

Existing Qualifying Matters

The following table outlines the existing qualifying matters that are relevant to PC2. This table has been set up to meet the statutory information requirements established by s77K and ss77Q of the Act (reference to these information requirements are noted under the header row of each column). Refer to the PC2 IPI document for notification of operative rules for existing qualifying matters (as required by sections s77K(1)(e) and s77Q(1)(e) of the RMA).

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
The National Grid	<p>The location of the National Grid is identified on the following District Plan map layers:</p> <ul style="list-style-type: none"> National Grid Lines <p>The National Grid is located in areas subject to the MDRS only.</p>	<p>The provisions for the National Grid give effect to the National Policy Statement on Electricity Transmission 2008 [s77I(b)].</p> <p>The National Grid is defined as nationally significant infrastructure under the NPS-UD. The qualifying matter is required for the purpose of ensuring the safe and efficient operation of nationally significant infrastructure [s77I(e)].</p>	INF-MENU-R30 [Permitted Activity]	<p>This rule requires that buildings and structures in the National Grid Yard comply with the NZECP 34:2001 (New Zealand Electrical Code of Practice for Electrical Safe Distances).</p> <p>The Electrical Code of Practice sets minimum safe electrical distance requirements for overhead electric line installations. It also covers the construction of buildings and other structures near conductors. Depending on the nature of the transmission infrastructure in the particular area, varying degrees of clearance are required.</p> <p>Where buildings are located in the National Grid Yard, compliance with this standard may in some instances mean that the MDRS height standard cannot be achieved as a permitted activity.</p> <p>The level of development prevented by this rule is highly dependent on site specific circumstances, including the nature of the existing transmission structures in the area. In some instances, there may be no impact on the level of development, in other instances the level development may be reduced as a result of a reduction in height necessary to comply with the standard.</p>
			INF-MENU-R31 [Permitted Activity]	<p>The rule provides for internal alterations to existing buildings used for sensitive activities (which includes residential units) within the National Grid Yard as permitted activity, as long as there is no increase in the building envelope or floor space.</p> <p>Within the National Grid Yard, this rule would prevent construction of new residential units to the MDRS density standards as a permitted activity.</p> <p>On land within the National Grid Yard, additional residential units would not be able to be constructed as a permitted activity, where this would require an increase in the floor space of existing buildings. This would likely prevent any additional development of residential units within the National Grid Yard.</p>
			INF-MENU-R38 [Non-complying activity]	<p>The rule provides that the construction of new buildings used for sensitive activities (which includes residential units) within the National Grid Yard is a non-complying activity.</p> <p>Within the National Grid Yard, this rule would prevent construction of new residential units to the MDRS density standards as a permitted activity.</p> <p>On land within the National Grid Yard, new buildings containing residential units would not be able to be constructed as a permitted activity. This rule</p>

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				would likely prevent any additional development of residential units within the National Grid Yard.
			SUB-DW-R14 [Restricted discretionary activity]	<p>Subdivision of land where all or part of the site is located within the National Grid Subdivision Corridor is a restricted discretionary activity, subject to a standard that requires building platforms to be located outside of the National Grid Yard.</p> <p>This rule does not directly alter the MDRS density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>On land outside the National Grid Yard, the level of development prevented may vary depending on site specific requirements to meet conditions such as providing for the ongoing operation, maintenance, access and upgrading of the National Grid.</p>
			SUB-DW-R22 [Non-complying activity]	<p>Subdivision of land where all or part of the site is located within the National Grid Subdivision Corridor is a non-complying activity, where the standards in SUB-DW-R14 are not met.</p> <p>This rule does not directly alter the MDRS density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>On land within the National Grid Yard, the construction of new residential units is likely to be prevented.</p>
The High-Pressure Gas Pipeline	<p>The location of the High-Pressure Gas Pipeline is identified on the following District Plan map layers:</p> <ul style="list-style-type: none"> Natural Gas <p>The High-Pressure Gas Pipeline is located in areas subject to the MDRS only.</p>	<p>The High-Pressure Gas Pipeline is defined as nationally significant infrastructure under the NPS-UD. The qualifying matter is required for the purpose of ensuring the safe and efficient operation of nationally significant infrastructure [s77I(e)].</p>	SUB-DW-R12 [Restricted discretionary activity]	<p>Subdivision of land within 10 metres of the centre-line of the high pressure gas pipeline is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>Only a very small number of General Residential Zoned sites are subject to this provision. On land where this provision applies, it is likely that development may be prevented on top of the pipeline, as subdivision design is required to avoid or mitigate conflict with existing pipelines.</p>
Flood hazard category areas	<p>Flood hazard categories are identified on the following District Plan map layer:</p> <ul style="list-style-type: none"> Flood Hazard 	<p>The flood hazard provisions of the District Plan recognise and provide for s6(h) of the RMA, which is the management of significant risks from natural hazards.</p>	NH-FLOOD-R2 [Permitted activity]	<p>Buildings must not be sited within:</p> <ul style="list-style-type: none"> River corridors Stream corridors Within 10m of the natural banks of a waterbody greater than 3m wide Within 5m of streams and drains less than 3m wide

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
	Flood hazard categories are located in areas subject to the MDRS and policy 3 of the NPS-UD.	The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].	<div data-bbox="1492 684 1881 716" style="background-color: #d9ead3; padding: 2px;">NH-FLOOD-R3 [Permitted activity]</div> <div data-bbox="1492 1205 1881 1236" style="background-color: #d9ead3; padding: 2px;">NH-FLOOD-R4 [Permitted activity]</div>	<p data-bbox="1976 468 2237 489">• Within 5m of a lake.</p> <p data-bbox="1926 522 2718 579">Within these setback areas, this rule would prevent construction of new residential units to the MDRS density standards as a permitted activity.</p> <p data-bbox="1926 604 2748 661">Within land subject to this rule, the development of new residential units is likely to be prevented.</p> <p data-bbox="1926 686 2718 743">This rule applies to new or relocated buildings within the following flood hazard category areas:</p> <ul data-bbox="1976 768 2288 867" style="list-style-type: none"> • Ponding area; • Residual ponding area; • Shallow surface flow. <p data-bbox="1926 892 2733 949">New or relocated buildings in these areas are required to have a building floor level constructed above the 1% AEP flood event level.</p> <p data-bbox="1926 974 2739 1031">By requiring a raised ground floor level, this rule may reduce the effective height of buildings located within these areas.</p> <p data-bbox="1926 1056 2748 1178">Within land subject to this rule, effective building heights may be reduced through the requirement for a raised ground floor level. This could lead, in some instances to buildings not being able to achieve a 3-storey building height.</p> <p data-bbox="1926 1203 2733 1260">This rule applies to earthworks within the following flood hazard category areas:</p> <ul data-bbox="1976 1285 2273 1455" style="list-style-type: none"> • Overflow path • Residual overflow path • Ponding area • Stream corridor • River corridor <p data-bbox="1926 1480 2733 1537">Earthworks in these areas are restricted by volume, and restricted in the amount that they can alter the original ground level.</p> <p data-bbox="1926 1562 2748 1684">This rule does not directly alter the MDRS or NPS-UD density standards. However, earthworks restrictions may reduce or restrict the extent to which residential units can be constructed to the MDRS or NPS-UD density standards as a permitted activity.</p> <p data-bbox="1926 1709 2748 1797">The level of development prevented by this rule will vary depending on the depth of the flood hazard on each individual site, and the amount of earthworks required to enable development on the site.</p>

