on a site. The permitted standard of maximum 70% impervious surface is larger than that of the building coverage and therefore will not affect the development of buildings. The building coverage standard is maximum 40% in the General residential zone in the four towns, and maximum 50% in the Medium density residential zone. The impervious surface standard is likely to only affect paved areas such as driveways, impervious decks and layers engineered to be impervious such as highly compacted soil.²

Servicing for three waters

Connection to public-reticulated water supply and wastewater is a standard for subdivision in the General residential zone and vacant sites subdivision for the Medium density residential zone 2 for the four towns. Non-compliance with this standard will result in a more stringent discretionary activity. This may have the effect of discouraging subdivisions that cannot meet this standard. This standard has the potential to limit development if a proposed subdivision for a vacant lot or subdivision for reasons other than residential dwellings cannot be connected to the Council’s reticulated water supply, wastewater and stormwater network. The consent application may be declined or granted. This standard may limit the building density and therefore the development capacity depending on the availability of servicing for three waters and the capacity of the network.

9.7 Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	There are no environmental costs	<p>The setbacks from the waterbodies will result in less sediment entering the waterway from runoff</p> <p>Setbacks reduces erosion by setting development away from waterbodies</p> <p>Setbacks provides spaces for revegetation close to waterways</p> <p>Setbacks provide opportunities to enhance biodiversity close to waterways and biodiversity linkages with the setbacks from waterbodies</p>

² Using the definition of “impervious surfaces” from the PDP decision version.

		<p>Maintaining water quality of the Waikato River and its tributaries through managing three waters</p> <p>Maintaining water quantity through managing water supply</p> <p>Supporting the aquatic ecosystems of the Waikato River and its tributaries</p> <p>Impervious surface standards minimises the severity of flooding</p> <p>Impervious surface standards reduce the level of contaminants entering the Waikato River</p> <p>Efficient use of existing infrastructure</p>
<p>Economic</p>	<p>Some sites may be limited in their ability to develop due to lack of servicing for three waters</p> <p>There is an opportunity cost to properties affected by this QM, who are prevented from developing within 23-38m from a waterbody</p> <p>Uncertainty as to whether a site can intensify due to lack of readily available information on three waters infrastructure</p> <p>Reduced ability to utilise the full extent of the property</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments</p> <p>May not result in optimising the existing urban land resource</p> <p>May limit housing stock with no opportunities for infill due to lack of available servicing which will increase the costs for purchasers</p> <p>Increased time required to create new dwellings due to resource consents being required</p>	<p>Certainty for purchasers of a house that it has servicing for three waters</p>
<p>Social</p>	<p>May result in a reduction of housing opportunities</p> <p>May not enable people to meet their housing needs for their family</p> <p>May result in a lack of diversity of housing typology if development is not enabled</p>	<p>Improved amenity close to waterbodies</p> <p>May result in more variety of living choices if intensification cannot occur in all areas</p>

		<p>Public health is protected by ensuring houses can be serviced for wastewater and water supply</p> <p>Opportunity to increase housing supply where it can be serviced</p>
Cultural	<p>Development of Maaori owned sites may be limited if there is insufficient servicing for three waters</p>	<p>The mauri of the Waikato River will be protected</p> <p>Supports the vision and objectives of Te Ture Whaimana</p> <p>Reduces the potential for degradation of the Waikato River</p>

10 Safe or efficient operation of nationally significant infrastructure

10.1 Introduction

Section 771(e) identifies a matter required in order to give effect to the safe or efficient operation of nationally significant infrastructure. Nationally significant infrastructure is defined in the NPS-UD as:

nationally significant infrastructure means all of the following:

- a. State highways
- b. the national grid electricity transmission network
- c. renewable electricity generation facilities that connect with the national grid
- d. the high-pressure gas transmission pipeline network operating in the North Island
- e. the refinery pipeline between Marsden Point and Wiri
- f. the New Zealand rail network (including light rail)
- g. rapid transit services (as defined in this clause)
- h. any airport (but not its ancillary commercial activities) used for regular air transport services by aeroplanes capable of carrying more than 30 passengers
- i. the port facilities (but not the facilities of any ancillary commercial activities) of each port company referred to in item 6 of Part A of Schedule 1 of the Civil Defence Emergency Management Act 2002

The four towns have the following nationally significant infrastructure passing through or near the urban environment:

- a. State highway 1 (Pokeno)
- b. National Grid (Pokeno and Huntly)
- c. Gas transmission line (Tuakau and Huntly)
- d. North Island Main Trunk rail line (Pokeno, Tuakau and Huntly)

The National Grid is addressed in section 8 above and is therefore not repeated here. Increased residential density can have two different effects on regionally significant infrastructure. While there may be increased safety risk of residential activities, this is mainly if there is a problem with the

network e.g. motor vehicle accident on the state highway, train derailment, spark from the rail network causing a scrub fire or gas explosion.

The gas network is a little different from the transport networks as it is largely underground. Third party interference is one of the main risks to the safety and integrity of the underground gas pipelines. Activities in the vicinity of gas transmission pipeline and ancillary equipment should be carried out in such a way so as not to compromise the safe and efficient operation of the gas transmission network.

The more common risk to the nationally significant infrastructure is the potential for reverse sensitivity, and residential activities are widely accepted as being sensitive to the adverse effects of large infrastructure. Activities carried out on the state highways and the rail network can create objectionable noise, vibration and odour (particularly from diesel emissions but also maintenance operations). Activities in the vicinity of gas transmission pipeline and ancillary equipment have the potential to compromise the safe and efficient operation of the gas transmission network.

The following objectives in the PDP provide the policy framework for identification of this QM:

SD-07 Regionally significant infrastructure and industry.

Recognise the importance of regionally significant infrastructure and regionally significant industry.

SD-O10 Reverse sensitivity.

Existing activities are protected from reverse sensitivity effects.

AINF-02 Adverse effects on infrastructure.

Infrastructure is protected from reverse sensitivity effects, and its construction, operation, maintenance, repair, replacement and upgrading is not compromised.

AINF-08 Land transport network.

(1) An integrated land transport network where:

(a) All transport modes are accessible, safe and efficient; and

(b) Adverse effects from the construction, maintenance, upgrading and operation of the transport network are avoided, remedied or mitigated;

(c) Strategic road and rail corridors play an important role in the district for facilitating the movement of inter and intra-regional freight; and

(d) There is an effective and efficient land transport system that enhances economic well-being, and supports growth and productivity within the Waikato region and upper North Island.

What is the effect of the QM?

The effect of the QM is to limit residential intensification near the state highway, North Island Main Trunk Rail line and the gas transmission line. The key mechanism employed by Variation 3 is to require any new building or alteration to an existing building for a sensitive land use to be set back the following minimum distance from the infrastructure:

- a. 15m from the boundary of a national route or regional arterial and 25m from the designated boundary of the Waikato Expressway
- b. 5m from the North Island Main Trunk Rail line
- c. 6m from the gas transmission line

The rules will have the effect of limiting development in close proximity to the nationally significant transport networks:

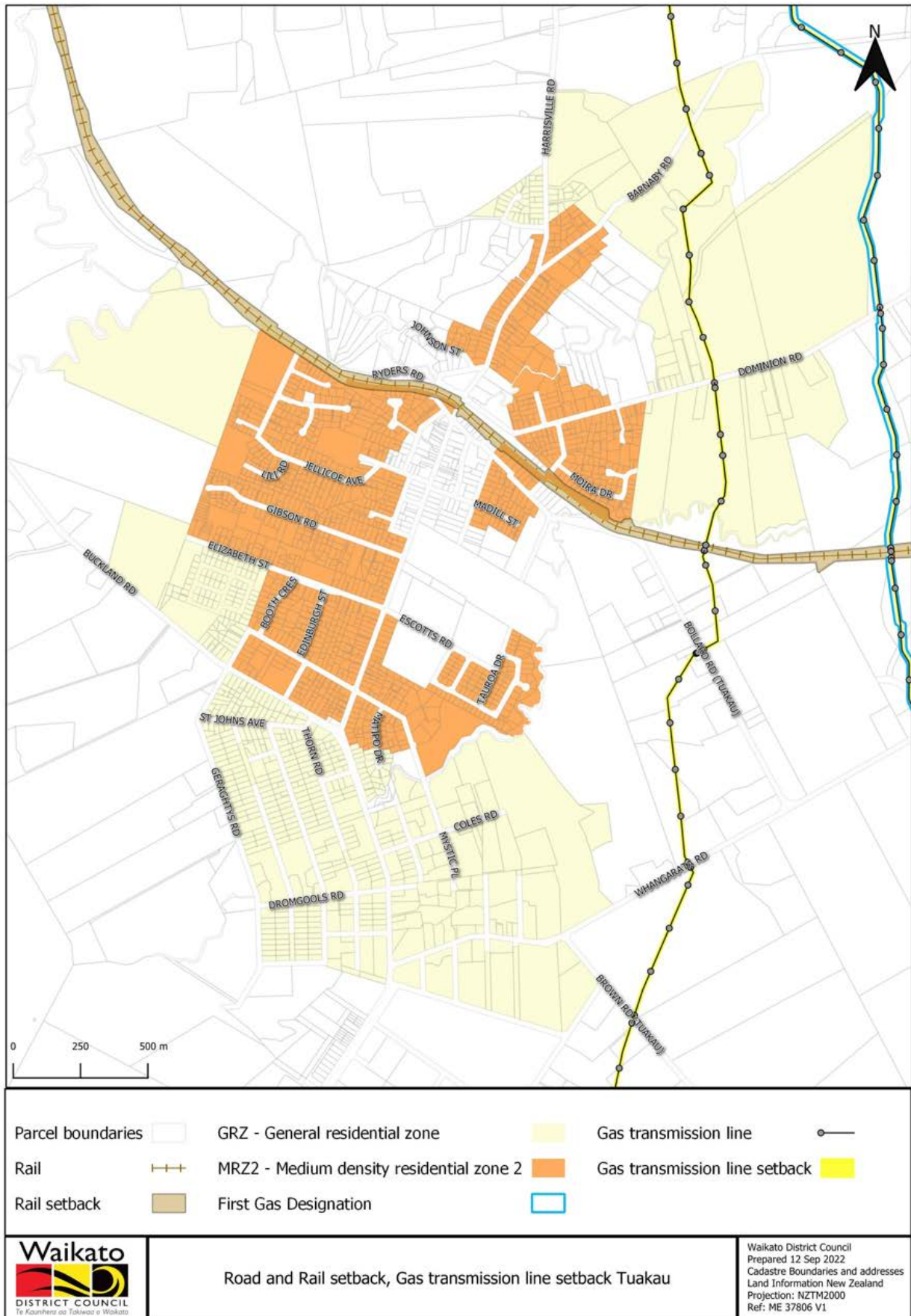
Similar setback rules already apply to the General residential zone (GRZ-S20), with the exception of setbacks from the gas transmission line. While there are currently no rules in the PDP regarding setbacks from the gas transmission line, this is the subject of an appeal to the PDP from First Gas.

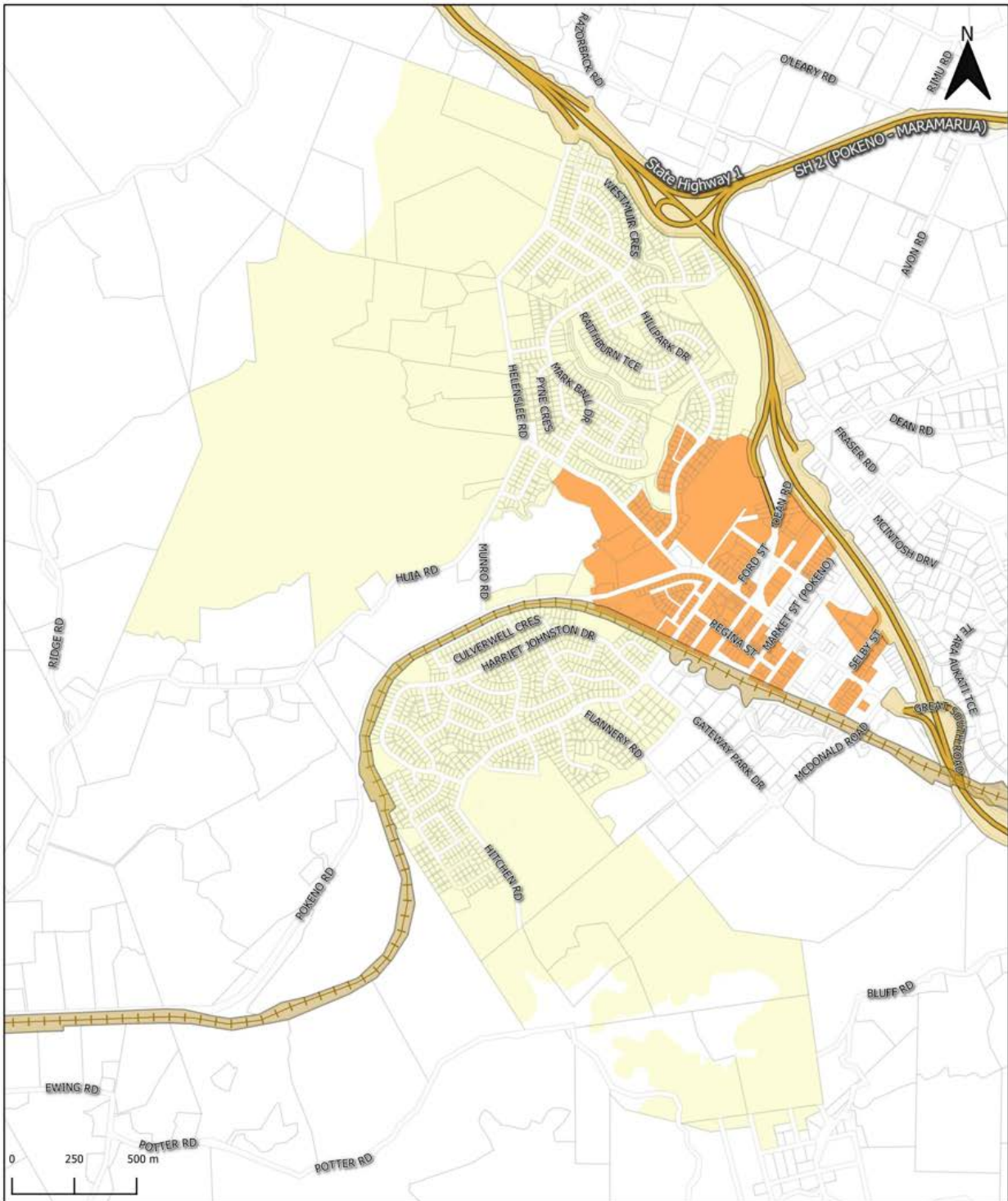
What area does this QM apply to?

