

# **SECTION 42A REPORT**

Report on submissions and further submissions

## **Topic: 44 Rural Lifestyle Zone**

**Report prepared by: Carolyn Wratt**

**Dated: 7 June 2024**

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## List of submitters and further submitters addressed in this report

<b>Submission no</b>	<b>Submitter</b>
10	Waikato Regional Council
16	Fire and Emergency New Zealand
17	Waka Kotahi
24	Ministry of Education
26	Waitomo District Council
27	Horticulture New Zealand
38	Wayne Jensen and TTRMC (TT Whare) and Iwi Liaison Role
46	Federated Farmers
47	Royal Forest and Bird Protection Society of New Zealand
50	Te Nehenehenui Trust
FS03	Director-General of Conservation
FS05	Federated Farmers
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 Rural lifestyle zone (**RLZ**) 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 RLZ 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 RLZ provides residential living opportunities in a semi-rural environment on the periphery of urban areas and in specific locations around the district. The zones are focused around existing towns and settlements that have been identified as areas where demand for rural lifestyle development is existing or anticipated in the future. Generally, RLZ sites are un-serviced for water, wastewater and water supply with a lack of urban infrastructure such as street lighting, footpaths, and curb and channel road edging. The predominant use of this zone is rural lifestyle rather than urban residential and as such agricultural, horticultural and pastoral farming activities are enabled.
13. The zone is proposed to be located in Mokau, Marokopa, Oparure, Fullerton Road and in locations on the outskirts of Te Kūiti (such as Gadsby Road). The RLZ is focused around existing towns and settlements.
14. The objectives and policies establish the framework for the RLZ, with the objectives identifying the outcomes sought for the zone and the policies setting out how the objectives will be achieved. In summary, the objectives and policies provide residential living opportunities in a semi-rural environment on the periphery of urban areas and other specific locations around the district.

15. Objectives RLZ-O1 and RLZ-O2 recognise the importance of providing for a level of amenity that is typically associated with rural lifestyle living. RLZ-O3 recognises the intent is to provide for rural lifestyle living at a scale that is appropriate to the zone. RLZ-O4 recognises the importance of reverse sensitivity effects particularly arising from farming activities. RLZ-O5 recognises the importance of providing for the integrated management of development and infrastructure. RLZ-O6 restricts commercial and industrial activities except where there is a functional and compelling need. RLZ-O8 addresses significant hazards and RLZ-O8 seeks to implement Town Concept Plans. RLZ-O9 recognises that housing design which supports mana whenua housing aspirations is supported.
16. There are 23 policies that support the objectives.

### **2.3 Statutory Requirements**

17. 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 appendix 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.
18. There are provisions in the Waikato Regional Policy Statement (**RPS**) which are particularly relevant to RLZ, including Objectives IM-O8 and UFD-O1 and the UFD Urban Form and Development section. Objective IM-O8 focuses on the efficient use of natural and physical resources to ensure resource use is efficient and the generation of waste is minimised. Objective UFD-O1 seeks for the built environment to be developed in an integrated, sustainable and planned manner. The UFD section and UFD-P1 in particular refers to subdivision, use and development occurring in a planned and co-ordinated manner. Implementation method UFD-M1 refers local authorities to the principles in APP11 and states regard is to be had to the principles when preparing district plans. In addition to the more general development principles in APP11, the principles related to the RLZ are that new rural-residential development are as follows:
  - a. be more strongly controlled where demand is high;
  - b. not conflict with foreseeable long-term needs for expansion of existing urban centres;
  - c. avoid open landscapes largely free of urban and rural-residential development;

- d. avoid ribbon development and, where practicable, the need for additional access points and upgrades, along significant transport corridors and other arterial routes;
- e. recognise the advantages of reducing fuel consumption by locating near employment centres or near current or likely future public transport routes;
- f. minimise visual effects and effects on rural character such as through locating development within appropriate topography and through landscaping;
- g. be capable of being serviced by onsite water and wastewater services unless services are to be reticulated; and
- h. be recognised as a potential method for protecting sensitive areas such as small water bodies, gully-systems and areas of indigenous biodiversity.

## **2.4 Procedural matters**

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

## **3 Consideration of submissions received**

### **3.1 Overview of submissions**

- 21. There are 39 primary submissions addressed in this report that relate to the RLZ, with a high degree of support for the provisions as notified. The submissions address the following matters:
  - a. Application and extent of the RLZ;
  - b. Activity rules;
  - c. Indigenous biodiversity;
  - d. Enabling emergency services;
  - e. Enabling education facilities; and
  - f. Broadening policies and matters of discretion to apply to the transport network.
- 22. Eight submission points were received relating to the objectives, with seven of those supporting the objectives as notified. Ten submissions related to policies, of which nine submission points supported the policies as notified. 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**

23. 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: Biodiversity

Topic 2: Education facilities

Topic 3: Emergency Services

Topic 4: Application of the RLZ

Topic 5: Management of animals

Topic 6: Transport network

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

## **4 Analysis and Recommendations**

### **4.1.1 Topic 1: Biodiversity**

#### **Introduction**

25. 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 RLZ chapter.

#### **Analysis and recommendations**

26. The submission from Forest and Bird [47.178] supports in part the Overview to the RLZ and seeks to include additional wording that acknowledges the habitats of indigenous fauna. This is opposed by Federated Farmers [FS05.125]. 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 PDP includes in Part 2 District wide matters, Chapter 26 Ecosystems and indigenous biodiversity which is explicitly for the management of biodiversity. Therefore it is not necessary for provisions in the RLZ chapter to address indigenous biodiversity, and this would lead to duplication. Nevertheless, I note that the overview to RLZ mentions indigenous vegetation (albeit briefly) and it would be consistent with the wording of section 6(c) of the RMA to include a reference to the habitats of indigenous fauna. Protection of the habitat is a function of local authorities. The addition is a minor change to the RLZ chapter overview

and does not change the application of the chapter. It is therefore recommended to accept the submission from Forest and Bird [47.178] and rejecting the further submission from Federated Farmers [FS05.125] accordingly. The recommended wording is as follows.

Additional provisions in Part 2 of this plan apply to development in these areas to enhance landscape values, protect indigenous vegetation and the habitats of indigenous fauna, and to manage the visual effects of development.

27. This is a minor change to the overview and not the provisions. The amendment is not a provision per se, and therefore a section 32AA evaluation is not undertaken.
28. The submission from Forest and Bird [47.179] supports in part RLZ-O1 but seeks to amend the objective to include reference to indigenous biodiversity. Forest and Bird [47.180] have also sought amendments to RLZ-P4 to refer to significant natural areas identified after the schedule for scheduled features was published. The reasons provided in the submission is that protection of indigenous biodiversity needs to include habitats of indigenous fauna to give effect to section 6(c) of the RMA. It is not considered necessary to refer to indigenous biodiversity in an objective that sits in a zone. Given that the District Wide matters apply across the District and include the ECO chapter, the additional wording is not supported. It is recommended the submission points from Forest and Bird [47.179 and 47.180] are rejected and the further submission from Federated Farmers [FS05.126] accepted accordingly.

## 4.1.2 Topic 2: Education Facilities

### Introduction

29. A number of submission points were received from the Ministry of Education (**MoE**) seeking to enable education facilities in the RLZ. Educational facilities in the RLZ are a discretionary activity by virtue of RLZ-R10. While there are no objectives or policies specific to educational facilities in the RLZ, there are a number of policies which address non-residential uses such as:
  - a. RLZ-P17 which discourages non-residential activities;
  - b. RLZ-P18 which provides for non-residential only where these provide for the health and well-being of the community and support an identified local need; and
  - c. RLZ-P22 controls the built form associated with the non-residential activity.

### Analysis and recommendations

30. The submission from MoE [24.50] seeks a new objective in the RLZ that seeks to avoid non-rural lifestyle activities unless they provide the necessary infrastructure that supports the social and economic well-being of the local community and support an identified local need. I do not

consider the additional objective necessary as the suite of objectives in the RLZ are focused on establishing an appropriate purpose, character and amenity for the zone. Having said that, RLZ-O6 restricts the establishment of commercial and industrial activities unless there is a functional and compelling need. The objective proposed by MoE also seeks to “avoid”, which is a high bar for a consenting process and would logically lead to application of a non-complying activity status rule. In addition, the use of the words “non-rural lifestyle activities” in the wording sought by objective are unclear and do not aid interpretation of the Plan.

31. Following on from the objective, MoE [24.51] seeks to amend RLZ-P18 to include wording that supports additional infrastructure. The proposed wording also seeks to replace the word “health” with “social and economic” well-being. I am aware that MoE is potentially considering “infrastructure” in its widest sense including social infrastructure but the Resource Management Act (**RMA**) definition of infrastructure does not include social infrastructure and is more focused on pipes, lines and transport networks. There is therefore a risk that the changes sought by MoE are misinterpreted. I also have concerns with the inclusion of the word “economic” as this could be misused to provide policy support to an entirely commercial activity. I do however support the inclusion of “social well-being” to more fully recognise non-residential activities that support the community. It is recommended to accept in part the submission from MoE [24.51], and amend RLZ-P18 as follows:

RLZ-P18

Provide for non-residential activities only where these provide for the health, [safety<sup>1</sup>](#) and [social](#) wellbeing of the community and support an identified local need.

32. The submission from MoE [24.52] seeks to delete “Educational facilities” from RLZ-R10 and instead add a new rule which classifies it as a restricted discretionary activity MoE [24.53]. In its submission, MoE considers that educational facilities, particularly early childhood centres and schools, should be enabled where there is potential for a population to support them including in the RLZ. The submission considers they provide local communities with essential social infrastructure to service the immediate catchment areas in rural zones. I agree with the submitter that educational facilities can provide social infrastructure for areas, however the National Planning Standards definition of “educational facilities” potentially covers a wide range of educational activities, at an equally wide range of scales and therefore vastly different effects. There are a number of providers for educational facilities, not just MoE. For these reasons, I consider discretionary activity status is more appropriate. In addition, MoE has the benefit of being a requiring authority and can access the designation process.