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>On sites where flood hazard is shallow, it may be possible to undertake earthworks within the permitted activity standards. In these instances, no development would be prevented by the rule.</p> <p>On sites where flood hazard is sufficiently deep that earthworks is likely to breach permitted activity standards development may be prevented. However, where the effects of earthworks on the flood hazard can be avoided, remedied or mitigated, there is a restricted discretionary activity consent pathway to enable development under Rules NH-FLOOD-R10 and R11.</p>
			NH-FLOOD-R8 [Controlled activity]	<p>Development and earthworks within the following flood hazard category areas is a controlled activity:</p> <ul style="list-style-type: none"> • Flood storage area • Fill control area <p>Development and earthworks are subject to the development achieving hydraulic neutrality, providing sufficient hydraulic modelling to test the consequences of the proposed activity, and building floor levels being constructed above the 1% AEP flood event level.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent the construction of residential units to the MDRS or NPS-UD density standards as a permitted activity. Specifically, meeting the standards under the rule may mean that certain parts of a site cannot be developed on (due to the need to provide for hydraulic neutrality), and the requirement to raise the ground floor of buildings above the 1% AEP flood event level may reduce the effective height of buildings in these areas.</p> <p>The level of development prevented by the rule will vary depending on the depth of the flood hazard in the area, the amount of the site required to be set-aside to provide for hydraulic neutrality and the effects mitigating on-site flood hazard on the flood hazard associated with surrounding sites.</p> <p>Where flood hazard is shallow, and hydraulic neutrality can be achieved efficiently, development may not be prevented by the rule (although resource consent will be required).</p> <p>However, development may be prevented on sites where flood hazard is deep, on-site hydraulic neutrality is not feasible, and modelling suggests that the activity will have adverse effects on the flooding of surrounding sites that cannot be avoided, remedied or mitigated.</p>
			NH-FLOOD-R10 [Restricted discretionary activity]	<p>Earthworks within the following flood hazard category areas that breach standards under Rule NH-FLOOD-R4 are a restricted discretionary activity:</p> <ul style="list-style-type: none"> • Overflow path • Residual overflow path

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>There are no standards, however matters of discretion include the effects of earthworks on the effective functioning of overflow paths.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent the construction of residential units to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on the degree to which earthworks required to enable development can be undertaken in a manner that can avoid, remedy or mitigate the adverse effects of earthworks on the functioning of overflow paths in the area.</p> <p>Where this can be addressed through the design of earthworks, no development may be prevented (although resource consent will be required). However, development may be prevented where earthworks cannot be undertaken in a manner that avoids, remedies or mitigates adverse effects on the functioning of overflow paths.</p>
			NH-FLOOD-R11 [Restricted discretionary activity]	<p>Earthworks within the following flood hazard category areas that breach standards under rule NH-FLOOD-R4 are a restricted discretionary activity:</p> <ul style="list-style-type: none"> • Ponding area • Shallow surface flow areas <p>There are no standards, however matters of discretion include the effects of earthworks on the effective functioning of ponding or shallow surface flow areas.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent the construction of residential units to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on the degree to which earthworks required to enable development can be undertaken in a manner that can avoid, remedy or mitigate the adverse effects of earthworks on the functioning of ponding or shallow surface flow areas.</p> <p>Where this can be addressed through the design of earthworks, no development may be prevented (although resource consent will be required). However, development may be prevented where earthworks cannot be undertaken in a manner that avoids, remedies or mitigates adverse effects on the functioning of ponding or shallow surface flow areas.</p>
			NH-FLOOD-R12 [Restricted discretionary activity]	<p>Additions to existing buildings in the following flood hazard areas are a restricted discretionary activity:</p> <ul style="list-style-type: none"> • Overflow path • Residual overflow path

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
			<p></p>	<p>There are no standards, however matters of discretion include the effects of the addition on the effective functioning of the overflow path, the ability to design the addition to achieve hydraulic neutrality and the potential risk to health and safety of people and property.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent the alteration of existing buildings containing residential units to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on the nature and extent of the overflow path flood hazard in the area.</p> <p>Where an alteration to an existing building can be undertaken in a manner that avoids, remedies or mitigates effects on the functioning of an overflow path, provides for hydraulic neutrality and the health and safety of people and property, no development may be prevented (although resource consent will be required).</p> <p>However, where the alteration of an existing building cannot be undertaken in a manner that achieves these requirements, development may be prevented.</p>
			<p>NH-FLOOD-R15 [Discretionary activity]</p>	<p>Earthworks in the following flood hazard category areas that breach standards under rule NH-FLOOD-R4 is a discretionary activity:</p> <ul style="list-style-type: none"> • Stream corridor • River corridor <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, earthworks restrictions may reduce or restrict the extent to which residential units can be constructed to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>Where development in a stream or river corridor requires earthworks that do not meet permitted activity standards, it is unlikely that any development would be able to occur on the basis of the policy direction that seeks to avoid development in these areas.</p> <p>This is particularly the case given that buildings in these areas are a non-complying activity under rule NH-FLOOD-R17.</p>
			<p>NH-FLOOD-R16 [Non-complying activity]</p>	<p>New or relocated buildings in the following flood hazard category areas are a non-complying activity:</p> <ul style="list-style-type: none"> • Overflow path • Residual overflow path