This QM applies to 332 residential zoned parcels that are in close proximity to the state highway, North Island Main Trunk Rail line and the gas transmission line. More specifically, the following parcels are affected by the QM:

Nationally significant infrastructure	General residential zone	Medium density residential zone 2
State highway	48	13
Rail	146	118
Gas transmission line	7	0

Figure 13: Properties affected by the qualifying matter: nationally significant infrastructure



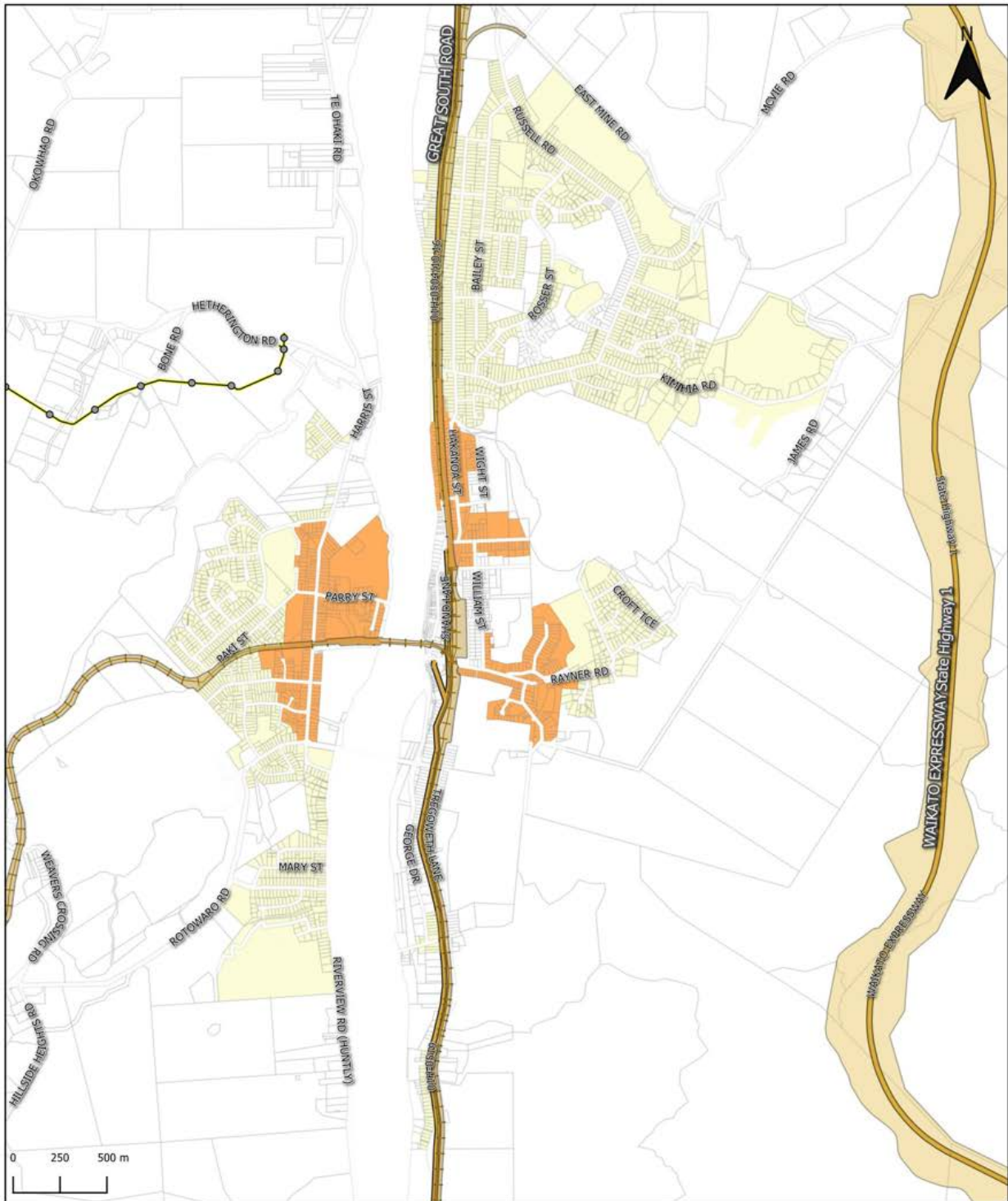


Parcel boundaries		Rail setback		MR22 - Medium density residential zone 2	
Roads		Road setback		Road setback	
Rail		GRZ - General residential zone			



Road and Rail setback, Gas transmission line setback Pokeno

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1

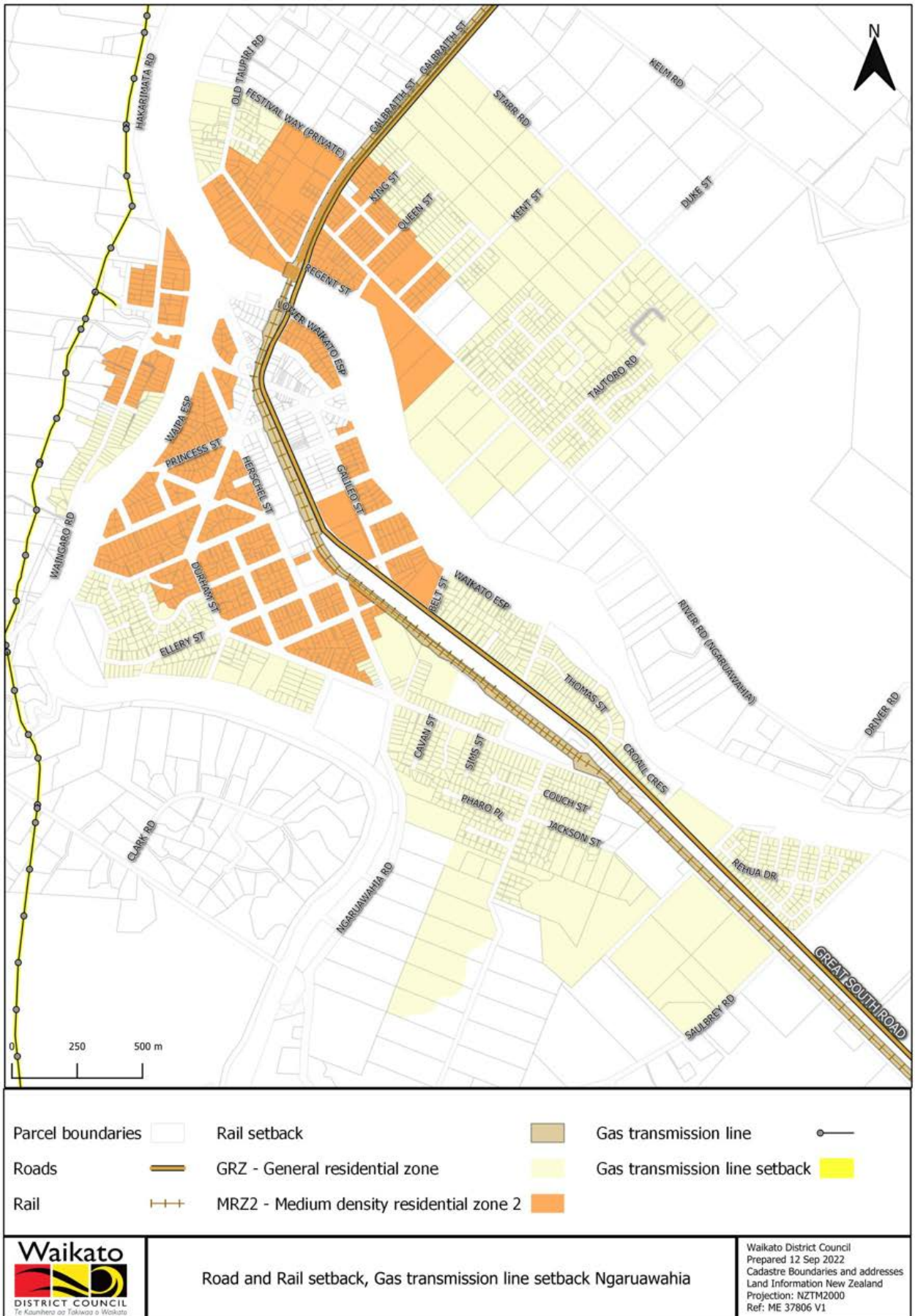


Parcel boundaries		Rail setback		Gas transmission line	
Roads		Road setback		Gas transmission line setback	
Rail		GRZ - General residential zone		Road setback	
		MRZ2 - Medium density residential zone 2			



Road and Rail setback, Gas transmission line setback Huntly

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
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The QM is applied within 6m of the gas transmission line, as evidence from First Gas to the PDP clarified that the transmission network (both the designated and undesignated pipeline) has a 12m wide easement (6m either side of the centre of the pipeline). A 6m setback has been adopted in Variation 3 to reflect the width of the easement and provide protection for the gas network, while not unreasonably constraining development of residential zoned sites.

Why is the area subject to the QM?

The sites are in close proximity to nationally significant infrastructure. It is appropriate to limit residential development to firstly protect the integrity and safety of the infrastructure, but secondly to minimise the potential for reverse sensitivity effects. Given that residential development is widely accepted as being sensitive to noise, vibration and odour, it makes sense to limit residential intensification near infrastructure that generates such effects.

Why is the QM incompatible with the level of development permitted?

The QM is applied to sites where more intensive residential development would compromise the nationally significant infrastructure, increase the risk to people and property and increase the potential for reverse sensitivity effects.

Limiting the development potential through setbacks recognises the national importance of this infrastructure.

What is the impact of limiting development?

The QM limits development by requiring residential development on sites that are within close proximity to the state highway, North Island Main Trunk Rail line and the gas transmission line to be set back a minimum distance from that infrastructure. Where development is proposed to be located within this setback, a resource consent application for a restricted discretionary activity is required.

Costs and broader impacts of imposing the QM

	Costs	Benefits
Environmental	No environmental costs	Reduced effect of significant events such as accidents, fire or explosions from the infrastructure
Economic	Reduced value of properties in close proximity to the infrastructure. Reduced development options in terms of land uses. Decreases the subdivision potential of properties in close proximity to the infrastructure.	Protects the integrity of the infrastructure and ensures continuous transport routes and gas supply Retained ease of access for inspection, operation and maintenance for the network provider. Security of critical transport routes is a significant benefit to business in Waikato District and nationally.
Social	Sub-optimal arrangement of a site in terms of location of buildings In the case of brownfield development, is likely to create unusable “dead space” on sites.	Protects buildings and structures from accidents and significant events. Public safety is better maintained. An increased level of amenity for those living in close proximity to nationally significant infrastructure.

		Security of transport routes and gas supply is a significant benefit to residents in Waikato District and NZ
Cultural	May constrain the development of Maori Freehold or Customary Land	No cultural costs

11 Urban Fringe

11.1 Introduction

While s77G(1) of the Amendment Act requires every relevant residential zone of a specified territorial authority to incorporate the MDRS into that zone, Variation 3 does not apply MDRS to all of the residential zones within the four towns (being Pokeno, Tuakau, Huntly and Ngaruawahia). A QM known as 'Urban Fringe' is proposed to apply to those areas on the fringe of the four towns located beyond the 800m walkable catchments from the town centres. The effect of the Urban Fringe QM is that the MDRS do not apply to the General residential zones within the four towns. Instead, the General residential zone in those four towns has been retained unmodified from the decisions version of the Waikato Proposed District Plan (PDP), except where specified sites in that zone have been up zoned to Medium density residential zone 2 though further refinement of the 800m walkable catchment area.

The Urban Fringe QM is applied in accordance with section 77I(j) as 'any other matter' that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area.

While the QM applies to restrict the application of the MDRS to the General residential zones within the four towns, the justification for this QM can be described equally as either confining intensification to within the walkable catchments of the town centres or preventing the intensification beyond that catchment into the General residential zone. The concepts are interchangeable. Accordingly, in the interests of clarity in explaining this QM, this assessment focusses on why limiting the MDRS to the Medium density residential zone 2 is appropriate rather than why the application of the MDRS to the General residential zone in the four towns is inappropriate.

11.2 Description of the qualifying matter

The Urban Fringe QM seeks to encourage intensive residential development to areas within the 800m walkable catchments of the four towns to support the development of an efficient public transport network and active modes of transport, vibrancy and economic viability of the town centres and commercial activity while retaining housing choice in the General residential zone. It also enables people to live in close proximity to employment opportunities. The use of an 800m walkable catchment as a basis for intensification is considered consistent with the overarching national, regional and district policy framework and good urban design practice.

Limiting the application of the MDRS to the Medium density residential zone 2 will result in the following planning outcomes:

- Reduction in pressure for residential development on the urban fringe and beyond;
- Relief of anticipated pressures on the road transport network 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;
- Provision of greater diversity / housing choice; and

- Coordination of the delivery of infrastructure and services.

11.3 Background for the qualifying matter

This QM has its genesis in the PDP decisions which were notified on 17 January 2022, following an extensive Schedule 1 process of consultation, submissions and hearings by an independent Hearings Panel.

The PDP decisions introduced a new Medium density residential zone in Huntly, Ngaaruawahia, Raglan, Te Kauwhata, Pōkeno and Tuakau. The zone statement for the new zone states its purpose as being to “enable more efficient use of residentially zoned land and infrastructure by providing a higher density of residential development than typically found in the General residential zone”.

The Hearings Panel determined that the inclusion of a Medium density residential zone would give effect to both the NPS-UD and the Waikato Regional Policy Statement, both being higher order planning documents³.

Of direct relevance to Variation 3, the Hearings Panel foreshadowed the legislative changes being implemented through the Amendment Act and acknowledged that its decision would “provide a cohesive planning framework upon which the Council can later promulgate a plan change to align the district plan with the new medium density residential standards”⁴.

Part 2 of the PDP provides strategic directions which provide the overarching direction for growth and development within the district. Included in those strategic directions are the following strategic objectives:

SD-04 Housing Variety

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

SD-05 Integration of infrastructure and land use

New development is integrated with the provision of infrastructure

Part 2 also includes a strategic direction objective for Urban form and development:

UFD-01 Urban environment

A compact urban form that provides for connected, liveable communities.

In developing this QM, Council seeks to give effect to Policy 3(d) of the NPS-UD which states that

(d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services

Variation 3 gives effect to Policy 3(d) in two ways. Firstly, it enables higher densities and building heights adjacent to town centre zones by retaining Medium density residential 2 zone within the 800m walkable catchment of the Town Centre Zone in the four towns.

Secondly, Variation 3 reduces the buildings heights and densities of urban form outside the 800m walkable catchment of the Town Centre Zone in the four towns by retaining the General residential

³ Decision Report 14: Residential Zone; Report and Decisions of the Waikato District Plan Hearings Panel, Waikato District Council. (17 January 2022), page 16

⁴ Ibid page 14

zone. This approach is commensurate with the modest level of commercial activity and commercial services available in the four towns.

The recent Future Proof Strategy 2022 update was also relevant to the development of this QM. This is discussed further below but in essence, concentrating higher residential density around the town centres will assist in meeting the outcomes expressed in the updated strategy.

11.4 Rationale for the qualifying matter

The concept of centralising higher density development around town centres is well-established. There are a number of benefits that accompany a move away from vehicle-oriented development towards a “walkable community” which include:⁵

- a. Improved accessibility to amenities, particularly for non-drivers and those who are transport disadvantaged;
- b. Reduced transportation costs for households;
- c. Potentially more affordable housing in areas of intensification;
- d. Greater variety of living choices;
- e. Increased parking efficiency (benefiting local businesses) through more people walking or using alternate modes to the private vehicle;
- f. Possibility to increase local business activity and employment;
- g. Support / increased patronage for public transport and other alternate transport modes;
- h. Health cost savings to wider community and individuals;
- i. Reduced external transportation costs, e.g. pollution, safety risks;
- j. Increased neighbourhood interaction and community cohesion;
- k. Improved opportunities to preserve cultural resources;
- l. Increased exercise, improving personal wellbeing; and
- m. Increased passive surveillance, through increased use of public realm.

In essence, a walkable urban form will result in a reduction of vehicle trips and reduced vehicle kilometres travelled (i.e. fewer / shorter car trips).

A five-minute walk equates to approximately 400m, with a ten-minute walk equating to approximately 800m. It is not sufficient to simply draw an 800m circle from the town centre however, as this is not a realistic representation of a walkable catchment. Therefore, the delineation of the walkable distance from the edge of the Town centre zone (which is the extent of the Medium density residential zone) has taken into consideration walking routes including footpaths. People are generally willing to walk to local amenities such as schools, local shops and open space. The greater the level of service, the more willing people are likely to be to walk to a destination (acknowledging other environmental factors will also play a role such as weather/ climate, the quality of the pedestrian environment, the presence / mix / attractiveness of destinations and topography). There are two readings of this

- a. the level of service as in the attractiveness of the pedestrian environment; and
- b. the attractiveness of the destination being walked to.