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<sup>1</sup> This amendment is recommended in response to the submission from Fire and Emergency New Zealand [16.50] and is addressed below.

### 4.1.3 Topic 3: Fire and Emergency facilities

#### Introduction

33. The submission from Fire and Emergency New Zealand (**FENZ**) seek to enable emergency services to carry out their requirements under the Fire and Emergency New Zealand Act 2017 more effectively in the protection of lives, property and the surrounding environment. The submission point from FENZ cover a range of matters:
- a. Inclusion of water in RLZ-P14;
  - b. Inclusion of "safety" in RLZ-P18;
  - c. A new rule framework for emergency service facilities; and
  - d. Amendments to RLZ-R26 Maximum building coverage.

#### Analysis and recommendations

34. RLZ-P14 ensures that where sites are not reticulated for wastewater and stormwater, that development is limited to a level where those services can be provided on-site. The submission from FENZ [16.49] seeks to amend RLZ-P14 to include reference to "water" as currently the policy only refers to wastewater and stormwater. I agree that water should be included as the third part of vital water servicing, and therefore recommend accepting the submission point from FENZ [16.49]. I recommend the following amendment:

RLZ-P14. Where reticulated water, wastewater and 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.

35. The submission From FENZ [16.50] seeks to amend RLZ-P18 by adding reference to "safety". The reason provided for the amendment is that the policy would include the provision of emergency service facilities. Safety is a matter that features in s5 of the RMA and I consider is an appropriate addition. I recommended accepting the submission point from FENZ [16.50] and amend RLZ-P18 as follows:

Provide for non-residential activities only where these provide for the health, safety and social<sup>2</sup> wellbeing of the community and support an identified local need.

36. The submission from FENZ [16.52] seeks to include a new activity rule into Table 1-Activity Rules to enable emergency service facilities as a permitted activity, subject to compliance with the performance standards in RLZ - Table 2. The reasons provided by the submission are that new fire stations may be necessary in order to continue to achieve emergency response time commitments in situations where development occurs. FENZ note that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to

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<sup>2</sup> This amendment is recommended in response to the submission from Ministry of Education [24.51] and is addressed earlier in this report.

designate land for the purposes of fire stations. Provisions within the rules of the district plan are therefore the best way to facilitate the development of any new fire stations within the district as urban development progresses.

37. I can appreciate the need for fire and emergency services and agree that it is an important service. In the reasons provided by FENZ, the submission considers that the district plan is the best way to facilitate this type of development in the district as 'urban' development occurs. I note that RLZ is not an urban environment and under the National Planning standards RLZ is considered to be a rural zone. With the structure of the PDP, the establishment of a fire station or any other form of emergency services facility would be a non-complying activity in the RLZ by virtue of RLZ-R15 which makes activities not otherwise listed a non-complying activity. I consider this to be overly stringent, particularly as enabling an emergency services facility benefits the community and reduces the response time to emergencies. Given that emergency services facilities are not the primary purpose of the RLZ and are not anticipated, I consider that a restricted discretionary activity status would be more appropriate. This will enable the built form and layout to be considered, as well as any effects including maintaining the character of the zone. I suggest the matters of discretion could include bulk and location, amenity, visual. It is recommended accepting in part the submission from FENZ [16.52] for the reasons discussed, and that a new rule be inserted as follows:

RLZ-XX Emergency service facilities

Activity status: RDIS

The performance standards in RLZ - Table 2 do not apply.

Matters over which discretion is restricted are:

- (a) Visual effects including bulk, scale and location of the building; and
- (b) Noise generation; and
- (c) Effects on the safety and efficiency of the transport network; and
- (d) Effects on surrounding properties, rural lifestyle character and amenity.

38. I note that there is already a definition in the PDP for "Emergency service facilities" which will provide greater clarity to the rule.
39. The submission from FENZ [16.53] seeks to exempt emergency service facilities from Rule RLZ-R18 Minimum setback from road boundaries. The reasons provided in the submission is that the logistical and operational requirements of Fire and Emergency include the need for fire appliances to be strategically located adjacent to the transport corridor for prompt emergency response. Rule RLZ-R18 has a minimum setback of 10m from a district road boundary and 15m from a State Highway.
40. I understand FENZ concerns, and am mindful that I have recommended that the activity status is restricted discretionary. I consider it is more

important to consider the proposal for an emergency services facility comprehensively rather than requiring compliance with bulk and location standards, particularly since I am aware that there are specific operational requirements for the likes of fire stations such as an increased height for hose drying towers. I therefore recommend adding in an exemption from the standards for emergency service facilities and accepting the submission point from FENZ [16.53].

RLZ-XX . Emergency service facilities  
Activity status: RDIS

The performance standards in RLZ - Table 2 do not apply.

41. The submission from FENZ [16.54] seeks to amend RLZ-R26 to include reference to the size of buildings and enable an alternative maximum of total gross floor area for sites less than 2500m<sup>2</sup>, whichever is greater of 25% or 500m<sup>2</sup>. The reason for this request is the typical site size and building size for fire stations. The submission helpfully clarifies that the minimum building size for a volunteer fire station is 250m<sup>2</sup> and up to 1500m<sup>2</sup> for a career fire station. Typically, FENZ purchase land from 2000m<sup>2</sup> to 4000m<sup>2</sup> to facilitate the construction and operation of new emergency service facilities however this can be less depending on the district. This rule would not provide enough flexibility.
42. Given that I have recommended that emergency service facilities be exempt from the standards in favour of considering a resource consent for such a facility holistically, this amendment is not required.

#### **4.1.4 Topic 4: Application of the RLZ**

##### **Introduction**

43. The rural lifestyle zone is a new zone in the PDP. Its purpose is to provide a living and lifestyle option for people within a rural environment. For this reason, agriculture, horticulture, and pastoral farming activities are provided for as well as living options.
44. The zone is proposed to be located in Mokau, Marokopa, Oparure, Fullerton Road and in locations on the outskirts of Te Kūiti (such as Gadsby Road). The total area of land proposed to be zoned rural lifestyle is 395.1 ha.
45. The areas identified around Te Kūiti, and Fullerton Road are already largely developed for that purpose. Four geographically separated areas have been identified around Mokau. Two areas along Te Mahoe Road, and areas north and south of the township adjacent to State Highway 3. In Mokau these areas also have been identified as potential locations for coastal retreat because of climate change and coastal hazards.
46. Mokau and Marokopa are located within the coastal environment. Identification of new areas of development that reinforces existing settlements and give effect to the New Zealand Coastal Policy Statement.

## Analysis and recommendations

47. The submission from Waikato Regional Council (**WRC**) [10.145] opposes the zoning of land north of Te Kuiti to RLZ on the eastern side of the river as well the rezoning on any other areas that could affect biodiversity and highly productive land. WRC opposes the rezoning of land subject to natural hazards, including flood risk and recommends that WDC assesses all proposed areas to be rezoned for development against the provisions in the RPS, the New Zealand Coastal Policy Statement, the National Policy Statement for Urban Development, and the National Policy Statement for Highly Productive Land and the National Policy Statement for Indigenous Biodiversity and amend the proposed areas accordingly.
48. In respect of the National Policy Statement for Indigenous Biodiversity and biodiversity concerns, the ECO chapter manages the effects on indigenous biodiversity across every zone and in this regard biodiversity will be well managed. The provisions with the ECO chapter give effect to the Waikato Regional Policy Statement (**RPS**) and the National Policy Statement for Indigenous Biodiversity but will be discussed in due course through the section 42A report on that chapter.
49. In respect of hazards, I believe the same approach in that the provision will ensure the appropriate outcome if developing within a hazard area in that any development is comprehensively managed through the Natural Hazards chapter.
50. The submission also mentions highly productive soils. The PDP was notified on 20 October 2022, which was three after the National Policy Statement for Highly Productive Land (**NPS-HPL**) was gazetted.<sup>3</sup> The provisions of the NPS-HPL are based on the identification of land use classes 1-3 (LUC). While WDC does not have large tracts of LUC 1, 2 or 3, there are pockets of highly productive soils in discrete areas. Most land in the Waitomo District is above LUC 1-3. Once the mapping of HPL is complete the provisions in the PDP will need to be reassessed against the NPS-HPL, as there may be areas of the PDP which need to be reconsidered in light of the requirements of section 75(3)(a) of the RMA to give effect to any national policy statement.
51. The submission from WRC specifically references the RLZ north of Te Kuiti, which does have a section of highly productive land on both sides of Te Kumi Road (Figure 1). However the submission also refers to any location of RLZ that highly productive land. The five areas where RLZ intersects with highly productive soil can be summarised as following:

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<sup>3</sup> The policy was gazetted on Monday 19 September 2022 and was in effect from Monday 17 October 2022.

