

SECTION 42A REPORT

Report on submissions and further submissions

Topic: Rural Production Zone

Report prepared by: C. O'Callaghan

Dated: 27 March 2024

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List of submitters and further submitters addressed in this report

Submission No	Submitter
27	Horticulture New Zealand (Hort NZ)
46	Federated Farmers
49	Taharoa Ironsands Ltd
07	Omya
23	Balance Agri-Nutrients
43	Graymont (New Zealand) Limited
16	Fire and Emergency New Zealand (FENZ)
17	Waka Kotahi
53	Department of Conservation
47	Forest and Bird
29	Aggregate and Quarry Association (AQA)
16	FENZ
24	Ministry of Education (MoE)
02	New Zealand Helicopter Association
09	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited
51	KiwiRail Holdings Ltd
25	The Lines Company
31	Transpower
33	King Country Energy
39	Firstgas
FS08	Graymont (New Zealand) Limited
FS18	Omya
FS21	Taharoa Ironsands Ltd
FS23	Te Nehenehenui
FS28	Roy Wetini
FS05	Federated Farmers
FS17	NZ Speleological Society
FS19	PF Olsen
FS13	New Zealand Agricultural Aviation Association

1. Introduction

1.1 Qualifications and Experience

1. My name is Cathy O'Callaghan. I am contracted by Waitomo District Council to assist with the hearings process for the proposed plan. I hold a first class honours degree in resource and environmental planning from Massey University and a post-graduate qualification in agricultural-environmental science. I have been employed in consenting and policy planning roles in consultancy services, local, regional and central government for over 30 years. I drafted the provisions of the rural production zone.

1.2 Code of Conduct

2. 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.
3. I am authorised to give this evidence on the Council's behalf to the proposed district plan Hearings Commissioners (the Commissioners).

1.3 Conflict of Interest

4. I wish to declare a conflict of interest relating to Horticulture New Zealand. I am the director of a small holding growing kiwifruit and avocados in Thames-Coromandel District. All commercial growers pay a levy to Horticulture New Zealand which in part funds submissions to central and local government. I do not have any property, interests or investment relationships in Waitomo District. To the best of my knowledge, I confirm that I have no other real or perceived conflict of interest.

1.4 Preparation of this report

5. I am the author of this report. The scope of evidence in this report relates to the evaluation of submissions and further submissions received in relation to the provisions related to rural production zone.
6. 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

7. The provisions of the rural production zone, associated definitions and mapping (including any rezoning requested) are covered by this report. The scope of my evidence relates to the evaluation of submissions and further submissions received in relation to the provisions related to the rural production zone, insofar as they relate to land use and subdivision.
8. This report is prepared in accordance with section 42A of the Resource Management Act 1991 (RMA). This report considers submissions that were received by the Council in relation to the provisions relating to the management of the rural production zone within the Waitomo proposed district plan. Other effects and activities are addressed various section 42A reports such as transport, noise and subdivision.

2.2 Overview of the zone

9. The rural production zone (RPROZ) provides for 17 stand-alone sites which contain scheduled rural industrial activities. These activities have established over time in rural locations, generally in close proximity to the natural resources that they require. This zone recognises that the scheduled industrial activities located within it may have effects beyond those which can be accommodated in the general rural zone and makes appropriate provision for these effects. These activities contribute to the economic and social well-being of the community.
10. The RPROZ replaced most of the 'special industrial areas' in the operative district plan. Other sites have been added. All of the sites are scheduled in the chapter itself. Certain sites are identified in this schedule as 'regionally significant' while others are not. This is because the Waikato Regional Policy Statement (WRPS) requires district plans to make special provision for activities that are 'significant mineral resources', 'regionally significant industry' and 'regionally significant infrastructure'. Collectively these sites are referred to as 'regionally significant'. The policy framework specifically differentiates provisions for regionally significant sites.
11. The RPROZ has the specific aim of addressing the following issues:
 - Reverse sensitivity, particularly where sensitive land uses constrain existing rural production activities.
 - The use and development of natural and physical resources and the positive benefits of rural production to the district and its communities.
 - Some industries are constrained by the location of resources and therefore have limited locational choice, or an operational and functional need to locate in certain places.

- Some industries have adverse environmental effects such as noise, and dust emissions that are difficult to contain and may affect residential or other sensitive activities.
- Heavy vehicles typically associated with rural industrial activities may adversely affect the safe and efficient operation of roads through the damage caused to the road surface and conflicting traffic patterns between through traffic and turning vehicles.
- Extractive industry may adversely affect the amenity of rural areas through the discharge of stormwater, dust emissions and noise and visual effects, and may have adverse effects on habitat values.

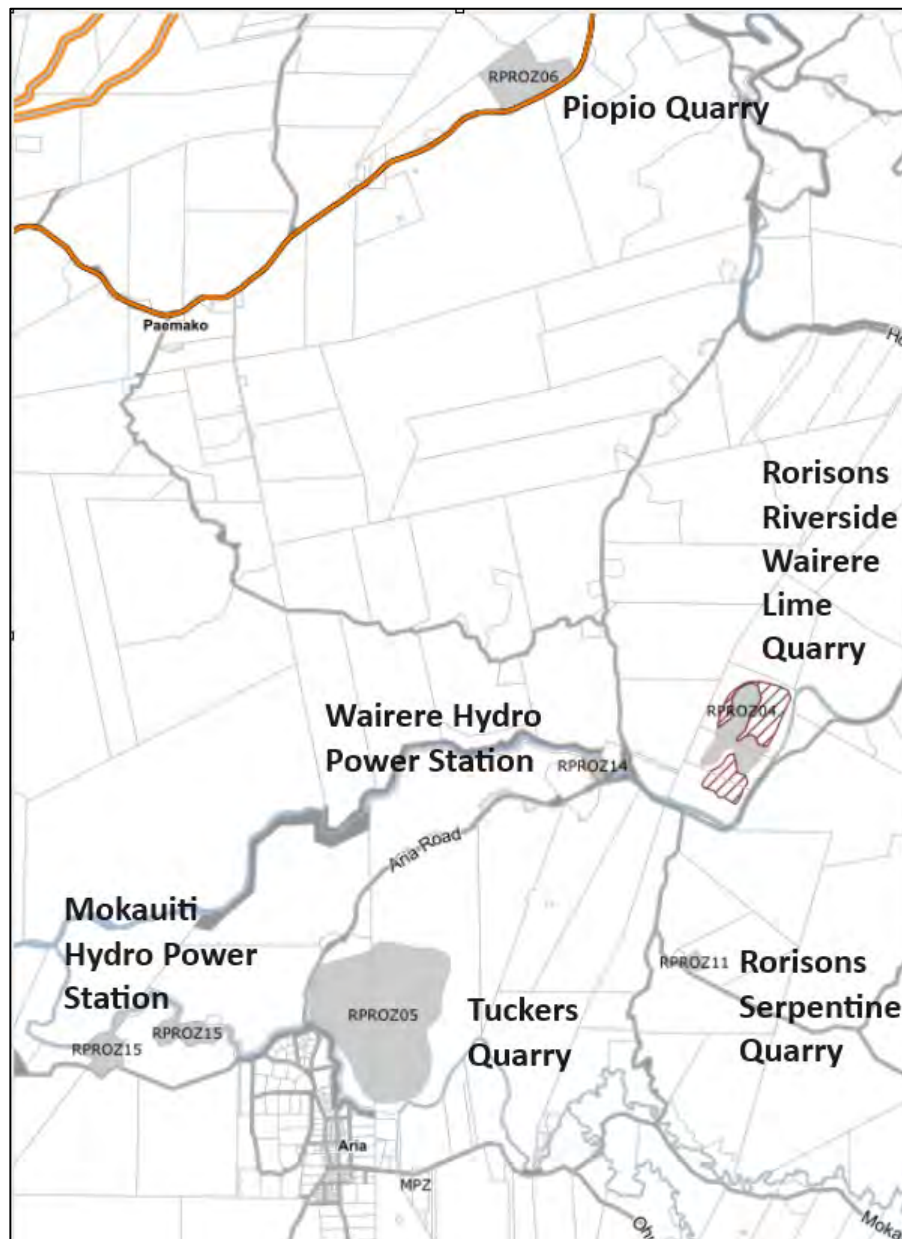


Figure 1. RPROZ sites around Aria

2.3 Statutory Requirements

Resource Management Act

12. This plan has been prepared in accordance with the Council's functions under the RMA, specifically Part 2, sections 31, 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32. The section 32 report which addresses this zone sets out how the relevant national policy statements, national environmental standards, provisions of the Waikato Regional Policy Statement, the Manawatū-Whanganui One Plan, the Maniapoto Environmental Management Plan, the Waikato Tainui Environment Management Plan 2018 and Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River have been assessed and considered.

3. Consideration of submissions received

3.1 Overview of submissions

13. The table of submissions is contained in Appendix 1 of this report. 56 submission points and 50 further submissions were received on RPROZ.

3.2 Structure of this report

14. This report is structured into 5 topic areas, being:
 - Topic 1: Use of the 'rural production zone'
 - Topic 2: Regional Significance
 - Topic 3: Omya – Introduction of a new RPROZ site and zoning extension at Riverside
 - Topic 4: Taharoa – extension of RPROZ at the ironsands mine
 - Topic 5: General matters

4. Analysis and recommendations

Topic 1: Use of the 'rural production zone'

15. Hort NZ request the rural production zone becomes a precinct in the general rural zone as it does not fit the description of the National Planning Standards. Waitomo District Council was a pilot council for the development of the National Planning Standards. During that process Council requested that a dedicated 'rural industry zone' was included in the standards to provide for large scale activities which need to locate in rural areas, such as dairy factories, mineral extraction activities, freezing works, sawmills and a range of other rural-based industries. The Ministry

for the Environment (MfE) decided a dedicated zone was not necessary but provided for rural industry in the description of the rural production zone as follows:

*Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. **The zone may also be used for a range of activities that support primary production activities, including associated rural industry**, and other activities that require a rural location.*

16. MfE advised that given the above description, rural production zoning should be applied rather than special purpose zoning. Similar to the submitter, the preference would be a dedicated special purpose zone for rural industry (rather than a precinct). In fact the 'rural production' zoning is now causing a myriad of issues with mapping of highly productive land. None-the-less, this plan has done its best to accommodate a range of regionally significant industries which, given their potential for adverse effects and their economic importance, deserve management through a dedicated zoning regime.
17. This naming confusion is seen throughout submissions. By way of example, the Ministry of Education request a new objective, policy and rule enabling education facilities in the zone. Given the nature of these sites which are generally medium to heavy industry, the rural production zone in Waitomo District is not the place for educational facilities. Accordingly, these submission points are not supported.

Topic 2: Regional Significance

18. Graymont submits that RPROZ-P1 should protect the ongoing operation, development, maintenance and upgrading of all of those sites listed in RPROZ-SCHED1 – Scheduled rural production sites, rather than just those noted to be regionally significant. In this regard, they note that some sites are listed in the schedule as 'significant mineral resource', while others are listed as regionally significant infrastructure or industry.
19. Certain sites in the rural production zone are identified and labelled as 'regionally significant' while other are not. In short, the Waikato Regional Policy Statement (WRPS) requires district plans to make special provision for activities that are 'significant mineral resources', 'regionally significant industry' and 'regionally significant infrastructure' and it defines what these are, or in the case of 'significant mineral resources', it sets out criteria.
20. To be included in this plan as a 'significant mineral resource' each quarry provided information to Waitomo District Council demonstrating they met the criteria in the WRPS. This included Graymont. That information was assessed and where the criteria were met, the site was assigned regional significance in RPROZ-SCHED1. WRPS UFD-P5 and UFD-M29-M32 sets out all of the matters the Council must address in this plan to ensure there are provisions to protect, as appropriate, access to significant mineral resources. It also enables the option for plans to identify indicative areas

where mineral extraction might expand into (which this plan also does).

21. A slightly different approach is taken for 'regionally significant industry' which is defined in the WRPS. There are only two sites considered to be regionally significant industries outside of established industrial zones. These sites are stand alone, meaning they are surrounded by other zones and therefore need a different approach than those in an established industrial zone. Crusader Meats Ltd would also likely be a regionally significant industry but it is located in the Manawatū-Whanganui region. The Manawatū-Whanganui One Plan does not afford the same protection provisions for regionally significant industry as the WRPS. WRPS IM-O2, IM-P5 and IM-M28 set out all of the matters the Council must address in this plan to provide for the continued operation and development of regionally significant industry.
22. 'Regionally significant infrastructure' is also defined in the WRPS. Entities that generate electricity for distribution through a network meet the criteria and four sites have been identified in the district. The Manawatū-Whanganui One Plan requires that the plan must recognise facilities that generate more than 1 MW of electricity as being physical resources of regional or national importance (EIT-P1). WRPS EIT-P1 and EIT-M1 set out all of the matters the Council must address in this plan to protect the effectiveness and efficiency of existing and planned regionally significant infrastructure.
23. This means that a different policy framework is required to give effect to both regional policy statements so that the plan can provide for the ongoing operation of sites that have 'regional significance'. RPROZ O2, P1, P2 and P3 provide that policy framework. For these reasons, it is appropriate to retain the reference to regionally significant sites in RPROZ-P1.
24. Graymont request that RPROZ-P2 is amended to refer to sites identified as regionally significant, 'or as a significant mineral resource'. This amendment is not considered necessary. The chapter overview explains that where the term 'regionally significant' is used it refers both to regionally significant industry, infrastructure and significant mineral resources.
25. Notwithstanding these submission points, it is clear that the plan does not express why these sites are identified as regionally significant. To address this, an amendment to the overview is suggested which sets out how regional significance is established through the provisions of both RPS. The amendment would read:

The schedule also specifies the primary purpose of the site and whether the site is of regional significance.....

[Most sites in RPROZ-SCHED1 are regionally significant. Sites of regionally significant industry must meet the definition contained in the Waikato Regional Policy Statement. Similarly, sites of regionally significant infrastructure must meet the definition contained in the Waikato Regional Policy Statement or](#)

[in the Manawatū-Whanganui One Plan EIT-P1\(1\)\(a\). Sites identified as significant mineral resources must meet the criteria contained in the Waikato Regional Policy Statement.](#)

In line with the provisions of the

26. Section 32AA: The recommended amendments provide clarification to assist with the understanding of how the rural production zone accords regional significance. The amendment does not affect the policy framework or rules. A section 32AA evaluation is not required.