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent the construction of buildings containing residential units to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The development of new buildings is likely to be prevented in overflow paths under this rule.</p>
			<p>NH-FLOOD-R17 [Non-complying activity]</p>	<p>Any building in the following flood hazard category areas are a non-complying activity:</p> <ul style="list-style-type: none"> • Stream corridor • River corridor <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent the construction of buildings containing residential units to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The development of new buildings is likely to be prevented in stream and river corridors under this rule.</p>
			<p>SUB-DW-R7 [Restricted discretionary activity]</p>	<p>Subdivision of land containing the following flood hazard category areas is a restricted discretionary activity:</p> <ul style="list-style-type: none"> • Flood storage area • Ponding area • Residual ponding area • Shallow surface flow area <p>Subdivision is subject to a range of standards, including that building areas are located outside of river corridors, stream corridors and overflow paths; that each building area is located above the 1% AEP flood event level; and that formed vehicle access does not adversely affect the flood hazard risk on other properties.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the nature and extent of the flood hazard on the land.</p> <p>Where a development can be laid out in a manner that meets the standards under the rule, subdivision for development is likely to be able to be provided for.</p> <p>However, parts of a site may be difficult or unfeasible to develop where the standards cannot be complied with, in which case subdivision for development on those parts of the site may be restricted or prevented by this rule.</p>

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
			<p style="background-color: #ffff00; text-align: center;">SUB-DW-R16 [Discretionary activity]</p>	<p>Subdivision of land containing the following flood hazard category areas is a discretionary activity:</p> <ul style="list-style-type: none"> • Overflow path • Residual overflow path <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the nature and extent of the flood hazard on the land.</p> <p>Where a development can be laid out in a manner that avoids the flood hazard, subdivision for development may be allowed for under this rule.</p> <p>However, where a development cannot be laid out to avoid these hazards, subdivision for development may be prevented by this rule.</p>
			<p style="background-color: #ffcc99; text-align: center;">SUB-DW-R17 [Discretionary activity]</p>	<p>Subdivision of land containing the following flood hazard category areas is a discretionary activity:</p> <ul style="list-style-type: none"> • River corridor • Stream corridor <p>Subject to each allotment having building areas that are located outside of river corridors, stream corridors and overflow paths; that are located above the 1% AEP flood event level; and that formed vehicle access does not adversely affect the flood hazard risk on other properties.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the nature and extent of the flood hazard on the land.</p> <p>Where a development can be laid out in a manner that avoids the flood hazard, subdivision for development may be allowed for under this rule.</p> <p>However, where a development cannot be laid out to avoid these hazards, subdivision for development may be prevented by this rule.</p>
			<p style="background-color: #ff9999; text-align: center;">SUB-DW-R20 [Non-complying activity]</p>	<p>Subdivision of land wholly located in the following flood hazard category areas is a non-complying activity:</p> <ul style="list-style-type: none"> • River corridor • Stream corridor

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>Subdivision of land for development, where land is wholly located within the river or stream corridor is likely to be prevented by this rule, in conjunction with NH-FLOOD-R17.</p>
Fault avoidance areas	<p>Fault avoidance areas are identified on the following District Plan map layer:</p> <ul style="list-style-type: none"> Fault Avoidance Areas <p>Fault avoidance areas are located in areas subject to the MDRS only. Note that only the Ohariu fault avoidance area is located within the General Residential Zone subject to the MDRS/NPS-UD at Waikanae.</p>	<p>The fault avoidance provisions of the District Plan recognise and provide for s6(h) of the RMA, which is the management of significant risks from natural hazards.</p> <p>The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a)].</p>	NH-EQ-R22 (including NH-EQ-Table 2 and NH-EQ-Table 3) [Restricted discretionary activity]	<p>Structures that are defined as BIC Type 2a, 2b, and 2c in NH-EQ-Table 2 are a restricted discretionary activity in fault avoidance areas.</p> <p>These include:</p> <ul style="list-style-type: none"> Timber framed single storey and multi storey residential buildings (type 2a and 2b); and Multi-occupancy residential commercial and industrial buildings (type 2c). <p>Geotechnical information must be provided to demonstrate that the building is not located on a fault trace or fault trace deformation.</p> <p>While this rule does not directly alter the MDRS or NPS-UD density standards, it does prevent the construction of buildings containing residential units to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on a range of factors, including the nature of the fault on the site, the level of risk posed by the fault trace rupturing, and the degree to which the location and design of building can mitigate the effects of a fault rupture hazard.</p>
			SUB-DW-R8 [Restricted discretionary activity]	<p>Subdivision proposing new developable allotments where any part of the land is located in a fault avoidance area is a restricted discretionary activity, subject to providing a 200m² building area with a minimum dimension of 12m, clear of the fault avoidance area.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the size of the allotment, and the extent to which it is covered by a fault avoidance area.</p> <p>Where a development can be laid out in a manner that provides for a building area clear of the fault avoidance area, subdivision for development may be allowed for under this rule, in which case level of development prevented may be limited.</p>