Location	Operative District Plan zoning	Reason for zoning as RLZ
Northern edge of Te Kuiti	Rural Zone	<p>The western side of State Highway 3 was identified for rural residential in the Town Concept Plan for Te Kuiti.</p> <p>Landholding is in the same ownership as the site on the western other side of the road, and performs a gateway role.</p>
Oparure Road, north-west of Te Kuiti	Rural Zone	<p>Recognises an existing settlement and community built around the Marae and school. Existing land uses and development is rural lifestyle form already.</p>
Mangarino Road, north east of Te Kuiti	Rural Zone	<p>Identified in the Town Concept Plan for Te Kuiti as rural residential.</p> <p>Recognises the existing rural residential development around Reynolds Road.</p>
Mokau	Rural Zone	<p>Rezoning identified in the Town Centre Concept Plan for Mokau</p>
Marokopa	Residential Zone	<p>More appropriate for the existing form of development</p>

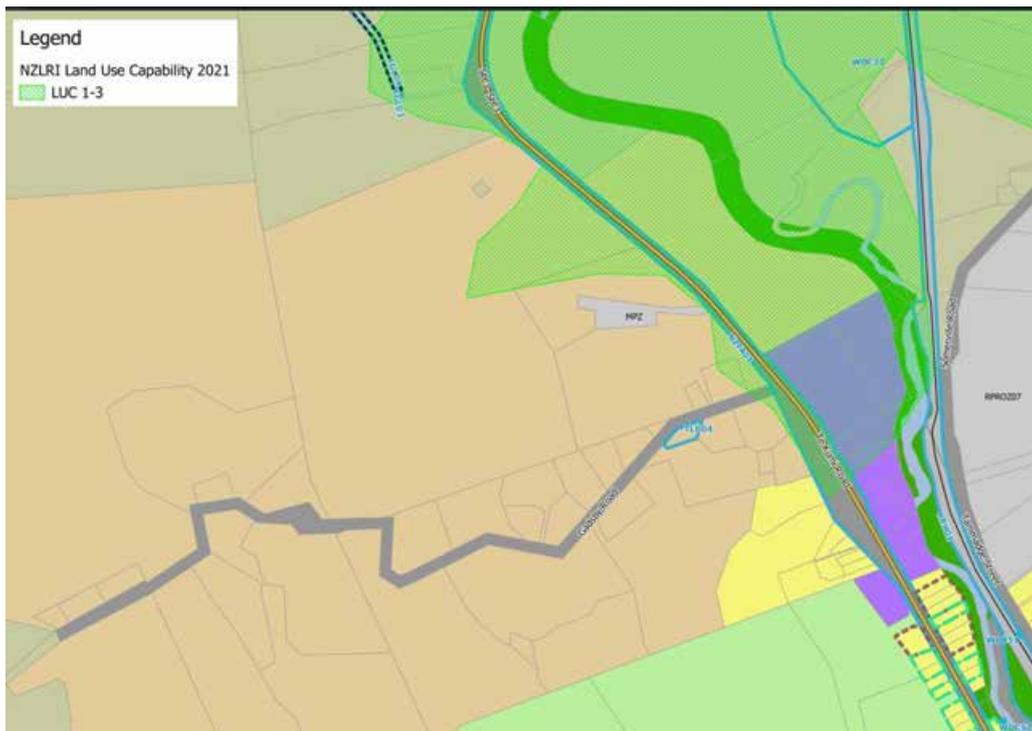


Figure 1: RLZ north of Te Kuiti

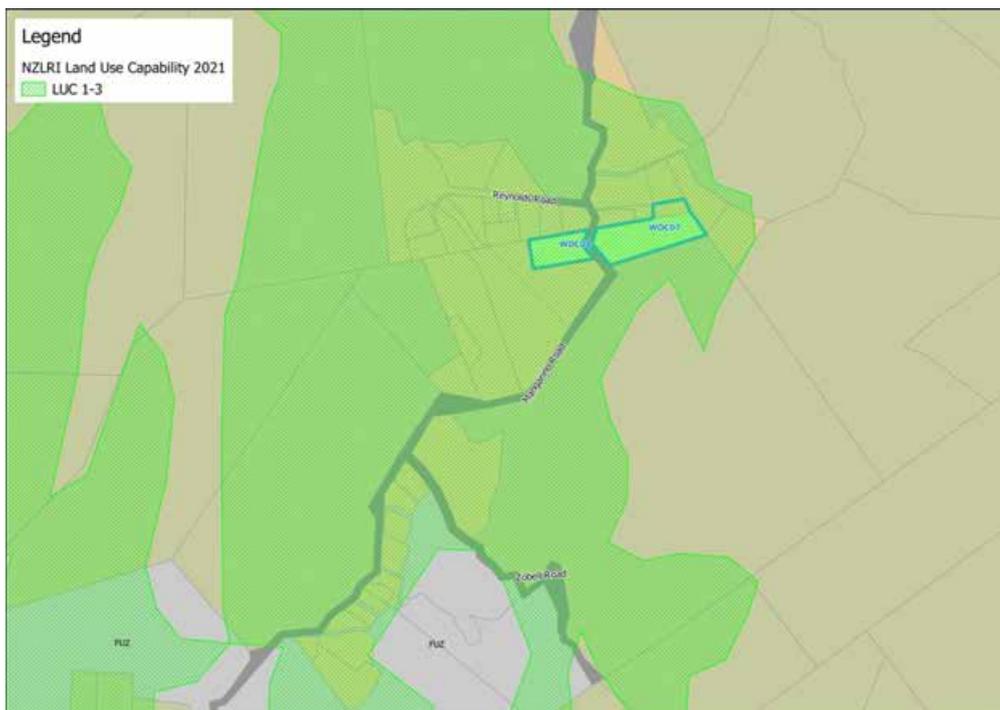


Figure 2: Mangarino Road, north east of Te Kuiti

# Proposed Re-zoning



Figure 3: Proposed rezoning identified in the Town Concept Plan for Te Kuiti



Figure 4: Oparure Road on the north-western edge of Te Kuiti. This is zoned Rural Zone in the Operative District Plan.



Figure 5: RLZ in Mokau

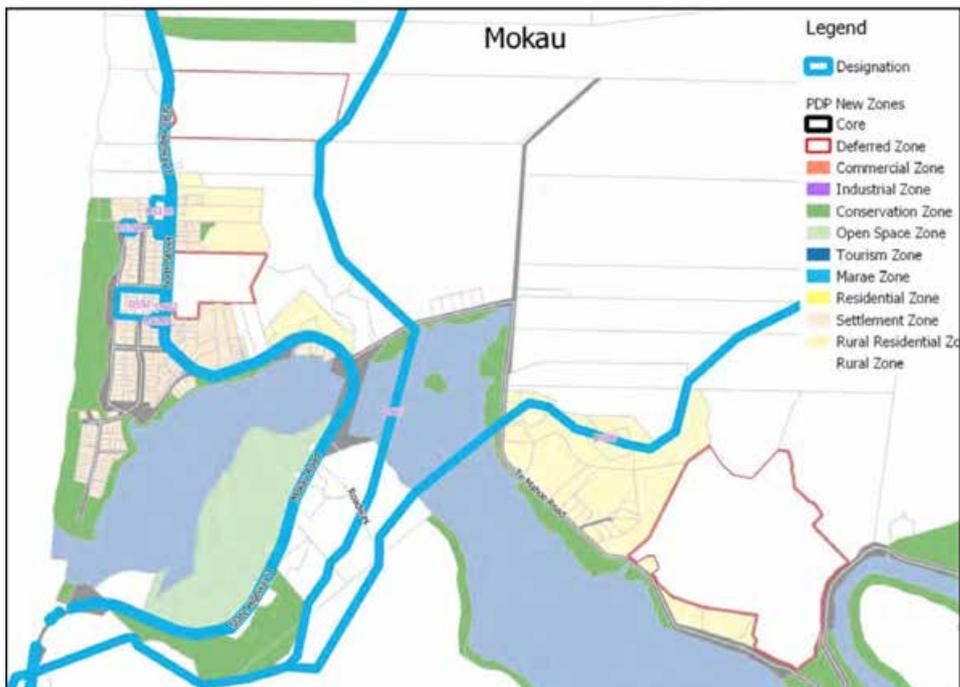


Figure 6: Rezoning identified in the Town Centre Concept Plan for Mokau

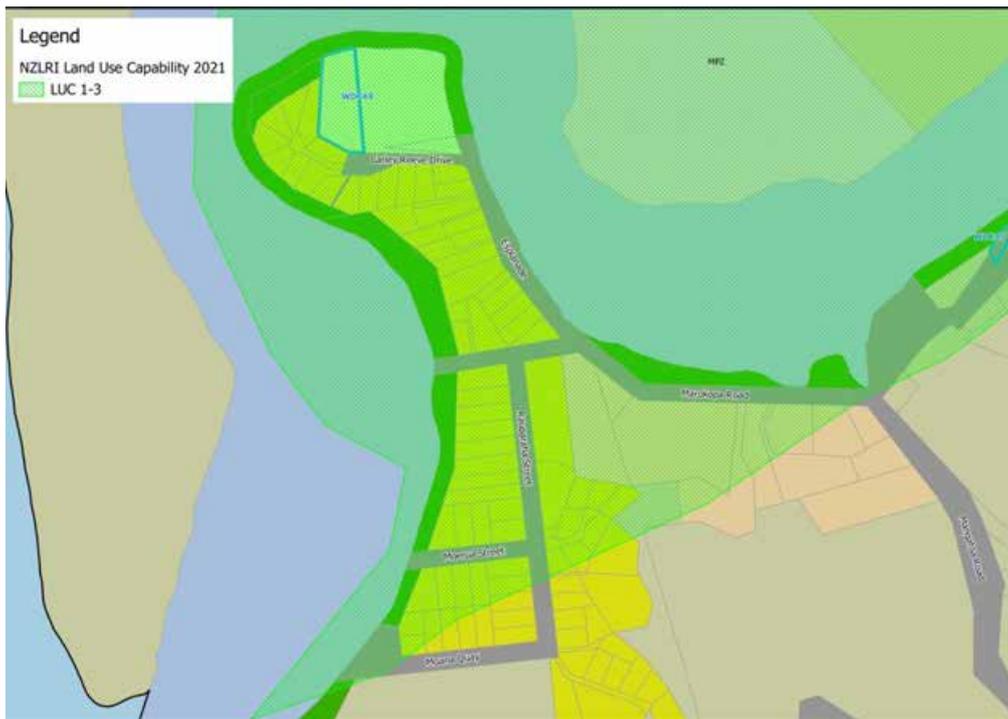


Figure 7: Marokopa

52. Of the five areas listed above, Marakopa is effectively a down-zoning from Residential Zone to RLZ so I have discarded this area in terms of the NPS-HPL as it already is an urban zone. I have therefore considered the NPS-HPL in the context of the other four areas and framed the assessment around key questions.