Terminology applied to regionally significant sites

27. Graymont request RPROZ-SCHED1 is amended to identify Oparure Quarry and its associated Te Kūiti Processing Plant as 'regionally significant industry'. In respect of the Te Kūiti processing plant, this plan only identifies industries of regional significance on stand-alone sites in the general rural zone where reverse sensitivity effects are particularly problematic due to surrounding land uses. The RPROZ has the specific function of providing for activities that have a functional or operational need to locate in a rural environment rather than an industrial zone. Within the industrial zone, reverse sensitivity tends to be less of an issue in our district. Industrially zoned sites generally have access to reticulated infrastructure and are located on roads that are formed to a standard designed for heavy vehicles. Effects such as noise and light are an anticipated part of the industrial zone and there is not the same need for sites to focus on internalising effects to manage nuisance impacts on neighbouring land uses.
28. Additionally, several RPROZ sites contain significant features including being located in the karst overlay, landscapes of high amenity value, the coastal environment or having significant natural areas on the property. The same constraints are not present in the industrial zones. As such, the industrial zone makes sufficient provision for the regionally significant activities and the provisions of the WRPS are achieved. Given these factors, there is no provision in the plan for the Te Kūiti Processing Plant to be classified as a 'regionally significant industry' unless it is rezoned as RPROZ. It is not appropriate to rezone the site as RPROZ because the site is contiguous with the industrial zone and it meets the criteria for the industrial zone under the National Planning Standards¹ more fully than it meets the criteria for RPROZ. This amendment is not supported.
29. Graymont request RPROZ-SCHED1 is amended to identify Oparure Quarry as 'regionally significant industry'. It is understood that this is in addition to the 'significant mineral resource' status on the site. Similarly, Omya request the Aglime plant at Rorison's Riverside is amended to be identified as a 'regionally significant industry'.
30. The plan accords both 'regionally significant industry' and 'significant mineral resources' the same status in the policy framework (ie 'regionally

¹ Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities

significant'). It is possible that the submitters consider some benefit may accrue from having RPROZ-R14 apply to their sites? However our discussions with both Rorisons and Graymont indicated that the activities on these sites were fully covered by the definition of 'quarrying activities' (RPROZ-R13) which means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry. Graymont and Omya may wish to provide more information on this matter to the hearing, but in the interim, it is recommended that the amendment is not made.

Definitions of regional significance

31. The WRPS defines 'regionally significant industry' and 'regionally significant infrastructure'. This plan uses those definitions without amendment (with the exception of the 'regionally significant infrastructure' definition where reference to the Hamilton City bus terminal, railway station terminus and Hamilton International Airport are removed as these are not located within Waitomo District). Two submitters have asked for amendments to these definitions. It is considered better to rely on a region-wide or national definition wherever this is possible. This approach assists users of multiple plans and ensures consistency of terms as far as this is practical. No changes to these definitions are considered appropriate other than correcting map references amended by the retrofit of the WRPS to the National Planning Standards. This amendment reads:

regionally significant infrastructure means

....

(g) significant transport corridors as defined in Map [25 6.1](#) and [26 6.1A](#) of the Operative Waikato Regional Policy Statement;

32. Section 32AA: The recommended amendments provide correct a referencing change in a definition. The WRPS was retrofitted to the national planning standards which resulted in renumbering the maps. The amendment does not affect the policy framework or rules. A section 32AA evaluation is not required.

Topic 3: Omya – Introduction of a new RPROZ site and zoning extension at Riverside

Overview of Ngapenga and Rorisons Riverside

33. Omya requests that Ngapenga Quarry is added to RPROZ-SCHED1 – Scheduled rural production sites. Omya also requests that the Rorisons Riverside Wairere Lime Quarry site (which is currently listed as in RPROZ-SCHED1 as RPROZ-4).
34. The addition of a new site into RPROZ or the extension of RPROZ zoning on a site has the effect of a plan change – that is, quarrying activities on that site become permitted land uses. No resource consent for quarrying

activities would be required under the provisions of this plan. On any RPORZ site:

- Quarrying activities and mineral prospecting are permitted activities. The plan's performance standards do not control the quantity of the mineral or aggregate extracted or the rate it is extracted at.
 - The setbacks imposed on surrounding properties (GRUZ-R42 and SUB-R9) would apply to landowners located with the specified distances from the boundary of the new zone.
 - Ancillary warehouses, cool stores and covered storage areas for the storage of products produced on site would be permitted.
 - Ancillary offices, canteens, ablution facilities, medical rooms, recreational facilities, vehicle servicing depots, emergency service facilities and workshops would be permitted.
 - Ancillary laboratories and research facilities would be permitted.
 - Tanks, silos and stormwater ponds would be permitted.
 - Ancillary helipads and facilities for their servicing would be permitted.
 - Any performance standards applied would only control bulk, location and landscaping.
35. The RPROZ replaced the 'special industrial areas' in the operative district plan. After consultation with site operators, sites were removed, added, extended and indicative areas of expansion mapped. Where required, the site's status as regionally significant was assessed. The pre-conditions for mapping indicative areas were worked through with each operator at the sites of 'significant mineral resources' where it was signaled that they wished to identify areas for expansion. This took a great deal of time and resource. It is difficult to reconcile why there are requests for rezoning at this late stage in the process.
36. While it is perfectly legitimate for Omya (and Taharoa) to request that areas are rezoned, it seems contrary to the principles of natural justice to rezone significant areas of land without detailed information about the site and recourse to the views of neighbouring landowners regarding that information. Again, Council spent a great deal of time consulting with site owners regarding the boundaries of their operations, the types of activities occurring, whether these activities met the definitions of regional significance and the potential for site expansion. This was primarily to ensure the public notification of these boundaries offered certainty for neighbouring property owners, and they had the ability to submit on the plan if there were any concerns.
37. The zone provisions in RPROZ meet the criteria in the WRPS to enable regionally significant activities. Additionally, in line with the WRPS, this plan provides for indicative areas of expansion where quarries are of regional significance. The indicative rural production areas (indicative areas) are identified on the planning maps. A plan change is required to make these areas into a live zone and identifying these indicative areas does not pre-empt any resource consent application or plan change application decision.
38. To be very clear - the regionally significant quarry operators were aware of, and mapped to, the pre-conditions for identifying indicative areas.

These pre-conditions are listed below:

- The ability to map an indicative area only applies to quarries of regional significance.
- Indicative zoning only applies to extensions of quarries that are currently being worked and you must demonstrate you own the land or have an agreed lease in place.
- There must be plans to work the indicative area over the lifetime of the district plan (10-15 years).
- Mapping does not mean a consent or plan change application will be granted, but rather it indicates the general area of expansion to effectively address potential reverse sensitivity issues.
- It is the choice of the regionally significant site whether to map an indicative area, however if the site has a consent in place to work an area, that area should be live zoned.

39. Omya were asked to confirm both the 'live zoned' boundaries of their sites and any indicative areas for their sites on 16-3-2020 and 26-6-2020. Records indicate the areas were confirmed on 7-4-2021.

Rorisons Riverside

40. Omya request the full extent of Rorisons Riverside site is rezoned to RPROZ. Currently part of the site is zoned as RPROZ. This area is the area Rorison's were consented to work at the time of plan notification. The indicative areas were areas did not require live zoning at that time, but met the preconditions listed above. The remainder of the site is general rural zone.



Figure 2: Rorisons Riverside boundaries in red, zoning and landscape of high amenity value

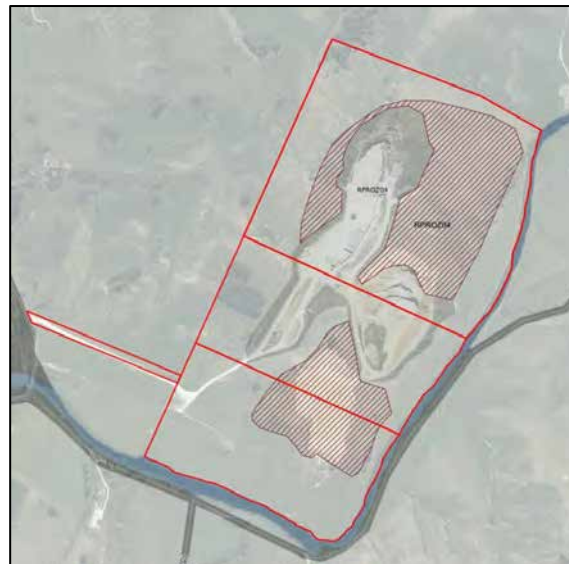


Figure 3: Rorisons Riverside aerial map

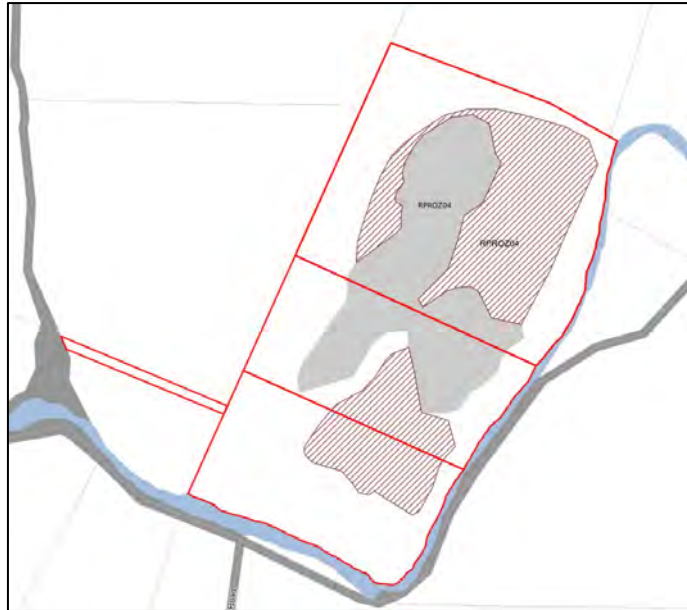


Figure 4: Rorisons Riverside RPROZ and indicative area (general rural zone shown as white)

41. During the draft plan process, Omya indicated that Rorison's Riverside should be extended to fully include the Aglime plant at 703 Aria Road. The plant appears to be included by the zoning. Additionally, Omya did not include confirmation from the landowner that the extent of the quarry should be amended (ie: at least one of the preconditions listed above were not met). Given Council had confirmed the boundaries with Rorisons during the development of the plan for both the Riverside and Serpentine Quarries (23-5-19, 27-2-20, 2-3-20, 10-3-20 and 11-3-20), Omya's request was turned down. No information to support the rezoning is provided in the submission. As such, it is still recommended that this submission point is rejected.
42. Omya may choose to present to the hearing the information required to extend the live zoning into the indicative areas at Riverside. The above bullet points should be used as a guide as to the type of information required and the area should have a consent in place. It is anticipated that the Commissioners would also wish to see evidence of these matters including affected party agreement to any extension of the zoning or to the consent itself, including consultation with mana whenua. These permissions are particularly pertinent given the restrictions imposed on surrounding landowners under GRUZ-R42 and SUB-R9 and given Te Nehenehenui are a further submitter in opposition to this point. Rezoning the remainder of the site (currently general rural) to RPROZ is not supported. Omya may wish to present the information required to add the indicative notation to this balance area.
43. The status of Rorison's Riverside as a significant mineral resource is confirmed and does not need to be reconfirmed. Including the Aglime plant as 'regionally significant industry' is discussed in para 29-30.

Rezoning Ngapenga Quarry

44. For Ngapenga, rezoning the site has the effect of permitting quarrying activities on that site. Omya owns and holds a mining permit for the land at Ngapenga quarry. The site is over 500 hectares in size. Ngapenga quarry appears to have been considered as a potential location for Omya since as early as August 2015 when a deputation presented information to a Council workshop about the potential use of the site for quarrying activities. On 30-7-19 Omya requested the ability to provide feedback on the draft 'rural industry' zone. This was granted and their feedback duly considered. At that same meeting Omya discussed the potential for Ngapenga to be included in the zoning. It was explained at the meeting that the site did not have a consent in place and Council officers would expect a consent along with more detailed information on the potential extent, operations and their effects before considering the matter further.



Figure 5: Ngapenga site (shows significant natural areas and landscape of high amenity overlay)

45. On balance, the RPROZ is designed to provide scheduled sites with an element of leeway to undertake and manage the effects of their operations within the agreed parameters of this plan. Effects on natural resources are ably managed by the regional councils. Site expansion is, in part, provided for by the mapping indicative areas in this plan. We note that the approach and the rules applying to this zone are largely unchallenged by operators of the scheduled sites. From this it can be inferred that they consider the rules are appropriate. The restrictions on surrounding properties are reasonably onerous and indicate to landowners surrounding these sites that a certain level of effects could be anticipated. Site operators were

extensively consulted with on the location of site boundaries and the potential to map indicative areas of expansion. A draft district plan was also notified for feedback.

46. Omya's submission to this plan notes that the site contains a deposit of the high-quality limestone which Omya processes and they intend to establish a quarry on this site in the future. The submission contends that the initial feedback provided to Council on the draft proposed district plan requested that Ngapenga was zoned RPROZ.
47. Omya's feedback to the draft district plan (3-6-22) does not refer to Ngapenga.
48. Given these factors and that the site is a new, unconsented location, any consideration of including Ngapenga needs careful evaluation. Again, it is perfectly legitimate for Omya to request rezoning through the district plan process. However, it is also legitimate for Council to reject the request at this stage of the proceedings on the grounds that there is insufficient information about the proposed activity and its effects to proceed with any rezoning. It is noted that the only information provided by the submitter about the Ngapenga quarry site is its location. The property is very large (over 500ha) and it is not even clear from the submission where extraction activities might occur on it.
49. In the interim, there are several options for both Omya and the Commissioners to consider:
 - Omya can present any consent and accompanying detailed information to the Commissioners at the hearing to support the potential rezoning, addressing the extent of proposed operations, the potential effects including any effects on identified features, and evidence of affected party sign-off, including consultation with mana whenua. This should include a section 32 analysis. It is also understood there are significant roading capacity issues which should be addressed.
 - The Commissioners or Omya can request that this matter is deferred to the next tranche of hearings and present the information required above. This has the effect of allowing Omya more time to collate the information required.
 - Omya can apply for a resource consent under the provisions of the operative and applicable proposed district plan rules. If granted, Omya can request (or the Commissioners may decide in the absence of a consent) that the matter is considered as a variation to the proposed district plan after the plan is made operative.
 - Omya can amend its position and request the site is mapped as an indicative area (noting the following preconditions would not be met; The ability to map an indicative area only applies to quarries of regional significance. Indicative zoning only applies to extensions of quarries that are currently being worked and you must own the land or have an agreed lease in place).
 - The submission points can be withdrawn.
 - The Commissioners can accept or reject the submission points.

- Notwithstanding the above bullet points, if Omya considers the Ngapenga site meets the criteria in the WRPS as a significant mineral resource, they may provide this information. Commercial sensitivity can be considered if required.

