

SECTION 42A REPORT

Report on submissions and further submissions

Topic: Topic 45 - Settlement Zone

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Dated: 7 June 2024

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List of submitters and further submitters addressed in this report

Submission no	Submitter
10	Waikato Regional Council
16	Fire and Emergency New Zealand
17	Waka Kotahi New Zealand Transport Agency
24	Ministry of Education
38	Wayne Jensen and TTRMC (TT Whare) and Iwi Liaison Role
47	Royal Forest and Bird Protection Society of New Zealand
50	Te Nehenehenui Trust
FS20	Sheryl Paekau

1 Introduction

1.1 Qualifications and Experience

1. My name is Carolyn Wratt. I am a Principal Policy Planner and Director of the consultancy firm Wratt Resource Management Planning Ltd. I am contracted by Waitomo District Council (**WDC**) to assist with the Proposed Waitomo District Plan
2. I hold the degrees of Bachelor of Science (Geography and Resource Management) (1997) and Masters of Science (Hons) in Coastal Geomorphology and Resource Management (1999), both from the University of Auckland. I am a full member of the New Zealand Planning Institute and an accredited Resource Management Commissioner under the Ministry for the Environment programme Making Good Decisions.
3. I have over 25 years experience in planning – both regulatory and policy, including working primarily for local and regional authorities around New Zealand. In my capacity as both a consultant and council planner, I have provided policy advice to a number of clients. Of most relevance I have assisted various councils with their district plan reviews including Hamilton City Council, Auckland Council, Kapiti Coast District Council, Selwyn District Council, Taupo District Council, Kaipara District Council and Christchurch City Council. Most recently I have been involved in all of the processes associated with the Proposed Waikato District Council, which has now progressed to the stage of working through appeals.

1.2 Code of Conduct

4. I confirm that I have read the Code of Conduct for Expert Witness in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
5. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearings commissioners.

1.3 Conflict of Interest

6. I confirm that I have no real or perceived conflict of interest.

1.4 Preparation of this report

7. I am the author of this report.

8. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2 Scope of Report

2.1 Matters addressed by this report

9. The scope of this report is to consider the submissions and further submissions made in respect of the provisions in the Settlement zone (**SETZ**) chapter of the Waitomo Proposed District Plan (**PDP**) and make recommendations.
10. This report is prepared in accordance with section 42A of the RMA. The purpose of a section 42A report such as this is to guide submitters and the independent hearings panel, but the contents are just the recommendations of the author. The decision ultimately lies with the independent hearings panel.
11. Provisions relating to management of the SETZ include land use activities and buildings are addressed in this report. Activities may be addressed in other section 42A reports such as earthworks and subdivision.

2.2 Overview of the chapter

12. The purpose of the SETZ is to provide opportunities for the growth and development of the smaller urban areas Te Waitere, Kinohaku, Marokopa, Awakino, Mokau, Taharoa, Maniaiti/Benneydale, Hangatiki, Aria and Te Maika. While Te Maika has an area of SETZ, it is managed by a multi-zone precinct (PREC7). The purpose of the SETZ is to provide opportunities for the growth and development of these townships at an appropriate scale, while retaining the character and managing adverse effects on the environment. The level of growth expected for these areas is modest, with an increase of one to two new dwellings per year. To promote the future growth and development of housing, visitor accommodation, commercial services and retail activities, this zone enables a range of permitted activities at an appropriate scale and level of effect. The PDP envisages that these settlements will develop incrementally over time into mixed use environments in response to demand.
13. There is a mix of services and infrastructure available to each of the settlements, but many are not serviced. Te Waitere has reticulated wastewater, Awakino has stormwater, Mokau has water and Maniaiti/Benneydale and Taharoa have wastewater and water supply although in Taharoa that is privately owned. One of the challenges of these settlements, is the seasonal growth over summer months where the coastal settlements in particular experience a significant increase in visitors. But the attraction of a coastal location also poses risks from

coastal processes such as erosion, particularly for Mokau. For Te Waitere, Kinohaku, Marokopa, Awakino, Mokau and Taharoa the rules in the coastal environment chapter also apply.

2.3 Statutory Requirements

14. The PDP has been prepared in accordance with the Council's functions under the Resource Management Act (**RMA**), specifically section 31, Part 2 and the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32. The section 32 report which addresses this zone sets out how the relevant national policy statements, national environmental standards, provisions of the Waikato Regional Policy Statement, the Manawatū-Whanganui One Plan, the Maniapoto Environmental Management Plan, the Waikato Tainui Environment Management Plan 2018 and Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River have been assessed and considered.
15. There are provisions in the Waikato Regional Policy Statement (**RPS**) which are particularly relevant to the management of these settlements. UFD-O1 seeks for the built environment to be developed in an integrated, sustainable and planned manner. The Urban form and development section and UFD-P1 in particular refers to subdivision, use and development occurring in a planned and co-ordinated manner. UFD-P18 applies to new urban development in Tier 3 local authority areas outside the Future Proof Strategy and of note is clause (3) which seeks to focus new urban development in and around existing settlements. A number of the development principles in APP11 are relevant to the SETZ including:
 - a) Supporting existing urban areas in preference to creating new ones
 - b) Occurs in a manner that provides clear delineation between urban areas and rural areas
 - c) Make use of opportunities for urban intensification and redevelopment to minimise the need for urban redevelopment in greenfield areas
 - e) Connect well with existing and planned development and infrastructure
 - h) Be directed away from significant mineral resources and their access routes, natural hazards areas, energy and transmission corridors and locations identified as likely renewable energy generation sites
 - i) Promote compact urban form design and location

Also of relevance is UFD-M2 which states local authorities should have particular regard to the potential for reverse sensitivity. For Te Waitere, Kinohaku, Marokopa, Awakino, Mokau, and Taharoa the objectives, policies and directions that relate to the coastal environment are also relevant.

2.4 Procedural matters

16. No submitter, prehearing or Clause 8AA meetings have been undertaken.
17. There has been no further consultation undertaken since notification.

3 Consideration of submissions received

3.1 Overview of submissions

18. There are twenty one primary submissions addressed in this report that relate to the SETZ. The submissions include the following themes.
 - a. Enabling emergency services;
 - b. Recognition of servicing for three waters;
 - c. Education facilities;
 - d. Recognition of the transport network rather than just focusing on roads; and
 - e. Protecting and enhancing indigenous biodiversity.
19. Nine submission points were received relating to the objectives, and six of those supported the objectives as notified. Seven submissions related to policies, of which four submission points supported the policies as notified. Twelve submissions addressed rules and standards.
20. Where there is only support for a provision with no contrary view expressed by any other submitters, that provision is not discussed further in this report.

3.2 Structure of this report

21. Given the number, nature and extent of the submissions and further submissions received, I have structured the Section 42A report based largely on topics as follows:
 - Topic 1: Emergency services;
 - Topic 2: Servicing for three waters;
 - Topic 3: Education facilities;
 - Topic 4: Transport provisions; and
 - Topic 5: Indigenous biodiversity

22. See Appendix 2 for the corresponding section 32AA evaluation for any recommended amendments to provisions.

Topic 1: Emergency services

Introduction

23. The submission from Fire and Emergency New Zealand (**FENZ**) seek to enable it to carry out its requirements under the Fire and Emergency New Zealand Act 2017 more effectively in the protection of lives, property and the surrounding environment. FENZ seeks amendments to the objectives and standards to enable the establishment of emergency service facilities. Emergency service facilities are a permitted activity through SETZ-R5 and must comply with the standards in Table 2 in order to be permitted. Non-compliance with any of the standards cascades to either a restricted discretionary or discretionary activity, depending on the standard not complied with.

Analysis and recommendations

24. The submission from FENZ [16.56] seeks to amend SETZ-O1 to refer to emergency service facilities. The objective sets out the mix of activities that are appropriate in the zone, including residential, community, educational and commercial activities. The objective basically covers all the bases of activities and is not particularly directive but I do not see a problem with making the amendment sought by FENZ, particularly as emergency service facilities are a permitted activity. This will achieve section 5 of the RMA by enabling people and communities to provide for their health and safety. I recommend accepting the submission point from FENZ [16.56] and amending SETZ-O1 as follows:

SETZ-O1.

Enable a mix of residential, community, educational and commercial activities and emergency service facilities of an appropriate scale, to locate within the zone.