***Is the land within the definition of “highly productive land”?***

53. The definition of “highly productive land” in the NPS-HPL is:

highly productive land means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

54. Because the regional councils have not yet undertaken a change to include updated maps of highly productive land, the transitional requirements of clause 3.5(7) will apply:

(7) Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) is

(i) zoned general rural or rural production; and

(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

55. The four areas in question were unfortunately all still zoned Rural Zone under the Operative District Plan at the date of commencement of the NPS-HPL so clause 3.5(7)(a) does apply. Turning to clause 3.5(7)(b) which are exclusions, RLZ is not deemed to be an urban zone so 3.5(7)(b)(i) does not apply. Clause 3.5(7)(b)(ii) would require the plan change to be notified but the PDP had not been notified at the date of commencement of the NPS-HPL. Consequently the exclusions in Clause 3.5(7)(b) do not apply.

***Can the land be rezoned as RLZ?***

56. Clause 3.7 states that territorial authorities must avoid rezoning of highly productive land as rural lifestyle except as provided for by clause 3.10.
57. Clause 10 provides an exemption for highly productive land to be subdivided, used or developed for activities not otherwise enabled under clauses 3.7, 3.8 or 3.9:

(1) Territorial authorities may only allow highly productive land to be subdivided, used, or developed for activities not otherwise enabled under clauses 3.7, 3.8, or 3.9 if satisfied that:

(a) there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years; and

(b) the subdivision, use, or development:

(i) avoids any significant loss (either individually or cumulatively) of productive capacity of highly productive land in the district; and

(ii) avoids the fragmentation of large and geographically cohesive areas of highly productive land; and

(iii) avoids if possible, or otherwise mitigates, any potential reverse sensitivity effects on surrounding land-based primary production from the subdivision, use, or development; and

(c) the environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.

(2) In order to satisfy a territorial authority as required by subclause (1)(a), an applicant must demonstrate that the permanent or long-term constraints on economic viability cannot be addressed through any reasonably practicable options that would retain the productive capacity of the highly productive land, by evaluating options such as (without limitation):

(a) alternate forms of land-based primary production:

- (b) improved land-management strategies:
- (c) alternative production strategies:
- (d) water efficiency or storage methods:
- (e) reallocation or transfer of water and nutrient allocations:
- (f) boundary adjustments (including amalgamations):
- (g) lease arrangements

58. With the exception of the land north of Te Kuiti on the eastern side of State Highway 3 and Oपुरere Road, all the other RLZ areas were identified prior to 2019 for rural residential development in the Town Concept Plans and draft PDP. There are various reasons for the rezoning, but mostly it is to recognise the existing form of development. Many of the information requirements listed in clause 10 informed in a less formal way the identification of this land as RLZ.
59. However I acknowledge the point made by Waikato Regional Council and accept that there must be sufficient information to satisfy clause 3.10 of the NPS-HPL. That will require assessments to be undertaken, and those will be sought in time for the second tranche of section 42A reports to support the RLZ in those locations.

#### **4.1.5 Topic 5: Management of animals**

##### **Introduction**

60. Other than enabling farming in appropriate zones and managing intensive farming, the PDP does not manage keeping of animals.

##### **Analysis and recommendations**

61. The submission from WDC [26.01] seeks to include a new rule that manages the housing and keeping of animals such as poultry, horses, pigs and beehives. This is opposed by Federated Farmers [FS05.44]. The reasons provided is that the proposed rule will enable the management and keeping of animals to a level that is compatible with the amenity expectations of the zone. It is agreed that the inclusion of a rule clarifying the keeping of certain animals will be an effective tool for a monitoring team to use. Other mechanisms include a bylaw, however bylaws are not an effective method to manage this issue due to the only enforcement tool being available is prosecution (which is expensive and onerous for a council to undertake). Managing the issue through a Plan rule framework will be much more efficient. It is recommended that the submission point from WDC [26.01] is accepted and the further submission from Federated Farmers [FS05.44] rejected accordingly.

[Housing and keeping of animals](#)

[Activity status: PER](#)

Where:

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 :
  - i. the net site area is equal to or greater than 1000m<sup>2</sup> and
  - ii. The site is not adjacent to an educational facility or a community facility; and
  - iii. The beehive(s) are located at least 5m from any site boundary.

Activity status where compliance is not achieved: DIS

## 4.1.6 Topic 6: Transport network

### Introduction

62. Submissions from Waka Kotahi [17.131] seek deletion of RLZ-R25 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.
63. Waka Kotahi also seeks amendments to the matters of discretion that apply to RLZ-R18 and RLZ-R21.

### Analysis and recommendations

64. Waka Kotahi [17.128] seeks amendments to RLZ-P15 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 RLZ-P15 be amended as follows:

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

65. Waka Kotahi [17.130] also seek amendments to the matters of discretion to focus on the safety and efficiency of the transport network rather than being limited to just parking, manoeuvring and access. The submission considers that reference to the "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:

RLZ-R18

(f) ~~Parking, manoeuvring and access;~~ sSafety and efficiency of the transport network, including the provision of sufficient off-street parking and the effects of traffic generation.

RLZ-R21

(c) ~~Parking, manoeuvring and access;~~ sSafety and efficiency of the transport network, including the provision of sufficient off-street parking and the effects of traffic generation.

## 5 Conclusion

66. 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.
67. Appendix 1 contains recommended amendments to the RLZ chapter and Appendix 2 contains the s32AA evaluation.

# APPENDIX 1 RECOMMENDED AMENDMENTS

**\*\*tracked changes provisions\*\***

## Overview

The rural lifestyle zone provides residential living opportunities in a semi-rural environment on the periphery of urban areas and in specific locations around the district. The zones are focused around existing towns and settlements that have been identified as areas where demand for rural lifestyle development is existing or anticipated in the future. Generally, rural lifestyle zones are un-serviced with a lack of urban infrastructure such as reticulated water and wastewater systems, street lighting, footpaths, and curb and channel road edging. The predominant use of this zone is rural lifestyle rather than residential and as such, agricultural, horticultural and pastoral farming activities are enabled. This plan directs commercial, industrial and retail activities to their respective zones and as such, it is not envisaged that these activities will locate within this zone.

As the zone is predominantly low density rural lifestyle in nature, a minimum allotment size of 2500 m<sup>2</sup> is necessary to maintain the rural character. In some areas, the zone provides a buffer edge between townships and the surrounding rural landscapes. In these places, the zone is designed to support the values and character of Te Kūiti and Mokau as identified in the relevant Town Concept Plans.

While residential development is anticipated in this zone, the risks of natural hazards, particularly land instability and coastal erosion, must be recognised and managed at the time of subdivision or when identifying building platforms. This plan provides provisions to manage natural hazards during these processes. Some rural lifestyle zones are located within or adjacent to scheduled features. Additional provisions in Part 2 of this plan apply to development in these areas to enhance landscape values, protect indigenous vegetation [and the habitats of indigenous fauna<sup>1</sup>](#) and to manage the visual effects of development.

## Objectives

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

- RLZ-O1.** Maintain and enhance the key aspects of the district's rural character and visual amenity values while enabling rural living opportunities.
- RLZ-O2.** Ensure maintenance and enhancement of amenity values in recognition of the zone's lower intensity, rural lifestyle character.
- RLZ-O3.** Recognise that rural lifestyle development is the final form of development in this zone and higher density residential development is not anticipated.
- RLZ-O4.** Minimise the potential for sensitive activities to conflict with existing and anticipated farming activities and established rural production zones.

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<sup>1</sup> Forest and Bird [47178], FF [FS05.125]

- RLZ-O5.** Ensure sites are appropriately serviced. Where new development or redevelopment requires planned infrastructure provision, ensure it does not exceed available capacities.
- RLZ-O6.** Restrict the establishment of commercial and industrial activities except where there is a functional and compelling need for an activity to locate in the zone.
- RLZ-O7.** Ensure new development is designed and located to manage significant risks from natural hazards.
- RLZ-O8.** Ensure that the key moves in the relevant Town Concept Plans have been considered and appropriately provided for.
- RLZ-O9.** Enable mana whenua to express their cultural traditions and values through the provision of marae and hapū-focused, papakāinga housing developments.

## Policies

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

- RLZ-P1.** Buildings and activities are designed, located, scaled and serviced in a manner that does not detract from the natural and/or rural lifestyle character of the area.
- RLZ-P2.** Ensure buildings and activities retain generous levels of open space, connection to the natural landscape and spacious low-density rural lifestyle development.
- RLZ-P3.** Manage any activities that are located near scheduled features so that they do not diminish the qualities and values of these features.
- RLZ-P4.** Employ minimum site size, height, building coverage, and bulk and location controls as the primary means of retaining the lower density, open character of the zone and ensuring maintenance of amenity values in respect of privacy, access to sunlight, overshadowing and impacts arising from building dominance.
- RLZ-P5.** Activities should be undertaken in a manner that maintains the low ambient noise and vibration environment that is consistent with the amenity expectations of the zone.
- RLZ-P6.** Adequate assessment of the natural hazard risk, particular land instability and coastal hazards, must be undertaken prior to the establishment of new development. Some areas may not be appropriate for residential activity if the natural hazard risk cannot be appropriately managed.
- RLZ-P7.** Development in Mokau and Marokopa must:

1. Be sympathetic to the coastal environment and respect the environmental, physical and topographical constraints of the area; and
2. Provide and protect access to the coast and river margins; and
3. Make adequate provision for wastewater and stormwater management (through density provisions) and minimise development in areas subject to coastal hazards.

**RLZ-P8.** Development in Te Kūiti must:

1. Provide a good level of amenity and ensure that activities which occur in these areas are compatible with rural lifestyle use; and
2. Minimise development in areas subject to land instability issues; and
3. Maintain the low density character and green space which provides a backdrop to the township.