National Policy Statement for Highly Productive Land

50. Omya contends that in order to protect the future opportunity for mineral processing on sites that may also trigger a definition of 'highly productive land', Council should proactively identify those development sites as part of the district plan review process to avoid the potential for additional hurdles for consenting or development in the future. It is noted that this process has been undertaken (as outlined above). Additionally, 3.9.2(iii) of the National Policy Statement for Highly Productive Land provides exemptions for mineral and aggregate extraction that are likely applicable to all regionally significant sites.
51. Section 32AA: No changes are recommended as a result of these submissions. A section 32AA evaluation is not required.

Topic 4: Taharoa – extension of RPROZ at the ironsands mine

52. As the submission is not clear, for the purposes of this report Part Taharoa A7J2 Block is referred to as Te Mania and Taharoa A7J8C Block is referred to as Pihopa.

Overview of Te Mania and Pihopa

53. The properties that are currently subject to ironsands mining activity consents issued by Waitomo District Council and Waikato Regional Council are the Taharoa C block, the Wetini and Puketapu blocks and the Te Mania block. This plan applies the RPROZ to each of these sites with the exception of Te Mania which is subject in part, to an indicative rural production area notation.
54. At the time this plan was prepared for notification, consent applications for the Te Mania and Pihopa block had not been lodged. Accordingly, this plan applied the general rural zone to Te Mania and Pihopa (with an indicative rural production area notation on most of the Te Mania block and the remainder zoned general rural).
55. The notified zoning of the site is shown below.

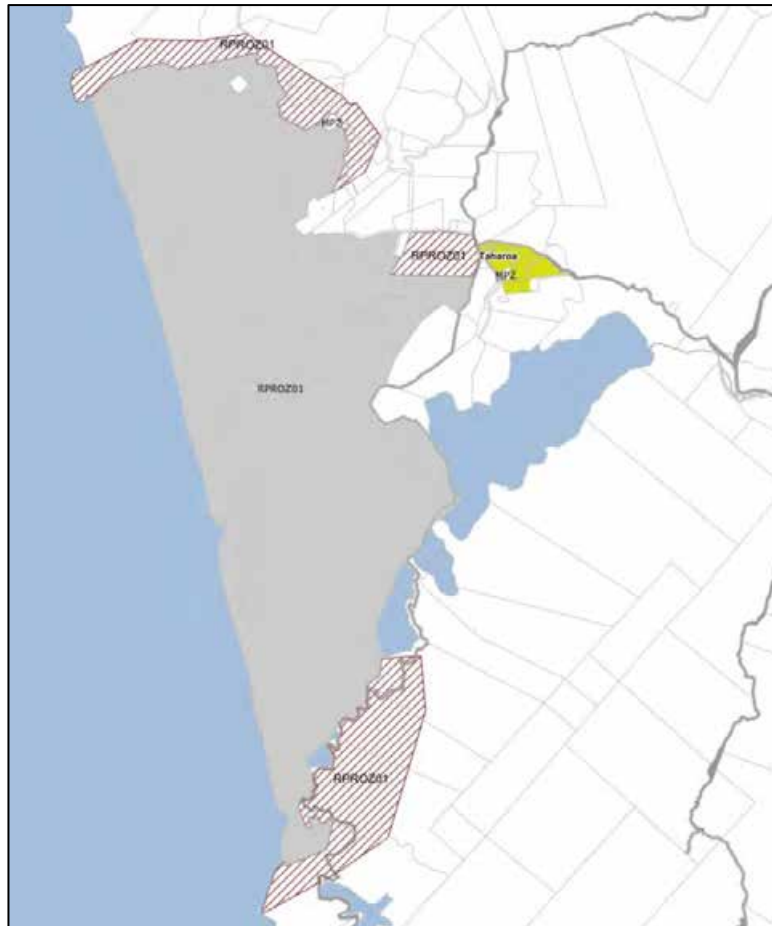


Figure 6: Current zoning of Taharoa – rural production zoning in grey, indicative rural production is hatched.

56. Since notification, consent has been granted for the Te Mania block and mining has commenced. At the time of the submission, consent for the Pihopa block had not been sought. The submitter needs to confirm this is still the case. Taharoa request RPROZ is applied to both the Te Mania and Pihopa blocks.

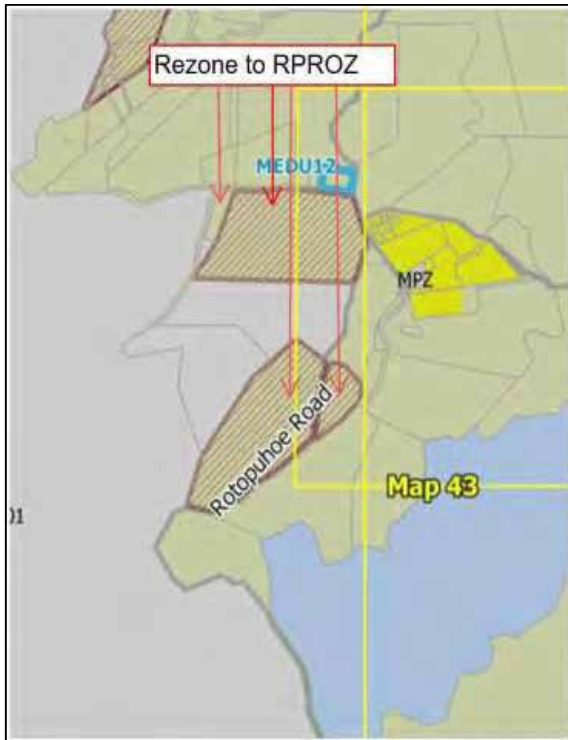


Figure 7: Proposed rezoning, Taharoa (submitter's map)

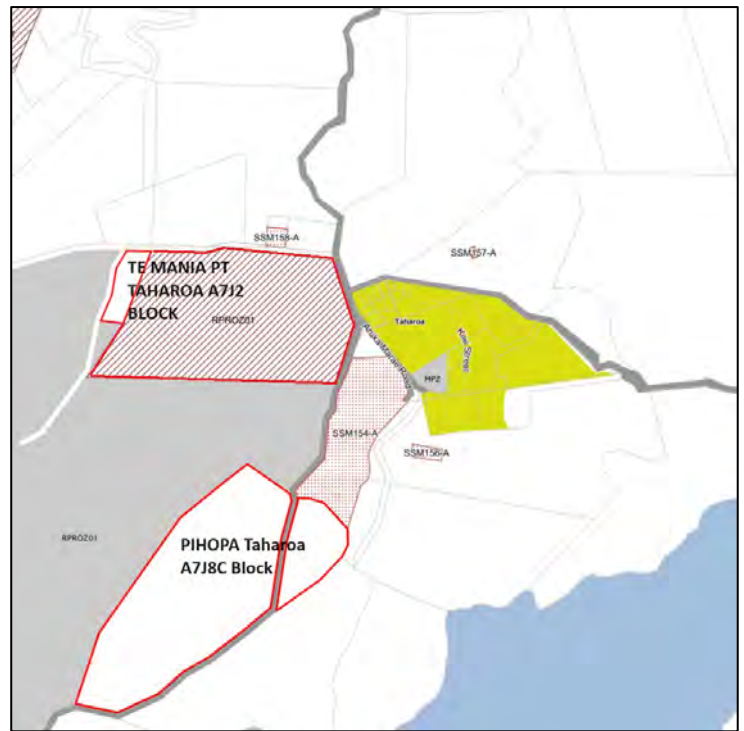


Figure 8: Proposed rezoning in red outline. General rural zone shown as white, existing indicative rural production areas and sites of significance to Māori (SSM) are mapped

Pihopa

57. Pihopa (Taharoa A7J8C Block) is currently zoned general rural and does not have an indicative rural production area notation on it. The site did not have a consent in place to work that area at the time of notification. Therefore, the notified proposed district plan gave no indication to potentially affected parties that this property may be required for future expansion of the mine. There is no information in the submission that supports the rezoning. Based on the information provided in the submission, it is not agreed that the RPROZ zoning is applied to Pihopa.
58. It is noted that Taharoa's feedback to the draft district plan (27-5-22) does not refer to rezoning matters or to the Pihopa block. As discussed in respect of the Omya sites, Council spent a great deal of time consulting with site owners regarding the boundaries of their operations, the types of activities occurring, whether these activities met the definitions of regional significance and the potential for site expansion. This was in order to ensure the public notification of these boundaries offered certainty for neighbouring property owners, and they had the ability to submit on the plan if there were any concerns.



Figure 9: Current zoning of Pihopa in red outline. General rural zone shown as white, existing indicative rural production areas and sites of significance to Māori (SSM) are mapped

59. It is possible that Pihopa could meet the preconditions for an indicative rural production area. Please see para 38 which lists the preconditions for indicative areas which were applied to all significant mineral resource sites. If Taharoa choose to do so, they may present information to the hearing that supports the addition of an indicative rural production area over this site. It is anticipated that the Commissioners would want to see evidence of affected party agreement to application of the notation, including consultation with mana whenua. These permissions are particularly pertinent given the restrictions imposed on surrounding landowners under GRUZ-R42 and SUB-R9 and given there is a further submitter in opposition to this point. Additionally, the block is adjacent to a site of significance to Māori.
60. If consent has been granted for Pihopa since notification, live zoning may also be considered. However, a significant amount of further information would be needed to adequately evaluate any proposal for live zoning. At a minimum this should include:
- Providing the consent and the extent of the consented area. Providing evidence the consent addresses any potential effects on identified features and evidence of affected party sign-off, including consultation with mana whenua. Taharoa should include a section 32 analysis.

Te Mania

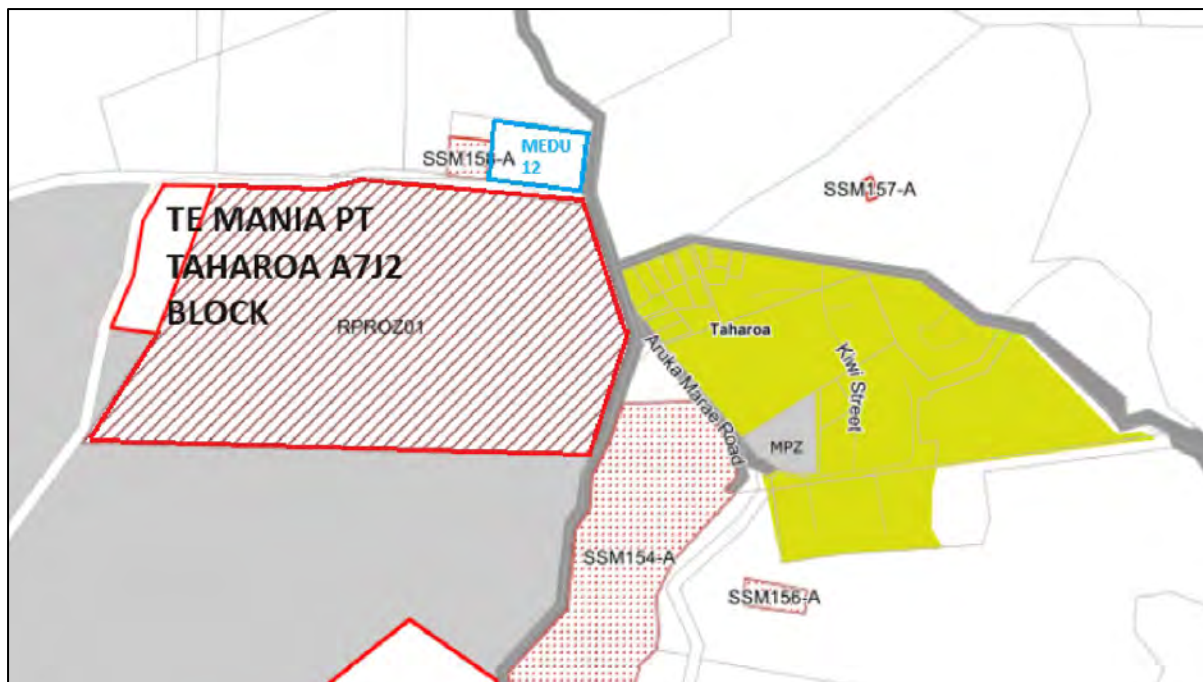


Figure 10: Current zoning of Te Mania in red outline. General rural zone shown as white, existing indicative rural production areas and sites of significance to Māori (SSM) are mapped

61. Te Mania (Part Taharoa A7J2 Block) is currently zoned general rural and has an indicative rural production area notation over most of it. The site did not have a consent in place to work that area at the time of notification, however this was underway. As a result of discussions with Taharoa, the notified proposed district plan indicated the future expansion of the mine by way of the notation. There is no information in the submission that supports the rezoning of the part of the Te Mania block that is zoned general rural. Based on the information provided in the submission, it is not agreed that the RPROZ zoning is applied to general rural zone portion of the Te Mania block.
62. There is no aversion to providing live zoning to majority of the Te Mania block that is subject to the indicative area notation. However, no information to support the rezoning is provided in the submission. Taharoa may choose to present to the hearing the information required to extend the RPROZ into the Te Mania block. It is anticipated that the Commissioners would want to see:
 - The consent and the extent of the consented area and evidence the consent addressed any potential effects on any identified features, on the surrounding village and school and evidence of affected party sign-off, including consultation and with mana whenua. Taharoa should include a brief section 32 analysis.
63. The submitter also needs to confirm whether the consent issued for Te

Mania covers the whole site or just the part of the site notated as an indicative rural production area. In the interim, it is recommended that the proposed amendments for Te Mania are rejected.

64. Section 32AA: No changes are recommended as a result of these submissions. A section 32AA evaluation is not required.

Topic 5: General matters

65. Taharoa request that RPROZ-O2.2 is amended so that it reads 'managing the establishment of noise sensitive activities including subdivision, use and development on adjoining and adjacent sites. A similar amendment is requested to RPROZ-P8. It is considered that these amendments might limit the application of the policy framework. The intent is to ensure that the location of noise sensitive activities is managed as comprehensively as possible. For example, in the subdivision chapter (SUB-R9) it is a discretionary activity to subdivide within 300 m of the boundary of a rural production zone or indicative rural production area in the general rural zone. Similarly, in the residential, future urban, rural lifestyle, settlement and Māori purpose zones, it is a discretionary activity to create a new allotment within 250 m of the boundary of a rural production zone or indicative rural production area. In the general rural zone, the permitted minimum setback for a building housing a residential activity from the boundary of a rural production zone is 250 m (GRUZ-R42).

66. Restricting the objective and policy to 'adjoining and adjacent sites' will undermine the intent of the provisions in the plan to manage the potential for reverse sensitivity more comprehensively around the rural production zone. No amendment is recommended.

