

Sarah Trinder

From: Greg Wilson
Sent: Friday, 21 October 2022 9:51 am
To: Proposed District Plan
Subject: FW: SUBMISSION ON THE PROPOSED FAR NORTH DISTRICT PLAN 2022 - Tapuaetahi Incorporation
Attachments: 20221019 Submission on FDNC Proposed District Plan Tapuaetahi Incorporation .pdf; Attachment 1 to submission.pdf
Categories: Sarah

Greg Wilson
 Manager - District Planning
 Strategic Planning & Policy, Far North District Council
 +6494070441 | Greg.Wilson@fndc.govt.nz
<https://apc01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.fndc.govt.nz%2F&data=05%7C01%7Cpdp%40fndc.govt.nz%7C109fc999408a4782ead608dab2dcbf4c%7Ccab54057b72af4f95a4cdb8f19cc71db7%7C0%7C0%7C638018958441553998%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=Nv28fLGaw7KenMz%2FmA8qGHLp1XoJNPC028HYeVEQnVc%3D&reserved=0>

-----Original Message-----

From: Mariaio Hohaia <mariao@tapuaetahi.com>
Sent: Friday, 21 October 2022 9:34 am
To: Greg Wilson <Greg.Wilson@fndc.govt.nz>
Cc: Moko Tepania <Moko.Tepania@fndc.govt.nz>; Kelly Stratford <Kelly.Stratford@fndc.govt.nz>; John Vujcich <John.Vujcich@fndc.govt.nz>; Ann Court <Ann.Court@fndc.govt.nz>; Felicity Foy <Felicity.Foy@fndc.govt.nz>; Mate Radich <Mate.Radich@fndc.govt.nz>; Penetaui Kleskovic <Penetaui.Kleskovic@fndc.govt.nz>; Tamati Rakena <Tamati.Rakena@fndc.govt.nz>; hilda.harawira@fndc.govt.nz; babe.kapap@fndc.govt.nz
Subject: SUBMISSION ON THE PROPOSED FAR NORTH DISTRICT PLAN 2022 -Tapuaetahi Incorporation

CAUTION: This email originated from outside Far North District Council.
 Do not click links or open attachments unless you recognise the sender and know the content is safe.

Tena koe e Greg

Please find attached our submission for the PDP.

We are again disappointed by the lack of engagement on what is proposed and how it will affect Maori owners interests and future aspirations with the remnants of whenua maori we have managed to hold onto.

The PDP impacts on Whenua Maori and Maori interests and aspirations heavily, a lot more than any one else due to its classification and the number of people affected.

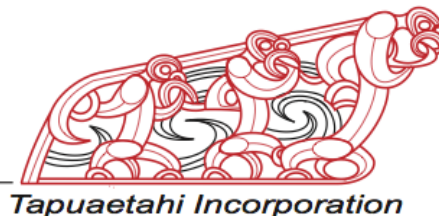
Resources for Maori are very thin and it is very hard for us to keep abreast of all the policy changes by central, regional and local authorities and we often stumble across them accidentally while doing other mahi for our whanau interests. Such as we did with SNAs last year which we see have been now put in the plan and the burden now on the owners to prove it isn't a special natural area.

Could I please have an explanation of how the Policy and Planning teams at FDNC interpret Te Tiriti o Waitangi and the principles that is applied to their work and who and how that is measured and documented. Even in a stretched application there are failures with this continued imposition by authorities on Whenua Maori interest and their owners aspirations.

We humbly ask that our FNDC do better.

Mauri Ora,

Mario



Tapuaetahi Incorporation
PO Box 76
Kerikeri 0230
admin@tapuaetahi.com
0274 776 414
09 4076525

19 October 2022

District Plan Team – Attention: Greg Wilson
Strategic Planning & Policy
5 Memorial Avenue
Private Bag 752
Kaikohe 0440.

By email:
greg.wilson@fndc.govt.nz

SUBMISSION ON THE PROPOSED FAR NORTH DISTRICT PLAN 2022

Introduction

“Kia kaua te whenua e riro ai”

1. This is a submission by Tapuaetahi Incorporation on the Proposed Far North District Plan (PDP). The submission is prepared by Mariaio Hohaia, the Executive Manager, on behalf of Incorporation and it's Committee of Management.
2. Tapuaetahi Incorporation is a Maori Incorporation comprising of approximately 615 hectares across multiple blocks. The economic arm for the kainga o Te Tii, it's purposes are beachfront leases, farming, mining and forestry. While Tapuaetahi Incorporation represents 480 actual shareholders, the descendants of these shareholders number in the thousands.
3. Tapuaetahi Incorporation is one of the many entities in the hapu of Ngāti Rēhia, ahi kaa of Te Riu o Ngāti Rēhia.

Background

4. Tapuaetahi Incorporation was founded in March 1965, to ensure that the land was never lost to the rating scheme by local Government that was taking whenua Maori to pay rate arrears.
5. While the Incorporation was only founded in 1965, the owners are descendances of our Tupuna that have had undisturbed occupation of the whenua, prior to the arrival of European navigator captain James Cook and Joseph Banks in Tai Tokerau in 1769.
6. We have struggled to make our farm profitable until this year 2022, some 57 years on since our inception. Had it not been for the beach front leases, which along with our Farm lands is also impacted negatively by the PDP Natural Hazards section, our lands may have been lost and the subject of the Waitangi Tribunal claim.
7. Prior to the acquisition of two new freehold blocks, that make up half of the lands, Tapuaetahi coastal block (situated on the Northern side of the Bay of Islands) incurred huge losses due to the rating values that are assessed at what would be around 60% of the gross annual income for a dry stock operation, had it not been for the Farming concession. Even then, this is still more by a percentage of the gross annual income than what our tax rate is by 5-10%.

This submission

8. This submission seeks the Proposed Far North District Plan amend provisions within:
 - The Natural Hazards section;
 - The Coastal Environment section;
 - The Ecosystems and Indigenous Biodiversity section;
 - The Maori Purpose Zone.
9. Attached (**Attachment 1**) is our submission prepared, on our behalf, by Steve Sanson of Bay of Islands Planning. There Mr Sanson outlines our issues and concerns.

10. We also note that we submitted last year objecting to our whenua being listed as an SNA in Far North District Council. In that submission, we requested the release of data collected by Wildlands Consultants be released to us as the affected land owner. We note that we still have not had that and seek an explanation as to why not.

Concluding Statement

11. Tapuaetahi Incorporation assert He Whakaputanga me Te Tiriti o Waitangi and reaffirm these as the standard for any local government legislation or policy. We re-enforce our right to mana motuhake over our lands, taonga and resources.

12. Tapuaetahi Incorporation request the right to speak to this submission with Council.

Heio ano,



Mariaio Hohaia
Executive Manager

CC: Moko Tepania, Kelly Stratford, Hilda Harawira, Tamati Rakena, Penetaui Kleskovic, Babe Kapa, Ann Court, John Vujcich, Felicity Foy,

BCC: Te Runanga o Ngati Rehia, Tapuaetahi Shareholders.

Attachment 1: Submission

1. **General Statement**

Tapuaetahi Incorporation are directly affected by the Proposed Far North District Plan (**PDP**).

They cannot gain an advantage in trade competition through this submission. They are directly impacted by the PDP. The effects are not related to trade competition.

2. Site Description

The land to which this submission relates comprises a large landholding in Te Tii, Kerikeri which is outlined below in **Figure 1**.

The site is largely in ownership of the Tapuaetahi Incorporation, who provide long term leases to most of the sites along Taronui Road.



Figure 1 – Site (Source: Prover)

The site is largely a rural landholding with coastal residential development near and along the coast with access from Taronui Road.

Operative and Proposed District Plan Zoning

The site currently has a mixed zoning, with the Conservation Zone, Coastal Residential Zone, Coastal Living Zone and General Coastal Zone being present. This is outlined in **Figure 2** and provided in **Annexure 1**, including relevant resource features.

In relation to resource features, part of the sites coastline is considered as Outstanding Landscape.

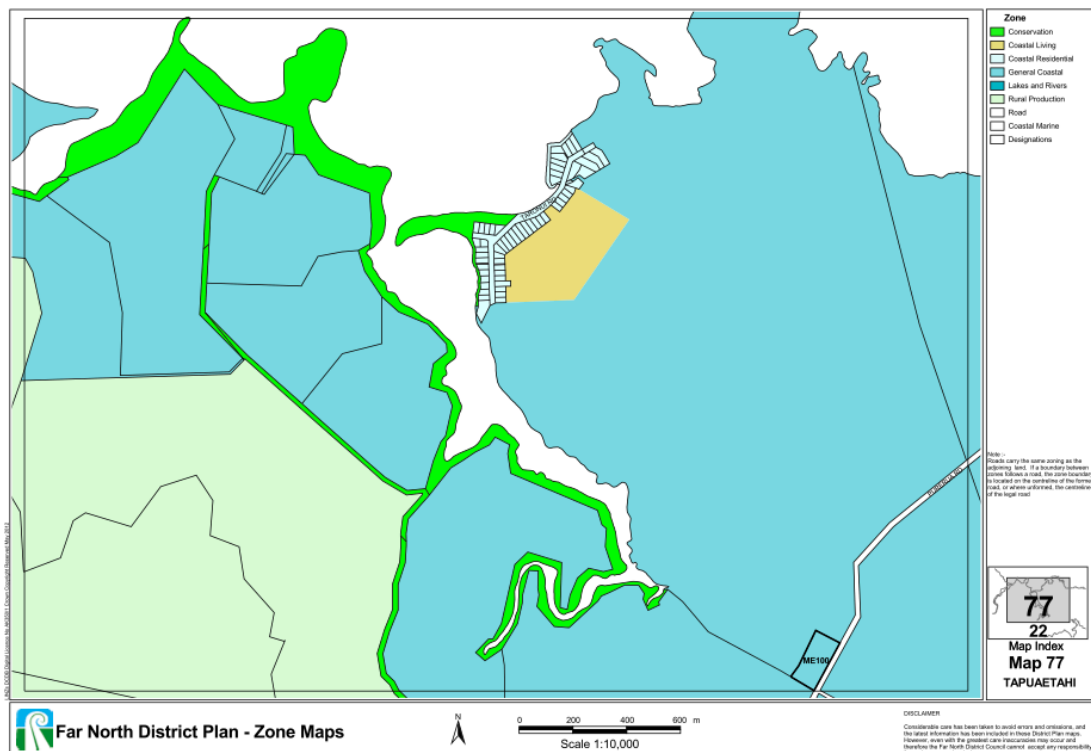


Figure 2 – Operative Zoning (Source: Far North District Council)

The PDP seeks a more simple zoning for the site, as it proposed a single Maori Purposes Zone across the entire site. However, the site is also implicated by:

- The Coastal Environment;
- High Natural Character Areas;
- Outstanding Natural Landscape;
- River Flooding; and
- Coastal Flooding.