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Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				Where a development cannot be laid out in a manner that avoids the fault hazard area, subdivision for development would be a discretionary activity under SUB-DR-R18.
			SUB-DW-R18 [Discretionary activity]	<p>Subdivision proposing new developable allotments where any part of the land is located in a fault avoidance area, and a building platform cannot be provided clear of the fault avoidance area, is a discretionary activity.</p> <p>This rule does not have a directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on a range of factors, including the geotechnical information provided to support the development, the intensity of the development proposed, and the design on the development.</p>
Scheduled historic buildings, structures, sites or areas	<p>Scheduled historic buildings, structures, sites or areas are identified on the following District Plan map layers:</p> <ul style="list-style-type: none"> Historic Heritage Places Historic Heritage Area <p>They are also identified in Schedule 7 of the District Plan.</p> <p>Scheduled historic buildings, structures, sites or areas are located in areas subject to the MDRS and policy 3 of the NPS-UD.</p>	<p>The provisions for historic buildings, structures, sites or areas in the District Plan recognise and provide for s6(f) of the RMA to protect historic heritage from inappropriate subdivision, use and development.</p> <p>The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].</p>	HH-R6 [Restricted discretionary activity]	<p>Alteration or additions, including the construction of new buildings, to a scheduled historic building, structure, site or area is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent the alteration of existing buildings or construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on the size of the site, the extent to which the site is covered by a schedule historic building, and whether the effects of accommodating alterations or new buildings on heritage values are acceptable.</p>
			HH-R8 [Discretionary activity]	<p>Relocation of a scheduled historic building, structure, site or area is a discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, where relocation is required to enable the development of a site it would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule may vary depending on whether the relocation of the building is deemed acceptable.</p> <p>If relocation is required to enable the development of the site, but relocation is not considered to be acceptable, then development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may not be able to occur.</p>
			HH-R9 [Discretionary activity]	<p>Partial demolition, demolition or destruction of a scheduled historic building, structure, site or area is a discretionary activity.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>This rule does not directly alter the MDRS or NPS-UD density standards. However, where demolition or partial demolition is required enable the development of a site it would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule may vary depending on whether the demolition or partial demolition of the building is deemed acceptable.</p> <p>If demolition or partial demolition is required to enable the development of the site, but this is not considered to be acceptable, then development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may not be able to occur.</p>
			HH-R10 [Non-complying activity]	<p>Partial demolition, demolition or destruction of a scheduled historic building, structure, site or area that is Heritage New Zealand Category 1 or 2 is a non-complying activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, where demolition or partial demolition is required to enable the development of a site it would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>If demolition or partial demolition is required to enable the development of the site, development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may not be able to occur as it may be difficult to obtain a resource consent for demolition or partial demolition as a non-complying activity.</p>
			HH-R11 [Non-complying activity]	<p>Relocation of a scheduled historic building, structure, site or area that is Heritage New Zealand Category 1 is a non-complying activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, where relocation is required to enable the development of a site it would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>If relocation is required to enable the development of the site, development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may not be able to occur as it may be difficult to obtain a resource consent for demolition or partial demolition as a non-complying activity.</p>
			SUB-DW-R10 [Restricted discretionary activity]	<p>Subdivision of land containing a scheduled historic building, structure, site or area is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>The level of development prevented by this rule will vary depending on the size of the allotment, and whether the effects of the subdivision on historic heritage values are deemed to be acceptable.</p> <p>Where subdivision can be undertaken in a manner where the effects on historic heritage values are acceptable, the level of development prevented by this rule may be limited or negligible.</p> <p>Where the effects of subdivision on historic heritage values are not considered to be acceptable, then subdivision for further development may be prevented by this rule.</p>
Scheduled notable trees	<p>Scheduled notable trees are identified on the following District Plan map layers:</p> <ul style="list-style-type: none"> • Notable Trees • Notable Trees Area <p>They are also identified in Schedule 8 of the District Plan.</p> <p>Scheduled notable trees are located in areas subject to the MDRS and policy 3 of the NPS-UD.</p>	<p>Notable trees are identified as historic heritage features in the District Plan.</p> <p>The provisions for notable trees in the District Plan recognise and provide for s6(f) of the RMA to protect historic heritage from inappropriate subdivision, use and development.</p> <p>The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].</p>	<p>TREE-R4 [Restricted discretionary activity]</p> <p>SUB-DW-R10 [Restricted discretionary activity]</p>	<p>Trimming or modification (including removal) of any scheduled notable tree to enable the development of a site is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, where trimming or modification of a notable tree is required to enable the development of a site it would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on whether the location of the tree in relation to the development of the site, and whether effects of trimming or modification are deemed to be acceptable.</p> <p>Where the development can be arranged to avoid trimming or modification of the tree, then there would be no development prevented under this rule.</p> <p>Where trimming or modification is required to enable the development of the site, and the effects of this are deemed to be acceptable, the level of development prevented by this rule may be limited or negligible.</p> <p>Where the effects of trimming or modification are not deemed to be acceptable, then further development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may be prevented by this rule.</p> <p>Subdivision of land containing a scheduled notable tree is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the size of the allotment, and whether the effects of the subdivision on the notable tree are deemed to be acceptable.</p> <p>Where subdivision can be undertaken in a manner where the effects on the notable tree are acceptable, the level of development prevented by this rule may be limited or negligible.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				Where the effects of subdivision on the notable tree are not considered to be acceptable, then subdivision for further development may be prevented by this rule.
Scheduled places and areas of significance to Māori	<p>Scheduled places and areas of significance to Māori are identified on the following District Plan map layer:</p> <ul style="list-style-type: none"> Waahi Tapu <p>They are also identified in Schedule 9 of the District Plan.</p> <p>Scheduled places and areas of significance to Māori are located in areas subject to the MDRS and policy 3 of the NPS-UD.</p>	<p>The provisions for places and areas of significance to Māori recognise and provide for s6(e) of the RMA, which is the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</p> <p>The provisions also provide for s6(f) of the RMA, which is to protect historic heritage from inappropriate subdivision, use and development.</p> <p>The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].</p>	SASM-R3 [Permitted activity]	<p>The following activities are permitted in an area identified as <i>wāhanga rua</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> Land disturbance; Earthworks; Alterations, additions and relocation of lawfully established buildings. <p>Subject to the following standards:</p> <ul style="list-style-type: none"> The total volume of land disturbance and earthworks does not exceed 10m³ per calendar year; Additions and alterations to buildings do not include a basement or in-ground swimming pool; Compliance with the accidental discovery protocol. <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, if development breaches these standards, then the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on whether the design of a development is such that it breaches permitted activity standards.</p> <p>Where development is designed to comply with permitted activity standards (for example through a foundation design that limits earthworks), then the level of development prevented by this rule may be limited or negligible.</p> <p>Where a development is designed in a manner that breaches these standards, then the level of development prevented would be determined under SASM-R11.</p>
			SASM-R4 [Permitted activity]	<p>The following activities are permitted in an area identified as <i>wāhanga toru</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> Land disturbance; Earthworks; Alterations, additions and relocation of lawfully established buildings. <p>Subject to the following standards:</p> <ul style="list-style-type: none"> The total volume of land disturbance and earthworks does not exceed 10m³ per calendar year;