The propensity to walk varies according to what people are walking *to* and *through*.

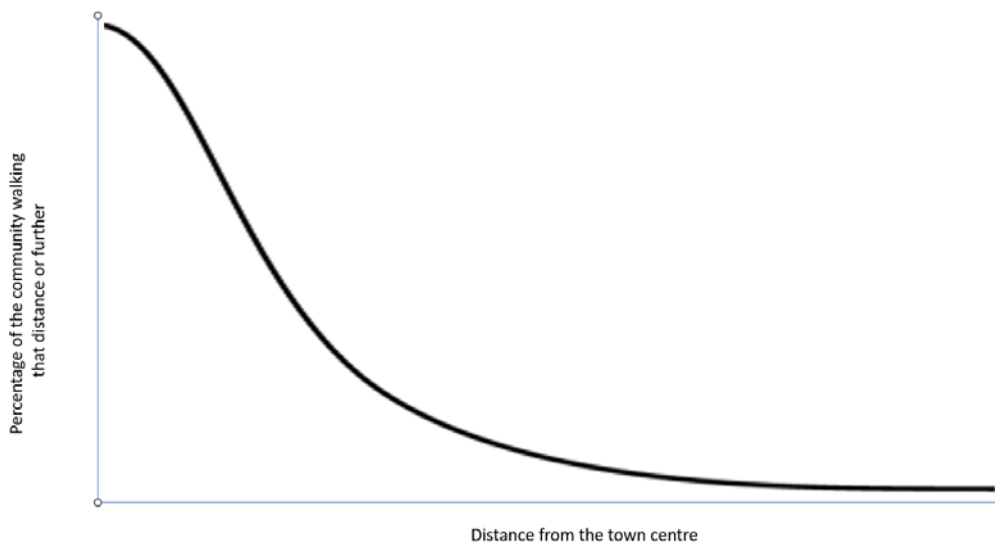
⁵ Economic Value of Walkability, Litman, T. (2014), Victoria Transport Policy Institute.

A literature review concludes that appropriate walking distances to amenities supporting medium density residential living are as follows:

- a. Primary schools and preschools will ideally be located within a ten-minute walking distance (800m) from households. Anecdotal evidence shows that local communities are willing to walk more or cycle school utilised.
- b. Playgrounds, local reserves and parks will ideally be provided for within a five-minute walking distance (400m) of medium density housing. This provides the opportunity for families and children (with limited or no supervision depending on age) to access them safely on a regular basis (e.g. daily) by foot.
- c. Destinations for active recreation and physical activity such as sports fields, clubs, courts, and large open space and fields suitable for running, dog walking and similar activities will ideally be provided for within a ten-minute walking distance (800m) of medium density housing.
- d. Local convenience stores provide opportunity for daily household needs to be obtained in a fast, convenient manner. Accordingly, these are ideally located within a five-minute walk (400m) from medium density housing.
- e. Local centres or nodes incorporating larger supermarkets, cafes, primary healthcare services, pharmacies, banks, libraries and similar activities / service hubs are generally accessed two to three times a week by households. For medium density housing, where reduced reliance on vehicle travel should be an aim, such activities will ideally be located within a ten-minute walking distance (800m).

In using the above ‘rules of thumb’ for planning purposes, it is also important to consider the difference between the distance a person will walk to a given destination as compared with the distance *most* people will walk to access them. Many studies on the subject show a pattern of ‘distance decay’ whereby the proportion of people walking to a given destination decreases the further away it is. This can be illustrated below.

Figure 14: Walkability



Given the above, the QM seeks to consolidate intensification opportunities around the services and amenities provided in the centre of each of the four towns, by limiting the Medium density residential zone 2 to walkable catchments around the centre of each town.

Centres with greater population density show greater vibrancy and intensity of commercial land use, while local amenities such as appropriate open space will see more use and, subsequently, investment over time. Concentrating development into smaller catchments surrounding centres and public transport nodes is more likely to result in the full benefits of these centres and public transport infrastructure being realised.

Correlation to vehicle usage and public transport

Research based on New Zealand examples showed that people living within walking distance of local centres have lower vehicle ownership than the NZ population average and travel to work by non-vehicle means more than the NZ population average.⁶ Not surprisingly, it indicates that people living within an easy walking distance of local centres are less dependent on vehicles.

Greater concentrations of people generated by local shopping and co-located activities (including residential living and open space) will support public transport, leading to less requirement for car parking, more efficient land use and reductions in CO₂ emissions.⁷ Locating Medium density residential zone around the Town centre zone will have the effect of enabling greater intensification of land use – in terms of residential, community and business activities.

There is a strong correlation between public transport provision and the intensity land use; increased residential supports development of public transport which is important for the Waikato towns that do not yet have those services available, or only limited / sporadic services. The link between density and transit can work in both directions with residential density driving public transport services and public transport stimulating residential density. Public transport can influence people's choices as to where to live, and thus results in more demand for areas where there is a public transport service. These areas naturally lend themselves to increasing levels of urban intensification, provided that the necessary supporting amenities and opportunities are provided. Typically, the greater the density of population, the higher frequency and specification in services. Thus, concentrating residential development around the town centre will better support public transport services and make them more viable.

More generally, a significant body of international research has sought to empirically link travel behaviour to urban form characteristics, and in doing so provide an evidence base for planning strategies premised on controlling travel demand through land use. Such studies tend to link specific measures of travel behaviour to a range of urban form characteristics which are often expressed as 'D'-variables⁸:

- **Density** – that is, the density of housing/employment in a given location;
- **Diversity** – that is, the variability of land use mix in a given location;
- **Design** – that is, the level of connectivity in the street network of a given location;
- **Destination Accessibility** – that is, the destinations accessible in a given period of time from a given location; and
- **Distance to public transport** – that is, the distance to a public transport node from a given location.

A series of meta-analyses⁹ dating back to 2010 best summarises the general findings of studies over the last twenty years, and is summarised in the table below which expresses the responsiveness of

⁶ Strategic SIA for urban retail development: Paper presented to the International Association for Impact Assessment Annual Conference, Taylor, N., Baines, J. & Perkins, H. (2010). Geneva, 2010.

⁷ Town centres or just places to shop? Troy, L. (2007), Planning Quarterly 166, pages 4-9.

⁸ First coined in Cervero & Kockelman, 1997.

⁹ Ewing & Cervero, 2010; Stevens, 2017; Yang et al., 2019, Aston et al., 2020.

travel behaviour to urban form characteristics as elasticities¹⁰. Very simply, the elasticities show that individual D-variables are negatively associated with driving, and positively associated with walking, cycling, and public transport use. While the magnitude of some elasticities appears modest, the combined effect of multiple variables is likely to be more significant – in other words combining increased density with increased destination accessibility for instance could be expected to have a correspondingly larger effect on reduced driving.

While the majority of studies comprising these meta-analyses are from large metropolitan areas [primarily in the United States], the generalisable findings are such that they provide an evidence base of sorts for the approach of the QM. In short, the trip degeneration and mode shift benefits of medium density residential living are far more likely to be realised where spatially applied to areas that have greater land use diversity, destination accessibility, and street network connectivity in particular. Conversely, increased residential density in areas without these accompanying urban form attributes are less likely to result in more sustainable travel behaviour. These issues are addressed further below.

		Driving (VKT)		Walking	Cycling	PT use	
		Ewing & Cervero (2010)	Stevens (2017)	Ewing & Cervero (2010)	Yang et al. (2019)	Ewing & Cervero (2010)	Aston et al. (2020)
Density	Household / Population density	-0.04	-0.22	0.07	<0.01	0.07	0.10
	Job density	0.00	-0.07	0.04	-	0.01	0.08
Diversity	Land use mix	-0.09	0.11	0.15	0.09	0.12	0.26
	Jobs-housing balance	-0.02	0.00	0.19	-	-	0.16
Design	Intersection / Street density	-0.12	-0.14	0.39	-	0.23	-
	% 4-way intersections	-0.12	-0.06	-0.06	-	0.29	-
	Connectivity	-	-	-	0.08	-	0.17
Destination Accessibility	Job accessibility by car	-0.20	-0.20	-	-	-	-
	Job accessibility by PT	-0.05	0.00	-	-	-	-
	Distance to downtown	-0.22	-0.63	-	-	-	-
Distance to PT	Distance to nearest PT stop	-0.05	-0.05	0.15	-	0.29	-

¹⁰ In this context, elasticities are the % change in the outcome variable where an independent variable increases by 1% - in other words an elasticity of 0.5 means a 1% change in the independent variable results in a 0.5% change in the outcome variable, that a 10% change in the independent variable results in a 5% change in the outcome variable, and so-on.

Medium density on the fringes

There are a number of reasons why medium density development on the outer fringes of the towns can occur more easily which will result in a “ring” of higher density on the periphery. For a start the sites are larger on the periphery which makes implementing the full potential of medium density development easier. Roads and features can be planned comprehensively to maximise yield of the sites. Secondly, in places such as Pokeno, there are restrictive covenants on a very high proportion of the existing sites such as limitations on having more than one storey, the number of dwellings and subsequent subdivision. This means that further development on these sites is limited as the amendments to the RMA do not over-ride private covenants on titles.

Both of these factors means that medium density will more readily be promoted on the outer fringes of towns resulting in an inefficient and poor urban form.

The purpose of the Medium density residential zone 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 General residential zone. The Medium density residential zone provides for this form of development within a walkable catchment of town centres, strategic transport corridors and community facilities.

Future Proof Strategy 2022

One of the key principles of the 2022 update of the Future Proof Strategy is to enable well-functioning and quality environments, based around transit-oriented development and connected centres. The Strategy notes that urban centres are not just about providing development capacity – they must do so in a way that enables all people to provide for their social, economic, and cultural well-being, and for their health and safety, now and into the future. One of the transformational moves / place shaping elements expressed in the Future Proof Strategy is a multi-modal transport network facilitating a radical shift to using public transport and active travel modes through the establishment of rapid and frequent public transport network and comprehensive walking and cycling network shaped around where and how our communities will grow.¹¹

The updated Future Proof Strategy has a strong focus on achieving a more compact and concentrated urban form by building on existing growth patterns and providing a mix of development opportunities in infill, brownfield and greenfield development. The Strategy seeks to focus communities and jobs in and around centres in locations which are supported by public transport and walking and cycling transport options so that people have choice and opportunity to live close to where they work and play.¹²

Concentrating higher density residential around the core of the towns will assist in achieving these outcomes expressed in the Future Proof Strategy, and in doing so will contribute towards well-functioning urban environments as set out in the NPS-UD.

Waikato 2070

Waikato 2070 also envisages and seeks a compact urban form and urban consolidation, focusing development within existing town centres at increased densities. For example, 3.1(2), (5) and (6)

Setting a walkable catchment

The spatial extent of the Medium density residential zone 2 is limited to a 800m walking catchment from the edge of the Town centre zone. The NPS-UD and RPS create a clear policy framework

¹¹ Future Proof Strategy, 2022, page 36-37

¹² Future Proof Strategy, 2022, page 59

which seeks to promote increased travel via active modes. A major driver in encouraging uptake of active modes is minimising journey times. The lower the journey time, the more convenient/ viable it is perceived to be. Enabling medium density residential development within walking distance of the Town centre zone enables more sustainable options for transport. Highly connected, permeable urban environments are more resilient in responding to future change than those that depend on private vehicles.

The proclivity to walk/not drive is not just related to distance, but also related to the urban form attributes of land use diversity and destination accessibility, which are most apparent in the centres of towns.

The use of an 800m walk catchment as a basis for intensification is consistent with the overarching national, regional and district policy framework and good urban design practice which seek to promote the use of active travel modes, reduce private vehicle use and support centre vibrancy. Whilst there is no precise figure for setting an appropriate catchment threshold there is clear consensus from a range of local and international studies that people are more likely to walk to destinations the closer, they are located to them. Previous analysis undertaken by Waka Kotahi / NZTA found that the majority of walking trips are between 1 – 10 minutes (800m).¹³ More recently, the NZ Household Travel Survey (2015-2018) identifies that the average walking trip is 11-minutes which is equivalent to a distance of 1km.¹³ NPS-UD guidance states that “walkable catchments can be determined either using a simple, radial pedshed analysis or a more detailed GIS (geographic information systems) network analysis.”¹⁴ For the purposes of this assessment, a detailed network analysis using GIS software has been undertaken.

11.5 Area subject to this qualifying matter

Section 77(3)(a)(i) requires territorial authorities to demonstrate why the area is subject to a QM. The areas subject to this QM are the General residential zones of the four towns of Ngāruawāhia, Huntly, Pōkeno and Tuakau, as this area is located outside the 800m walkable catchment from the town centres. The retention of the General residential zone on the outer fringes of the towns is a QM for urban design and planning reasons.

The delineation of the Medium density residential zone responds to the established town centres and roading pattern and is based on a realistic walking catchment. The zone boundary between General residential zone and Medium density residential zone 2 is based primarily on the 800m walking catchment measured from the edge of the Town centre zone. The Town centre zone has been used as the proxy for the “town” as the provisions provides for a range of commercial, community, recreational and residential activities. In essence, the Town centre zone enables the types of activities to be expected in a town. The Commercial zone by comparison provides for larger scale commercial activities, and are less likely to be suitable for accessing on foot (such as large format retail).

While the zone boundary between General residential zone and Medium density residential zone 2 is not an exact science, it is based on a realistic 800m walking distance from the Town centre zone that takes into account barriers to walkability. These include features that cannot be readily crossed such as railway lines, state highways and rivers. The basis for the 800m are the titles which have road frontage within 800m from Town centre zone, however the entire title may not be within 800m. The edges between the zones have been rationalised to parcel boundaries to avoid the situation of a site with a split zone. Precise boundaries for the zone have been refined on a site by site basis in

¹³ <https://www.transport.govt.nz/statistics-and-insights/household-travel/>

¹⁴ Section 5.5, pg. 20.

order to create a coherent zoning pattern and reduce potential edge/ transition effects between varying density of uses.

In accordance with the Act definition of “relevant residential zone”, the Medium density residential zone 2 has not been applied to a large lot residential zone or a settlement zone, even when sites with these zones sit within the 800m catchment.

There are minor differences between the spatial extent of the Medium density residential zone in the decision version of the PDP and Variation 3. The inclusion of the Medium density residential zone in the PDP decision was in response to a submission from Kainga Ora to the PDP in 2018. The evidence presented by Kainga Ora outlined a complex overlaying of attributes such as walkable distance from the town centre, slope, soils and natural hazards. However, the delineation of the Medium density residential zone was always going to be constrained by the scope of the submission. The analysis from Barker and Associates on behalf of Kainga Ora to the PDP hearings identified a number of sites that were suitable to be included as Medium density residential zone but were unable to be due to the scope of the Kainga Ora submission. Variation 3 is not constrained in such a way, and hence the walkable catchment analysis has produced a slightly different zoning pattern.

In addition to promoting a range of transport options, the application of Medium density residential zone in close proximity to the Town centre zone will also support the economic development of the town centre. Providing medium density residential development close to employment, shopping, community, recreation and leisure opportunities encourages a safer more vibrant centre, with more activity and opportunities. It creates a well-functioning urban environment and gives effect to Objective I of the NPS-UD. It also supports reductions in greenhouse gas emissions by limiting the dependence on private vehicles (NPS-UD Policy 1(e)).

In comparison, allowing medium density residential development in the General residential zone located on the fringes of the towns increases the risk of reverse sensitivity effects with the rural zone and the primary production activities that take place therein. It also encourages a dispersed urban form and does not support the development of the town centre or creating a sense of place. As noted above, applying increased residential density in areas without the necessary accompanying urban form attributes (i.e. diversity, design, destination accessibility), is less likely to result in more sustainable travel behaviour being achieved from such development.