These items are outlined in **Figure 3** below.



Figure 3 - Proposed Zoning (Source: PDP E Maps)

3. **The specific provisions of the PDP that this submission relates to are:**

- Part 2 – District Wide Matters: Coastal Environment
- Part 2 – District Wide Matters: Ecosystems and Indigenous Biodiversity
- Part 3 – Area Specific Matters: Maori Purpose Zone

4. **Tapuaetahi Incorporation seek the following amendments/relief:**

This submission requests that the PDP:

- Amend provisions within the Natural Hazards section.
- Amend provisions within the Coastal Environment section.
- Amend provisions within the Ecosystems and Indigenous Biodiversity section.
- Amend provisions within the Maori Purpose Zone.

The proposed changes are provided for in **Annexure 2**. We briefly expand on the reasons for the proposed changes, but note that these matters will be fleshed out further in the evidence we call in support of our position at the hearing.

5. **The reasons for making the submission on the Proposed District Plan are as follows:**

Natural Hazards / Coastal Environment

It is understood there are strong higher order provisions and intent within the Resource Management Act 1991 to appropriately manage natural hazards, however there are numerous hazards, and numerous hazard zones which apply to the land under consideration.

The natural hazard zones under consideration are the Coastal Flood Zone 3 (1:100 Year + Rapid Sea Level Rise), Zone 2 (1:100 Year), and Zone 1 (1:50 Year).

The PDP nor any of its supporting documents refer to Section 10 or Section 20 the RMA (as they relate to existing use rights).

Section 10(1) of the RMA addresses existing use rights for land use. Under this section, land may be used in a manner that contravenes a rule in a district plan or proposed district plan if both:

- the use was lawfully established before the rule became operative or the proposed plan was notified
- the effects of the use are the same or similar in character, intensity and scale.

Section 10 of the RMA does not apply to activities that have been discontinued for a continuous period of more than 12 months after the new rule became operative or the proposed plan was notified.

Existing use rights under section 10 do not apply to:

- reconstruction, alteration of, or extension to, any building that increases the degree to which the building fails to comply with any rule in a plan or proposed plan
- use of land controlled for the purposes specified in s30(1)(c)
- restrictions of use of the coastal marine area under s12
- restrictions on uses of lake and river beds under s13.

On the basis of the above, it is contended that a provision should be provided within the PDP which enables, as a permitted activity, the ability for people to exercise their existing use rights, where rebuilding a house 'like for like' and which result in effects which are the same or similar in character, intensity, and scale. This provision is provided in **Annexure 1** as an exemption to CE-R12.

Changes to the Coastal Environment provisions are also proposed in **Annexure 2** to provide for existing use rights.

The proposed approach will allow for more certainty for landowners within the coastal hazard zones on the site.

In terms of the Coastal Environment provisions, CE-S3 Earthworks or indigenous vegetation clearance is not at all reasonable in the context of a working farm, which a large part of the landholding is. Operational requirements associated with farming offer many examples as to why these rules are considered overly onerous. This includes:

- Changes to farm race track alignment and widening;
- Providing farm infrastructure such as troughs, yards, and fences.

The area of this is increased to 2,500m² which aligns with the provisions in the Earthworks section (EW-S1) of the PDP.

The proposed changes are considered to promote the purpose of the RMA to a far greater degree than the PDP.

Maori Purpose Zone

The site under consideration is unique in that it contains numerous operative zones that includes zoning that is urban (Coastal Residential) through to rural (General Coastal).

The blanket zoning proposed does not appropriately cater for existing development which is partially residential in nature along parts of the coastline.

The categorisation of maori land into rural and urban in this instance is somewhat confusing. The existing Coastal Living Zone part of the

site adjoins the existing coastal residential landholding. This part of the landholding would arguably meet neither of the tests provided in the Overview section. Changes are proposed in this respect.

In terms of potential development, the PDP effectively removes the Coastal Living Zone, and any potential development that could be included within this part of the site. There are active discussions for the site to include enhanced residential development.

The exemption provided within MPZ-R5 which applies to landholdings within Matauri Bay is similarly proposed to be provided for the land under this submission.

If this relief is not supported, then the number of dwellings allowable on a Maori Purpose Zone site should be determined by the carrying capacity of the site, determined through MPZ-P3 and MPZ-P4 (not PER-1-PER3) of Rule MPZ-R5.

A similar exemption is proposed for MPZ-P4.

An exemption is also proposed in terms of MPZ-S4 which allows for a balance lot, reserve or road to negate the need for the setback from MHWS provisions to be applied. This approach is similar in nature to those found in the existing rule 12.7.6.1.1(vii) of the Operative District Plan.

Overall, these changes are considered to more appropriately meet the submitters section 6(e) needs under the RMA 1991.

Ecosystems and Indigenous Biodiversity

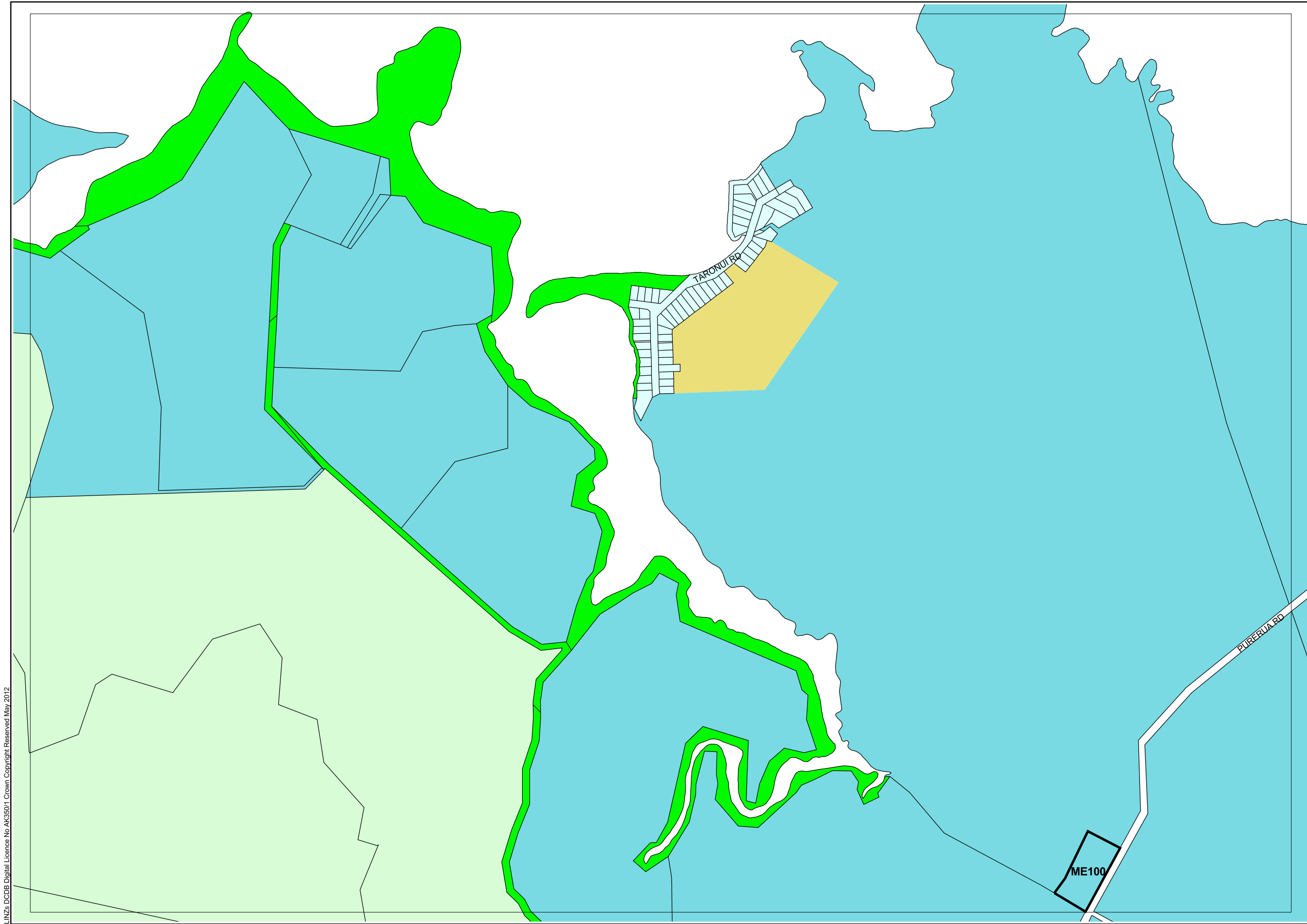
The Taupuaetahi Incorporation reject the approach taken in terms of significant natural areas (SNA's) and the rules with current legal effect. Accordingly, these rules should be deleted and appropriately redrafted in consultation with tangata whenua. The current approach is not considered to meet s6(e) of the RMA 1991.

Overall, the proposed approach undertaken in the PDP is not considered to be the most appropriate pathway to meet the purpose and principles of the RMA.

6. **The Landowners wish that the Far North District Council address the above matters by:**

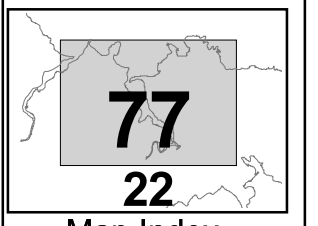
1. Amend the provisions as outlined in **Annexure 1**; and
2. Any other relief to achieve the outcomes sought by this submission.