**RLZ-P9.** Development in Oparure and Fullerton Road must:

1. Ensure that the above ground environment is managed so as not to adversely impact the underground karst systems that support native flora and fauna; and
2. Provide a balance between preserving the naturalness of an area and making it a safe place to live by considering measures such as low lux lighting and green infrastructure solutions; and
3. Situate vehicle access points to maximise sightlines so as to avoid adverse effects on the safe and efficient operation of the road network; and
4. Enable papakāinga housing developments, particularly where these are in close proximity to marae complex and/or are consistent with the key elements of the rural lifestyle zone's amenity and character.

**RLZ-P10.** Provide for a range of farming activities where the best practicable option to minimise adverse effects such as odour, noise, dust and traffic generation are adopted.

**RLZ-P11.** Manage the proximity, type and location of buildings housing animals to a level that is compatible with the amenity expectations of the zone.

**RLZ-P12.** Protect the ongoing operation and development of existing sites of intensive indoor primary production and sites identified as regionally significant in [RPROZ-SCHED1 – Scheduled rural production sites](#), by managing the location of sensitive activities on surrounding sites.

**RLZ-P13.** Where reticulated wastewater and stormwater networks are available, discourage development that requires servicing and infrastructure at an adverse cost to the community.

**RLZ-P14.** Where reticulated [water](#)<sup>2</sup>, wastewater and stormwater networks are not available, restrict the scale and intensity of development and subdivision

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<sup>2</sup> Fire and Emergency New Zealand [16.49]

to ensure it can be serviced by on site non-reticulated water, wastewater and stormwater methods.

- RLZ-P15.** Ensure traffic generated by new development does not compromise road the safety or efficiency of the transport network<sup>3</sup>.
- RLZ-P16.** Require new noise sensitive activities located in close proximity to railway lines and State Highways to install acoustic treatment.
- RLZ-P17.** Discourage non-residential activities, so that the amenity, quality and character of the zone is not diminished, and the vitality of the district's commercial zones is not undermined.
- RLZ-P18.** Provide for non-residential activities only where these provide for the health, safety<sup>4</sup> and social<sup>5</sup> ~~and~~ well-being of the community and support an identified local need.
- RLZ-P19.** Provide for home businesses where these are of a nature, scale and location that does not adversely affect adjoining properties or the rural lifestyle character of the area.
- RLZ-P20.** Enable visitor accommodation only where the scale and design enhances zone amenity, quality and character, and where site specific issues including servicing and transport related effects are appropriately addressed.
- RLZ-P21.** Minimise the potential for residential based visitor accommodation to generate adverse traffic and noise effects on adjoining properties by restricting maximum occupancy.
- RLZ-P22.** Where there is a demonstrated functional and operational need for a non-residential activity to locate within the zone, ensure the bulk, design, scale and intensity of buildings maintains local rural lifestyle character, provides on-site parking and vehicle manoeuvring areas and mitigates adverse effects related to traffic generation, access, noise, vibration and light spill.
- RLZ-P23.** Ensure the flightpath height restrictions shown on the planning maps are complied with to enable the safe operation of the Te Kūiti Aerodrome.

## Rules

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

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<sup>3</sup> Waka Kotahi [17.128]

<sup>4</sup> Fire and Emergency New Zealand [16.50]

<sup>5</sup> Ministry of Education [24.51]

- RLZ - Table 1 - Activities Rules; and
- RLZ - Table 2 - Performance Standards; 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.

**RLZ - Table 1 – Activities Rules**

RLZ-R1.	<b>Residential units, minor residential units</b>	
RLZ-R2.	<b>Residential based visitor accommodation</b>	
RLZ-R3.	<b>Visitor accommodation</b>	
RLZ-R4.	<b>Accessory buildings ancillary to any permitted activity</b>	
RLZ-R5.	<b>Construction, addition and alteration of buildings for any permitted activity</b>	
	<p><b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>1. All of the performance standards in RLZ - Table 2 are complied with.</p> <p><i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, also see the <a href="#">historic heritage chapter</a>.</i></p>	<p><b>Activity status where compliance is not achieved with RLZ-R18 to RLZ-R25: RDIS</b></p> <p><b>Activity status where compliance is not achieved with RLZ-R26 to RLZ-R27: DIS</b></p> <p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in RLZ - Table 2.</p>
RLZ-R6.	<b>Home businesses</b>	
	<p><b>Activity status: PER</b></p> <p><b>Where:</b></p> <p>1. No more than two full time equivalent persons who do not reside on the site are employed 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 area must be screened from any road or public space; and</p>	<p><b>Activity status where compliance is not achieved: DIS</b></p>

<p>5. A home business may include home based child care but must not be 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 rural lifestyle zone these activities are <b>industrial activities</b>.</p>	
<b>RLZ-R7.</b>	<b>Marae complex and/or papakāinga housing development</b>
<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. All of the performance standards in RLZ - Table 2 are complied with.</p>	<p><b>Activity status where compliance is not achieved: DIS</b></p>
<b>RLZ-R8.</b>	<b>Agricultural, pastoral and horticultural activities</b>
<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. Agricultural, pastoral and horticultural activities and stock underpasses are permitted except for farm airstrips and farm helipads.</p>	<p><b>Activity status where compliance is not achieved: DIS</b></p>
<p><b>Activity Status: DIS</b></p> <p><b>Where:</b></p> <p>2. Farm airstrips and farm helipads.</p>	<p><b>Activity status where compliance is not achieved: N/A</b></p>
<b>RLZ-R9.</b>	<b>Demolition and/or removal of buildings and structures</b>
<p><b>Activity status: PER</b></p> <p><i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, see the <a href="#">historic heritage chapter</a>.</i></p>	<p><b>Activity status where compliance is not achieved: N/A</b></p>

RLZ-R10.	<b>Educational facilities and community facilities</b>		
RLZ-R11.	<b>Boarding houses and retirement villages</b>		
RLZ-R12.	Creation of new entrances into caves, <b>structures</b> within caves or other modifications to cave features		
RLZ-R13.	Any <b>earthworks</b> or clearance of vegetation (other than plant pest species, wilding pines or when required in emergency situations such as the recovery of stock) within a 20 m radius of an entry or opening into any cave or sinkhole		
RLZ-R14.	Any fill or rubbish placement into any cave or sinkhole OR within a 20 m radius of an entry or opening into any cave or sinkhole		
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Activity status: DIS</td> <td style="width: 50%;">Activity status where compliance is not achieved: N/A</td> </tr> </table>		Activity status: DIS	Activity status where compliance is not achieved: N/A
Activity status: DIS	Activity status where compliance is not achieved: N/A		
RLZ-R15.	<b>Activities not otherwise listed in RLZ - Table 1</b>		
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Activity status: NC</td> <td style="width: 50%;">Activity status where compliance is not achieved: N/A</td> </tr> </table>		Activity status: NC	Activity status where compliance is not achieved: N/A
Activity status: NC	Activity status where compliance is not achieved: N/A		
RLZ-R16.	<b>Fortified sites</b>		
RLZ-R17.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps		
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Activity status: PR</td> <td style="width: 50%;">Activity status where compliance is not achieved: N/A</td> </tr> </table>		Activity status: PR	Activity status where compliance is not achieved: N/A
Activity status: PR	Activity status where compliance is not achieved: N/A		
<b>RLZ-RXX.</b>	<b><u>Housing and keeping of animals<sup>6</sup></u></b>		
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b><u>Activity status: PER</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li><u>1. The number of poultry must not exceed 5 per site and must not include any roosters; and</u></li> <li><u>2. Sites may be used for grazing of horses and farm animals but pigs must not be kept; and</u></li> <li><u>3. A maximum of two beehives are permitted per site only where :</u> <ol style="list-style-type: none"> <li><u>i. the net site area is equal to or greater than 1000m<sup>2</sup> and</u></li> <li><u>ii. The site is not adjacent to an educational facility or a community facility; and</u></li> <li><u>iii. The beehive(s) are located at least 5m from any site boundary.</u></li> </ol> </li> </ol> </td> <td style="width: 50%; vertical-align: top;"> <p><b><u>Activity status where compliance is not achieved: DIS</u></b></p> </td> </tr> </table>		<p><b><u>Activity status: PER</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li><u>1. The number of poultry must not exceed 5 per site and must not include any roosters; and</u></li> <li><u>2. Sites may be used for grazing of horses and farm animals but pigs must not be kept; and</u></li> <li><u>3. A maximum of two beehives are permitted per site only where :</u> <ol style="list-style-type: none"> <li><u>i. the net site area is equal to or greater than 1000m<sup>2</sup> and</u></li> <li><u>ii. The site is not adjacent to an educational facility or a community facility; and</u></li> <li><u>iii. The beehive(s) are located at least 5m from any site boundary.</u></li> </ol> </li> </ol>	<p><b><u>Activity status where compliance is not achieved: DIS</u></b></p>
<p><b><u>Activity status: PER</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li><u>1. The number of poultry must not exceed 5 per site and must not include any roosters; and</u></li> <li><u>2. Sites may be used for grazing of horses and farm animals but pigs must not be kept; and</u></li> <li><u>3. A maximum of two beehives are permitted per site only where :</u> <ol style="list-style-type: none"> <li><u>i. the net site area is equal to or greater than 1000m<sup>2</sup> and</u></li> <li><u>ii. The site is not adjacent to an educational facility or a community facility; and</u></li> <li><u>iii. The beehive(s) are located at least 5m from any site boundary.</u></li> </ol> </li> </ol>	<p><b><u>Activity status where compliance is not achieved: DIS</u></b></p>		

<sup>6</sup> WDC [26.01], FF [FS05.44]

<b>RLZ-XX.</b>	<b>Emergency service facilities<sup>7</sup></b>
<p><b>Activity status: RDIS</b></p> <p>The performance standards in RLZ - Table 2 do not apply.</p>	<p><b>Matters over which discretion is restricted are:</b></p> <p>(a) Visual effects including bulk, scale and location of the building; and</p> <p>(b) Noise generation; and</p> <p>(c) Effects on the safety and efficiency of the transport network; and</p> <p>(d) Effects on surrounding properties, rural lifestyle character and amenity.</p>