25. FENZ [16.59] noted a minor typo whereby SETZ-R5 referred to Emergency services rather than the singular, and I agree this should be corrected to match the defined term.
26. As outlined above, emergency service facilities need to comply with all the standards in SETZ Table 2 in order to be a permitted activity, which includes bulk and location standards for buildings. SETZ-R40 is the standard which establishes maximum building coverage. The submission from FENZ [16.60] seeks to amend SETZ-R40 to include an alternative standard identifying a m² area to the rule. The reasons provided are that there are two fire stations located in the SETZ which have site areas of approximately 751m² and 1000m². FENZ are concerned that this provision would not provide FENZ the ability to construct new or expand their existing emergency service facilities in the SETZ to provide for growth in the future. I can appreciate FENZ concerns particularly in the instance where a station is already established. However, I am cognizant that the

suggested amendments would apply to all properties within the zone. This approach would not be consistent with the objectives and policies that protect the amenity values and character of the zone. Nevertheless, I consider that emergency services are an important service to the community. I considered whether a new standard could be created for emergency service facilities, but the architecture of the Plan means that the current SETZ-R40 would still apply given that the header above SETZ-Table 1 states that all activities in SETZ-Table 1 must comply with all the standards in SETZ-Table 2. I am mindful that 500m² coverage on a 751m² site is a considerable level of site coverage at 67% that would be out of character with the rest of the zone. SETZ-P7 requires land use activities and development should be restricted to a density, scale and intensity and be located appropriately, in order to maintain the zone's character and amenity. I am sympathetic to the operational requirements of emergency service facilities and consider that they should be enabled in SETZ to reduce the response time when there is an emergency. I therefore recommend that SETZ-R40 remain as drafted, but cascade to a controlled activity instead of discretionary where emergency service facilities exceed the specified site coverage standard. This will provide the opportunity for Council to consider the effects of the increased site coverage through a resource consent process, but will provide FENZ with the certainty that resource consent will be granted. It is recommended accepting in part FENZ [16.60] for reasons discussed. The amended rule would look as follows:

SETZ-R40 Maximum building coverage

1. The maximum total building coverage on a site must not exceed 35% of the net site area.

Activity status where compliance is not achieved: DIS

Activity status where compliance is not achieved for emergency service facilities: CON
Council's control is reserved over the following matters:
(a) The layout, design and location of buildings on the site; and
(b) Effects on the streetscape and amenity of the area; and
(c) Management of stormwater.

Topic 2: Servicing for three waters

Introduction

27. SETZ-P13 Seeks to manage the scale and intensity of development to ensure that it can be appropriately serviced where reticulated networks are not available.

Analysis and recommendations

28. The policy as drafted is not consistent in the three waters that it addresses. The policy starts off by focusing on reticulated wastewater networks, but then later refers to wastewater and stormwater. Water is not mentioned at all. The submission from FENZ [16.58] seeks to amend SETZ-P13 to

consistently refer to all three water networks. I agree that water should be included in the policy as development is unable to occur without it. I recommend making one further change from “and” to “or” to recognise that there is a mix of reticulated and non-reticulated servicing for each of the settlements. It is recommended accepting FENZ [16.58], and the policy be amended as follows:

SETZ-P13

Where reticulated water, wastewater ~~and~~ or stormwater networks are not available, restrict the scale and intensity of development and subdivision to ensure it can be serviced by on site non-reticulated water, wastewater and stormwater methods.

29. Waikato Regional Council [10.146] seeks inclusion of an advice note to SETZ-R42 directing applicants to the Waikato Regional Plan rule framework. SETZ-R42 is the standard which sets the maximum number of residential units where sites are not serviced by wastewater reticulation. WRC is concerned some of the options under the rule such as six residential units/tiny homes, and one set of duplex dwellings would have the potential to exceed the 1.3m³ discharge limit prescribed under rule 3.5.7.4(a) Permitted Activity Rule – Discharge of Domestic Sewage from Existing OnSite Systems of the Waikato Regional Plan. In this case compliance would be sought under rule 3.5.7.6 Permitted Activity Rule – Discharge of Sewage from Improved On-Site Domestic Sewage Treatment and Disposal Systems of the WRP. I agree that an advice note would be useful for plan users, although given that the Waikato Regional Plan is currently being reviewed I do not consider it should include a reference to a specific rule. I am concerned that SETZ-R42 is only about dwellings, whereas I consider that wastewater treatment and disposal is an issue for every site that is not reticulated for wastewater. I therefore recommend inclusion of the following advice note for SETZ-R44 which is the standard for servicing of every SETZ site, regardless of size and activity proposed:

Note: Refer to the Waikato Regional Plan for rules regarding on-site treatment and disposal of wastewater.

30. As an advice note is not a provision per se, I have not undertaken a section 32AA evaluation for this recommended amendment.

Topic 3: Education facilities

Introduction

31. The submission from Ministry of Education (**MoE**) seeks that the PDP be less restrictive for education facilities in the SETZ. MoE discuss in the background to its submission that MoE assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively. Educational activities are enabled in SETZ-O1, and educational facilities are a permitted activity in both SETZ-R12 and PREC4-R9 which applies to Mokau. Where an activity does not comply with the standards specified (which are bulk and location as well as being located on front sites in certain settlements), the activity cascades to discretionary.

Analysis and recommendations

32. Unsurprisingly the submission from MoE [24.54] seeks to retain SETZ-O1, but seeks to delete reference to Educational facilities from SETZ-R12 [24.56] and instead create a new rule SETZ-R12A in the activity table [24.57] which cascades to a restricted discretionary activity upon non-compliance with any of the standards. MoE's view is that the activity should default to restricted discretionary as a discretionary activity status would be too onerous when the need to establish a new school within the zone occurs. I can appreciate MoE's concerns, however given the number / range of standards contained in SETZ-Table 2 as well as the additional standards which currently apply to SETZ-R12, I am not certain that the effects can be accurately anticipated. This means that crafting meaningful matters of discretion is challenging, and risk being either overly onerous or insufficient. I therefore recommend that the submission points [24.56 and 24.57] be rejected and that non-compliance with standards remains a discretionary activity for educational facilities.

Topic 4: Transport provisions

Introduction

33. The submission from Waka Kotahi [17.137] seek deletion of SETZ-R38 which establishes a rule framework for noise sensitive activities in close proximity to the state highway and rail in favour of this issue being addressed in the NOISE chapter. Similar submissions were received by Waka Kotahi on other zones, and this matter will be addressed comprehensively in the Infrastructure and Transport s42A reports and hearings.
34. Waka Kotahi also seeks amendments to SETZ-O5, SETZ-P14 and the matters of discretion in SETZ-R19 to protect the safety and efficiency of the transport network.

Analysis and recommendations

35. SETZ-O5 focuses on development not exceeding available capacities for servicing and infrastructure. Waka Kotahi [17.132] considers that the objective should be amended to provide for the safety of the transport network.
36. The transport network is undoubtedly part of infrastructure, and is included in the RMA definition of "infrastructure". If the changes sought by Waka Kotahi were made to SETZ-O5, then there is a duplication with the exact same words appearing in SETZ-P14 "Ensure new development does *not compromise the safety of the transport network*". I do not consider it good planning practice to duplicate an objective and a policy, and I consider SETZ-P14 provides clarity on how SETZ-O5 will be achieved. I therefore recommend rejecting the submission point from Waka Kotahi [17.132].
37. Waka Kotahi [17.134] seeks amendments to SETZ-P14 which is a policy that manages traffic generated by new development. The amendments

change the focus from “roads” to the “transport network”. I support this amendment as the transport network is far broader than roads. Replacement of this term will ensure that activities are consistent with the capacity, design and function of the transport network as a whole. I therefore recommend that SETZ-P14 be amended as follows:

SETZ-P14

Ensure traffic generated by new development does not compromise ~~road the~~ safety or efficiency of the transport network.

38. Waka Kotahi [17.135] also seek amendments to the matters of discretion in SETZ-R19 to delete the word “road”. The submission considers that reference to the broader “transport network” will ensure that other parts of the network such as pedestrians and cyclists will be considered, and I agree. I therefore recommend the following amendments:

SETZ-R19

Matters over which discretion is restricted:

- (e) Adverse effects on the safe, efficient and effective operation of the ~~road~~ transport network, giving particular consideration to pedestrian and cyclist safety; and

Topic 5: Indigenous biodiversity

Introduction

39. While the ECO chapter is the primary location for addressing indigenous biodiversity, Forest and Bird seek in its submission inclusion of this matter into the SETZ chapter.

Analysis and recommendations

40. The submission from Forest and Bird [47.181] seeks to include additional wording in the chapter overview that protects and encourages indigenous biodiversity in the zone, as well as specific objectives, policies and rules following on from the Overview. The reasons provided by Forest and Bird is that the protection of indigenous biodiversity needs to include habitats of indigenous fauna, and to occur in all zones to give effect to section 6(c) of the RMA. The submission also seeks a new objective [47.182] and policy [47.183] which addresses the same matter.
41. The PDP includes in Part 2 District wide matters, Chapter 26 Ecosystems and indigenous biodiversity which is explicitly for the management of biodiversity. Therefore I consider it is not necessary for provisions in the SETZ chapter to address indigenous biodiversity, and this would lead to duplication. I therefore recommended rejecting the three submission points from Forest and Bird.

4 Conclusion

42. For the reasons included in this report, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.
43. Appendix 1 contains recommended amendments to the RLZ chapter and Appendix 2 contains the s32AA evaluation.