Annexure 1: Relevant Operative District Plan Maps



- Zone**
- Conservation
 - Coastal Living
 - Coastal Residential
 - General Coastal
 - Lakes and Rivers
 - Rural Production
 - Road
 - Coastal Marine
 - Designations

Note :-
Roads carry the same zoning as the adjoining land. If a boundary between zones follows a road, the zone boundary is located on the centreline of the formed road, or where unformed, the centreline of the legal road



Map Index
Map 77
TAPUAETAHI

LINZs DCDB Digital Licence No AK35011 Crown Copyright. Reserved May 2012










Far North District Plan - Zone Maps

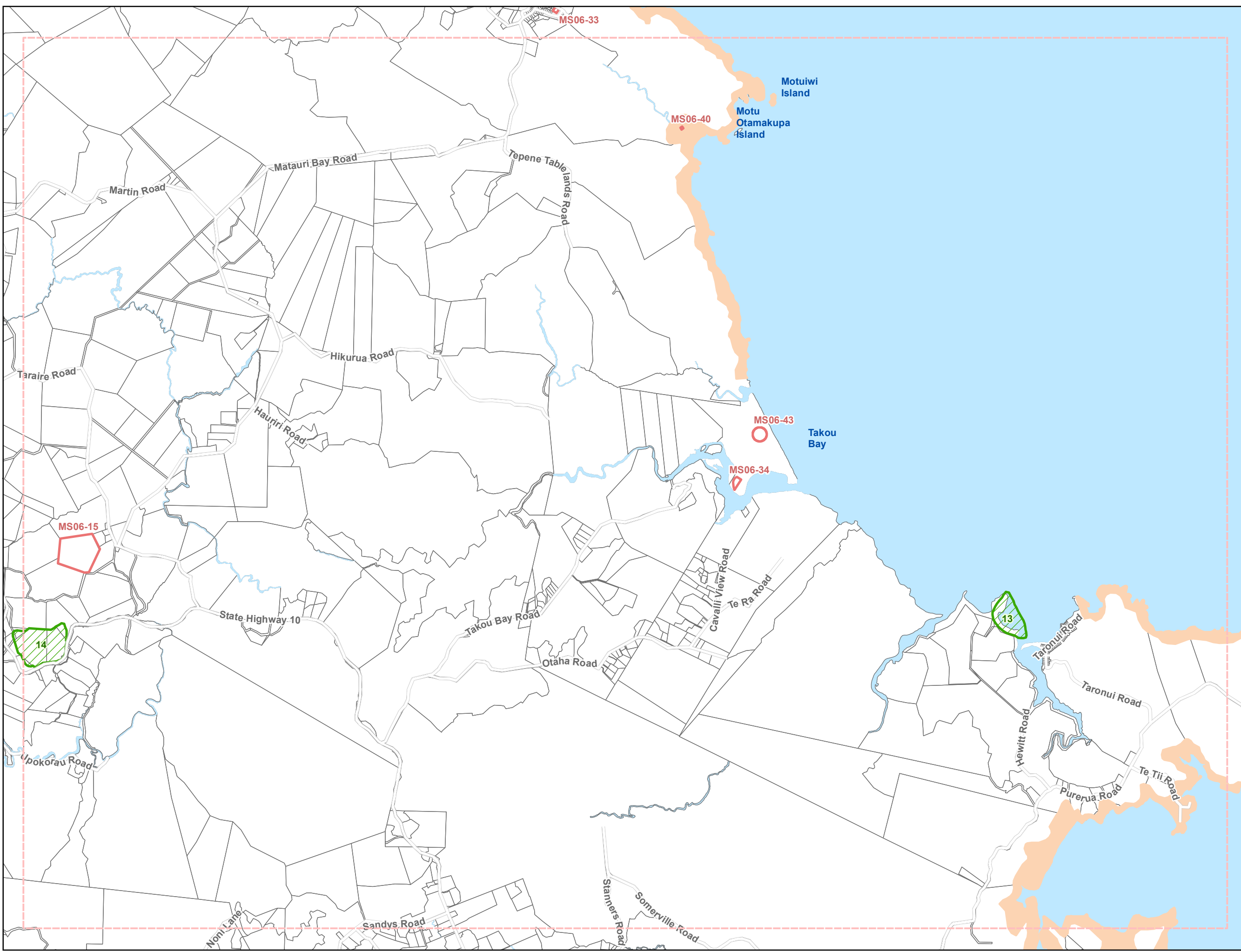


Scale 1:10,000

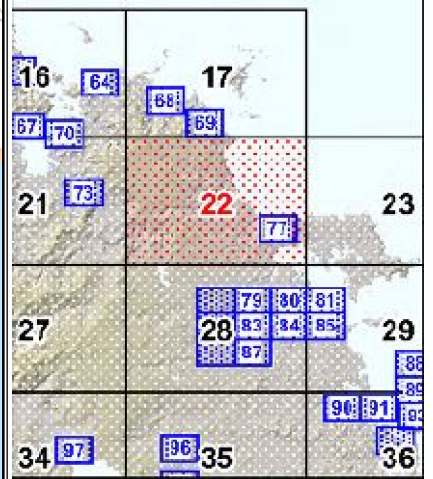
DISCLAIMER

Considerable care has been taken to avoid errors and omissions, and the latest information has been included in these District Plan maps. However, even with the greatest care inaccuracies may occur and therefore the Far North District Council cannot accept any responsibility for such errors and omissions.

-  Outstanding Landscape Feature
-  Site of Cultural Significance to Maori
-  Outstanding Landscape
-  GISProduction.GISADMIN.DP_Zone_Marine_Names
-  Road
-  District Boundary
-  Railway



Map Index



Annexure 2: Proposed Changes to Provisions

Overview

The Far North District has a vast and complex coastal environment with dynamic natural processes, unique natural and physical attributes and high cultural values. The District Plan has mapped the coastal environment and identifies areas within it that contain high or outstanding natural character. These areas were originally identified through the regional mapping project undertaken by the Regional Council for the RPS. The methodology for identifying them can be found in APP1- Mapping methods and criteria and the schedules of high and outstanding natural character can be found in SCHED7 and SCHED8 of the District Plan. The mapped coastal environment accounts for approximately 12% of the District's total land area.

Much of the District's coastline is relatively undeveloped in the sense that there is limited built development and supporting infrastructure. The past few decades have seen an increasing pressure for development in coastal areas, particularly along the east coast where there is a continued pattern of settlement which has placed additional pressure on coastal resources and character. Consideration needs to be given to both the preservation of the natural character of the coastal environment and the level of intervention to manage land use and subdivision, while ensuring the communities health, safety and wellbeing.

The coastal hazard rules are located in this chapter in accordance with the Planning Standards, while other natural hazards such as flooding are controlled in the Natural Hazards chapter. The Natural Hazards chapter consolidates all of the objectives and policies related to natural hazards including rules that must be considered when assessing proposals within a Coastal Hazard Area.

Council has a responsibility under the RMA, the NZCPS and the RPS to preserve and protect the natural character of the coastal environment from inappropriate land use and subdivision.

Objectives	
CE-O1	The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.
CE-O2	Land use and subdivision in the coastal environment: <ol style="list-style-type: none"> preserves the characteristics and qualities of the natural character of the coastal environment; is consistent with the surrounding land use; does not result in urban sprawl occurring outside of urban zones; promotes restoration and enhancement of the natural character of the coastal environment; and recognises tangata whenua needs for ancestral use of whenua Māori.
CE-O3	Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.

Policies	
CE-P1	Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.
CE-P2	Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as: <ol style="list-style-type: none"> outstanding natural character; ONL; ONF.
CE-P3	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as: <ol style="list-style-type: none"> outstanding natural character; ONL; ONF.
CE-P4	Preserve the visual qualities, character and integrity of the coastal environment by: <ol style="list-style-type: none"> consolidating land use and subdivision around existing urban centres and rural settlements; and avoiding sprawl or sporadic patterns of development.
CE-P5	Enable land use and subdivision in urban zones within the coastal environment where: <ol style="list-style-type: none"> there is adequacy and capacity of available or programmed development infrastructure; and the use is consistent with, and does not compromise the characteristics and qualities.
CE-P6	Enable farming activities within the coastal environment where: <ol style="list-style-type: none"> the use forms part of the values that established natural character of the coastal environment; or the use is consistent with, and does not compromise the characteristics and qualities.

CE-P7	Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where: a. the use is consistent with the ancestral use of that land; and b. the use does not compromise any identified characteristics and qualities.
CE-P8	Encourage the restoration and enhancement of the natural character of the coastal environment.
CE-P9	Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.
CE-P10	Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: a. the presence or absence of buildings, structures or infrastructure; b. the temporary or permanent nature of any adverse effects; c. the location, scale and design of any proposed development; d. any means of integrating the building, structure or activity; e. the ability of the environment to absorb change; f. the need for and location of earthworks or vegetation clearance; g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location; h. any viable alternative locations for the activity or development; i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6; j. the likelihood of the activity exacerbating natural hazards; k. the opportunity to enhance public access and recreation; l. the ability to improve the overall quality of coastal waters; and m. any positive contribution the development has on the characteristics and qualities.

Rules

Notes:

- There may be rules in other District-Wide Matters and the underlying zone in Part 3- Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
- The National Environmental Standards for Plantation Forestry 2017 (NES-PF) regulates plantation forestry and Regulation 6 of the NES-PF allows plan rules to be more stringent to give effect to Policy 13 of the NZCPS. Rule CE-R6 Plantation forestry and plantation forestry activities in this chapter contains more stringent rules for plantation forestry activities to protect natural character of coastal environment and prevails over the NES-PF regulations.
- The Earthworks chapter rules apply 'in addition' to the earthworks rules in this overlay chapter, not instead of. In the event of a conflict between the earthworks chapter and this chapters earthworks rules, the most stringent rule will apply.