**RLZ - Table 2 - Performance Standards**

<b>RLZ-R18.</b>	<b>Minimum setback from road boundaries</b>
<p>1. The minimum setback from road boundaries for any building adjacent to any district road must be at least 10 m; and</p> <p>2. The minimum setback from road boundaries for any building adjacent to any designated State Highway must be 15 m.</p> <p><i>Note: Stockyards and stock loading ramps are structures and are not required to comply with this rule.</i></p>	<p><b>Matters over which discretion is restricted:</b></p> <p>(a) Visual effects including bulk, scale and location of the building; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, rural lifestyle character and amenity; and</p> <p>(d) Ability to soften the visual impact of the building from nearby rural lifestyle properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining rural activities; and</p> <p>(f) <del>Parking, manoeuvring and access;</del> Safety and efficiency of the transport network<sup>8</sup>, including the provision of sufficient off-street parking and the effects of traffic generation.</p>
<b>RLZ-R19.</b>	<b>Minimum setback from internal boundaries</b>
<p>1. The minimum setback for buildings from internal site boundaries must be:</p> <p>(i) 3 m on sites 1,500 m<sup>2</sup> or less; or</p> <p>(ii) 5 m on sites 1,501 m<sup>2</sup> or greater; and</p> <p>(iii) 10 m where a site boundary adjoins another zone;</p>	<p><b>Matters over which discretion is restricted:</b></p> <p>(a) Visual effects including bulk, scale and location of the building; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p>

<sup>7</sup> FENZ [16.52]

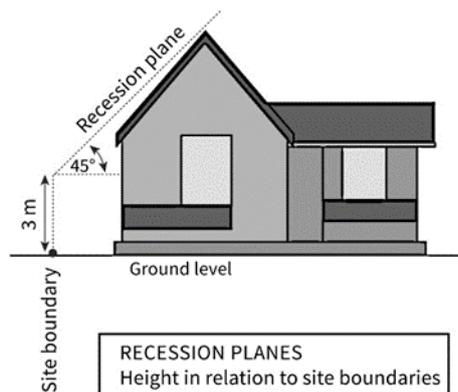
<sup>8</sup> Waka Kotahi [17.130]

<p>AND</p> <ol style="list-style-type: none"> <li>Buildings may be erected up to any common boundary with an adjoining site which is in the same holding; and</li> <li>Kennels housing more than 10 dogs must be setback 10 m from internal site boundaries.</li> </ol> <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<ol style="list-style-type: none"> <li>Effects on surrounding properties, privacy, character and amenity; and</li> <li>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</li> <li>Potential reverse sensitivity effects on any adjoining activities.</li> </ol>
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<b>RLZ-R20.</b>	<b>Height and height in relation to boundary</b>
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<ol style="list-style-type: none"> <li>Structures must not exceed 8 m in height as measured from ground level; and</li> <li>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 - RLZ 1.</li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>Visual effects including bulk, scale and location of the structure or materials; and</li> <li>The provision of daylight and sunlight into neighbouring buildings; and</li> <li>Effects on surrounding properties, privacy, rural lifestyle character and amenity; and</li> <li>Ability to soften the visual impact of the structure or materials from nearby rural lifestyle properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</li> <li>Potential reverse sensitivity effects on any adjoining activities.</li> </ol>
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**Figure - RLZ 1 - Height in relation to boundary**



<b>RLZ-R21.</b>	<b>Maximum number of residential units or papakāinga units</b>
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<p>The maximum number of buildings per site is:</p> <ol style="list-style-type: none"> <li>One residential unit per 2500 m<sup>2</sup> of net site area, except sites less than 2500 m<sup>2</sup> existing</li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>Visual effects including bulk, scale and location of the building(s); and</li> </ol>
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<p>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 m<sup>2</sup> excluding garaging per site;</p> <p>OR</p> <p>3. Papakāinga housing developments of no more than 6 papakāinga units, 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>(b) Effects on surrounding properties, rural lifestyle character and amenity; and</p> <p>(c) <del>Parking, manoeuvring and access;</del> <del>sSafety</del> and efficiency <del>of the transport network</del><sup>9</sup>, including the provision of sufficient off-street parking and the effects of traffic generation; and</p> <p>(d) Ability to soften the visual impact of the building from nearby rural lifestyle properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities; and</p> <p>(f) Site suitability, layout and provision of on-site infrastructure; and</p> <p>(g) Proximity to farm buildings and farm effluent storage facilities; and</p> <p>(h) Justification for the additional residential or minor residential unit.</p>
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<b>RLZ-R22.</b>	<b>Setbacks - specified farm buildings and new buildings housing a residential activity</b>
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<p>1. For any wool (shearing) shed or milking shed and ancillary yards, feed lot or feed pad, or similar building or enclosure (excluding paddocks) which is 100 m<sup>2</sup> in size or larger and used for the confinement or housing of any animal (except domestic pets):</p> <p style="padding-left: 20px;">(i) The minimum setback for the structure, or enclosure from any internal boundary must be 30 m, or 50 m from a building housing a residential activity on an adjoining site – whichever is the greater;</p> <p style="text-align: center;">AND</p> <p>2. The minimum setback for a new building housing a residential activity must be 50 m from any existing specified farm structure listed in RLZ-R22.1 on an adjacent site; and</p> <p>3. Buildings may be erected up to any common boundary with an adjacent site which is in the same holding.</p>	<p><b>Matters over which discretion is restricted:</b></p> <p>(a) The location and extent of the activity and its effects on the amenity values of neighbouring properties; and</p> <p>(b) The extent to which the activity/building can be relocated to meet setback requirements; and</p> <p>(c) The layout, design and location of the activity, including consideration of wind and climate patterns and the ability to maintain the amenity of neighbouring properties; and</p> <p>(d) The extent of the visual impact of building and landscape planting; and</p> <p>(e) Topographical and geographical features affecting odour, dust, visual impact and noise; and</p> <p>(f) The effects of increased traffic and the timing of traffic generation; and</p> <p>(g) Potential reverse sensitivity effects on any adjoining rural activities.</p>
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<sup>9</sup> Waka Kotahi [17.130]

<b>RLZ-R23.</b>	<b>Minimum setback from the boundary of a rural production zone or the boundary of an established site of intensive indoor primary production</b>	
<ol style="list-style-type: none"> <li>1. The minimum setback for a building housing a residential activity from the boundary of a rural production zone must be 200 m; and</li> <li>2. As measured from the perimeter of the external walls of the buildings housing animals on an established site of intensive indoor primary production, the minimum setback for a building housing a residential activity must be 500 m.</li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>(a) Potential reverse sensitivity effects on any rural production zone or intensive indoor primary production activities; and</li> <li>(b) Site topography and orientation and whether the building can be more appropriately located or designed to minimise potential reverse sensitivity effects; and</li> <li>(c) The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site; and</li> <li>(d) The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.</li> </ol>	
<b>RLZ-R24.</b>	<b>Storage and spreading of non-hazardous solid or liquid waste</b>	
<ol style="list-style-type: none"> <li>1. Any tank, pond or similar containment of any non-hazardous solid or liquid waste and/or by-product used as a fertiliser or soil conditioner must be located at least:             <ol style="list-style-type: none"> <li>(i) 200 m from any existing building housing a residential activity or marae complex on a separate holding; and</li> <li>(ii) 30 m from the boundary of any adjacent holding;</li> </ol> <p>AND</p> </li> <li>2. The spreading of any non-hazardous solid or liquid waste and/or by-product as a fertiliser or soil conditioner must not occur within:             <ol style="list-style-type: none"> <li>(i) 100 m from any existing building housing a residential activity or marae complex; and</li> <li>(ii) 15 m from the boundary of any adjoining holding.</li> </ol> </li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>(a) The type of by-product or waste proposed to be stored or spread and its potential effects; and</li> <li>(b) The location and scale of the storage facility; and</li> <li>(c) The effect on surrounding properties, rural character and amenity; and</li> <li>(d) Potential reverse sensitivity effects on any adjoining rural activities.</li> </ol>	
<b>RLZ-R25.</b>	<b>Noise insulation for noise sensitive activities</b>	
<ol style="list-style-type: none"> <li>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 with proposed to be located within:             <ol style="list-style-type: none"> <li>(iii) 40 m of State Highway 3 (as measured from the edge of the carriageway) where</li> </ol> </li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>(a) The time and duration of the noise effect and the impact of any vibration; and</li> <li>(b) The extent to which the activity can be relocated to meet setback requirements; and</li> </ol>	

<p>the posted speed limit is equal to or less than 70km/hour; or</p> <p>(iv) 20 m of State Highway 4, 30 or 37 (as measured from the edge of the carriageway) where the posted speed limit is equal to or less than 70km/hour; or</p> <p>(v) 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</p> <p>(vi) 40 m of State Highway 4, 30 or 37 (as measured from the edge of the carriageway) where the posted speed limit is greater than 70km/hour; or</p> <p>(vii) 40 m of a railway track.</p> <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 <a href="#">SCHED1 – Heritage Buildings and Structures</a>.</p>	<p>(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</p> <p>(d) Topographical and geographical features affecting the receiving environment in respect of vibration and noise; and</p> <p>(e) Outcomes of the acoustic report.</p>
<p><b>RLZ-R26.</b></p>	<p><b>Maximum building coverage</b></p>
<p>1. For sites equal to or less than 2500 m<sup>2</sup> the maximum amount of a site which can be covered by buildings is 25%; and</p> <p>2. For all other sites the maximum amount of a site which can be covered by buildings is 20%.</p>	<p><b>Activity status where compliance is not achieved: DIS</b></p>
<p><b>RLZ-R27.</b></p>	<p><b>Servicing</b></p>
<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><b>Activity status where compliance is not achieved: DIS</b></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"> <li>(i) Accessible to firefighting equipment; and</li> <li>(ii) Between 6 and 90 m from any building housing a residential activity on the site; and</li> <li>(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</li> <li>(iv) Either stores at least 45,000 litres of water or provides at least 25 litres of water per second for 30 minutes.</li> </ul> <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>	
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#### 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*

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**Regional Council consents**

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

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**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.*

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**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.*

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# APPENDIX 2 SECTION 32AA EVALUATION

## 1 Introduction

This section 32AA evaluation relates to the recommended amendments to the Rual lifestyle zone (**RLZ**) 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.