Retaining the General residential zone on the outer edges of the towns enables living choice and a variety of homes. This enables people to meet their needs in terms of type, price, and location, of different households and gives effect to Policy 1(a) of the NPS-UD.

11.6 Why is the qualifying matter incompatible with the level of development permitted by the MDRS?

Section 77(3)(a)(ii) requires the territorial authority to demonstrate why it considers that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area.

The intent of Variation 3 is to enable and encourage more intensive residential development in close proximity to the Town centre zones in the four towns. This is to support good urban design outcomes such as supporting public transport, reducing the need for private vehicles for short trips and to create vibrant and economically viable towns. If the MDRS were to be applied across the entire residential area of the four towns, these outcomes would not be realised.

The extent of the Medium density residential zone 2 is commensurate with the modest scale and location of the level of commercial activity and community services available in each of the four towns in accordance with NPS-UD Policy 3(d). The level of development permitted by the MDRS is

not appropriate on the outer fringes of the towns because the Urban Fringe QM seeks to encourage intensive residential development to areas within the 800m walkable catchments of the four towns to support the development of an efficient public transport network and active modes of transport, vibrancy and economic viability of the town centres and commercial activity while retaining housing choice in the General residential zone. It also enables people to live in close proximity to employment opportunities. Applying the MDRS to this area is incompatible with those outcomes.

11.7 Impact of limiting development capacity

Section 77(3)(b) requires an assessment of the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity. The retention of the General residential zone for the sites outside the walkable catchment of the four towns will result in only a modest reduction of development ability. The differences between the zones are set out below.

Feature	Medium density residential zone 2	General residential zone	Effect of the different rule for the sites zoned General residential zone
SUBDIVISION			
Vacant lot	Minimum 200m ²	Minimum 450m ²	Reduces the subdivision potential
Where a dwelling precedes or accompanies subdivision	No minimum lot size	Minimum 450m ²	Reduces the subdivision potential
DEVELOPMENT STANDARDS			
Number of residential units as a permitted activity	3 residential units per site as a permitted activity	1 + minor dwelling up to 70m ²	Could achieve 2 dwellings as opposed to 3, but the minor dwelling cannot be subdivided from the primary dwelling
Maximum height	11m	8m	The maximum height is reduced by 3m
Height in relation to boundary	4 metres + 60°	2.5 metres + 45°	Buildings must be located further from the boundary
Minimum setbacks	Front: 1.5 m Side and rear: 1 m	Front: 3 m Side and rear: 1.5 m	Buildings must be located further from the boundary
Maximum building coverage	50%	40%	Less of each site can be covered by buildings
Outdoor living space	Residential unit at ground floor level: at least 20m ² , ground level no dimension less than 3 m. Balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8m	Ground floor: 80m ² and a minimum dimension of 4m in any direction Balcony: minimum area of 15m ² and a minimum dimension of 2m in any direction.	More space is required for outdoor living space

Feature	Medium density residential zone 2	General residential zone	Effect of the different rule for the sites zoned General residential zone
	Residential unit above ground floor level: at least 8m ² , no dimension less than 1.8m		
Outlook space	Principal living room: minimum dimension of 4 metres in depth and 4 metres in width All other habitable rooms: minimum dimension of 1 metre in depth and 1 metre in width	N/A	More flexibility about the outlook from windows. As the sites and setbacks are larger, this may not make any material difference.
Windows to street	Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing	N/A	More flexibility of design and location of windows
Landscaped area	Residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants	N/A	More flexibility of design and landscaping
Maximum impervious surface	70%	70%	No difference
Service court	N/A	Storage of waste and recycling bins: minimum area of 3m ² and minimum dimension of 1.5m Washing line: minimum area of 5m ² and minimum dimension of 2m	Space is required to be set aside for this
Garages	Garages must occupy less than 50% of the ground floor space internal to buildings on the site	Set back behind the front façade of the residential unit where the residential unit and garage are on a site that has frontage to a road.	Less flexibility of design as to where a garage is located (if one is provided)

The overall effect of the QM is that sites with a General residential zone have more limited development potential as a permitted activity due to the lesser number of residential units per site and the larger minimum lot size for subdivision. Having said that, increased subdivision or housing density in the General residential zone beyond the standards specified is a discretionary activity, so it is not impossible to achieve increased levels of development in that zone but will require a resource consent.

The Market Economic analysis demonstrated that there was sufficient feasible plan-enabled residential development without needing to apply the MDRS to any of the areas in the district. Council has applied MDRS to the Medium density residential zone in the four towns to create the Medium density residential zone 2. Applying the MDRS to this zone in the four towns does not have a significant impact to the development capacity.

11.8 Costs and broader impacts

Section 77J(3)(c) requires that the costs and broader impacts of imposing those limits is assessed.

	Costs	Benefits
Environmental	Less efficient use of the urban environment as less houses can be accommodated	Less runoff generated due to lower levels of development and impermeable surfaces Less pressure on roading and three waters infrastructure at the outer edges of the towns Larger sites enable higher levels of landscaping and planting (green space and amenity)
Economic	Less development potential Reduced value of the larger sites due to limited ability for further development	These sites may be worth more due to the larger site
Social	May not be as supportive of public transport due to lack of density of development Reduces the number of houses per town Larger sites generally require more maintenance	Provides housing choice and a range of living options Provides flexible living opportunities More flexibility with the design of the dwelling Limited changes in character Reduced potential for reverse sensitivity on the residential-rural interface due to larger sites Accommodates larger families Creates a more logical urban design pattern of development with higher densities nearer the town centres
Cultural		Provides people to meet their cultural needs and way of living e.g. multi-generational living

11.9 Modification to MDRS

Section 77(4)(b) requires a description of how modifications to the MDRS are limited to only those modifications necessary to accommodate qualifying matters. The MDRS works as a package, and to focus intensification within the walkable catchment of the towns requires a lower intensity on the fringes. This outcome is delivered by the General residential zone, which has a comprehensive suite of provisions that deliver a slightly lower density residential outcome. While it is possible to insert some of the MDRS into the General residential zone such as maximum height, height in relation to boundary and windows to the street, it is considered appropriate to retain the General residential zone intact as a comprehensive package. This will result in a different urban form from the Medium density residential zone 2. This approach aligns with the PDP decision and the strategic direction of Future Proof, and gives effect to Policy 3(d) of the NPS-UD.

11.10 Specific characteristics that make the MDRS inappropriate

Section 77L(a) requires identification of the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area.

The predominant characteristic of the QM is distance from the Town centre zone that is outside a walkable catchment of 400-800m. The extent of the walkable catchment is not a radial catchment, but is instead reflective of the physical characteristics of each town and routes which are realistically walkable.

Policy 3(d) of the NPS-UD requires district plans to enable building heights and densities of urban form commensurate with the level of commercial activity and community services. Given the modest level of commercial activity and community services in the four towns, it is appropriate to concentrate residential development around the town centre. This approach will support development of the public transport network, walkability of the town, vibrancy of the town centre and economic viability of commercial activity.

11.11 Justification as to why the characteristic makes the level of development inappropriate

Section 77L(b) requires justification as to why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD. The distance from the Town centre zone in combination with the scale of the towns means that applying the Medium density residential standards to the outer fringes of the towns would result in sub-optimal urban design outcomes. The QM will have two main outcomes: centralising and consolidating residential development close to the town centre, and reducing the chance of higher densities on the fringe of each town.

11.12 Site specific analysis

Section 77L(c) requires a site-specific analysis that identifies the site to which the matter relates; and evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter. The identification of the extent of the Medium density residential zone and the consequential extent of the General residential zone has been undertaken primarily based on the realistic 800m walkable catchment from the edge of the Town centre zone in each of the four towns. This realistic scenario uses existing routes and pedestrian routes, rather than assuming an 800m blanket radius. Where it would result in a property being split zone, the zone boundary has been taken to a logical point such as a site boundary or a road. No properties have been down-zoned from their current zoning, but due to differences in the way Kainga Ora undertook its analysis in the PDP hearings (and the fact it was constrained by its

own submission) and Council has undertaken its analysis for Variation 3, some properties have changed from General residential zone to Medium density residential zone.

The extent of the Medium density residential zone has been aligned to ensure streets and/ or public space form natural boundaries where possible to create a logical zoning pattern.

Tuakau

The most significant constraint to the 800m walking catching is the location of the railway line as there are limited places where it can be safely crossed. For this reason, the Medium density residential zone 2 is located largely to the west of the Town centre zone, with areas extending north up Buckland Road and along the lower parts of Dominion Road. Conversely the areas proposed to be retained as General residential zone are on the outer edges of Tuakau outside the 800m walkable catchment. On the south-eastern edge the industrial zones form the urban edge.

Pokeno

The 800m walking catchment is concentrated north and west of the Town centre zone. The most significant constraints to the realistic walking catchment for Pokeno is State highway 1 and the North Island Main Trunk Rail line. These constrain the application of the Medium density residential zone due to the limited locations where people can safely cross the state highway and rail line. The presence of a walkway following the Helenslee Stream results in good walking access north of the town centre and around the Pokeno School. These areas are already zoned Medium density residential zone in the PDP.

Huntly

A large area of land in Huntly West of the town centre is already zoned as Medium density residential zone in the PDP decision as this is within 800m of the Town centre zone. Other areas within the walkable catchment are located north and south-east where the pedestrian routes allow easy access by foot. In any event, the steep topography east of the town centre, in combination with the location of public open spaces and reserves limits the logical extent of the Medium density residential zone towards the east.

Ngaruawahia

Due to nature of the street pattern north of the Waipa River with a series of cul-de- sacs or very long roads extending north from River Road, the northern extent of the Medium density residential is Festival Way. While the North Island Main Trunk Rail line and rivers are barriers to a walkable route from the town centre, there are a number of railway crossings and the bridges across the rivers results in Medium density residential zone 2 extending over the western side of the town, and crossing both rivers.

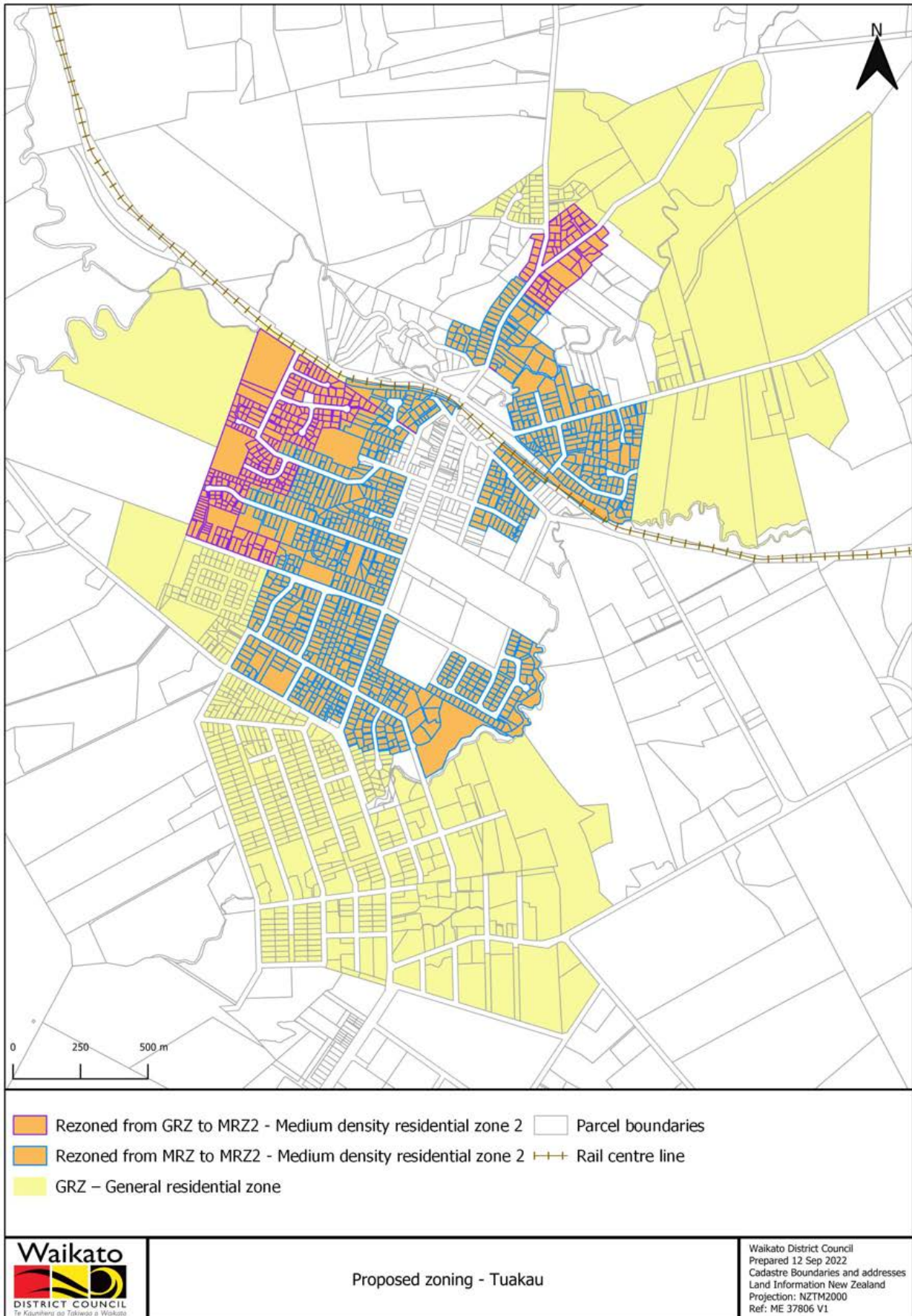
Changes in zoning to enable intensification

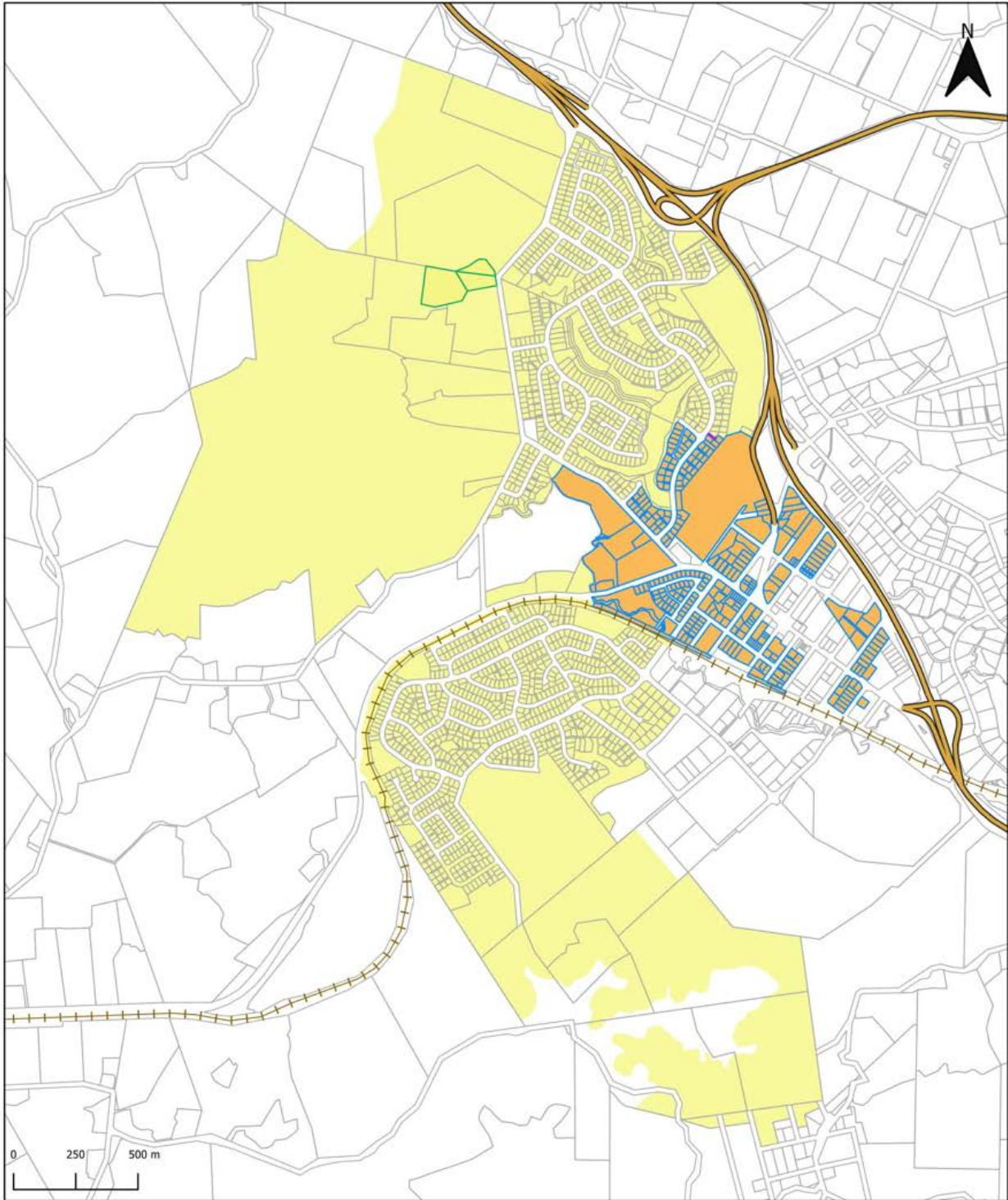
In addition to changing the zone of the properties currently zoned Medium density residential zone to Medium density residential zone 2 within the four towns, Variation 3 proposes to amend the zoning of the following properties:

Town	Proposed change in zone	Number of properties
Pokeno	General residential zone to Medium residential zone 2	3
	General rural zone to General residential zone	2
Tuakau	General residential zone to Medium residential zone 2	307
Huntly	General residential zone to Medium residential zone 2	68

Ngaruawahia	General residential zone to Medium residential zone 2	66
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Figure 15: Proposed zones in response to the qualifying matter: urban fringe



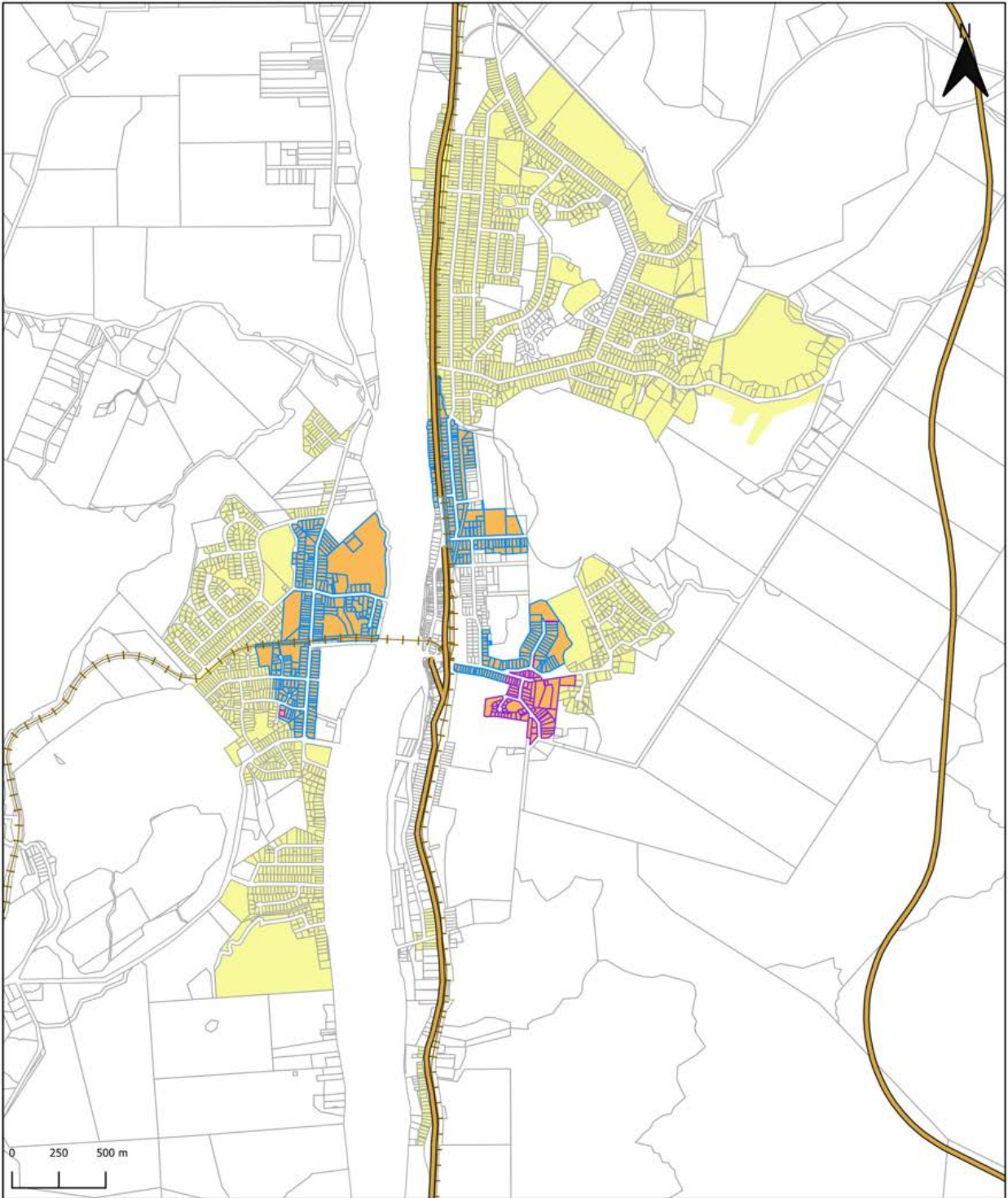








- Rezoned from GRZ to MRZ2 - Medium density residential zone 2
- Rezoned from MRZ to MRZ2 - Medium density residential zone 2
- Rezoned from GRUZ to GRZ - General residential zone
- GRZ - General residential zone
- Parcel boundaries
- Major Road
- Rail centre line



Proposed zoning - Pokeno

Waikato District Council
Prepared 12 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1

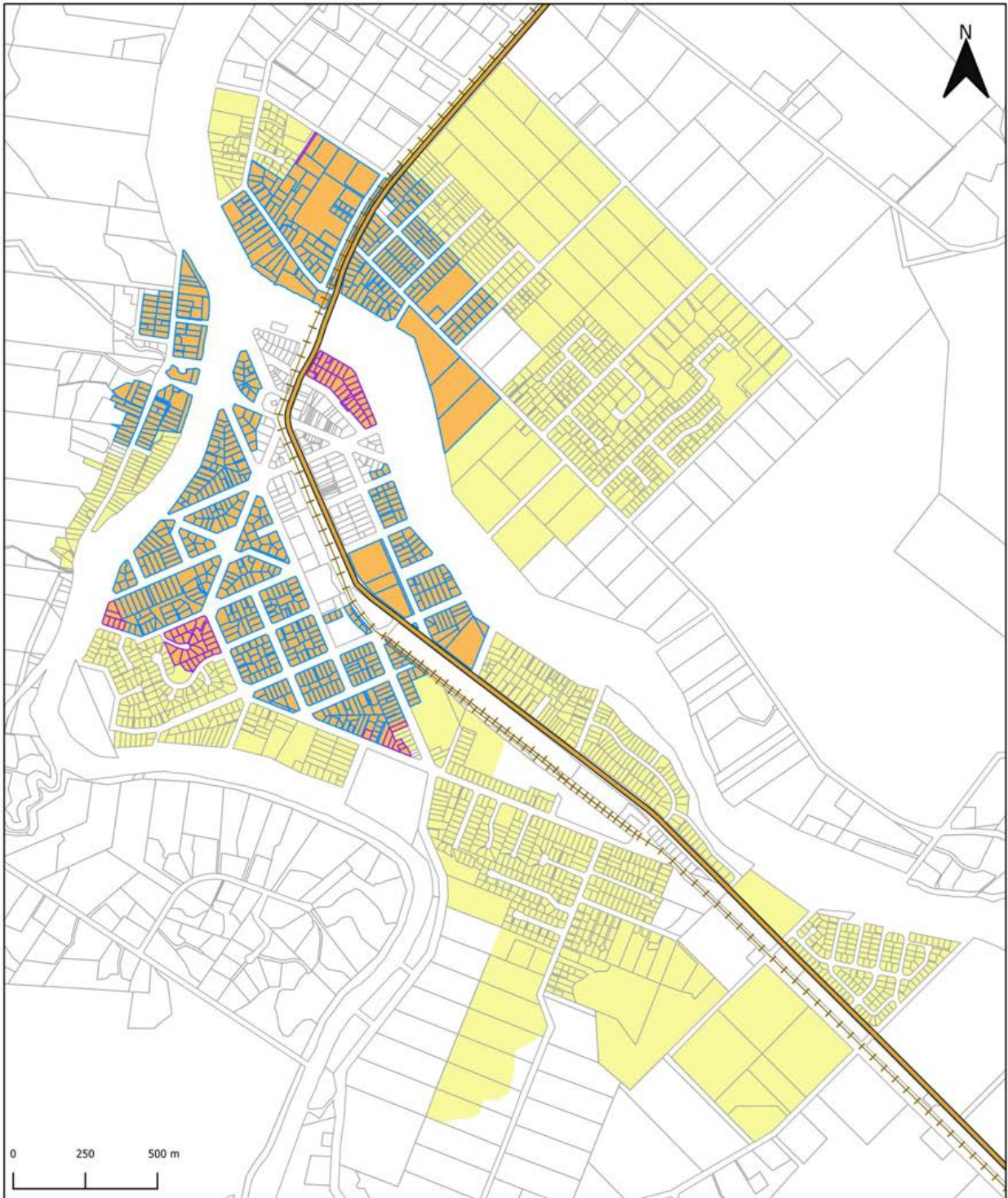


	Rezoned from GRZ to MRZ2 - Medium density residential zone 2		Parcel boundaries
	Rezoned from MRZ to MRZ2 - Medium density residential zone 2		Major Road
	GRZ – General residential zone		Rail centre line



Proposed zoning - Huntly

Waikato District Council
Prepared 12 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1



- Rezoned from GRZ to MRZ2 - Medium density residential zone 2
- Rezoned from MRZ to MRZ2 - Medium density residential zone 2
- GRZ – General residential zone
- Parcel boundaries
- Major Road
- Rail centre line



Proposed zoning - Ngaruawahia

Waikato District Council
Prepared 12 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1

11.13 Options

Section 77L(c)(iii) requires evaluation of a range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics. At a broad level, the options are:

Option 1: Apply the medium density residential standards to the entire residential environment of each town

Option 2: Limit the application of the medium density residential standards to the 800m walkable catchment around the Town centre zone

Option 3: Modify the medium density residential standards outside the 800m walkable catchment around the Town centre zone to result in an intermediary density somewhere between what the Medium density residential zone will enable and General residential zone

The advantages and disadvantages of each option are set out below.

Option	Advantages	Disadvantages
Option 1: Apply the medium density residential standards to the entire residential environment of each town	<p>Gives full effect to the RMA amendments</p> <p>Enables growth</p> <p>Efficient use of the urban environment by enabling more dwellings on land already zoned for urban development</p> <p>Less pressure on sprawl into the rural areas</p> <p>Provides choice as not all sites will develop to the maximum</p> <p>May result in more affordable housing due to an increase in supply</p>	<p>May result in higher density on the outer edges where the sites are bigger</p> <p>There could be significant changes to neighbourhood character and amenity</p> <p>Increases automobile dependency by not focusing density within walkable catchments around centres or public transport nodes</p> <p>Results in a sub-optimal urban form with higher density some distance from the town centre</p>
Option 2: Limit the application of the medium density residential standards to the 800m walkable catchment around the Town centre zone	<p>May avoid the donut effect with higher density on the outer edges</p> <p>Less change to neighbourhood character and amenity</p> <p>Ensures the creation of larger sites</p> <p>Supports centres and public transport nodes and walkability</p> <p>Provides choice</p>	<p>Inefficient use of the urban environment by not maximising development</p>
Option 3: Modify the medium density residential standards outside the 800m walkable catchment around the Town centre zone so produce an intermediary density	<p>May avoid the donut effect with higher density on the outer edges</p>	<p>The MDRS bulk and location standards may not be necessary for larger sites</p>

Option	Advantages	Disadvantages
	Less change to neighbourhood character and amenity Ensures the creation of larger sites Supports centres and public transport nodes and walkability Provides choice	

12 Reverse sensitivity

12.1 Introduction

This QM is applied in accordance with section 771(j) as any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area. The PDP contains existing setbacks or buffers where residential activity may have reverse sensitivity effects on existing lawfully established activities. In particular:

- a. Within 300m of oxidation ponds that are part of a municipal wastewater treatment facility;
- b. Within 30m of a municipal wastewater treatment facility where the treatment process is fully enclosed;
- c. Within the Amenity Setback specific control in Tuakau;
- d. Within the Pōkeno Industry Buffer;
- e. Within 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia.

Variation 3 does not propose changes to the above provisions. However, Variation 3 does propose that the above provisions in the PDP be applied to both the General residential zone and Medium density residential zone 2 where sites fall within the overlays or distances specified.

The following objectives in the PDP provide the policy framework for identification of this QM:

SD-O10 Reverse sensitivity.

Existing activities are protected from reverse sensitivity effects.

In addition, Variation 3 proposes to include the following objective:

MRZ2-O6 Reverse sensitivity.

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

12.2 Why is the area subject to this qualifying matter?

Residential activities are sensitive to effects arising from other activities such as noise, odour, dust, vibration and lighting. The facilities listed above have the potential to create effects which cannot be controlled within the boundary of their site. Enabling residential activities in close proximity to these sites is likely to result in reverse sensitivity effects. The boundary setbacks required by the medium

density residential standards is 1m, which means that there may be very little spatial separation between the activity and residential activities.

The inclusion of these provisions in the PDP recognises that there is also the potential for reverse sensitivity effects to arise from the adjoining residential uses.

In particular, the building setbacks and design requirements imposed by GRZ-S20(iv) wastewater oxidation ponds, (v) wastewater treatment facility and (vi) Alstra poultry, GRZ-S21 Tuakau Amenity Setback, PREC4-S2 Pokeno industry buffer are used to minimise the potential for reverse sensitivity effects on existing intensive activities.

Accordingly, the retention of these provisions, and the inclusion of them in the Medium density residential zone 2 where this zone falls within the overlay or within the prescribed distance from the activity enables Council and plan users to minimise the potential for reverse sensitivity. The rules achieve this by managing the location of sensitive activities primarily through the use of building setbacks.

12.3 Why is the qualifying matter incompatible with the level of development permitted by the MDRS?

The level of development permitted by the MDRS is inappropriate because it may result in medium density residential development 1m from the boundary of these activities which is likely to result in reverse sensitivity effects.

The decisions on the PDP supported the PDP enabling residential development, while managing reverse sensitivity effects. It is important to note that the PDP Hearing Panel considered submissions and evidence on these matters addressed by this QM.

It is considered that this QM is necessary to provide for residential development while reducing the proximity of medium density residential development to intensive activities that are incompatible with the level of development permitted by the MDRS. In the absence of the provisions, residential development would not be appropriate due to the incompatibility of the existing activities with residential activities.