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<ul style="list-style-type: none"> • Additions and alterations to buildings do not include a basement or in-ground swimming pool; • Compliance with the accidental discovery protocol. <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, if development breaches these standards, then the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on whether the design of a development is such that it breaches permitted activity standards.</p> <p>Where development is designed to comply with permitted activity standards (for example through a foundation design that limits earthworks), then the level of development prevented by this rule may be limited or negligible.</p> <p>Where a development is designed in a manner that breaches these standards, then the level of development prevented would be determined under SASM-R12.</p>
			SASM-R5 [Permitted activity]	<p>The following activities are permitted in an area identified as <i>wāhanga wha</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> • Land disturbance; • Earthworks; • Alterations and relocation of lawfully established buildings; • New buildings associated with lawfully established buildings and uses. <p>Subject to the following standards:</p> <ul style="list-style-type: none"> • Additions and alterations to buildings do not include a basement or in-ground swimming pool; • Compliance with the accidental discovery protocol. <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, if development breaches these standards, then the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on whether development requires a basement or in-ground swimming pool.</p> <p>Where development does not require a basement or in-ground swimming pool, this rule is unlikely to prevent development.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
			<p style="background-color: #d9ead3; padding: 5px;">SASM-R7 [Controlled activity]</p>	<p>Where development requires a basement or in-ground swimming pool, then the level of development prevented will be determined under rule SASM-R13.</p> <p>The following activities are a controlled activity in areas identified as <i>wāhanga toru</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> • New buildings. <p>Subject to the following standards:</p> <ul style="list-style-type: none"> • New buildings are ancillary to lawfully established buildings; • The total volume of land disturbance and earthworks does not exceed 10m³ per calendar year; • Additions and alterations to buildings do not include a basement or in-ground swimming pool; • Compliance with the accidental discovery protocol. <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule will vary depending on whether the design of a development is such that it breaches permitted activity standards. It may also vary depending on the values associated with the wāhi tapu site, and whether effects on these values are avoided, remedied or mitigated through the layout and design of proposed buildings.</p> <p>Where development is designed to comply with permitted activity standards (for example through a foundation design that limits earthworks), and where development is sited to avoid or mitigate effects on the values associated with the wāhi tapu, then the level of development prevented by this rule may be limited or negligible.</p> <p>However, where this is not possible the conditions of consent for development may require it to be laid out in a manner that avoids, remedies or mitigates effects on the values associated with the wāhi tapu. In these instances, some development may be prevented under this rule.</p> <p>Where a development breaches the standards, then the level of development prevented would be determined under SASM-R12.</p>
			<p style="background-color: #fcf8e3; padding: 5px;">SASM-R10 [Restricted discretionary activity]</p>	<p>The following activities are a restricted discretionary activity in areas identified as <i>wāhanga tahi</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> • Land disturbance; • Earthworks; • Alterations and additions to lawfully established buildings;