APPENDIX 1 RECOMMENDED AMENDMENTS

Overview

This zone applies to ten settlements in the district. Te Waitere, Kinohaku, Marokopa, Awakino, Mokau and Taharoa are the coastal settlements. The townships of Maniaiti/Benneydale, Hangatiki and Aria are located inland. Te Maika also has settlement zoning, but because it is a multi-zoned precinct, the rules for this township must be located separately in the Te Maika precinct (PREC7) chapter. The purpose of the settlement zone is to provide opportunities for the growth and development of these townships at an appropriate scale, while managing adverse effects on the environment.

In comparison to the towns of Te Kūiti and Piopio, townships in the settlement zone have distinctly smaller populations - ranging from approximately 50 to 500 persons - and offer a narrower range of services. The population projections undertaken by Waitomo District Council, indicate that over the lifetime of this plan, the population in these settlements is likely to marginally increase by 1 to 2 new dwellings per year. A review of vacant land found that there is capacity within existing zoned land to meet this level of demand:

Settlement	In the coastal environment	Number of vacant lots (2019)	Average lot sizes (2019)	Servicing
Te Waitere	Yes	9	800m ²	Reticulated wastewater
Kinohaku	Yes	6	1000m ²	No services
Marokopa	Yes	30	800m ²	No services
Awakino	Yes	28	750m ²	Stormwater
Mokau	Yes	74	800m ²	Reticulated water
Taharoa	Yes	25	-	Privately reticulated wastewater and water
Te Maika	Yes	31	800m ²	No services (no electricity)
Maniaiti/Benneydale	No	70	800m ²	Reticulated wastewater & water
Hangatiki	No	1	1000m ²	No services
Aria	No	78	1000m ²	No services

There are, however, drivers for change:

- The creation of the Timber Trail close to Maniaiti/Benneydale has the potential for increased economic benefits for the community.
- House prices in the settlements are affordable when compared to other locations.
- The location of development may be influenced by the potential effects of coastal erosion.

- Infrastructure upgrades, such as access to fibre for Maniaiti/Benneydale, Marokopa and Mokau, coupled with the nationwide growth of online business and services could increase demand for work from home options and/or start-up businesses.

These drivers may impact on the future location of development within settlements as well as altering the level of demand. The availability of infrastructure (wastewater and water) will also impact on ability and intensity of growth within the settlements.

Mokau, Awakino, Marokopa, Taharoa, Te Waitere, Kinohaku, and Te Maika are located within the coastal environment overlay. Their proximity to the sea means that their populations vary seasonally, and this gives rise to different effects. Mokau has the greatest current population base, and the widest range of existing services including a school. Mokau is also the settlement in the district that is exposed to the highest level of risk from coastal erosion. Awakino is located north of Mokau and offers visitor accommodation, a hotel and service station. Marokopa is set at the mouth of the Marokopa River and is a much loved King Country holiday destination and home to a close-knit community.

The settlement of Taharoa has developed to provide accommodation for people working at Taharoa Ironsands Mine. There is a kura, a number of other community facilities and the area is serviced by a private water and wastewater system. The future growth and development of Taharoa is linked to ongoing development of the ironsands mining operation. Te Waitere and Kinohaku are located on the southern side of Kawhia Harbour. Similar to the other coastal settlements, these two communities are very isolated but are supported by large farming hinterlands.

Te Maika is located on a peninsula and forms the southern part of the entrance to Kawhia Harbour. Most of the land is owned by the Te Maika Trust. The settlement is very isolated, has no permanent residents and is only accessible by boat. The Te Maika peninsula also contains significant environmental features which are required to be protected and managed. For each of the coastal settlements, development needs to be undertaken with care. The provisions of the New Zealand Coastal Policy Statement 2010 (NZCPS), the Waikato Regional Coastal Plan and the Waikato Regional Policy Statement provide important direction for future development.

Under section 74 of the Act, this plan must be in accordance with the NZCPS. This plan gives effect to the NZCPS in several different sections, but principally through the provisions in this zone and through the coastal environment chapter. The key NZCPS directions relevant to this zone are:

- Recognising that the protection of coastal values does not preclude use and development within appropriate limits.
- Maintaining and enhancing public walking access to the coast.
- Ensuring new development is located away from coastal hazards.

The key directions from the Waikato Regional Coastal Plan and the Waikato Regional Policy Statement are:

- Development must be setback from the coastal edge to preserve natural character, avoid natural hazards and to allow wetlands, dunes and beaches to migrate inland.
- Maintain and enhance public access. Approximately 85% of the district's coastline is not publicly accessible.
- Development must allow for the potential effects of sea level rise.

Maniaiti/Benneydale, Hangatiki and Aria are all located inland. Maniaiti/Benneydale and Aria have a range of facilities including schools, local clubs, community halls and shops. These settlements support expansive rural areas which extend into Taupo and Ruapehu Districts. Hangatiki is largely zoned as a tourism zone but has small pockets of land that are zoned settlement to provide for existing residential properties.

The existing services provided by these settlements are important and their continued provision is vital for the future of these communities. To promote the future growth and development of housing, visitor accommodation, commercial services and retail activities, this zone enables a range of permitted activities at an appropriate scale and level of effect. Flexibility has also been provided to promote work from home opportunities which recognise the limited employment opportunities in the settlements. This plan envisages that these settlements will develop incrementally over time into mixed use environments in response to demand. Historically Mokau and Maniaiti/Benneydale have been the settlements of highest growth. For this reason, Waitomo District Council has undertaken a Town Concept Plan for both communities to facilitate a planned and co-ordinated approach to future development.

One outcome of the Mokau Town Concept Plan is the creation of the Mokau commercial precinct. The existing commercial area of Mokau serves the local population, surrounding rural area, and people travelling along State Highway 3. A high proportion of Mokau's population are holiday home owners and as a consequence, at weekends, during the whitebaiting season and over summer there is higher demand for goods and services. Currently, there are a limited range of commercial services provided in Mokau. However, it is important for the future sustainability of Mokau that a wider range of activities and services are enabled. The commercial precinct seeks to encourage this outcome. Additionally, it is recognised that over time there may be some demand for industrial activities to locate within Mokau. While no industrial zone is provided in the township, it is anticipated some industrial activities will occur within the Mokau commercial precinct (PREC4).

Part of the settlement zone at Hangatiki is also in the amenity precinct (PREC6) which is located along the State Highway 37 corridor between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district. This area was identified as part of an extensive landscape policy area in the previous district plan. This plan does not identify the same extensive area, instead prioritising the State Highway corridors as areas of rural character requiring maintenance and enhancement. As a multi-zoned precinct, the provisions are located separately in the amenity precinct (PREC6) chapter.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- SETZ-O1.** Enable a mix of residential, community, educational and commercial activities and emergency service facilities¹ of an appropriate scale, to locate within the zone.
- SETZ-O2.** Light industrial development is appropriately located and is of a nature and scale where any adverse effects can be adequately managed.
- SETZ-O3.** Maintain and enhance amenity values as far as practicable while recognising the mixed-use nature of the zone.
- SETZ-O4.** Recognise the economic and employment benefits of visitor accommodation by enabling a range of accommodation options.
- SETZ-O5.** Ensure new development does not exceed available capacities for servicing and infrastructure.
- SETZ-O6.** Preserve the natural character of the coastal environment and enhance public access where practicable.
- SETZ-O7.** Enable mana whenua to express their cultural traditions and values through the provision of hapū-focused, papakāinga housing developments.
- SETZ-O8.** Recognise and provide for the relationship that mana whenua have with their ancestral sites, ancestral lands, water, wāhi tapu, and other taonga including the coastal environment.
- SETZ-O9.** Promote the community aspirations identified in the Town Concept Plans by encouraging all new land use activities and redevelopment opportunities to implement the key moves and actions they contain.
- SETZ-O10.** Ensure new development is designed and located to manage significant risks from natural hazards.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- SETZ-P1.** Within this zone, provide for a range of activities while ensuring that developments maintain and enhance amenity by:
 1. Requiring land use activities and development to be appropriately located and of a density, scale and intensity that maintains the settlement's character; and

¹ Fire and Emergency New Zealand [16.56]

2. In Maniaiti/Benneydale and Mokau, encouraging achievement of the outcomes specified in the key moves of the relevant Town Concept Plan; and
3. Managing maximum floor space requirement so that the scale, location and operation of activities are consistent with the capacity, design and function of the roading hierarchy; and
4. Ensuring new development contributes to the consolidation of activities within the settlement zone boundaries; and
5. Encouraging new and innovative commercial, tourism and retail activities, whether these are temporary or permanent; and
6. Encouraging the reuse of vacant buildings; and
7. Enabling activities which provide for the health and well-being of the community and support an identified local need; and
8. Protecting cultural and heritage features; and
9. Where a landscape is scheduled over the settlement zone, requiring activities to protect and enhance the natural landscape setting; and
10. Encouraging activities which support enhanced public access to the coast, lakes and river margins as appropriate.