CE-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Coastal environment	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary (inside a high natural character area) Non-complying (inside an outstanding natural character area)
	Where:	Activity status where compliance not achieved with PER-2: Discretionary (outside an outstanding natural character area) Non-complying (inside an outstanding natural character area)
	PER-1 If a new building or structure is located in an urban zone it is: 1. no greater than 300m ² . 2. located outside high or outstanding natural character areas.	Activity status where compliance not achieved with PER-3 or PER-4: Discretionary
	PER-2 If a new building or structure is not located within an urban zone it is: 1. ancillary to farming activities (excluding a residential unit). 2. no greater than 25m ² . 3. located outside outstanding natural character areas.	
	PER-3	

	Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure. PER-4 The building or structure, or extension or addition to an existing building or structure, complies with standards: CE-S1 Maximum height. CE-S2 Colours and materials.	
CE-R2	Repair or maintenance	
Coastal environment	Activity status: Permitted Where: PER-1 The repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like: 1. roads. 2. fences. 3. network utilities. 4. driveways and access. 5. walking tracks. 6. cycling tracks. 7. farming tracks.	Activity status where compliance is not achieved with PER-1: Discretionary
CE-R3	Earthworks or indigenous vegetation clearance	
Coastal environment	Activity status: Permitted Where: PER-1 The earthworks or indigenous vegetation clearance is: 1. required for repair or maintenance permitted under CE-R2 Repair or Maintenance. 2. required to provide for safe and reasonable clearance for existing overhead power lines. 3. necessary to ensure the health and safety of the public. 4. for biosecurity reasons. 5. for the sustainable non-commercial harvest of plant material for rongoā Māori. PER-2 The earthworks or indigenous vegetation clearance is not provided for within CE-R3 PER-1 but it complies with standard CE-S3 Earthworks or indigenous vegetation clearance.	Activity status where compliance not achieved with PER-1: Discretionary Activity status where compliance not achieved with PER-2: Non-complying
CE-R4	Farming	
Coastal environment	Activity status: Permitted Where: PER-1 The farming activity is located outside high or outstanding natural character areas.	Activity status where compliance is not achieved with PER-1: Discretionary (outside an outstanding natural character area) Non-complying (inside an outstanding natural character area)
CE-R5	Demolition of buildings or structures	
Coastal environment	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
CE-R6	Plantation forestry and plantation forestry activity	
Coastal environment	Activity status: Discretionary	Activity status where compliance not achieved with DIS-1: Non-complying

	Where: DIS-1 The plantation forestry or plantation forestry activity is located outside outstanding natural character areas.	
CE-R7	Extension to existing mineral extraction activity	
Coastal environment	Activity status: Discretionary Where: DIS-1 The extension is to an existing lawfully established mineral extraction activity and is located outside outstanding natural character areas.	Activity status where compliance not achieved with DIS-1: Non-complying
CE-R8	New mineral extraction activity	
Coastal environment	Activity status: Prohibited	Activity status where compliance not achieved: Not applicable
CE-R9	Land fill, managed fill or clean fill	
Coastal environment	Activity status: Prohibited	Activity status where compliance not achieved: Not applicable

Standards		
CE-S1	Maximum height	
Coastal environment	<ol style="list-style-type: none"> The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> The Orongo Bay zone 	Where the standard is not met, matters of discretion are restricted to: Not applicable
CE-S2	Colours and materials	
Coastal environment	The exterior surfaces of buildings or structures shall: <ol style="list-style-type: none"> be constructed of materials and/or finished to achieve a reflectance value no greater than 30%. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette. 	Where the standard is not met, matters of discretion are restricted to: Not applicable
CE-S3	Earthworks or indigenous vegetation clearance	
Coastal environment	Any earthworks or indigenous vegetation clearance must (where relevant): <ol style="list-style-type: none"> not occur in outstanding natural character areas. not exceed a total area of 50m² for 10 years from the notification of the District Plan in an area of high natural character. not exceed a total area of 2.500m² for 10 years from the notification of the District Plan in an area outside high or outstanding natural character areas. not exceed a cut height or fill depth of 1m. screen any exposed faces. <p>Note: The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.</p>	Where the standard is not met, matters of discretion are restricted to: Not applicable

S407.001

Deleted: 4

Rules in coastal hazard areas

A land use activity or subdivision may be subject to more than one hazard. Where this occurs, the most stringent activity status applies. Rules relating to other natural hazards, are located in the Natural Hazards chapter.

Any application for a resource consent in relation to a site that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer or technical expert that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.

A land use activity or subdivision undertaken within a coastal hazard area may also be subject to other rules in the Coastal Environment chapter. When this occurs, the most stringent activity status applies and a site specific assessment of matters relating to the coastal environment and coastal hazard areas are required.

CE-R10	External alterations to existing buildings	
Coastal hazard area	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no increase in the GFA of the building.</p> <p>PER-2 The external alteration, including any associated earthworks, does not direct coastal inundation onto other properties.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2 - Restricted Discretionary refer to Rule CE-R17</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R17.</p>
CE-R11	Maintenance, repair or upgrading of infrastructure, including structural mitigation assets	
Coastal hazard area	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no increase to the footprint of any above ground infrastructure.</p> <p>PER-2 Any works to maintain, repair or upgrade infrastructure does not direct coastal inundation onto other properties</p> <p>PER-3 The ground is reinstated to the equivalent state that existed prior to the works.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary where it meets CE-R19.</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R19.</p>
CE-R12	New buildings or structures	
Coastal hazard area	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure is one of the following: i. above ground buildings and structures with a footprint of 10m² or less and are not used for a vulnerable activity. ii. decks less than 30m² and less than 1m in height.</p> <p>PER 2 The building or structure including any associated earthworks, does not direct coastal inundation onto other properties.</p> <p>PER 3 All standards of the relevant zone applying to the activity are met.</p> <p><u>Exemption:</u> <u>A building or structure which is developed in accordance with s10 and s20 of the RMA.</u></p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary refer to Rule CE-R17 (buildings) or CE-R19 (structures)</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R17 or CE-R19</p>

S407.002

CE-R13	Building or structures ancillary to farming activities	
Coastal hazard area	Activity status: Permitted	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4

	<p>Where:</p> <p>PER-1 The accessory building or structure has a footprint that is less than 100m².</p> <p>PER-2 The accessory building or structure is not located within a High Risk Coastal Hazard area.</p> <p>PER-3 The accessory building or structure does not contain a vulnerable activity.</p> <p>PER 4 The accessory building or structure, including any associated earthworks, does not direct coastal inundation onto other properties.</p> <p>PER 5 All standards of the relevant rural zone applying to the activity are met.</p>	<p>or PER-5: Restricted Discretionary refer to Rule CE-R17 (buildings) CE-R19 (structures)</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R17 or CE-R19</p>
CE-R14	New buildings, and extension or alterations that increase the GFA of existing buildings	
Coastal hazard area	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 New buildings or extension or alterations of existing buildings, including any associated earthworks, does not direct coastal inundation onto other properties.</p> <p>RDIS-2 The new building (other than for a vulnerable activity) or extension or alteration to an existing building is not located in a High Risk Coastal Hazard Area.</p> <p>RDIS-3 A new building for a vulnerable activity is not located in a High Risk Coastal Hazard Area.</p> <p>RDIS-4 The activity complies with standards: CE-S4 Minimum floor levels CE-S5 Information requirements</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> i. the nature and likelihood of the natural hazard event and effects on integrity of the building and associated structures or infrastructure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; ii. the vulnerability and resilience of the building and associated structures or infrastructure to natural hazard events; iii. provision of safe access and egress during a hazard event; iv. the ability to relocate or adapt to the coastal hazard over time or in response to direct effects of the hazard; v. whether the building and associated structures or infrastructure is likely to accelerate, worsen or result in material damage or increased inundation to that land, other land or any 	<p>Activity status where compliance with RDIS-1, RDIS-2 or RDIS-4 not achieved: Discretionary</p> <p>Activity status where compliance with RDIS-3 not achieved: non-complying</p>

	<p>other building, structure or infrastructure;</p> <p>vi. the proposed duration of the activity within a hazard area;</p> <p>vii. any proposed hazard mitigation works and associated effects including on public access, landscape and other values; and</p> <p>viii. the effects of any vegetation planting or removal.</p>	
CE-R15	Change in use to accommodate vulnerable activities within existing buildings	
Coastal hazard area	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The activity is accommodated within a building that complies with standards: CE-S4 Minimum floor levels CE-S5 Information requirements</p> <p>RDIS-2 The activity is not in a High Risk Coastal Hazard Area.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the nature and likelihood of the natural hazard event and effects on integrity of the building to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; the vulnerability and resilience of the activity, including people and property, to natural hazard events; provision of safe access and egress to the building during a hazard event; the ability to relocate or adapt to the coastal hazard over time or in response to direct effects of the hazard; the proposed duration of the activity within a hazard area; any proposed hazard mitigation works and associated effects including on public access, landscape and other values. 	<p>Activity status where compliance not achieved: Discretionary</p>
CE-R16	New structures (excluding buildings) and infrastructure, and extensions or alterations to existing structures (excluding buildings and infrastructure)	
Coastal hazard area	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The structure or infrastructure is not a structural mitigation asset.</p> <p>RDIS-2 The new structure, infrastructure, extension or alteration, including any associated earthworks, does not increase coastal inundation on other properties.</p> <p>RDIS-3 The new structure, infrastructure, extension or alteration is not located in a High Risk Coastal Hazard Area.</p> <p>RDIS-4 The activity complies with standard: CE-S5 Information requirements</p> <p>Matters of discretion are restricted to:</p>	<p>Activity status where compliance not achieved: Discretionary</p>

	<ul style="list-style-type: none"> i. the nature and likelihood of the natural hazard event and effects on integrity of the structure or infrastructure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; ii. the vulnerability and resilience of the structure or infrastructure to natural hazard events; iii. provision of safe access and egress where necessary during a hazard event; iv. the ability to relocate or adapt to the coastal hazard over time or in response to direct effects of the hazard; v. whether the structure of infrastructure is likely to accelerate, worsen or result in material damage or increased inundation to that land, other land or any building, structure or infrastructure; vi. the proposed duration of the activity within a hazard area; vii. any proposed hazard mitigation works and associated effects including on public access, landscape and other values; viii. the effects of any vegetation planting or removal; and ix. for infrastructure, whether there is a functional or operational need to be located within the hazard area. 	
CE-R17	Hazardous facility	
Coastal hazard area	Activity status: Discretionary Where: DIS-1 The facility is not located in a High Risk Coastal Hazard Area.	Activity status where compliance not achieved: Non complying
CE-R18	Hazardous facility	
Coastal hazard area	Activity status: Discretionary Where: DIS-1 The facility is not located in a High Risk Coastal Hazard area.	Activity status where compliance not achieved: Non-complying activity
CE-R19	Activities not otherwise listed in the coastal hazard area provisions	
Coastal hazard area	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

Standards in coastal hazard areas		
CE-S4	Minimum floor levels	
Coastal hazard area	All activities occurring within buildings are designed so they will not be subject to inundation and/or material damage (including erosion) over a 100-year timeframe, and either: <ul style="list-style-type: none"> i. the finished floor level of any building accommodating a vulnerable activity must be at least 500mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise; or ii. the finished floor level of any other building must be at least 300mm above the maximum water level in a 	Where the standard is not met, matters of discretion are restricted to: Not applicable

	1 percent AEP flood event plus 1m sea level rise.	
CE-S5	Information requirements	
Coastal hazard area	Any application for a resource consent in relation to a site that is potentially affected by a coastal hazard must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.	Where the standard is not met, matters of discretion are restricted to: Not applicable

Overview

The Far North District contains a significant number of parcels of Māori freehold land, Māori customary land and general land owned by Māori, as defined in Te Ture Whenua Māori Act 1993 (TTWMA). It is recognised that this legal and governance framework for Māori land provides for a unique situation for tangata whenua.