### 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

## 2 Education facilities

This section 32AA evaluation relates to education facilities and supports the discussion, analysis and recommendation in section 5.

### 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
RLZ-O6

## **Identification of Options to Achieve the Objectives**

The following reasonably practicable options have been identified for recognising that other activities are needed in the zone to support the community such as emergency service facilities and education facilities.

Option 1 – Retaining the approach as notified, whereby there is no objective or policy recognition for activities that are needed to support the community.

Option 2 – Adding an objective which seeks to avoid non-rural lifestyle activities unless they provide the necessary infrastructure that supports the social and economic well-being of the local community and support an identified local need (as sought by Ministry of Education)

Option 3 – Amending RLZ-P18 to recognise activities that support the safety and social well-being of the community.

### **Preferred Option**

Option 3 is the preferred option. The inclusion of “social well-being” more fully recognise non-residential activities that support the community, while the inclusion of safety relates to emergency service facilities.

## Evaluation of Preferred Option Against Objective

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

<b>Evaluation of Preferred Option Against Objective(s)</b>		
	<b>Costs</b>	<b>Benefits</b>
<b>Environmental</b>	Potential reverse sensitivity issues may arise from non-residential uses	Limits the type of activities that can establish in the zone and thus retains the character and amenity of a rural lifestyle area
<b>Economic</b>	No economic costs for this option.	No economic benefits for this option.
<b>Social</b>	No social costs are identified for this option.	Enables emergency service facilities to establish in the RLZ. This supports the community and reduces the response times in the case of an emergency.  Enables education facilities to establish and support the community  Reduces the need to travel to access educational facilities and other activities that support the community
<b>Cultural</b>	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
<b>Economic growth provided or reduced</b>	Option 3 has no impact on economic growth.	
<b>Employment opportunities</b>	Option 3 has no impact on employment opportunities.	
<b>Uncertain or insufficient info</b>	There is sufficient information to support the proposed changes.	
<b>Risk of acting or not acting</b>	There is sufficient information to act.	
<b>Effectiveness</b>		

The amendment to the policy will be effective for enabling emergency service facilities and other activities that support the community. The approach provides policy support for these activities where they support an identified local need.

**Efficiency**

Option 3 will be efficient at enabling emergency service facilities and other social community facilities where these are not commercial or industrial uses in accordance with RLZ-O6.

**Summary**

The proposed provisions are the most appropriate way to achieve the objectives as they will support the core focus of the zone to provide rural lifestyle living.

### **3 Fire and emergency facilities**

This section 32AA evaluation relates to the objective and policy framework for the zone and supports the discussion, analysis and recommendation in section 6.

#### **Appropriateness of Objectives**

Objective RLZ-O5 and RLZ-O2 are relevant to this topic. The appropriateness of this objectives has been assessed previously, and no changes are proposed through the s42A recommendations.

#### **Identification of Options to Achieve the Objectives**

The following reasonably practicable options have been identified for the amendments to RLZ-P14 and inclusion of a new rule for emergency service facilities:

Option 1 – Retain RLZ-P14 as notified

Option 2 – Amend RLZ-P14 to include reference to water and thus completing consideration of the three waters

Option 3 – Retain the non-complying activity status for emergency service facilities

Option 4 – Make emergency service facilities a restricted discretionary activity.

#### **Preferred Option**

A combination Option 2 and 4 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.

The non-complying activity status for emergency service facilities is overly stringent, particularly as enabling an emergency services facility benefits the community and reduces the response time to emergencies. Given that emergency services facilities are not the primary purpose of the RLZ and are not anticipated, a restricted discretionary activity status would be more appropriate. This will enable the built form and layout to be considered, as well as any effects including maintaining the character of the zone.

## Evaluation of Preferred Option Against Objective

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

<b>Evaluation of Preferred Option Against Objective(s)</b>		
	<b>Costs</b>	<b>Benefits</b>
<b>Environmental</b>	May adversely affect the character and amenity of the zone  Risk of reverse sensitivity effects arising from emergency service facilities	No environmental benefits are identified for this option.
<b>Economic</b>	No economic costs are identified for this option.	Reduced impact of emergencies on people and property
<b>Social</b>	No social costs are identified for this option.	Ensures that development is appropriately serviced for water.  Ensures the health and safety of people.  Reduces the response time when there is an emergency  Supports the creation of a community
<b>Cultural</b>	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
<b>Economic growth provided or reduced</b>	No change in economic growth opportunities as a result of this amendment.	
<b>Employment opportunities</b>	No change in employment opportunities as a result of this amendment.	
<b>Uncertain or insufficient info</b>	There is sufficient information to support the proposed changes.	

<b>Risk of acting or not acting</b>	There is sufficient information to act.
<b>Effectiveness</b>	
The amendments will more readily achieve RLZ-O5 which ensures development can be appropriately serviced. The amended policy ensures the health and safety of people and property.	
<b>Efficiency</b>	
The amended policy explicitly requires connection to Council's reticulated water network, or alternative servicing for water. The new rule for emergency service facilities will make for a slightly easier consenting pathway while still ensuring that all effects are considered.	
<b>Summary</b>	
<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"> <li>• Give effect to higher order policy documents.</li> <li>• Enable the Council to fulfil its statutory obligations, including by supporting the health and safety of people.</li> <li>• Support the character and amenity of the zone, and the predominance of residential in a rural setting.</li> </ul>	

## **4 Management of animals**

This section 32AA evaluation relates to the objective and policy framework for the zone and supports the discussion, analysis and recommendation in section 8.

### **Appropriateness of Objectives**

Objectives RLZ-O2 and RLZ-O4 are relevant to this topic. The appropriateness of this objective has been assessed previously, and no changes are proposed through the s42A recommendations.

### **Identification of Options to Achieve the Objectives**

The following reasonably practicable options have been identified for managing the keeping of animals:

Option 1 – Retain the rules as notified

Option 2 – Include a new rule for keeping animals

### **Preferred Option**

Option 2 is the preferred option. The new rule will enable the management and keeping of animals to a level that is compatible with the amenity expectations of the zone.

## Evaluation of Preferred Option Against Objective

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

<b>Evaluation of Preferred Option Against Objective(s)</b>		
	<b>Costs</b>	<b>Benefits</b>
<b>Environmental</b>	No environmental costs are identified for this option.	No environmental benefits are identified for this option.
<b>Economic</b>	No economic costs are identified for this option.	No economic benefits are identified for this option.
<b>Social</b>	Limits the number and types of animals people keep	Retains the amenity of the zone
<b>Cultural</b>	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
<b>Economic growth provided or reduced</b>	No change in economic growth opportunities as a result of this amendment.	
<b>Employment opportunities</b>	No change in employment opportunities as a result of this amendment.	
<b>Uncertain or insufficient info</b>	There is sufficient information to support the proposed changes.	
<b>Risk of acting or not acting</b>	There is sufficient information to act.	
<b>Effectiveness</b>		
The additional rule will help retain the amenity of the zone.		
<b>Efficiency</b>		
The new rule sets out clearly the type and number of animals that are permitted. The new rule will not impose any additional costs on landowners.		
<b>Summary</b>		

The proposed provisions are considered to be the most effective means of achieving the objectives as together they will retain the amenity of the zone.

## **5 Transport network**

This section 32AA evaluation relates to the objective and policy framework for the zone and supports the discussion, analysis and recommendation in section 9.

### **Appropriateness of Objectives**

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

### **Identification of Options to Achieve the Objectives**

The following reasonably practicable options have been identified for the matters of discretion for RLZ-R18 and RLZ-R21:

Option 1 – Retain the rules as notified

Option 2 – Amend RLZ-R18 and RLZ-R21 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.

## Evaluation of Preferred Option Against Objective

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

<b>Evaluation of Preferred Option Against Objective(s)</b>		
	<b>Costs</b>	<b>Benefits</b>
<b>Environmental</b>	No environmental costs are identified for this option.	No environmental benefits are identified for this option.
<b>Economic</b>	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.
<b>Social</b>	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.
<b>Cultural</b>	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
<b>Economic growth provided or reduced</b>	No change in economic growth opportunities as a result of this amendment.	
<b>Employment opportunities</b>	No change in employment opportunities as a result of this amendment.	
<b>Uncertain or insufficient info</b>	There is sufficient information to support the proposed changes.	
<b>Risk of acting or not acting</b>	There is sufficient information to act.	

**Effectiveness**

The amended matters of discretion will more readily achieve RLZ-O5 which ensures development can be appropriately serviced. The amended matters of discretion ensures the safety and efficiency of the transport network is maintained.

**Efficiency**

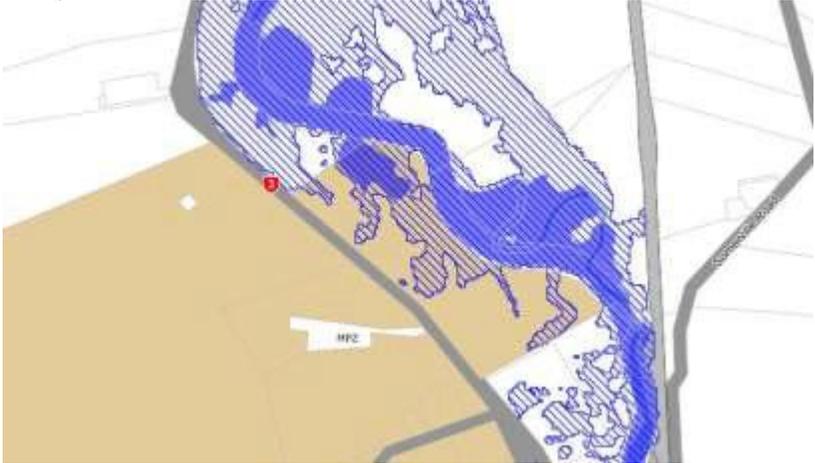
The matters of discretion explicitly addresses the safety and efficiency of the transport network. While there will be additional costs incurred as a result of the amendment to undertake an integrated transport assessment, the benefit to the wider community is greater.