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>Subject to compliance with the accidental discovery protocol.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule may vary depending on whether the scope and effects of land disturbance, earthworks and alterations and additions are considered to be acceptable in relation to the values associated with the wāhi tapu site.</p> <p><i>Wāhanga tahi</i> sites are identified as being highly sensitive to development, with rules intended to provide a high level of protection, as there is a high risk that land disturbance will encounter kōiwi.</p> <p>If the effects associated with the proposed development are not considered to be acceptable, then development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may be prevented under this rule.</p>
			SASM-R11 [Restricted discretionary activity]	<p>The following activities are a restricted discretionary activity in areas identified as <i>wāhanga rua</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> Land disturbance, earthworks, additions and alterations to lawfully established buildings, and new buildings, that do not comply with permitted activity standards (under SASM-R3); <p>Subject to compliance with the accidental discovery protocol.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule may vary depending on whether the scope and effects of land disturbance, earthworks, alterations and additions to existing buildings, and the construction of new buildings, are considered to be acceptable in relation to the values associated with the wāhi tapu site.</p> <p><i>Wāhanga rua</i> sites are identified as being moderately sensitive to development (because the land has already been developed), with rules intended to provide for a reasonable level of development to occur, provided land disturbance volumes are reasonably low.</p> <p>If the effects associated with the proposed development are not considered to be acceptable, then development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may be prevented under this rule.</p>
			SASM-R12 [Restricted discretionary activity]	<p>The following activities are a restricted discretionary activity in areas identified as <i>wāhanga toru</i> in the wāhi tapu schedule:</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<ul style="list-style-type: none"> • Land disturbance, earthworks, additions and alterations to lawfully established buildings, that do not comply with permitted activity standards (SASM-R4); • New buildings that do not comply with controlled activity standards (SASM-R7). <p>Subject to compliance with the accidental discovery protocol.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule may vary depending on whether the scope and effects of land disturbance, earthworks, alterations and additions to existing buildings, and the construction of new buildings, are considered to be acceptable in relation to the values associated with the wāhi tapu site.</p> <p><i>Wāhanga toru</i> sites are identified as being moderately sensitive to development (because the land has already been developed), with rules intended to provide for a reasonable level of development to occur, provided land disturbance volumes are reasonably low, with additional considerations for key views identified in the wāhi tapu schedule.</p> <p>If the effects associated with the proposed development are not considered to be acceptable, then development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may be prevented under this rule.</p> <p>The following activities are a restricted discretionary activity in areas identified as <i>wāhanga wha</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> • Land disturbance, earthworks, additions and alterations to lawfully established buildings, and new buildings, that do not comply with permitted activity standards (SASM-R5); • New buildings that obstruct views or existing access between key access and view points identified in the wāhi tapu schedule. <p>Subject to compliance with the accidental discovery protocol.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule may vary depending on whether the scope and effects of land disturbance, earthworks, alterations and additions to existing buildings, and the construction of new buildings, are considered to be acceptable in relation to the values associated with the wāhi tapu site.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p><i>Wāhanga wha</i> sites are identified as having a low sensitivity to internal development development (because they are functioning sites of significance, such as marae), with rules intended to provide for a reasonable level of development to occur within the site to maintain its ongoing functionality.</p> <p>Where the development supports the ongoing functionality of the site, then it is likely that the level of development prevented by the rule would be limited or negligible.</p> <p>If the effects associated with the proposed development are not considered to be acceptable, then development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may be prevented under this rule.</p>
			SASM-R16 [Non-complying activity]	<p>Partial demolition, demolition or destruction of a wāhi tapu site is a non-complying activity. Earthworks and land disturbance that are not provided for under other rules fall into this category.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>Where development involves the partial demolition, demolition, or destruction of a wāhi tapu site, development is unlikely to be able to occur under this rule.</p>
			SASM-R18 [Non-complying activity]	<p>The following activities are a non-complying activity in areas identified as <i>wāhanga tahi</i> in the wāhi tapu schedule:</p> <ul style="list-style-type: none"> • New buildings. <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The development of new buildings on <i>wāhanga tahi</i> wāhi tapu sites are unlikely to be able to occur under this rule.</p>
			SUB-DW-R10 [Restricted discretionary activity]	<p>Subdivision of land containing wāhi tapu site is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the size of the allotment, and whether the effects of the subdivision on the wāhi tapu site are deemed to be acceptable.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>Where subdivision can be undertaken in a manner where the effects on the wāhi tapu site are acceptable, the level or development prevented by this rule may be limited or negligible.</p> <p>Where the effects of subdivision on the wāhi tapu site are not considered to be acceptable, then subdivision for further development may be prevented by this rule.</p>
			SUB-DW-R21 [Non-complying activity]	<p>Subdivision that increases the number of allotments within a <i>wāhanga toru</i> wāhi tapu site is a non-complying activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>Subdivision for the development of residential units is unlikely to be able to occur under this rule.</p>
Scheduled ecological sites	<p>Scheduled ecological sites are identified on the following District Plan map layer:</p> <ul style="list-style-type: none"> Ecological Sites <p>They are also identified in Schedule 1 of the District Plan.</p> <p>Scheduled ecological sites are located in areas subject to the MDRS and policy 3 of the NPS-UD.</p>	<p>The provisions for ecological sites are part of recognising and providing for s6(c) of the RMA to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].</p>	ECO-R7 [Restricted discretionary activity]	<p>The trimming or modification (including removal or destruction) of indigenous vegetation within an ecological site is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, where trimming or modification of indigenous vegetation is required as part of a development, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>The level of development prevented by this rule may vary depending on the extent to which an ecological site covers a development site, the extent to which a development can be laid out to avoid effects on the ecological site, and where the development cannot avoid effects on the ecological site, whether effects can be mitigated or remedied to an acceptable level as part of a development.</p> <p>Where a development can be arranged to avoid effects on an ecological site, the level of development prevented by this rule may be limited or negligible.</p> <p>Where the effects of development on an ecological site are not able to be avoided, remedied or mitigated to an acceptable level, then the level of development that would be prevented under this rule is likely to be proportionate to the extent to which the ecological site covers the development site.</p>
			ECO-R13 [Discretionary activity]	<p>Buildings in and within 5m of an ecological site are a discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>It is unlikely that the development of new buildings that involved irreversible adverse effects on an ecological site (such as the partial or full loss of the site) would be acceptable.</p> <p>On this basis, the level of development that would be prevented under this rule is likely to be proportionate to the extent to which the ecological site covers the development site.</p>
			EW-R8 [Discretionary activity]	<p>Earthworks within an ecological site are a discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, because the development of buildings is likely to require earthworks, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity.</p> <p>It is unlikely that earthworks for the development of new buildings that involved irreversible adverse effects on an ecological site (such as the partial or full loss of the site) would be acceptable.</p> <p>On this basis, the level of development that would be prevented under this rule is likely to be proportionate to the extent to which the ecological site covers the development site.</p>
			SUB-DW-R6 [Restricted discretionary activity]	<p>The subdivision of land containing an ecological site is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the size of the allotment, the extent to which it is overlapped by an ecological site, and whether the effects of the subdivision on the ecological site are deemed to be acceptable.</p> <p>Where subdivision can be undertaken in a manner where the effects on the ecological site are acceptable, the level of development prevented by this rule may be limited or negligible.</p> <p>Where the effects of subdivision on the ecological site are not considered to be acceptable, then subdivision for further development may be prevented by this rule.</p>
Scheduled key indigenous trees	<p>Scheduled key indigenous trees are identified on the following District Plan map layer:</p> <ul style="list-style-type: none"> Key Indigenous Trees 	<p>The provisions for key indigenous trees are part of recognising and providing for s6(c) of the RMA, to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p>	ECO-R7 [Restricted discretionary activity]	<p>The trimming or modification (including removal or destruction) of scheduled key indigenous vegetation is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, where trimming or modification of schedule key indigenous vegetation is required as part of a development, the rule would prevent</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
	They are also identified in Schedule 2 of the District Plan. Scheduled key indigenous trees are located in areas subject to the MDRS and policy 3 of the NPS-UD.	The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].		construction of buildings to the MDRS or NPS-UD density standards as a permitted activity. The level of development prevented by this rule will vary depending on whether the location of the tree in relation to the development of the site, and whether effects of trimming or modification are deemed to be acceptable. Where the development can be arranged to avoid trimming or modification of the tree, then there would be no development prevented under this rule. Where trimming or modification is required to enable the development of the site, and the effects of this are deemed to be acceptable, there level of development prevented by this rule may be limited or negligible. Where the effects of trimming or modification are not deemed to be acceptable, then further development of the site to the levels provided for by the MDRS and policy 3 of the NPS-UD may be prevented by this rule.
Scheduled outstanding natural features and landscapes	Scheduled outstanding natural features and landscapes are identified on the following District Plan map layer: <ul style="list-style-type: none">Outstanding Natural Features and Landscapes They are also identified in Schedule 4 of the District Plan. Scheduled outstanding natural features and landscapes are located in areas subject to the MDRS and policy 3 of the NPS-UD. The only overlap between outstanding natural features and landscapes, and the urban environment, is a portion of the General Residential Zone located to the north-east of the Waikanae Town Centre.	The provisions for outstanding natural features and landscapes are part of recognising and providing for s6(b) of the RMA to protect outstanding natural features and landscapes from inappropriate subdivision, use and development. The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].	NFL-R2 [Permitted activity]	Buildings in an outstanding natural feature or landscape are a permitted activity subject to: <ul style="list-style-type: none">A gross floor area no greater than 60m²; andA height no greater than 6m. Where development is located within an outstanding natural feature or landscape, this rule directly alters the density standards required by the MDRS and the NPS-UD. To the extent that the site is covered by an outstanding natural feature or landscape this rule is likely to: <ul style="list-style-type: none">prevent the development of more than one dwelling per site.prevent the development of buildings taller than 1 to 2 storeys on sites covered by the rule. The level of development that is prevented by this rule is likely to be proportionate to the extent to which an outstanding natural feature or landscape covers the development site.
			NFL-R3 [Restricted discretionary activity]	Buildings that exceed the permitted activity standards for height and gross floor area identified under NFL-R2 are a restricted discretionary activity. This rule does not directly alter the MDRS or NPS-UD density standards. However, where development breaches the permitted activity standards outlined under rule NFL-R2, the rule would prevent construction of buildings to the MDRS or NPS-UD density standards as a permitted activity. The level of development prevented by this rule may vary depending on the extent to which an outstanding natural feature or landscape covers a