12.4 Impact of limiting development capacity

The QM is likely to limit development for sites located:

- a. Within 300m from the boundary of the Astra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia;
- b. Within the Amenity Setback specific control in Tuakau;
- c. Within the Pōkeno Industry Buffer on the planning maps;
- d. Within 300m of oxidation ponds that are part of a municipal wastewater treatment facility; and
- e. Within 30m of a municipal wastewater treatment facility where the treatment process is fully enclosed.

The impact of limiting the application of the MDRS through activity specific controls will reduce development capacity, however Variation 3 reduces the risk that residential development will have reverse sensitivity effects on existing intensive activities. Accordingly, any impact is considered to be outweighed by the need for intensive activities and the economic and employment benefits which they provide.

The presence of this QM will mean that portions of surrounding residential sites may be unable to be built upon to the intensification intended by the MDRS as a permitted activity. However, non-compliance with the majority of these provisions is a restricted discretionary activity, so it may still be

possible to achieve the MDRS level of development, but will require a resource consent application. Non-compliance with the building setback for sites located in the Pōkeno Industry Buffer is a non-complying activity. In all cases, any consent application for failing to comply with the above provisions, subject to the relevant assessments, may be declined or granted. Accordingly, this QM will limit the development capacity for permitted developments but may not limit overall development if a consent is approved.

Further, it is considered that the application of this QM will not have a significant impact given plan enabled capacity without the application of the MDRS is sufficient to meet the projected demand for the Waikato District. The number of affected sites are few.

12.5 Costs and broader impacts

Section 77(3)(c) requires that the costs and broader impacts of imposing those limits is assessed.

	Costs	Benefits
Environmental	Intensive activities which generate adverse effects can continue to operate	Intensive activities are protected from incompatible uses Provides a framework to manage reverse sensitivity
Economic	There is an opportunity cost to properties affected by this QM where development area is constrained Reduced ability to utilise the full extent of the property Costs associated with obtaining a resource consent and supporting technical assessments May not result in optimising the existing urban land resource Increased time required to create new dwellings due to resource consents being required	Provides for more intensive residential development than is enabled by the PDP Continued benefits for the community including local employment Continued operation of the activities
Social	Reduced housing supply available	Continued local employment Addresses public health and safety Provision of benefits to the community
Cultural	Development on Maori owned land may be constrained	There are no cultural benefits

12.6 Modification to MDRS

Section 77(4)(b) requires a description of how modifications to the MDRS are limited to only those modifications necessary to accommodate qualifying matters. The MDRS is modified in terms of the setbacks for this QM, and this is to minimise the potential for reverse sensitivity by increasing the distance between the activity generating the adverse effects and residential activities.

12.7 Specific characteristics that make the MDRS inappropriate

Section 77L(a) requires identification of the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area. The specific characteristics that relate to each setback or overlay are set out below.

Alstra Poultry

GRZ-S20 Building setback – sensitive land use and MRZ2-S14 imposes a setback of 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngāruawāhia.

The Alstra Poultry setback is applied to two properties, located on River Road and on Great South Road, Ngāruawāhia. The PDP Hearing Panel considered submissions which addressed the zoning surrounding the poultry farm, which raised concerns about reverse sensitivity effects on adjacent properties. The Hearing Panel determined that applying a 300m setback from those properties would appropriately mitigate any potential reverse sensitivity effects.

Tuakau Industrial area

GRZ-S21 Building setback – sensitive land use located outside the Amenity Setback specific control in Tuakau requires residential development to be located outside the setback as identified on the planning maps.

The PDP panel considered a concept plan for residential development of the area, and implications of a residential zone for the properties in the area. The area was re-zoned to residential and the setback rules was included to address reverse sensitivity effects on the existing industrial zone.

Pōkeno Industry Buffer

PREC4-S2 Building setback – sensitive land use within PREC4 – Havelock precinct requires residential development to be located outside the Pōkeno Industry Buffer as identified on the planning maps.

The PDP Hearing Panel examined the potential effects of locating a residential development in proximity to Heavy Industrial activities, particularly in Pōkeno, and considered mitigation measures. The Hearing Panel considered that the presence of nearby residential activities has the potential to influence the consideration of future industrial expansions during the consenting process. There was a package of mitigation methods offered in submissions and evidence. The Hearing Panel determined that the provisions would provide a suitable framework for managing growth within Pōkeno for the lifespan of the PDP.

Municipal wastewater treatment facility

Municipal wastewater treatment facilities are necessary in order to provide healthy communities. However wastewater treatment does often result in odour and insects. Residential development is particularly sensitive to these kind of effects. It is therefore appropriate to provide a suitable buffer around these activities, both to limit effects on residential activities, and to ensure the continued operation of the wastewater treatment facilities.

12.8 Justification as to why the characteristic makes the level of development inappropriate

Section 77L(b) requires justification as to why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD.

Objectives and policies

The PDP includes objectives, policies, and provisions to achieve such principles outlined above, including managing both the positive and adverse effects of intensive activities. Failure to implement those objectives and policies with the aforementioned provisions could risk Council's function in giving effect to the purpose of the RMA.

Local employment

This QM recognises intensive activities which provide employment opportunities or provide a public service while also providing for the health, safety, and wellbeing of the community.

Failure to implement the aforementioned provisions has the potential to compromise the existing industrial and intensive farming activities which will have a negative impact on the associated local employment opportunities which these activities provide.

On-site amenity values

The use and operation of industrial facilities and intensive farming activities can adversely affect adjacent properties. These issues can arise due to residential developments incompatible with existing intensive activities being located adjacent to those businesses. This QM enables existing intensive activities to continue.

The provisions will help protect the amenity for the residential sites.

Odour, dust, and noise

The provisions maintain appropriate setback distances between residential development and existing activities that may generate objectionable odour, dust, and noise. Further, the provisions ensure that the potential effects of objectionable odour, excess dust and noise do not detract from the amenity of other sites.

Potential for reverse sensitivity effects

This QM is necessary to protect those activities from reverse sensitivity effects to ensure the intensification of residential development does not result in operational constraints and supports the ongoing operation.

Overall, it would be inappropriate to enable medium density residential development in areas that have been identified as being incompatible for this level of residential use.

12.9 Site specific analysis

Section 77L(c) requires a site-specific analysis that identifies the site to which the matter relates; and evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter.

This QM applies to both Medium density residential zone 2 as well as the General residential zone within Huntly, Ngāruawāhia, Pōkeno and Tuakau. The provisions apply to specific circumstances, mapped below. It is important to note that the PDP Hearings Panel gave specific consideration to the appropriate zoning of areas for development in this respect and added the provisions in order to manage the potential adverse effects as much as considered practicable.

The Hearings Panel considered the implications of locating a residential zone near existing intensive activities and outlined that the residential zone is appropriate provided that the potential effect on the existing intensive activities is managed with the appropriate building setback provisions.

GRZ-S20 requires a 300m setback from the boundary of the Alstra Poultry intensive farming activities which will only apply to those sites located in close proximity to River Road and Great South Road,

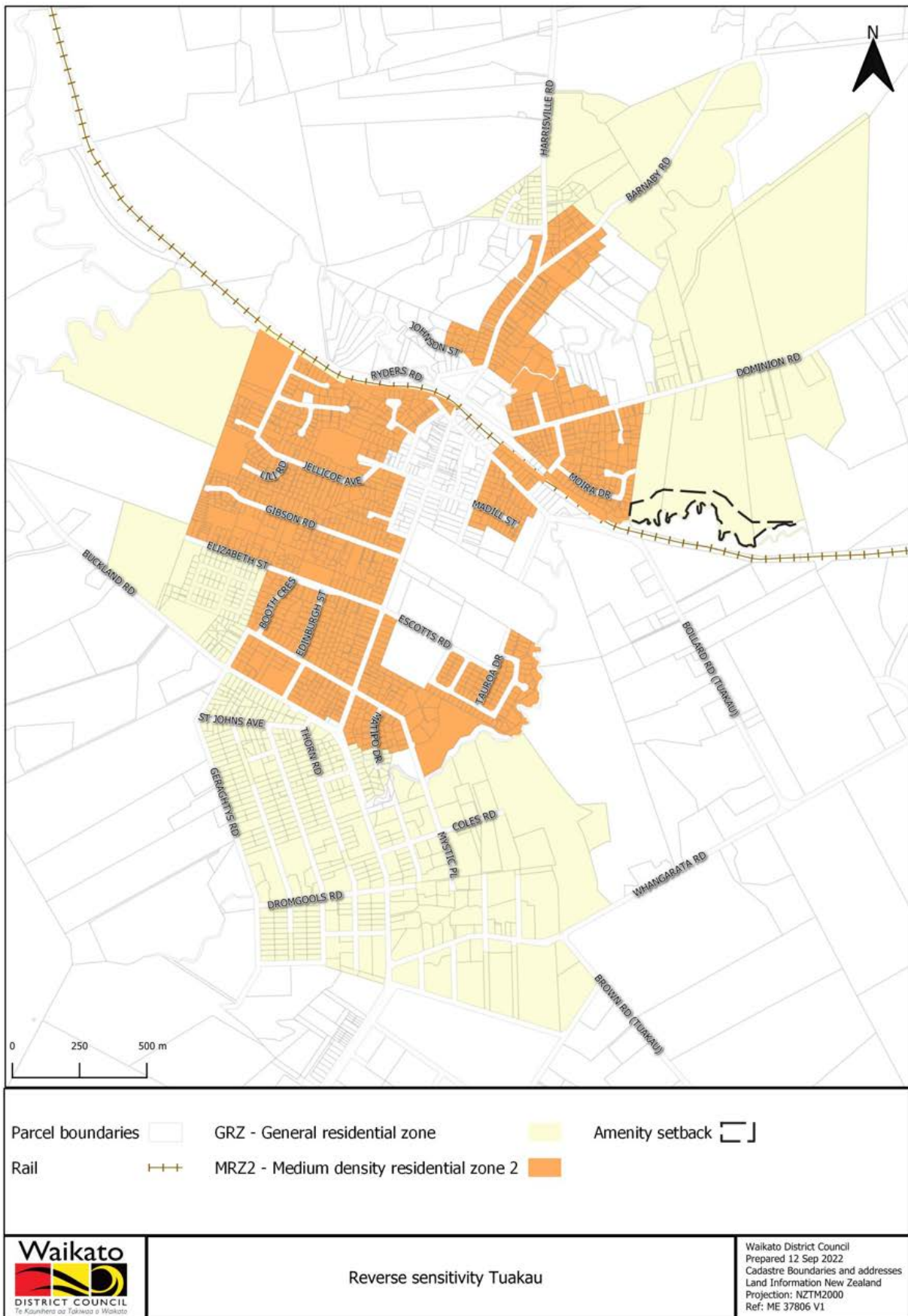
Ngāruawāhia. This QM affects 249 parcels zoned General residential zone and 63 parcels proposed to be zoned Medium density residential zone 2.

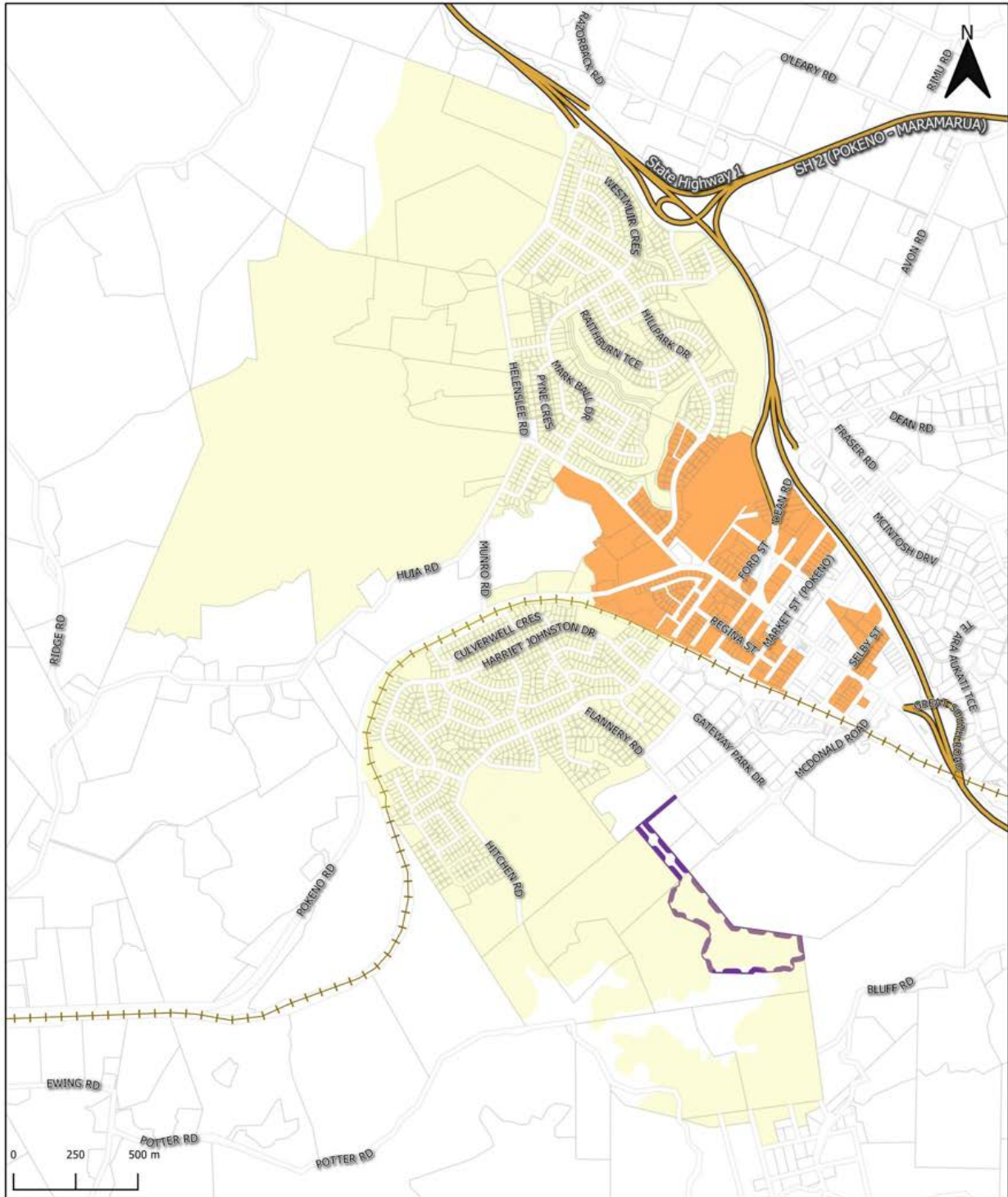
GRZ-S21 requires setbacks from the applicable industrial area in Tuakau which will only apply to those sites within the Amenity Setback as identified on the planning maps of which there are 3 which are all zoned General residential zone. There are currently no sites zoned for medium density residential development within the setback, however MRZ2 is in close proximity. Should any sites be rezoned in the future it is intended that this provision be applied.

PREC4-S2 requiring setbacks for sensitive land use within the Havelock precinct will only apply to those sites within the Pōkeno Industry Buffer as identified on the planning maps. This overlay applies to 1 parcel zoned General residential zone.

In Ngaruwawahia, the wastewater treatment plant is located on Old Taupiri Road. In Huntly, the wastewater treatment plant is located on the northern side of East Mine Road. The setbacks will affect 2 parcels zoned General residential zone.