**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 section	Plan provision	Relief sought	Accept / Accept in part / Reject
10.145	WRC	Oppose	44. Rural lifestyle zone	General comment	<p>Do not rezone the proposed area north of Te Kuiti on the eastern side of the river. to rural lifestyle zone and do not rezone any other area that could represent potential losses of biodiversity and highly productive land as rural lifestyle zone</p> 	<p>Reject</p> <p>The highly productive land issue is to be further considered in the tranche of section 42A reports</p>
FS03.54	Director-General of Conservation	Support			Allow	Reject
16.48	FENZ	Support	44. Rural lifestyle zone	RLZ-O5	Retain as notified.	Accept
16.49	FENZ	Oppose	44. Rural lifestyle zone	RLZ-P14	<p>Add as follows:</p> <p>RLZ-P14. Where reticulated <u>water</u>, wastewater and 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 <u>water</u>, wastewater and stormwater methods.</p>	Accept
16.50	FENZ	Support in part	44. Rural lifestyle zone	RLZ-P18	<p>Add as follows:</p> <p>RLZ-P18. Provide for non-residential activities only where these provide for the health, <u>safety</u> and well-being of the community and support an identified local need.</p>	Accept

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept / Accept in part / Reject
16.51	FENZ	Support	44. Rural lifestyle zone	RLZ-P22	Retain as notified.	Accept
16.52	FENZ	Oppose	44. Rural lifestyle zone	RLZ - Table Activities Rules	Add new activity: <u>RLZ-Rx Emergency service facilities</u> <u>Activity status: PER</u>	Accept in part
16.53	FENZ	Oppose	44. Rural lifestyle zone	RLZ-R18	Add as follows:  <u>3. Provided emergency service facilities are exempt from this rule.</u>	Accept
16.54	FENZ	Oppose	44. Rural lifestyle zone	RLZ-R26	Amend as follows:  RLZ-R26. Maximum <u>building size and building coverage</u>  1. For sites equal to or less than 2500 m <sup>2</sup> the maximum amount of a site which can be covered by buildings is 25%; <del>and or</del>  2. 500m <sup>2</sup> total gross floor area, whichever is greater.  2. For all other sites the maximum amount of a site which can be covered by buildings is 20%.	Reject
16.55	FENZ	Support	44. Rural lifestyle zone	RLZ-R27	Retain as notified.	Accept
17.128	Waka Kotahi	Support in part	44. Rural lifestyle zone	RLZ-P15	Amend RLZ-P15 as follows: Ensure traffic generated by new development does not compromise <del>road</del> <u>the safety or efficiency of the transport network.</u>	Accept
17.129	Waka Kotahi	Support	44. Rural lifestyle zone	RLZ-P16	Retain as notified.	Accept
17.130	Waka Kotahi	Support in part	44. Rural lifestyle zone	RLZ-R18 and RLZ-R21	Amend RLZ-R18 and RLZ-R21 as follows: Where the activity is RDIS, the matters over which discretion is restricted are: <del>Parking, manoeuvring and access;</del> <u>Safety and efficiency of the transport network</u> , including the provision of sufficient off-street parking and the effects of traffic generation; and	Accept
17.131	Waka Kotahi	Oppose	44. Rural lifestyle zone	RLZ-R25	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.	To be considered comprehensively in the

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept / Accept in part / Reject
						section 42A reports for Infrastructure and Transport
24.50	MoE	Amend	44.Rural lifestyle zone	New	<p>Add the following new objective to the Rural lifestyle zone:</p> <p><u>RLZ – OX</u>  <u>Avoid the establishment of non-rural lifestyle activities unless they provide additional infrastructure that supports the social and economic wellbeing of the local community and support an identified local need.</u></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Reject
24.51	MoE	Support with amendment	44.Rural lifestyle zone	RLZ-P18	<p>Amend RLZ-P18 as follows:</p> <p>Provide for non-residential activities <u>including additional infrastructure</u> only where these provide for <u>the health and social and economic wellbeing</u> of the community and support an identified local need.</p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Accept in part
24.52	MoE	Support with amendment	44.Rural lifestyle zone	RLZ-R10	<p>Amend RLZ-R10 as follows:</p> <p>RLZ-R10  <del>Educational facilities and e-Community facilities</del>            Activity status: DIS            Activity status where compliance is not achieved: N/A And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Reject
24.53	MoE	Amend	44.Rural lifestyle zone	New	<p>Add a new rule to the Rural lifestyle zone as follows:</p> <p>RLZ – RXX</p> <p>Educational facilities</p> <p>Activity status: RDIS</p> <p>Matters over which discretion is restricted:  <u>a. The effect on surrounding properties, rural character and amenity; and</u></p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept / Accept in part / Reject
					<p><u>b. Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u>  <u>c. The effects associated with layout, design and location of the activity, including operating hours; and</u>  <u>d. Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u>  <u>e. Provision of on-site infrastructure; and</u>  <u>f. 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>	
26.01	Waitomo District Council (WDC)	New	44. Rural lifestyle zone	New Rule	<p>Add the following new rule in the Rural lifestyle zone:  <u>Housing and keeping of animals</u>  <u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li>1. <u>The number of poultry must not exceed 5 per site and must not include any roosters; and</u></li> <li>2. <u>Sites may be used for grazing of horses and farm animals but pigs must not be kept; and</u></li> <li>3. <u>A maximum of two beehives are permitted per site only where the net site area is equal to or greater than 1000m<sup>2</sup> and</u> <ol style="list-style-type: none"> <li>i. <u>The site is not adjacent to an educational facility or a community facility; and</u></li> <li>ii. <u>The beehive(s) are located at least 5m from any site boundary.</u></li> </ol> </li> </ol> <p><u>Activity status where compliance is not achieved: DIS</u></p>	Accept
FS05.44	Federated Farmers	Oppose			Decline the relief sought	Reject
27.79	Hort NZ	Support	44. Rural lifestyle zone	RLZ – R23	Retain RLZ-R23 as notified.	Accept
38.98	TTRMC	Support	44. Rural lifestyle zone	RLZ-O9	Retain RLZ-O9 as notified.	Accept
FS20.127	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

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept / Accept in part / Reject
38.99	TTRMC	Support	44. Rural lifestyle zone	RLZ-P9.4	Retain RLZ-P9.4 as notified.	Accept
FS20.1 28	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
38.100	TTRMC	Support	44. Rural lifestyle zone	RLZ-R7	Retain RLZ-R7 as notified.	Accept
FS20.1 29	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
46.109	FF	Support	44. Rural lifestyle zone	RLZ-O1	Retain RLZ-O1 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.110	FF	Support	44. Rural lifestyle zone	RLZ-O3	Retain RLZ-O3 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.111	FF	Support	44. Rural lifestyle zone	RLZ-O4	Retain RLZ-O4 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.112	FF	Support	44. Rural lifestyle zone	RLZ-O5	Retain RLZ-O5 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.113	FF	Support	44. Rural lifestyle zone	RLZ-O6	Retain RLZ-O6 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.114	FF	Support	44. Rural lifestyle zone	RLZ-O7	Retain RLZ-O7 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.115	FF	Support	44. Rural lifestyle zone	RLZ-P1	Retain RLZ-P1 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept / Accept in part / Reject
46.116	FF	Support	44. Rural lifestyle zone	RLZ-P2	Retain RLZ-P2 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.117	FF	Support	44. Rural lifestyle zone	RLZ-P3	Retain RLZ-P3 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.118	FF	Support	44. Rural lifestyle zone	RLZ-P4	Retain RLZ-P4 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.119	FF	Support	44. Rural lifestyle zone	RLZ-P5	Retain RLZ-P5 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.120	FF	Support	44. Rural lifestyle zone	RLZ-P10	Retain RLZ-P10 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
46.121	FF	Support	44. Rural lifestyle zone	RLZ-P22	Retain RLZ-P22 as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
47.178	F&B	Support with amendment	44. Rural lifestyle zone	Overview	Amend the overview of the Rural lifestyle zone as follows:  Additional provisions in Part 2 of this plan apply to development in these areas to enhance landscape values, protect indigenous vegetation and <u>the habitats of indigenous fauna</u> , and to manage the visual effects of development.  And  Any consequential changes or alternative relief to achieve the relief sought.	Accept
FS05.1 25	Federated Farmers	Oppose			Decline the relief sought	Reject
47.179	F&B	Support with amendment	44. Rural lifestyle zone	RLZ-O1	Amend RLZ-O1 as follows:  Maintain and enhance the key aspects of the district's rural character, <u>indigenous biodiversity</u> , and visual amenity values while enabling rural living opportunities.	Reject

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept / Accept in part / Reject
					And Any consequential changes or alternative relief to achieve the relief sought.	
FS05.1 26	Federated Farmers	Oppose			Decline the relief sought	Accept
47.180	F&B	Support with amendment	44. Rural lifestyle zone	RLZ-P4	Amend RLZ-P4 as follows:  Manage any activities that are located near scheduled features <u>or significant natural areas identified after the schedule was published</u> so that they do not diminish the qualities and values of these features.  And  Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS05.1 27	Federated Farmers	Oppose			Decline the relief sought	Accept
50.28	TNN	Support	44. Rural lifestyle zone	RLZ-O9.RLZ-P9.4. RLZ-R7.	Retain the following provisions in the Rural lifestyle zone: RLZ-O9. RLZ-P9.4. RLZ-R7.	Accept
FS20.2 26	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 Maaori land	Accept