The Māori Purpose zone provides for the use and development of Māori land which can support the social, cultural and economic aspirations of tangata whenua and enable a range of activities to be undertaken, such as marae, papakāinga, and economic activities which reflect Māori customs and values, while enabling tangata whenua to exercise kaitiakitanga.

Māori land is categorised into either:

- Māori Purpose Zone - Urban, where the land adjoins the General Residential Zone and is residential in character.
- Māori Purpose Zone - Rural, where the land adjoins Rural Zones, is rural in character and or surrounded by a working rural environment with a wide range of productive activities.

The Council has responsibilities under the Treaty, the RMA, Te Ture Whenua Māori Act and the Northland Regional Policy Statement to provide for the on-going use and development of Māori land.

S407.003

Objectives	
MPZ-O1	The viability of the Māori Purpose zone is ensured for future generations.
MPZ-O2	The Māori Purpose zone enables a range of social, cultural and economic development opportunities that support the occupation, use, development and ongoing relationship with ancestral land.
MPZ-O3	Use and development in the Māori Purpose zone reflects the sustainable carrying capacity of the land and surrounding environment.

Policies	
MPZ-P1	Provide for the use and development of ancestral Māori land administered under Te Ture Whenua Māori Act 1993.
MPZ-P2	Enable a range of activities on Māori land in the Māori Purpose zone including marae, papakāinga, customary use, cultural and small-scale commercial activities where the adverse effects can be avoided, remedied or mitigated.
MPZ-P3	Provide for development on Māori land where it is demonstrated: <ol style="list-style-type: none"> it is compatible with surrounding activities; it will not compromise occupation, development and use of Māori land; it will not compromise use of adjacent land or other zones to be efficiently and effectively used for their intended purpose; it maintains character and amenity of surrounding area; it provides for community wellbeing, health and safety; it can be serviced by onsite infrastructure or reticulated infrastructure where this is available; and that any adverse effects can be avoided, remedied or mitigated.
MPZ-P4	Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: <ol style="list-style-type: none"> consistency with the scale, density, design and character of the environment and purpose of the zone; the location, scale and design of buildings and structures; the positive effects resulting from the economic, social and cultural wellbeing provided by the proposed activity. at zone interfaces: <ol style="list-style-type: none"> any setbacks, fencing, screening or landscaping required to address potential conflicts; managing reverse sensitivity effects on adjacent land uses, including the ability of surrounding properties to undertake primary production activities in a rural environment; the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity; the adequacy of roading infrastructure to service the proposed activity; managing natural hazards; any loss of highly productive land; adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Rules

Notes:

1. There may be other rules in Part 2 - District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

MPZ-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Māori Purpose zone - Urban	Activity status: Permitted Where: PER-1 The new building or structure, or extension or alteration to an existing building or structure, will accommodate a permitted activity.	Activity status where compliance not achieved with PER-2: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard
	PER-2 The building or structure, or extension or alteration to an existing building or structure complies with standards: MPZ-S1 - Maximum height; MPZ-S2 - Height in relation to boundary; MPZ-S3 - Setback (excluding from MHWS or wetland, lake and river margins); MPZ-S4 - Setback from MHWS; MPZ-S5 - Building or structure coverage; MPZ-S6 - On-site services; and MPZ-S7 Sensitive activities setback from boundaries of a Mineral Extraction overlay	Activity status where compliance not achieved with PER 1: Discretionary
Māori Purpose zone - Rural	Activity status: Permitted Where: PER-1 The impermeable surface coverage of any site is no more than 50%.	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: a. the extent to which landscaping or vegetation may reduce adverse effects of run-off; b. the effectiveness of the proposed method for controlling stormwater on site; c. the availability of land for disposal of effluent and stormwater on site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites; and d. whether low impact design methods and green spaces can be used; e. any cumulative effects on total catchment impermeability; and f. natural hazard mitigation and site constraints.
	PER-1 The impermeable surface coverage of any site is no more than 25%. Except that: On sites containing marae, the impermeable surface is no more than 50%.	
MPZ-R2	Impermeable surfaces	
Māori Purpose zone - Urban	Activity status: Permitted Where: PER-1 The impermeable surface coverage of any site is no more than 50%.	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: a. the extent to which landscaping or vegetation may reduce adverse effects of run-off; b. the effectiveness of the proposed method for controlling stormwater on site; c. the availability of land for disposal of effluent and stormwater on site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites; and d. whether low impact design methods and green spaces can be used; e. any cumulative effects on total catchment impermeability; and f. natural hazard mitigation and site constraints.
	PER-1 The impermeable surface coverage of any site is no more than 25%. Except that: On sites containing marae, the impermeable surface is no more than 50%.	
MPZ-R3	Farming activity	
Māori Purpose	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-1: Discretionary

zone - Rural	PER-1 The farming activity does not include any offensive trade.	
MPZ-R4	Residential activity (except for papakāinga)	
Māori Purpose zone - Urban	Activity status: Permitted Where: PER-1 The site area per standalone residential unit or multi-unit development is at least 600m ² . Note: PER-1 does not apply to: <ul style="list-style-type: none"> ● a single residential unit located on any site less than the minimum site area; and ● papakāinga provided for in Rule MPZ-R5 . 	Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary
Māori Purpose zone - Rural	Activity status: Permitted Where: PER-2 The site area per standalone residential unit is at least 40ha. PER-3 The number of residential units on any site does not exceed six. Note: PER-2 and PER-3 do not apply to: <ul style="list-style-type: none"> ● a single residential unit located on any site less than the minimum site area; and ● papakāinga provided for in Rule MPZ-R5 . The landholdings owner by the Taupaetahi Incorporation at Te Tii (Insert Lot and DP as required)	
MPZ-R5	Papakāinga	
Māori Purpose zone - Urban	Activity Status: Permitted Where: PER-1 1. The site area is at least 600m ² ; and 2. The number of residential units on a site does not exceed three.	Activity Status where compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary Matters of discretion are restricted to: a. the matters set out in Policy MPZ-P4
Māori Purpose zone - Rural	Activity Status: Permitted Where: PER-2 The number of residential units does not exceed the greater of: a. one residential unit per 40ha of site area; or b. 10 residential units per site. PER-3 Any commercial activity associated with the papakāinga does not exceed a GBA of 250m ² . Note: PER-2 does not apply to the land identified by the following legal description: The landholdings owner by the Taupaetahi Incorporation at Te Tii (Insert Lot and DP as required)	
Page 3 of 10	Lot 186-188, 190, 193 DP 393664 being part Matauri X Residue. The landholdings owner by the Taupaetahi Incorporation at Te Tii (Insert Lot and DP as required)	

S407.004

S407.005

MPZ-R6		
Visitor accommodation		
Māori Purpose zone - Urban	Activity status: Permitted Where: PER-1 The occupancy does not exceed six guests per night.	Activity status where compliance not achieved with PER-1: Discretionary
Māori Purpose zone - Rural	Note: PER-1 does not apply to marae provided for under MPZ-R7	
MPZ-R7		
Marae		
Māori Purpose zone - Urban	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R8		
Community facility		
Māori Purpose zone - Urban	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R9		
Customary activity		
Māori Purpose zone - Urban	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R10		
Urupā		
Māori Purpose zone - Urban	Activity status: Permitted	Activity Status where compliance not: Not applicable
Māori Purpose zone - Rural		
MPZ-R11		
Home business		
Māori Purpose zone -	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-1, PER-2, PER-3 or PER-4: Discretionary

Urban		
Māori Purpose zone - Rural	<p>PER-1 The home business is undertaken within:</p> <ol style="list-style-type: none"> 1. a residential unit; or 2. an accessory building that does not exceed GFA of 40m² GFA; or 3. a minor residential unit. <p>PER-2 There is no more than two full-time equivalent persons engaged in the home business who reside off-site.</p> <p>PER-3 All manufacturing, altering, repairing, dismantling or processing of any material or articles associated with an activity is carried out within a building or screened from residential units on adjoining sites.</p> <p>PER-4 Hours of operation are between:</p> <ol style="list-style-type: none"> 1. 7am-8pm Monday to Friday. 2. 8am-8pm Weekends and public holidays. 	
MPZ-R12	Conservation activity	
Māori Purpose zone - Urban	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R13	Recreational activity	
Māori Purpose zone - Urban	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R14	Educational facility	
Māori Purpose zone - Urban	Activity status: Permitted	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
Māori Purpose zone - Rural	<p>Where:</p> <p>PER-1 The educational facility is within a residential unit or accessory building.</p> <p>PER-2 The number of persons attending at any one time does not exceed four, excluding those who reside on site.</p> <p>These standards do not apply to: Kōhanga reo activities.</p>	
MPZ-R15	Commercial activity	
Māori Purpose zone -	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary
	Where:	