67. Taharoa request that RPROZ-O5 is amended so that it reads 'development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment as far as practicable'. It is agreed that this amendment is appropriate. It is not realistic to assume that all sites are able to fully internalize visual effects given the scale of some operations. This amendment does not remove the obligation to address issues such as siting, design and landscaping but it does acknowledge that visual mitigation measures can only proceed to a finite point. The amendment would read:

RPROZ-O5. Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment as far as practicable.

68. Section 32AA: See Appendix 3.

69. Similarly, Taharoa Ironsands Ltd request RPROZ-P6 is amended so that it reads 'ensure the scale and location of any expansion of activities does not adversely affect local character or amenity by: with the exception of the Taharoa Ironsands Mine, ensuring that sites are sufficiently landscaped and screened from roads, public spaces and adjoining neighbours'. Given

the amendment to the objective, it is reasonable to temper the application of the policy. The wording proposed by the submitter does not quite work when the governing sentence is applied. Additionally, it seems reasonable to apply the amendment to all sites, given the proposed amendment to the objective. It is not considered reasonable to absolve one site totally from the obligation to landscape and screen. Instead, it is proposed that the amendment reflects the change proposed to the objective. This has the effect of enabling site by site consideration of the practicalities of landscaping measures and enabling these to be assessed on their own merits. The amendment would read:

RPROZ-P6. Ensure the scale and location of any expansion of activities does not adversely affect local character or amenity by:

1. Maintaining boundary setbacks for activities and buildings; and
2. [As far as practicable, ensuring](#) that sites are sufficiently landscaped and screened from roads, public spaces and adjoining neighbours; and
3.

70. Section 32AA: The recommended amendment is in response to a change in the governing objective RPROZ-O5. The amendment is of a minor nature and appropriately responds to the amended objective. A section 32AA evaluation was carried out for RPROZ-O5. It is not necessary to repeat the full evaluation for the policy in this instance.

71. Waka Kotahi request that RPROZ-O6 is amended so that it reads 'ensure new development does not compromise the safety of the transport network or exceed available capacities for servicing and infrastructure'. This amendment is agreed as the objectives for this zone do not cover impacts on the transport network and for some sites, this can be a significant issue and require management to address effects. The amendment would read:

RPROZ-O6. Ensure new development or re-development does not [compromise the safety of the transport network or](#) exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.

72. Section 32AA: See Appendix 3.

73. Taharoa request that RPROZ-P1 is amended so that it reads 'protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ- SCHED1 – Scheduled rural production sites, by avoiding limiting the establishment or growth of noise sensitive activities on surrounding sites'. This amendment is not supported. "Avoid" is an absolute in resource management case law. There may be circumstances where noise sensitive activities can co-exist next to a regionally significant activity without reverse sensitivity issues arising. Residential activities near sites of hydro-electricity generation is a good example of this. There are also design, siting and orientation measures that can be taken to address the potential for reverse sensitivity issues to arise.

No amendment to RPROZ-P1 is recommended.

74. The Department of Conservation (DoC) and Forest and Bird request that RPROZ-P2 is deleted. DoC notes that outside of the natural open space zone, the rural production zone is where most significant indigenous biodiversity is located. It is suspected that DoC are referring to the general rural zone rather than the specifically identified sites that comprise the rural production zone (see the naming convention issue associated with this zone in para 15-17 above). This confusion is understandable.

75. DoC submit that the policy unnecessarily conflicts with the policy direction given in the ecosystems and indigenous biodiversity provisions and it is not clear what a "regionally significant site" is. Please see the proposed changes to the plan in para 25 above which set out how these sites are accorded their status as regionally significant.

RPROZ-P2. Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, the ensuing operations must remedy or mitigate adverse effects in that order in the first instance, or if this is not possible, offset adverse effects on the indigenous biodiversity values and ecological characteristics of the significant natural area by:

1. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and
2. Ensuring the biodiversity offset can achieve no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or where that is not practicable, in the ecological district in which the affected significant natural area is located.

76. In respect of DoC's submission point that RPROZ-P2 unnecessarily conflicts with the policy direction given in the ecosystems and indigenous biodiversity provisions, RPROZ-P2 prevails over the policy provisions in the ecosystems and indigenous biodiversity chapter. This is because the plan directs that wherever there is a conflict or inconsistency between policies or between objectives, in the first instance, the most specific policy approach applies.

77. There are significant natural areas (SNAs) in the RPROZ. ECO-R16 requires a discretionary consent for clearing in an SNA local category. Clearing in a regional, national or international category SNA is non-complying. Those rules apply in RPROZ. However, the policy approach is different for the sites identified as regionally significant in RPROZ. That policy approach is – where the clearance is unavoidable, the effects management hierarchy for those 15 regionally significant sites only is remedy or mitigate in the first instance, or if this is not possible, offset. It is considered that this approach is a reasonable balance between being required to provide for the operation and expansion of regionally significant sites and being required to protect areas of significant indigenous vegetation and

significant habitats of indigenous fauna. It is not agreed that RPROZ-P2 is deleted.

78. RPROZ-P3 provides that where the location of an existing quarrying activity of significant mineral resources coincides with the karst overlay in whole or part, adverse effects on the geomorphological or hydrological characteristics of the karst system should be remedied or mitigated in that order in the first instance, or if this is not possible, offset adverse effects. As a further submission, the New Zealand Speleological Society opposes allowing mitigation or remediation (instead of avoidance) as an appropriate protection measure due to the fragility and complexity of the cave and karst landscape and associated ecology.
79. There are parts of the karst overlay which intersect with the RPROZ. While this is not desirable, the activities have been longstanding at these locations. There have not been indications that cave systems have been damaged by these activities to date although it is acknowledged that impacts may be unknown given the complexity of some systems. On balance, there two sites in the district where karst systems could be impacted by quarrying activities. Only one of these sites has any significant intersection with the karst overlay.



Figure 2: RPROZ sites intersecting with the Karst overlay

80. The policy seeks to ensure that effects on the karst system are managed as far as possible given the requirements in the WRPS in respect of significant mineral resources. This plan provides a range of protections and a policy framework that is far more comprehensive than the operative district plan. Mapping of the karst system is more extensive and the plan includes identified outstanding natural features. It is not the intent that rural production activities take precedence over the objective of protecting cave and karst landscapes. Rather the policy seeks to balance the effects and outcomes rather than avoid them.
81. RPROZ-P4 seeks to enable scheduled activities in the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures. The Aggregate and Quarry Association request that the word 'avoid' is deleted and the words 'offset and compensate' are added to

replace it. The effects hierarchy proposed is not appropriate for the overall management of a site. The Waikato regional policy statement enables a hierarchy to be applied to indigenous biodiversity (see ECO-M3 and M13). Otherwise, the management of effects must apply the 'ARM' approach. For sites in RPROZ, the option to internalise effects is also offered as it is recognised that some operations may have adverse effects that can be managed effectively within the boundary of a site (for example, dust nuisance).

82. Taharoa Ironsands Ltd request RPROZ-P4.6 is amended so the requirement is that sites where quarrying activities occur are rehabilitated 'as far as practicable'. This amendment is not considered necessary as the governing sentence of the policy already requires that effects are remedied as far as practicable. The rehabilitation plan is simply one of the measures and methods proposed in the policy. In FS21.13, Taharoa have also suggested two additional amendments to RPROZ-P4 as part of a further submission. Schedule 1, cl 8(2) of the RMA requires that a further submission given under subclause must be limited to a matter in support of or in opposition to the relevant submission. Additional changes cannot be considered.
83. Graymont request RPROZ-P4.4 is amended to avoid, 'remedy or mitigate' adverse effects on water bodies. This is accepted. The policy's governing sentence requires adverse effects of the activities to be internalised, or avoided, remedied or mitigated as far as practicable through methods and measures. It is inappropriate to refer to 'avoiding' adverse effects on water bodies as currently proposed by RPROZ-P4.4, as this directly undermines the governing sentence. Noting, in this instance, it may not be possible to 'internalise' effects on water bodies, so this requirement should be disapplied to RPROZ-P4.4. A similar amendment is required to RPROZ-P4.3 which currently only refers to 'mitigate' and might be better worded as 'managed'. The amendments would read:

RPROZ-P4. Enable scheduled activities in the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures that include:

1. Managing dust, odour, noise, vibration, access, debris on roads, illumination and driver behaviour to maintain amenity values, particularly during the night time; and
2. Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and
3. Ensuring that effects associated with glare, odour and particulates are appropriately managed mitigated; and
4. Avoiding remedying or mitigating adverse effects on water bodies; and
5. Undertaking remedial measures during operations as appropriate; and

6. Requiring sites where quarrying activities occur to be rehabilitated and ensuring appropriate materials are used for this purpose.
84. Section 32AA: See Appendix 3.
85. Waka Kotahi request RPROZ-P5 is amended to refer to the 'transport network' rather than 'adjoining roads' or 'road network'. It is agreed that the term 'transport network' should be applied consistently across the zone and the policy should be amended accordingly.
86. Section 32AA: The nature of the recommended amendments is to provide clarity and consistency of terminology rather than changing the content of any provisions. As such, a full section 32AA evaluation is not considered necessary.
87. Graymont request RPROZ-P8 is amended to refer to those areas surrounding RPROZ-SCHED1 – Scheduled rural production sites. It is agreed that this addition clarifies the intent of the policy by specifying the sites and referring to the surrounding environment. The amendment would read:

RPROZ-P8. Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development in those areas surrounding RPROZ-SCHED1 – Scheduled rural production sites.
88. Section 32AA: The recommended amendment is designed to clarify that the provisions apply to the sites around the rural production zone. The amendment does not change the intent or application of the policy. Rather it clarifies its application and is consistent with the corresponding rules SUB-R9 and GRUZ-R42. As such, a full section 32AA evaluation is not considered necessary.
89. FENZ request and amendment to RPROZ-P10 which corrects an omission – the word 'water' was omitted from the policy wording. The same omission is made in GRUZ-P11. The amendments would read:

RPROZ-P10. Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated water, wastewater and stormwater methods.

GRUZ-P11. Ensure the scale and intensity of development can be serviced by on site non-reticulated water, wastewater and stormwater methods.
90. Section 32AA: The recommended amendments correct an omission in both policies. In error, only two of the three waters were referred to. Site development cannot occur in the absence of water. The amendment would not be unexpected or prejudice any proposed development or activity as water is a non-negotiable factor. A section 32AA evaluation is not required.

91. RPROZ-R20 requires minimum setbacks from road and internal boundaries. Omya request confirmation that existing buildings are exempt from RPROZ-R20 and suggest an advice note stating that 'buildings existing prior to the decisions version of this district plan are exempt from this rule'. This matter is covered by existing use provisions under the RMA. If an issue arises regarding the location of a building, generally the landowner works with Council to determine whether the building was lawfully established. Sometimes, activities are not lawfully established and require consideration through a retrospective resource consent process. It is not considered appropriate to pre-determine the status of any building in RPROZ using an advice note. However it is also unlikely given the scale of operations in RPROZ, that buildings were established without applicable permissions. In any event this matter should be determined on a case by case basis if the situation arises. It is recommended that this submission point is not accepted.
92. FENZ request that emergency services are exempt from the setback standards in RPROZ-R20. It is unlikely that emergency services will be located in this zone, but given the nature of effects generated by ambulance and fire stations compared to medium - heavy industrial uses, it is agreed that the request can be accommodated.
93. RPROZ-R25 manages the effects of outdoor storage. The permitted activity standards require that no outdoor storage area is visible from an adjoining property, public space or a road, and where it is it must be screened. Omya request that RPROZ-R25 excludes mineral processing plants and quarries or, overburden associated with mineral processing plants and quarries is excluded from the definition of outdoor storage. It is agreed that this amendment is acceptable. Overburden setback standards from road and internal boundaries are provided for in RPROZ-R20.5 and R20.9. Additionally, it is agreed it would be very difficult to screen overburden and often the visual effects are temporary as the overburden is moved or recontoured on the site. The amendment would read:
- [Provided this rule does not apply to overburden located on sites RPROZ-1 to RPROZ-9 \(as listed in RPROZ-SCHED1\).](#)
94. Section 32AA: See Appendix 3.
95. Taharoa are concerned that RPROZ-R7 only allows for one residential unit providing residential accommodation for security staff, caretakers, or other staff who are required to be on-site at night. The submitter has a range of residential accommodation on site currently. This rule does not affect the current accommodation arrangements at Taharoa, which appears to be the submitter's concern. It would only apply if additional accommodation was required on site. In that event the matters of discretion are restricted to bulk and location standards rather than an assessment of the accommodation needs of site or the current provision of accommodation. On balance, the restriction of accommodation facilities in the RPROZ is not considered to be unreasonable.
96. Taharoa contends that RPROZ-R20 to RPROZ-R27 do not appropriately

provide for mining operations and tend to favour sensitive activities. No specific amendments are proposed by the submitter other than in relation residential accommodation (see para 95) and as a further submission on outdoor storage. Accordingly, it is hard to respond specifically to this submission point.

97. Taharoa supports the indicative rural production area notations as they provide an indication of where potential future mining expansion may occur. They are concerned that the notations are not backed up by any policy or rule and suggest at a minimum the plan should recognise the appropriateness of the land within the notation for future mining activities.
98. Taharoa is referred to SUB-O11 and SUB-R9 which provide the policy framework and the rule applicable to these sites. The provisions are designed to ensure notated sites are not compromised by the subdivision of land surrounding the sites. The activity is discretionary.
99. In line with the provisions of the WRPS, where quarries are of regional significance, indicative areas of expansion are identified on the planning maps. The underlying zoning is general rural. A plan change is required to make these areas into a live zone. While the plan identifies these areas, the whole point is not to pre-empt any resource consent application or plan change decision, while giving effect to the provisions in the WRPS. The notation simply indicates that a site might be used in the future for rural production activities. Until that time, the general rural zone rules apply, and the rule applied to the indicative areas is located in the subdivision chapter.

5. Conclusion

100. This report provides an assessment of submissions received in relation to the rural production zone land use activities, rezoning/mapping and definitions. It is considered that the submissions should be accepted, accepted in part or rejected as set out in Appendix 1. It is recommended that the rural production zone is amended as set out in Appendix 2 for the reasons discussed in the report above. It is considered that the amended provisions will be efficient and effective in achieving the purpose of the RMA (particularly for any for changes recommended to objectives), the relevant objectives of this plan and other relevant statutory documents, for the reasons set out in the section 32AA evaluations undertaken and included in this report.