Figure 16: Properties affected by the qualifying matter: reverse sensitivity



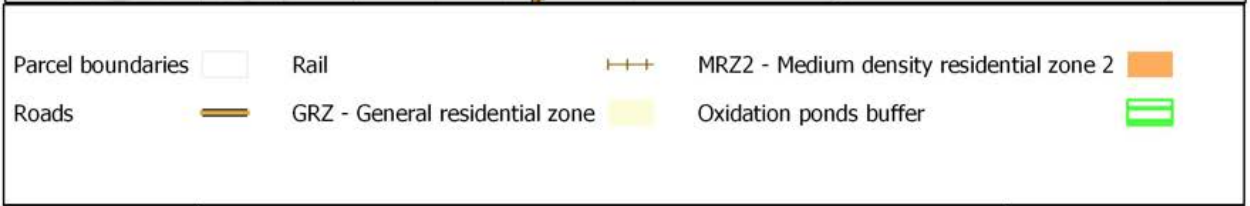
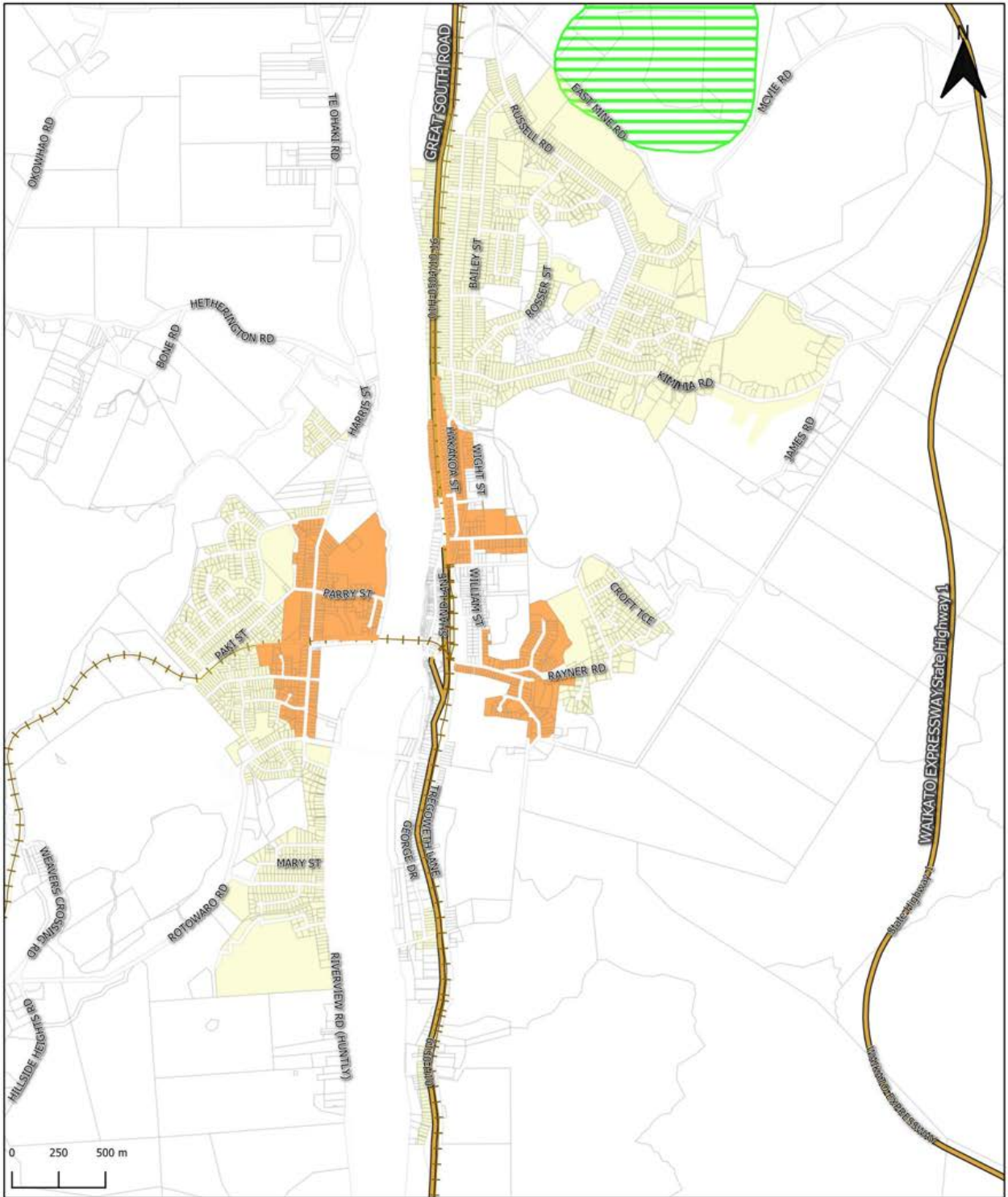


Parcel boundaries		Rail		MR22 - Medium density residential zone 2	
Roads		GRZ - General residential zone		Havelock industry buffer	



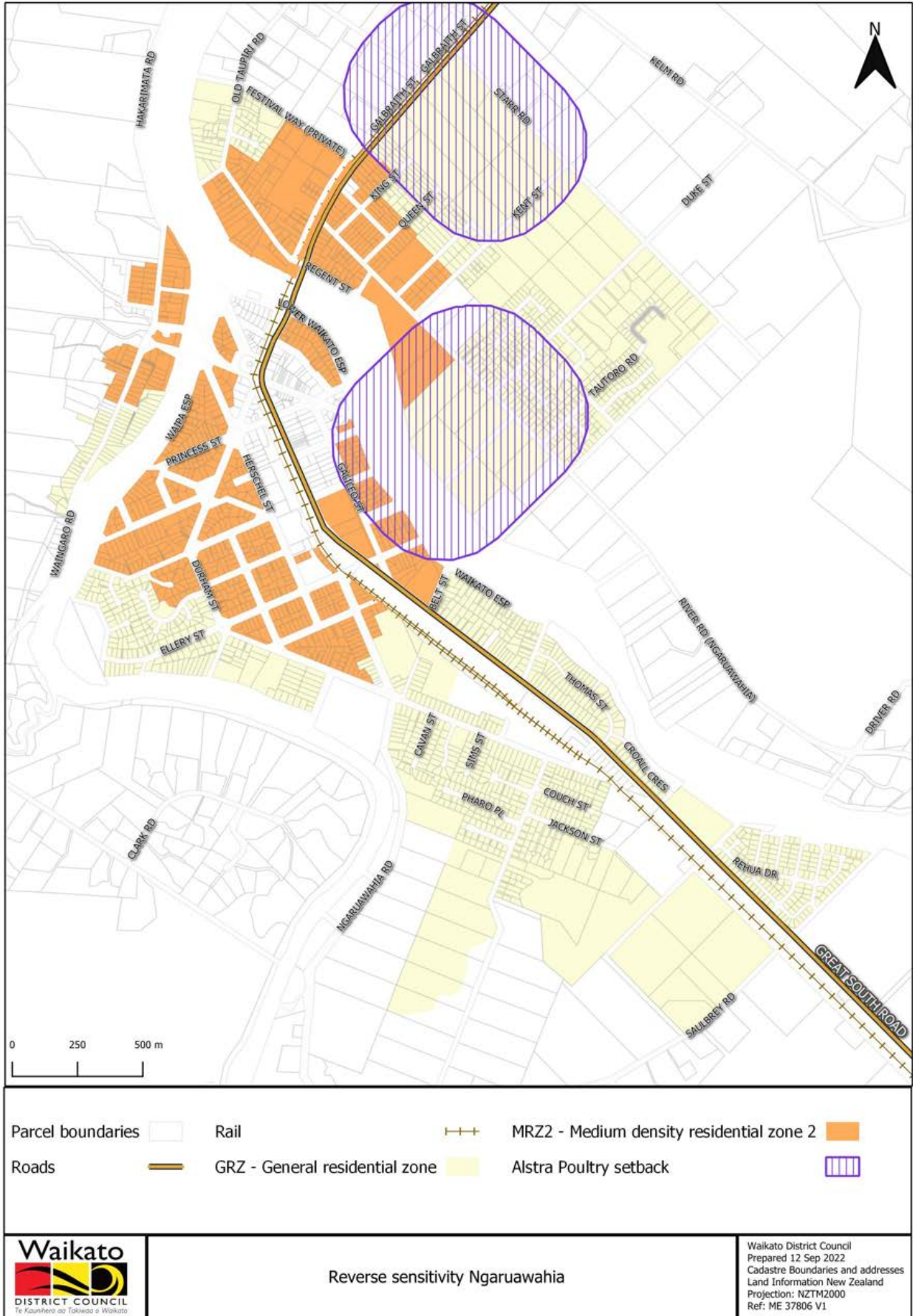
Reverse sensitivity Pokeno

Waikato District Council
 Prepared 12 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1



Reverse sensitivity Huntly

Waikato District Council
Prepared 12 Sep 2022
Cadastre Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1



12.10 Options

Section 77L(c)(iii) requires evaluation of a range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics. At a broad level, the options are:

Option 1: Apply the MDRS to the sites near these activities or within the overlays irrespective of the potential for reverse sensitivity.

Option 2: Apply a zone which results in a lower level of development to the sites near these activities or within the overlays.

Option 3: Limit development in close proximity to the activities through setbacks or applying overlays

The advantages and disadvantages of each option are set out below.

Option	Disadvantages	Advantages
Option 1: Apply the MDRS to the sites near these activities or within the overlays irrespective of the potential for reverse sensitivity	<p>The potential to generate adverse effects that cross property boundaries causing public health and safety concerns</p> <p>High potential for complaints</p> <p>Increased development could create operational and expansion constraints for existing activities</p> <p>Does not manage reverse sensitivity and adverse effects</p> <p>By not providing a framework for intensive activities to be undertaken in proximity to residential development there is a risk that Council would fail to implement the PDP objectives</p> <p>Will not result in a well-functioning urban environment in accordance with Objective 1 of the NPS-UD</p>	<p>Increased residential development opportunities</p> <p>Enables medium density development intended by the MDRS</p> <p>Fulfils Councils obligation to implement the MDRS</p> <p>Gives effect to the NPS-UD in relevant residential zones</p>
Option 2: Apply a zone which results in a lower level of development to the sites near these activities or within the overlays.	<p>The potential to generate adverse effects that cross property boundaries causing public health and safety concerns</p> <p>Not an efficient use of the land resource</p> <p>May still result in complaints and reverse sensitivity effects</p>	<p>Continues to enable activities of this nature to operate and provide local employment</p> <p>Enables fewer residential dwellings in close proximity to the activities and therefore subjects less people to reverse sensitivity effects</p>

Option	Disadvantages	Advantages
Option 3: Limit development in close proximity to the activities through setbacks or applying overlays	<p>May result in “dead space” that is unable to be used</p> <p>Inability to maximise development of the sites</p>	<p>Minimises the potential for reverse sensitivity</p> <p>Enables continued operation of the activities</p> <p>Ensure public health is maintained</p> <p>Enables full use of the sites in close proximity if the activity ever ceases</p>

13 Notable trees

13.1 Introduction

This QM is applied in accordance with section 771(j) as any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area. The PDP identifies notable trees on the planning maps where these have particular values that makes them special. A notable tree is a tree or group of trees that a community or nation regards as being of special importance because they:

- commemorate important events in a nation’s history
- are an exceptional or unique example of a species
- are of such age, stature, character and visibility that they are regarded as the best in the district.

The following objective in the PDP provide the policy framework for identification of this QM:

TREE-O1 Notable trees.

Recognise and maintain the contribution of the district’s notable trees to the community.

13.2 Why is the area subject to this qualifying matter?

The identification of notable trees was undertaken through arborists assessments for both the Operative District Plan, and added to through the PDP process. All notable trees are scheduled in SCHED-2 of the PDP and identified on the planning maps.

13.3 Why is the qualifying matter incompatible with the level of development permitted by the MDRS?

The TREE provisions in the PDP apply the following rules where there is a notable tree identified on the planning maps:

- a. Removal or destruction is a permitted activity where certification is provided to Council from an arborist that states that the tree is dead, dying, diseased or unsafe in accordance with APP6 – Tree removal certificate (TREE-R1). Non-compliance with this standard is a restricted discretionary activity.
- b. Construction of buildings within the dripline is a restricted discretionary activity (TREE-R3)
- c. Subdivision of land where the notable tree is wholly retained within one Record of Title is a restricted discretionary activity (TREE-R4) however this becomes non-complying situations where the standard is not met.

13.4 Impact of limiting development capacity

The QM limits development by protecting notable trees. It only applies to sites that have a notable tree identified listed in SCHED-2 of the PDP and identified on the planning maps. The location of a notable tree on a site may constrain development. As this only applies to 19 parcels, the effect is not significant.

13.5 Costs and broader impacts

Section 77J(3)(c) requires that the costs and broader impacts of imposing those limits is assessed.

	Costs	Benefits
Environmental		<p>Notable trees may have ecosystem value</p> <p>Notable trees may represent an outstanding example of the species</p>
Economic	<p>There is an opportunity cost to properties affected by this QM where development area is constrained</p> <p>Reduced ability to utilise the full extent of the property</p> <p>Costs associated with obtaining a resource consent and supporting technical assessments</p> <p>May not result in optimising the existing urban land resource</p> <p>Increased time required to create new dwellings due to resource consents being required</p>	<p>The provisions may provide for a low level of development on the site depending on the location of the tree on the site and the root extent</p>
Social	<p>Reduced housing supply available</p>	<p>Notable trees add to the cultural landscape, particularly where they are significant in terms of an event or a person</p>
Cultural	<p>Development on Maori owned land may be constrained</p>	<p>Notable trees may have cultural significance</p> <p>Connection with the past is preserved</p>

13.6 Modification to MDRS

Section 77J(4)(b) requires a description of how modifications to the MDRS are limited to only those modifications necessary to accommodate qualifying matters. The level of development enabled by MDRS may be incompatible with the protection of notable trees, depending on the size of the tree, its canopy and how much of the site it occupies and its location on the site.

13.7 Specific characteristics that make the MDRS inappropriate

The protection of notable trees may make MDRS inappropriate on the sites where the tree is located.

13.8 Justification as to why the characteristic makes the level of development inappropriate

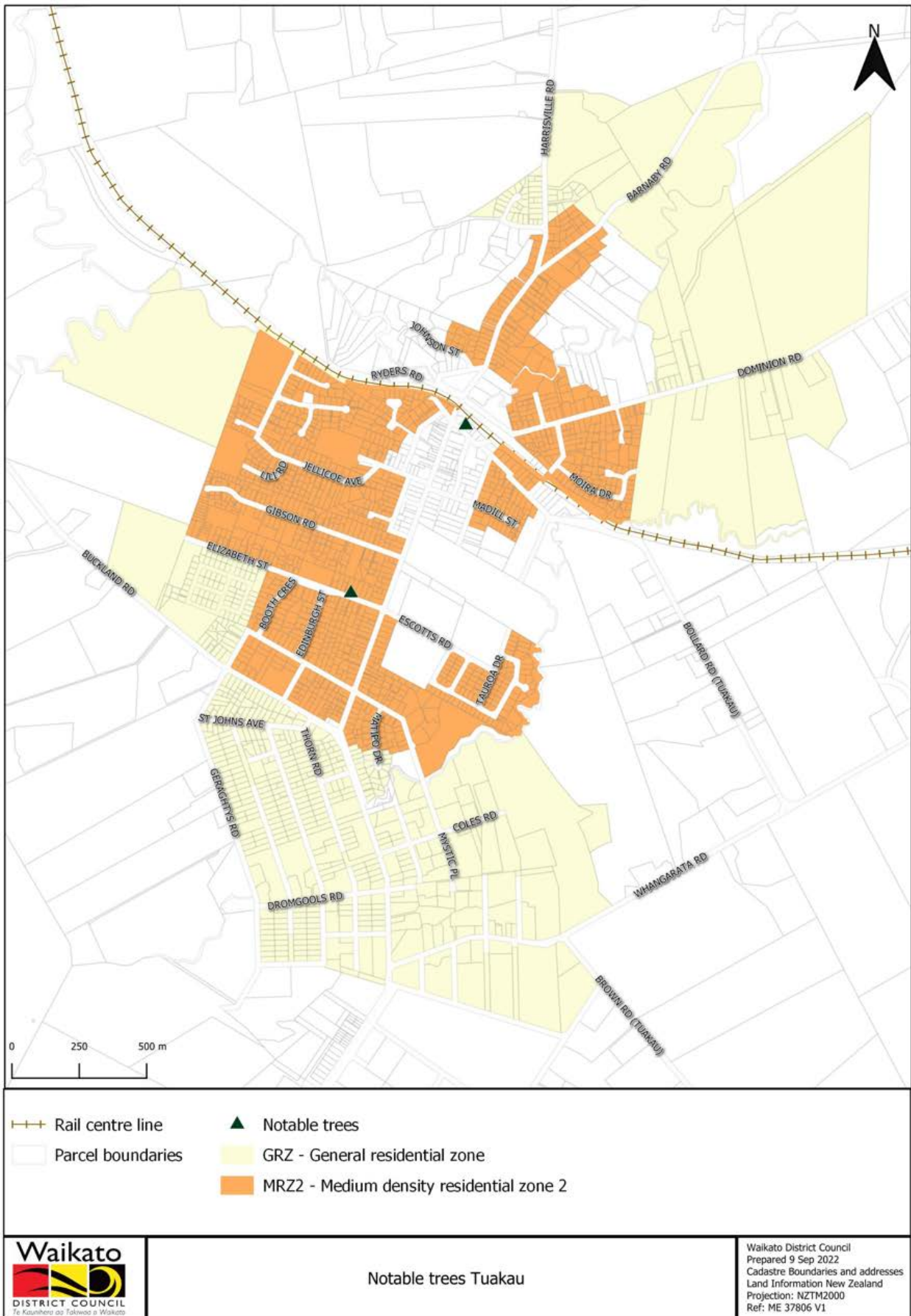
Section 77L(b) requires justification as to why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD. Notable trees represent certain values for the community, whether it be an outstanding example of a species or a tree with historic heritage significance. It is important that these trees are protected.