Urban		
Māori Purpose zone - Rural	<p>PER-1 The commercial activity does not exceed a GBA of 250m².</p> <p>Except that: On any site adjoining a Settlement Zone, the commercial activity does not exceed a GBA of:</p> <ul style="list-style-type: none"> • 400m² if the site is located in the settlement of Moerewa; or • 300m² in all other settlements. 	
MPZ-R16	Rural tourism activity	
Māori Purpose zone - Rural	<p>Activity status: Permitted</p> <p>PER-1 The rural tourism activity does not exceed a GBA of 250m².</p>	Activity status where compliance with PER-1 not achieved: Discretionary
MPZ-R17	Light industry	
Māori Purpose zone - Urban	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R18	Mineral extraction activity	
Māori Purpose zone - Urban	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R19	Cleanfill area	
Māori Purpose zone - Urban	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R20	Activities not otherwise listed in this chapter	
Māori Purpose zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
MPZ-R21	Heavy industry	
Māori Purpose zone - Urban	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Māori Purpose zone - Rural		
MPZ-R22	Offensive trade	
Māori Purpose zone - Urban	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R23	Commercial composting	
Māori Purpose zone - Urban	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R24	Landfill, including managed fill	
Māori Purpose zone - Urban	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		
MPZ-R25	Community corrections activity	
Māori Purpose zone - Urban	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Māori Purpose zone - Rural		

Standards		
MPZ-S1	Maximum height	
Māori Purpose zone - Urban	<p>The maximum height of the building or structure, or extension or alteration to an existing building or structure is 11m above ground level.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> pou haki provided that they do not exceed the height limit by more than 1m; solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; Chimney structures not exceeding 1.2m in width and 1m in height on any elevation; 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and amenity of the surrounding built environment; dominance in relation to the road and adjoining sites; loss of privacy to adjoining sites, including potential loss in relation to vacant sites; shading and loss of access to sunlight for adjoining sites; landscaping; and

	<ul style="list-style-type: none"> iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and v. Architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation. 	f. natural hazard mitigation and site constraints.
Māori Purpose zone - Rural	<p>The maximum height of the building or structure, or extension or alteration to an existing building or structure is 12m above ground level.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. pou haki provided that they do not exceed the height limit by more than 1m; ii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; iii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and v. architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation. 	
MPZ-S2	Height in relation to boundary	
Māori Purpose zone - Urban Māori Purpose zone - Rural	<p>The building or structure, or extension or alteration to an existing building or structure, must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:</p> <ul style="list-style-type: none"> i. 55 degrees at 2m above ground level at the northern boundary of the site; ii. 45 degrees at 2m above ground level at the eastern and western boundaries of the site; iii. 35 degrees at 2m above ground level at the southern boundary of the site. <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. pou haki provided that they do not exceed the height limit by more than 1m; ii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; iii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; v. architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation; vi. In the Māori Purpose Zone - Urban, a building or structure exceeding this standard for a maximum distance of 10m along any one boundary other than a road boundary, provided that the maximum height of any building or structure where it exceeds the standard is 2.7m. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; b. shading and loss of access to sunlight to adjoining sites, including buildings and outdoor areas; and c. natural hazard mitigation and site constraints.
MPZ-S3	Setback (excluding from MHWS or wetland, lake and river margins)	
Māori Purpose zone - Urban	<p>The building or structure, or extension or alteration to an existing building or structure, must be set back at least 1.2m from all site boundaries and 3m from a road boundary, except:</p> <ul style="list-style-type: none"> i. that no setback is required for a maximum length of 10m along any one boundary other than a road boundary. ii. where the site adjoins any zone other than the General Residential Zone, building or structure, or extension or alteration to an existing building or structure, must be set back 3 metres from the relevant site boundary. <p>This standard does not apply to:</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the surrounding area; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to privacy and shading; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater;

	<ul style="list-style-type: none"> i. urupā; ii. fences or walls no more than 2m in height; and iii. uncovered decks less than 0.5m in height above ground level. 	<ul style="list-style-type: none"> f. the safety and efficiency of the current or future access, egress on site and the roading network; and g. the impacts on existing and future esplanade reserves, esplanade strips and public walkways.
Māori Purpose zone - Rural	<p>The maximum height of the building or structure, or extension or alteration to an existing building or structure, must be set back at least 10m from all site boundaries, except:</p> <ul style="list-style-type: none"> i. where a boundary adjoins an unsealed road, habitable buildings must be setback at least 30m from the road; ii. where a site adjoins a Settlement zone, buildings or structures must be at least 1.2m from all site boundaries and 3m from the road boundary; iii. where a site is less than 5,000 m², buildings must be setback at least from boundaries that do not adjoin a road or a site within the Rural Production Zone. <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. urupā; ii. fences or walls no more than 2m in height above ground level; and iii. uncovered decks less than 0.5m in height above ground level. 	
MPZ-S4	Setback from MHWS	
Māori Purpose zone - Urban	<p>The maximum height of the building or structure, or extension or alteration to an existing building or structure, must be set back at least 26m from MHWS.</p> <p>Exemption:</p> <ul style="list-style-type: none"> • Where there is a legally formed and maintained road, reserve or allotment between the property and the coastal marine area. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the natural character of the coastal environment; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to dominance on adjoining public space; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; and f. the impacts on existing and planned roads, public walkways, reserves and esplanades.
Māori Purpose zone - Rural		
MPZ-S5	Building or structure coverage	
Māori Purpose zone - Urban	<p>The combined building or structure coverage of the site is no more than 50%.</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the surrounding area; b. any landscaping, planting and screening to mitigate any adverse effects; c. the extent to which private open space can be provided for future uses; d. the extent to which the siting, setback and design mitigate visual dominance on adjacent sites and surrounding environment; and e. natural hazard mitigation and site constraints.
Māori Purpose zone - Rural		
MPZ-S6	On-site services	
Māori Purpose	<p>Wastewater</p> <ol style="list-style-type: none"> 1. Where a connection to Council's 	<p>Where the standard is not met, matters of discretion are restricted to:</p>

S407.006

Formatted: Bulleted + Level: 1 + Aligned at: 0.73 cm + Indent at: 1.37 cm

Formatted: Font: Bold

<p>zone - Urban</p> <p>Māori Purpose zone - Rural</p>	<p>reticulated wastewater systems is not available:</p> <ol style="list-style-type: none"> any residential unit has a minimum exclusive use area surrounding the unit, for on-site wastewater treatment and disposal, of 2,000m². all wastewater treatment and disposal systems must be contained within the site that the system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Far North District Council Engineering Standards April 2022. where sewage is to be disposed to ground, the receiving area must not be: <ol style="list-style-type: none"> land susceptible to instability; or an area identified in the District Plan as subject to inundation; or used for the disposal of stormwater. A site suitability report for on-site wastewater disposal, prepared by a suitably qualified and experienced person, to demonstrate compliance with the above standards, shall be submitted to Council for approval at time of building consent. <p>Water</p> <ol style="list-style-type: none"> Where a connection to Council's reticulated water systems is not available, all residential units shall have access to potable (drinkable) water from a community water scheme or private water bore or shall be able to store 45,000 litres of potable water from another source. <p>Stormwater</p> <ol style="list-style-type: none"> Where a connection to Council's reticulated stormwater system is not available then stormwater must be disposed of in accordance with Far North District Engineering Standards 2022. 	<ol style="list-style-type: none"> the ability to ensure an adequate supply of potable water for the uses of the site or activity; the security of any proposed potable water supply from contamination; the adequacy of storage volume of water for domestic and fire-fighting purposes; and the ability to ensure the avoidance of soil contamination or any other adverse effects from the discharge of any wastewater or stormwater.
MPZ-S7	Sensitive activities setback from boundaries of a Mineral Extraction overlay	
<p>Māori Purpose zone - Urban</p> <p>Māori Purpose zone - Rural</p>	<p>Sensitive activities (excluding non habitable accessory buildings) must be setback at least 100m from the boundary of an Mineral Extraction Overlay.</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> noise, disturbance and vibrations; scale and type of mineral extraction activity; the frequency and nature of any blasting or extraction method to obtain the mineral resource;; hours of operation of the mineral extraction activity design of the building; whether there are alternative options for the location of the building; and temporary effects.

Overview

The District is affected by natural hazards. These are natural processes that become a hazard when they affect people, property, infrastructure or the wider environment.

Natural hazards include those that occur frequently such as flooding, coastal erosion and inundation, and land instability; and those natural hazards that occur less frequently including wildfires, tsunamis, high winds and droughts. Flooding is the most common natural hazard faced by the District, while many of the District's settlements are also adjacent to the coast which exposes them to coastal hazard risks. Natural hazards are often driven by climatic conditions, for example extreme rainfall events (flooding/land instability) or severe drought (wildfire). Coastal erosion and inundation are also most likely to occur during storm events.

The risk of natural hazards is likely to increase in the future as a result of climate change. Rainfall in Northland is predicted to reduce overall and droughts are likely to increase in intensity and duration. However, tropical cyclones will likely be stronger and cause more damage as a result of heavy rain and strong winds. Sea level rise will increase the risk and extent of coastal erosion and inundation affecting properties, roads and other infrastructure.

The effects of natural hazard events range from general nuisance to creating significant damage to, or loss of, property and infrastructure such as roads, bridges and pipelines. In extreme cases, natural hazards can result in loss of life. The risk that natural hazards pose is made up of a number of factors including:

- the nature, magnitude and extent of the hazard;
- the anticipated frequency or probability of the hazard event occurring; and
- the exposure and vulnerability of people, property and the environment to the hazard.

There is a tension between managing the risk to people and property from natural hazards and enabling reasonable use and development of private land. Plan controls on land use and subdivision are focused on managing the risk of flooding, coastal erosion and inundation (located in the Coastal Environment Chapter), land instability and wildfire as follows:

River Flooding Hazards

Within areas of flooding, coastal erosion and coastal inundation mapped by the Northland Regional Council and included in the District Plan maps as follows:

Flood Hazard Areas

- 1 in 10 Year River Flood Hazard Area – the area potentially susceptible to river flooding in a 10% Annual Exceedance Probability (AEP) / 10Yr Average Return Interval (ARI) storm event.
- 1 in 100 Year River Flood Hazard Area – the area potentially susceptible to river flooding in a 1% AEP / 100Yr ARI storm event plus climate change.