SETZ-P2. Manage the actual and potential reverse sensitivity effects between residential activities and commercial and community activities by:

1. Managing the hours of operation of activities; and
2. Ensuring the bulk, design, scale and intensity of structures used for non-residential activities does not detract from local residential character; and
3. Employing screening, landscaping, height, building coverage, and bulk and location controls as the primary means of maintaining the amenity values and character of the zone in respect of privacy, access to sunlight and overshadowing; and
4. Managing noise and traffic effects by directing commercial and community activities to specific locations within the zone; and
5. Ensuring adequate provision is made for on-site parking and vehicle manoeuvring areas and requiring activities to mitigate adverse effects related to traffic generation during night-times and early mornings; and
- ~~6.~~ Enabling appropriately scaled and located commercial and community activities only where the design maintains zone amenity, quality and character, and where servicing issues are appropriately addressed.

SETZ-P3. Within the Mokau commercial precinct:

1. Promote developments which increase levels of community self-sufficiency, in a way and at a rate that supports local employment opportunities and increases the range of goods and services available for residents and visitors; and
2. Enable light industrial activities and motor vehicle repair garages of an appropriate scale and nature, provided that adverse effects on adjoining activities are managed and the future capacity of the commercial precinct to meet projected demand is not significantly affected; and
3. Ensure the height and scale of any new structure is in keeping with its surroundings; and
4. Direct more intensive housing developments - co-housing, papakāinga and tiny house developments – away from the

- commercial precinct and into the settlement zone to maintain capacity for commercial activities; and
- 5. Avoid the establishment of primary production activities; and
- 6. Encourage developments that implement the outcomes specified in the key moves of the Mokau Town Concept Plan.

- SETZ-P4.** Encourage a range of housing options where these are consistent with the key elements of the zone’s amenity and character and at a density commensurate with the existing or planned infrastructure of the settlement.
- SETZ-P5.** Encourage appropriately scaled and located commercial and community activities to provide for local employment, to enhance the economic and social wellbeing of residents and to provide activities and services for visitors.
- SETZ-P6.** Recognise the potential employment benefits that home businesses can provide in settlements and enable local enterprise while minimising the adverse effects on adjoining properties as far as practicable.
- SETZ-P7.** Land use activities and development should be restricted to a density, scale and intensity and be located appropriately, in order to maintain the zone’s character and amenity. This policy particularly applies to, but is not limited to large scale retail activities and heavy industrial activities.
- SETZ-P8.** Ensure that amenity and safety is maintained within the zone and that reverse sensitivity effects are minimised by:
 - 1. Requiring that activities and structures are set back from road and internal boundaries and incorporate landscaping; and
 - 2. Requiring noise sensitive activities located adjacent to State Highways and/or railways to provide sufficient acoustic treatment to protect the level of amenity anticipated in the zone; and
 - 3. Ensuring activities do not compromise the safe operation of the land transport network; and
 - 4. Minimising the effects of activities that detract from the amenity of other sites within the surrounding environment while recognising that by providing for a mixture of activities, the level of effect and the anticipated amenity is different from the residential zone; and
 - 5. Recognising that at the interface with the general rural zone, farming, forestry and quarrying activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects; and
 - 6. Maintaining building coverage standards to ensure structures and activities retain the character of open space and connection to the natural landscape particularly in the coastal environment and landscapes of high amenity value; and
 - 7. Managing the keeping of animals to a level that is compatible with the amenity expectations of the zone; and
 - 8. Avoiding the establishment of fortified sites.

- SETZ-P9.** Minimise the potential for residential based visitor accommodation to generate adverse traffic and noise effects on adjoining properties by restricting maximum occupancy.
- SETZ-P10.** Visitor accommodation developments should be of a scale that is consistent with existing structures in the settlement and must manage the potential adverse effects including those arising from noise and traffic generation.
- SETZ-P11.** Where camping grounds are proposed, ensure there is adequate servicing, parking and the proposal includes measures to reduce the potential for adverse effects by managing landscaping, the layout and design and proximity of activities to site boundaries.
- SETZ-P12.** Industrial activities are generally not compatible with the anticipated level of amenity in the settlement zone, however some activities of a light industrial nature, such as motor vehicle repair garages, may be appropriate where:
1. The activity provides an important service for the community and contributes to economic development and employment; and
 2. Any new structures or extensions are of a scale that is consistent with existing structures in the settlement; and
 3. The activity is adequately serviced and can provide appropriate onsite parking and vehicle manoeuvring; and
 4. Any potential adverse effects including the management of light spill, noise sources, the position of the vehicle access(es), the effects of traffic generation and the location of outdoor storage areas can be appropriately addressed.
- SETZ-P13.** Where reticulated water, wastewater ~~and~~ or stormwater networks are not available, restrict the scale and intensity of development and subdivision to ensure it can be serviced by on site non-reticulated water,² wastewater and stormwater methods.
- SETZ-P14.** Ensure traffic generated by new development does not compromise ~~road~~ the safety or efficiency of the transport network³.
- SETZ-P15.** In the coastal settlements, inappropriate subdivision, use and development must be avoided, and the distinctive natural character of the coastal environment shall be preserved by:
1. Requiring buildings and structures to be setback from coastal margins; and
 2. Avoiding development on or adjoining the coastal margins that inhibits public access to the coastal marine area; and
 3. Encouraging the provision of esplanade reserves or other appropriate forms of public access; and
 4. Taking into account the effects of coastal hazards and the impact of climate change on sea levels.

² Fire and Emergency New Zealand [16.58]

³ Waka Kotahi [17.134]

- SETZ-P16.** Where a resource consent is required for an activity, ensure subdivision, use or development does not adversely affect the relationship that mana whenua have with their ancestral sites, ancestral lands, water, sites wāhi tapu, and other taonga.
- SETZ-P17.** Provide for buildings and activities that enable mana whenua to connect with their ancestral sites, ancestral lands, water, sites wāhi tapu, and other taonga.
- SETZ-P18.** Adequate assessment of the natural hazard risk must be undertaken prior to the establishment of new development. Some areas may not be appropriate for development if the natural hazard risk cannot be appropriately managed.

Rules

The rules that apply to the settlement zone are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- SETZ - Table 1 - Activities Rules; and
- SETZ - Table 2 - Performance Standards; and
- SETZ – Table 3 – Activities Rules – Mokau commercial precinct (PREC4); and
- Any relevant provision in Part 2 District-Wide Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

SETZ - Table 1 – Activities Rules

The rules in this table apply to the settlement zone outside of Mokau commercial precinct (PREC4)	
The provisions for Te Maika are in the Te Maika precinct (PREC7) chapter	
SETZ-R1.	Residential units, minor residential units, duplex dwellings and show homes
SETZ-R2.	Co-housing, papakāinga and tiny house developments
SETZ-R3.	Residential based visitor accommodation
SETZ-R4.	Marae complex
SETZ-R5.	Emergency services ⁴ facilities
SETZ-R6.	Accessory buildings ancillary to any permitted activity
SETZ-R7.	Construction, additions and alteration of buildings for any permitted activity
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> All of the performance standards in SETZ –Table 2 are complied with; and Show homes are subject to the same requirements as a residential unit. <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i></p> <p><i>Note: For Te Waitere, Kinohaku, Marokopa, Awakino, Mokau and Taharoa the rules in the coastal environment chapter also apply.</i></p> <p><i>Note: Where building work is carried out (for example to join two tiny houses together by a walkway or create a permanent deck) or where kitchen and bathroom plumbing fittings need to be connected to reticulated water or wastewater systems or septic tank systems, the tiny house becomes a building.</i></p>	
<p>Activity status where compliance is not achieved with SETZ-R29 to SETZ-R39: RDIS</p> <p>Activity status where compliance is not achieved with SETZ-R40 to SETZ-44: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> The matters of discretion associated with any performance standard which cannot be complied with in SETZ -Table 2. 	
SETZ-R8.	Home businesses
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> No more than two full time equivalent persons who do not reside on the site are employed in the home business, except in tiny house developments where 	
<p>Activity status where compliance is not achieved: DIS</p>	

⁴ Fire and Emergency New Zealand [16.59]

<p>only the people living on the site can be engaged in the home business; and</p> <p>2. The hours of operation for the home business are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and</p> <p>3. The home business and household(s) combined must not generate more than 22 vehicle movements to the site per 24 hour period; and</p> <p>4. Any outdoor storage must be screened from any road or public space; and</p> <p>5. A home business may include home based child care but must not be any of the following activities: panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In the settlement zone these activities are industrial activities.</p>	
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SETZ-R9.	Cafes, restaurants, clubrooms and licensed premises, coffee carts and food trucks
SETZ-R10.	Retail activities and pop-up shops where the total gross floor area does not exceed 150 m² per site
SETZ-R11.	Commercial services and indoor fitness centres
SETZ-R12.	Educational facilities and community facilities, libraries and museums
SETZ-R13.	Tourism facilities where the total gross floor area does not exceed 150 m² per site
SETZ-R14.	Healthcare facilities where the total gross floor area does not exceed 150 m² per site
SETZ-R15.	Hire of motorised and non-motorised vehicles and recreational equipment and ancillary repair of vehicles/equipment being hired where the total gross floor area does not exceed 150 m² per site
SETZ-R16.	Visitor accommodation