APPENDIX 1 SUBMISSIONS TABLE

Rural Production Zone – Submission Points

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
27.80	Horticulture New Zealand (Hort NZ)	Oppose	RPROZ	Amend the Rural production zone to be a precinct in the General rural zone as it does not fit the description of the National Planning Standards.	Reject
FS08.04	Graymont (New Zealand) Limited	Oppose in part		Disallow	Accept
FS18.06	Omya	Neutral		No specific outcome sought however Omya would like to be engaged in the outcome/decision of this submission point.	Accept
FS21.12	Taharoa Ironsands Ltd	Oppose		Retain the RPROZ as a stand-alone zone.	Accept
46.108	Federated Farmers	Support	Entire chapter	Retain chapter 43 Rural Production Zone as notified or with wording to similar effect. And Any consequential amendments required as a result of the relief sought.	Accept
49.03	Taharoa Ironsands Ltd	Support with amendment	RPROZ-01-06	TIL seeks the following relief: (i) Retain Objectives RPROZ-01, RPROZ-03, RPROZ-04 and RPROZ-06; and (ii) Amend clause 2 of Objective RPROZ-02 so that it reads: "2. Managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> ". (iii) Amend Objective RPROZ-05 so that it reads: "Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment <u>as far as practicable</u> ". Any alternative and/or consequential amendments to the same effect as the primary relief sought above.	Accept in part
07.04	Omya	Support	RPROZ-01–RPROPZ-06	Omya seeks that the specified objectives are retained as notified.	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
FS21.02	Taharoa Ironsands Ltd	Support in part		<p>(i) Retain Objectives RPROZ-01, RPROZ-03, RPROZ-04 and RPROZ-06; and</p> <p>(ii) Amend clause 2 of Objective RPROZ-02 so that it reads: "2. Managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u>".</p> <p>(iii) Amend Objective RPROZ-05 so that it reads: "Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment <u>as far as practicable</u>".</p> <p>Any alternative and/or consequential relief sought above</p>	Accept in part
FS23.20	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept in part
23.20	Balance Agri-Nutrients	Support	RPROZ-01	Retain as notified.	Accept
FS21.11	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-01 Any alternative and/or consequential relief sought above.	Accept
43.93	Graymont (New Zealand) Limited	Support	RPROZ-01	Retain as notified.	Accept
FS21.17	Taharoa Ironsands Ltd	Support		Retain as notified.	Accept
43.94	Graymont (New Zealand) Limited	Support with amendment	RPROZ-02	Retain RPROZ-02 as notified. And Amend proposed District Plan to also specifically recognise and provide for significant mineral resources (as identified in SCHED1 – Scheduled rural production sites) in addition to providing for a recognising regionally significant industry (as highlighted in the relief to specific provisions throughout the submission).	Accept in part
FS21.18	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-02	

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
FS23.207	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	
43.95	Graymont (New Zealand) Limited	Support	RPROZ-O3	Retain as notified.	Accept
FS21.19	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-O3	Accept
43.96	Graymont (NZ) Limited	Support	RPROZ-O4	Retain as notified.	Accept
FS21.20	Taharoa Ironsands Ltd	Support		Retain Objective RPROZ-O4	Accept
16.43	Fire and Emergency New Zealand (FENZ)	Support	RPROZ-O6	Retain as notified.	Reject
17.126	Waka Kotahi	Support in part	RPROZ-O6	<p>Amend RPROZ-O6 as follows:</p> <p>Ensure new development <u>does not compromise the safety of the transport network or exceed available capacities for servicing and infrastructure.</u></p>	Accept
43.97	Graymont (New Zealand) Limited	Support with amendment	RPROZ-P1	<p>Amend RPROZ-P1 as follows:</p> <p>Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ- SCHED1 – Scheduled rural production sites, by limiting the establishment or growth of noise sensitive activities on surrounding sites.</p>	Reject
FS21.21	Taharoa Ironsands Ltd	Support		<ol style="list-style-type: none"> i. Retain the relief sought by Graymont ii. In the alternative, alter all references to "significant mineral resource" to read "regionally significant mineral" 	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				resource" Any alternative and/or consequential amendments to the same effect as the primary relief sought above.	
49.04	Taharoa Ironsands Ltd	Support with amendment	RPROZ-P1-P12	<p>TIL seeks the following relief:</p> <p>(i) Retain Policies RPROZ-P2, RPROZ-P3, RPROZ-P5, RPROZ-P7; and RPROZ-9 to RPROZ-P12.</p> <p>(ii) Amend Policy RPROZ-P1 so that it reads: "Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ- SCHED1 – Scheduled rural production sites, by avoiding limiting the establishment or growth of noise sensitive activities on surrounding sites".</p> <p>(iii) Amend clause 6 of Policy RPROZ-P4 so that it reads: "6. Requiring sites where quarrying activities occur to be rehabilitated <u>as far as practicable</u> and ensuring appropriate materials are used for this purpose".</p> <p>(iv) Amend clause 2 of Policy RPROZ-P6 so that it reads: "2. <u>With the exception of the Taharoa ironsands mine,</u> Ensuring that sites are sufficiently landscaped and screened from roads, public spaces and adjoining neighbours".</p> <p>(v) Amend Policy RPROZ-P8 so that it reads: "Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development on <u>adjoining and adjacent sites</u>".</p> <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	<p>Reject amendment to RPROZ-P1</p> <p>Accept RPROZ-P2 retain as notified</p> <p>Accept RPROZ-P3 retain as notified</p> <p>Reject amendment to RPROZ-P4</p> <p>Reject RPROZ-P5 not retained as notified</p> <p>Accept in part amendment to RPROZ-P6</p> <p>Accept RPROZ-P7 retain as notified</p> <p>Reject amendment to RPROZ-P8</p> <p>Accept RPROZ-P9 retain as notified</p> <p>Reject RPROZ-P10 not retained as notified</p> <p>Accept RPROZ-P11 retain as notified</p> <p>Accept RPROZ-P12 retain as notified</p>
FS28.02	Roy Wetini	Not stated		<p>(i) Retain Objectives RPROZ-O1. RPROZ-O3, RPROZ-O4 and RPROZ-O6 as notified by WDC;</p> <p>While we agree with retaining the above objectives, in addition to the above, we are seeking to add further objectives and policies within the Rural Production Zone that will recognise and provide for the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, or other taonga.</p>	Accept in part

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<ul style="list-style-type: none"> (ii) Disallow change relief sought by TIL to amend policy RPROZ-P1 and retain as notified by WDC. (iii) Disallow relief sought by TIL which seeks to add in the words "as far as practicable to" clause 6 of Policy RPROZ-P4 and retain as notified by WDC. (iv) Disallow relief sought by TIL and retain Policy RPROZP6 as notified. 	
07.05	Omya	Support	RPROZ-P1, RPROZ-P4 to RPROZ-P8	Omya seeks that the specified policies are retained as notified.	Reject
FS21.03	Taharoa Ironsands Ltd	Support in part		<ul style="list-style-type: none"> i. Retain Policies RPROZ-P5 and RPROZ-P7 ii. Amend Policy RPROZ-P1 so that it reads: "Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZSCHED1 – Scheduled rural production sites, by avoiding limiting the establishment or growth of noise sensitive activities on surrounding sites". iii. Amend clause 6 of Policy RPROZP4 so that it reads: "6. Requiring sites where quarrying activities occur to be rehabilitated <u>as far as practicable</u> and ensuring appropriate materials are used for this purpose". iv. Amend clause 2 of Policy RPROZP6 so that it reads: "2. <u>With the exception of the Taharoa ironsands mine</u>, ensuring that sites are sufficiently landscaped and screened from roads, public spaces and adjoining neighbours". v. Amend Policy RPROZ-P8 so that it reads: "Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u>". <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	See response to submission point 49.04
53.69	Department of Conservation	Oppose	RRPOZ-P2	<p>Delete RPROZ-P2 or relief to like effect:</p> <p>Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, the ensuing operations must remedy or mitigate adverse effects in that order in the</p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>first instance, or if this is not possible, offset adverse effects on the indigenous biodiversity values and ecological characteristics of the significant natural area by:-</p> <ol style="list-style-type: none"> 1. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and <p>Ensuring the biodiversity offset can achieve no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or where that is not practicable, in the ecological district in which the affected significant natural area is located.</p>	
FS05.148	Federated Farmers	Oppose		Decline the relief sought	Accept
43.98	Graymont (New Zealand) Limited	Support with amendment	RPROZ-P2	<p>Amend RPROZ-P2 as follows:</p> <p>Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, <u>or as a significant mineral resource</u>, the ensuing operations must remedy or mitigate adverse effects ...</p>	Reject
FS21.22	Taharoa Ironsands Ltd	Support		<p>Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7</p> <ul style="list-style-type: none"> • Amend RPROZ-P4(4) as follows: <ol style="list-style-type: none"> 4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and • Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. • Any alternative and/or consequential amendments to the same effect as the primary relief sought above. 	See response to submission point 49.04
47.177	Forest and Bird	Oppose	ROROZ-P2	<p>Delete RPROZ-P2</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
FS05.124	Federated Farmers	Oppose		Decline the relief sought	Accept
FS21.29	Taharoa Ironsands Ltd	Oppose		Retain Policy RPROZ-P2	Accept
43.99	Graymont (New Zealand) Limited	Support	RPROZ-P3	Retain RPROZ-P3 as notified.	Accept
FS17.13	NZ Speleological Society	Oppose		Disallow	Reject
FS21.23	Taharoa Ironsands Ltd	Support		<p>Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7</p> <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: <ul style="list-style-type: none"> 4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	See response to submission point 49.04
29.08	Aggregate and Quarry Association (AQA)	Support with amendment	PROZ-P4	<p>Amend PROZ-P4 to:</p> <ul style="list-style-type: none"> Delete the word “avoid” Add the words “offset” and “compensate” 	Reject
FS18.07	Omya	Neutral		No specific outcome sought however Omya would like to be engaged in the outcome/decision of this submission point	
FS21.13	Taharoa Ironsands Ltd	Support in part		<ul style="list-style-type: none"> Amend RPROZ-P4 to delete the word “avoid” and add the words “offset” and “compensate”. Amend clause 6 of Policy RPROZP4 so that it reads: “6. Requiring sites where quarrying activities occur to be rehabilitated <u>as far as practicable</u> and ensuring appropriate materials are used for this purpose”. <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
43.100	Graymont (New Zealand) Limited	Support with amendment	RPROZ-P4	Amend RPROZ-P4(4) as follows: 4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and	Accept
FS21.24	Taharoa Ironsands Ltd	Support in part		Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7 <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: 4. Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. <p>Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	See response to submission point 49.04
FS23.208	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.	Reject
17.127	Waka Kotahi	Support in part	RPROZ-P5	Amend RPROZ-P5 as follows: To maintain the safe and efficient functioning of <u>the transport network</u> adjoining roads , activities must: Ensure the scale and location of any expansion is consistent with the capacity, design and function of the roading hierarchy or is able to offset adverse effects on the roading transport <u>network</u> ; and Ensure traffic generated by the activity does not compromise road <u>the</u> safety or efficiency <u>of the transport network</u> ; and	Accept
29.09	AQA	Support	RPROZ-P7	Retain as notified.	Accept

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
FS21.14	Taharoa Ironsands Ltd	Support		Retain Policy RPROZ-P7 Any alternative and/or consequential amendments to the same effect as the primary relief sought above	Accept
43.101	Graymont (New Zealand) Limited	Support	RPROZ-P7	Retain RPROZ-P7 as notified.	Accept
FS21.25	Taharoa Ironsands Ltd	Support		Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7 <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: <ol style="list-style-type: none"> Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. Any alternative and/or consequential amendments to the same effect as the primary relief sought above. 	See response to submission point 49.04
43.102	Graymont (New Zealand) Limited	Support with amendment	RPROZ-P8	Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>in those areas surrounding RPROZ-SCHED1 – Scheduled rural production sites.</u>	Accept
FS21.26	Taharoa Ironsands Ltd	Support in part		Retain Policies RPROZ-P2, RPROZ-P3 and RPROZ-P7 <ul style="list-style-type: none"> Amend RPROZ-P4(4) as follows: <ol style="list-style-type: none"> Avoiding, <u>remedying or mitigating</u> adverse effects on water bodies; and Amend RPROZ-P8 as follows: Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development <u>on adjoining and adjacent sites</u> to RPROZSCHED1 – Scheduled rural production sites. Any alternative and/or consequential amendments to 	See response to submission point 49.04

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				the same effect as the primary relief sought above.	
16.44	FENZ	Support in part	RPROZ-P10	Amend as follows: RPROZ-P10. Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated <u>water</u> , wastewater and stormwater methods.	Accept
07.06	Omya	Support	RPROZ-R1	Retain as notified.	Accept
FS21.04	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2	Accept
07.06	Omya	Support	RPROZ-R1	Retain as notified.	Accept
FS21.04	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2	Accept
49.05	Taharoa Ironsands Ltd	Support with amendment	RPROZ R1-R13	TIL seeks the following relief: (i) Retain Rules RPROZ-R1 to RPROZ-R6 and RPROZ-R8 to RPROZ-R13; and (ii) Amend Rule RPROZ-R7 so that it reads: "One <u>or more</u> residential <u>unit</u> (s) providing residential accommodation per each individual zone for security <u>or key operational</u> staff or caretakers". (iii) Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa iron sands mine. Any alternative and/or consequential amendments to the same effect as the primary relief sought above.	Accept - RPROZ-R1 to RPROZ-R6 and RPROZ-R8 to RPROZ-R13 retain as notified. Reject amendment to RPROZ-R7 Accept in part amend RPROZ-R20 to RPROZ-R27 (RPROZ-R25 amended)
FS28.03	Roy Wetini	Not stated		49.07(iii) We oppose the relief sought by TIL to remove or amend RPROZ-R20 to RPROZ R27 and request that these performance standards are retained as notified in the Proposed Waitomo District Plan. **suspect error in the submission reference at the start**	Reject (RPROZ-R25 amended)
16.45	FENZ	Support	RPROZ - Table Activities Rules	Retain as notified.	Accept

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
			RPROZ-R2		
43.103	Graymont (New Zealand) Limited	Support	RPROZ-R12	Retain RPROZ-R12 as notified.	Accept
FS21.27	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2 **suspect error in further submission as the primary submission is about different rules**	Accept
07.07	Omya	Support in part / amend	RPROZ-R12- RPROPZ- R13	Omya seeks amendment to include the Ngapenga Quarry Schedule 1 reference in rules RPROZ-12 and RPROZ-13 so that rules that apply to quarrying activities and mineral prospecting apply to this site.	Reject
FS23.21	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
43.104	Graymont (New Zealand) Limited	Support	RPROZ-R13	Retain RPROZ-R13 as notified.	Accept
FS21.28	Taharoa Ironsands Ltd	Support		Retain Rules RPROZ-R1 and RPROZ-R2 **suspect error in further submission as the primary submission is about different rules**	Accept
07.08	Omya	Support in part/amend	RPROZ-R14	Omya seeks amendment to include the Rorisons Aglime Processing Plant Schedule 1 reference in Rule RPROZ-R14 so that the rules that apply to mineral processing etc. apply to this site.	Reject
FS23.22	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
07.09	Omya	Support in part/amend	RPROZ-R20	Omya seeks clarification that existing buildings are exempt from these rules. This could be achieved by an additional note at the end of RPROZ-R20 stating the following: <u>"Note: Buildings existing prior to the decisions version of this District Plan are exempt from this rule"</u>	Reject
FS21.05	Taharoa Ironsands Ltd	Support in part		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more	See response to submission point 49.05