Coastal Hazard Areas (including High Risk Coastal Hazard Area comprising of CFZ1 and CEZ1)

- Coastal Flood Zone 1 (CFHZ1) – extent of the 50-year ARI static water level at 2080 including 0.6 m sea level rise (RCP8.5M).
- Coastal Flood Zone 2 (CFHZ2) – extent of the 100-year ARI static water level at 2080 including 1.2 m sea level rise (RCP8.5M).
- Coastal Flood Zone 3 (CFHZ3) – extent of the 100-year ARI static water level at 2080 including 1.5 m sea level rise (RCP8.5H+).
- Coastal Erosion Zone 1 (CEHZ1) – an area potentially susceptible to coastal erosion (66% probability) by 2080 with 0.33 m sea level rise from 2019 – (RCP 8.5M).
- Coastal Erosion Zone 2 (CEHZ2) – an area potentially susceptible to coastal erosion (5% probability) by 2130 with 0.85 m sea level rise from 2019 – (RCP 8.5M).
- Coastal Erosion Zone 3 (CEHZ3) – an area potentially susceptible to coastal erosion (5% probability) by 2130 with 1.17 m sea level rise from 2019 – (RCP 8.5H+).

Land Instability

Land that is susceptible to instability hazards. Land is identified at subdivision through the application of geological information, slope and other criteria as defined in Definitions.

Wildfire

Ensuring adequate water supplies are available for firefighting purposes, appropriate setbacks from vegetation and suitable access for firefighting in new subdivisions.

However, due to the widespread nature of natural hazards in the Far North District, consideration of natural hazard risks may be required outside of these areas. For example, consideration of the risks from natural hazards is a component of all subdivision applications.

A precautionary approach is required to manage natural hazard risks. This reflects the direction provided by national and regional policy statements, the imperfect knowledge available on natural hazards, the potentially significant costs and consequences that result from a major hazard event and that it is often difficult and more expensive to mitigate hazard risk after subdivision and land use development has occurred. Plan controls are also generally more stringent for those activities that are more vulnerable to the effects of natural hazards – primarily residential activities, including care

facilities (including day-care centres), retirement villages and marae.

Council must also provide the ability to adapt to our changing environment and knowledge and take opportunities to reduce the risks of hazards on existing buildings, structures and infrastructure where these arise.

Council has responsibilities under the RMA, the NZCPS and the NRPS to manage natural hazard risk to provide for the health and safety of our communities and the infrastructure that serves them. This is achieved through a range of approaches including:

- avoiding or controlling land use and subdivision in areas of identified natural hazard risk;
- incorporating ways to mitigate risks in the design and layout of subdivision and development;
- progressively responding and adapting to long term changes in climate and sea level; and
- building the community's understanding of natural hazards and its preparedness to respond to natural hazard events (often called resilience).

There are also a range of non-statutory methods for managing the effects of natural hazards, including measures put in place by emergency management groups such as Civil Defence. These include education, warning systems and emergency preparedness.

Existing Use Rights

[Landowners have the ability to exercise existing use rights under s10 and s20 of the RMA in relation to re-building structures which meet the requirements of these parts of the Act.](#)

S407.007

Formatted: Font: Not Bold

Objectives	
NH-O1	The risks from natural hazards to people, infrastructure and property are managed, including taking into account the likely long-term effects of climate change, to ensure the health, safety and resilience of communities, noting that existing use rights may apply in certain situations.
NH-O2	Land use and subdivision does not increase the risk from natural hazards or risks are mitigated, and existing risks are reduced where there are practicable opportunities to do so, nothing that existing use rights may apply in certain situations.
NH-O3	New infrastructure is located outside of identified natural hazard areas unless: <ol style="list-style-type: none"> a. it has a functional or operational need to be located in that area; b. it is designed to maintain its integrity and function, as far as practicable during a natural hazard event; and c. adverse effects resulting from that location on other people, property and the environment are mitigated.
NH-O4	Natural defences, such as natural systems and features, and existing structural mitigation assets are protected to maintain their functionality and integrity and used in preference to new structural mitigation assets to manage natural hazard risk.

S407.008

S407.009

Policies	
General	
NH-P1	Map or define areas that are known to be subject to the following natural hazards, taking into account accepted estimates of climate change and sea level rise: <ol style="list-style-type: none"> a. flooding; b. coastal erosion; c. coastal inundation; and d. land instability.
NH-P2	Manage land use and subdivision so that natural hazard risk is not increased or is mitigated, giving consideration to the following: <ol style="list-style-type: none"> a. the nature, frequency and scale of the natural hazard; b. not increasing natural hazard risk to other people, property, infrastructure and the environment beyond the site; c. the location of building platforms and vehicle access; d. the use of the site, including by vulnerable activities; e. the location and types of buildings or structures, their design to mitigate the effects and risks of natural hazards, and the ability to adapt to long term changes in natural hazards; f. earthworks, including excavation and fill; g. location and design of infrastructure; h. activities that involve the use and storage of hazardous substances; i. aligning with emergency management approaches and requirements; j. whether mitigation results in transference of natural hazard risk to other locations or exacerbates the natural hazard; and k. reduction of risk relating to existing activities.

Formatted Table

Formatted: Character scale: 100%, Not Expanded by / Condensed by

407.010

	I. Consideration of existing use rights.
NH-P3	Take a precautionary approach to the management of natural hazard risk associated with land use and subdivision.
NH-P4	Manage land use and subdivision so that the functionality and long-term integrity of existing structural mitigation assets are not compromised or degraded.
NH-P5	Require an assessment of risk prior to land use and subdivision in areas that are subject to identified natural hazards, including consideration of the following: <ul style="list-style-type: none"> a. the nature, frequency and scale of the natural hazard; b. the temporary or permanent nature of any adverse effect; c. the type of activity being undertaken and its vulnerability to an event, including the effects of climate change; d. the consequences of a natural hazard event in relation to the activity; e. any potential to increase existing risk or creation of a new risk to people, property, infrastructure and the environment within and beyond the site and how this will be mitigated; f. the design, location and construction of buildings, structures and infrastructure to manage and mitigate the effects and risk of natural hazards including the ability to respond and adapt to changing hazards; g. the subdivision/site layout and management, including ability to access and exit the site during a natural hazard event; and h. the use of natural features and natural buffers to manage adverse effects.
River Flood hazard	
NH-P6	Manage land use and subdivision in river flood hazard areas to protect the subject site and its development, and other property, by requiring: <ul style="list-style-type: none"> a. subdivision applications to identify building platforms that will not be subject to inundation and material damage (including erosion) in a 1 in 100 year flood event; b. a minimum freeboard for all buildings designed to accommodate vulnerable activities of at least 500mm above the 1 in 100 year flood event and at least 300mm above the 1 in 100 year flood event for other new buildings; c. commercial and industrial buildings to be constructed so they will not be subject to material damage in a 1 in 100 year flood event; d. buildings within a 1 in 10 Year River Flood Hazard Area to be designed to avoid material damage in a 1 in 100 year flood event; e. storage and containment of hazardous substances so that the integrity of the storage method will not be compromised in a 1 in 100 year flood event; f. earthworks (other than earthworks associated with flood control works) do not divert flood flow onto surrounding properties and do not reduce flood plain storage capacity within a 1 in 10 Year River Flood Hazard area; g. the capacity and function of overland flow paths to convey stormwater flows safely and without causing damage to property or the environment is retained, unless sufficient capacity is provided by an alternative method; and h. the provision of safe vehicle access within the site.
Coastal hazard	
NH-P7	Manage new land use and subdivision in coastal hazard areas so that: <ul style="list-style-type: none"> a. new subdivision avoids locating building platforms within High Risk Coastal Hazard areas and building platforms should be located outside other coastal hazard areas where alternative locations are available and it is practicable to do so; b. new buildings containing vulnerable activities are not located within High Risk Coastal Hazard areas unless: <ul style="list-style-type: none"> i. there is no other suitable location available on the existing site; ii. hazard risks can be mitigated without the need for hard protection structures. c. where a building or building platform is located with a coastal hazard area, it should be designed and constructed such that: <ul style="list-style-type: none"> i. the building platform will not be subject to inundation and / or material damage (including erosion) over a 100-year timeframe; and either ii. the finished floor level of any building accommodating a vulnerable activity must be at least 500mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise; or iii. the finished floor level of any other building must be at least 300mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise. d. hazard risk is not transferred to, or increased on, other properties; e. buildings, building platforms, access and services are located and designed to minimise the need for hard protection structures; f. safe vehicle access within the site is provided; and g. services are located and designed to minimise the risk of natural hazards; h. Existing use rights are appropriately considered.

Formatted: Character scale: 100%, Not Expanded by / Condensed by

S407.011

Land instability	
NH-P8	Locate and design subdivision and land use to avoid land susceptible to land instability, or if this is not practicable, mitigate risks and effects to people, buildings, structures, property and the environment.
Wildfire	
NH-P9	Manage land use and subdivision that may be susceptible to wildfire risk by requiring: <ul style="list-style-type: none"> a. setbacks from any contiguous scrub or shrubland, woodlot or forestry; b. access for emergency vehicles; and c. sufficient accessible water supply for firefighting purposes.
Infrastructure	
NH-P10	Provide for the operation, maintenance, and minor upgrading of existing infrastructure in identified natural hazard areas.
NH-P11	Allow the establishment of new infrastructure in identified natural hazard areas where: <ul style="list-style-type: none"> a. there is a functional or operational need to locate in the hazard area and there is no practicable alternative; b. it has been designed to maintain its resilience, integrity and function during a natural hazard event recognising that some hazard events may be of a scale that results in temporary disruption to the function of that infrastructure; c. risks to other people, property, infrastructure and the environment are mitigated; and d. consideration has been given to the ability to respond and adapt to long term effects such as sea level rise and climate change.
Defences against hazards	
NH-P12	Protect existing natural systems and features that buffer or protect development from the adverse effects of natural hazards by: <ul style="list-style-type: none"> a. avoiding the modification, alteration or loss of natural systems and features that compromises their function, including as a defence against long term effects such as sea level rise and climate change; and b. promoting restoration and enhancement of such natural systems and features.
NH-P13	Consider new hard protection structures to protect existing development and existing and new infrastructure only where: <ul style="list-style-type: none"> a. natural systems and features will not provide adequate protection from the natural hazard; b. the design is suitable for the location and does not transfer the risk and effects of natural hazards to other locations; c. any hard protection structures considered necessary to protect private assets are not located on public land unless there is significant public or environmental benefit in doing so; d. alternative responses to the hazard (including soft protection measures, restoration or enhancement of natural defences against coastal hazards and abandonment of assets) are demonstrated to be impractical or have significantly greater adverse effects on the environment; and e. they are the only practical means to protect: <ul style="list-style-type: none"> i. existing infrastructure or new infrastructure that has a functional or operational need to be in the location; or ii. existing settlements of vulnerable activities.
NH-P14	Enable the upgrading and maintenance of existing Regional and District Council flood management schemes and manage the development of new schemes where they are required to minimise the risks to people, property, infrastructure and the environment from natural hazard events.