<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> All of the performance standards in SETZ –Table 2 are complied with; and In Mokau the activities must occur on front sites adjacent to State Highway 3 or Oha Street; or In Marokopa the activities must occur on front sites adjacent to Marokopa Road or Rauparaha Street; or In Maniaiti/Benneydale the activities must occur on front sites adjacent to State Highway 30 or Maniaiti Road; or In Taharoa the activities must occur on front sites adjacent to Taharoa Road or Kiwi Street; or In Awakino, Aria, Kinohaku and Te Waitere the activities may anywhere in the settlement zone but must occur on front sites. <p><i>Note: Outside of the areas specified in (2) to (6) and in Hangatiki, these activities are discretionary activities.</i></p> <p><i>Note: For the avoidance of doubt nothing in this rule precludes anybody from living on site</i></p>	<p>Activity status where compliance is not achieved: DIS</p>
<p>SETZ-R17. Housing and keeping of animals</p>	
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The number of poultry must not exceed 5 per site and must not include any roosters; and Sites may be used for grazing of horses and farm animals but pigs must not be kept within the settlement zone; and A maximum of two beehives are permitted per site only where the net site area is equal to or greater than 1000 m² and; <ol style="list-style-type: none"> The site is not adjacent to an educational facility or a community facility; and The beehive(s) are located at least 5 m from any site boundary. 	<p>Activity status where compliance is not achieved: DIS</p>
<p>SETZ-R18. Demolition and/or removal of buildings and structures</p>	
<p>Activity status: PER</p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</i></p>	<p>Activity status where compliance is not achieved: N/A</p>

SETZ-R19.

Boarding houses and retirement villages

Activity Status: RDIS

Matters over which discretion is restricted:

- (a) The size, design, location, construction and materials used; and
- (b) Effects on the streetscape and amenity of the area; and
- (c) The provision of adequate infrastructure to service the activity; and
- (d) The level of on-site amenity, landscaping and outdoor living space provided to residents; and
- (e) Adverse effects on the safe, efficient and effective operation of the **road**⁵ transport network, giving particular consideration to pedestrian and cyclist safety; and
- (f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and
- (g) Consideration of reverse sensitivity effects; and
- (h) The extent to which the key moves in the relevant Town Concept Plan has been considered and provided for.

Activity status where compliance is not achieved: N/A

SETZ-R20.

Motor vehicle repair garages

Activity Status: RDIS

Where:

1. All of the performance standards in SETZ - Table 2 are complied with.

Matters over which discretion is restricted:

- (a) The layout, design and location of activities on the site, including the workshop, parking and loading areas; and
- (b) The time and duration of the noise effect and the anticipated noise level; and
- (c) Effects on the streetscape and amenity of the area; and
- (d) Adverse effects on the safe, efficient and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and
- (e) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and
- (f) The extent to which topographical and geographical features, landscaping and screening on the site will assist in the management of effects; and
- (g) Consideration of reverse sensitivity effects.

Activity status where compliance is not achieved: DIS

SETZ-R21.

Camping grounds

Activity Status: RDIS

Where:

1. All of the performance standards in SETZ - Table 2 are complied with.

⁵ Waka Kotahi [17.135]

Matters over which discretion is restricted:

- (a) The layout, design and location of activities on the site, including lighting, indoor and outdoor communal areas and facilities such as playgrounds and swimming pools, and their proximity to activities on adjacent sites; and
- (b) The size, design, location, construction and materials used; and
- (c) Effects on the streetscape and amenity of the area; and
- (d) The time and duration of the noise effect and the anticipated noise level; and
- (e) Adverse effects on the safe, efficient, and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and
- (f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and
- (g) Consideration of reverse sensitivity effects; and
- (h) The extent to which topographical and geographical features, landscaping and screening on the site will assist in the management of effects.

Activity status where compliance is not achieved: DIS

SETZ-R22.	Service stations	
SETZ-R23.	Helipads and helicopter landings sites	
Activity status: DIS <i>Note: SETZ-R23 does not apply to landing of aircraft by emergency services or any other aircraft in the event of an emergency. Also see the temporary activities chapter.</i>		Activity status where compliance is not achieved: N/A
SETZ-R24.	Activities not otherwise listed in Table 1	
SETZ-R25.	Industrial activities	
Activity status: DIS		Activity status where compliance is not achieved: N/A
SETZ-R26.	Primary production activities	
SETZ-R27.	Large format retail and outdoor retail activities	
Activity status: NC		Activity status where compliance is not achieved: N/A
SETZ-R28.	Fortified sites	
Activity status: PR		Activity status where compliance is not achieved: N/A

SETZ - Table 2 - Performance Standards

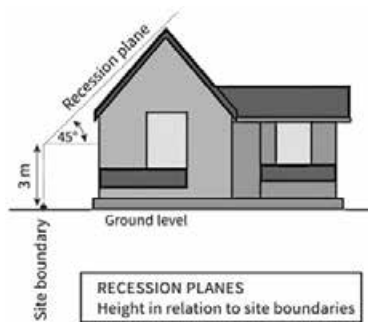
SETZ-R29.	Minimum setback from road boundaries
<ol style="list-style-type: none"> 1. The minimum setback from road boundaries for any building adjacent to any road must be at least 5 m; and 2. There is no setback requirement in the Mokau commercial precinct (PREC4); and 3. For the avoidance of doubt, a tiny house is a building for the purpose of this rule. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the building; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, character and amenity; and (d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Potential reverse sensitivity effects on any adjoining activities; and (f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation.
SETZ-R30.	Minimum setback from internal boundaries
<ol style="list-style-type: none"> 1. The minimum setback for buildings from internal site boundaries must be 2.5 m, provided that: <ol style="list-style-type: none"> (i) The eaves of any building may encroach into the required setback by not more than 600 mm; and (ii) In all locations, no building or eave shall encroach into any vehicle accessway, service lane, driveway, or other vehicle access point; <p>AND</p> <ol style="list-style-type: none"> 2. Buildings may be erected up to any common boundary with an adjoining site which is in the same holding; and 3. This rule does not apply to common walls of duplex dwellings; and 4. Decks, balconies and terraces more than 1.5 m in height from ground level and located along any internal boundary must be setback 3 m; and 5. For the avoidance of doubt a tiny house is a building for the purpose of this rule. <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the building; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, character and amenity; and (d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Potential reverse sensitivity effects on any adjoining activities.

SETTLEMENT

SETZ-R31.	Height
<ol style="list-style-type: none"> 1. In Te Waitere, Kinohaku, Marokopa, Awakino, Mokau and Taharoa, structures must not exceed 8 m in height as measured from ground level; and 2. In Aria, structures must not exceed 8 m in height as measured from ground level; and 3. In Maniaiti/Benneydale and Hangatiki, structures must not exceed 10 m in height as measured from ground level. 	<p>Where the activity is RDIS, the matters over which discretion is restricted for SETZ-R31.1 are listed in CE-R4.</p> <p>Where the activity is RDIS, the matters over which discretion is restricted for SETZ-R31.2 are listed in NFL-R4.</p> <p>Where the activity is RDIS, the matters over which discretion is restricted for SETZ-R31.3 are:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the structure; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, character and amenity; and (d) Ability to soften the visual impact of the structure from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Potential reverse sensitivity effects on any adjoining activities.
SETZ – R32.	Height in relation to boundary
<ol style="list-style-type: none"> 1. No structure or stored materials shall penetrate a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45° from 3 m above the ground level of the road or internal boundaries of a site. See Figure - SETZ 1, provided that: <ol style="list-style-type: none"> (i) Where an internal boundary of a site abuts a driveway or right of way the recession plane may be measured from points 3 m above the furthest boundary of the drive way or right of way. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the structure or materials; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, privacy, character and amenity; and (d) Ability to soften the visual impact of the structure or materials from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Potential reverse sensitivity effects on any adjoining activities.