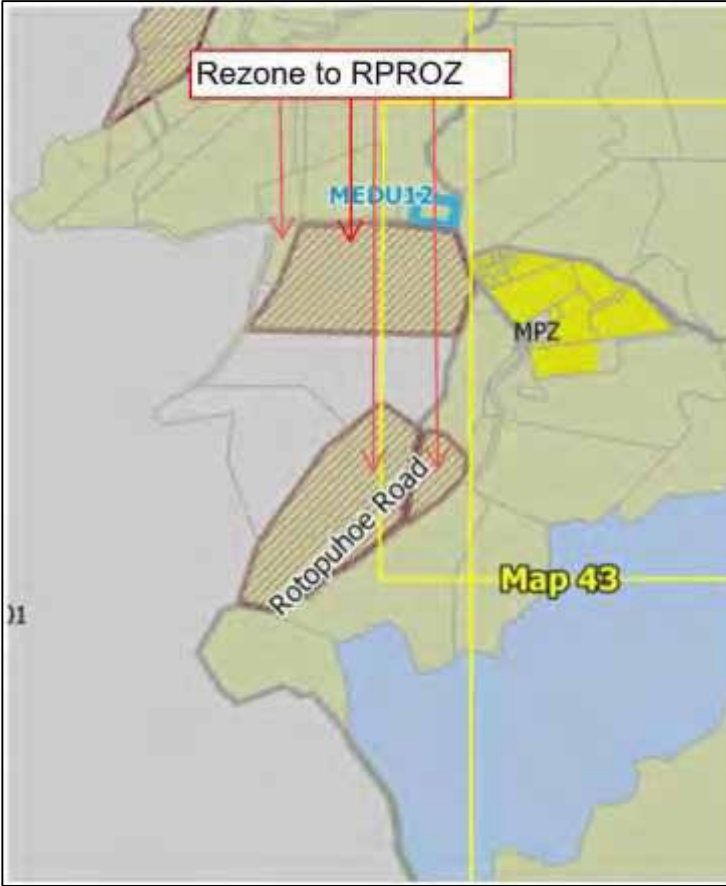
Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				appropriately recognise the activities undertaken at the Taharoa ironsands mine	
FS23.23	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
16.46	FENZ	Oppose	RPROZ-R20	Add as follows: <u>12. Provided emergency service facilities are exempt from this rule.</u>	Accept
07.10	Omya	Support	RPROZ-R21	Omya seeks that the specified rule is retained as notified.	Accept
FS21.06	Taharoa Ironsands Ltd	Oppose		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa ironsands mine.	Reject
07.11	Omya	Support	RPROZ-R22	Omya seeks that the specified rule is retained as notified.	Accept
FS21.07	Taharoa Ironsands Ltd	Oppose		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa ironsands mine.	Reject
07.12	Omya	Oppose	RPROZ-R25	Omya requests that this rule excludes Mineral Processing Plants and Quarries. Alternatively, overburden associated with mineral processing plants and quarries should be excluded from the definition of outdoor storage (in Part 1 – Interpretation – 9. Definitions chapter of the Proposed District Plan).	Accept
FS08.05	Graymont (New Zealand) Limited	Support		Allowed	Accept
FS21.08	Taharoa Ironsands Ltd	Support		Exclude Mineral Processing Plants and Quarrying from the rule, and the or exclude such activity from the definition of outdoor storage in the definitions chapter.	Accept
FS23.24	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
07.13	Omya	Support	RPROZ-R26	Omya seeks that the specified rule is retained as notified.	Accept
FS21.09	Taharoa Ironsands Ltd	Oppose		Amend Rules RPROZ-R20 to RPROZ-R27 to eliminate inconsistencies with objectives and policies and to more appropriately recognise the activities undertaken at the Taharoa ironsands mine.	Reject
FS23.25	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	Reject
16.47	FENZ	Support	RPROZ-R26	Retain as notified.	Accept
FS08.24	Graymont (New Zealand) Limited	Oppose in part		Disallow	Reject
24.47	Ministry of Education (MoE)	Amend	NEW OBJECTIVE	Add a new objective to the Rural production zone as follows: <u>RPROZ-OX</u> <u>Provide for additional infrastructure within the Rural Production Zone.</u> And Any consequential amendments required to give effect to the matters raised in this submission.	Reject
24.48	MoE	Amend	NEW POLICY	Add the following new policy to the Rural production zone: <u>RPROZ – PX</u> <u>Provide for educational facilities as needed to support rural communities.</u> And Any consequential amendments required to give effect to the matters raised in this submission.	Reject
24.49	MoE	Amend	NEW RULE	Add the following new rule to the Rural production zone: <u>RPROZ-RXX</u> <u>Educational facilities</u> <u>Activity status: RDIS</u> <u>Matters over which discretion is restricted:</u> a. <u>The effect on surrounding properties, rural character</u>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p><u>and amenity; and</u></p> <p>b. <u>Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</u></p> <p>c. <u>The effects associated with layout, design and location of the activity, including operating hours; and</u></p> <p>d. <u>Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</u></p> <p>e. <u>Provision of on-site infrastructure; and</u></p> <p>f. <u>Potential reverse sensitivity effects on any adjoining rural activities.</u></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	
07.14	Omya	Support in part/Amend	RPROZ-SCHED1	<p>Omya seeks the following amendments to RPROZ-SCHED1:</p> <p>(a) Omya supports the listing of Symonds Quarry (RPROZ-7) and Omya Mineral Processing Plant (RPROZ-10) within Schedule 1 of the RPROZ chapter, and their classification as regionally significant.</p> <p>(b) Omya seeks amendments to RPROZ Schedule 1 to include Ngapenga Quarry as a scheduled site for the purpose of limestone quarrying as an insertion after RPROZ-9.</p> <p>The details sought to be included are listed as follows:</p> <p><u>Unique identifier:</u> To be confirmed by Council</p> <p><u>Site Name:</u> Ngapenga Quarry Omya New Zealand Limited</p> <p><u>Location:</u> Tawarau Road/Were Road</p> <p><u>Legal Description:</u> Part Section 1 Block III Maungamangero SD, Section 10 Block III Maungamangero SD.</p> <p><u>Site type:</u> Significant Mineral Resource</p> <p>(c) Omya seeks amendments to the listed location and</p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>legal description of scheduled site RPROZ-4.</p> <p>The details proposed to be amended are included as follows:</p> <p><u>Location:</u> Kaitaringa Road / Aria Road</p> <p><u>Legal Description:</u> Aorangi 3B Block, Aorangi 3D1 Block, Lot 2 DPS 17671 and Part Karuotewhenua B5A Block.</p> <p>Omya seeks amendments to RPROZ Schedule 1 to ensure that the Rorisons Aglime Processing Plant is specifically identified in addition to existing RPROZ-4 Rorisons Riverside Wairere Lime Quarry. These activities operate in conjunction with each other on the same site. There are two options proposed as follows:</p> <ol style="list-style-type: none"> 1. Add a new scheduled site under the "Primary Purpose – Mineral Processing" section of Schedule 1 (with the same legal description and location as the existing RPROZ-4). Wording proposed as follows – <p><u>Unique identifier:</u> To be confirmed by Council</p> <p><u>Site Name:</u> Rorisons Aglime Processing Plant</p> <p><u>Location:</u> Aria Road/Kaitaringa Road</p> <p><u>Legal Description:</u> Lot 2 DPS 17671, Aorangi 3D1 Block, Aorangi 3B Block, Part Karuotewhenua B5A Block</p> <p>Site type: Regionally Significant Industry Or</p> 2. Alternatively to 'b' above, Council could combine the Aglime Processing Plant with existing Schedule 1 site RPROZ-4 'Rorisons Riverside Wairere Lime Quarry'. If this option is opted for, RPROZ-4 will need to be listed against Rule RPROZ-14 in addition to RPROZ-12 and RPROZ-13 in the RPROZ chapter. Changes to the Schedule 1 description of RPROZ 4 will also be required. See wording as follows: <p><u>Unique identifier:</u> RPROZ-4</p> <p><u>Site Name:</u> Rorisons Riverside Wairere</p> 	

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>Lime Quarry and Aglime Processing Plant</p> <p><u>Location:</u> Aria Road/Kaitaringa Road</p> <p><u>Legal Description:</u> Lot 2 DPS 17671, Aorangi 3D1 Block, Aorangi 3B Block, Part Karuotewhenua B5A Block</p> <p><u>Site type:</u> Significant mineral resource and regionally significant Industry</p>	
FS23.26	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	Accept
29.10	AQA	Support	RPROZ-SCHED1 RPROZ 1-9	Retain RPROZ-SCHED1 and RPROZ 1-9 as notified.	Accept
FS21.15	Taharoa Ironsands Ltd	Support in part		Retain RPROZ-SCHED1 RPROZ 1-9 subject to the amendments to the legal descriptions applicable to the Taharoa Ironsands Mine as set out in the original TIL submission.	Reject
43.07	Graymont (New Zealand) Limited	Support with amendment	RPROZ-SCHED1	Amend RPROZ-SCHED1 to identify Oparure Quarry and associated Te Kuiti Processing Plant as 'regionally significant industry'.	Reject
FS23.177	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	Accept
49.01	Taharoa Ironsands Limited (TIL)	Support with amendment	Maps	<p>TIL seeks the following relief in terms of zoning:</p> <p>(i) Retain the zoning of the overall Taharoa Ironsands mine site (Taharoa C Block, Taharoa A7J3B Block, Taharoa A7J4B Block) as Rural Production Zone; and</p>	Reject

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				<p>(ii) Rezone the Te Mania Block and the Pihopa Block from General Rural Zone/Indicative Rural Production Zone to Rural Production Zone ("RPROZ") on Planning Map 1 as shown below.</p>  <p>Amend RPROZ-SCHED1 – Scheduled rural production sites as follows (additions underlined, deletions struckthrough) to include the Te Mania Block and the Pihopa Block:</p>	

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation																		
				<table border="1" data-bbox="936 194 1650 443"> <thead> <tr> <th>Unique Identifier</th> <th>Map Ref</th> <th>Site Name</th> <th>Location</th> <th>Legal Description</th> <th>Site Type</th> </tr> </thead> <tbody> <tr> <td colspan="6">Primary Purpose – Quarrying Activities</td> </tr> <tr> <td>RPROZ-1</td> <td></td> <td>Taharoa Ironsands Limited</td> <td>Taharoa Road</td> <td>Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block</td> <td>Significant Mineral Resource</td> </tr> </tbody> </table> <p data-bbox="936 469 1650 657">(iv) Without derogating from relief (ii) above, retain the extent of the Indicative Rural Production Zone notations shown on Planning Map 1 and provide policy support for those Indicative notations to at minimum recognise the appropriateness of the land within the Indicative Rural Production Zone for future mining activities.</p> <p data-bbox="936 679 1650 730">Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</p>	Unique Identifier	Map Ref	Site Name	Location	Legal Description	Site Type	Primary Purpose – Quarrying Activities						RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource	
Unique Identifier	Map Ref	Site Name	Location	Legal Description	Site Type																		
Primary Purpose – Quarrying Activities																							
RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource																		
FS28.01	Roy Wetini	Oppose		<p data-bbox="936 769 1650 845">(i) Disallow retention of the extent of the Indicative Rural Production Zone notations shown on Planning Map 1 as notified by WDC.</p> <p data-bbox="936 868 1650 944">Amend the Rural Production Zone map and RPOZ-SCHED1- to remove all allotments with the exception of Taharoa C Block as follows:</p> <table border="1" data-bbox="936 970 1650 1248"> <thead> <tr> <th>Unique Identifier</th> <th>Map Ref</th> <th>Site Name</th> <th>Location</th> <th>Legal Description</th> <th>Site Type</th> </tr> </thead> <tbody> <tr> <td colspan="6">Quarrying Activities</td> </tr> <tr> <td>RPROZ-1</td> <td></td> <td>Taharoa Ironsands Limited</td> <td>Taharoa Road</td> <td>Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block</td> <td>Significant Mineral Resource</td> </tr> </tbody> </table> <p data-bbox="936 1273 1650 1382">(ii) Disallow the relief sought in the original submission by TIL to rezone the Te Manaia Block and Pihopa Block from General Rural Zone to Rural Production Zone on Planning Map 1.</p> <p data-bbox="936 1404 1650 1445">(iii) Disallow the relief sought by TIL to amend RPROZ-SCHED1- to include Part Taharoa A7J2 Block and</p>	Unique Identifier	Map Ref	Site Name	Location	Legal Description	Site Type	Quarrying Activities						RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource	Accept
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RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block, Part Taharoa A7J2 Block, Taharoa A7J8 C Block	Significant Mineral Resource																		

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
				Taharoa A7J8 C Block. (iv) Remove all Indicative Rural Production Zone notations shown on Planning Map 1 of the Proposed Waitomo District Plan.	
46.11	Federated Farmers	Support with amendment	Regionally significant industry	Amend the definition of 'regionally significant industry' to ensure that primary production is given regionally significant industry status through: <ul style="list-style-type: none"> the inclusion of primary production in the definition of regionally significant industries; or the recognition of primary production as a regionally significant industry in the definition of primary production; or the recognition of primary production as a regionally significant industry elsewhere in the plan And any consequential amendments required as a result of the relief sought.	Reject
FS19.159	PF Olsen	Support		Allow submission point	Reject
02.07	New Zealand Helicopter Association	Support	Regionally significant infrastructure	Retain as notified.	Accept
FS13.07	New Zealand Agricultural Aviation Association	Support		Add the definition as sought	Accept
09.01	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited, and Vodafone New Zealand Limited	Support	Regionally significant infrastructure	Retain as notified.	Accept
17.12	Waka Kotahi	Support in part	Regionally significant	Amend definition:	Accept

Submission No	Submitter	Support / In Part / Oppose	Plan Provision	Relief Sought	Recommendation
			infrastructure	Means: ... (g) significant transport corridors as defined in Map 6-1-25 and 6-1A-26 of the Operative Waikato Regional Policy Statement;	
51.09	KiwiRail Holdings Ltd	Seek amendment	Regionally significant infrastructure	Amend to update current reference to RPS maps showing regionally significant infrastructure.	Accept
25.08	The Lines Company	Support	Regionally significant infrastructure	Retain as notified.	Accept
31.11	Transpower	Support	Regionally significant infrastructure	Retain the definition of 'Regionally significant infrastructure' and capitalise the first letter of each term as follows: Regionally Significant Infrastructure (RSI). And Any consequential amendments.	Reject
33.03	King Country Energy	Support	Regionally significant infrastructure	Retain as notified.	Accept
39.05	Firstgas	Amend	Regionally Significant Infrastructure	Amend the definition of 'Regionally Significant Infrastructure' as follows: Regionally Significant Infrastructure: means regionally significant infrastructure including: (a) Pipelines for the distribution of natural or manufactured gas or petroleum (b) <u>The Gas Transmission Network</u> (c) Radio apparatus Or Similar relief to achieve this submission – that any associated above or below-ground fitting, appurtenance, fixture, or equipment required for the conveyance of the product or material in the pipeline and/or for its safe, efficient or effective operations is included in the definition.	Reject

APPENDIX 2 AMENDMENTS TO THE RURAL PRODUCTION ZONE CHAPTER

Strikethrough is shown as an addition or ~~deletion~~

Overview

The rural production zone provides for a number of important scheduled rural industrial activities which contribute to the economic and social well-being of the community. These activities have established over time, generally in rural locations, in close proximity to the natural resources that they require. This zone recognises that the scheduled industrial activities located within it may have effects beyond those which can be accommodated in the general rural zone and makes appropriate provision for these effects.