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>development site, and whether the effects of a building or group of buildings on an outstanding natural feature or landscape are considered to be acceptable.</p> <p>Where the effects of a building or group of buildings on an outstanding natural feature or landscape is considered to be acceptable, the level of development prevented by this rule may be limited or negligible.</p> <p>Where the effects of a building or group of buildings on an ecological site are not considered to be acceptable, then the level of development that would be prevented under this rule is likely to be proportionate to the extent to which the outstanding natural feature or landscape covers the development site.</p>
			SUB-DW-R6 [Restricted discretionary activity]	<p>The subdivision of land within an outstanding natural feature or landscape is a restricted discretionary activity.</p> <p>This rule does not directly alter the MDRS or NPS-UD density standards. However, it does prevent subdivision for residential units as a controlled activity, which is a requirement of the MDRS.</p> <p>The level of development prevented by this rule will vary depending on the size of the allotment, the extent to which it is overlapped by an outstanding natural feature or landscape, and whether the effects of the subdivision on the outstanding natural feature or landscape are deemed to be acceptable.</p> <p>Where subdivision can be undertaken in a manner where the effects on the outstanding natural feature or landscape are acceptable, the level or development prevented by this rule may be limited or negligible.</p> <p>Where the effects of subdivision on the outstanding natural feature or landscape are not considered to be acceptable, then subdivision for further development may be prevented by this rule.</p>
Development in the General Industrial Zone	<p>The General Industrial Zone is identified on the following District Plan map layer:</p> <ul style="list-style-type: none"> General Industrial Zone <p>Parts of the General Industrial Zone are located in areas subject to policy 3 of the NPS-UD.</p>	The zone provides for business land suitable for low-density uses [s77O(i)] (see note 2 at the end of this appendix for further explanation).	GIZ-R5 [Permitted activity]	<p>To the extent that the General Industrial Zone is located in an area subject to policy 3(c) of the NPS-UD, this policy directs that building heights of at least 6 storeys are enabled.</p> <p>Under Rule GIZ-R5, the maximum permitted height of buildings in the zone is 10 metres, (or 8 metres in the extent of the zone located at Milne Drive, Paraparaumu).</p> <p>Development of one to two storeys (depending on the design and use of the building) is provided for under this rule.</p> <p>As a result, development greater than 2 storeys is prevented by this rule (although it is possible as a restricted discretionary activity under rule GIZ-R13).</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
Development in the Mixed-Use Precinct of the Airport Zone	<p>The Mixed-Use Precinct of the Airport Zone is identified on the following District Plan map layers:</p> <ul style="list-style-type: none"> Airport Zone PREC37 – Airport Mixed Use Precinct <p>Parts of the Mixed-Use Precinct of the Airport Zone are located in areas subject to policy 3 of the NPS-UD.</p>	<p>The precinct provides for business land suitable for low-density uses [s77O(i)] (see note 2 at the end of this appendix for further explanation).</p>	AIRPZ-R5 [Permitted activity]	<p>To the extent that the Mixed Use Precinct of the Airport Zone is located in an area subject to policy 3(c) of the NPS-UD, this policy directs that building heights of at least 6 storeys are enabled.</p> <p>Under Rule AIRPZ-R5, the maximum permitted height of buildings in the Airport Mixed Use Precinct is:</p> <ul style="list-style-type: none"> 15 metres for buildings used for industrial, logistics or distributional purposes; 12.5 metres for other purposes; 10 metres within 50 metres of any rural or residential zone, or the south side of the Kāpiti Road reserve. <p>Development of two to four storeys (depending on the design and use of the building) is provided for under this rule.</p> <p>As a result, development greater than two to four storeys (depending on the use) is prevented by this rule, although development exceeding the permitted building height by up to 20% is possible as a restricted discretionary activity under rule AIRPZ-R17, and exceeding the permitted building height by greater than 20% is possible as a discretionary activity under rule AIRPZ-R21.</p>
Development in the Airport Buffer and Airport Core Precincts of the Airport Zone	<p>The Airport Buffer and Airport Core Precincts of the Airport Zone are identified on the following District Plan map layers:</p> <ul style="list-style-type: none"> Airport Zone PREC38 – Airport Buffer Precinct PREC39 – Airport Core Precinct <p>Parts of the Airport Buffer and Airport Core Precincts of the Airport Zone are located in areas subject to policy 3 of the NPS-UD.</p>	<p>The Kāpiti Coast Airport is defined as nationally significant infrastructure under the NPS-UD (see note 1 at the end of this appendix).</p> <p>Both precincts provide for the safe and efficient operation of the airport [s77O(e)].</p>	<p>AIRPZ-R4 [Permitted activity]</p> <p>AIRPZ-R6 [Permitted activity]</p>	<p>To the extent that the Airport Core Precinct of the Airport Zone is located in an area subject to policy 3(c) of the NPS-UD, this policy directs that building heights of at least 6 storeys are enabled.</p> <p>Under Rule AIRPZ-R4, the maximum permitted height of buildings in the Airport Core Precinct is:</p> <ul style="list-style-type: none"> 25 metres for a single control tower; 15 metres for any other building. <p>Development of up to four storeys is provided for as a permitted activity under this rule (except for a control tower, which could be constructed to greater than 6-storeys under this rule).</p> <p>As a result, development greater than four storeys is prevented by this rule, although development exceeding the permitted building height by up to 20% is possible as a restricted discretionary activity under rule AIRPZ-R17, and exceeding the permitted building height by greater than 20% is possible as a discretionary activity under rule AIRPZ-R21.</p> <p>To the extent that the Airport Buffer Precinct of the Airport Zone is located in an area subject to policy 3(c) of the NPS-UD, this policy directs that building heights of at least 6 storeys are enabled.</p> <p>Under Rule AIRPZ-R6, the maximum permitted height of buildings in the Airport Buffer Precinct is 4 metres.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
				<p>Development of up to one storey is provided for as a permitted activity under this rule.</p> <p>As a result, development greater than one storey is prevented by this rule, although development exceeding the permitted building height by up to 20% is possible as a restricted discretionary activity under rule AIRPZ-R17, and exceeding the permitted building height by greater than 20% is possible as a discretionary activity under rule AIRPZ-R21.</p>
Development in the Open Space Zones	<p>The Open Space zone is identified on the following District Plan map layers:</p> <ul style="list-style-type: none"> • Open Space Zone • Natural Open Space Zone <p>Parts of the Open Space Zones are located in areas subject to policy 3 of the NPS-UD.</p>	<p>The provisions of the Open Space Zones manage development on land that is open space and provides for public use [s77O(f)].</p>	OSZ-R5 [Permitted activity]	<p>To the extent that the Open Space Zone is located in an area subject to policy 3(c) or (d) of the NPS-UD, this policy directs that the following are enabled:</p> <ul style="list-style-type: none"> • building heights of at least 6 storeys (3(c)); • building heights of density of urban form commensurate with the level of commercial activities and community services located in the adjacent town, local or neighbourhood centre zone (3(d)). <p>Under Rule OSZ-R5, the maximum permitted height of buildings is:</p> <ul style="list-style-type: none"> • 8m generally; • 4m in the Local Parks Precinct; • 12m in the Paraparaumu Beach Golf Course Development Precinct. <p>Under Rule OSZ-R5, the maximum permitted building coverage and gross floor area is:</p> <ul style="list-style-type: none"> • 5% and 500m² generally; • 5% and 100m² in the Local Parks Precinct; • 5% and 3,000m² in the Paraparaumu Beach Golf Course Development Precinct. <p>Permitted activities in the Open Space Zone include recreation, community and cultural activities, including ancillary retailing.</p> <p>The following development is provided for as a permitted activity under this rule:</p> <ul style="list-style-type: none"> • Buildings up to two storeys in the Zone generally; • Buildings up to one storey in the Local Parks Precinct; • Buildings up to three storeys in the Paraparaumu Beach Golf Course Development Precinct. <p>As a result, development taller than these heights is prevented by this rule, although taller development is possible as a restricted discretionary activity under rule OSZ-R15.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
			NOSZ-R6 [Permitted activity]	<p>To the extent that the Natural Open Space Zone is located in an area subject to policy 3(c) or (d) of the NPS-UD, this policy directs that the following are enabled:</p> <ul style="list-style-type: none"> • building heights of at least 6 storeys (3(c)); • building heights of density of urban form commensurate with the level of commercial activities and community services located in the adjacent town, local or neighbourhood centre zone (3(d)). <p>Under Rule NOSZ-R6, the maximum permitted height of buildings is 6m. The maximum permitted building coverage and gross floor area is 2% and 350m².</p> <p>Permitted activities in the Open Space Zone include recreation, community and cultural activities.</p> <p>The development of one to two storey buildings is provided for as a permitted activity under this rule.</p> <p>As a result, development taller than two storeys is prevented by this rule, although taller development is possible as a restricted discretionary activity under rule NOSZ-R11.</p>
Esplanade reserves/strips	<p>Esplanade reserves/strips are to be provided to the extent required under SUB-DW-Table 1 in the following locations:</p> <ul style="list-style-type: none"> • Coastal margins; • Lakes (with a bed of 8 hectares or more); • Rivers and streams (river bed with an average width of 3 metres or more). <p>Esplanade reserves or strips are required as part of subdivision in areas that are subject to the MDRS.</p>	<p>The District Plan identifies three purposes for esplanade reserves/strips:</p> <ul style="list-style-type: none"> • Priority E: Ecological and water quality; • Priority A: Access, recreational; • Priority H: Natural Hazard Mitigation. <p>Priority E relates to s6(c) of the RMA, which is the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>Priority A relates to s6(d) of the RMA, which is the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.</p> <p>Priority H relates to s6(h) of the RMA, which is the management of</p>	SUB-DW-Table 1 (activity status varies depending on relevant subdivision rule)	<p>The provisions for esplanade reserves/strips in the District Plan vary the size requirements for esplanade reserves/strips otherwise required by s230 of the RMA.</p> <p>While the size requirement for an esplanade reserve or strip does not directly alter any of the density standards contained in Schedule 3A, it does constitute a size-related subdivision requirement that would contravene clause 8 of Schedule 3A (which requires there to be no size-related subdivision requirements in certain circumstances).</p> <p>On a typical site where an esplanade reserve or strip is required to be taken as part of a subdivision, the level of development prevented would be commensurate with the amount of site taken as a reserve or strip. The size of the taking is outlined in Rule SUB-DW-Table 1. This is typically 20 metres along the margins of lakes and rivers, but varies from 50 metres (along the coastal margin) down to 3-5 metres along specified rivers.</p>