SETTLEMENT

Figure – SETZ 1 – Height in relation to boundary



SETZ-R33.	Screening of site boundaries
<p>1. The activities listed in PREC4-R3 to PREC4-R12 and SETZ-R9 – SETZ-R16 and SETZ-R20 to SETZ-R21 must comply with the following:</p> <p>(i) Where an activity has an internal site boundary that adjoins a site containing a residential activity or a vacant site, the internal boundary of the site adjoining the residential activity or a vacant site must be screened by a solid fence or wall 2 m in height as measured from ground level; and</p> <p>(ii) Except in PREC4, where a site adjoins a road, the road boundary must be landscaped to a minimum depth of 2 m, except for the required access and egress points. The landscaping must consist of either grass and/or a combination of groundcovers, shrubs and/or trees.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale and location of the building or activity; and</p> <p>(b) Other methods employed to soften the visual impact of the building, building or activity from the adjoining site or road; and</p> <p>(c) Topographical and geographical features affecting the ability to provide the required fencing or landscaping; and</p> <p>(d) Species of plants and height at time of planting; and</p> <p>(e) The extent to which the key moves in the relevant Town Concept Plan have been considered and provided for.</p>
SETZ-R34.	Hours of operation
<p>1. The activities listed in SETZ-R9 to SETZ-R15 and SETZ-R20 must not operate outside the hours of Monday to Sunday 7am – 8pm, including the loading and unloading of goods; and</p> <p>2. The activities listed in PREC4-R4 to PREC4-R12 must not operate outside the hours of Monday to Sunday 7am – 9pm, including the loading and unloading of goods.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The layout, design and location of activities on the site, including parking areas, loading areas and outdoor seating areas; and</p> <p>(b) The time and duration of the noise effect and the anticipated noise level; and</p> <p>(c) Effects on surrounding properties, character and amenity; and</p> <p>(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</p> <p>(e) The extent to which topographical and geographical features, landscaping and screening on the site will assist in the management of effects.</p>

SETZ-R35.	Maximum floor space within PREC4
<p>1. The maximum floor space used for permitted activities listed in PREC4-R4 to PREC4-R12 must not exceed 250 m² gross floor area per site.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and (b) The layout, design and location of activities on the site, including parking areas, loading areas and vehicle access points; and (c) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and (d) Effects on surrounding properties, character and amenity; and (e) Potential reverse sensitivity effects on any adjoining activities.
SETZ-R36.	Site layout
<p>1. For activities listed in PREC4-R3 to PREC4-R12 and SETZ-R9 to SETZ-R16, the main public entrance into a building must be orientated so that is parallel to the road boundary of the site.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The ability to provide opportunities for landscaping; and (b) The extent to which the key moves in the relevant Town Concept Plan have been considered and provided for; and (c) The extent to which the proposed landscaping is able to soften the visual impact of the building; and (d) The location of parking and loading areas; and (e) Visibility of the public entrance of the building from the road.
SETZ-R37.	Residential based visitor accommodation
<p>1. The maximum occupancy must not exceed six guests at any one time.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The effect on surrounding properties, character and amenity; and (b) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and (c) Potential reverse sensitivity effects on any adjoining activities.
SETZ-R38.	Noise insulation for noise sensitive activities

<p>1. All new buildings accommodating noise sensitive activities must be insulated to achieve a noise level of 40dB LAeq inside habitable rooms where it is proposed to be located within:</p> <ul style="list-style-type: none"> (i) 40 m of State Highway 3 (as measured from the edge of the carriageway) where the posted speed limit is equal to or less than 70km/hour; or (ii) 20 m of State Highway 37 or 30 (as measured from the edge of the carriageway) where the posted speed limit is equal to or less than 70km/hour; or (iii) 80 m of State Highway 3 (as measured from the edge of the carriageway) where the posted speed limit is greater than 70km/hour; or (iv) 40 m of State Highway 37 or 30 (as measured from the edge of the carriageway) where the posted speed limit is greater than 70km/hour; <p>AND</p> <p>2. A report from an experienced acoustic practitioner must be submitted at the time of application to demonstrate compliance with this rule; and</p> <p>3. This rule does not apply to any item of historic heritage listed in SCHED1 – Heritage Buildings and Structures.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The time and duration of the noise effect and the impact of any vibration; and (b) The extent to which the activity can be relocated to meet setback requirements; and (c) The layout, design and location of the activity, including consideration of wind and climate patterns and the ability to maintain on-site amenity; and (d) Topographical and geographical features affecting the receiving environment in respect of vibration and noise; and (e) Outcomes of the acoustic report.
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SETZ-R39.	Maximum height of fences and freestanding walls
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<p>1. No fences, walls or a combination of these structures, whether they are separate or joined together, must not exceed 2 m in height as measured from ground level.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the structure; and (b) Other methods employed to soften the visual impact of the structure from the adjoining site or road; and (c) Topographical and geographical features affecting the ability to provide the required fencing.
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SETZ-R40.	Maximum building coverage
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<p>1. The maximum total building coverage on a site must not exceed 35% of the net site area.</p>	<p>Activity status where compliance is not achieved: DIS</p> <p><u>Activity status where compliance is not achieved for emergency service facilities: CON⁶</u></p>
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⁶ FENZ [16.60]

	<p><u>Council's control is reserved over the following matters:</u> <u>(a) The layout, design and location of buildings on the site; and</u> <u>(b) Effects on the streetscape and amenity of the area; and</u> <u>(c) Management of stormwater.</u></p>
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SETZ-R41.	Maximum number of residential units – sites serviced by wastewater reticulation
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<p>1. One residential unit per 450 m² of net site area, except sites less than 450 m² existing on 20 October 2022 may erect one residential unit on the site; and</p> <p>2. Either one minor residential unit with a maximum gross floor area of 70 m² excluding garaging or one tiny house per site.</p> <p>OR</p> <p>3. One set of duplex dwellings per 800 m² of net site area; or</p> <p>4. A co-housing development comprising of no more than 6 household units where 400 m² of net site area is provided per residential unit; or</p> <p>5. A tiny house development comprising of no more than 6 tiny houses where 200 m² of net site area is provided per tiny house; or</p> <p>6. A papakāinga development comprising of no more than 6 papakāinga units where 200 m² of net site area is provided per unit.</p>	<p>Activity status where compliance is not achieved: DIS</p>
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SETZ-R42.	Maximum number of residential units – sites not serviced by wastewater reticulation
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<p>1. One residential unit per 2500 m² of net site area; and</p> <p>2. Either one minor residential unit with a maximum gross floor area of 70 m² excluding garaging or one tiny house per site.</p> <p>OR</p> <p>3. One set of duplex dwellings per 2500 m² of net site area; or</p> <p>4. Co-housing, papakāinga and tiny house developments of no more than 6 residential units/tiny houses respectively, must be on a site of sufficient size to contain the treatment and disposal of wastewater and stormwater resulting from any development within the site boundaries.</p>	<p>Activity status where compliance is not achieved: DIS</p>
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SETZ-R43.	Minimum outdoor service space – papakāinga, co-housing, compact housing and tiny house developments	
	<p>1. Each development must provide one communally accessible outdoor service space with a minimum area of 10 m² which must be screened so that it is not visible from the road boundary of the site.</p>	Activity status where compliance is not achieved: DIS
SETZ-R44.	Servicing	
	<p>1. Where a connection to the Council's reticulated water supply system is not available, all developments must have an independent potable water supply for activities on the site; and</p> <p>2. Where a connection to the Council's reticulated wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and</p> <p>3. All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP); and</p> <p>4. Where water is not supplied by Council or a private community supply, each site must provide access to a water supply for firefighting purposes that is:</p> <ul style="list-style-type: none"> (i) Accessible to firefighting equipment; and (ii) Between 6 and 90 m from any building housing a residential activity on the site; and (iii) Located on the site except where the specified volume or flow of water is in a water body that is within the required distances; and (iv) Either stores at least 45,000 litres of water or provides at least 25 litres of water per second for 30 minutes. <p><u>Note: Refer to the Waikato Regional Plan for rules regarding on-site treatment and disposal of wastewater.⁷</u></p> <p><i>Note: See SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice for further information about managing fire risk and storage of water for firefighting purposes.</i></p>	Activity status where compliance is not achieved: DIS

⁷ Waikato Regional Council [10.146]

AREA SPECIFIC MATTERS
Settlement Zone

Mokau Commercial Precinct (PREC4)



 Mokau Commercial Precinct

SETZ - Table 3 – Activities Rules – Mokau commercial precinct (PREC4)

The rules in this table only apply within the Mokau commercial precinct (PREC4)	
PREC4-R1.	Residential units, minor residential units, duplex dwellings and show homes
PREC4-R2.	Residential based visitor accommodation
PREC4-R3.	Visitor accommodation
PREC4-R4.	Retail activities including pop up shops
PREC4-R5.	Commercial services and indoor fitness centres
PREC4-R6.	Cafes, restaurants, clubrooms and licensed premises, coffee carts and food trucks
PREC4-R7.	Tourism facilities
PREC4-R8.	Healthcare facilities and emergency service facilities
PREC4-R9.	Educational facilities and community facilities, libraries and museums

PREC4-R10.	Hire of motorised and non-motorised vehicles and recreational equipment and ancillary repair of vehicles/equipment being hired
PREC4-R11.	Theatres and cinemas
PREC4-R12.	Motor vehicle repair garages
PREC4-R13.	Accessory buildings ancillary to any permitted activity
PREC4-R14.	Construction, additions and alteration of buildings for any permitted activity

Activity status: PER

Where:

1. All of the performance standards in SETZ –Table 2 are complied with; and
2. Show homes are subject to the same requirements as a residential unit.

Note: Where the building is listed in [SCHED1 - Heritage Buildings and Structures](#), also see the [historic heritage chapter](#).