In order to make specific planning provisions for each of the sites, they are listed and form part of this plan as RPROZ-SCHED1 – Scheduled rural production sites. This schedule may be changed only as a result of a change to the district plan. The schedule also specifies the primary purpose of the site and whether the site is of regional significance.

Most sites in RPROZ-SCHED1 are regionally significant. Sites of regionally significant industry must meet the definition contained in the Waikato Regional Policy Statement. Similarly, sites of regionally significant infrastructure must meet the definition contained in the Waikato Regional Policy Statement or in the Manawatū-Whanganui One Plan EIT-P1(1)(a). Sites identified as significant mineral resources must meet the criteria contained in the Waikato Regional Policy Statement.

In line with the provisions of the Waikato Regional Policy Statement, where quarries are of regional significance, indicative areas of expansion are identified on the planning maps. A plan change is required to make these areas into a live zone. Identifying these areas does not pre-empt any resource consent application or plan change application decision. However, it does ensure that the resource is identified, and new development and subdivision is appropriately considered in respect of this.

Where the term regionally significant is used below it refers both to regionally significant industry, infrastructure and significant mineral resources.

Objectives

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

- RPROZ-O1.** This zone provides for and recognises both the economic and social benefits afforded by the scheduled rural production sites and their unique operational requirements.
- RPROZ-O2.** Recognise and provide for the ability of the sites identified as regionally significant in RPROZ-SCHED1 – Scheduled rural production sites, to continue to operate, grow and develop and to be maintained and upgraded by:

1. Avoiding or minimising the potential for reverse sensitivity effects on activities in this zone; and
2. Managing the establishment of noise sensitive activities including subdivision, use and development.

RPROZ-O3. Ensure the adverse effects of the scheduled rural production sites are internalised, or avoided, remedied or mitigated as far as practicable.

RPROZ-O4. Provide for the primary purpose of any scheduled activity in the rural production zone including opportunities for their growth and expansion to meet future demands, while managing the adverse effects on the environment.

RPROZ-O5. Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment [as far as practicable](#).

RPROZ-O6. Ensure new development or re-development does not [compromise the safety of the transport network or](#) exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.

Policies

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

RPROZ-P1. Protect the ongoing operation and development or maintenance and upgrading of sites identified as regionally significant in RPROZ-SCHED1 – Scheduled rural production sites, by limiting the establishment or growth of noise sensitive activities on surrounding sites.

RPROZ-P2. Where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for activities on sites identified as regionally significant, the ensuing operations must remedy or mitigate adverse effects in that order in the first instance, or if this is not possible, offset adverse effects on the indigenous biodiversity values and ecological characteristics of the significant natural area by:

1. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and
2. Ensuring the biodiversity offset can achieve no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or where that is not practicable, in the ecological district in which the affected significant natural area is located.

RPROZ-P3. Where the location of an existing quarrying activity of significant mineral resources coincides with the karst overlay in whole or part, adverse effects on the geomorphological or hydrological characteristics of the karst system

should be remedied or mitigated in that order in the first instance, or if this is not possible, offset adverse effects.

RPROZ-P4. Enable scheduled activities in the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures that include:

1. Managing dust, odour, noise, vibration, access, debris on roads, illumination and driver behaviour to maintain amenity values, particularly during the night time; and
2. Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and
3. Ensuring that effects associated with glare, odour and particulates are appropriately managed mitigated; and
4. Avoiding remedying or mitigating adverse effects on water bodies; and
5. Undertaking remedial measures during operations as appropriate; and
6. Requiring sites where quarrying activities occur to be rehabilitated and ensuring appropriate materials are used for this purpose.

RPROZ-P5. To maintain the safe and efficient functioning of the transport network adjoining roads, activities must:

1. Ensure the scale and location of any expansion is consistent with the capacity, design and function of the roading hierarchy or is able to offset adverse effects on the roading network; and
2. Ensure traffic generated by the activity does not compromise road the safety or efficiency of the transport network; and
3. Avoid, remedy or mitigate the adverse effects of traffic generation, load type and vehicle characteristics on the operation and maintenance of the transport network; and
4. Provide well located, appropriately formed vehicle entrances, parking, loading and manoeuvring areas to sufficiently accommodate the requirements of the activity.

RPROZ-P6. Ensure the scale and location of any expansion of activities does not adversely affect local character or amenity by:

1. Maintaining boundary setbacks for activities and buildings; and
2. As far as practicable, ensuring that sites are sufficiently landscaped and screened from roads, public spaces and adjoining neighbours; and
3. Ensuring that industrial buildings are designed as far as practicable to not overshadow or overly dominate the wider surrounding area.

RPROZ-P7. Recognise that meeting mineral and aggregate needs from predominantly local sources is desirable and provide for this by:

1. Recognising that quarrying activities are constrained by the location of the resource; and
2. Recognising the importance of maintaining a supply of extracted minerals.

RPROZ-P8. Avoid or minimise the potential for reverse sensitivity effects to arise by managing the establishment of noise sensitive activities including subdivision, use and development [in those areas surrounding RPROZ-SCHED1 – Scheduled rural production sites.](#)

RPROZ-P9. Where reticulated water, wastewater and stormwater networks are available, discourage any development that requires servicing and infrastructure at an adverse cost to the community.

RPROZ-P10. Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated [water](#), wastewater and stormwater methods.

RPROZ-P11. Ensure new development is designed and located to manage significant risks from natural hazards.

RPROZ-P12. 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 production zone are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- RPROZ - Table 1 - Activities rules; and
- RPROZ - 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.

Pursuant to Section 86B(3) of the RMA, the following rules that protect or relate to water have immediate legal effect: RPROZ-R27.

RPROZ - Table 1 – Activities Rules

RPROZ-R1.	Warehouses , cool stores and covered storage areas for the storage of products produced on site – where these are ancillary to the primary purpose of any scheduled activity
RPROZ-R2.	Offices, canteens, ablution facilities, medical rooms, recreational facilities, vehicle servicing depots, emergency service facilities and workshops ancillary to the primary purpose of any scheduled activity
RPROZ-R3.	Laboratories and research facilities ancillary to the primary purpose of any scheduled activity
RPROZ-R4.	Demolition and/or removal of buildings
RPROZ-R5.	Tanks, silos and stormwater ponds
RPROZ-R6.	Agricultural, pastoral and horticultural activities including stock underpasses, stockholding areas, loading facilities and pens
RPROZ-R7.	One residential unit providing residential accommodation per each individual zone for security staff or caretakers.
RPROZ-R8.	Vehicle parking and vehicle storage ancillary to the primary purpose of any scheduled activity
RPROZ-R9.	Helipads and facilities for their servicing and management ancillary to the primary purpose of any scheduled activity
RPROZ-R10.	Temporary overhead electrical and telecommunication lines subject to Council being formally notified of the route, voltage/type of the electrical or telecommunications link and the date by which it will be removed.
RPROZ-R11.	Accessory buildings ancillary to any permitted activity
<p>Activity status: PER</p> <p>Where</p> <ol style="list-style-type: none"> All of the performance standards in RPROZ - Table 2 are complied with; and Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter. <p><i>Note: For the avoidance of doubt RPROZ-R1 to RPROZ-R11 apply to all sites identified in RPROZ-SCHED 1.</i></p>	
<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The matters of discretion associated with any performance standard which cannot be complied with in RPROZ - Table 2. <p>Activity status where compliance is not achieved with RPROZ-R26: DIS</p> <p>Activity status where compliance is not achieved with RPROZ-R27: NC</p>	
RPROZ-R12.	RPROZ-1 to RPROZ-9: Mineral prospecting and exploration

RURAL PRODUCTION

RPROZ-R13.	RPROZ-1 to RPROZ-9: Quarrying activities	
<p>Activity status: PER</p> <p>Where</p> <ol style="list-style-type: none"> This rule only applies to sites RPROZ-1 to RPROZ-9 as listed in RPROZ-SCHED1; and All of the performance standards in RPROZ - Table 2 are complied with. <p><i>Note: The provisions of the earthworks chapter do not apply to quarrying activities.</i></p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The matters of discretion associated with any performance standard which cannot be complied with in RPROZ - Table 2. 	
RPROZ-R14.	RPROZ-10 to RPROZ-11: Mineral processing including product packaging, storage and distribution activities and storage of products, by-products and waste materials processed on site within	
RPROZ-R15.	RPROZ-12 to RPROZ-13: Meat processing including product packaging, storage and distribution activities and storage of products, by-products and waste materials processed on site	
<p>Activity status: PER</p> <p>Where</p> <ol style="list-style-type: none"> This rule only applies to sites RPROZ-10 to RPROZ-13 as listed in RPROZ-SCHED1; and All of the performance standards in RPROZ - Table 2 are complied with. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The matters of discretion associated with any performance standard which cannot be complied with in RPROZ - Table 2. 	
RPROZ-R16.	RPROZ-14 to RPROZ-17: Hydro-electric Power Generation	
<p>Except for RPROZ-R17.4, refer to the Energy chapter.</p>		
RPROZ-R17.	High trip generating activities	
<p>While all activities in this zone must comply with the provisions in the transport chapter, for clarity, the following applies in respect of Integrated Transport Assessments:</p> <ol style="list-style-type: none"> All activities in the zone must comply with the provisions of TRAN-R8; and For the purposes of TRAN - Table 3, RPROZ-1 to RPROZ-9 must be assessed as “Primary production – mining and quarrying activities”; and For the purposes of TRAN - Table 3, RPROZ-10 to RPROZ-13 must be assessed as “Industrial activities”; and For the purposes of TRAN - Table 3, RPROZ-14 to RPROZ-17 must be assessed as “Rural-based industry”. 		
RPROZ-R18.	Activities not otherwise listed in RPROZ - Table 1	
<p>Activity status: DIS</p>	<p>Activity status where compliance is not achieved: N/A</p>	

RPROZ-R19.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps	
Activity status: PR	Activity status where compliance is not achieved: N/A	

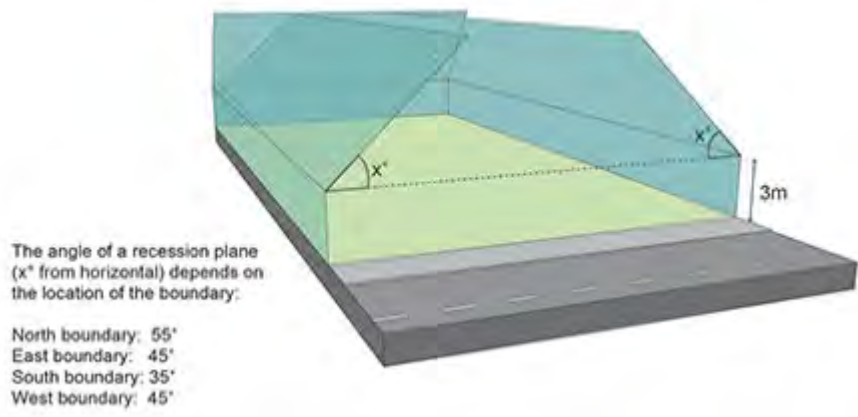
RPROZ – Table 2 – Performance Standards

RPROZ-R20.	Minimum setback from boundaries	
<ol style="list-style-type: none"> 1. From road boundaries: 2. The minimum setback for buildings or structures greater than 10 m high on all roads – 60 m; and 3. The minimum setback from a district road boundary for all other buildings or structures – 15 m; and 4. The minimum setback from a designated State Highway boundary for all other buildings or structures – 30 m; and 5. The minimum setback from any road boundary for deposition of overburden material or for extraction and deposition of aggregates – 30 m; <p>AND</p> <ol style="list-style-type: none"> 6. From internal site boundaries: 7. The minimum setback from internal site boundaries for buildings greater than 10 m high must be 60 m or 150 m from a building housing a residential activity on an adjoining site – whichever is the greater; and 8. The minimum setback from internal site boundaries for all other buildings must be 15 m or 150 m from a building housing a residential activity on an adjoining site – whichever is the greater; and 9. The minimum setback from internal site boundaries for deposition of overburden material or for extraction and deposition of aggregates must be 30 m or 150 m from a building housing a residential activity on an adjoining site – whichever is the greater. 10. On rear sites all boundaries are internal boundaries; and 11. Buildings may be erected up to any common boundary with an adjoining site which is in the same holding. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent to which the landscaping, fencing or screening is able to soften the visual impact of the proposed building, structure or activity; and (b) The overall landscaping provided on-site; and (c) The extent to which the siting and external appearance of buildings, structures or activities sit within the receiving environment; and (d) The extent of the activity and the ability to internalise adverse effects; and (e) The extent to which off-site effects including noise will inhibit the use of surrounding land; and (f) The extent to which the non-compliance and any subsequent building, structure or activities on the site adversely affects the character and amenity values of the surrounding area and/or road; and (g) Effects on the safety and efficiency of traffic flow; and (h) The extent to which the activity can be relocated to meet setback requirements; and (i) 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 (j) Topographical and geographical features affecting odour, dust, visual impact and noise; and (k) The effects associated with layout, design and location of the activity, including operating hours; and 	

<p><i>Note: Stockyards and stock loading ramps are not required to comply with this rule.</i></p> <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<p>(l) The effects of increased traffic and the timing of traffic generation; and</p> <p>(m) The extent to which the reduction in the setback is due to the shape or natural and physical features of the site.</p>
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RPROZ-R21.	Height and height in relation to boundary	
<ol style="list-style-type: none"> Structures must not exceed 20 m in height as measured from ground level; and No structure or stored materials shall project beyond a building recession plane from points 3 m above site boundaries. See Figure - RPROZ 1. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> Visual effects including bulk, scale and location of the building or structure; and The provision of daylight and sunlight into neighbouring buildings; and 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 Effects on the character and amenity values of the surrounding properties, public spaces, the adjacent zone or road; and Effects on the visual privacy of adjoining properties. 	