Existing qualifying matter	Location	Reason(s) the matter is a qualifying matter (references to qualifying matter subsections under s77I and s77O are noted)	Alternative density standard proposed (the “alternative density standards” are the operative rules relevant to the qualifying matter notified in PC2)	Level of development prevented on a typical site as a result of accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 of the NPS-UD
Relevant section(s) of the RMA	s77K(1)(a) and s77Q(1)(a)	s77K(1)(c) and s77Q(1)(c)	s77K(1)(b) and s77Q(1)(b); and s77K(1)(e) and s77Q(1)(e)	s77K(1)(d) and s77Q(1)(d)
		significant risks from natural hazards. The qualifying matter is a matter of national importance that decision makers are required to recognise and provide for [s77I(a) and s77O(a)].		

Notes:**Note 1: Definition of “nationally significant infrastructure”.**

The airport meets the definition of nationally significant infrastructure under the NPS-UD because it is used for regular air transport services by aeroplanes capable of carrying more than 30 passengers.

Note 2: Business land suitable for low density uses.

“Business land suitable for low density uses” is not defined in the NPS-UD. In the context of the Kapiti Coast District Plan, this is taken to mean:

- Land within the General Industrial Zone. In this Zone, industrial activities are the primary activity provided for, with other commercial activities managed in order to avoid adverse effects on industrial activities (see policies GIZ-P1 and GIZ-P2).
- Land within the Mixed Use Precinct of the Airport Zone. In this precinct, lower density commercial development is provided for in order to avoid adverse effects on the vitality, role and function of the district’s centres (see policy AIRPZ-P1).

Parts of these zones are located within walkable catchments that would otherwise be subject to policy 3(c) of the NPS-UD. With respect to these areas, increasing the height or density of commercial development could lead to:

- Higher density commercial development that may result in reverse sensitivity effects on existing or future industrial activities;
- Reduction in land available for industrial activities;
- Adverse effects on the vitality, role and function of the district’s centres zones.

Because the operative District Plan already provides for sufficient business land (including for low-density uses) to meet expected demand under the NPS-UD, it is considered appropriate to retain the existing development heights and densities provided for in these zones as an existing qualifying matter under s77O(i) of the RMA (where they would otherwise be subject to policy 3(c) of the NPS-UD).