Note: The rules in the [coastal environment chapter](#) also apply.

Activity status where compliance is not achieved with SETZ-R29 to SETZ-R39: RDIS

Activity status where compliance is not achieved with SETZ-R40 to SETZ-44: DIS

Where the activity is RDIS, the matters over which discretion is restricted are:

- (a) The matters of discretion associated with any performance standard which cannot be complied with in SETZ -Table 2.

PREC4-R15.	Home businesses
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Activity status: PER

Where:

1. No more than two full time equivalent persons who do not reside on the site are employed in the home business, except in tiny house developments where only the people living on the site can be engaged in the home business; and
2. The hours of operation for the home business are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and
3. The home business and household(s) combined must not generate more than 22 vehicle movements to the site per 24 hour period; and
4. Any outdoor storage area must be screened from any road or public space; and
5. A home business may include home based child care but must not be any of the following activities: Panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing, activities involving heavy

Activity status where compliance is not achieved: DIS

<p>vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In the settlement zone these activities are industrial activities.</p>	
<p>PREC4-R16.</p>	<p>Housing and keeping of animals</p>
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The number of poultry must not exceed 5 per site and must not include any roosters; and 2. Sites may be used for grazing of horses and farm animals but pigs must not be kept; and 3. A maximum of two beehives are permitted per site only where the net site area is equal to or greater than 1000 m² and; <ol style="list-style-type: none"> (i) The site is not adjacent to an educational facility or a community facility; and (ii) The beehive(s) are located at least 5 m from any site boundary. 	<p>Activity status where compliance is not achieved: DIS</p>
<p>PREC4-R17.</p>	<p>Demolition and / or removal of buildings and structures</p>
<p>Activity Status: PER</p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</i></p>	<p>Activity status where compliance is not achieved: N/A</p>
<p>PREC4-R18.</p>	<p>Industrial activities</p>
<p>Activity Status: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The effect on streetscape, surrounding properties, character and amenity; and (b) The effects associated with layout, design and location of the activity, including noise, operating hours and outdoor storage; and (c) The level of on-site amenity provided including the use of design features and landscaping to improve interface with the pedestrian environment and the location of the main public entrance into the building; and (d) Adverse effects on the safe, efficient and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and (e) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and (f) The positive effects of repurposing the building or site; and 	

- (g) The extent to which the key moves in the Mokau Town Concept Plan have been considered and provided for; and
- (h) Potential reverse sensitivity effects on any adjoining activities; and
- (i) The matters of discretion associated with any performance standard which cannot be complied with in SETZ - Table 2.

Activity status where compliance is not achieved: N/A

PREC4-R19.	Marae complex, co-housing, tiny house and papakāinga developments
PREC4-R20.	Activities not otherwise listed in SETZ - Table 3
Activity status: DIS	
Activity status where compliance is not achieved: N/A	
PREC1-R21.	Fortified sites
PREC1-R22.	Hazardous waste processing or disposal
Activity status: PR	
Activity status where compliance is not achieved: N/A	

Advice notes

Accidental discovery protocol

In the event that an unidentified archaeological site or a wāhi tapu site is located during works, the following applies:

- *Work must cease immediately at that place and within 20m around the site;*
- *Heritage New Zealand Regional Archaeologist must be notified and apply for the appropriate authority if required;*
- *Notify the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (New Zealand Pouhere Taonga Act 2014);*
- *If human remains (koiwi) are uncovered then the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded;*
- *Works affecting the archaeological site and any human remains (koiwi) must not resume until appropriate authority and protocols are completed.*

If the protocol is not adhered to then Heritage New Zealand can take out prosecution proceedings under the New Zealand Pouhere Taonga Act 2014.

Contaminated land

If the site is contaminated or potentially contaminated refer to the contaminated land chapter and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) 2012.

Regional Council consents

A resource consent for some earthworks may also be required from the Waikato Regional Council.

Works in close proximity to any electricity line

Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Compliance with the Plan does not ensure compliance with the Code.

Landscaping

Where the site is adjacent to a State Highway, consultation with the New Zealand Transport Agency on appropriate tree species and the location of planting is advisable.

APPENDIX 2 SECTION 32AA EVALUATION

Introduction

This section 32AA evaluation relates to the recommended amendments to the Settlement zone (**SETZ**) and supports the discussion, analysis and recommendation in the section 42A report. A section 32AA evaluation is only required for changes recommended since notification; if there is no change to the notified version, a section 32AA evaluation is not required. The level of detail in this report needs to be at a level of detail that corresponds to the scale and significance of the changes recommended.

4.1 Format of the report

The section 32AA evaluation report is structured in a similar order to the topics in the s42A to enable the reports to be read together. In accordance with the requirements of section 32, the tests for objectives are different from provisions

5 Emergency services

This section 32AA evaluation relates to emergency services and supports the discussion, analysis and recommendation in section 4.

5.1 Appropriateness of Objectives

Below are the objectives that are recommended to be added, amended or deleted. Having considered a range of options including retaining unchanged the notified objectives of the PDP, these objectives are the most appropriate way to achieve the purpose of the RMA, as demonstrated in the table below.

Objective or group of objectives	
SETZ-O1	
Evaluation of objectives	
Part 2 RMA	Comment
Section 5 Purpose	Recognising emergency service activities are appropriate in the Settlement zone supports the health and safety of people. Emergency service activities may establish in the Settlement Zone, which would reduce the response time in the case of emergencies. In addition, emergency service activities are an integral part of the community.
Section 7 Other matters	Section 7(c) and 7(f) The RMA defines amenity values as “those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”. The addition to SETZ-O1 ensures that emergency service facilities are of an appropriate scale for the zone and thus retain the character and amenity.

5.2 Identification of Options to Achieve the Objectives

The following reasonably practicable options have been identified for enabling emergency service facilities.

Option 1 – Retaining the approach as notified, whereby emergency service facilities must comply with the site coverage standard. Non-compliance with this standard cascades to a discretionary activity status.

Option 2 – Adding an alternative to the site coverage standard to allow a certain m²

Option 3 – Non compliance with the site coverage rule is a controlled activity for emergency service activities. Other activities that can not comply with the site coverage standards would remain as discretionary.

Preferred Option

Option 3 is the preferred option. Emergency services are an important service to the community. 500m² coverage on a 751m² site is a considerable level of site coverage at 67% that would be out of character with the rest of the zone. SETZ-P7 requires land use activities and development should be restricted to a density, scale and intensity and be located appropriately, in order to maintain the zone's character and amenity. The operational requirements of emergency service facilities is recognised and they should be enabled in SETZ to reduce the response time when there is an emergency. Option 3 will provide the opportunity for Council to consider the effects of the increased site coverage through a resource consent process, but will provide Fire and Emergency New Zealand with the certainty that resource consent will be granted.

5.3 Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	No environmental costs are identified for this option.	Limits the size of buildings and therefore maintains the amenity and character of the zone
Economic	Additional costs for emergency service facilities to obtain a resource consent for excessive site coverage	No economic benefits for this option.
Social	No social costs are identified for this option.	Enables emergency service facilities to establish in the SETZ. This supports the community and reduces the response times in the case of an emergency.
Cultural	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
Economic growth	Option 3 has no impact on economic growth.	

provided or reduced	
Employment opportunities	Option 3 has no impact on employment opportunities.
Uncertain or insufficient info	There is sufficient information to support the proposed changes.
Risk of acting or not acting	There is sufficient information to act.
Effectiveness	
The amendment to the standard for emergency service activities will be effective for enabling emergency service facilities. The approach recognises the operational requirements while ensuring that any effects on the amenity and character of the zone can be considered.	
Efficiency	
While there are costs associated with the amendment, Option 3 will be efficient at enabling emergency service facilities in accordance with SETZ-O1, whilst maintain the amenity values in accordance with SETZ-O3. The amendment further supports a mixed-use planning framework in locations where there are existing communities, visitor demand, and existing physical resources that are physically distanced from activities and services in other towns of the District.	
Summary	

The proposed provisions are the most appropriate way to achieve the objectives as they:

- provide for a mixed use planning framework recognising the isolated nature of the settlements and the benefits of providing for a diverse range of activities; and
- continue to a certain level of amenity.

6 Servicing for three waters

This section 32AA evaluation relates to the objective and policy framework for the zone and supports the discussion, analysis and recommendation in section 5.

6.1 Appropriateness of Objectives

Objective SETZ-O5 is relevant to this topic. The appropriateness of this objective has been assessed previously, and no changes are proposed through the s42A recommendations.

6.2 Identification of Options to Achieve the Objectives

The following reasonably practicable options have been identified for the amendments to SETZ-P13:

Option 1 – Retain SETZ-P13 as notified

Option 2 – Amend SETZ-P13 by including reference to water and stormwater and thus completing consideration of the three waters

Preferred Option

Option 2 is the preferred option.

The first part of the policy as written is about the coordination of non-reticulated wastewater and stormwater when undertaking development. The policy fails to refer to water at all. Development is unable to occur without either reticulated or non-reticulated water and the policy should reference water.