Figure – RPROZ 1 – Height in relation to boundary



RPROZ-R22.	Maximum building size and building coverage	
<ol style="list-style-type: none"> Construction, alteration or extension of buildings or structures - the maximum size of a building or structure must be no greater than 1000 m²; and The total building and structure coverage on a site must not exceed 30% of the net site area. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> Visual effects including bulk, scale and location of the building or structure; and The provision of daylight and sunlight into neighbouring buildings; and The adverse effects on adjacent sites; and 	

	<ul style="list-style-type: none"> (d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Effects on stormwater management and overland flow paths; and (f) The extent of the activity and the ability to internalise adverse effects; and (g) The extent to which off-site effects including noise will inhibit the use of surrounding land; and (h) Provision of on-site parking, manoeuvring and access; safety and efficiency and the effects of traffic generation, particularly (i) Effects on riparian margins or areas of indigenous vegetation; and (j) The effects associated with layout, design and location of the activity, including operating hours.
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RPROZ-R23.	Landscaping – adjoining zones
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<p>1. The side and/or rear boundary of a site that adjoins a site zoned as residential, rural lifestyle, settlement, Māori purpose, tourism, future urban or open space must either:</p> <ul style="list-style-type: none"> (i) Be planted and/or landscaped with planting that will, within two years of planting, reach a minimum height of 2 m and a minimum width of at least 2 m from the side and/or rear boundary; or (ii) Be fenced with a solid, close-boarded enclosed fence made with a minimum height of 2 m in height as measured from ground level; <p>AND</p> <ul style="list-style-type: none"> (iii) Security fences and fences over 2 m high must be set back a minimum of 2 m from all road boundaries, including internal road boundaries, and must be landscaped to screen the fence or security fence. 	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The extent to which the proposed landscaping is able to soften the visual impact of the proposed activity, building or structure; and (b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment; and (c) The extent of the activity and the ability to internalise adverse effects; and (d) The extent to which off-site effects including noise will inhibit the use of surrounding land; and (e) The extent to which the non-compliance and any subsequent building, structure or activities on the site adversely affects the character and amenity values of any adjacent zone; and (f) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.
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RPROZ-R24.	Landscaping – road boundaries
<p>1. All buildings, carparking areas or yard areas that are visible from an adjoining road boundary, or a public space must be screened from the road with landscaping and planting that will, within at least two years after planting, reach a minimum height of 2 m and, with the exception of vehicle crossing, be a minimum width of 2 m from the road boundary.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The extent to which the proposed landscaping is able to soften the visual impact of the proposed activity, building or structure; and (b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment and adjacent road; and (c) The extent of the activity and the ability to internalise adverse effects; and (d) The extent to which off-site effects including noise will inhibit the use of surrounding land; and (e) The extent to which the siting and external appearance of buildings, structures or activities sit within the receiving environment; and (f) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.
RPROZ-R25.	Outdoor storage screening
<p>1. No outdoor storage area shall be visible from an adjoining property, public space or a road. Any outdoor storage area visible from an adjoining property, public space or road must be screened from the property, public space or road by:</p> <ul style="list-style-type: none"> (i) Planting and/or landscaping with planting that will, within two years of planting, reach a minimum height of 2 m and a minimum width of at least 2 m from the side and/or rear boundary; or (ii) Fencing with a solid, close-boarded enclosed fence 2m high as measured from ground level. <p><u>Provided this rule does not apply to overburden located on sites RPROZ-1 to RPROZ-9 (as listed in RPROZ-SCHED1).</u></p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The extent to which the proposed landscaping is able to soften the visual impact of the outdoor storage; and (b) Whether alternatives are proposed to preserve the amenity, character and values of the surrounding environment; and (c) The extent to which the siting and external appearance of the outdoor storage, sits within the receiving environment; and (d) The extent to which the non-compliance adversely affects the character and amenity values of any adjacent zone; and (e) The extent to which the reduction in the landscaping is due to the shape or natural and physical features of the site.

<p>RPROZ-R26.</p>	<p>Servicing</p>
<ol style="list-style-type: none"> 1. All developments must have an independent potable water supply for activities on the site; and 2. All developments must have an independent water supply for fire fighting that is compliant with SNZ PAS 4509: 2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; and 3. 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 4. 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). 	<p>Activity status when compliance is not achieved: DIS</p>
<p>RPROZ-R27.</p>	<p>Minimum setback from water bodies – quarrying activities, mineral prospecting and exploration</p>
<ol style="list-style-type: none"> 1. The minimum setback for quarrying activities, mineral prospecting and exploration from the edge of any water body as measured from the closest bank – 30 m; and 2. The minimum setback from the edge of any water body as measured from the closest bank for deposition of overburden material or for extraction and deposition of aggregates – 30 m; and 3. For the purposes of this rule a water body is: <ol style="list-style-type: none"> (i) A perennial watercourse with a bankfull channel width of 3 m or more; or (ii) In the Upper Waipa River sub-catchments, as identified on the Planning Maps, a perennial watercourse with a bankfull channel width of 2 m or more; or (iii) A lake equal to or larger than 0.25 ha. <p><i>Note: For setbacks from natural wetlands see the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</i></p>	<p>Activity status where compliance is not achieved: NC</p>

RPROZ-SCHED1 – Scheduled rural production sites

Unique Identifier	Map Ref	Site Name	Location	Legal description*	Site Type
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Primary Purpose - Quarrying Activities

RPROZ-1		Taharoa Ironsands Limited	Taharoa Road	Taharoa A7J3B Block, Taharoa A7J4B Block, Taharoa C Block	Significant mineral resource
RPROZ-2		Ravensdown Supreme Lime Quarry	Mangarino Road	Pukeroa Hangatiki A56 & A58 Blocks, Lot 3 DPS 91155	Significant mineral resource
RPROZ-3		Graymont Oparure Quarry	Oparure Road	Lot 2 DPS 77130	Significant mineral resource
RPROZ-4		Rorisons Riverside Wairere Lime Quarry	Kaitaringa road	Lot 2 DPS 17671, Aorangi 3D1 Block	Significant mineral resource
RPROZ-5		Tuckers Quarry	Aria road	Part Section 1 & 16 Block X Totoro SD, Section 14 Block X Totoro SD, Section 31 Block IX Totoro SD, Part Lot 1 DP 4271, Lot 1 DP 14708	Significant mineral resource
RPROZ-6		Piopio Quarry	State Highway 3	Lot 1 DPS 14880, Lot 1 DPS 39347	Significant mineral resource
RPROZ-7		Symonds Quarry Omya New Zealand Limited	Somerville Road	Lot 2 DPS 56871, Lot 1 DPS 41887, Lot 1 DPS 50483, Lot 14 DP 20464, Section 1 SO 532312	Significant mineral resource
RPROZ-8		Greywacke Quarry	State Highway 30 – Bodley Road	Part Section 13 Block VIII Otanake SD	-
RPROZ-9		Awakino Quarry	Manganui Road	Sections 16, 17 & 41 Block VII Awakino North SD	Significant mineral resource

Primary Purpose – Mineral Processing

RPROZ-10		Omya New Zealand Limited Mineral Processing Plant	Hangatiki East Road	Part Te Kumi A10B Block, Lot 1 DPS 10455, Lot 1 Sec 24 Block XV Orahiri SD	Regionally significant industry
RPROZ-11		Rorisons Serpentine Quarry	Kohua Road	Aorangi B2B2B2 Block	Significant mineral resource

Primary Purpose – Meat Processing

RPROZ-12		Te Kuiti Meat Processors Limited	Rangitoto Road	Part Lot 1 DP 19124	Regionally significant industry
RPROZ-13		Crusader Meats Limited	State Highway 30	Part Tiroa E Block	-

Unique Identifier	Map Ref	Site Name	Location	Legal description*	Site Type
Primary Purpose – Hydro-electric Power Generation					
RPROZ-14		Wairere Hydro Power Station King Country Energy	Aria Road	Crown Land Block VI (under action) Totoro Survey District, Part Section 1 Block VI Totoro SD	Regionally significant infrastructure
RPROZ-15		Mokauiti Hydro Power Station King Country Energy	Totoro Road	Lot 1, 2, 3, 4 & 8 DP 9235, Section 28, 29 & 33 Block IX Totoro SD	Regionally significant infrastructure
RPROZ-16		Speedies Road Hydro Power Station The Lines Company	Speedies Road	Section 2 SO 426054, Lot 2 DP 410761	Regionally significant infrastructure
RPROZ-17		Boulder Creek Road Hydro Power Station Crusader Meats Limited	Waipa Valley Road	Lot 1 DP 367689	Regionally significant infrastructure

*Note: The rural production zone may only apply to part of the land parcels identified in this schedule. See the Planning Maps for the extent of the zone.

Advice notes

Accidental discovery protocol

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

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

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

Contaminated land

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

Regional Council consents

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

Works in close proximity to any electricity line

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

Landscaping

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

APPENDIX 3 SECTION 32AA EVALUATION

1. A section 32AA evaluation is only required for any changes that are proposed to the provisions of this plan since the original section 32 evaluation report for the proposal was completed. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes.

1. Objectives

- RPROZ-O5.** Development or re-development of any site must be appropriately designed, located and landscaped to mitigate adverse effects on the external visual catchment [as far as practicable](#).

Purpose of the RMA and comparison with any relevant existing objectives in this plan

2. The recommended amendment to RPROZ-O5 gives effect to Sections 5-8 of the RMA. The rural environment is a key source of natural resources such as aggregates and the opportunity to generate renewable energy. Rural industries harnessing these resources enable people and communities to provide for their economic and social well-being. The establishment of sensitive activities in close proximity can compromise the operation of legitimate rural industry. Conversely, section 5(2)(c) requires rural industry to avoid, remedy or mitigate adverse effects. Tempering the objective to mitigate adverse visual and amenity effects 'as far as practicable' balances the efficient use and development of natural and physical resource without compromising the quality of the environment and amenity values on properties surrounding this zone. As such, the amendment more readily achieves the purpose of the RMA when compared to the notified version.

Decision about most appropriate option

3. The amendment is considered to be more appropriate in achieving the purpose of the RMA than the notified version. Not all sites are able to fully internalize visual effects given the scale of some operations. This amendment does not remove the obligation to address issues such as siting, design and landscaping but it does acknowledge that visual mitigation measures can only proceed to a finite point.

- RPROZ-O6.** Ensure new development or re-development does not [compromise the safety of the transport network or](#) exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.

Purpose of the RMA and comparison with any relevant existing objectives in this plan

4. The recommended amendment to RPROZ-O5 gives effect to Sections 5-8 of the RMA. The transport chapter provides a policy framework for specific road network matters (TRAN-O3, TRAN-O4) but it is remiss not to refer to

the transport network when considering infrastructure provision. The recommended amendment provides for section 5(2)(c) by avoiding, remedying, or mitigating any adverse effects of activities on the transport network. The amendment is considered to better achieve the purpose of the RMA when compared to the notified version.

Decision about most appropriate option

5. The amendment is considered to be more appropriate in achieving the purpose of the RMA than the notified version. This amendment provides for the management of adverse effects on the transport network and for some sites, this can be a significant issue. It also ensure that RPROZ-P5 has a clear relationship with a governing objective.

2. Policies

RPROZ-P4. Enable scheduled activities in the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures that include:

1. Managing dust, odour, noise, vibration, access, debris on roads, illumination and driver behaviour to maintain amenity values, particularly during the night time; and
2. Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and
3. Ensuring that effects associated with glare, odour and particulates are appropriately managed mitigated; and
4. Avoiding remedying or mitigating adverse effects on water bodies; and
5. Undertaking remedial measures during operations as appropriate; and
6. Requiring sites where quarrying activities occur to be rehabilitated and ensuring appropriate materials are used for this purpose.

Other reasonably-practicable options

6. Other than recommending the amendment above, the other reasonably practicable options include retaining the notified version or not providing a policy for this matter. However, RPROZ-P4 is an important policy. It seeks to enable scheduled activities provided that the adverse effects are internalised, or avoided, remedied or mitigated as far as practicable through methods and mitigation measures. It corresponds well to its governing objective RPROZ-O3, which would not provide the required level of detail in the absence of P4.

Effectiveness and efficiency

7. The policy's governing sentence requires adverse effects of the activities to be internalised, or avoided, remedied or mitigated as far as practicable. The original wording in RPROZ-P4.4 was not effective as it refers to 'avoiding' adverse effects on water bodies, which directly undermines the governing sentence. For effectiveness, a similar amendment is required to RPROZ-P4.3.

Costs and benefits

8. There is no concern about increased costs as a result of this amendment. The change corrects the application of the governing sentence on the methods and mitigation methods listed in the policy. The benefits are a clearer, more workable policy framework.

Risk of acting or not acting

9. There are no additional risks in acting to amend this policy. There is sufficient information on the costs to the environment, and benefits to people and communities to justify the amendment to the policy.

Decision about most appropriate option

10. The amendment gives effect to the relevant objective RPROZ-O3. It is considered to be more appropriate in achieving the purpose of the objective than that of the notified version.

3. Rules

[Provided this rule does not apply to overburden located on sites RPROZ-1 to RPROZ-9 \(as listed in RPROZ-SCHED1\).](#)

Effectiveness and efficiency

11. Amending RPROZ-R25 is an effective and efficient method to implement RPROZ-P6 and therefore achieve RPROZ-O5. Overburden setback standards from road and internal boundaries are provided for in RPROZ-R20.5 and R20.9. Duplication of provisions is not efficient. Additionally, it is ineffective to screen overburden particularly as the visual effects are often temporary as the overburden is moved or recontoured on the site.

Costs and benefits

12. The recommended amendments to this rule would reduce the need for resource consents to be obtained, thus saving time and costs.

Risk of acting or not acting

13. There is a risk in retaining the notified version of this rule in that the outcomes sought are duplicated by other provisions and as the effects are usually temporary, the imposition of a rule is unjustified. The amendment still appropriately manages adverse effects.

Decision about most appropriate option

14. The recommended rule is the most appropriate way to achieve the purpose of the RMA as it reduces duplication, increases certainty and continues to manage the adverse effects overburden stockpiles.