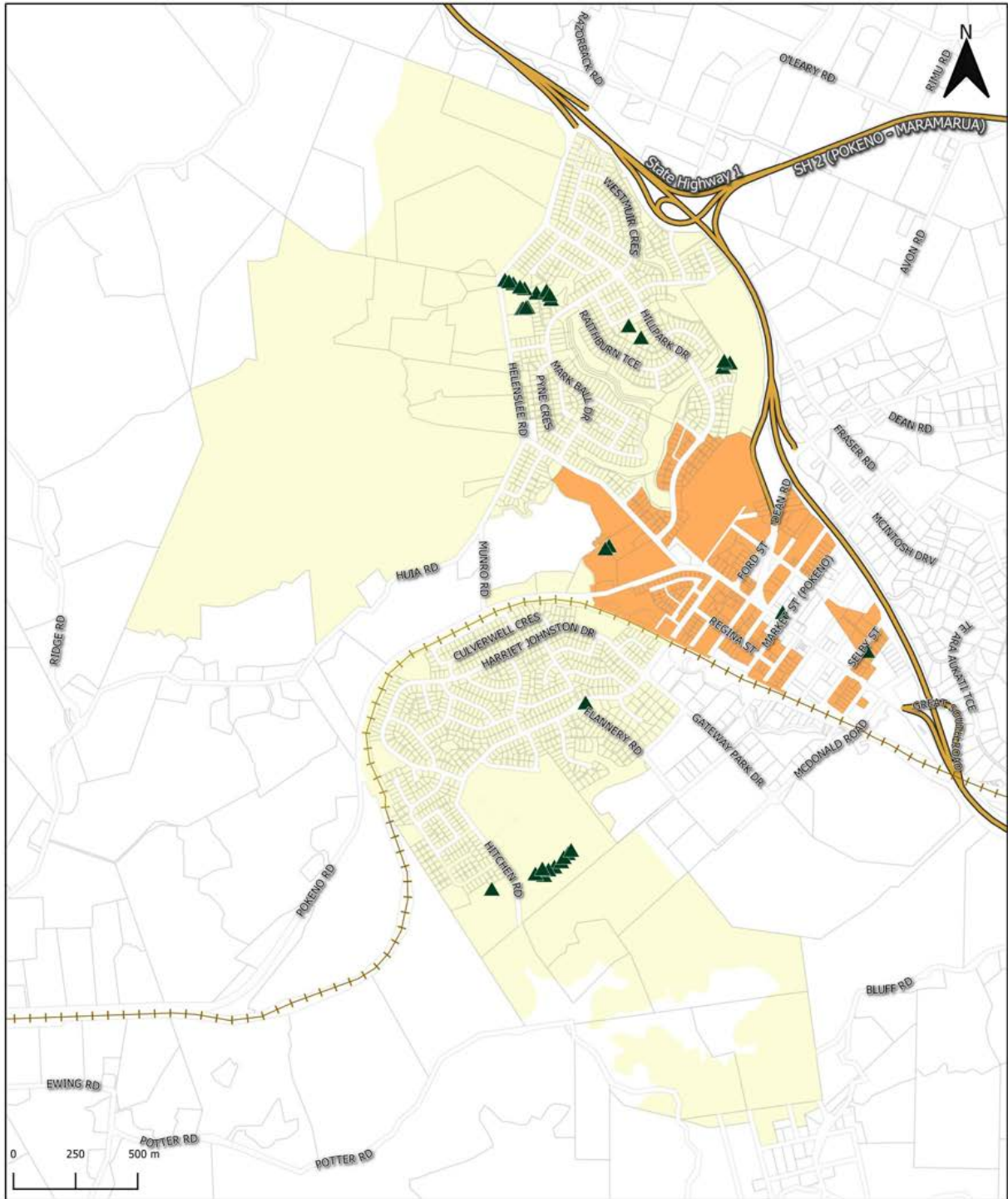
13.9 Site specific analysis

Section 77L(c) requires a site-specific analysis that identifies the site to which the matter relates; and evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter.

This QM applies to both Medium density residential zone 2 as well as the General residential zone within Huntly, Ngāruawāhia, Pōkeno and Tuakau. The provisions apply to specific circumstances, mapped below. There are notable trees located on 12 parcels zoned General residential zone and 7 affecting parcels proposed to be zoned Medium density residential zone 2.

Figure 17: Properties affected by the qualifying matter: notable trees





Major Road	Notable trees
Rail centre line	GRZ - General residential zone
Parcel boundaries	MRZ2 - Medium density residential zone 2



Notable trees Pokeno

Waikato District Council
Prepared 9 Sep 2022
Cadastral Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1

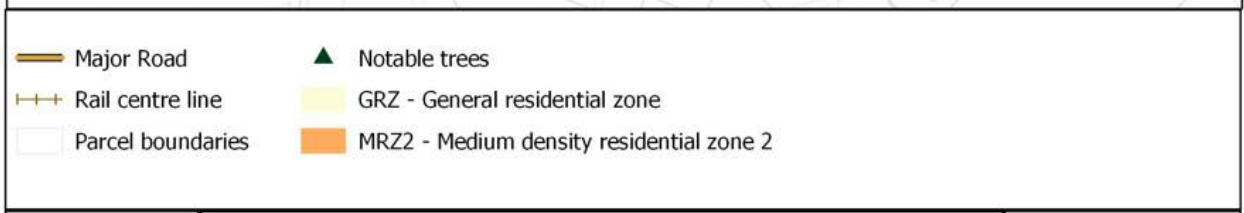
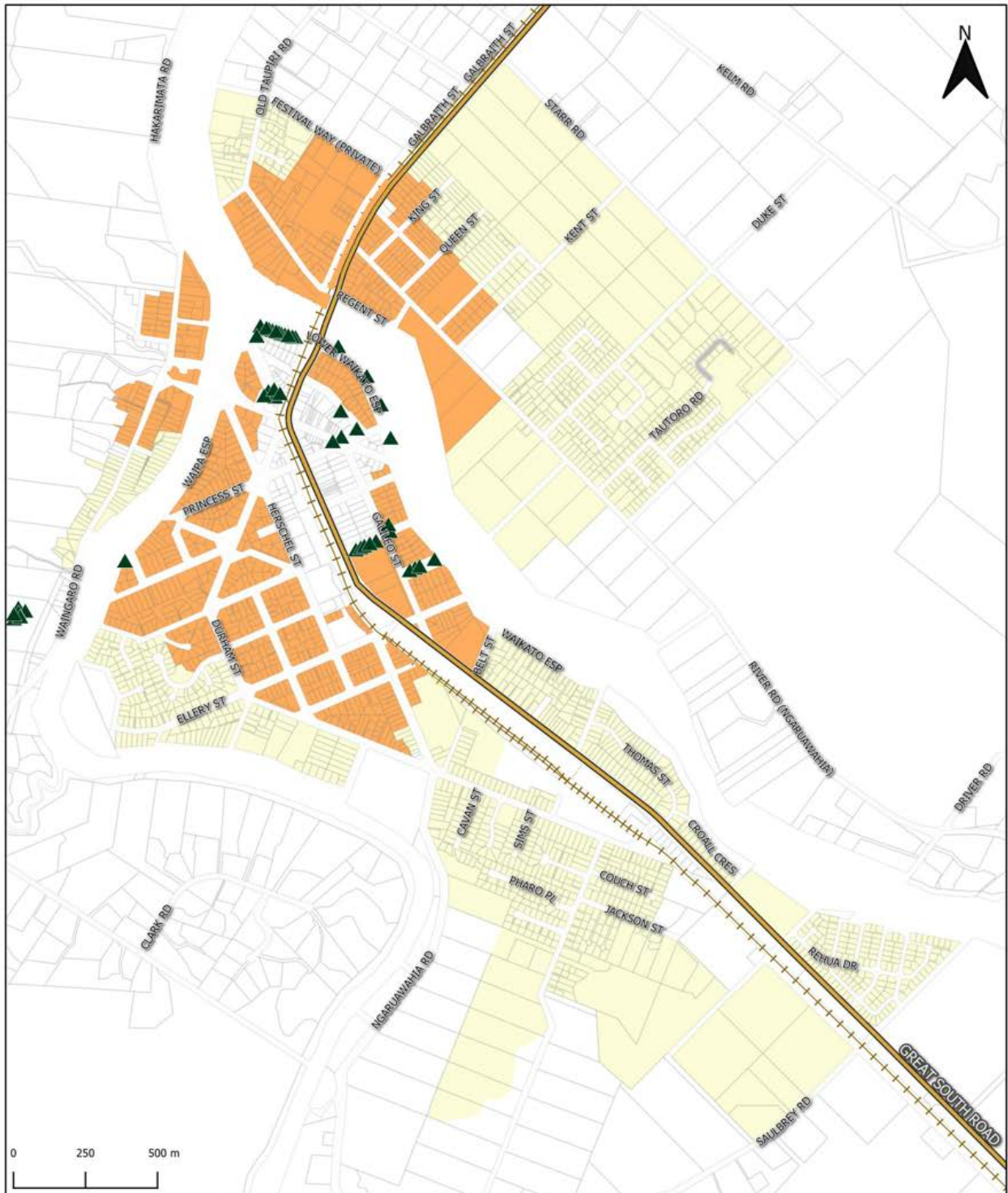


Major Road	Notable trees
Rail centre line	GRZ - General residential zone
Parcel boundaries	MRZ2 - Medium density residential zone 2



Notable trees Huntly

Waikato District Council
 Prepared 9 Sep 2022
 Cadastre Boundaries and addresses
 Land Information New Zealand
 Projection: NZTM2000
 Ref: ME 37806 V1



Notable trees Ngaruawahia

Waikato District Council
Prepared 9 Sep 2022
Cadastre Boundaries and addresses
Land Information New Zealand
Projection: NZTM2000
Ref: ME 37806 V1

13.10 Options

Section 77L(c)(iii) requires evaluation of a range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics. At a broad level, the options are:

Option 1: Allow notable trees to be removed to enable intensive residential development

Option 2: Protect the identified notable trees through the TREE rules which has the effect of potentially limiting development of the site on which they are located.

The advantages and disadvantages of each option are set out below.

Option	Disadvantages	Advantages
Option 1: Allow notable trees to be removed to enable intensive residential development	<p>The historic heritage values and significance will be lost</p> <p>Exceptional or unique example of a species will be lost</p> <p>Important landmark trees will be lost</p> <p>The ecological function served by the tree will be lost (e.g. they may be a habitat for long tail bats)</p> <p>Adverse effects on the landscape values</p>	<p>Sites will be able to optimise development</p>
Option 2: Protect notable trees through application of the TREE rules	<p>The development of sites may be constrained</p>	<p>The historic heritage values and significance will be protected</p> <p>Exceptional or unique example of a species will be protected</p> <p>Important landmark trees will be protected</p> <p>The ecological function served by the tree will be retained</p>

14 Summary of qualifying matters

Qualifying matter	Topic	District wide rules	Zone rules
Matter of national importance under s6 (s771(a))	<p>Natural character of the lakes and rivers and their margins s6(a)</p> <p>Maintenance and enhancement of public</p>		<p>GRZ-S22 Building setbacks – water bodies</p> <p>MRZ2-S13 Building setbacks – water bodies</p>

Qualifying matter	Topic	District wide rules	Zone rules
	access to and along lakes and rivers s6(d)		
	Outstanding natural features and landscapes s6(b)	NFL-R2 Earthworks within an ONF or ONL NFL-R3 Subdivision	GRZ-S22 Building setbacks – water bodies MRZ2–S13 Building Setbacks – water bodies
	Significant indigenous vegetation and significant habitats of indigenous fauna s6(c)	ECO–R3 Earthworks in an SNA ECO–R8 Vegetation clearance within an SNA ECO-R11 Vegetation clearance outside an SNA	
	Relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga s6(e)	SASM–R4 Earthworks SASM–R5 Title boundaries	
	Protection of historic heritage from inappropriate subdivision, use and development s6(f)	HH-R2 All site development HH-R4 Additions and alterations to a historic heritage item HH-R5 Construction or alteration to a building in the Huntly heritage area HH-R7 Demolition, removal or relocation of any B ranked historic heritage item HH-R8 Demolition, removal or relocation of any A ranked historic heritage item HH-R9 Subdivision of land containing a historic heritage item	

Qualifying matter	Topic	District wide rules	Zone rules
	Management of significant risks from natural hazards s6(h)	Flood plain management area NH-R10 High risk flood area NH-R20, NH-R19 Defended area NH-R25, NH-R24 Mine subsidence risk area NH-R72, NH-R73, NH-R74	
Matter required to give effect to a national policy statement (s771(b))	National Policy Statement for Electricity Transmission	EW-R2 Earthworks activities within the National Grid Yard	GRZ-R14 Sensitive land use within National Grid Yard MRZ2-R10 Buildings, structures and sensitive land uses within the National Grid Yard MRZ2-R11 New sensitive land use within the National Grid Yard SUB-R26 Subdivision within the National Grid Corridor SUB-R162 Subdivision within National Grid Corridor
Matter required to give effect to Te Ture Whaimana (s771(c))			GRZ-S22 Building setbacks – water bodies MRZ2 – S13 Building setbacks – water bodies
Matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure (s771(e))	State Highways		GRZ-S20 Building setback – sensitive land use
	North Island Main Trunk rail		
	Gas transmission line		MRZ2-R14 Building setback – sensitive land use
Any other matter that makes higher density	Urban fringe		MDRS not proposed to apply to the GRZ

Qualifying matter	Topic	District wide rules	Zone rules
inappropriate in an area (s771(j))	Reverse sensitivity		GRZ-S20 Building setback – sensitive land use GRZ-S21 Building setback – sensitive land use located outside Amenity Setback PREC4-S2 Building setback – sensitive land use within Havelock Precinct MRZ2-S14 Building setback – sensitive land use
	Notable trees	TREE-R1 Removal or destruction TREE-R3 Activities within the dripline TREE-R4 Subdivision of land containing a notable tree	