6.3 Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	No environmental costs are identified for this option.	No environmental benefits are identified for this option.
Economic	No economic costs are identified for this option.	No economic benefits are identified for this option.
Social	No social costs are identified for this option.	Ensures that development is appropriately serviced for water. Ensures the health and safety of people.
Cultural	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
Economic growth provided or reduced	No change in economic growth opportunities as a result of this amendment.	

Employment opportunities	No change in employment opportunities as a result of this amendment.
Uncertain or insufficient info	There is sufficient information to support the proposed changes.
Risk of acting or not acting	There is sufficient information to act.
Effectiveness	
The new policy will more readily achieve SETZ-O5 which ensures development can be appropriately serviced. The new policy ensures the health and safety of people and property.	
Efficiency	
The new policy explicitly requires connection to Council's reticulated water network, or alternative servicing for water.	
Summary	
<p>The proposed provisions are considered to be the most effective means of achieving the objectives as together they will:</p> <ul style="list-style-type: none"> • Give effect to higher order policy documents. • Enable the Council to fulfil its statutory obligations, including by supporting the health and safety of people. 	

7 Transport provisions

This section 32AA evaluation relates to the objective and policy framework for the zone and supports the discussion, analysis and recommendation in section 7.

7.1 Appropriateness of Objectives

Objective SETZ-O5 is relevant to this topic. The appropriateness of this objective has been assessed previously, and no changes are proposed through the s42A recommendations.

7.2 Identification of Options to Achieve the Objectives

The following reasonably practicable options have been identified for SETZ-P14 and SETZ-R19:

Option 1 – Retain the policies as notified

Option 2 – Amend SETZ-P14 and SETZ-R19 to address the safety and efficiency of the transport network

Preferred Option

Option 2 is the preferred option. The amendments change the focus from “roads” to the “transport network”. This amendment recognises that the transport network is far broader than roads. Replacement of this term will ensure that activities are consistent with the capacity, design and function of the transport network as a whole.

7.3 Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	No environmental costs are identified for this option.	No environmental benefits are identified for this option.
Economic	The scale of new development may be constrained to manage traffic generation Costs to developers to undertake an integrated transport assessment	No economic benefits are identified for this option.
Social	No social costs are identified for this option.	The safety of the transport network is maintained. Commute and travel times are not significantly reduced. Enables alternative transport methods to be considered.
Cultural	No cultural costs are identified for this option.	No cultural benefits are identified for this option.

Economic growth provided or reduced	No change in economic growth opportunities as a result of this amendment.
Employment opportunities	No change in employment opportunities as a result of this amendment.
Uncertain or insufficient info	There is sufficient information to support the proposed changes.
Risk of acting or not acting	There is sufficient information to act.
Effectiveness	
The amended policy and rule will more readily achieve SETZ-O5 which ensures development can be appropriately serviced. The amended policy and rule ensures the safety and efficiency of the transport network is maintained.	
Efficiency	
The amended policy and rule explicitly addresses the safety and efficiency of the transport network. While there will be additional costs incurred as a result of the amendment to undertake an integrated transport assessment, the benefit to the wider community is greater.	
Summary	

The proposed provisions are considered to be the most effective means of achieving the objectives as together they will:

- Give effect to higher order policy documents.
- Enable the Council to fulfil its statutory obligations, including by promoting active modes of travel and access to public transport to promote environmental, economic, and social wellbeing and reduce adverse effects relating to carbon emissions and the inefficient use and development of natural and physical resources.
- Support the sustainable transport and integrated development outcomes expressed in a range of regional and local plans and strategies.
- Effectively manage the potentially significant adverse effects of High Trip Generating activities on the transport network.

APPENDIX 3 ACCEPT / REJECT RECOMMENDATIONS

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Accept, Accept in Part, Reject
10.146	WRC	Oppose	SETZ-R42	Include an advice note directing applicants to the Waikato Regional Plan rule framework.	Accept in part
16.56	FENZ	Oppose	SETZ-O1	Amend as follows: SETZ-O1. Enable a mix of residential, community, educational and commercial activities <u>and emergency service facilities</u> of an appropriate scale, to locate within the zone.	Accept
16.57	FENZ	Support	SETZ-O5	Retain as notified.	Accept
16.58	FENZ	Oppose	SETZ-P13	Amend as follows: SETZ-P13. Where reticulated <u>water, wastewater and stormwater</u> networks are not available, restrict the scale and intensity of development and subdivision to ensure it can be serviced by on site non- reticulated <u>water, wastewater</u> and stormwater methods.	Accept
16.59	FENZ	Support	SETZ - Table 1 Activities Rules SETZ-R5	Amend as follows: SETZ-R5. Emergency services-facilities	Accept
16.60	FENZ	Oppose	SETZ-R40	Amend as follows: SETZ-R40. Maximum <u>building size and building coverage</u> 1. The maximum total building coverage on a site must not exceed 35% of the net site area, <u>or</u> 500m ² total gross floor area, whichever is greater.	Accept in part
16.61	FENZ	Support	SETZ-R44	Retain as notified.	Accept
17.132	Waka Kotahi	Support in part	SETZ-O5	Amend SETZ-O5 as follows: Ensure new development does <u>not compromise the safety of the transport network or exceed available capacities for servicing and infrastructure.</u>	Reject
17.133	Waka Kotahi	Support	SETZ-P8	Retain as notified.	Accept

17.134	Waka Kotahi	Support in part	SETZ-P14	Amend SETZ-P14 as follows: Ensure traffic generated by new development does not compromise road <u>the safety or efficiency of the transport network.</u>	Accept
17.135	Waka Kotahi	Support in part	SETZ-R19	Amend SETZ-R19 as follows: Matters over which discretion is restricted: (e) Adverse effects on the safe, efficient and effective operation of the road -transport network, giving particular consideration to pedestrian and cyclist safety; and	Accept
17.136	Waka Kotahi	Support	SETZ-R29	Retain as notified.	Accept
17.137	Waka Kotahi	Oppose	SETZ-R38	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.	To be addressed comprehensively in the section 42A reports for Infrastructure and Transport
24.54	MoE	Support	SETZ-O1	Retain SETZ-O1 as notified.	Accept
24.55	MoE	Support	SETZ-P1	Retain SETZ-P1 as notified.	Accept
24.56	MoE	Support with amendment	SETZ-R12	Amend SETZ-R12 as follows: Educational facilities and c Community facilities, libraries and museums Activity status: PER And Any consequential amendments required to give effect to the matters raised in this submission.	Reject
24.57	MoE	Support with amendment		Amend SETZ-R12 as follows: Educational facilities and community facilities, libraries and museums Activity status: PER ... Note: Outside of the areas specified in (2) to (6) and in Hangatiki, these activities are <u>restricted</u> discretionary activities. ... Activity status where compliance is not	Reject

				<p>achieved: DISRDLIS <u>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</u> a. <u>The effect on surrounding properties, rural character and amenity; and</u> b. <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u> c. <u>The effects associated with layout, design and location of the activity, including operating hours; and</u> d. <u>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u> e. <u>Provision of on-site infrastructure; and</u> f. <u>Potential reverse sensitivity effects on any adjoining rural activities.</u></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	
24.58	MoE	Support	PREC4-R9	Retain PREC4-R9 as notified.	Accept
38.101	TTRMC	Support	SETZ-O7	Retain SETZ-O7 as notified.	Accept
FS20.130	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
38.102	TTRMC	Support	SETZ-O8	Retain SETZ-O8 as notified.	Accept
FS20.131	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
38.103	TTRMC	Support	SETZP17	Retain SETZ-P17 as notified.	Accept

FS20.132	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
38.104	TTRMC	Support	SETZ-R2	Retain SETZ-R2 as notified.	Accept
FS20.133	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
38.105	TTRMC	Support	SETZ-R4	Retain SETZ-R4 as notified.	Accept
FS20.134	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
47.181	F&B	Support with amendment	Overview	Amend the overview of the Settlement zone chapter to add a sentence about protecting and encouraging indigenous biodiversity within this zone. And Add specific Objectives, Policies and Rules following on from the above. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.182	F&B	New	SETZ-Objectives	Add a new objective to the Settlement zone as follows: <u>SETZ-O11. Ensure indigenous biodiversity is protected and where possible enhanced.</u> And	Reject

				Any consequential changes or alternative relief to achieve the relief sought.	
47.183	F&B	New	SETZ-P1	Add a new clause to SETZ-P1 as follows: <u>SETZ-P1.11. Protecting and enhancing indigenous biodiversity</u> And Any consequential changes or alternative relief to achieve the relief sought.	Reject
50.29	TNN	Support	SETZ-O7. SETZ-O8. SETZ-P17. SETZ-R2. SETZ-R4.	Retain the following provisions in the Settlement zone: SETZ-O7. SETZ-O8. SETZ-P17. SETZ-R2. SETZ- R4.	Accept
FS20.227	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land	Accept