Rules

Notes:

1. There may be rules in other District-Wide Matters and the underlying zone in Part 3 - Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the how the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. Any application for a land use resource consent in relation to a site that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion. Any application for a subdivision consent must additionally include an assessment of whether the site includes an area of land susceptible to instability.

3. Coastal hazard rules are located in the Coastal Environment Chapter.

NH-R1	Maintenance, repair or upgrading of infrastructure, including structural mitigation assets	
1 in 100 Year River Flood hazard areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no increase to the footprint of any above ground infrastructure.</p> <p>PER-2 Any works to maintain, repair or upgrade infrastructure do not alter or divert an overland flow path.</p> <p>PER-3 Ground is reinstated to the equivalent state that existed prior to the works.</p>	<p>Activity status where compliance with PER-1 is not achieved: Restricted Discretionary (refer Rule NH-R9)</p> <p>Activity status where compliance with PER-2 or PER-3 is not achieved: Restricted Discretionary.</p> <p>Matters of discretion are limited to:</p> <p>a. the effects of the activity on overland flow paths and flooding on surrounding sites</p>
NH-R2	Extensions and alterations to existing buildings or structures	
1 in 100 Year River Flood hazard areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no increase to the GFA of the building or footprint of the structure that results in the building or structure exceeding the limits for new buildings or structures in NH-R3- PER 1 and new buildings or structures ancillary to farming activities in NH-R4 PER 1.</p> <p>PER-2 No part of the building or structure is enclosed in a manner that alters or diverts an overland flow path or reduces flood plain storage.</p>	<p>Activity status where compliance with PER-1 or PER-2 not achieved: Restricted Discretionary (refer Rule NH-R7 for buildings and Rule NH-R9 for structures other than buildings)</p>
NH-R3	New buildings or structures	
1 in 100 Year River Flood hazard areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure is one of the following: 1. above ground buildings or structures with a footprint of 10m² or less; or 2. deck less than 30m² and less than 1m in height; or 3. boardwalks or stairs that are less than 500mm above ground level and located within a public reserve or legal road.</p> <p>PER-2 The building or structure is not located within or does not alter or divert an overland flow path.</p>	<p>Activity status where compliance with PER-1 or PER-2 is not achieved: Restricted Discretionary (refer Rule NH-R7 for new buildings and Rule NH-R9 for new structures other than buildings)</p>
NH-R4	New buildings or structures (excluding buildings used for a residential activity) ancillary to farming activity	

1 in 100 Year River Flood hazard areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure has a footprint that is less than 100m².</p> <p>PER-2 The building or structure is not located within the 1 in 10 Year River Flood Hazard Area.</p> <p>PER-3 The building or structure does not alter or divert an overland flow path.</p>	<p>Activity status where compliance with PER1 or PER-2 or PER-3 is not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the effects of flood hazards on the integrity of the building or structure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; the effects of the building or structure on overland flow paths and flooding on surrounding sites; and the extent to which the risk to people and property from the flood hazard is avoided or managed.
NH-R5 Wild fire - Buildings used for a vulnerable activity (excluding accessory buildings)		
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any building used for a vulnerable activity (excluding accessory buildings) either:</p> <ol style="list-style-type: none"> is located on a site that has access to a fire hydrant; or provides for water supply and access to water supplies for fire fighting purposes in compliance with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. <p>PER-2 Any building used for a vulnerable activity (excluding accessory buildings) is set back at least 20m from the dripline of any contiguous scrub or shrubland, woodlot or forestry.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
NH-R6 Wild fire - extensions and alterations to buildings used for a vulnerable activity (excluding accessory buildings) that increase the GFA		
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Extensions or alterations that increase the GFA of a building used for a vulnerable activity (excluding accessory buildings) either:</p> <ol style="list-style-type: none"> are located on a site that has access to a fire hydrant; or provide for water supply and access to water supplies for fire fighting purposes in compliance with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. <p>PER-2 Extensions or alterations that increase the GFA of a building used for a vulnerable activity (excluding accessory buildings) are set back at least 20m from the dripline of any contiguous scrub or shrubland, woodlot or forestry.</p>	<p>Activity status where compliance not achieved with PER-1 or PER 2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The availability of water for fire-fighting; The scale of the extension or alteration; Alternative options for the location of the extension or alteration; The use of building materials to reduce fire risk; and The extent and type of vegetation present.
NH-R7 New buildings, and extensions or alterations that increase the GFA of existing buildings		

<p>1 in 100 Year River Flood hazard areas</p>	<p>Activity status: Restricted discretionary</p> <p>Where:</p> <p>RDIS-1 The new building, extension or alteration is not located in the 1 in 10 Year River Flood Hazard Area and is or will be used for a vulnerable activity.</p> <p>RDIS-2 The finished floor level of: 1. any new building or extension or alteration to an existing building that will accommodate vulnerable activities must be at least 500mm above the maximum water level in a 1 in 100 year flood event; 2. any extension or alteration that increases the GFA of a building that accommodates vulnerable activities must be at least 500mm above the maximum water level in a 1 in 100 year flood event; and 3. all other new buildings, or extensions or alterations to existing buildings, must be at least 300mm above the maximum water level in a 1 in 100 year flood event.</p> <p>RDIS-3 The new, extended or altered building does not divert divert an overland flow path onto other properties.</p> <p>RIDS-4 The building complies with standard: NH-S1 Information requirements</p> <p>Matters of discretion are limited to:</p> <ol style="list-style-type: none"> a. the effects of flood hazards on the integrity of the building to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; b. whether the works are likely to accelerate, worsen or result in material damage to that land, other land or any building or structure through inundation; c. the effects of the development, including earthworks, on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites; d. the ability to relocate the building or structure or adapt to the flood hazard over time or in response to direct effects of the hazard; e. the extent to which the risk to people and property from the flood hazard is avoided or managed; f. the nature of the activity being undertaken and its vulnerability to the potential effects of flooding; g. provision of safe access and egress to the building or structure during a flood event; h. whether there is a functional or operational need for the building, structure or activity to be located within the flood hazard area; i. the proposed use of, necessity for and design of engineering solutions (soft or hard) to mitigate the hazard; j. the resilience of the buildings or structures to the effects of the hazard; and k. the methods provided to manage activities and uses within the site, including safe egress from buildings or structures or the site and the management of people and property during a flood event. 	<p>Activity status where compliance with RDIS-2, RDIS-3 or RDIS-4 is not achieved: Discretionary</p> <p>Activity status where compliance with RDIS-1 is not achieved: Non-complying (refer Rule NH-R12)</p>

NH-R8		Changes in use to accommodate vulnerable activity within existing buildings	
1 in 100 Year River flood hazard areas	Activity status: Restricted discretionary Where: RDIS-1 The finished floor level of existing building that will accommodate vulnerable activities is at least 500mm above the maximum water level in a 1 in 100 year flood event. RDIS-2 The change of use complies with standard: NH-S1 Information requirements. Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the nature and severity of the flood risk; 2. the potential effects on the vulnerable activity, including on people and property, and mitigation of these effects; 3. the resilience of the buildings to the effects of the hazard; and 4. the methods provided to manage activities and uses within the site, including safe egress from buildings and the site and the management of people and property during a flood event. 	Activity status where compliance not achieved: Discretionary	
	NH-R9		

<p>1 in 100 River flood hazard areas</p>	<p>Activity status: Restricted discretionary</p> <p>Where:</p> <p>PER-1 The new structure, infrastructure, extension or alteration and associated works does not divert flood flow onto other properties or result in any increase in flood hazard beyond the site.</p> <p>PER-2 The structure or infrastructure complies with standard: {Link,8652,NH-S1 Information requirements.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the effects of flood hazards on the integrity of the structure or infrastructure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; b. whether the works are likely to accelerate, worsen or result in material damage to that land, other land or any building or structure through inundation; c. the effects of the development, including earthworks, on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites; d. the ability to relocate the structure or infrastructure or adapt to the flood hazard over time or in response to direct effects of the hazard; e. the extent to which the risk to people and property from the flood hazard is avoided or managed; f. the nature of the activity being undertaken and its vulnerability to the potential effects of flooding; g. provision of safe access and egress to the structure or infrastructure during a flood event; h. whether there is a functional or operational need for the structure or infrastructure to be located within the flood hazard area; i. the proposed use of, necessity for and design of engineering solutions (soft or hard) to mitigate the hazard; j. the resilience of the structure or infrastructure to the effects of the hazard; and k. the methods provided to manage activities and uses within the site, including safe egress from structures or infrastructure, or the site and the management of people and property during a flood event. 	<p>Activity status where compliance not achieved: Discretionary</p>
<p>NH-R10</p>	<p>New structural mitigation assets or increasing the footprint of existing structural mitigation assets</p>	
<p>1 in 100 River flood hazard areas</p>	<p>Activity status: Discretionary</p>	<p>Activity status where compliance not achieved: Not applicable</p>
<p>NH-R11</p>	<p>Activities not otherwise a permitted, restricted discretionary or discretionary activity in a 1 in 100 year river flood hazard area</p>	
<p>1 in 100 River flood hazard areas</p>	<p>Activity status: Discretionary</p>	<p>Activity status where compliance not achieved: Not applicable</p>

NH-R12	New buildings, extensions or alterations that increase the GFA of existing buildings where the building is used for a vulnerable activity	
1 in 10 year River flood hazard areas	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards		
NH-S1	Information requirements	
All natural hazards	Any application for a resource consent in relation to a site that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.	Activity status where compliance not achieved: Not applicable